

US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM-2015-422

NOTICE DATE:
May 4, 2016

Attn: Postmaster,
Please Post Until  EXPIRATION DATE:
June 2, 2016

U.S. Army Corps of Engineers

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act.

APPLICANT:

Joachim Fernandez
Kinder Morgan Bulk Terminals, Inc.
7725 County Road 142
Blytheville, Arkansas 72315
(870) 838-0622

PURPOSE: According to the applicant, the purpose of this project is to relocate the Kinder Morgan Hickman barge dock and an associated ramp to a more suitable location. The previous ramp failed due to being built on unsuitable ground for long term loading and unloading. The ramp is to be moved to more suitable ground with design parameters and testing to ensure long term bank stability with loads from equipment including adequate factors of safety.

LOCATION: The project site is located east of Blytheville, Arkansas, on the right descending bank of the Mississippi River at approximate river mile 823 and Lat/Lon, 35°56'41"N/89°41'23" W, in Mississippi County, Arkansas (Attachment 1: Topographic Map Project Location).

DESCRIPTION OF WORK: The existing coil dock barge will be removed and relocated approximately 530 feet upstream. Fill material (slag/rip-rap) will be placed extending out from the bank into the Mississippi River and a steel ramp would be constructed to connect the bank and floating barge dock to allow equipment access. The material will be placed using heavy equipment. Five new deadmen and shore wires will be installed to moor the 300' X 50' barge dock to the bank. The distance of the barge to the bank will depend on the level of the river. (Attachment 2: Plan)

AVOIDANCE/MINIMIZATION: The applicant believes there will be no negative impacts.

MITIGATION: No mitigation has been proposed for this project.

WATER QUALITY CERTIFICATION: The Section 404 component of the proposed project is being reviewed under the criteria of Nationwide Permit 39 Commercial and Institutional Developments. The State of Arkansas has conditionally certified Nationwide Permit 39.

ENDANGERED SPECIES: This notice is being coordinated with the USFWS. The interior least tern (*Sterna antillarum athalassos*) and pallid sturgeon (*Scaphirhynchus albus*) are known to utilize the Mississippi River. Any comments USFWS, or other interested parties, may have regarding these or other endangered or threatened

species or their critical habitat, will be considered in our evaluation of the described work. However, it is our preliminary determination that the proposed project will not affect these species.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer, federally recognized Tribes and the public in response to this public notice and we may conduct or require a survey of the project area. However, it is our preliminary determination that the proposed project will not affect any Historic Properties.

FLOODPLAIN: In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. Floodplain administrators should review the proposed public notice and notify this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; federal, state and local agencies and officials; federally recognized Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision. If a public hearing is held, it will be for the purpose of obtaining additional information that we could not otherwise obtain through a public notice process; not to inform the public about the specific details of the project in greater detail than what is found in this notice. This is not a Corps of Engineers project. We are not a proponent nor are we an opponent of the project. We are merely the permitting authority of Section 404 and Section 10 permits required by our office.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: Send comments to the Corps of Engineers, Memphis District. Comments may be sent via mail or email to the following:

U.S. Army Corps of Engineers - Memphis District
ATTN: Damon McDermott
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: robert.d.mcdermott@usace.army.mil
phone: (901) 544-0732
fax: (901) 544-0211

The Corps of Engineers may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments should be received by the expiration date listed on page one of this notice.

For Final Individual Permits actions in the Memphis District, go to the following link:
<http://geo.usace.army.mil/egis/f?p=340:2:0::NO:RP>. Using the Filter by District drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending individual permits can be located by selecting the “**Pending IP**” tab above. All of the environmental documents and statements of findings supporting issuance or denial of the permit decisions are available upon written request and where applicable, upon the payment of administrative fees. They are also available at the Memphis District, Regulatory Branch office for examination.

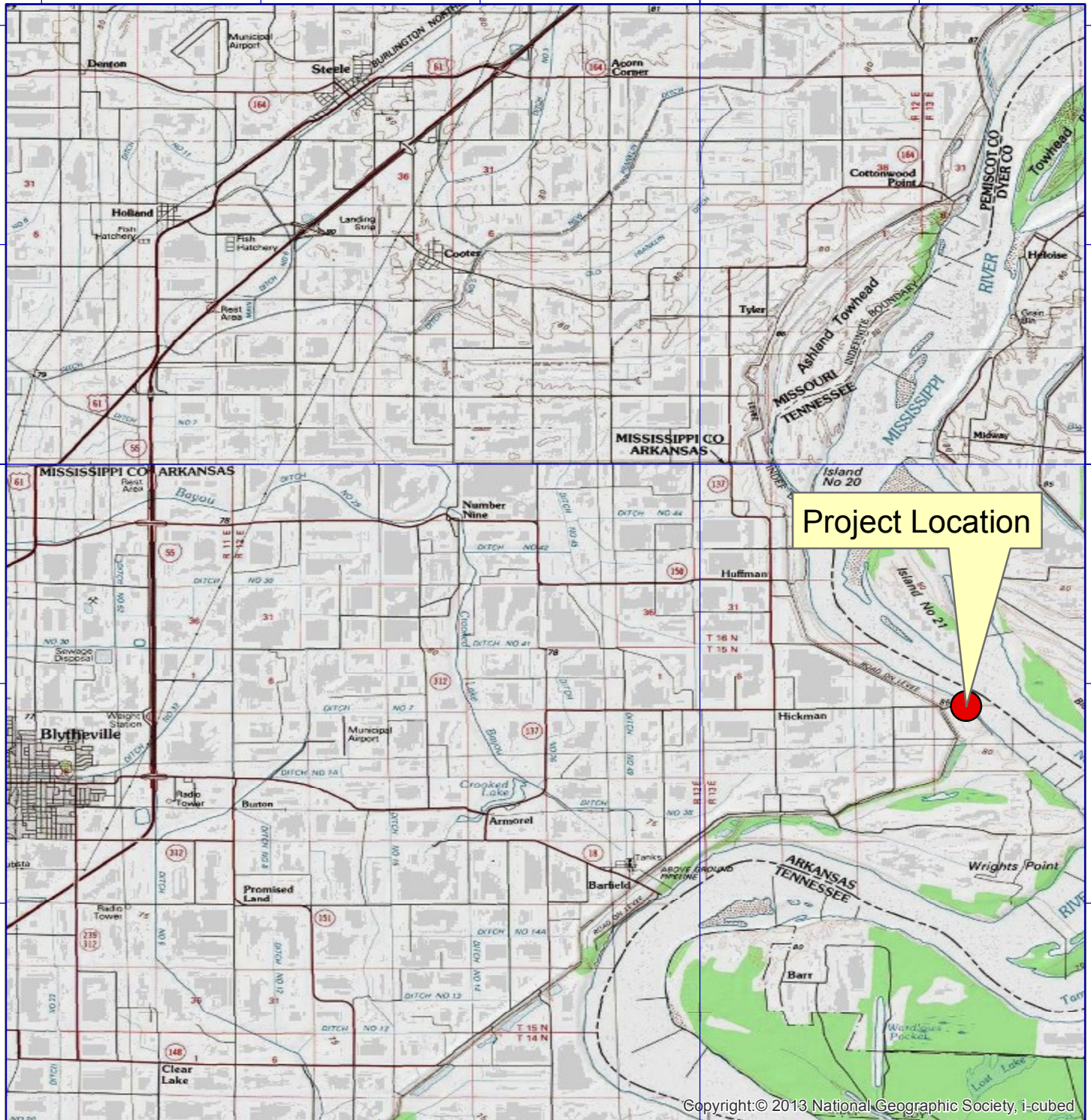
Gregg Williams
Chief
Regulatory Branch

Attachments

89°45'0"W

36°0'0"N

36°0'0"N



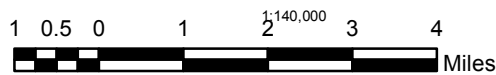
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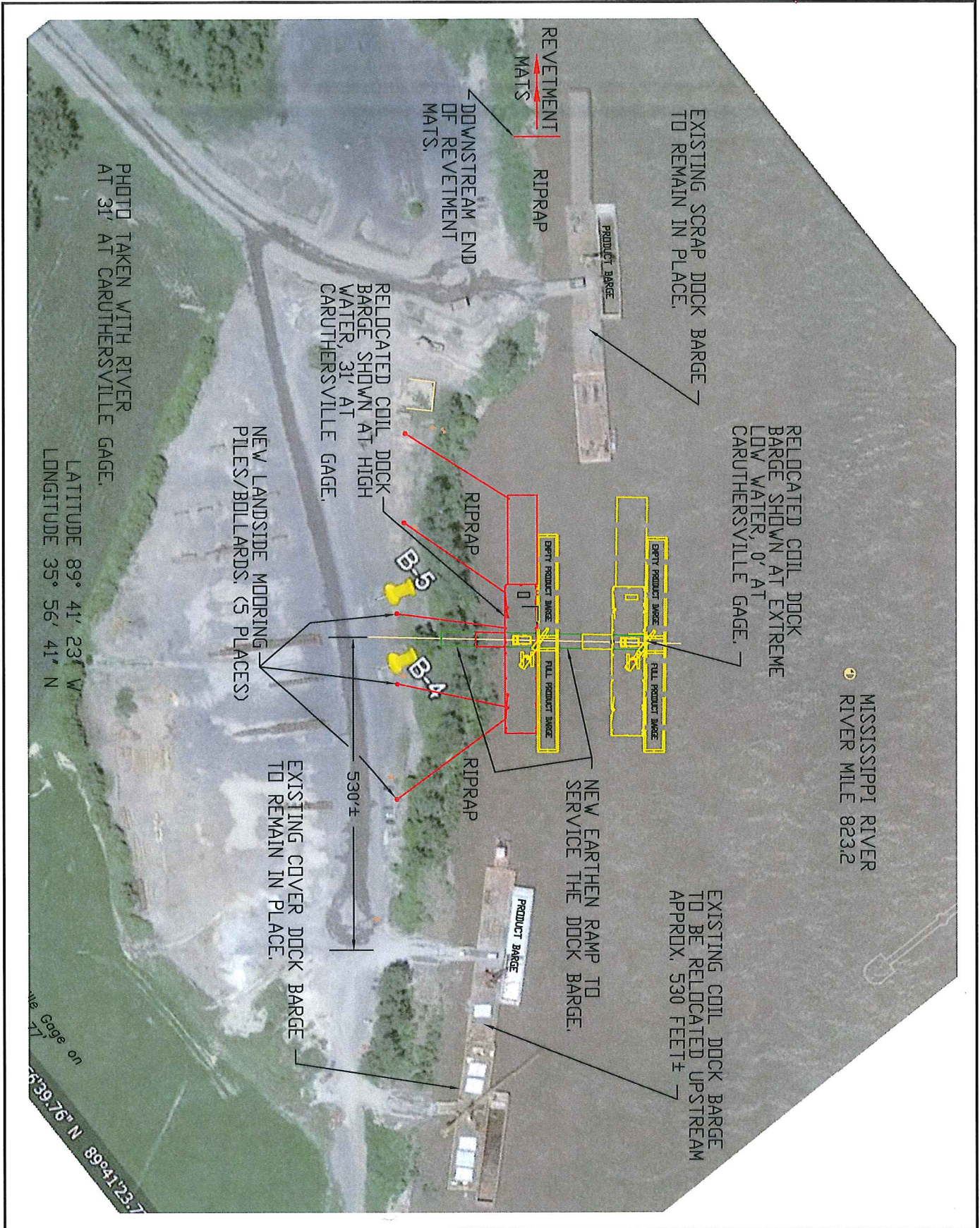
89°45'0"W

Attachment 1

Chic. Quadrangle
Tennessee-Arkansas
7.5 Minute Series

Legend
USA Topo Maps





Drawn by JH	JOB NUMBER 14-137
Approved by LS	DATE 5/2014
DRAWING NO.	P-2

**HICKMAN BULK TERMINAL
BARGE DOCK RELOCATION
BLYTHEVILLE, ARKANSAS**

DOCK MOORING REPAIR PLAN