



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2008-348

NOTICE DATE:
September 6, 2012

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
⇒ September 21, 2012

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 404 of the Clean Water Act and Section 10 of the Rivers & Harbors Act.

APPLICANT:

Mr. David Wood
Fullen Dock and Warehouse
382 Klinke Road
Memphis, Tennessee 38127
(901) 358-9544

AGENT:

Mr. Bobby J. Littlejohn
802 Pryor Drive
West Memphis, Arkansas 72301
(870) 735-6865

DESCRIPTION OF WORK: Fullen Dock and Warehouse currently performs maintenance dredging at their facility under Section 10 of the Rivers and Harbors Act permit authorization, which allows for the dredged material to be placed above ordinary high water on their property. The applicant now proposes to modify their authorization to dispose of dredged material on a sandbar located between their facility and the navigation channel of the Mississippi River. As a result, this modification requires review under Section 404 of the Clean Water Act. The materials involved consist of silt and sand that naturally accumulate on a recurring basis. The existing permit authorization allows for approximately 50,000 cubic yards of material to be dredged per year. The in-stream dredged disposal area is estimated to be approximately four acres in size.

PURPOSE: The purpose of this proposed dredging is to facilitate the loading and unloading of barges at their docks by providing enough draft to maintain access to and from the navigation channel.

LOCATION: The project vicinity is north of downtown Memphis in Shelby County, Tennessee, as shown on the attached map(s). The site is located at approximate River Mile 740 near the left descending bank and at latitude 35.20319°/longitude -90.06175° on the TN-Northwest Memphis 7.5-minute quadrangle map.

COMMENTS: To request additional information; contact Joe Brougher at (901) 544-3472. The Corps may provide copies of all comments, (including name and 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 above. Comments may be sent via mail or E-mail to the following:

U.S. Army Corps of Engineers, Memphis District
ATTN: Joe Brougher
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
Fax (901) 544-0211
E-mail: joseph.f.brougher@mvm02.usace.army.mil

ENDANGERED SPECIES: No endangered or threatened species or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct or require a reconnaissance survey of the project area.

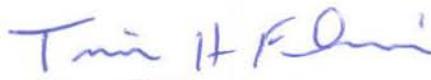
FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and notify this 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 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.

for 
Gregg Williams
Chief
Regulatory Branch

