



# Public Notice

**US Army Corps  
of Engineers**

**Memphis District**

**REFERENCE:**  
U.S. ARMY CORPS OF ENGINEERS  
**REPLY TO ATTN:** Roger Allan  
167 North Main Street, RM B202  
Memphis, TN 38103-1894  
Telephone: (901) 544-3682  
Fax: (901) 544-0211  
Email: Roger.S.Allan@usace.army.mil  
**POSTMASTER PLEASE POST UNTIL:**

**PUBLIC NOTICE NO.**  
MVM-2008-403-RSA

**Public Notice Date**  
October 29, 2008

**Expiration Date**  
November 28, 2008

**AUTHORITY:** This notice announces an application submitted for a Department of the Army Permit under Section 10 of the Rivers and Harbors Act of 1899, pursuant to 33 CFR 322.3, as published in the Federal Register dated November 13, 1986.

**APPLICANT:** Delta Asphalt Company  
Attn: Jerry Farnham  
P.O. Box 880  
Cape Girardeau, Missouri 63702-0880  
Phone (573) 334-5261

**LOCATION:** The site is located approximately 0.6 miles upstream of the New Madrid County Harbor at approximate Mississippi River Mile 885.7 in New Madrid County, Missouri, at latitude 36.5381° and longitude -89.5708° on the New Madrid 7.5 minute quadrangle map (Attachments 1 and 2).

**PURPOSE:** The purpose of the project is to unload asphalt and cement barges.

**DESCRIPTION OF WORK:** The project includes construction of a 20-foot diameter steel sheet pile cell with a walkway and pipe rack to the top of the riverbank. An unloading tower would be constructed on the downstream side of the cell to support piping for Asphalt and pneumatically pumped cement. Additionally, two mooring dolphins would be constructed; additional details are shown on Attachments 3-5. The dolphins will be 3 feet in diameter and will be located approximately 220 feet from the top of bank; the outside edge of product barges would be 320 feet from top of bank. A liquid asphalt terminal (which would be diked for spill prevention) and an access road will also be constructed. The construction of the asphalt terminal will not affect wetlands or other waters of the United States. However, the construction of the access road will likely impact wetlands and would require a Section 404 permit. Based on a preliminary estimate, the acreage of impacts for access road construction appears to be below the threshold of a Nationwide Permit, although compensatory mitigation may be required. The impact area and prospective compensatory mitigation area are shown on the attached site drawing for reference.

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.

**THREATENED & 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, Federally-recognized Tribes, and the public in response to this public notice and we may conduct or require a survey of the project area.

**PUBLIC INTEREST REVIEW:** 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

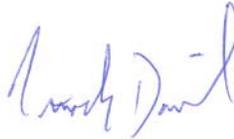
the activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, 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-listed Tribes; and other interested parties in order to consider and evaluate the impacts of the 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 the 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 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 overall public interest of the proposed activity.

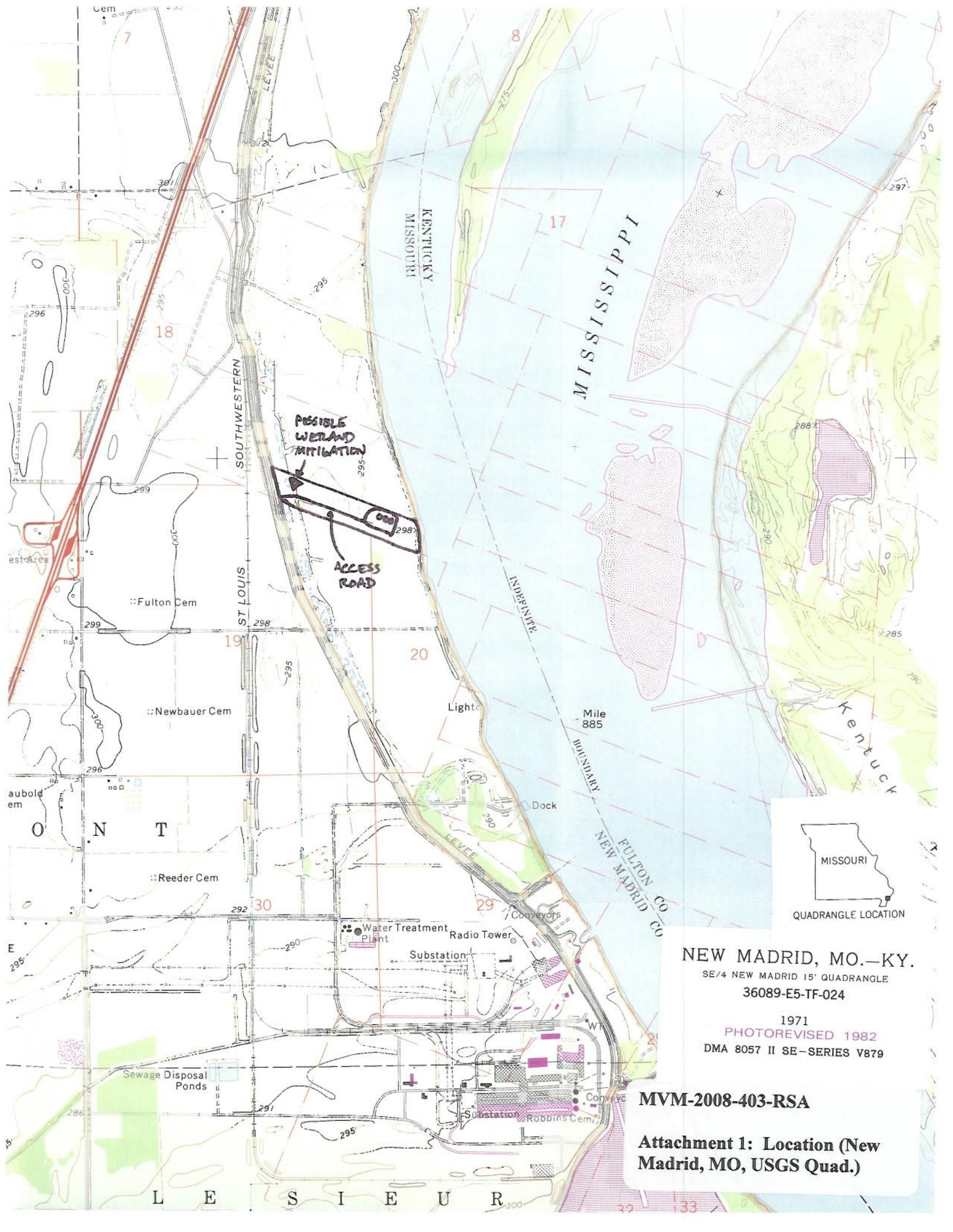
Any person who has an interest, which may be affected by the deposition of this material, may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest, which may be affected, and the manner in which the interest may be affected by this activity. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

If you wish to obtain additional information or to submit comments on the application, please contact Roger Allan at the U.S. Army Corps of Engineers, 167 North Main Street, RM B202, Memphis, Tennessee 38103-1894, telephone 901/544-3682.

Comments should be forwarded to reach this office by November 28, 2008.

*for*   
Larry Watson  
Chief  
Regulatory Branch

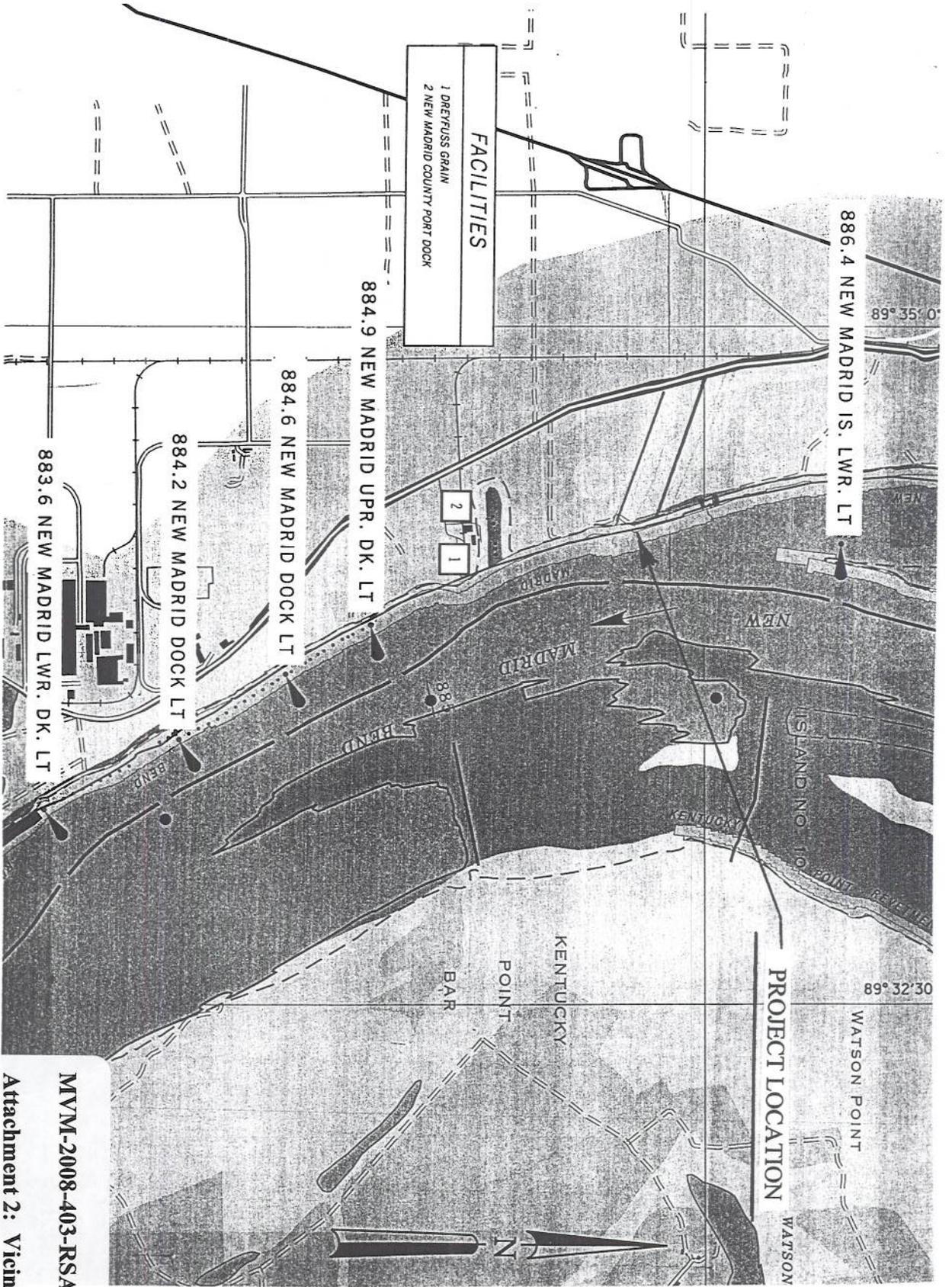
Enclosures



**NEW MADRID, MO.—KY.**  
 SE/4 NEW MADRID 15' QUADRANGLE  
 36089-E5-TF-024  
 1971  
 PHOTOREVISED 1982  
 DMA 8057 II SE—SERIES V879

**MVM-2008-403-RSA**

**Attachment 1: Location (New Madrid, MO, USGS Quad.)**



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 Attachment 2: Vicinity Map

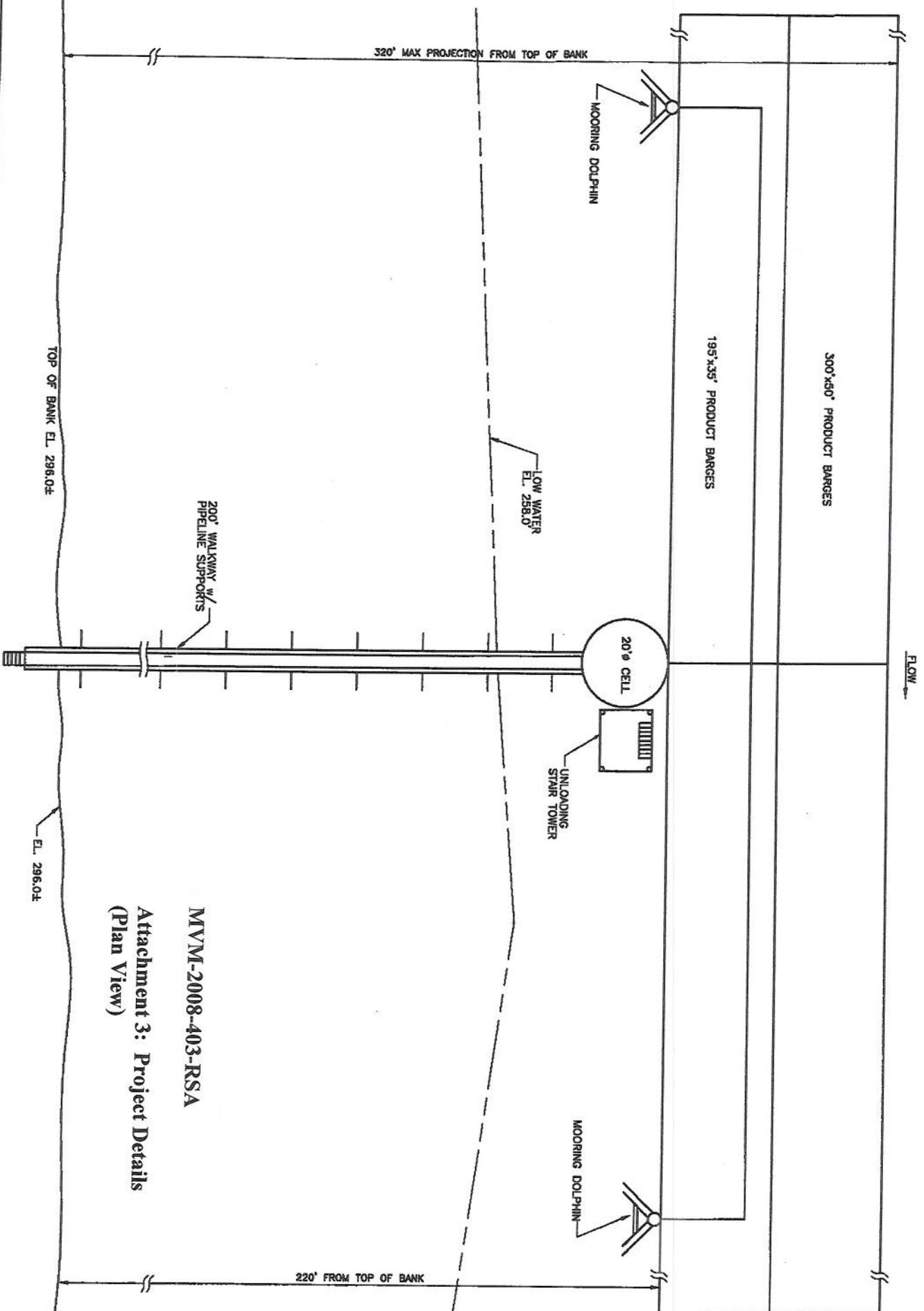
Purpose: Barge Unloading Dock  
 Adjacent Property Owners

VICINITY MAP

9/8/08

Application by:  
 DELTA ASPHALT CO.  
 NEW MADRID TERMINAL

Mississippi River Mile 885.7 RDB  
 County of New Madrid  
 State of Missouri



320' MAX PROJECTION FROM TOP OF BANK

FLOW →

300'x60' PRODUCT BARGES

195'x35' PRODUCT BARGES

MOORING DOLPHIN

20' CELL

UNLOADING STAIR TOWER

LOW WATER EL. 258.0

200' WALKWAY w/ PIPELINE SUPPORTS

TOP OF BANK EL. 296.0±

EL. 296.0±

220' FROM TOP OF BANK

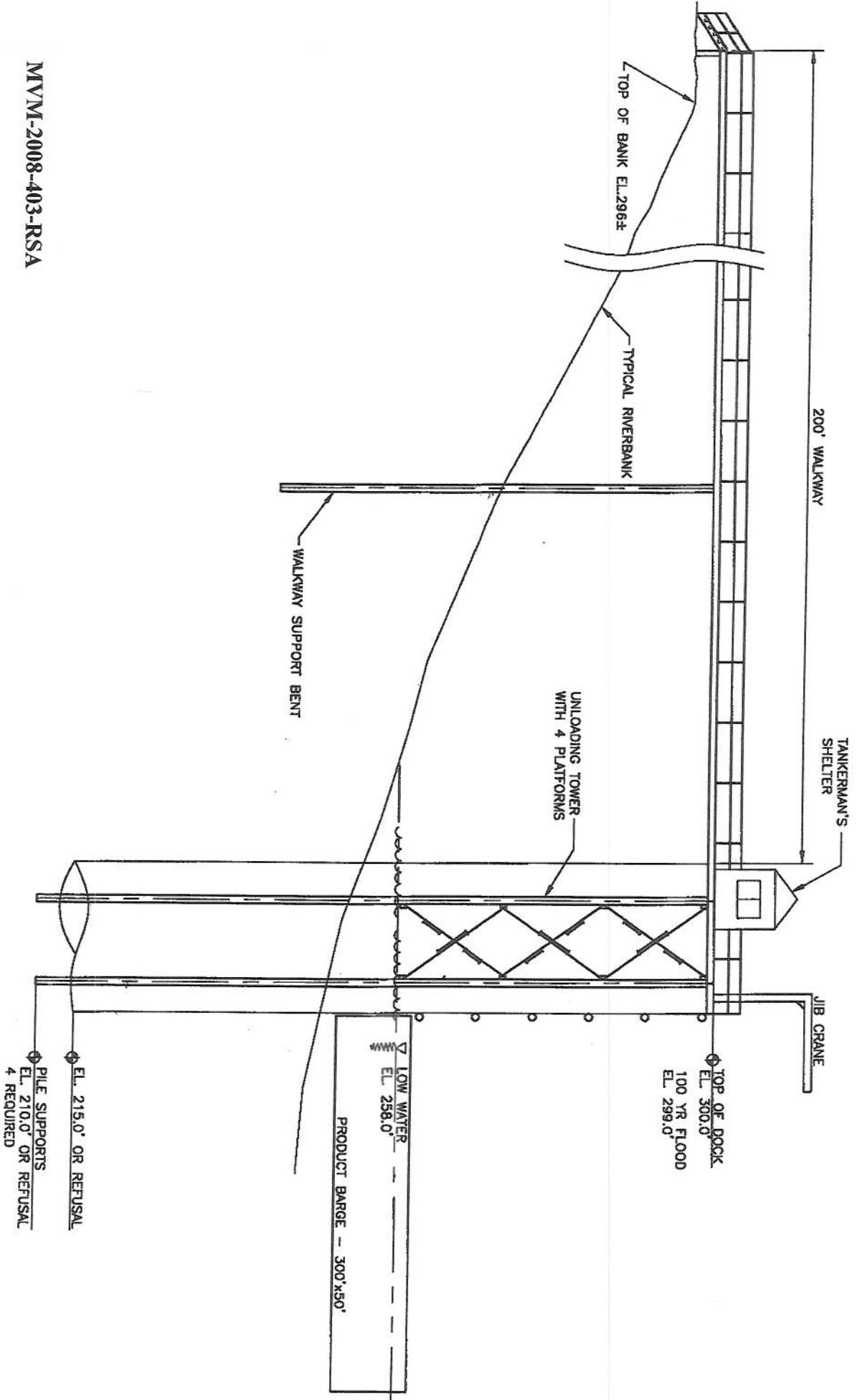
**MVM-2008-403-RSA**  
**Attachment 3: Project Details**  
**(Plan View)**

**Purpose:** Barge Unloading Dock  
**Adjacent Property Owners:**  
 1) King Farms, Inc.  
 2) Noranda Aluminum

**PLAN OF BARGE DOCK**  
 Application by:  
 DELTA ASPHALT CO.  
 NEW MADRID TERMINAL

Mississippi River Mile 885.7 RDB  
 County of New Madrid  
 State of Missouri  
 Sheet 2 of 4

9/8/08



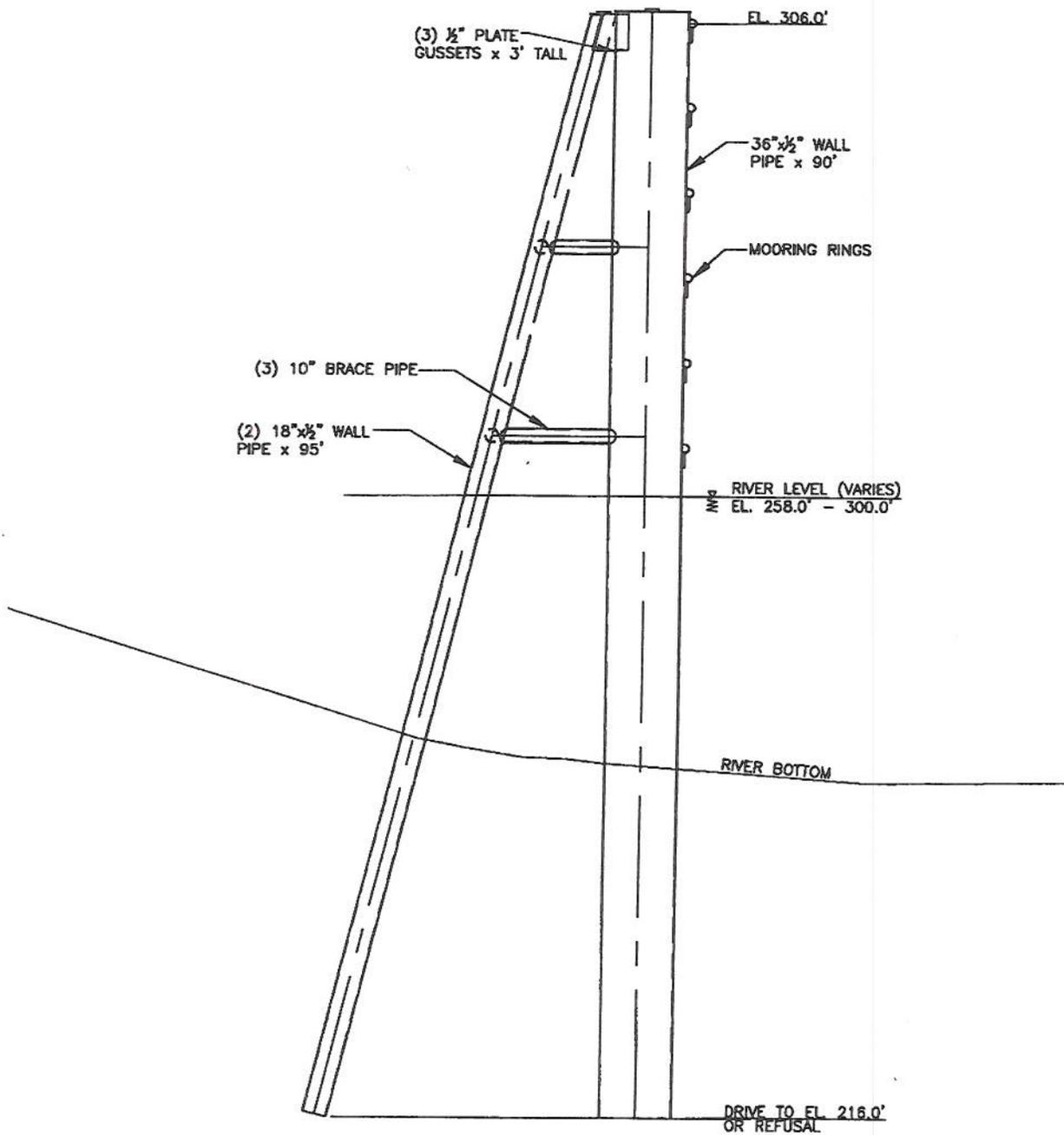
MVVM-2008-403-RSA

Attachment 4: Project Details  
(Unloading Tower + Cell)

Purpose: Barge Unloading Dock  
Adjacent Property Owners:  
1) King Farms, Inc.  
2) Noronda Aluminum

SECTION - UNLOADING TOWER & SHEET PILE CELL  
Application by:  
DELTA ASPHALT CO.  
NEW MADRID TERMINAL

Mississippi River Mile 885.7 RDB  
County of New Madrid  
State of Missouri  
Sheet 3 of 4



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**Attachment 5: Project Details  
(Mooring Dolphins)**

Purpose: Barge Unloading Dock Adjacent Property Owners: 1) King Farms, Inc. 2) Noranda Aluminum	SECTION - MOORING DOLPHIN Application by: (2 REQ'D) DELTA ASPHALT CO. NEW MADRID TERMINAL	Mississippi River Mile 885.7 RDB County of New Madrid State of Missouri Sheet 4 of 4 9/8/08
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