

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

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E-mail: Roger.S.Allan@usace.army.mil

POSTMASTER PLEASE POST UNTIL:

PUBLIC NOTICE NO.

MVM-2012-399-RSA

Public Notice Date

September 7, 2012

Expiration Date

October 9, 2012

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources, Water Protection Program, P. O. Box 176, Jefferson City, MO 65102-0176.

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 and Section 404 of the Clean Water Act, pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986.

APPLICANT: Mr. Lyle Randolph
Lady Luck Casino - Caruthersville
777 East 3rd
Caruthersville, MO 63830

AGENT: Mr. Paul Glass
Lady Luck Casino - Caruthersville
777 East 3rd
Caruthersville, MO 63830
(573) 333-6073

LOCATION: The subject property is located on the right descending bank of the Mississippi River at approximate River Mile 846 in Caruthersville, Pemiscot County, Missouri, at latitude 36.1912° and longitude -89.6481°. The dredge disposal area is located approximately 1,300 feet southeast of the project area at latitude 36.1893° and longitude -89.6436°. The project area (including the area to be dredged as well as the proposed disposal site) is shown on the enclosed location map (attachment 1), based on the Caruthersville, MO, 7.5 minute quadrangle.

PURPOSE: The applicant's stated project purpose is to dredge under the existing facilities in order to keep them afloat during low water conditions.

DESCRIPTION OF WORK: The applicant proposes to conduct maintenance dredging operations at an existing facility. The applicant proposes to dredge under the existing floating facility (including the 240 ft X 50 ft barge Scott and the M/V City of Caruthersville). It is estimated that 1,425 cubic yards of material would be dredged in order to provide 2 feet of draft at a reading of -2.5 feet on the Caruthersville, MO, gauge.

The dredged material would be placed on the upstream side of the existing rock dike approximately 0.25 mile downstream of the subject facility. The dredge and disposal locations are shown on the attached aerial photograph (attachment 2).

If authorized, maintenance dredging activities could occur within a ten-year time frame.

The applicant proposes to minimize impacts by avoiding placing dredged material into the main channel or into the adjacent side channel.

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.

404(b)1 EVALUATION: The Corps of Engineers evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

THREATENED & ENDANGERED SPECIES: 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.

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 activity. 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 and 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.

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 October 9, 2012.



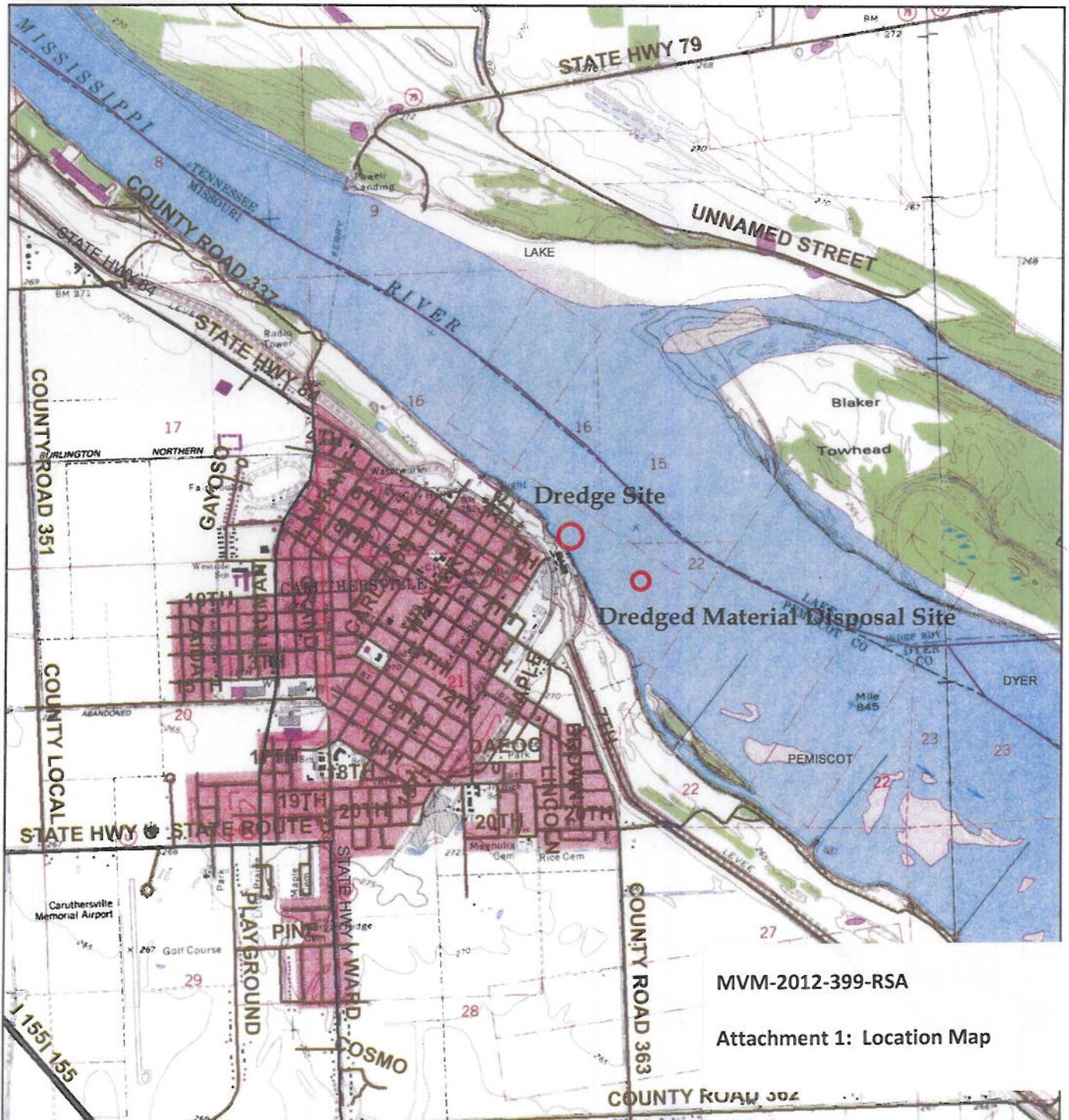
Gregg Williams
Chief, Regulatory Branch

Enclosures

Lady Luck Casino - Caruthersville Maintenance Dredging MVM-2012-399-RSA

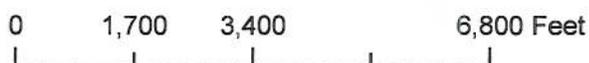


QUADRANGLE LOCATION



MVM-2012-399-RSA

Attachment 1: Location Map



Lady Luck Casino

↑ Maintenance Dredging Discharge Area

MVM-2012-399-RSA
Attachment 2: Site Details

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