



US Army Corps  
of Engineers  
Memphis District

# Public Notice

**REPLY TO ATTN:** Tom Skelton  
U.S. Army Corps of Engineers  
167 North Main Street, Room B-202  
Memphis, Tennessee 38103-1894  
Telephone: (901) 544-3468  
Email: James.T.Skelton@usace.army.mil  
**POSTMASTER PLEASE POST UNTIL:**

**PUBLIC NOTICE NO:**  
MVM-2008-348(ts)

**PUBLIC NOTICE DATE:**  
August 15, 2008

**EXPIRATION DATE:**  
September 15, 2008

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## Public Notice 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 of 1899.

**APPLICANT:** Fullen Dock and Warehouse  
382 Klinke Road  
Memphis, TN 38127  
(901) 358-9544

**LOCATION:** The proposed project is located in the Mississippi River at approximate River Mile 740.3L at the Fullen Dock facility in Memphis, Shelby County, Tennessee, at approximate latitude 35.20955 and longitude -90.063017 on the Northwest Memphis 7.5-minute quadrangle map.

**PURPOSE:** The project purpose is to conduct maintenance dredging.

**DESCRIPTION OF WORK:** The applicant proposes to perform periodic maintenance dredging from an area 250 feet by 1000 feet in front of the docking facility. Discharged material will be placed on the adjacent bank in a contained disposal area. Approximately 50,000 cubic yards of silt and accumulated sediments will be removed by hydraulic dredge per year. The applicant seeks authorization for a period of ten years.

The discharge of return water into the Mississippi River (administratively defined as a discharge of dredged material by CFR 323.2(d) and therefore regulated under Section 404 of the Clean Water Act) meets the requirements of Nationwide Permit 16 (Return Water From Upland Contained Disposal Areas), pursuant to Federal Register, Volume 67, Number 10, dated January 15, 2002.

**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. A preliminary in-house records search indicated no sites have been recorded within the project area. However, the lack of recorded sites may be due to lack of cultural surveys around 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 apprise 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.

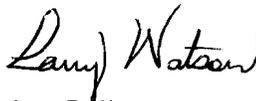
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably 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.

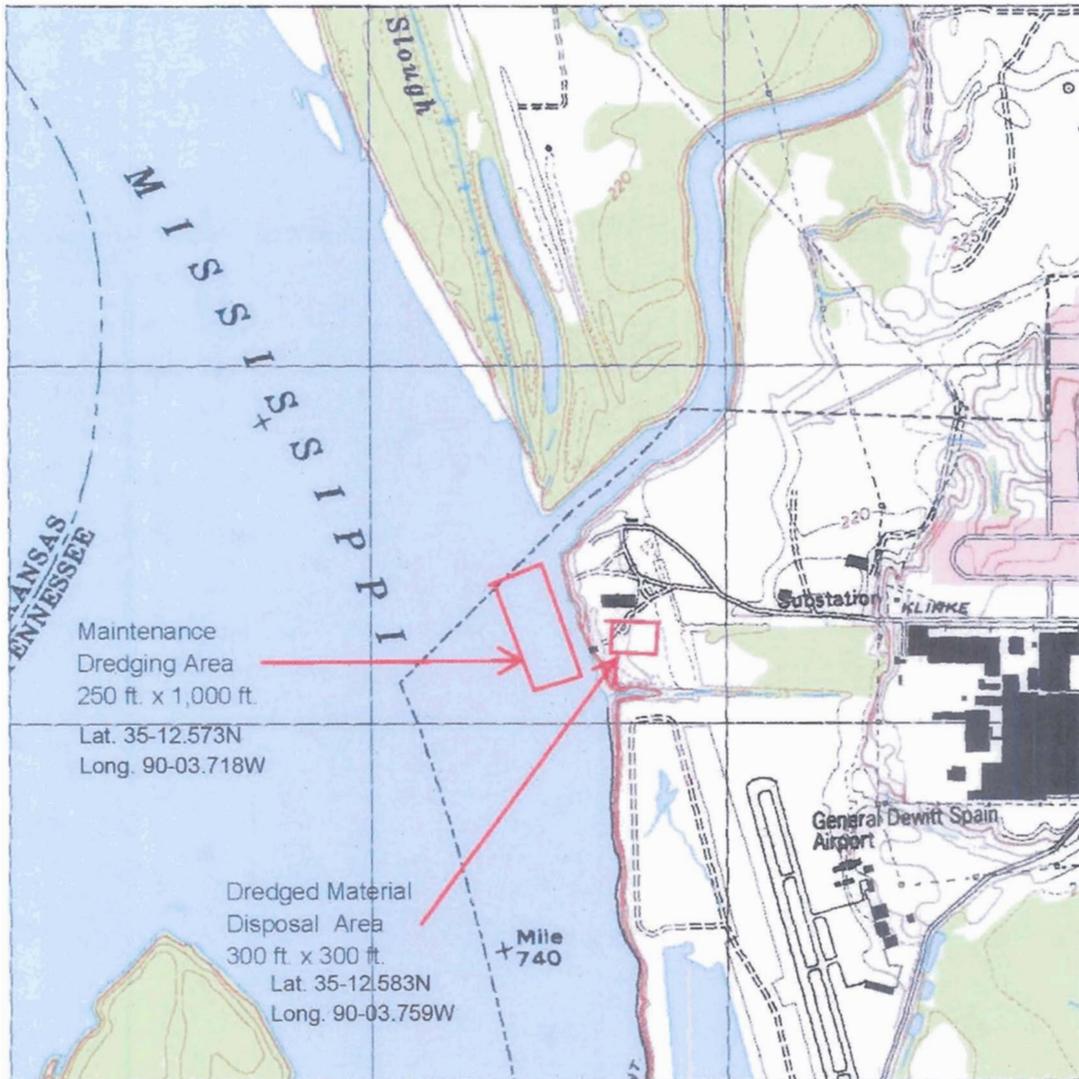
**COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION:** If you wish to obtain additional information or to submit comments on the application, please contact Josh Bright at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-0926. The Corps may provide copies of all comments, including the names and address of commenters, to the applicant for consideration and response prior to a decision.

Comments should be received by September 15, 2008.



Larry D. Watson  
Chief  
Regulatory Branch

Attachment



NORTHWEST MEMPHIS QUADRANGLE

