



US Army Corps  
of Engineers  
Memphis District

# Public Notice

FILE NUMBER: MVM 2018-051 (RC)

NOTICE DATE:  
February 20, 2018

Attn: Postmaster,  
Please Post Until  EXPIRATION DATE:  
March 22, 2018

## Public Notice 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 & Harbors Act and Section 404 of the Clean Water Act.

### **APPLICANT:**

Mr. Charles M. Ennis  
P. O. Box 505  
Atoka, Tennessee 38004

**PURPOSE:** The purpose of the project is remove sand that has accumulated in the project area (see attached map).

**LOCATION:** The project site is located at 400 Ballard Slough Road (commonly called Johns Boat Dock) on the left descending bank of the Mississippi River near River Mile 771.5, at Latitude 35.5213° and Longitude -89.8927°, in Tipton County, Tennessee, as shown on the Nodena, ARK-TENN, 7.5-minute quadrangle map (see attached maps (1-2)).

**DESCRIPTION OF WORK:** The applicant proposes to dredge sand from the Mississippi River and temporarily stockpile the material along the bank until removed to upland locations. The dredging operation will be conducted by the use of a conveyor system and heavy land-based equipment. Sand will be dredged from the bar, then placed on the conveyor system and moved to the temporary stockpiled area until being relocated. The dredging operation will stay 500 feet away from the existing Corps of Engineers dike.

**AVOIDANCE/MINIMIZATION:** The applicant will only dredge the minimum amount required to meet the project purpose.

**MITIGATION:** The applicant did not propose compensatory mitigation.

**ENDANGERED SPECIES** - This notice is being coordinated with the USFWS. A review of the USFWS, ECOS species by county report indicates that several endangered species that may occur in the project area. These include the Least tern (*Sterna antillarum*), Pallid sturgeon (*scaphirhynchus albus*), Indiana bat (*Myotis sodalis*), and the Northern Long-Eared Bat (*Myotis septentrionalis*). 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.

**CULTURAL RESOURCES** - The Memphis District archeologist has determined that the project has no potential to cause effect to historic properties.

**WATER QUALITY CERTIFICATION** – The applicant should request water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control, that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. 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.

**FLOODPLAIN:** In accordance with 44 CFR Pat 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 floodplain 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, to solicit comments and information necessary to evaluate the probable impact on the public.

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 must be received by the expiration date listed on page one of this notice and may be sent via mail or e-mail to the following:

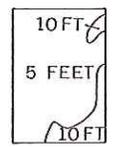
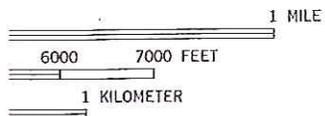
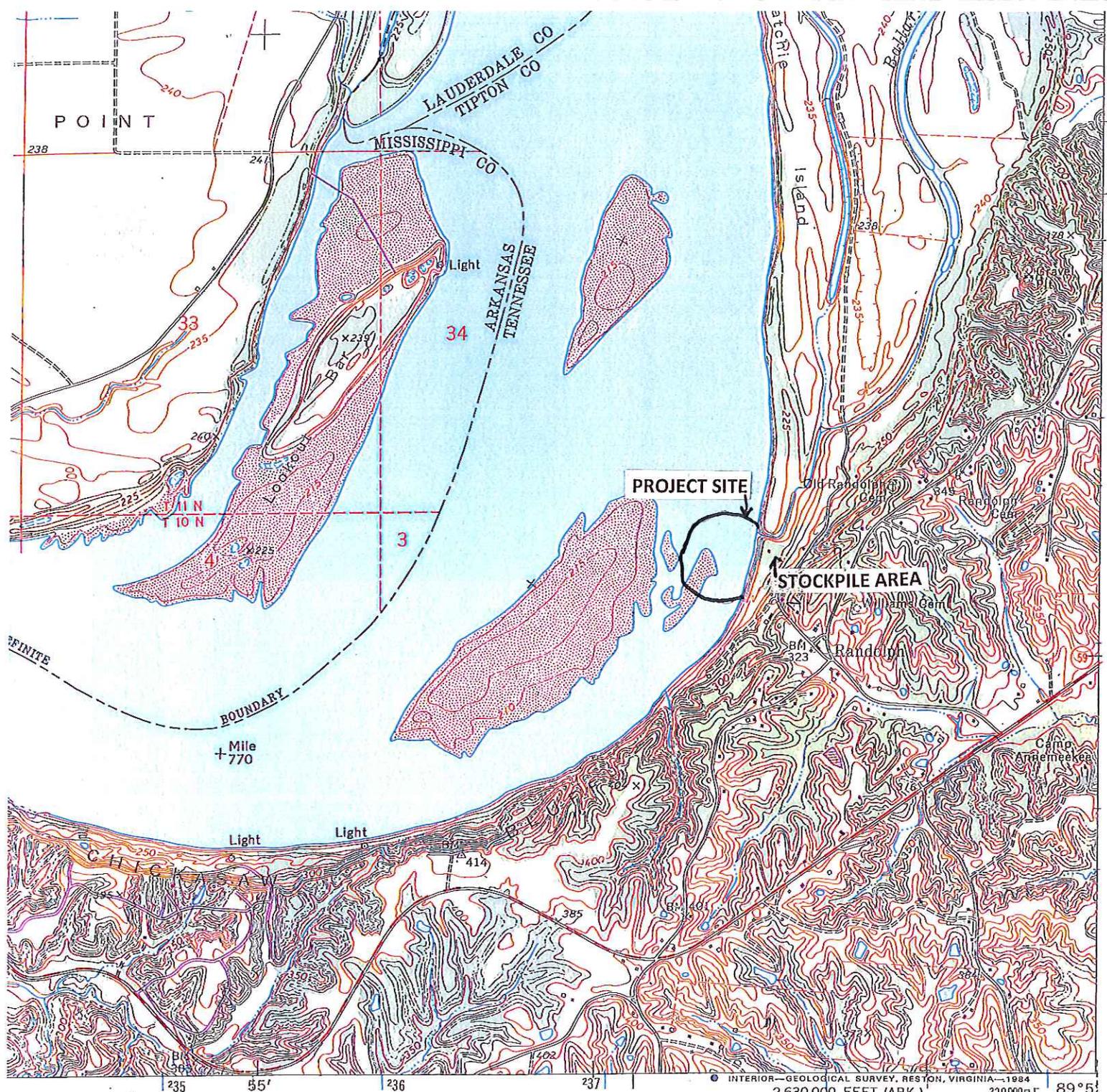
U. S. Army Corps of Engineers – Memphis District  
ATTN: Randy Clark  
167 N. Main Street, Room B-202  
Memphis, Tennessee 38103-1894  
E-mail: james.r.clark@usace.army.mil  
Phone: (901) 544-0735  
Fax: (901) 544-0211

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](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 W. Williams  
Chief  
Regulatory Branch

Attachments



STANDARDS  
 FEDERAL CENTER, RESTON, VIRGINIA 22092  
 NATIONAL MAPS AND AERIAL PHOTOGRAPHY CENTER, FALLS CHURCH, VIRGINIA 22044  
 PHOTOGRAPHIC CENTER, NASHVILLE, TENN. 37219  
 AVAILABLE ON REQUEST

CONTOUR INTERVAL

QUADRANGLE LOCATION

**ROAD CLASSIFICATION**

Primary highway, hard surface \_\_\_\_\_ Light-duty road, hard or improved surface \_\_\_\_\_

Secondary highway, hard surface \_\_\_\_\_ Unimproved road \_\_\_\_\_

○ Interstate Route    ◻ U. S. Route    ○ State Route

**NODENA, ARK.— TENN**  
 SW/4 OSCEOLA 15' QUADRANGLE  
 35089-E8-TF-024

1972  
**PHOTOREVISED 1983**  
 DMA 3055 III S' LOCATION MAP

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Map 1 of 2



PROJECT SITE

STOCKPILE AREA

Ballard Slough Rd

Mills Rd

Randolph  
Randolph

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Imagery Date: 8/23/2017 | Lat: 45.571122E | Lon: -99.902102W | elev: 215.8

PROJECT MAP

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Map 2 of 2