



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Amrize

Published: August 19, 2025
Expires: September 17, 2025

**Memphis District
Permit Application No. MVM-2025-164**

TO WHOM IT MAY CONCERN: The Memphis District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) **and/or** Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: Ernie Lawrence
Amrize
2169 Channel Ave
Memphis, TN 38113

AGENT: Ethan Bowe
Foth Infrastructure & Environment, LLC
114 Touro St
Newport, RI 02840

WATERWAY AND LOCATION: The project would affect waters of the United States and navigable waters of the United States associated with McKellar Lake. The project/review area is located at the Amrize Memphis Terminal at 2169 Channel Ave in Memphis, Shelby County, Tennessee. McKellar Lake connects to the Mississippi River at River mile 726. The project area is located at Latitude 35.0856373 and Longitude - 90.110091 (Attachment 1).

EXISTING CONDITIONS: The proposed activity is located at the applicant's existing loading facility within McKellar Lake (Attachment 2).

PROJECT PURPOSE: The purpose of the project is to establish a new dredge footprint and continue to perform routine maintenance dredging to allow for continued operations at the applicant's facility during low-water conditions of the Mississippi River.

Basic: The basic purpose is to perform maintenance dredging.

Overall: The overall purpose is to dredge the Amrize Memphis Terminal which will provide consistent and safe access for commercial vessel traffic and ensure reliable unloading operations at all river stages.

PROPOSED WORK: The applicant requests authorization to expand their existing berth area by dredging approximately 55,294 cubic yards from an approximate 105,400 square foot (sf) footprint (680 ft by 155 ft) to a depth of -12' Low Water Reference Plane plus a one (1) foot allowable over depth. Dredging would be completed using a hydraulic dredge and dredged materials would be transported via pipeline to the existing Treasure Island upland disposal area (Attachments 3 – 5). If authorized, dredging could occur as needed for the duration of the permit.

The applicant has also requested to stabilize a portion of the bank of McKellar Lake as an independent activity. Our office is reviewing the activity under the terms and conditions of one of the Corps' Nationwide Permits.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: Best management practices will be implemented to minimize the potential risk for adverse water quality and natural resources impacts.

COMPENSATORY MITIGATION: The applicant has provided the following statement concerning compensatory mitigation: The activity would only return the impacted areas to operational depths and is not creating a potential for adverse water quality or natural resources.

CULTURAL RESOURCES: The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed in Table 1. No other ESA-listed species or critical habitat will be affected by the proposed action.

Table 1: There are five federally listed species that are known to have ranges that include the project area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Alligator Snapping	<i>Macrochelys temminckii</i>	Proposed Threatened
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	Endangered
Fat Pocketbook	<i>Potamilus capax</i>	Endangered
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed Threatened

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The USACE is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by USACE.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

NAVIGATION: The proposed project is being evaluated by the USACE Navigation Operations Project Manager and Chief of River Engineering for any impairment to the federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

This notice also serves to solicit information from the public to inform USACE's evaluation and review under 33 USC 408.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the Tennessee Department of Environment and Conservation.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic

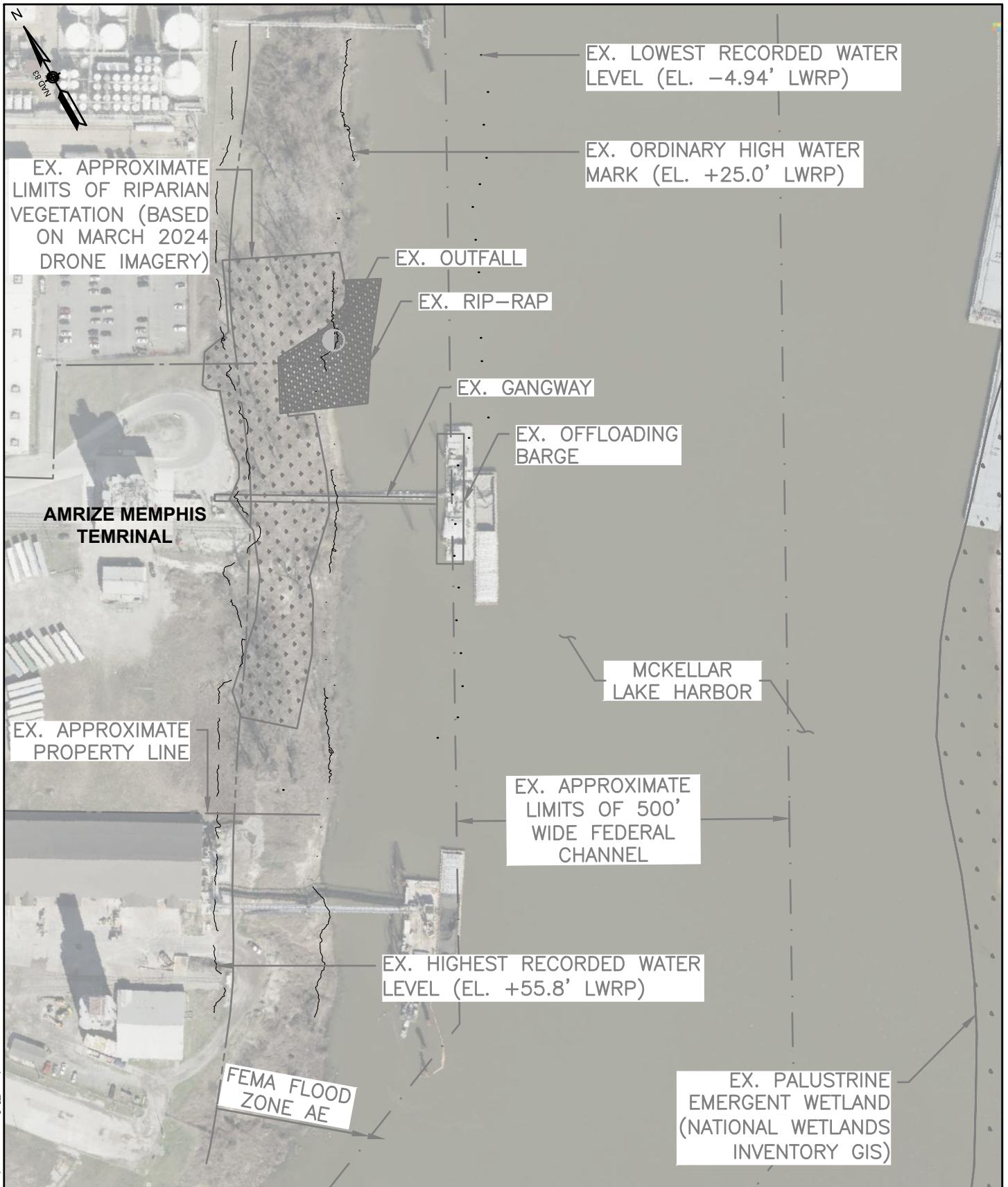
resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has been verified by Corps personnel.

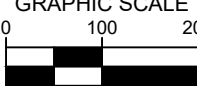
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical 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. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

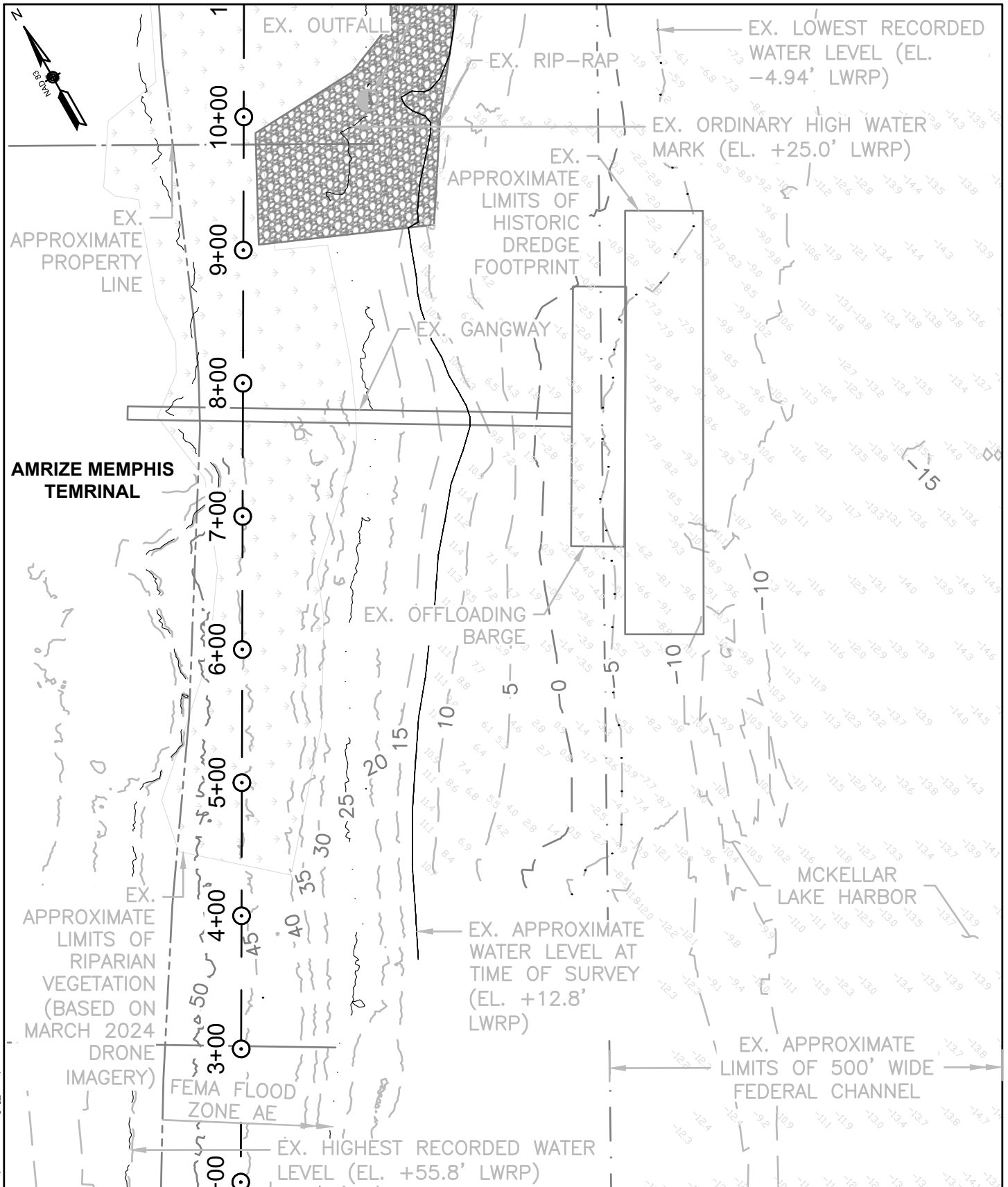
COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to 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 (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Memphis District will receive written comments on the proposed work, as outlined above, until September 17, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Jonathan Wilson at Jonathan.w.wilson@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Memphis District, Attention: Jonathan Wilson, 167 North Main Street Room B-202 Memphis, Tennessee 38103. Please refer to the permit application number in your comments.

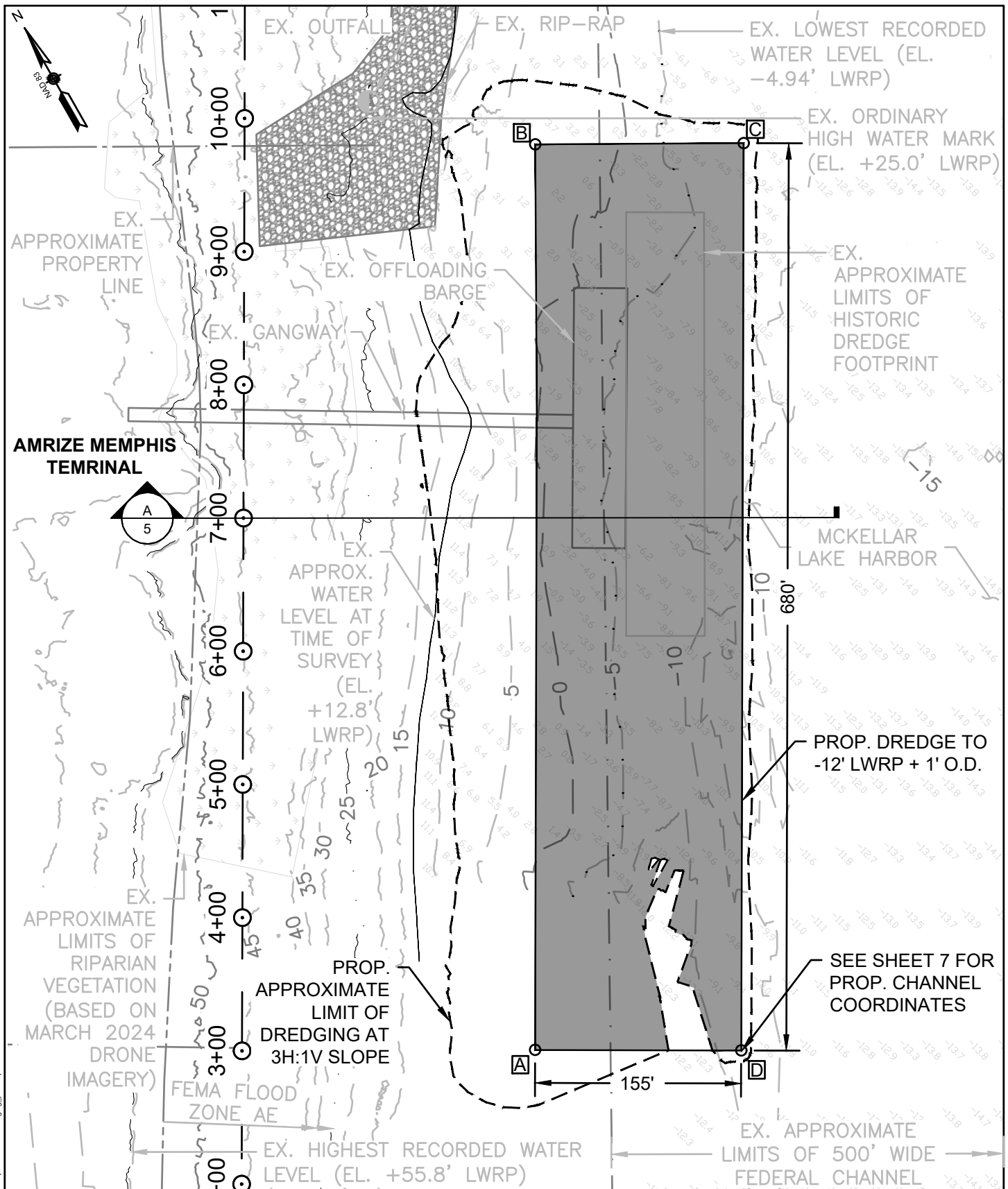
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.



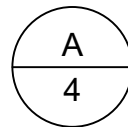
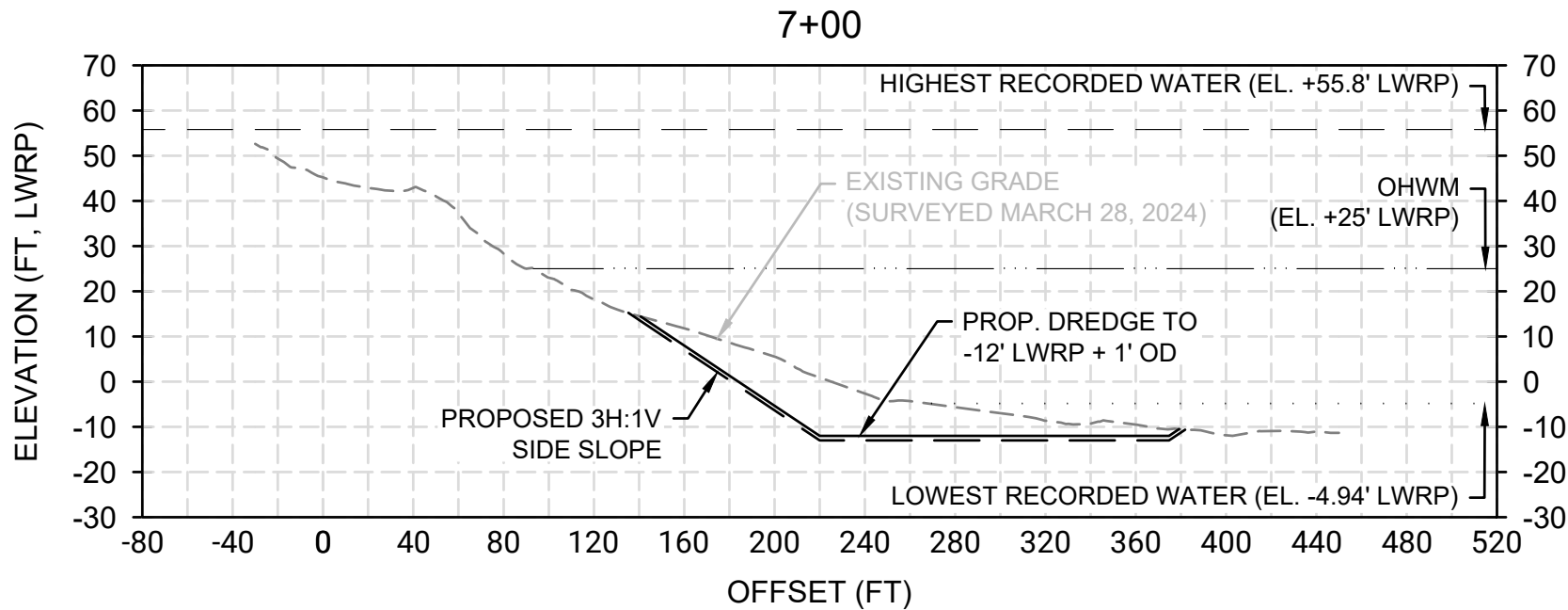
PURPOSE: TERMINAL DREDGING DATUM: OHWM: +25.0' LWRP LWRP* = 0.0' LWRP NAVD88 = -174.5' LWRP *SEE SHEET 2 FOR LWRP INFO FOTH INFRASTRUCTURE & ENVIRONMENT, LLC. 114 TOURO ST. NEWPORT, RI 02840	RESOURCE AREAS GRAPHIC SCALE 0 100 200  SCALE IN FEET	AMRIZE MEMPHIS TERMINAL AT: MEMPHIS, TN COUNTY OF: SHELBY APPLICATION BY: AMRIZE DATE: 07/10/2025 SHEET 2 OF 7
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SECTION A / TYPICAL DREDGE SECTION

SCALE: HORIZONTAL: 1" = 80' VERTICAL 1" = 40'

- EXISTING GRADE
(SURVEYED MARCH 28, 2024)
- PROPOSED DREDGE TO -12' LWRP
- — — PROPOSED +1' ALLOWABLE OVERDEPTH

HIGHEST RECORDED WATER LEVEL
(EL + 55.8' LWRP)

ORDINARY HIGH WATER MARK
(EL + 25.0' LWRP)

LOWEST RECORDED WATER LEVEL
(EL -4.94' LWRP)

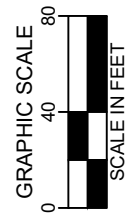
AMRIZE MEMPHIS TERMINAL

AT: MEMPHIS, TN
COUNTY OF: SHELBY
APPLICATION BY: AMRIZE

DATE: 07/10/2025

SHEET 5 OF 7

PROPOSED SECTION



PURPOSE: TERMINAL DREDGING

DATUM:

OHWM: +25.0' LWRP

LWRP* = 0.0' LWRP

NAVD88 = -174.5' LWRP

*SEE SHEET 2 FOR LWRP INFO

FOTH INFRASTRUCTURE & ENVIRONMENT, LLC.
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