



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant: Jamey Sanders
Choctaw Transportation
Company, Inc.

Published: April 14, 2025
Expires: May 14, 2025

**Memphis District
Permit Application No. MVM-2015-109**

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: Jamey Sanders
Choctaw Transportation Company, Inc.
P.O. Box 585
Dyersburg, Tennessee 38025

WATERWAY AND LOCATION: The project would affect waters of the United States and navigable waters of the United States associated with the Mississippi River. The project/review areas are located in Dyer County, Tennessee, on the left-descending bank of the Mississippi River at approximate Mississippi River Miles (RM) 832.0 and RM 831.0. Coordinates for the dredging locations are N36.0480°, W89.6777° and N36.0380°, W89.6793°, as shown on the Cottonwood Point, Missouri-Tennessee-Arkansas 7.5-minute USGS topographic quadrangle (Attachment 1).

EXISTING CONDITIONS: The proposed project is located at the applicant's existing facility along the bank of the Mississippi River. The dredge disposal location is located at an upland disposal facility in Dyer County, Tennessee.

PROJECT PURPOSE: The purpose of the project is 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 of the project is to conduct periodic maintenance dredging at two barge unloading sites to allow adequate depth for barge operations.

Overall: Same as basic purpose described above.

PROPOSED WORK: The applicant requests authorization to conduct maintenance dredging operations at two existing barge unloading sites. During each instance of dredging, approximately 1,500 cubic yards of silt and accumulated sediments would be

removed by dredge from an area 400 feet in length and 75 feet in width from each dredging location as shown on Attachment 2. The dredge work will be done mechanically by either barge mounted hydraulic excavator or dragline. Dredge materials will be hauled to an upland disposal site in Dyer County, Tennessee, as shown on Attachment 3.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The minimum required area will be dredged and the existing revetment will not be affected.

CULTURAL RESOURCES:

The Corps evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA) utilizing its existing program-specific regulations and procedures along with 36 CFR Part 800. The Corps' program-specific procedures include 33 CFR 325, Appendix C, and revised interim guidance issued in 2005 and 2007, respectively. The District Engineer consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that:

No historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places) are present within the Corps' permit area; therefore, there will be no historic properties affected. The Corps subsequently requests concurrence from the SHPO and/or THPO.

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 within the boundary 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: ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Alligator snapping turtle	<i>Macrochelys temminckii</i>	Proposed threatened

Pallid sturgeon	<i>Scaphirhynchus albus</i>	Endangered
Fat pocketbook	<i>Potamilus capax</i>	Endangered

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

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: Based on the State Plane coordinates provided by the applicant, the waterward edge of the proposed activity is a minimum of 500 feet away from the near bottom edge of the Mississippi River federal channel.

SECTION 408: The applicant will require Section 408 permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would alter, occupy, or use a Corps Civil Works project.

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.

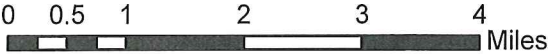
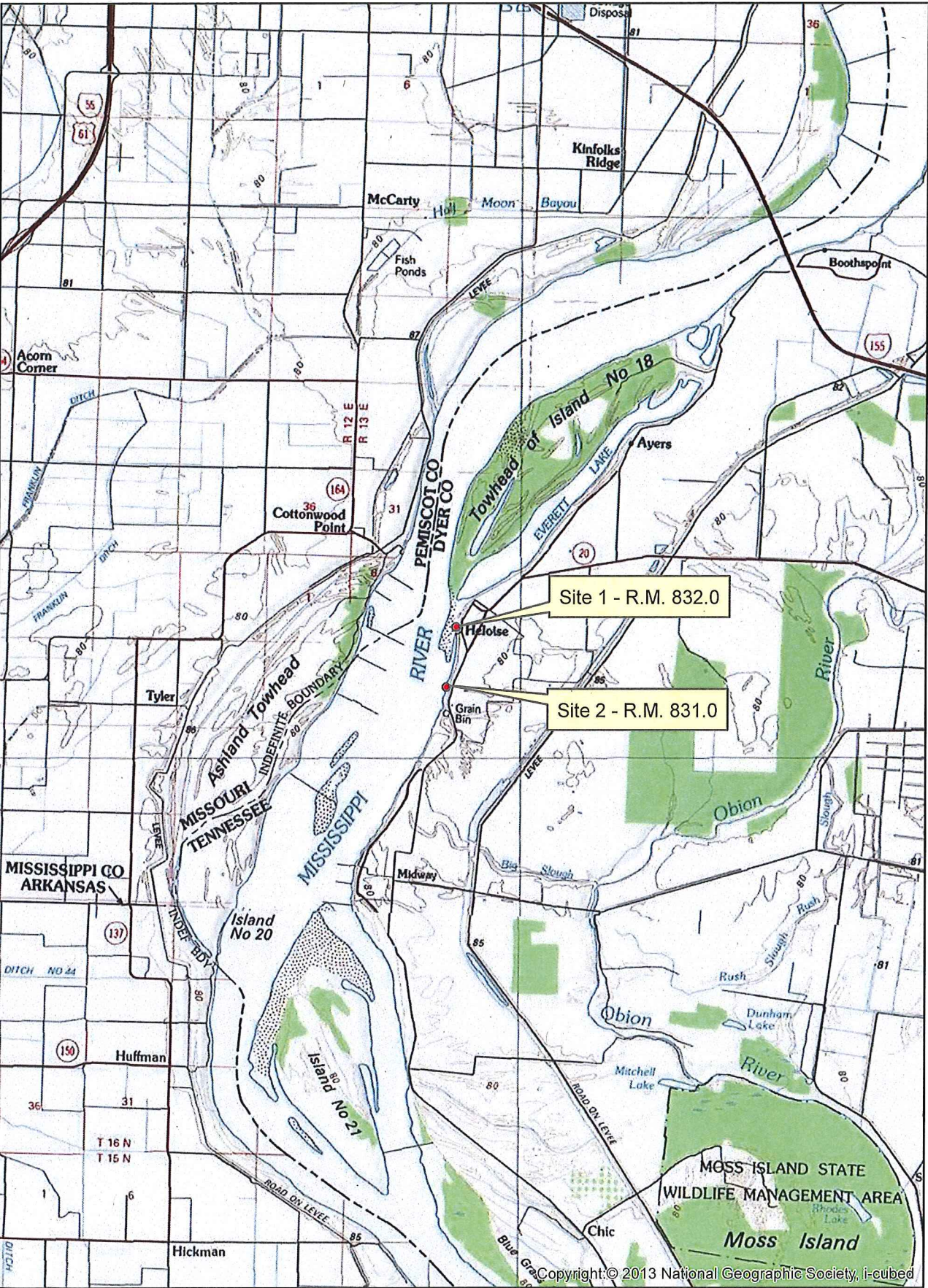
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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

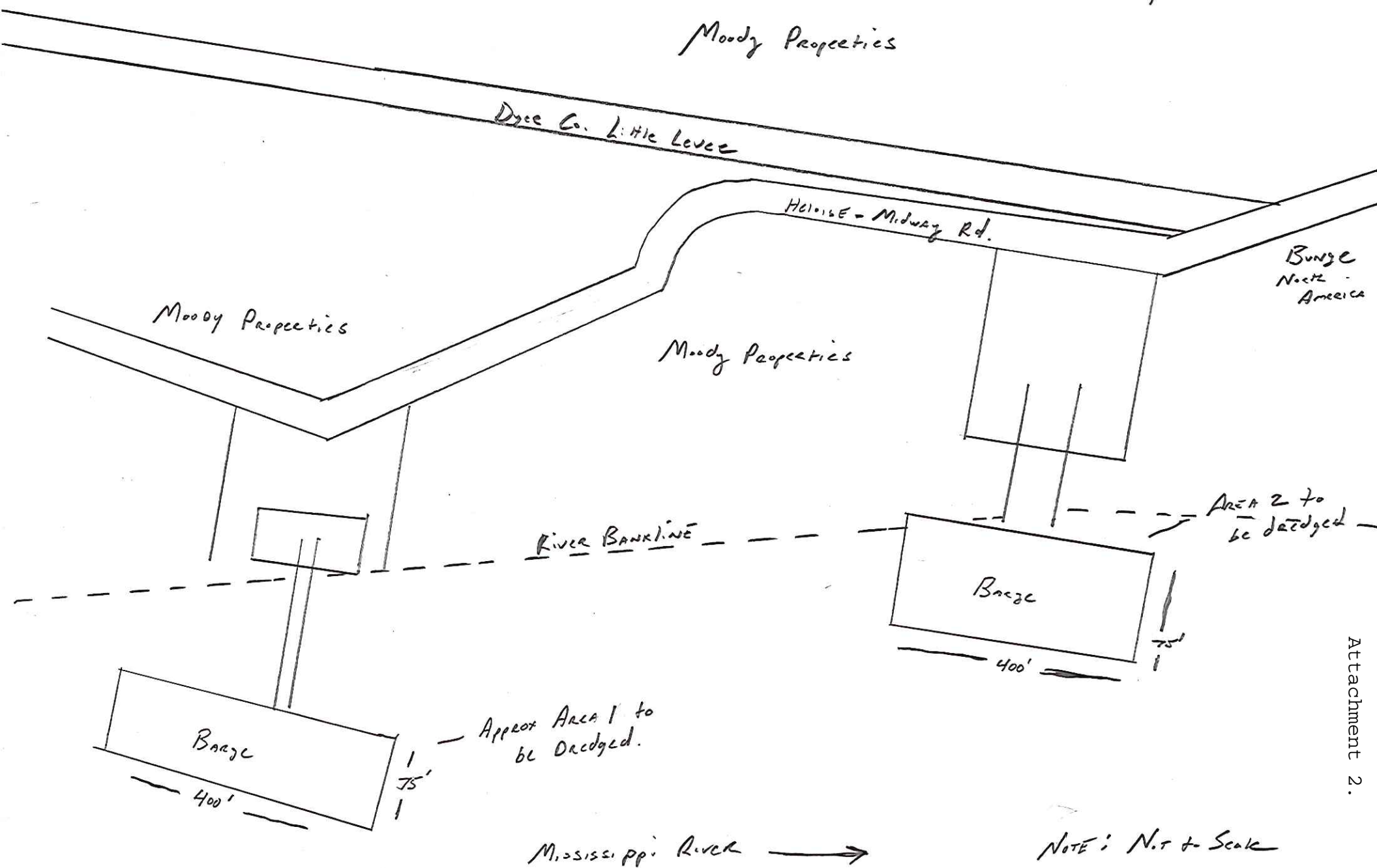
The Memphis District will receive written comments on the proposed work, as outlined above, until May 14, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Mitch Elcan at james.m.elcan@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Memphis District, Attention: Mitch Elcan, 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.



SITE PLAN

Project: Choctaw Main Dredging
Location: Heloise, Dyer Co. TN, MS River
Mile 832.4 to 831.0 LAR
Applicant: Choctaw Transportation Co.
Date: March 13th, 2015



NOTE: N.T to Scale