



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
James Stegall
Valero Partners West Memphis,
LLC.

Published: March 19, 2025
Expires: April 21, 2025

**Memphis District
Permit Application No. MVM-2024-235**

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: James Stegall
Valero Partners West Memphis, LLC.
1 Valero Way
San Antonio, Texas 78249
(210)-345-3206

WATERWAY AND LOCATION: The proposed project is located at Valero's West Memphis Terminal on the right descending bank of the Mississippi River at approximate River Mile 728.7 in West Memphis, Crittenden County, Arkansas, Latitude 35.121667, and Longitude -90.171944; on the Fletcher Lake USGS 7.5-minute quadrangle map (Attachment 1).

EXISTING CONDITIONS: The project area consists of a portion of the Mississippi River and the immediate uplands where the existing dock is located.

PROJECT PURPOSE: The purpose of the project is to shift Valero's existing dock barge a maximum of 30-feet further into the Mississippi River. The purpose is to prevent the dock barge from grounding at 'Low-Water', which can cause damage to the infrastructure.

Basic: The basic purpose is to shift Valero's existing dock barge a maximum of 30-feet.

Overall: The overall project purpose is to prevent the dock barge from grounding at 'Low-Water'.

PROPOSED WORK: As proposed, Valero will achieve the 30-foot maximum shift by extending the truss structures only during 'Low-Water' events. The barges will remain in the 'Typical' position until the Mississippi River reaches (-)3' on the Memphis Gage.

When the Mississippi River goes below (-)3' on the Memphis gage, the dock barge will be repositioned to the 'Low-Water' position. A small portion of the existing drift deflector will be demolished and modified to avoid cable interference caused by the new angles from the proposed extension. Drift deflector piles that will be demolished will be cut off 3-feet below the existing mudline. No foundations, piles, or fill will be installed as part of the proposed project. Permit drawings depicting the proposed project are included below (Attachments 1-7).

AVOIDANCE AND MINIMIZATION: The barge's 30-foot maximum shift will be utilized only during 'Low-Water' river events to minimize the impact, if any, to river navigation. Best management practices will be implemented to minimize the potential for adverse water quality and natural resources impacts

COMPENSATORY MITIGATION: The applicant did not propose compensatory mitigation for the activity.

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 will not affect any listed species or critical habitat.

There are nine federally listed species that are known to have ranges that include the project area. There is one mammal species, the federally proposed endangered Tricolored Bat (*Perimyotis subflavus*). There is one fish species, the federally endangered Pallid Sturgeon (*Scaphirhynchus albus*). There is one clam species, the federally endangered Fat Pocketbook (*Potamilus capax*). There are three bird species, the federally proposed threatened Eastern Black Rail (*Laterallus jamaicensis* ssp. *jamaicensis*), Piping Plover (*Charadrius melodus*), and Rufa Red Knot (*Calidris canutus rufa*). There is one insect species, the federally proposed threatened Monarch Butterfly (*Danaus plexippus*). There is one reptile species, the federally proposed threatened

Alligator Snapping Turtle (*Macrochelys temminckii*). There is one flowering plant species, the federally endangered Pondberry (*Lindera melissifolia*).

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 structure 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 of 1899 (33 USC 408) because the activity, in whole or in part, would not 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 not been verified by Corps personnel.

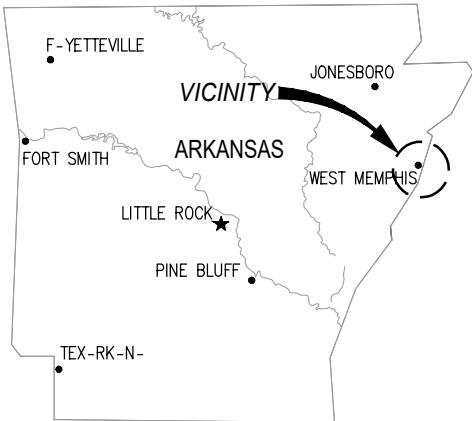
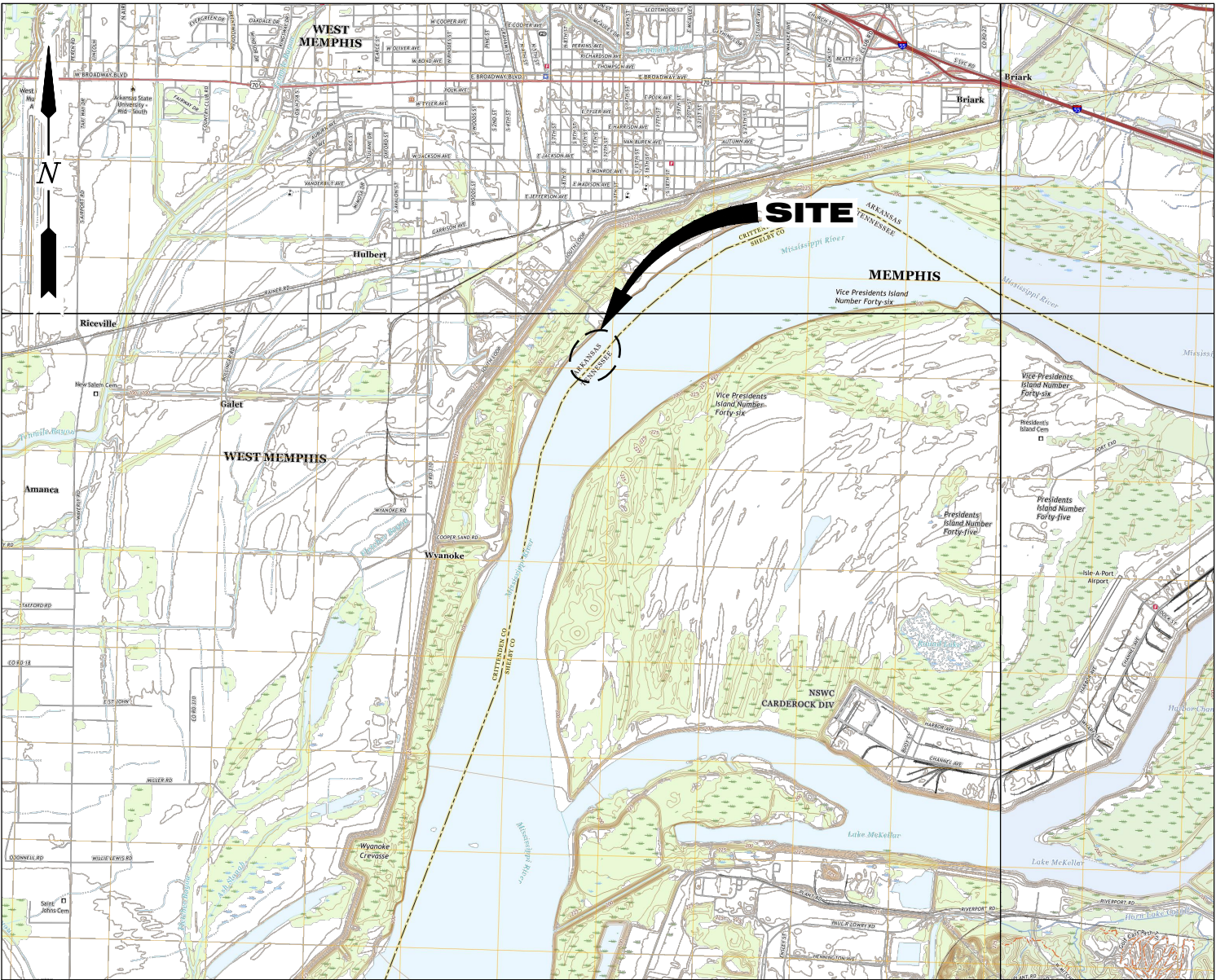
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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

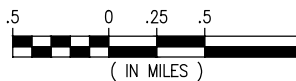
The Memphis District will receive written comments on the proposed work, as outlined above, until April 21, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Jonathan Wilson at Jonathan.w.wilson@usace.army.mil. Alternatively, 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, 38103-1894. 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.



VICINITY MAP

SC-LE: 1"=1 MILE



CRITTENDEN COUNTY
L-T. 35° 07' 18" N
LONG. 90° 10' 19" W

NOTES:

1. STRUCTURES MUST BE M-RKED/LIGHTED IN -CCORD-NCE WITH U.S. CO-ST GU-RD REGUL-TIONS.
2. HYDROGR-PHIC -ND TOPOGR-PHIC INFORM-TION REFERENCES D-T- COLLECTED ON -UGUST 21, 2024 BY EMC, INC.
3. HORIZONT-L D-TUM REFERENCED TO N-D83, -RK-NS-S NORTH, US SURVEY FEET.
4. -LL ELEV-TIONS -RE EXPRESSED IN FEET -ND TENTHS -ND -RE REFERENCED TO NORTH -MERIC-N VERTIC-L D-TUM 1988 (N-VD88), UNLESS NOTED OTHERWISE.
5. S-ILING LINE -ND REVETMENT INFORM-TION REFERENCES US-CE LOWER MISSISSIPPI RIVER N-VIG-TION-L CH-RT NO. 22 (2015).

AREA MAP

CHRISTOPHER L. O'BRIEN, P.E.
-R P.E. #14544

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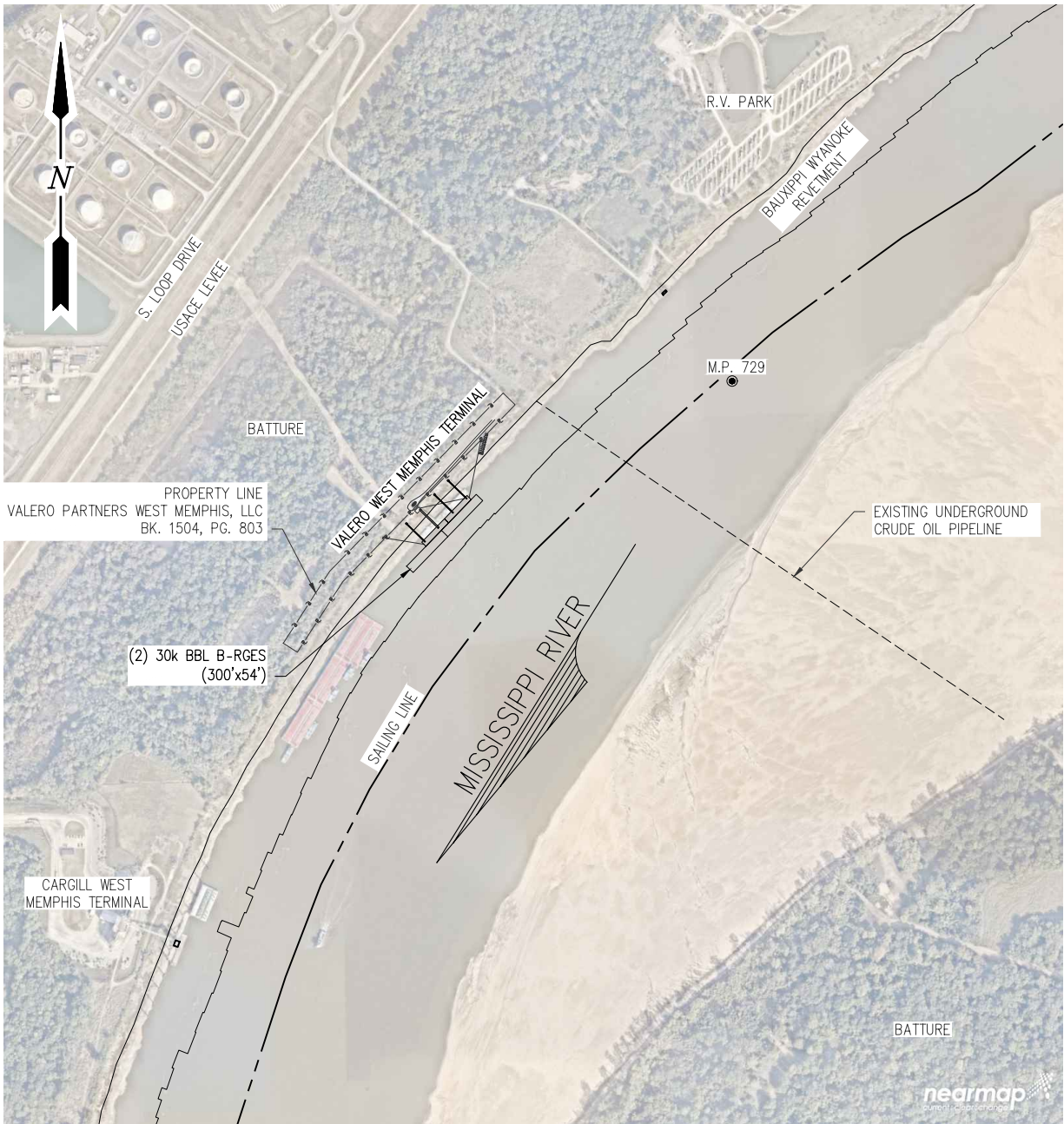
NEW ORLEANS • BEAUMONT • CORPUS CHRISTI • HOUSTON • MANDEVILLE

VALERO PARTNERS WEST MEMPHIS, LLC
WEST MEMPHIS ARKANSAS

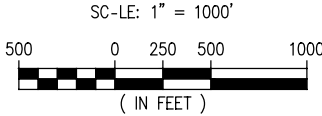
DOCK MODIFICATION PROJECT

VICINITY MAP, AREA MAP, & NOTES

DATE OCT. 2024
DESIGN ETW
DRAWN JWB
CHECK CLO
JOB NO 12623-1
SHEET No.
1 OF 7



PROPOSED NAVIGATION REVIEW PLAN



NOTES:

1. PROPOSED LOW-W-TER POSITION OF DOCK BRIDGES DEPICTED.
2. PROPOSED LOW-W-TER POSITION TO BE UTILIZED WHEN THE MEMPHIS G-GE -T M.P. 734.4 (MEMT1) < (-)3' ≈ (+)179' N-VD88 -T SITE (M.P. 728.7).

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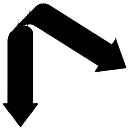
DOCK MODIFICATION PROJECT

PROPOSED NAVIGATION REVIEW PLAN

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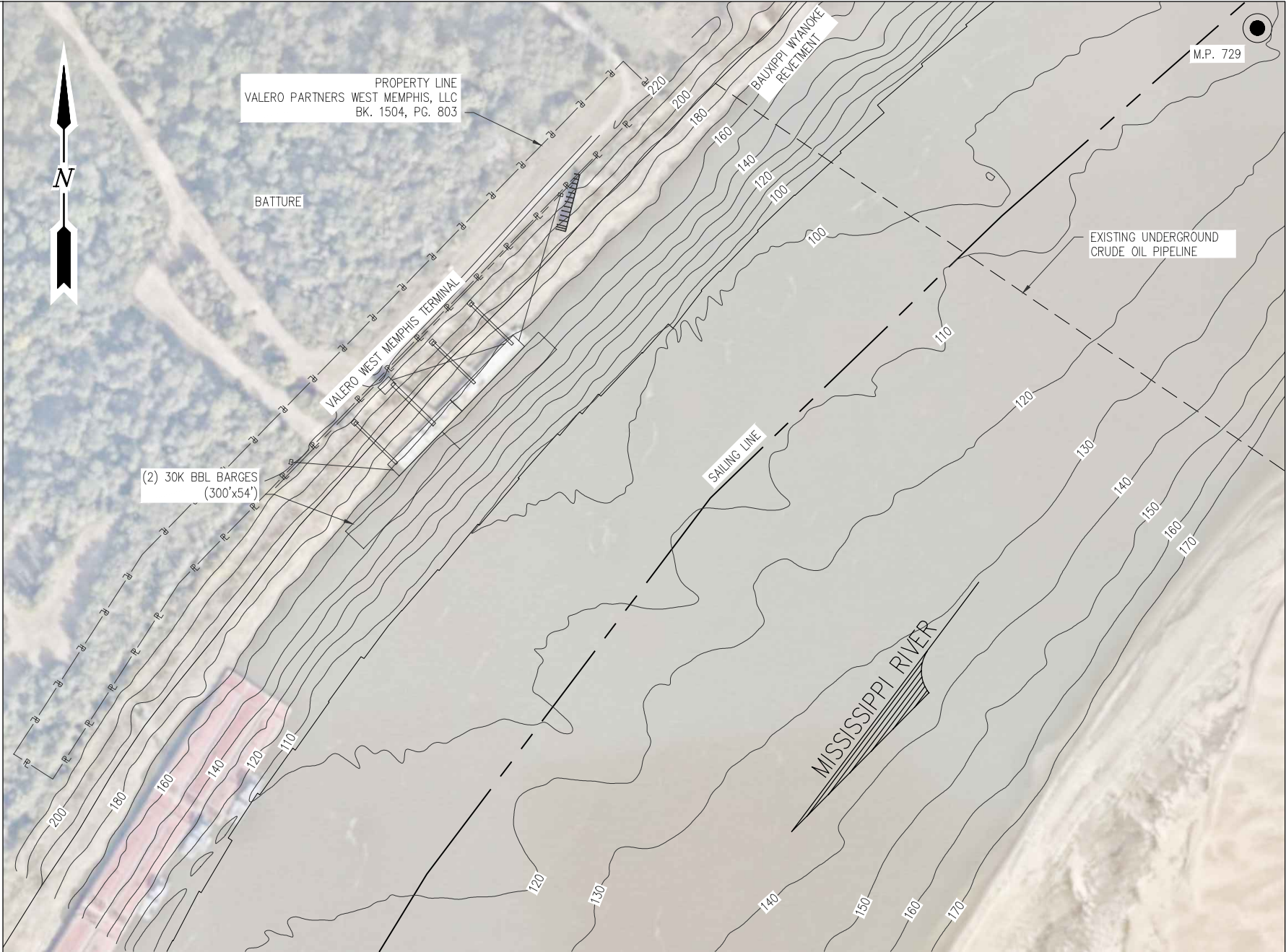
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DOCK MODIFICATION PROJECT

EXISTING OVERALL SITE PLAN

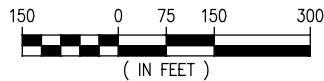


NOTES:

1. EXISTING LOW-W-TER POSITION OF DOCK B-RGES DEPICTED.

EXISTING OVERALL SITE PLAN

SC-LE: 1" = 300'



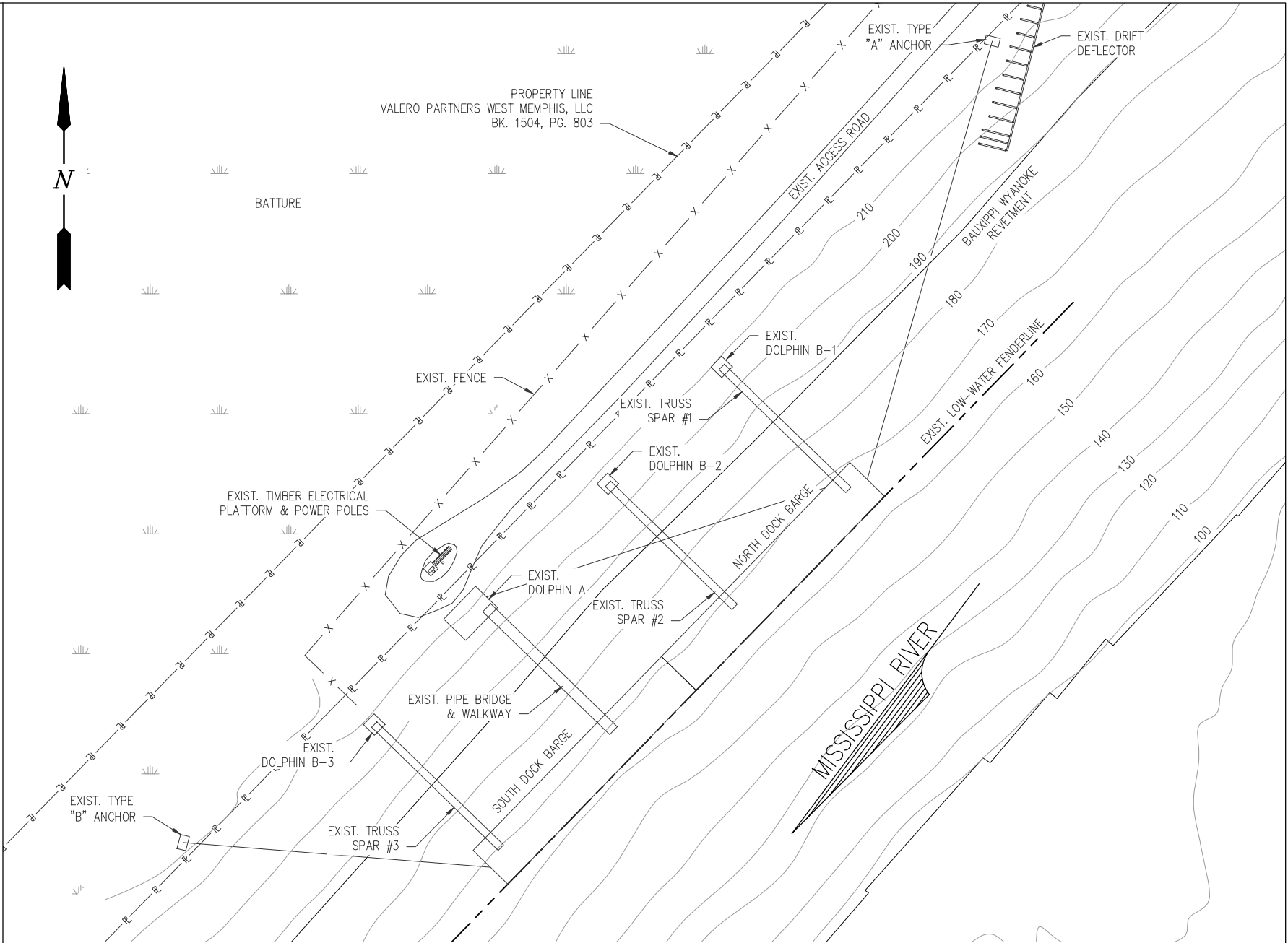
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EXISTING ENLARGED SITE PLAN

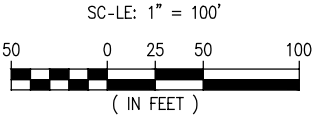
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NOTES:

1. EXISTING LOW-W-TER POSITION OF DOCK B-RGES DEPICTED.

EXISTING ENLARGED SITE PLAN



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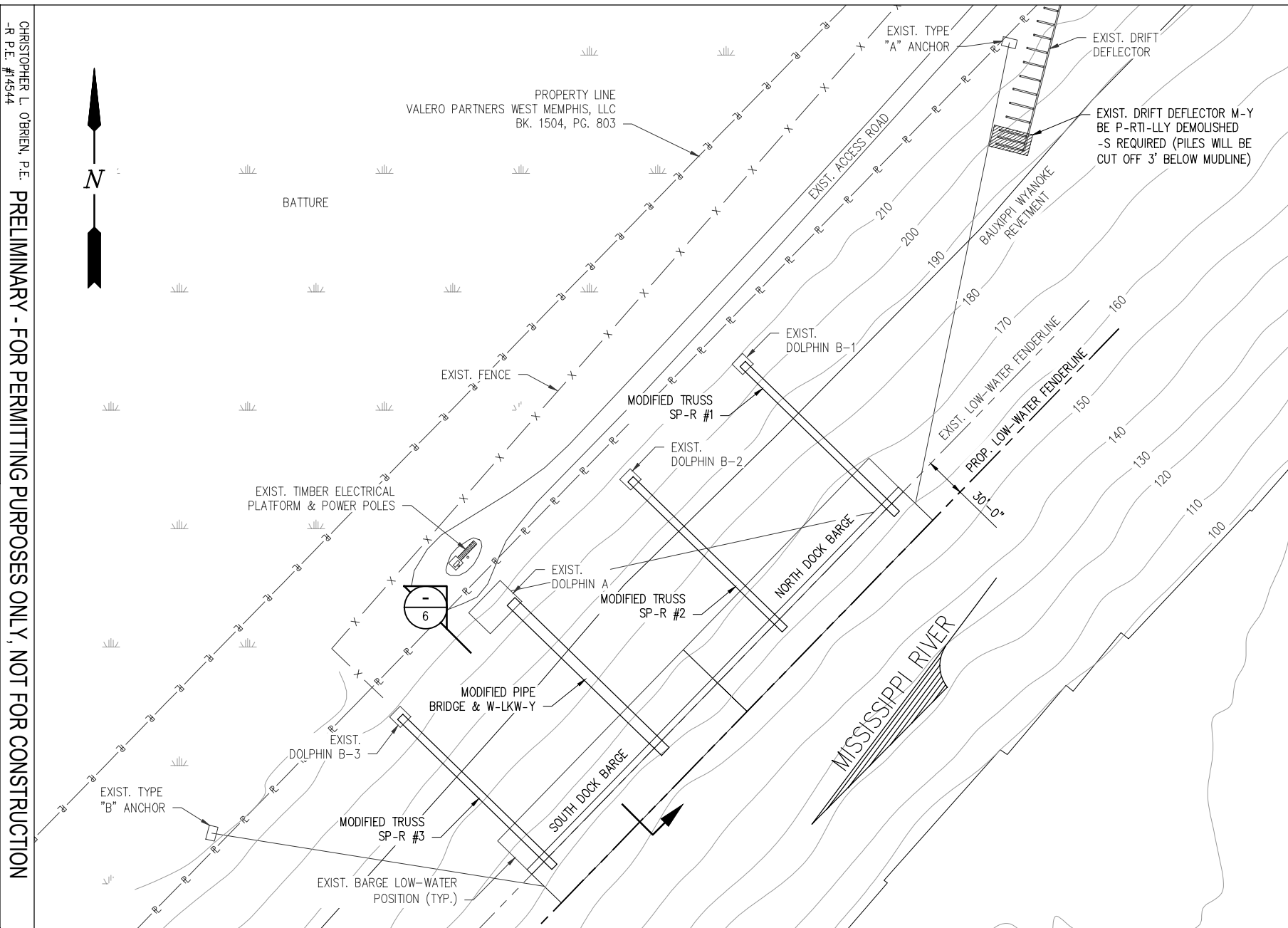
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DOCK MODIFICATION PROJECT
PROPOSED LOW-WATER SITE PLAN
MEMT1 < (-)3.0'

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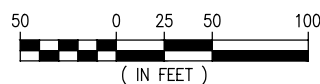


NOTES:

1. PROPOSED LOW-W-TER POSITION OF DOCK BRIDGES DEPICTED.
2. PROPOSED LOW-W-TER POSITION TO BE UTILIZED WHEN THE MEMPHIS G-GE -T M.P. 734.4 (MEMT1) < (-)3' \approx (+)179' N-VD88 -T SITE (M.P. 728.7).

PROPOSED LOW-WATER SITE PLAN

SC-LE: 1" = 100'



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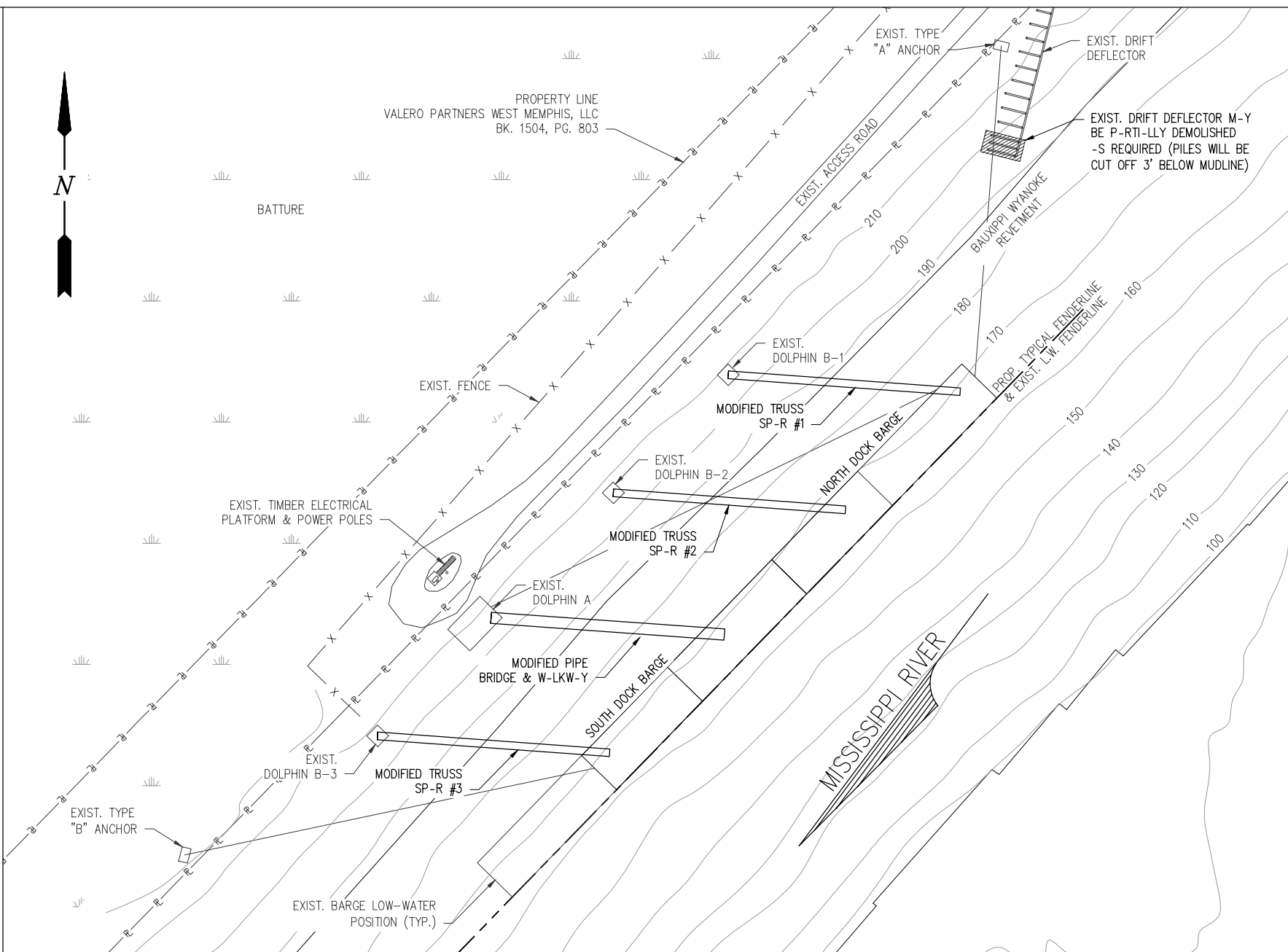
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DOCK MODIFICATION PROJECT
PROPOSED TYPICAL SITE PLAN
MEMT1 > (-)3.0'

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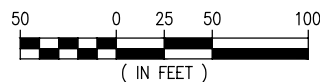


NOTES:

1. PROPOSED TYPIC-L POSITION OF DOCK B-RGES DEPICTED.
2. PROPOSED TYPIC-L POSITION TO BE UTILIZED WHEN THE MEMPHIS G-GE -T M.P. 734.4 (MEMT1) > (-)3' ≈ (+)179' N-VD88 -T SITE (M.P. 728.7).

PROPOSED TYPICAL SITE PLAN

SC-LE: 1" = 100'





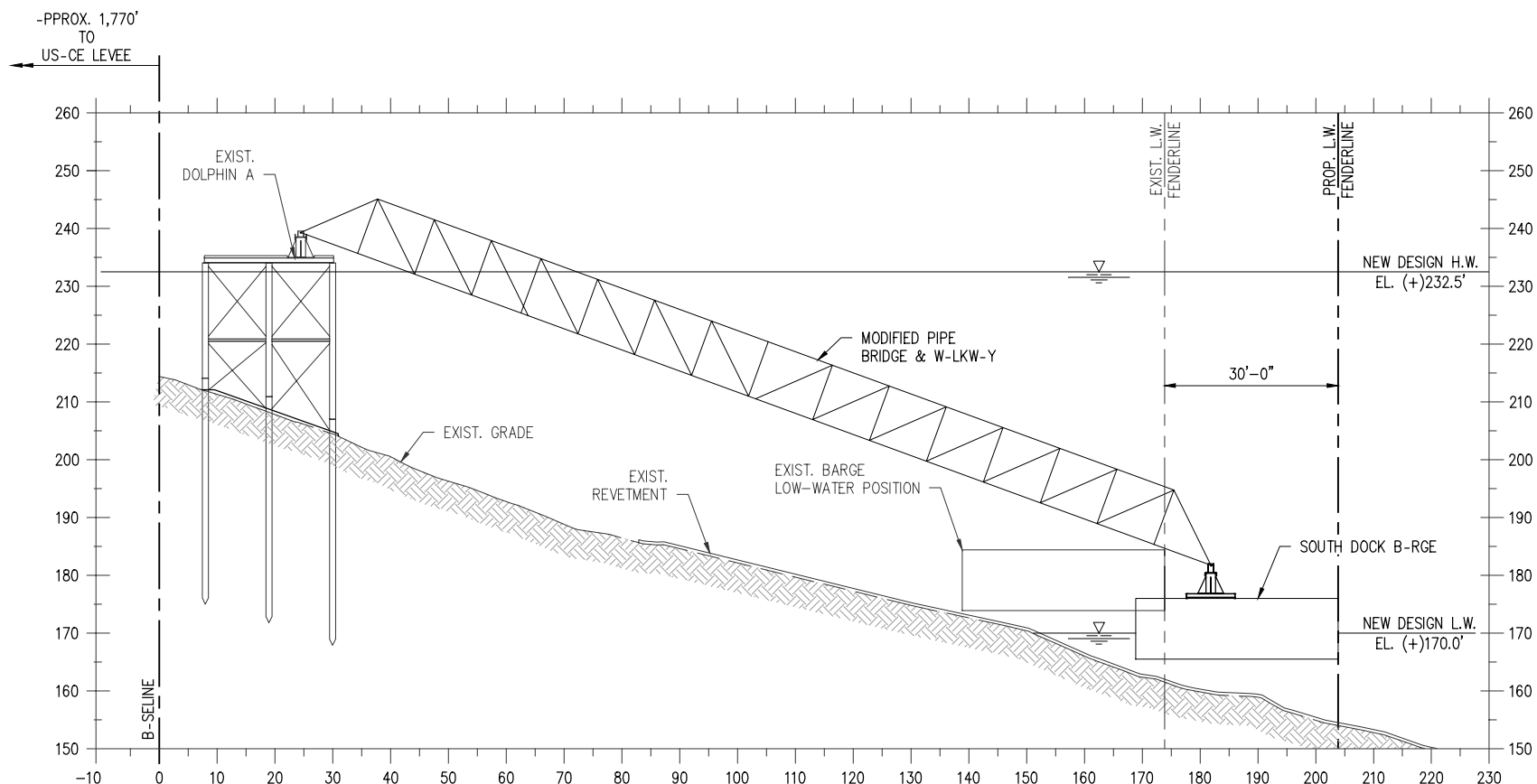
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DOCK MODIFICATION PROJECT
PROPOSED LOW-WATER SECTION

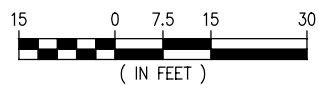
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PROPOSED LOW-WATER SECTION

SC-LE: 1" = 30'



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