



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Lanny Chalk
Enstructure Tennessee

Published: September 4, 2025
Expires: October 4, 2025

**Memphis District
Permit Application No. MVM-2025-058**

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: Lanny Chalk
Enstructure Tennessee
382 Klinke Road
Memphis, TN 38127

AGENT: Diane Bearden
The Reaves Firm
6800 Poplar Ave
Suite 101
Memphis, TN 38138

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 area is located at 719 Coon Valley Road to the east of Randolph Bluff Boat Ramp, on the left descending (east) bank of the Mississippi River, at approximate Lower Mississippi River Mile 768, Latitude 35.5134 and Longitude -89.9531; in Drummonds, Tipton County, Tennessee (Attachment 1).

EXISTING CONDITIONS: There are three docks located at the project site. One was previously permitted by USACE. The applicant is seeking an after the fact permit for the two remaining previously constructed docks (See Attachment 2).

PROJECT PURPOSE: The purpose is to increase the applicant's ability to move either loaded or unloaded product barges away from the offloading process on the existing dock.

Basic: The basic purpose is to load and unload aggregate and agricultural products.

Overall: The overall purpose is to place loading/offloading barges in the Mississippi River to facilitate additional loading and unloading capacity at an existing facility.

PROPOSED WORK: The applicant requests authorization for the prior placement of approximately 2,500 cubic yards (0.75 acres) of rock with the two previously constructed barges with access roads.

AVOIDANCE AND MINIMIZATION: The applicant stated that only the minimal amount of material needed to complete the project was placed within waters of the United States.

COMPENSATORY MITIGATION: The applicant has provided the following statement concerning compensatory mitigation: Due to the nature of the proposed aquatic resource impacts, mitigation is not required.

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:

Should historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places) be present within the Corps' permit area, the proposed activity requiring the DA permit (the undertaking) is a type of activity that has no potential to cause an effect to an historic property.

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
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Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	Endangered
Fat Pocketbook	<i>Potamilus capax</i>	Endangered
Alligator Snapping Turtle	<i>Macrochelys temminckii</i>	Proposed Threatened
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 structure or activity is located in the vicinity of a federal navigation channel and will be evaluated by USACE to determine potential effects on navigation.

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: 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.

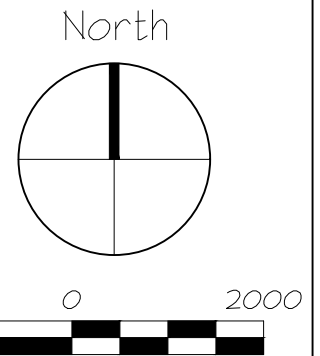
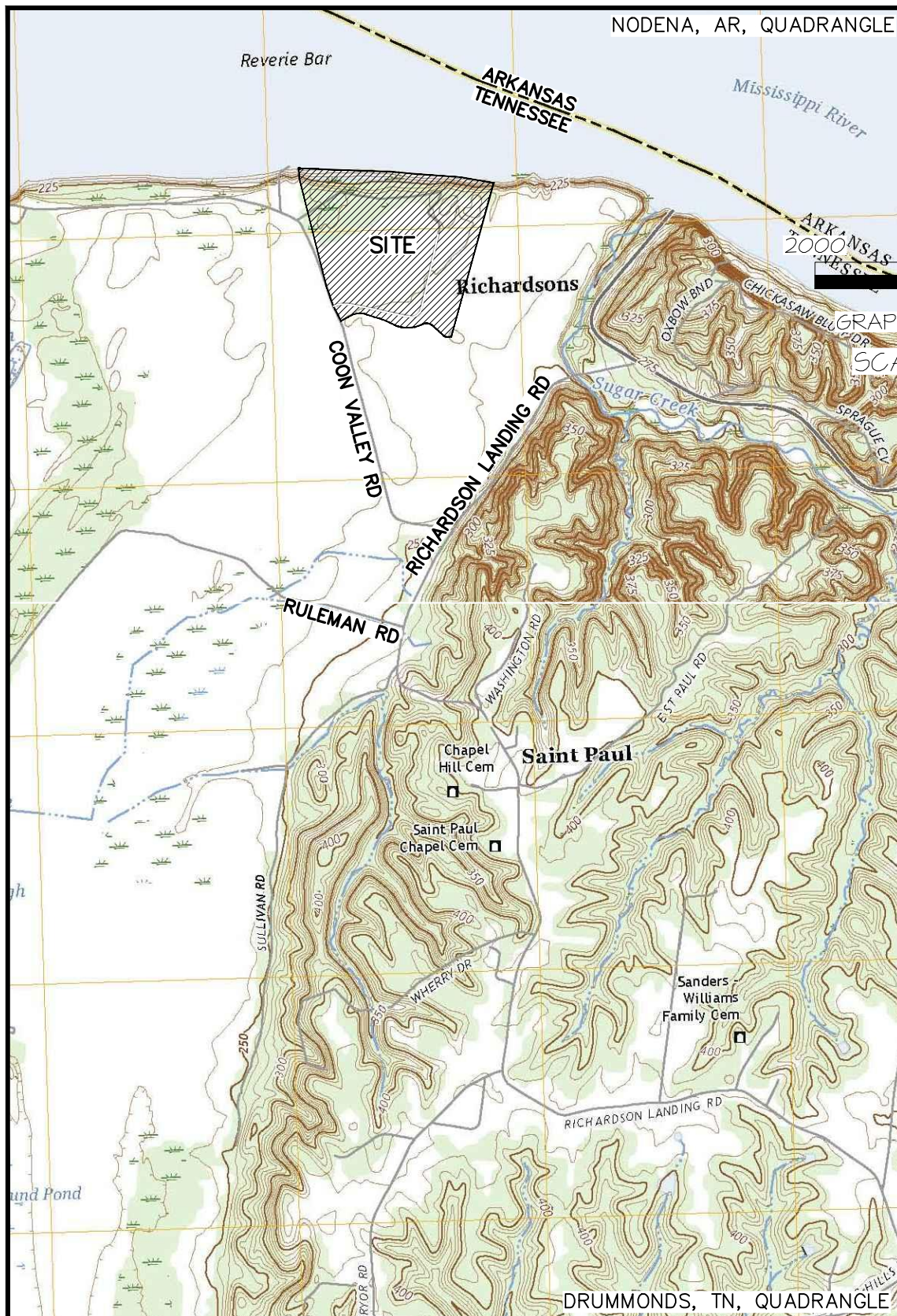
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and

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 October 4, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Joanna Neu at Joanna.K.Neu@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Memphis District, Attention: Joanna Neu, 167 North Main Street Suite 522 Memphis, TN 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.



VICINITY MAP

MID-SOUTH OPCO DBA ENSTRUCTURE
719 COON VALLEY ROAD
DRUMMONDS, TIPTON CO, TENNESSEE

ATTACHMENT I

March, 2025



VICINITY MAP
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719 COON VALLEY ROAD
DRUMMONDS, TIPTON CO, TENNESSEE
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