



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, MEMPHIS DISTRICT
167 NORTH MAIN STREET B-202
MEMPHIS, TENNESSEE 38103-1894

PUBLIC NOTICE

FILE NUMBER: MVM-2025-034

PUBLIC NOTICE DATE: January 28, 2025

EXPIRATION DATE: February 27, 2025

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 (DA) Permit under Section 10 of the Rivers and Harbors Act of 1899. The authority to grant permission for temporary or permanent alterations of any U.S. Army Corps of Engineers federally authorized civil works project is contained in Section 14 of the Rivers and Harbors Act of 1899 and codified in 33 USC 408.

APPLICANT:

Wayne L. Weshinsky
Hawkins Inc.
2825 Channel Ave
Memphis, Tennessee 38113
(618) 795-5290

PURPOSE: The purpose of the project is to extend the existing dock out to allow continued operations when the water levels are low. This will enable the applicant to still receive product in low level events.

LOCATION: The proposed project is located to the East of the Mississippi River between River Mile 725.0 and 726.0 within McKeller Lake, centered at approximate Latitude 35.0839°N and Longitude -90.14015°W in Memphis, Shelby County, Tennessee on the Fletcher Lake USGS 7.5-minute quadrangle map (Attachment 1).

DESCRIPTION OF WORK: The applicant proposes to add up to 5 floating movable spacer barges (175'x125') to the existing 3 barges (110'x 200'). This would extend the barges approximately 175 feet riverward of the existing dock/spacer barges. See (Attachment 2) and (Attachment 3) for profile views of the proposed reach of the barges into the channel.

AVOIDANCE/MINIMIZATION: The barges will be utilized only during low level 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.

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

ENDANGERED SPECIES: There is one federally listed mammal species that is known to have ranges that include the project area. It is the federally proposed endangered Tricolored Bat (*Perimyotis subflavus*). 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*). Our preliminary determination is that the proposal will have no effect on these species. This project is being coordinated with the United States Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: In compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, the Memphis District is soliciting comments from federal, state, and local agencies, federally recognized Indian Tribes, the public, and other interested parties in order to identify and evaluate potential impacts of the proposed action on historic properties.

FLOODPLAIN: In accordance with 44 CFR Part 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 and to solicit comments and information necessary to evaluate the probable impact on the public interest.

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 Indian Tribes, and other interested parties in order to consider and evaluate the impacts of the 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 and 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, and 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 REQUESTS FOR ADDITIONAL INFORMATION: Comments should be submitted to <https://rrs.usace.army.mil/rrs/public-notices> or to the Corps of Engineers, Memphis District, by email (preferred) or mail:

U.S. Army Corps of Engineers, Memphis District
Attn: Jonathan Wilson
167 North Main Street, Room B-201
Memphis, Tennessee 38103-1894
E-mail: jonathan.w.wilson@usace.army.mil
Phone: (901) 544-0738

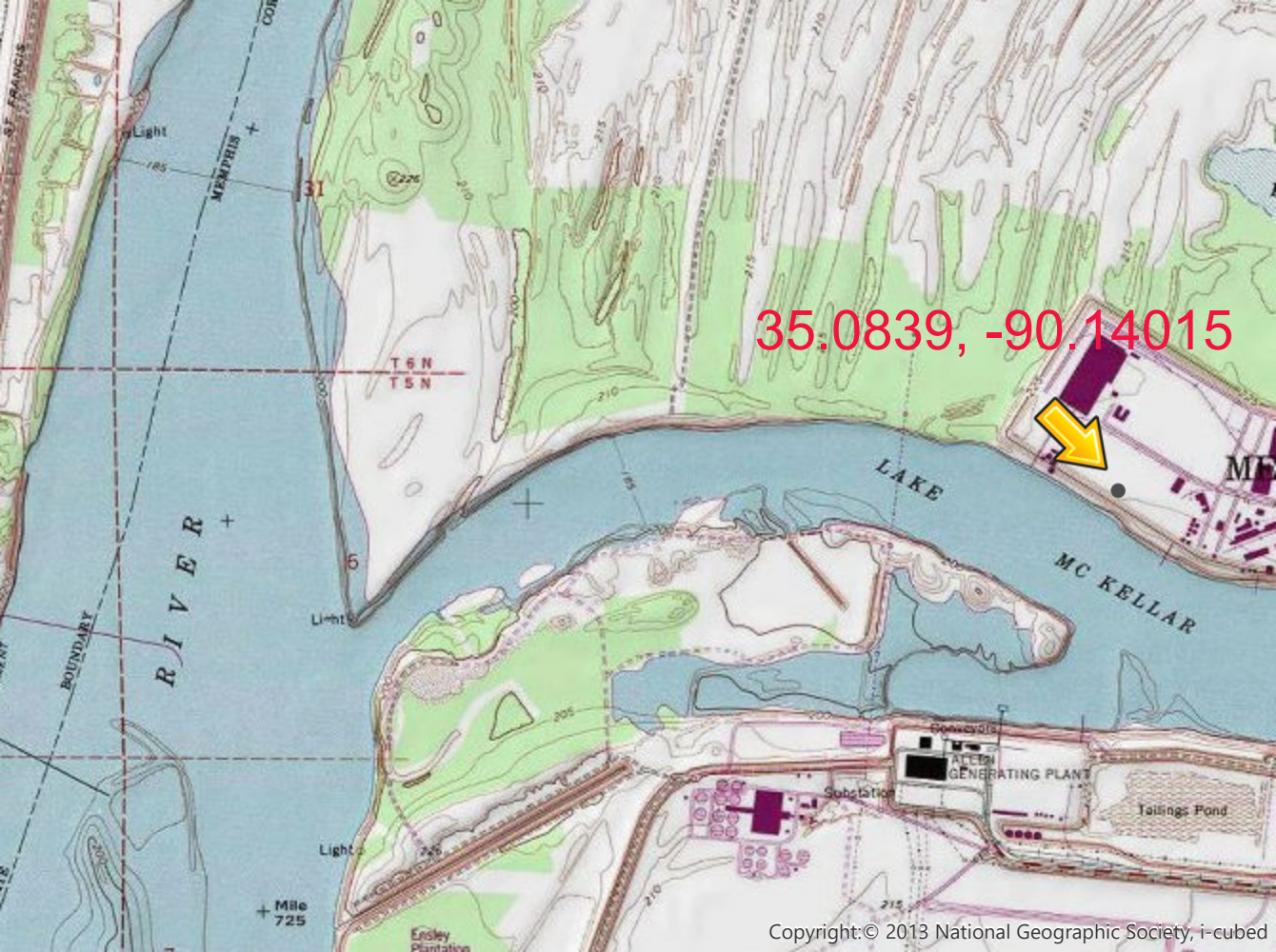
The Corps of Engineers may provide copies of all comments, including the name and address of those providing comments, to the applicant for consideration and response prior to a decision. Comments must be received by the expiration date listed on page one of this notice.

For Final Individual Permit Actions in the Memphis District, go to the following link: <http://permits.ops.usace.army.mil/orm-public>. 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. 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 payment of administrative fees. They are also available at the Memphis District Regulatory Division office for examination.

Gregg W. Williams
Chief
Regulatory Division

Attachments

NOTICE TO POSTMASTERS: Please post this notice conspicuously until the expiration date listed on page one.



35.0839, -90.14015



BARGE OVERHEAD VIEW

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DRAWING REVISIONS						
REV	PROJ	DESCRIPTION	DRW	CHK	APP	DATE
1		BARGE DOCK EXTENSION	RM	WW	WW	1/14/2025
CONFIDENTIAL						
THIS DRAWING INCLUDING ALL SUBJECT MATTERS THEREON, OR DERIVED THEREFROM, COMPRISES PROPRIETARY INFORMATION AND IS THE EXPRESS PROPERTY OF HAWKINS INCORPORATED. EMPLOYMENT, REPRODUCTION OR DISSEMINATION OF THIS DRAWING IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN PERMISSION OF HAWKINS IS STRICTLY FORBIDDEN.						

		HAWKINS INC.	
		MEMPHIS, TN	
<u>GENERAL ARRANGEMENT DRAWING</u>			
BARGE DOCK EXTENSION			
SYSTEM NO.		SHT. 1 OF 1	BLDG NO.
D	GA-C05-SITE-401		
SCALE: NONE		CAD FILE:	

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DRAWING REVISIONS						
REV	PROJ	DESCRIPTION	DRW	CHK	APP	DATE
1		Temporary Dock Spacer	RM	WW	WW	1/10/25

CONFIDENTIAL

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 HAWKINS INC.
MEMPHIS, TN

GENERAL ARRANGEMENT DRAWING

TEMPORARY DOCK SPACER
2825 CHANNEL AVE,
MEMPHIS, TN 38109

SYSTEM NO.		SHT. 1 OF 1	BLDG NO.
D	GA-C05-SITE-401		
SCALE: 1/32" = 1'-0"		CAD FILE:	