



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2023-305

NOTICE DATE:
October 26, 2023

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
November 15, 2023

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 permit under Section 404 of the Clean Water Act and 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 of 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:

Rodney Ivie
Arcosa Marine Products, Inc. Plant #1075
265 County HWY 346
Caruthersville, Missouri 63830

PURPOSE: The purpose of the proposed project is to extend the existing launch ways in order to stay operational during low water.

LOCATION: The project site is located on the west (right descending) bank of the Mississippi River at approximate River Mile 848.3 at approximate Latitude 36.21275°N and Longitude -89.67912°W in Pemiscot County, Missouri, on the Caruthersville 7.5-minute quadrangle map (Attachment 1).

DESCRIPTION OF WORK: The applicant proposes to extend the existing launch ways (2) approximately twenty (20) feet into the Mississippi River (Attachments 2 and 3). The launch way extensions will be approximately ten (10) feet wide. Four (4) 24-inch X 20-foot-long piles will be driven and filled with aggregate for each launch way (total of 8 piles). Under Section 404 of the Clean Water Act, the filing of piles with aggregate meets the conditions of Nationwide Permit (NWP) 25 for Structural Discharges.

AVOIDANCE/MINIMIZATION: The applicant proposes to only extend the launch ways the minimum amount necessary to stay operational during low water.

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

WATER QUALITY CERTIFICATION: The applicant is not responsible for requesting an individual Section 401 Water Quality Certification from the Missouri Department of Natural Resources (MDNR). MDNR has issued 401 Water Quality Certification for NWP 25, contingent upon the General Conditions listed within the certification.

ENDANGERED SPECIES: This application is being coordinated with the U.S. Fish and Wildlife Service (USFWS). Any comments USFWS 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 will identify and evaluate potential effects of the proposed action on historic properties through consultation with federal, state, and local agencies, federally-recognized Indian Tribes, the public, and other interested parties.

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 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 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; 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. 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 REQUEST FOR ADDITIONAL INFORMATION: Send comments to the Corps of Engineers, Memphis District. Comments must be received by the expiration date listed on page one of this notice and may be sent via mail or e-mail to the following:

U.S. Army Corps of Engineers – Memphis District
ATTN: Josh Bright
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
e-mail: joshua.k.bright@usace.army.mil
phone: (901) 828-0359

For Final Individual Permits 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 above. 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 the payment of administrative fees. They are also available at the Memphis District, Regulatory Division office for examination.

Gregg W. Williams
Chief
Regulatory Division

Attachments