

US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM-2018-194

**NOTICE DATE:
June 7, 2018**

**EXPIRATION DATE:
July 6, 2018**

Attn: Postmaster,
Please Post Until



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 permit under Section 10 of the Rivers and Harbors Act.

APPLICANT:

Kevin Daniels
Kinder Morgan Terminals
7725 East County Road 142
Blytheville, Arkansas 72315

AGENT:

Lauran Larson
Krech Ojard Associates
101 Putnam Street
Eau Claire, Wisconsin 5470

PURPOSE: According to the applicant, the purpose of this project is to acquire a Section 10 permit for legacy barge fleets that were established in the past and have been in operation for over 30 years.

LOCATION: The project site is located in the Mississippi River east of Blytheville, Arkansas. The Above NUCOR barge fleet is located on the right descending bank at river mile at 809.3 at 35.887839°N/-89.772122°W, in Mississippi County, Arkansas (Attachment 1).

DESCRIPTION OF WORK: No new work is being proposed; the fleeting area is currently in use and structures are already present. The process of barge fleeting involves the delivery of either loaded or empty barges in assembled multi-barge tows from distant origins. These tows arrive by line boats and are then moored to dedicated mooring structures and/or stationary spar barges to await local switching to the associated transload terminal for loading and/or unloading. Locally operating switch boats then move individual barges or small groups between the fleet and the nearby transload terminal as the loading/unloading process progresses. The composition of the fleet will usually contain a combination of loaded and empty barges awaiting either long-range transit by line boats or local switching to the transload terminal. The specific fleeting location, arrangement, and number of barges moored at the fleeting location are indicated on the attached drawing (Attachment 2).

AVOIDANCE/MINIMIZATION: The applicant believes there will be no negative impacts.

MITIGATION: No mitigation has been proposed for this project.

ENDANGERED SPECIES: This notice is being coordinated with the USFWS. The interior least tern (*Sterna antillarum athalassos*) and pallid sturgeon (*Scaphirhynchus albus*) are known to utilize the Mississippi River. Any comments USFWS, or other interested parties, may have regarding these or other endangered or threatened species or their critical habitat, will be considered in our evaluation of the described work. However, it is our preliminary determination that the proposed project will not affect these species.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer, federally recognized Tribes and the public in response to this public notice and we may conduct or require a survey of the project area. However, it is our preliminary determination that the proposed project will not affect any 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 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 may be sent via mail or email to the following:

U.S. Army Corps of Engineers - Memphis District
ATTN: Damon McDermott
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: robert.d.mcdermott@usace.army.mil
phone: (901) 544-0732
fax: (901) 544-0211

The Corps of Engineers may provide copies of all comments, (including name & 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.

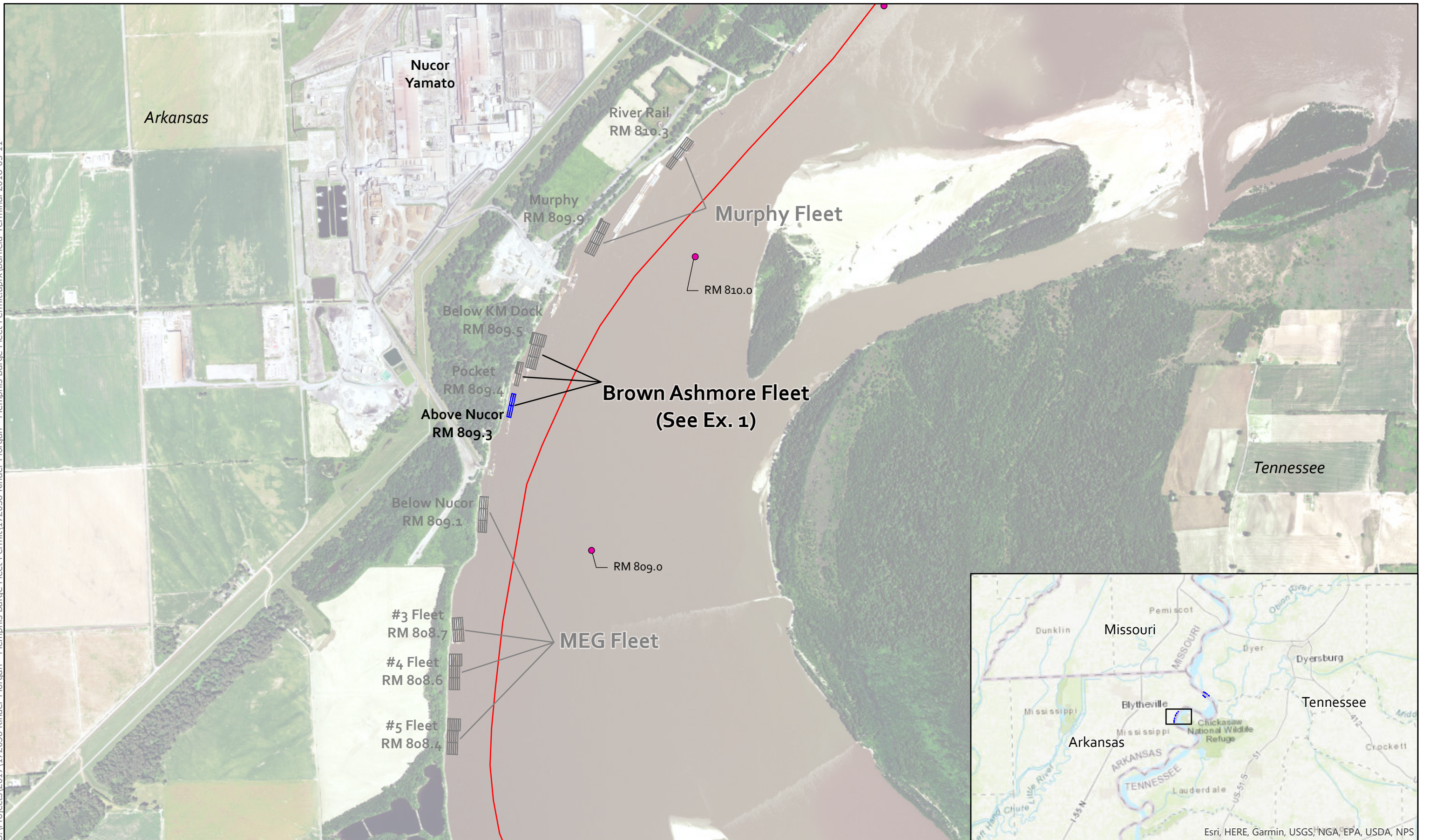
For Final Individual Permits actions in the Memphis District, go to the following link:

<http://geo.usace.army.mil/egis/f?p=340:2:0::NO:RP>. 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 Branch office for examination.

Gregg Williams
Chief
Regulatory Branch

Attachments

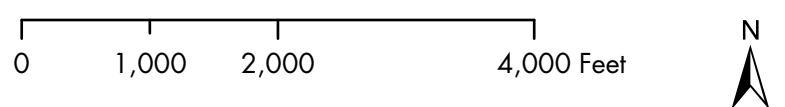
G:\Projects\2017\172038 Kinder Morgan - Memphis Barge Fleet Permit\172038 Kinder Morgan - Memphis Barge Fleet Permit.aprx\Barfield Terminal 2018-05-11



- Buoys
- Above Nucor RM 809.3
- Sailing Line
- Barge Fleets

KINDER MORGAN BARFIELD TERMINAL FLEETING

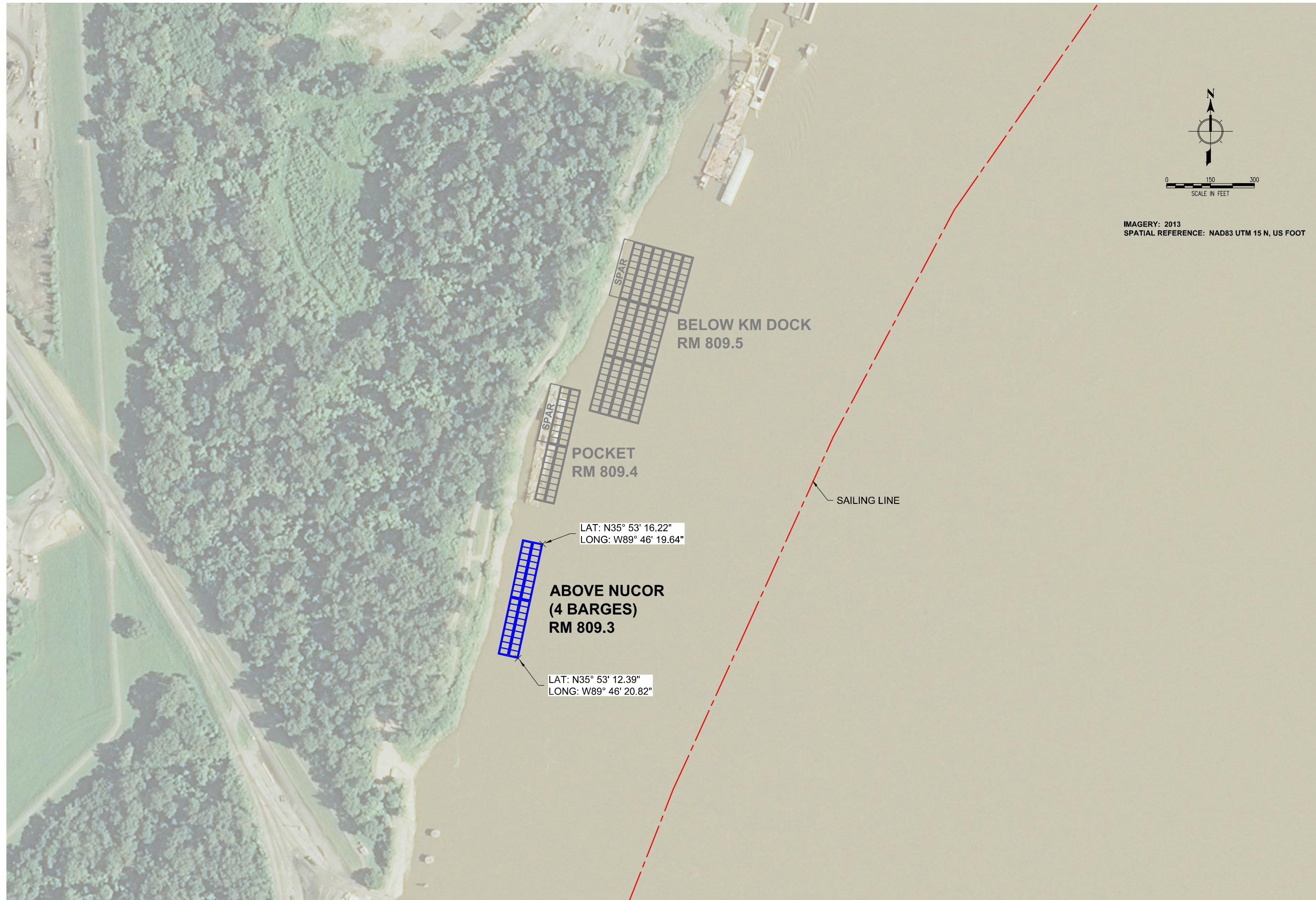
ABOVE NUCOR FLEET



Attachement 1

5/11/2018 12:45 PM

May 11, 2018 - 11:20am
 R:\vaill\2017 Projects\172038 KM Memphis Barge Flooding Permit Application Support\172038-Kinder Morgan - Memphis Barge Flooding Permit Design\172038-ABOVE NUCOR.dwg



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DATE	REV.	DESCRIPTION	DWN. BY:	CHK. BY:
5/10/18		ISSUED FOR PERMITTING	ADS	STS

KINDER MORGAN
BARFIELD TERMINAL BARGE FLEET -
ABOVE NUCOR
BLYTHEVILLE, ARKANSAS
ABOVE NUCOR FLEET

REV: JOB No: 172038
 SHEET:

EX. 1