



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2017-342 (BSP)

NOTICE DATE:
October 31, 2017

Attn: Postmaster,
Please Post Until **EXPIRATION DATE:**
⇒ **November 30, 2017**

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 permit under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act.

APPLICANT:

Mr. George Leavell
Wepfer Marine, Inc.
2661 Channel Avenue
P.O. Box 13363
Memphis, Tennessee 38113
(901) 775-0980

AGENT:

Mr. Ben Day
Tioga Environmental Consultants
357 North Main Street
Memphis, Tennessee 38103
(901) 791-2432

PURPOSE: The applicant proposes to grade and stabilize a section of bank along McKellar Lake as part of a plan to relocate the existing Wepfer Marine Facilities located in Memphis, Tennessee.

LOCATION: The project site is located south of the Channel Avenue terminus in Memphis, Shelby County, Tennessee, with approximate center coordinates of N35.08416° / W-90.14167° as shown on Exhibit A.

DESCRIPTION OF WORK: The proposed project will involve the installation of a floating dock system extending 550 linear feet, measured from elevation 210, into McKellar Lake. Additional work below the ordinary high water mark includes the grading and paving of 0.34 acres for driveway construction and up to an additional 2.40 acres of grading and fill totaling 470 linear feet of miscellaneous slope and bank stabilization. Vegetation to be cleared along the shoreline includes small saplings and shrubs. Drawings attached as Exhibit B and C show the proposed project plans.

AVOIDANCE/MINIMIZATION: The applicant's selection of this proposed site has completely avoided impacts to wetlands and streams. A section of McKellar Lake shoreline below OHW will be graded. No jurisdictional wetlands occur below OHW at the described project site. The applicant's description of work to be performed will result in the stabilization of the eroding lake bank.

MITIGATION: The applicant did not propose compensatory mitigation.

WATER QUALITY CERTIFICATION: The applicant should request water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: Our preliminary determination is that there would be no endangered species or critical habitat affected by this proposal. However, 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: The Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a survey of the project area.

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 10/404 permits required by our office.

COMMENTS: To request additional information or provide comments on this notice, please contact Mr. Benjamin S. Pitcock using the information below:

U.S. Army Engineer District - Memphis
ATTN: Benjamin Pitcock
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
Email: benjamin.s.pitcock@usace.army.mil
Phone: (901) 544-3468
Fax: (901) 544-0211

Comments may be sent via mail or email. 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

EXHIBIT A



NOT TO SCALE

WEPFER MARINE, INC.
DOCK & MARINE OPERATIONS

DESCRIPTION: USGS QUADRANGLE - FLETCHER
LAKE, AR-TN (2017) & SOUTHWEST
MEMPHIS, TN-AR (2016)

PROJECT#: 54809.00

LOCATION: 2821 CHANNEL AVE, MEMPHIS, TN

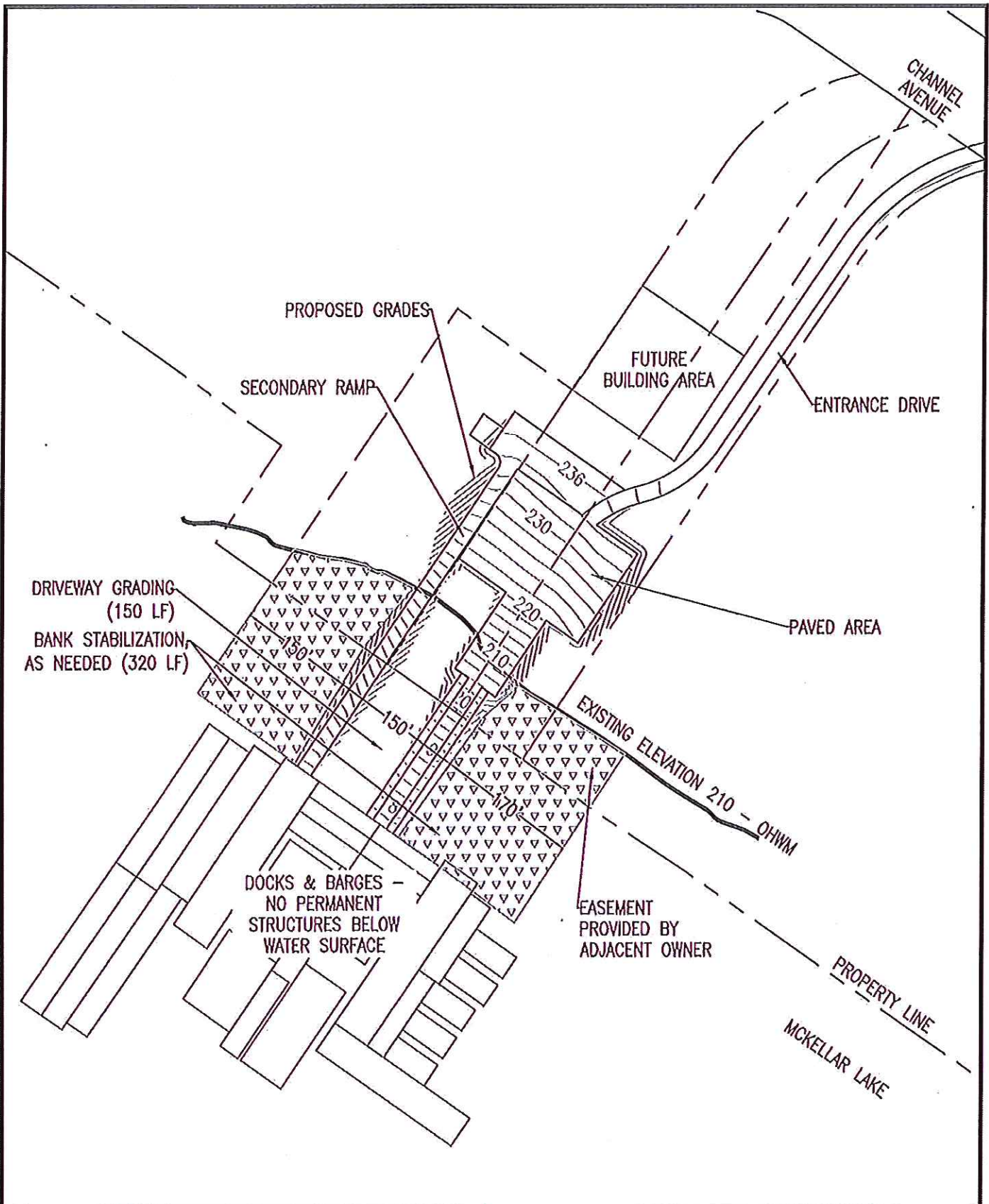
DATE: OCTOBER 2017



Tioga

ENVIRONMENTAL CONSULTANTS

EXHIBIT B



1" = 150'



Tioga

ENVIRONMENTAL CONSULTANTS

WEFFER MARINE, INC.
DOCK & MARINE OPERATIONS

DESCRIPTION

PLAN VIEW

LOCATION

2821 CHANNEL AVE., MEMPHIS, TN

PROJECT #

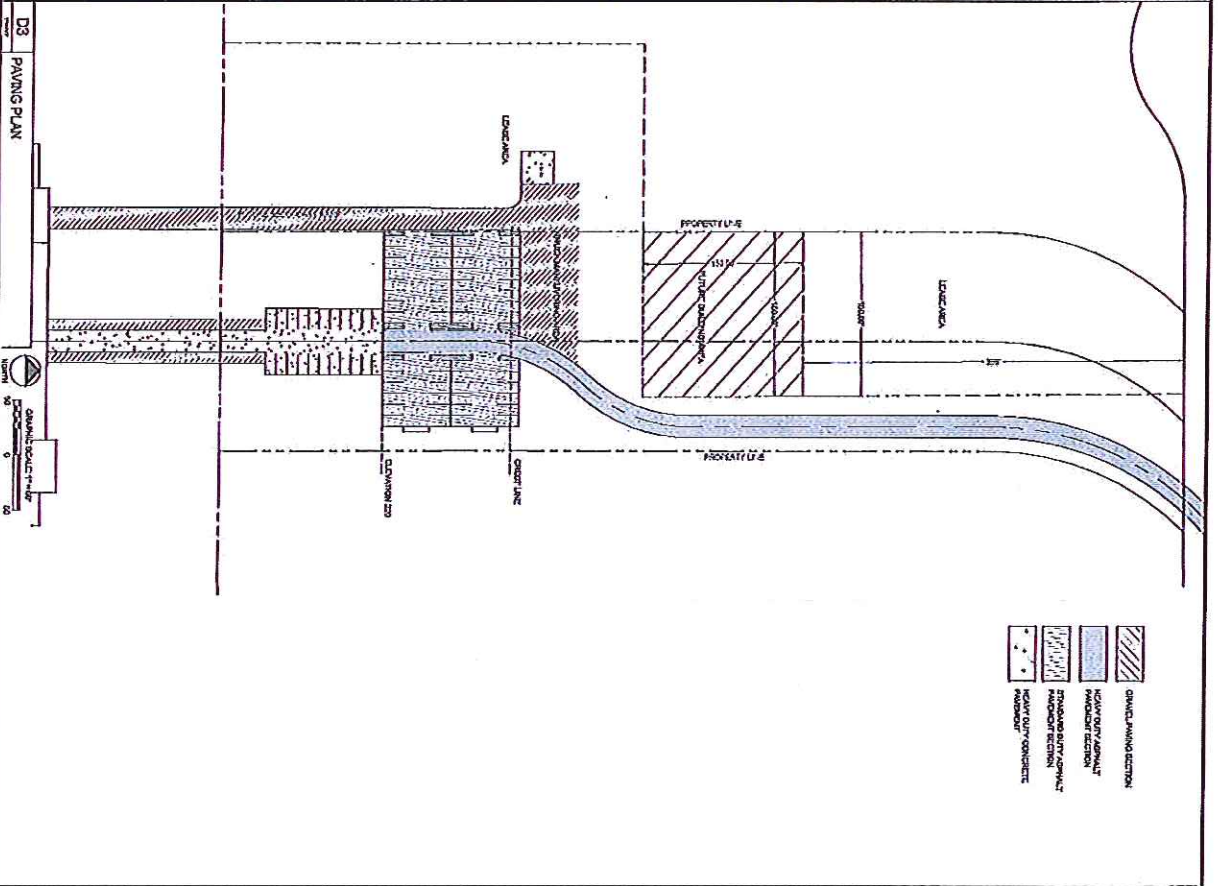
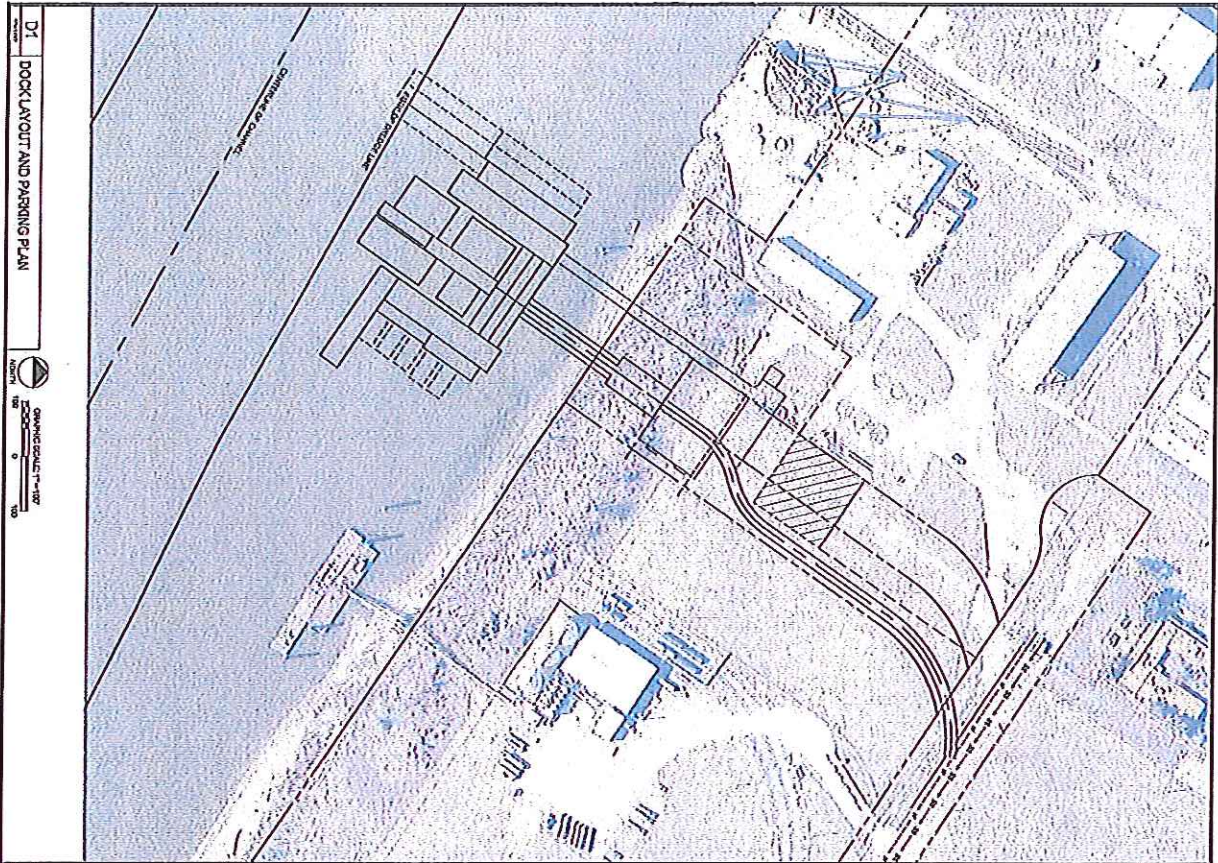
64809.00

DATE

OCTOBER 2017

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EXHIBIT C



C1.0

DIRECT NO.

DOCK AND MARINE OPERATIONS

WEPFER MARINE, INC.

2661 CHANNEL AVENUE, MEMPHIS, TENNESSEE

A2H

ARCHITECT

2661 CHANNEL AVENUE, MEMPHIS, TENNESSEE