



US Army Corps  
of Engineers  
Memphis District

# Public Notice

**FILE NUMBER: MVM 2016-350 (RC)**

**NOTICE DATE:**  
**November 1, 2016**

Attn: Postmaster,  
Please Post Until **EXPIRATION DATE:**  
**November 30, 2016**

**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 & Harbors Act.

**APPLICANT:** Honorable Denny Johnson  
County Mayor, Lake County  
Box 1, Court House  
229 Church Street  
Tiptonville, Tennessee 38079  
Telephone (731) 253-7382

**PURPOSE:** The purpose of the proposed project is to clear vegetation from a section of the Mississippi River bank at the Marijac Memorial River Park in Tiptonville, Tennessee, in order to improve the visibility of the River.

**LOCATION:** The project is located at Tiptonville, Lake County, Tennessee, on the left descending bank of the Mississippi River at River Mile 872.0, at approximate coordinates N36.3692°/W-89.3692°, as shown on the Mooring 7.5 minute USGS quadrangle map (Attachment 1).

**DESCRIPTION OF WORK:** The project involves the clearing of vegetation along approximately 1,300 feet of existing river bank at the Marijac Memorial River Park in Tiptonville, Tennessee. Vegetation along the bank consists primarily of scrub shrub vegetation, vines and a few black willow (*Salix nigra*) trees. The clearing operation will utilize mechanical equipment along the upper bank and chain saws on the lower banks.

**THREATENED AND ENDANGERED SPECIES:** This notice is being coordinated with the U.S. Fish and Wildlife Service (USFWS). The Memphis District is not aware of interior least tern nesting sites in the immediate vicinity of this site. The pallid sturgeon, *Scaphirhynchus albus*, is known to utilize the Mississippi River; however, little is known about the species' ecological and habitat requirements in the lower Mississippi River. There have been a few reports of the species within the Memphis District. The vegetation removal should not affect the pallid sturgeon because proposed removal would be above the water. Our preliminary determination is that the Indiana Bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), Bald eagle (*Haliaeetus leucocephalus*) and any threatened or endangered plants or critical habitat would not be affected by the proposed project. Any comments the USFWS may have regarding endangered or threatened species 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, federally recognized tribes, and the public in response to this public notice and we may conduct, or require a survey of the project area. Our district's determination is that this project would have no effect on historic properties eligible for or included in the National Register of Historic Places.

**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.

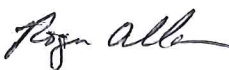
**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine 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 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:** To request additional information or provide comments on this notice, please contact Mr. Randy Clark using the information below:

U.S. Army Corps of Engineers - Memphis District  
 ATTN: Randy Clark  
 167 N. Main Street, Room B-202  
 Memphis, Tennessee 38103-1894  
 E-mail: [james.r.clark@usace.army.mil](mailto:james.r.clark@usace.army.mil)  
 Phone: (901) 544-0735  
 Fax: (901) 544-0211

Comments may be sent via mail or e-mail. 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.

  
 for Gregg Williams  
 Chief  
 Regulatory Branch

Attachments







# Untitled Map

Write a description for your map.

## Legend



Mississippi Evening Near Tiptonville

Google earth

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900 ft

Tiptonville Ferry Rd

Tiptonville-Opton Levee Rd

