



**US Army Corps  
of Engineers** ®  
Memphis District

**ISSUE DATE: January 24, 2024**

**EXPIRATION DATE: February 8, 2024**

**PUBLIC NOTICE**

**U.S. Army Corps of Engineers  
Memphis District**

**U.S.C. Chapter 33, Section 408 Permission Evaluation**

**TITLE:** Section 408 Permission Evaluation for Consolidated Grain and Barge Co., Hickman, Fulton County, KY.

**INTRODUCTION:** The authority to grant permission for temporary or permanent alterations of any U.S. Army Corps of Engineers (USACE) federally authorized civil works project is contained in Section 14 of the Rivers and Harbors Act of 1899 and codified in 33 USC 408. Consolidated Grain and Barge (CGB) is proposing to maintain existing sheet pile cells and to create five landings with an internal stairway between each landing for barge access at various river stages (Figure 1).

**PROJECT DESCRIPTION:** Section 408 authorizes USACE to grant permission for the alteration or occupation or use of the project if USACE determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project. The Mississippi River Channel Improvement Project, the federally authorized civil works project proposed for alteration, provides for channel improvement to increase flood carrying capacity and reduce flood heights, to stabilize alignment and prevent bank caving that would destroy the main line levees, and to provide an aligned navigation channel. The proposed request would involve encapsulating the existing 20' diameter sheet pile cell, increasing the diameter to no larger than 24' and driving the sheet pile approximately 45' below the mudline. Five barge access landings with internal stairways allowing access at various river stages would be created between each landing. The barge access structures would be supported on the upstream end by the new cell and supported on the downstream end by an estimated two 24" diameter pipe piles driven approximately 35' into the river (Figures 2 - 4). Additionally, a 72" diameter monopile would be installed on the downstream end of this proposed structure to serve as a fender and prevent accidental barge impacts. To maintain a straight alignment for handling barges, smaller diameter pipe would be driven and welded into the working face of each of the four existing dolphins (Figure 5). Each additional pipe would be no larger than 24" in diameter and would be driven approximately 45' below the mudline. None of these improvements are anticipated extend past the existing dock line by 24 inches.

**ENVIRONMENTAL COMPLIANCE:** A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. The scope of analysis for the NEPA and environmental compliance evaluations for the Section 408 review should be limited to the area of alteration and those adjacent areas that are directly or indirectly affected by the alteration. The proposed project meets criteria set forth in Nationwide Permit 3, Maintenance. Additionally, as the proposed Section 408 alteration is within the USACE project footprint, no known historic properties would be affected. Furthermore, the proposed Section 408 alteration was determined to have no effect on threatened or endangered species or their critical habitat pursuant to the Endangered Species Act. The decision on this Section 408 request is being analyzed in accordance with NEPA and is limited to the Section 408 boundaries described herein.

**PUBLIC INTEREST REVIEW:** The purpose of this notice is to solicit comments from the public; federal, state, and local agencies and officials; Native American tribes; and other interested parties. Comments received within 15 days of this publication will be used in the evaluation of potential impacts of the proposed action on important resources. All comments will be considered in preparing environmental documentation pursuant to NEPA. USACE has jurisdiction under 33 USC 408, only over the specific activities that have the potential to alter existing USACE projects. Please limit comments to the area of the alteration and those adjacent areas that are directly or indirectly affected by the alteration to the federally authorized civil works project described herein. **Comments may be submitted to [kevin.r.pigott@usace.army.mil](mailto:kevin.r.pigott@usace.army.mil) and should be received by February 8, 2024.**

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark R. Smith', with a long horizontal flourish extending to the right.

Mark R. Smith  
Chief, Environmental Compliance Branch,  
Regional Planning and Environmental Division South



Figure 1. Proposed Section 408 project location for Consolidated Grain and Barge Hickman, Fulton County, Tennessee.

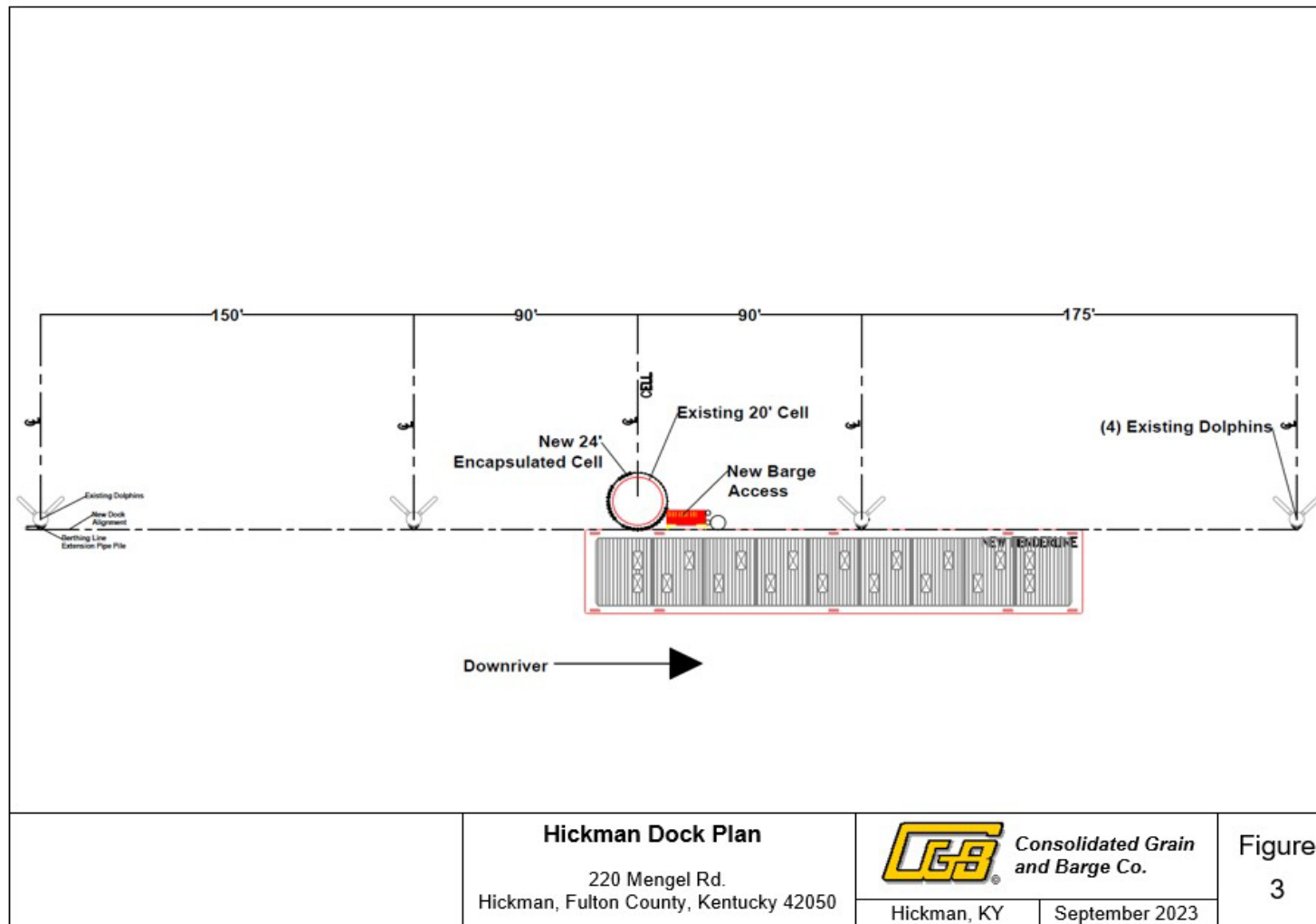


Figure 2. Proposed Section 408 project features, Consolidated Grain and Barge, Hickman, KY. showing proposed and existing features.

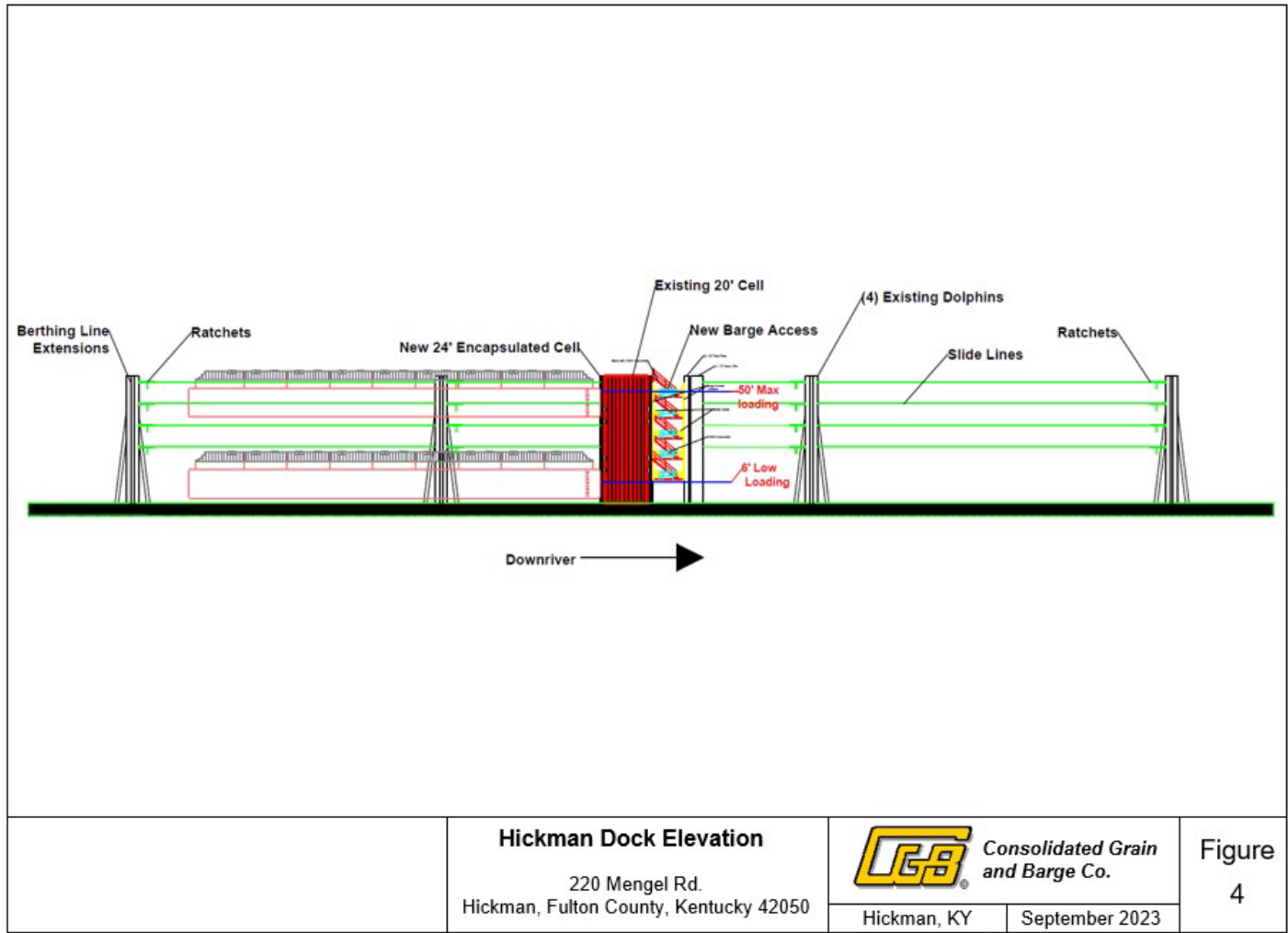


Figure 3. Proposed Section 408 project features, Consolidated Grain and Barge, Hickman, KY showing proposed and existing features.

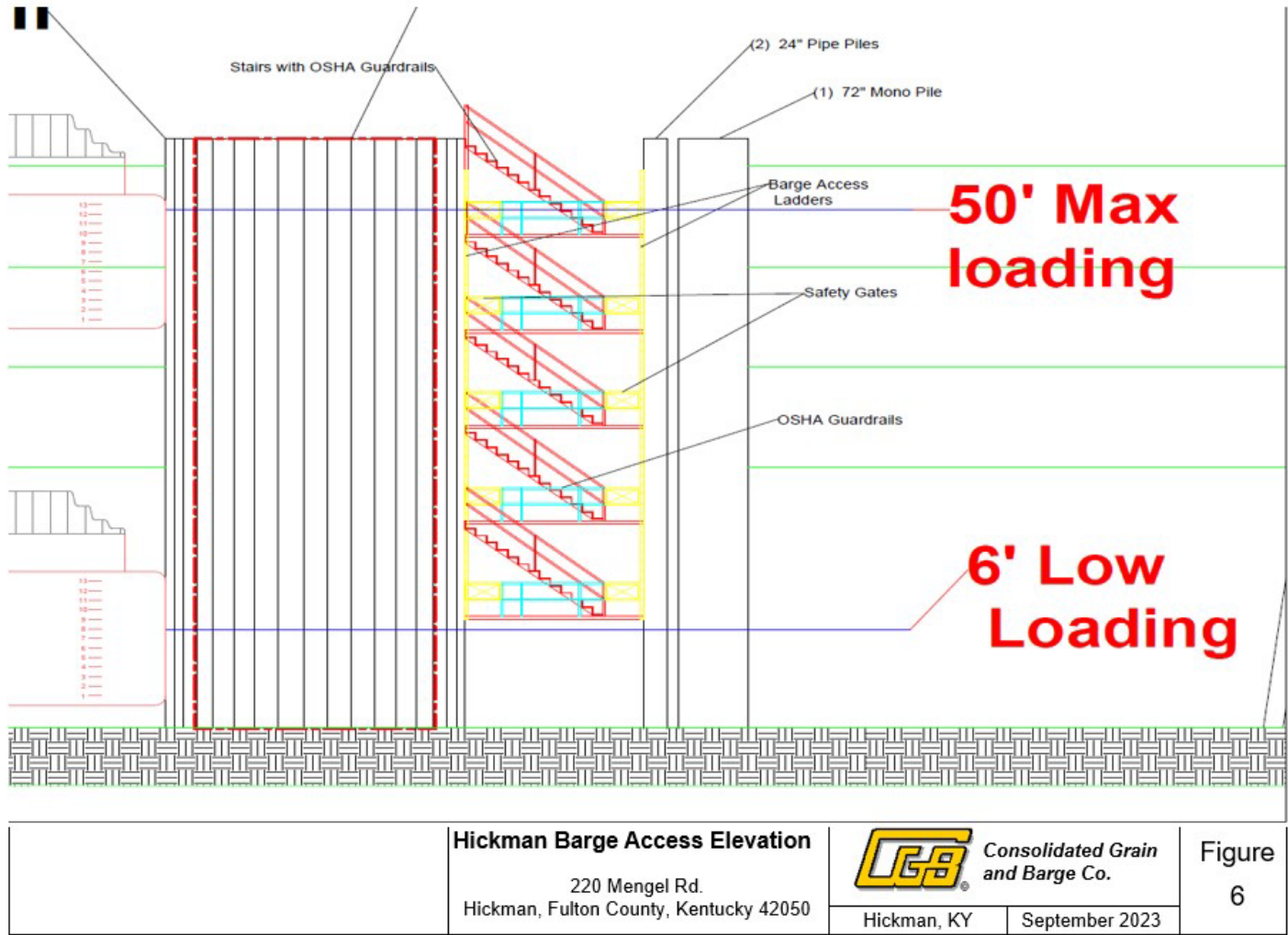


Figure 4. Proposed Section 408 project features, Consolidated Grain and Barge, Hickman, KY showing proposed barge access.

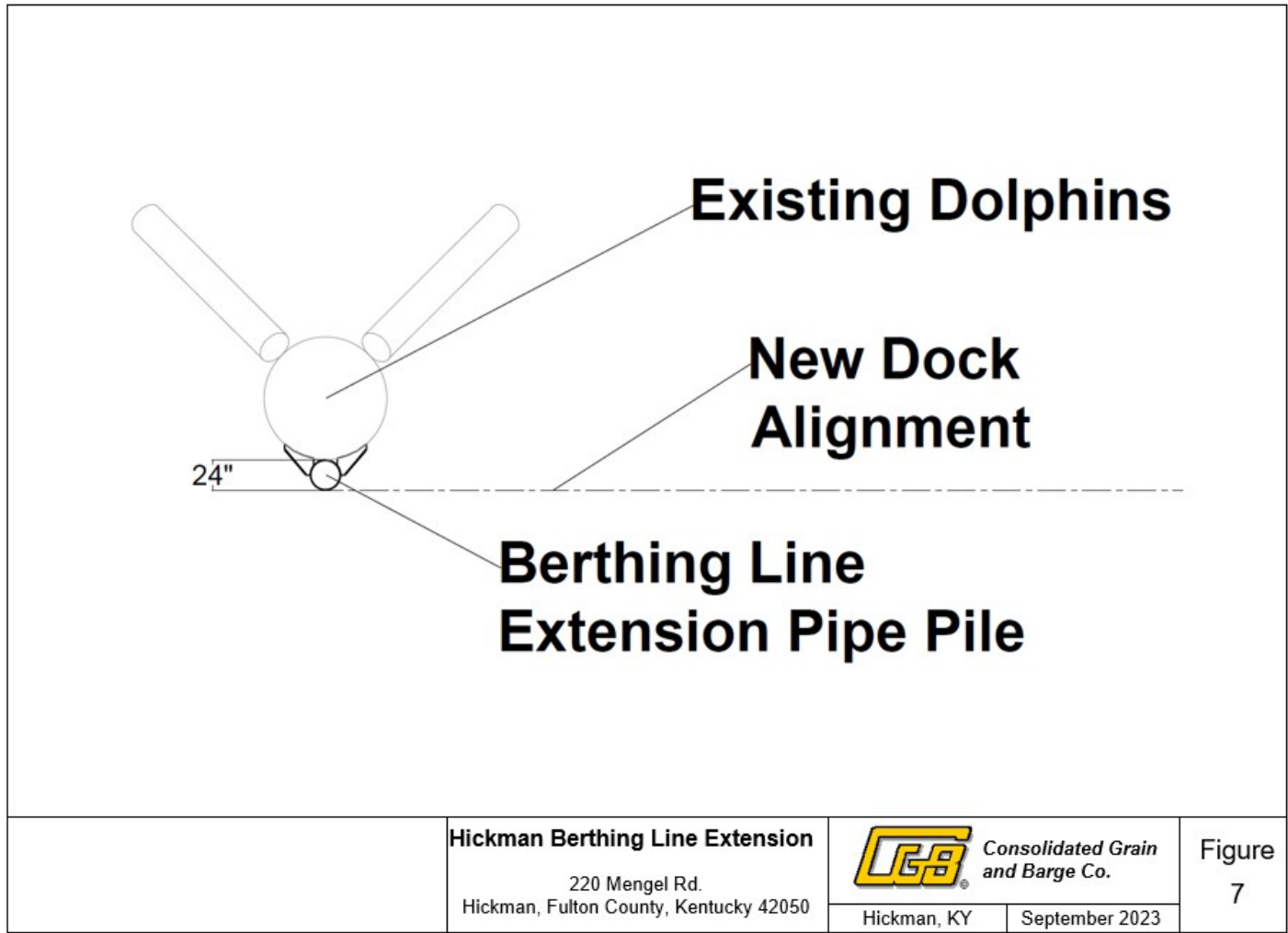


Figure 5. Proposed Section 408 project features, Consolidated Grain and Barge, Hickman, KY showing proposed new dock alignment.

