

US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM-2015-320 (JKB)

**NOTICE DATE:
September 4, 2015**

EXPIRATION DATE:
Attn: Postmaster,
Please Post Until  **October 3, 2015**

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 10 of the Rivers and Harbors Act.

APPLICANT:

Rick Ellis
Mid-River Terminal, LLC
P.O. Box 626
Osceola, Arkansas 72370
Office Phone: (870) 780-7802

Agent:

Andrew Rike
Harbor
8114 Cantrell Road, Suite 350
Little Rock, Arkansas 72227
Office Phone: (501) 663-8800

PURPOSE: The purpose of this project is to dredge sediment and other material from the Mississippi River along the left descending bank between River Miles 781 and 783. Dredged material is to be used as fill material within non-wetland areas.

LOCATION: The project site is located south of the City of Osceola, Arkansas, in Mississippi County and Lauderdale County, Tennessee. Dredging would occur along the left descending bank of the Mississippi River between River Miles 781 and 783, directly across from the Mid-River Terminal facility (Attachment 1: Topographic Map Project Location, Attachment 2: Aerial Photograph).

DESCRIPTION OF WORK: The applicant proposes to conduct mechanical dredging as a means to remove sediment from the Mississippi River. The applicant proposes to dredge approximately 50,000 cubic yards of material per dredging event. The dredged material will be placed on a barge and unloaded at Mid-River Terminal's dock at River Mile 782 on the right descending bank of the river. The material will be stockpiled in an upland site at the facility for future use.

AVOIDANCE/MINIMIZATION: According to the applicant, mechanical dredging will be used instead of hydraulic dredging since it has less potential for water quality impacts due to constituents associated with the sediments. The dredged material will be placed at the Mid-River Terminal facility which operates under the ADEQ Stormwater Industrial General Permit using Best Management Practices to minimize stormwater pollution from potential pollution sources. Minimal to no vegetation will be cleared for the dredging operation.

MITIGATION: Mitigation is not being proposed by the applicant as no impacts to wetlands will occur with the 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 may have regarding these or other endangered or threatened wildlife or plants or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The applicant provided information from a cultural resources evaluation of the proposed stockpile area during the permitting phase of the dock terminal facility. No resources would be impacted by the proposed project. 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.

FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and notify this office of any flood plain 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 or 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 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) 544-0926
fax: (901) 544-0211

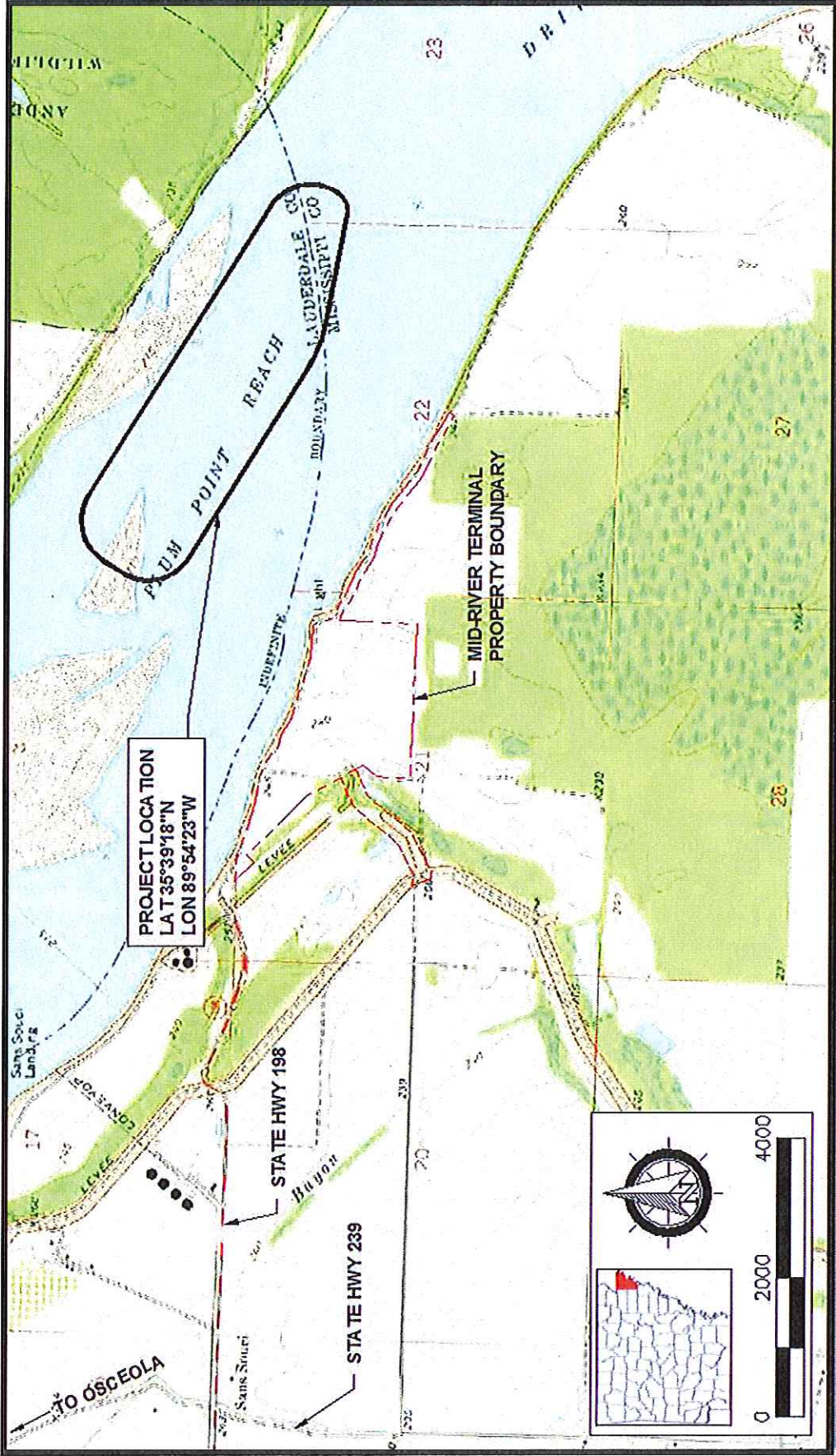
The Corps may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments should be received by the expiration date listed on page one of this notice.

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.

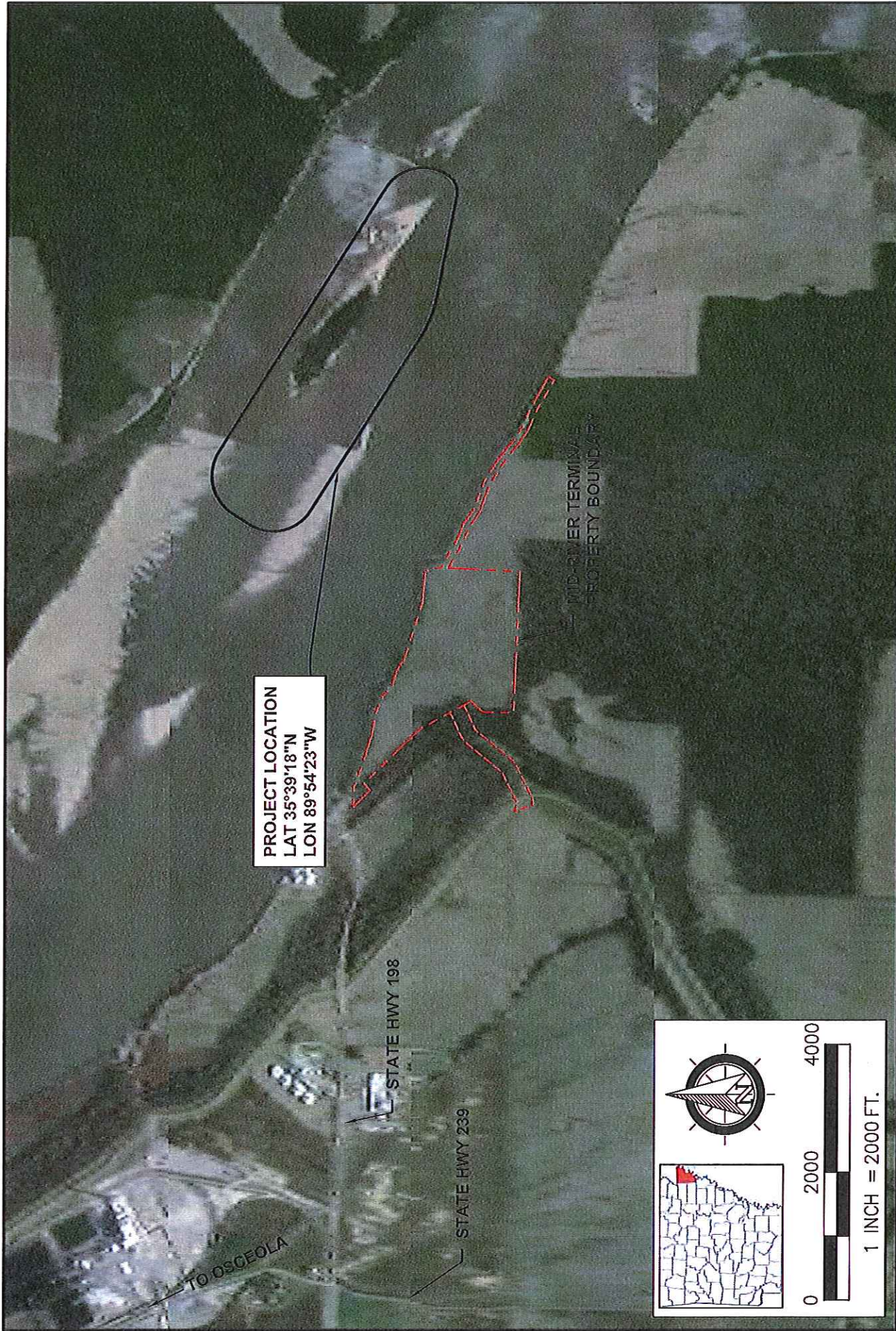
Gregg Williams
Chief
Regulatory Branch

Attachments

Figure 1 – Topographic Map



Scale: As Shown
Source: U.S.G.S. Quadrangle Map, Osceola, Ark. – Tenn., Edition of 1972



PROJECT LOCATION
 LAT 35°39'18"N
 LON 89°54'23"W

STATE HWY 198

STATE HWY 239

TO OSCEOLA

MID-RIVER TERMINAL
 PROPERTY BOUNDARY

8114 Cantrell Rd. Ste. 350
 Little Rock, AR, 72227
 Phone: (501) 663-8800
 Fax: (501) 588-0123
 www.harborenv.com



**MID RIVER TERMINAL
 DREDGING OPERATION
 FACILITY SITE MAP (AERIAL)**
 MISSISSIPPI COUNTY, AR & LAUDERDALE COUNTY, TN

NO	REVISION DESCRIPTION	DATE	Drawn AHR
X	X	X-X-X	Date 8-19-15
			Scale 1"=2,000'
			C-2