

US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM-2016-068

NOTICE DATE:
May 3, 2016

EXPIRATION DATE:
Attn: Postmaster,
Please Post Until  **June 1, 2016**

**U.S. Army Corps of Engineers
and
State of Arkansas**

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:

Chuck Ledbetter
The Scoular Company
P.O. Box 660
Friars Point, Mississippi 38631
(662) 383-2287

PURPOSE: The purpose of this project is to allow more consistency when loading barges. Presently, barges can only be loaded utilizing the conveyor belt in high water, with spacer barges used during low water. This project will allow the applicant to utilize the conveyor belt during a broader level of fluctuating water.

LOCATION: The project site is located in the City of Helena, Arkansas, in the Helena Harbor, on the right descending bank of the Mississippi River at approximate river mile 664 and Lat/Lon, 34°31'12.8"N/90°35'03.3"W, in Phillips County, Arkansas (Attachment 1: Topographic Map Project Location).

DESCRIPTION OF WORK: The applicant proposes to add two 48" tripod dolphins with 20" batter piles. These dolphins will serve as containment for a 122'X29.5' work barge that will hold a 70' conveyor. There is an existing 288' conveyor that will get two new 30" two pile bents for support. The existing conveyor will feed the barge conveyor to load barges for shipment. The applicant does not anticipate dredging or discharge of fill material. (Attachments 2 & 3: Plans)

AVOIDANCE/MINIMIZATION: The work with the exception of the piles will be accomplished from the existing dock.

MITIGATION: No mitigation has been proposed for this project.

WATER QUALITY CERTIFICATION: No discharge of fill material is proposed for this project. Therefore, water quality certification is not required.

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.

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 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 and Arkansas Department of Environmental Quality. Comments may be sent via mail or E-mail to the following:

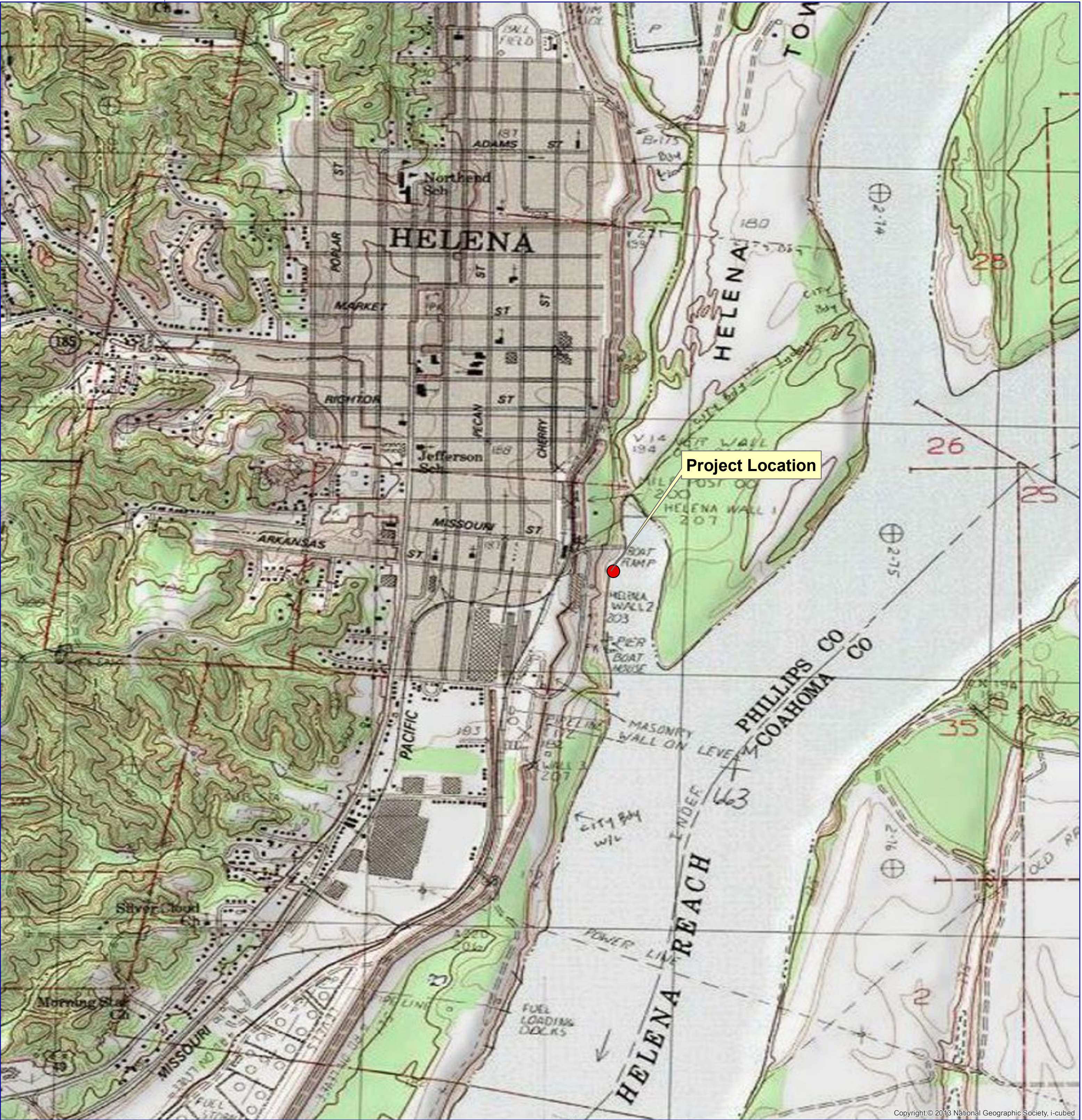
U.S. Army Corps of Engineers Memphis District
ATTN: Damon McDermott
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: robert.d.mcdermott@usace.army.mil
phone: (901) 544-0732
fax: (901) 544-0211

The Corps 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

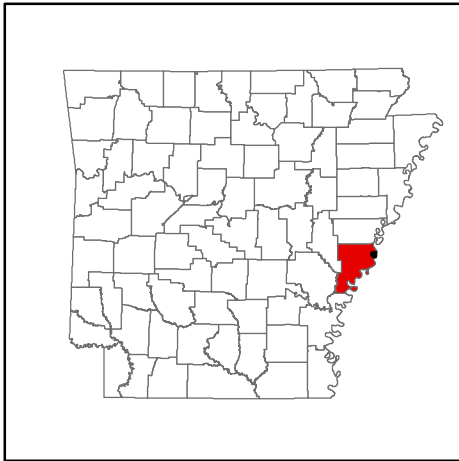
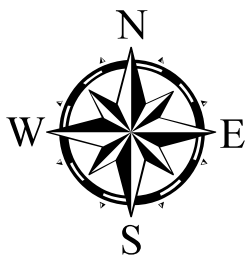
Attachments



Attachment 1

Helena Quadrangle
Arkansas-Mississippi
7.5 Minute Series

Legend
USA Topo Maps



SCOLAR
HELENA, AR.

ADD TOWER AND BELT CONVEYOR
ON EXISTING WORK BARGE

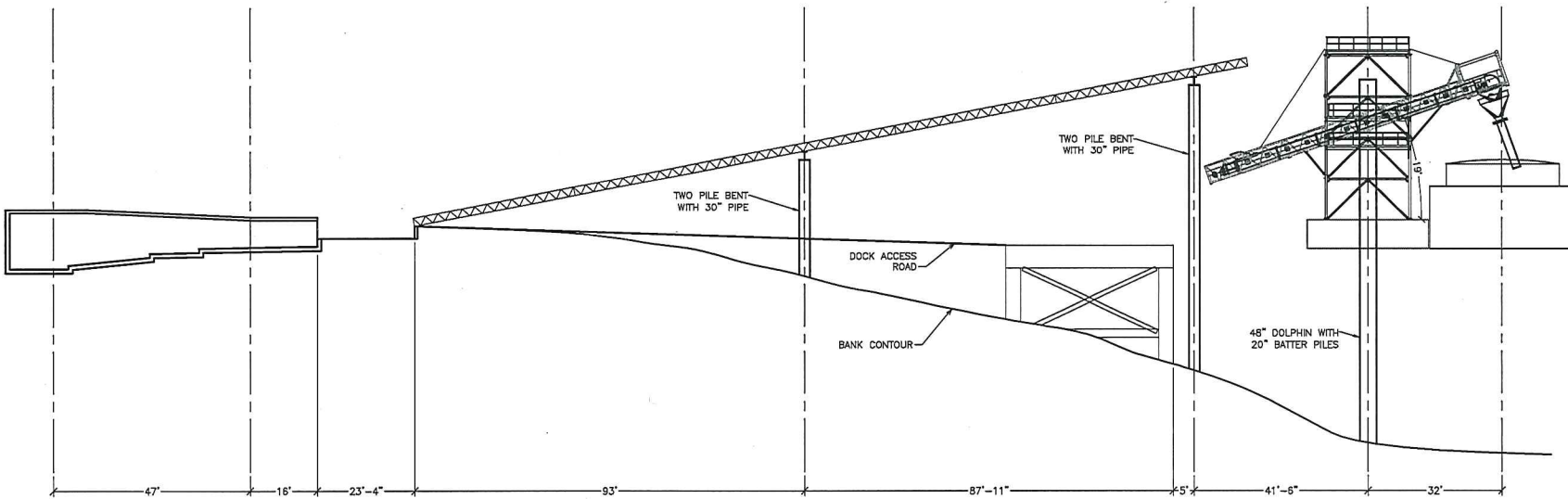
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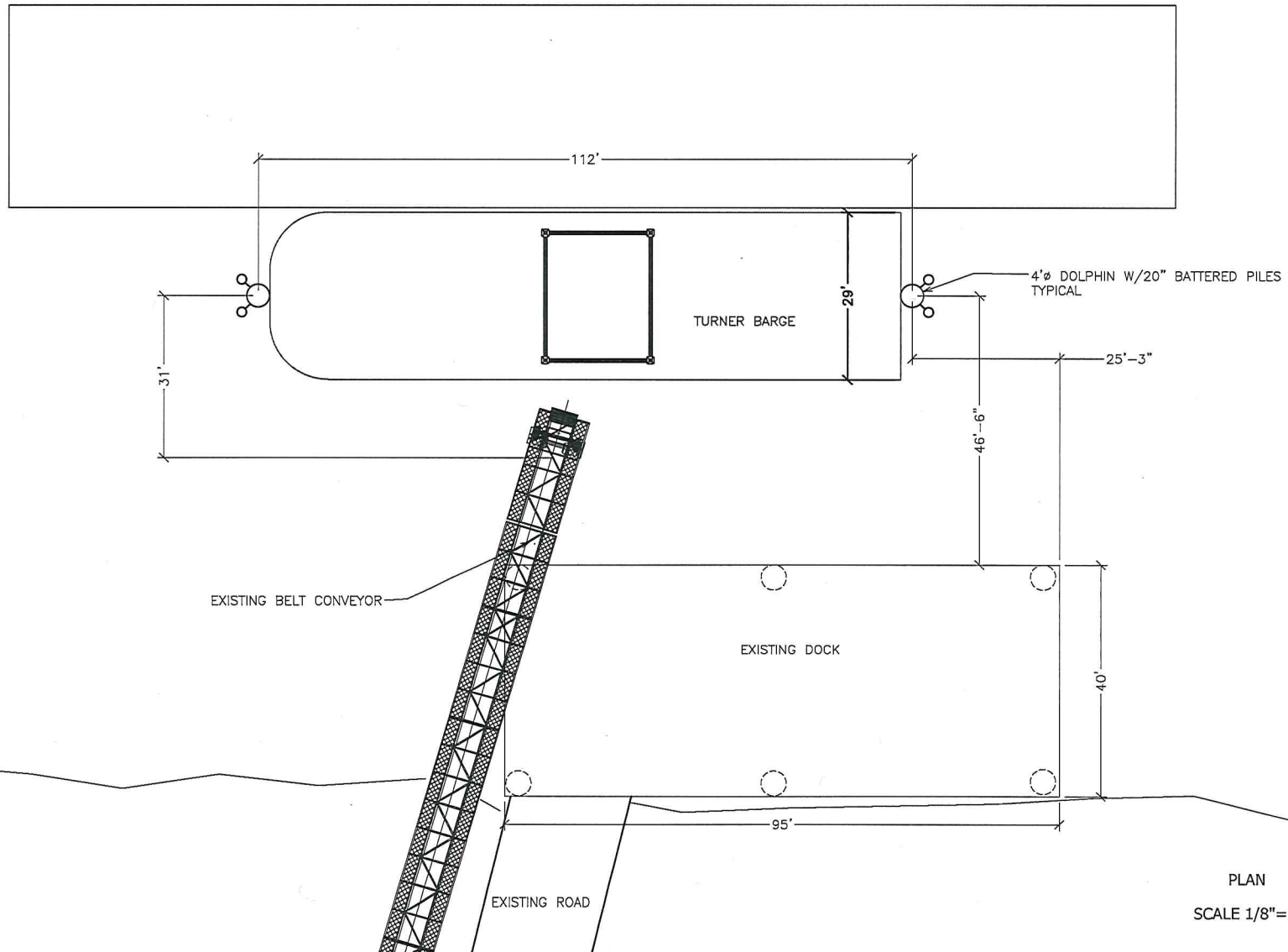
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SCOLAR
HELENA, AR.

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