



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2021-271

NOTICE DATE:
December 14, 2021

Attn:
Postmaster,
Please Post Until

EXPIRATION DATE:
January 13, 2022

JOINT PUBLIC NOTICE
U.S. Army Corps of Engineers
and
State of Arkansas

AUTHORITY: The Memphis District Corps of Engineers, hereby gives notice pursuant to Section 10 of the River and Harbors Act of 1899 and Sections 401 and 404 of the Clean Water Act (CWA) and 33 CFR 337 published in the Federal Register April 26, 1988, of the U.S. Government's proposed deposition of dredged material in connection with maintenance dredging.

APPLICANT:

U.S. Army Corps of Engineers, Memphis District
Operations Division; attn: Russell F. Davis III
167 N. Main Street, RM B-202
Memphis, TN 38103-1894
Telephone (901) 544-3682

AUTHORIZATION: The Mississippi River Channel Maintenance Dredging Project is authorized under the Flood Control Act of May 15, 1928, and amendments June 15, 1936, June 28, 1938, August 18, 1944, and December 22, 1994, and Section 10 of the Rivers and Harbors Act of 1899. The project provides for a suitably aligned navigation channel 12 feet deep and 300 feet wide. Present funding limits the project to a channel of 9 feet deep and 300 feet wide. Harbor dredging is authorized under Section 107 of the Rivers and Harbors Act of 1960, as amended.

PURPOSE: To maintain the authorized navigation channel in the Mississippi River and the three authorized harbors within the Memphis District's area of responsibility (AOR) in the State of Arkansas. The purpose of the public notice is to renew the water quality certification with the State of Arkansas, to advise all interested parties of the proposed activity, and to solicit comments and information necessary to evaluate the probable impact.

LOCATION: At various locations within the Mississippi River between River Miles 603.0 and 810.0 Above the Head of Passes (AHP), as shown on the attached location map (Attachment 1). Maintenance dredging would also occur in the Helena Harbor, Phillips County Harbor, and Osceola Harbor, as shown on the attached harbor maps (Attachments 2-4).

DESCRIPTION OF WORK: Reissuance of the Corps of Engineers existing maintenance dredging authorization.

Dredging is conducted on an as-needed basis to maintain the minimum project channel dimensions at any river stage. Mississippi River channel maintenance dredging is done using dustpan hydraulic dredges. The dustpan dredges operate by making a series of relatively narrow, adjacent parallel cuts, discharging the material overboard in the same pattern as the dredge cuts and at a distance of approximately 800 feet perpendicular to the direction of the cuts. The material may be discharged to

either side of the dredge cut and is transported from the cut area to discharge area through a pipeline supported by pontoons. Harbor dredging is typically done using cutterhead hydraulic dredges.

Approximately 10 million cubic yards of material are deposited annually within the Memphis District's AOR by dustpan dredges. Recent dredged locations by name and river mile are available upon request. Due to the amount of bedload movement and the continual migration of sand bars, it is not possible to predict exact locations where dredging and associated discharge will be required. The anticipated discharge areas have been previously covered by earlier water quality certifications.

In addition to the main navigation channel, approximately 435,000 cubic yards of sediment is removed annually from the Osceola, Helena, and Phillips County Harbors. Harbor sediments are disposed of either in deep water of the Mississippi River downstream of the mouth of the harbors or in upland disposal areas as noted on Attachments 2-4. An upland disposal site is available for use at the Osceola Harbor and one is currently pending authorization at the Phillips County Harbor.

Designation of the proposed disposal sites for dredged and fill material associated with this federal project shall be made through the application of guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), in conjunction with the Secretary of the Army. The Administrator, EPA, has not previously designated the areas as disposal sites. A Section 404(b)(1) evaluation will be prepared at the close of the comment period.

AVOIDANCE, MINIMIZATION, & COMPENSATION: The Corps of Engineers will only dredge the minimum amount required to maintain the authorized channel. No mitigation is proposed for this maintenance dredging project.

ENDANGERED SPECIES: Navigational dredging within the Mississippi River is conducted under the terms of a Biological Opinion for the Channel Improvement Program, Mississippi River and Tributaries Project Lower Mississippi River, dated 12 December 2013.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA): An Environmental Impact Statement (EIS) for the Mississippi Rivers and Tributaries Project was prepared pursuant to NEPA. A supplemental Environmental Assessment (EA) will be prepared at the conclusion of the comment period to update the record.

CULTURAL RESOURCES: In compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, the Memphis District will identify and evaluate potential effects of the proposed action on historic properties through consultation with federal, state, and local agencies, federally-recognized Indian Tribes, the public, and other interested parties.

WATER QUALITY CERTIFICATION: The Memphis District is requesting water quality certification for the above described activity from the Arkansas Department of Environmental Quality (ADEQ), in accordance with Section 401(a)(1) of the Clean Water Act. Comments should be sent to the Arkansas Department of Environmental Quality, Office of Water Quality, 5301 Northshore Drive, North Little Rock, AR 72118.

This Public Notice serves as the notification to the Administrator of the Environmental Protection Agency (EPA) pursuant to section 401(a)(2) of the Clean Water Act.

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 proposed activities and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The project review will include 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 when evaluating 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.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: Send comments to the Corps of Engineers, Memphis District, and to the State of Arkansas, Department of Environmental Quality. Comments must be received by the expiration date listed on page one of this notice and may be sent via mail or e-mail to the following:

U.S. Army Corps of Engineers, Memphis District
Regulatory Division
ATTN: Roger Allan
167 N. Main Street, B-202
Memphis, Tennessee 38103-1894

State of Arkansas
Department of Environmental Quality
Office of Water Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118

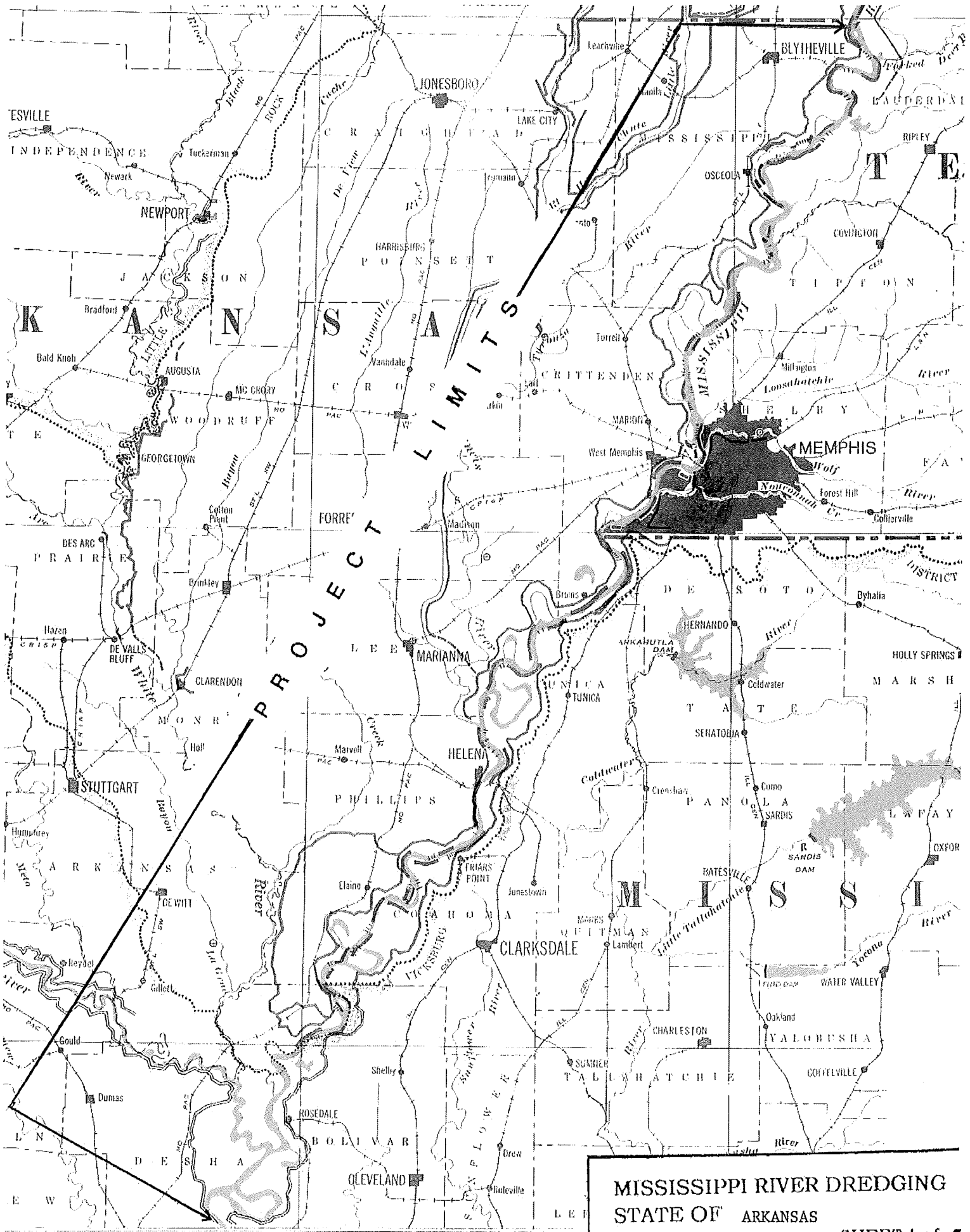
e-mail: roger.s.allan@usace.army.mil
phone: (901) 544-3682
fax: (901) 544-0211

e-mail: instreamactivityinfo@adeq.state.ar.us
phone: (501) 682-0040

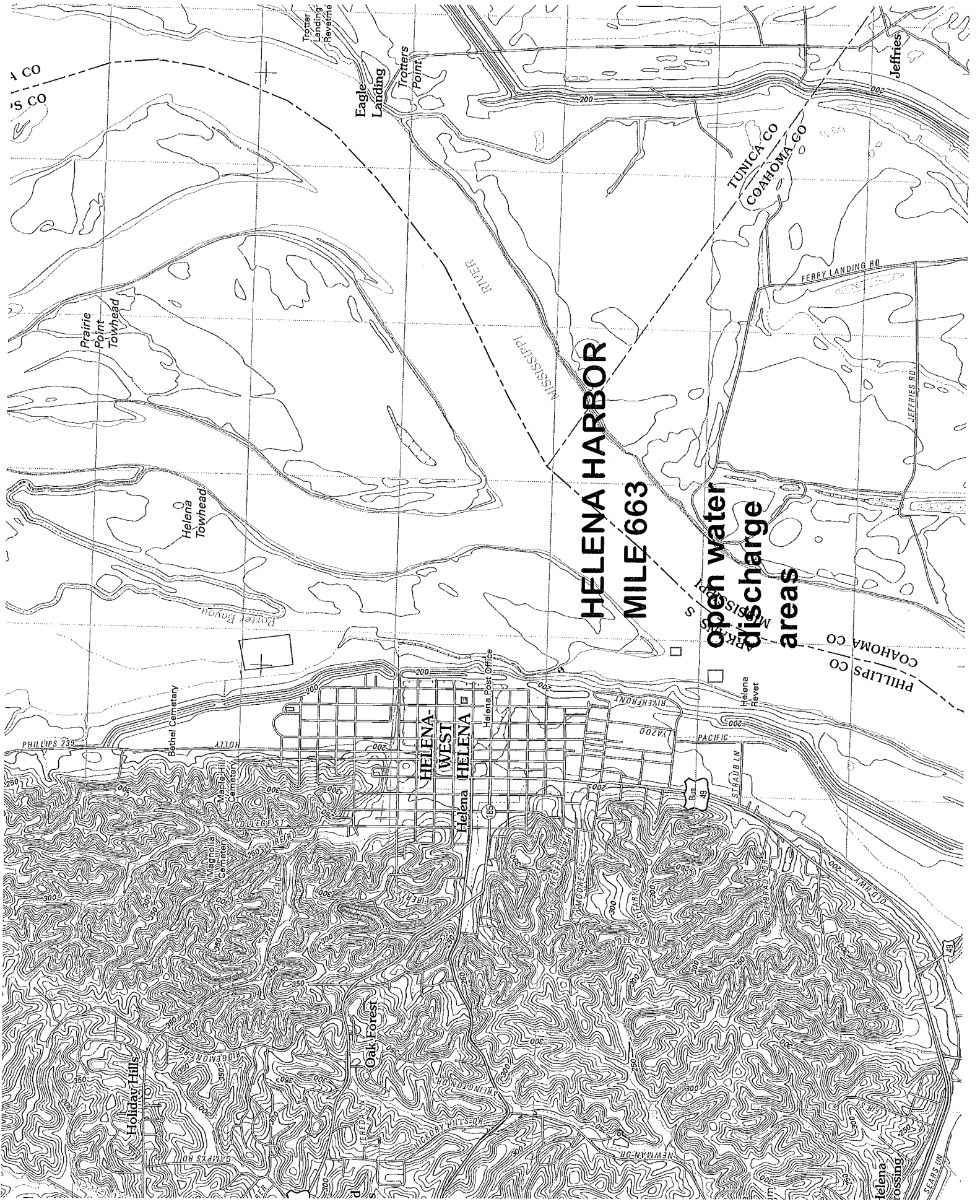
For Final Individual Permits actions in the Memphis District, go to the following link: <http://geo.usace.army.mil/egis/f?p=340:2:0::NO:RP>. Using the Filter by District drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending 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 Division office for examination.

Gregg W. Williams
Chief
Regulatory Division

Attachments

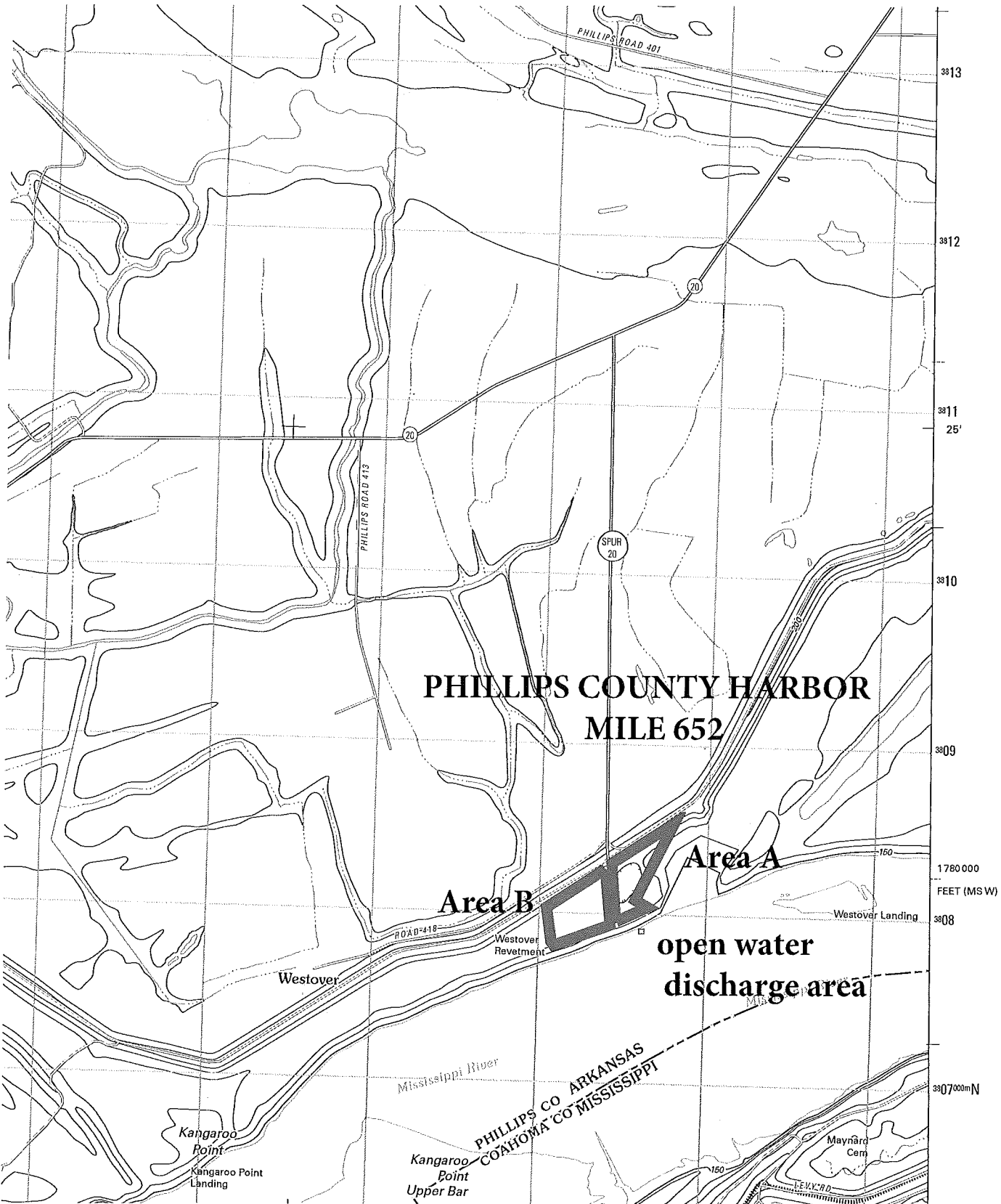


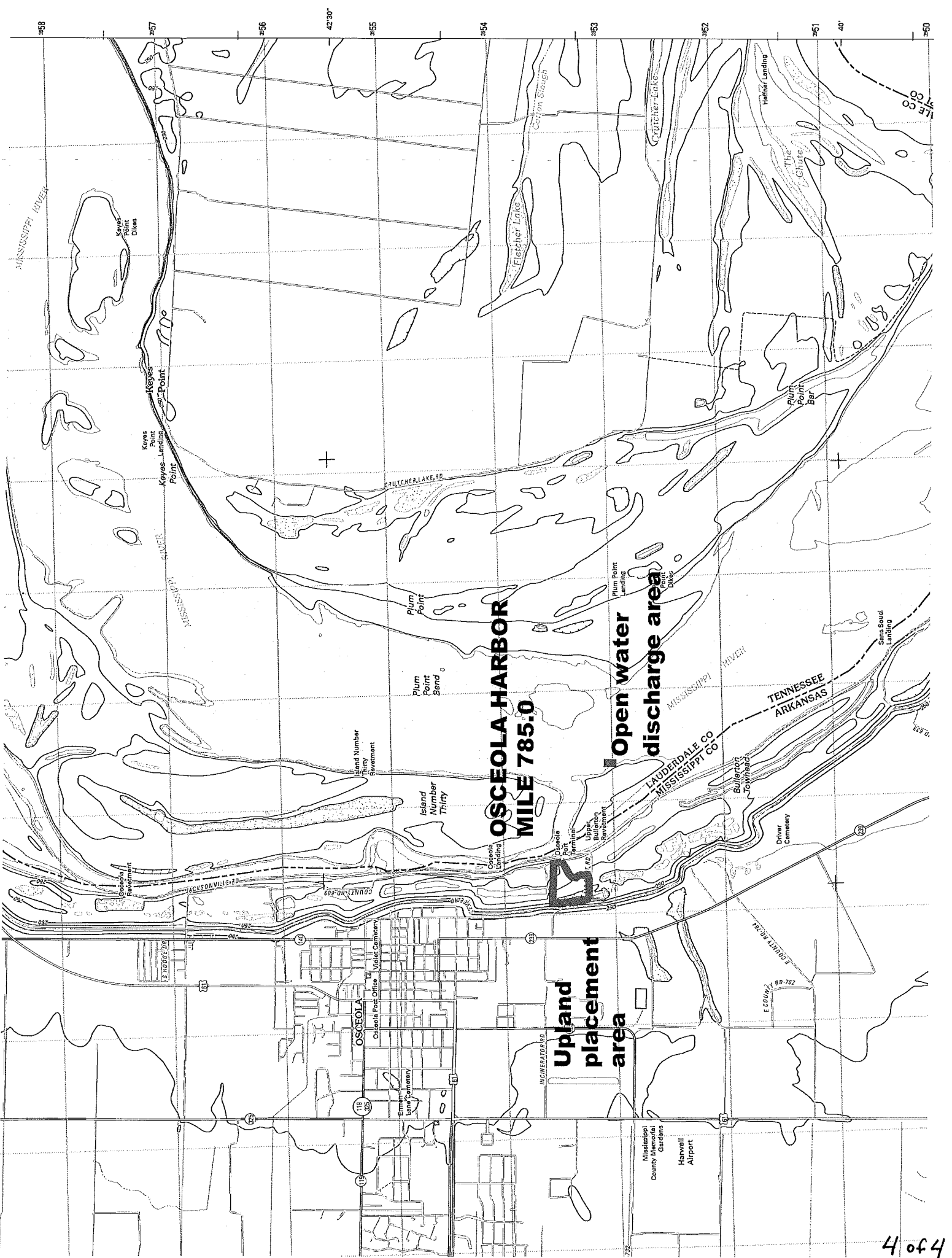
**MISSISSIPPI RIVER DREDGING
STATE OF ARKANSAS**



**HELENA HARBOR
MILE 663**

**open water
discharge
areas**





OSCEOLA HARBOR
MILE 785.0

Open water
discharge area

Upland
placement
area