



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2021-324 (CDK)

NOTICE DATE:
December 14, 2021

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
January 10, 2022

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 of 1899. The authority to grant permission for temporary or permanent alterations of any U.S. Army Corps of Engineers federally authorized civil works project is contained in Section 14 of the Rivers and harbors Act of 1899 and codified in 33 USC 408.

APPLICANT:

HELM Fertilizer Terminal, Inc.
Attn: Mr. Scott Shirk
P.O. Box 2764
Helena, Arkansas 72390
(870) 942-2850

AGENT:

Ms. Carrie Barefoot
Environmental Compliance & Safety, Inc. (ECS)
P.O. Box 356
Sherman, Mississippi 38869
(662) 840-5945

PURPOSE: According to the applicant, the purpose of the proposed project is to provide added capacity, increased efficiency, and improved operational logistics for the off-loading, storage, distribution, and transport of fertilizer products.

LOCATION: The project site is located immediately adjacent to the existing HELM dock at approximate Latitude 34° 24' 44.51" N and Longitude -90° 36' 41.34" W within the previously established Helena Harbor, Phillips County, at approximate Mississippi River Mile 652 in Phillips County, Arkansas, as shown on Attachments One (Vicinity Map) and Two (Aerial Map).

DESCRIPTION OF WORK: The applicant's proposed project will consist of construction of an overwater floating barge dock approximately 195 feet long by 35 feet wide with an excavator and receiving hopper as well as an inbound 36-inch conveyor system. This will require installation of two (2) 54-inch steel pipe monopile barge mooring dolphins, four (4) 24-inch steel pipe piles for the pivot truss lift tower, eight (8) 18-inch steel pipe piles for the pivot tower, four (4) 18-inch steel pipe piles for each conveyor support tower, and twelve (12) 18-inch steel pipe piles for the truck loading station. (Please see details on attachments Three (Site Plan), Four (Dock Plan), Five (Dock Section), and Six (Inbound Conveyor Plan); note that the pilings for the pivot tower and all other landward pilings are above the ordinary high water elevation at this location.)

A conceptual design for a future second phase of the project shows construction of a new warehouse facility, additional truck loading stations, and an interior gravel road; these features would be constructed outside of waters but are shown on attachment Three (Site Plan).

AVOIDANCE/MINIMIZATION: According to the applicant, the project was designed to minimize impacts to waters of the United States. However, avoidance was not possible because of the nature of the project as a river barge terminal.

MITIGATION: No compensatory mitigation has been proposed.

WATER QUALITY CERTIFICATION: The proposed project entails the construction of structures within navigable waters but does not entail the discharge of dredged material into waters of the United States; therefore, it is not being evaluated under Sections 401 or 404 of the Clean Water Act.

ENDANGERED SPECIES: This notice is being coordinated with the U.S. Fish and Wildlife Service. A review of the Service's IPaC database indicated that the Eastern Black Rail (*Laterallus jamaicensis ssp. Jamaicensis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Pallid Sturgeon (*Scaphirhynchus albus*), Fat Pocketbook mussel (*Potamilus capax*), and Pondberry (*Lindera melissifolia*) are listed as endangered or threatened by U.S. Fish and Wildlife Service at the location for this proposed project. The Corps of Engineers will complete consultation with the Service as appropriate during our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District has evaluated potential effects of the proposed action on historic properties. The proposed project is located within property surveyed prior to the construction of the Helena Harbor, Phillips County, and presently consists of previously excavated or filled areas.

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 flood plain development permit is required. Floodplain 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 of Engineers 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 Charles Keating using the information below:

U.S. Army Engineer District - Memphis
ATTN: Charles D. Keating
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: charles.d.keating@usace.army.mil
Phone: (901) 544-0733
Fax: (901) 544-0211

Comments may be sent via mail or email. 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: <https://permits.ops.usace.army.mil/orm-public>. 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 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



Legend:

Source:
USGS Quad Map

Drawn By: CHB

Checked By: SD

Date: 10/05/2021

Scale: NTS

Project No.: N/A

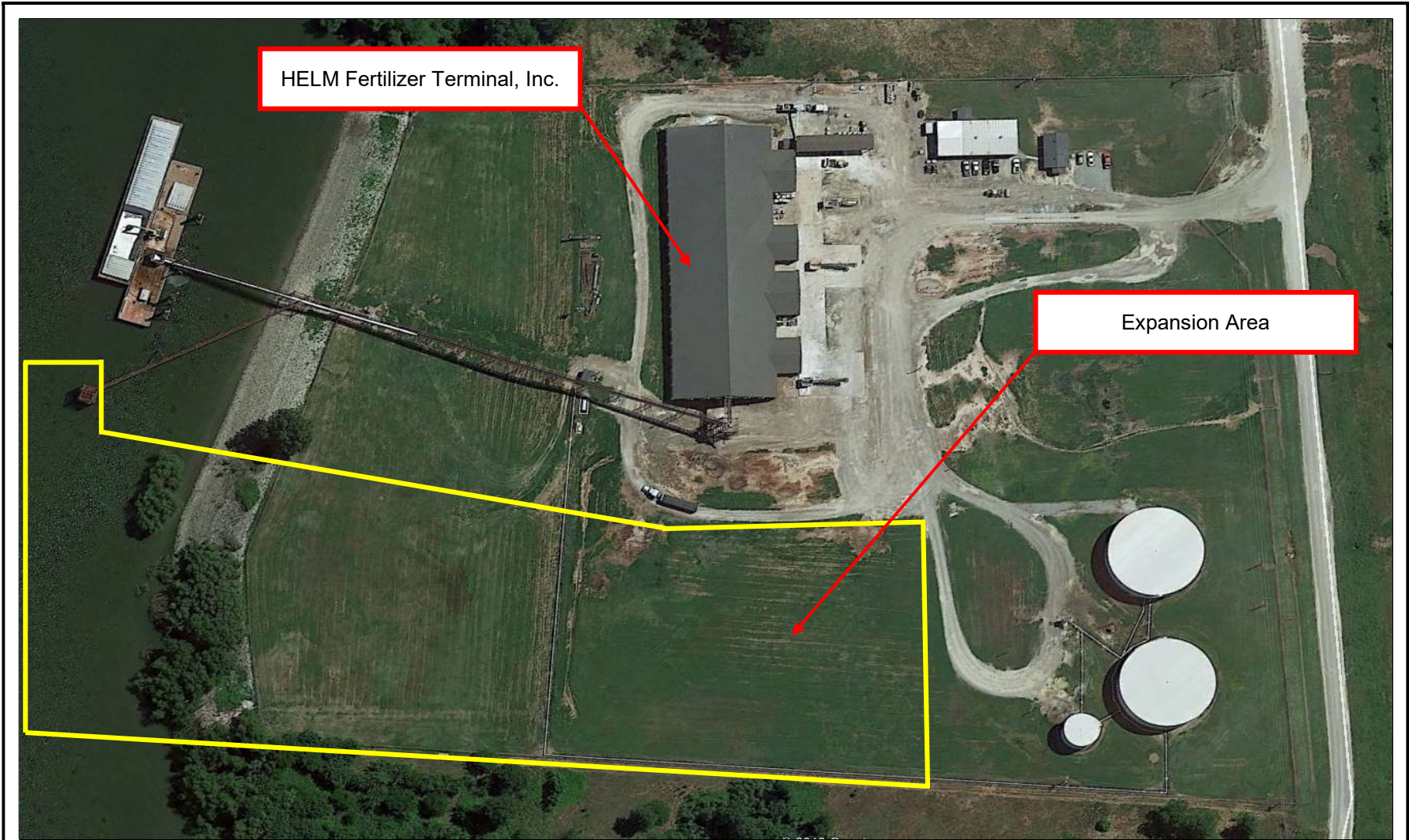
Drawing No.: N/A

HELM Fertilizer Terminal, Inc.
645 Phillips 422 – Slack Water Harbor
Helena, Arkansas 72342



P.O. Box 356
Sherman, Mississippi 38869
(662) 840-5945

Figure 1: Vicinity Map



HELM Fertilizer Terminal, Inc.

Expansion Area

Legend:

Source:
Google Earth

Drawn By: CHB	Checked By: SD
Date: 10/052021	Scale: NTS
Project No.: N/A	Drawing No.: N/A
HELM Fertilizer Terminal, Inc. 645 Phillips 422 – Slack Water Harbor Helena, Arkansas 72342	

ECS
ENVIRONMENTAL COMPLIANCE & SAFETY, INC.

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Figure 2: Aerial Map

FILE: C:\Users\John Wambsgans\intermatlic.com\intermatlic.com - Share\Projects\21.167.01_Helm_Fertilizer Terminal_AR\Dwgs\21-167-02_Helm-FertAR_PERMIT.dwg LAST PLOT: 11/5/2021 5:17 PM LAST SAVE: 11/2/2021 2:54 PM

PHILLIPS COUNTY HARBOR

CHANNEL EDGE



FENDER LINE

NEW BARGE DOCK WITH EXCAVATOR AND RECEIVING HOPPER PHASE ONE

EXISTING BARGE DOCK WITH EXCAVATOR AND RECEIVING HOPPER

NEW INBOUND RIVER CONVEYOR PHASE ONE

EXISTING INBOUND RIVER CONVEYOR

40' WIDE CONSTRUCTION EQUIPMENT ACCESS AREA

PHASE ONE DRIVE THROUGH TRUCK LOADING DIRECT TRANSFER SYSTEM

PHASE TWO PROVISIONS FOR FUTURE WAREHOUSE TRANSFER AND EXISTING WAREHOUSE FEED

NEW STORAGE WAREHOUSE PHASE TWO

EXISTING STORAGE WAREHOUSE

SITE PLAN

1"=200'

GRAPHIC SCALE

1" = 200'-0"



THE INDICATED DRAWING SCALE IS FOR 8.5"x11" PRINTS. USE THE GRAPHIC SCALE FOR DIFFERENT PAPER SIZES.

REV C - 11/5/21



InterMat
INTERNATIONAL MATERIAL HANDLING

HELM FERTILIZER TERMINAL
TERMINAL EXPANSION

HELENA, ARKANSAS

Drawn by: JPW
JOB NUMBER: 21-167-02

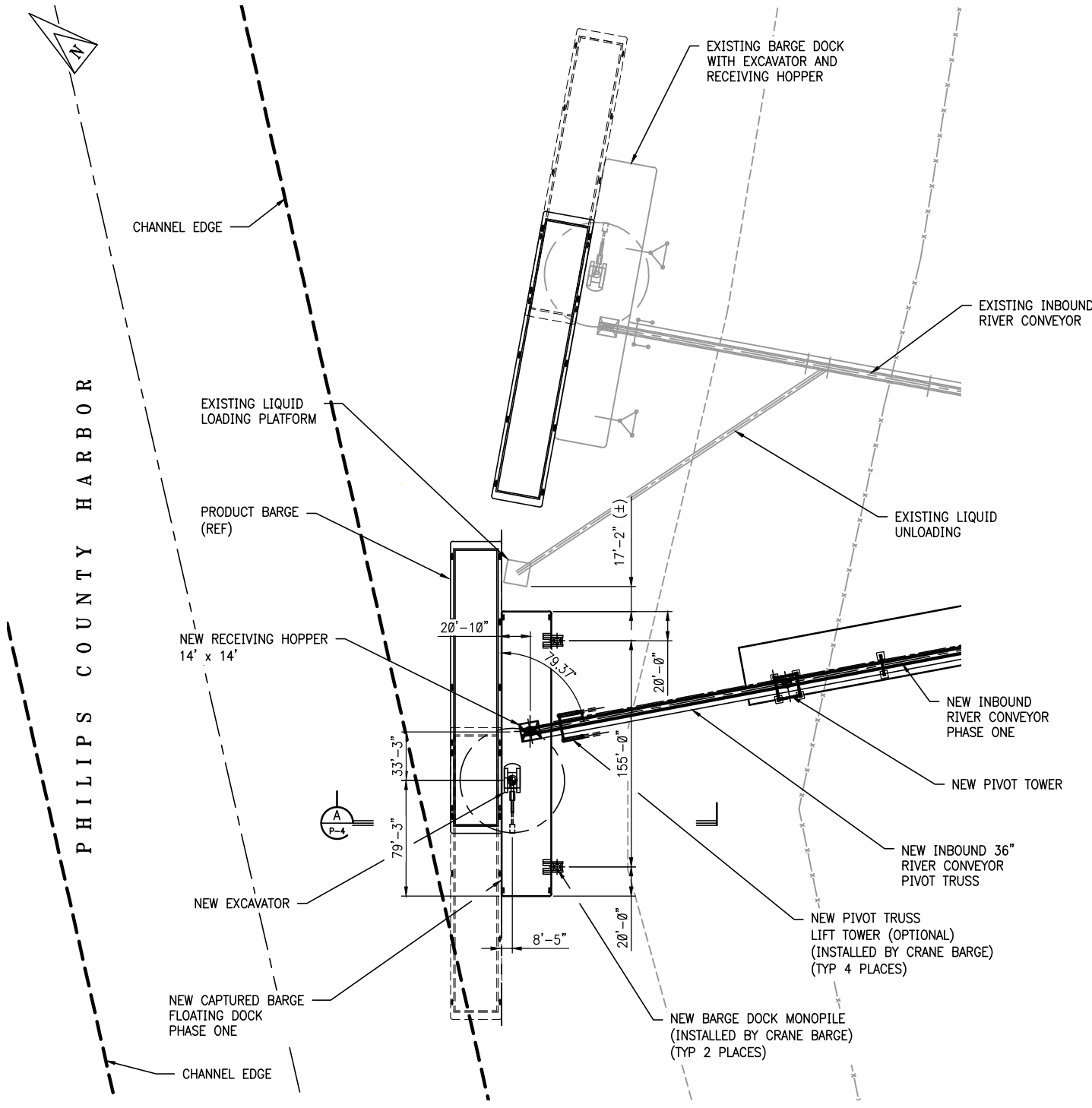
Approved by: JCS
Approved by DATE: 11/5/21

SITE PLAN

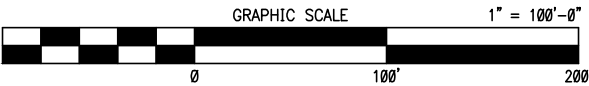
DRAWING NO.

P-2

PHILIPS COUNTY HARBOR



DOCK PLAN 1"=100'



THE INDICATED DRAWING SCALE IS FOR 8.5"x11" PRINTS. USE THE GRAPHIC SCALE FOR DIFFERENT PAPER SIZES.

REV C - 11/5/21

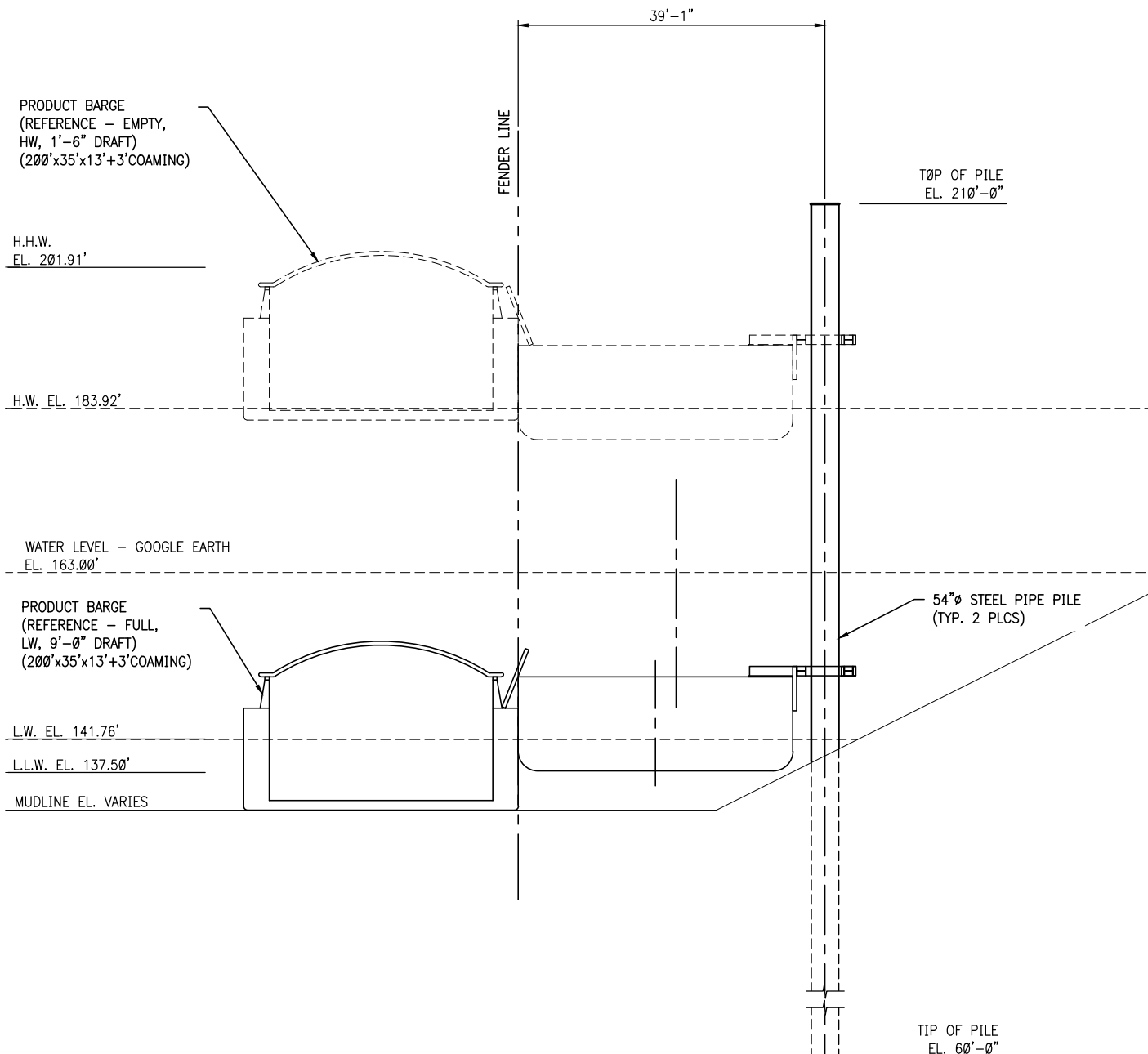


HELM FERTILIZER TERMINAL
 TERMINAL EXPANSION
 HELENA, ARKANSAS

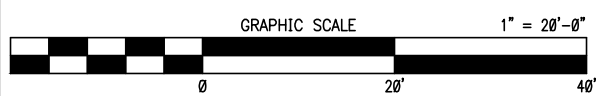
Drawn by: JPW	JOB NUMBER 21-167-02
Approved by: JCS	Approved by DATE: 11/5/21

DOCK PLAN

DRAWING NO. P-3



A DOCK SECTION 1" = 20'-0"
P-3



THE INDICATED DRAWING SCALE IS FOR 8.5"x11" PRINTS.
USE THE GRAPHIC SCALE FOR DIFFERENT PAPER SIZES.

REV C - 11/5/21



HELM FERTILIZER TERMINAL
TERMINAL EXPANSION
HELENA, ARKANSAS

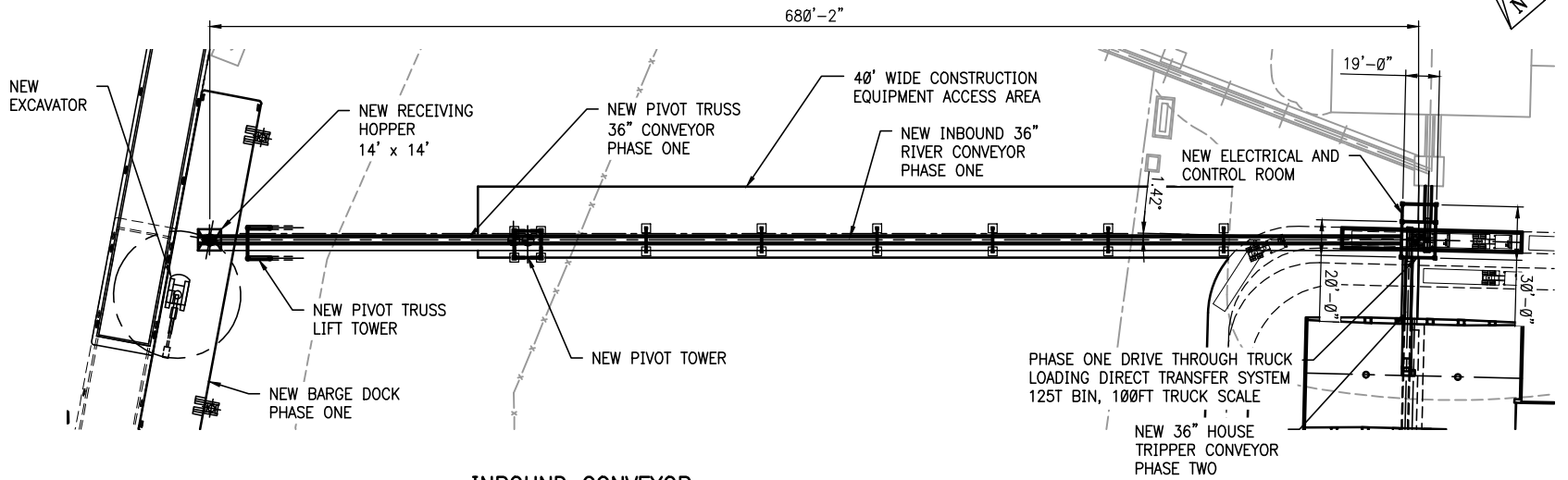
Drawn by: JPW	JOB NUMBER 21-167-02
Approved by: JCS	Approved by DATE: 11/5/21
DRAWING NO.	

DOCK SECTION

P-4

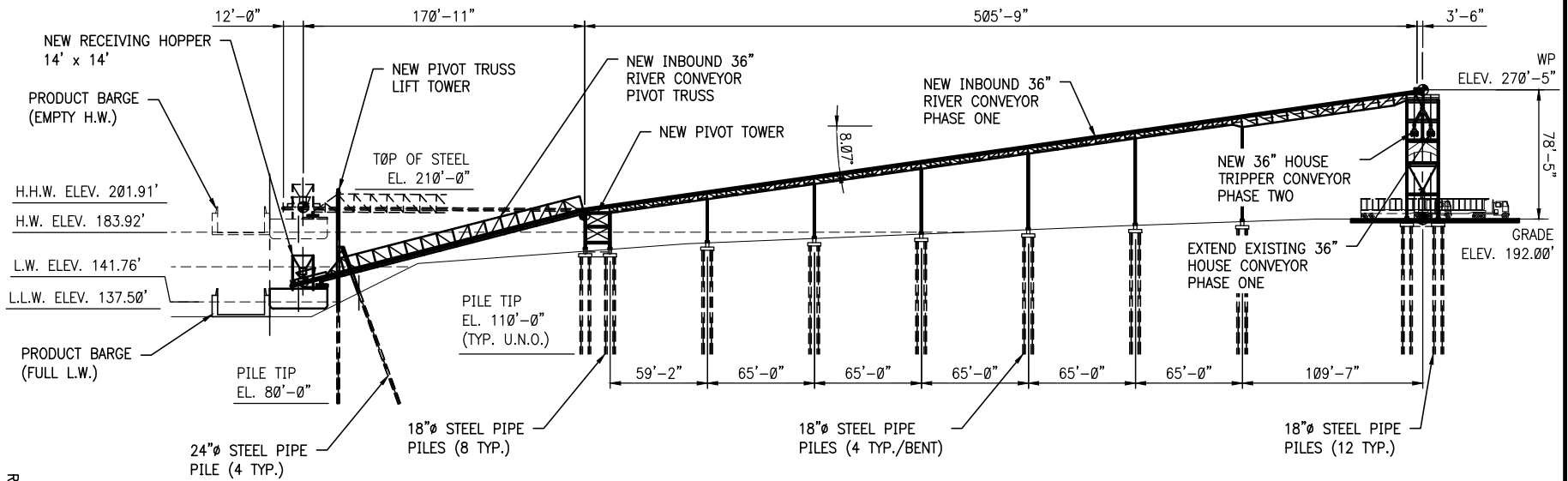


PHILIPS COUNTY
HARBOR



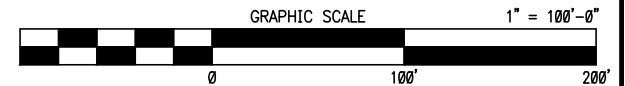
INBOUND CONVEYOR
PLAN

1"=100'



INBOUND CONVEYOR
ELEVATION

1"=100'



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USE THE GRAPHIC SCALE FOR DIFFERENT PAPER SIZES.

INBOUND CONVEYOR PLAN & ELEV.

HELM FERTILIZER TERMINAL
TERMINAL EXPANSION
HELENA, ARKANSAS

DRAWING NO.	Drawn by:	JPW
	Approved by:	JCS
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REV C - 11/5/21

P-5