



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2016-057 (RC)

NOTICE DATE:
February 29, 2016

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
March 30, 2016

Joint Public Notice
U.S. Army Corps of Engineers
and
Commonwealth of Kentucky

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
167 N. Main Street, RM B-202
Memphis, TN 38103-1894
Telephone (901) 544-3471

Authorization: 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.

PURPOSE: To maintain the authorized navigation channel within the Mississippi River.

LOCATION: At various locations on the Mississippi River, between River Miles 886 and 930 Above the Head of Passes (AHP) and within Hickman Harbor at approximate River Mile 921.5 AHP as shown on the attached Location Map.

DESCRIPTION OF WORK: Re-Issuance of the Corps of Engineers existing maintenance dredging permit.

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 by use of dustpan hydraulic dredge. The dustpan dredge operates 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 normally performed by a cutterhead hydraulic dredge operated by a contractor for the district under a contract.

The dustpan dredge deposits approximately 4.0 million cubic yards of material annually. Table I lists location by name and river mile and approximate annual quantities of material dredged in recent years. 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.

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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.

Table I. Current Dredging Sites Between Mississippi River Miles 886 and 930 AHP

CROSSING NAME	RIVER MILE	QUANTITY DREDGED MILLION CUBIC YARDS
Wolf Island	930	0.8
Beckwith Bend	923	1.0
French Point	915	0.8
Island 8 Lower	912	0.6
New Madrid	887	0.9

WATER QUALITY CERTIFICATION: By copy of this public notice, the Memphis District is requesting water quality certification from the Commonwealth of Kentucky, that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all state laws and regulations promulgated pursuant thereto. This certification or waiver thereof, must be submitted prior to the start of dredging.

This notice is being circulated to the following federal, state and local environmental agencies:

U.S. Coast Guard, Memphis, TN
 Environmental Protection Agency, Kansas City, KS
 U.S. Fish and Wildlife Service, Twin Cities, MN
 National Park Service, Albuquerque, NM
 Missouri Department of Natural Resources, Jefferson City, MO

AVOIDANCE/MINIMIZATION: The activity will have very minimal impact on waters of the United States. The Corps of Engineers will only dredge the minimal amount required to maintain the authorized channel.

ENDANGERED SPECIES: This notice is being coordinated with the USFWS. The Memphis District is aware of interior least tern *Sternula antillarum* nesting sites and avoids dredging in the vicinity of these sites during the nesting season. The pallid sturgeon, *Scaphirhynchus albus*, is known to utilize the Mississippi River; however, little is known about the species' ecological and habitat requirements in the lower Mississippi River. There have been a few reports of the species within the Memphis District. We have agreed to refrain from navigational dredging from April 1 to June 30, unless extreme low water conditions occur during the spawning season. We will consult with USFWS on those occasions. Any comments USFWS may have regarding this species or other endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

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: The Memphis District is complying with the National Historic Preservation Act of 1966 and implementing regulations found in 36 CFR Part 800. 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.

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 activities for which a permit is sought, to solicit comments and information necessary to evaluate the probable impact on the public.

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.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: Send comments to the Corps of Engineers, Memphis District and the Kentucky Division of Water. 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
ATTN: Randy Clark
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: james.r.clark@usace.army.mil
Phone: (901) 544-0735
Fax: (901) 544-0211

Ms. Joyce Fry
Commonwealth of Kentucky
Department For Environmental Protection
Division of Water
200 Fair Oaks Lane, 4th Floor
Frankfort, Kentucky 40801
(502) 564-3410

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 W. Williams
Chief
Regulatory Branch

MORLEY 4 MI.

BENTON 10 MI.

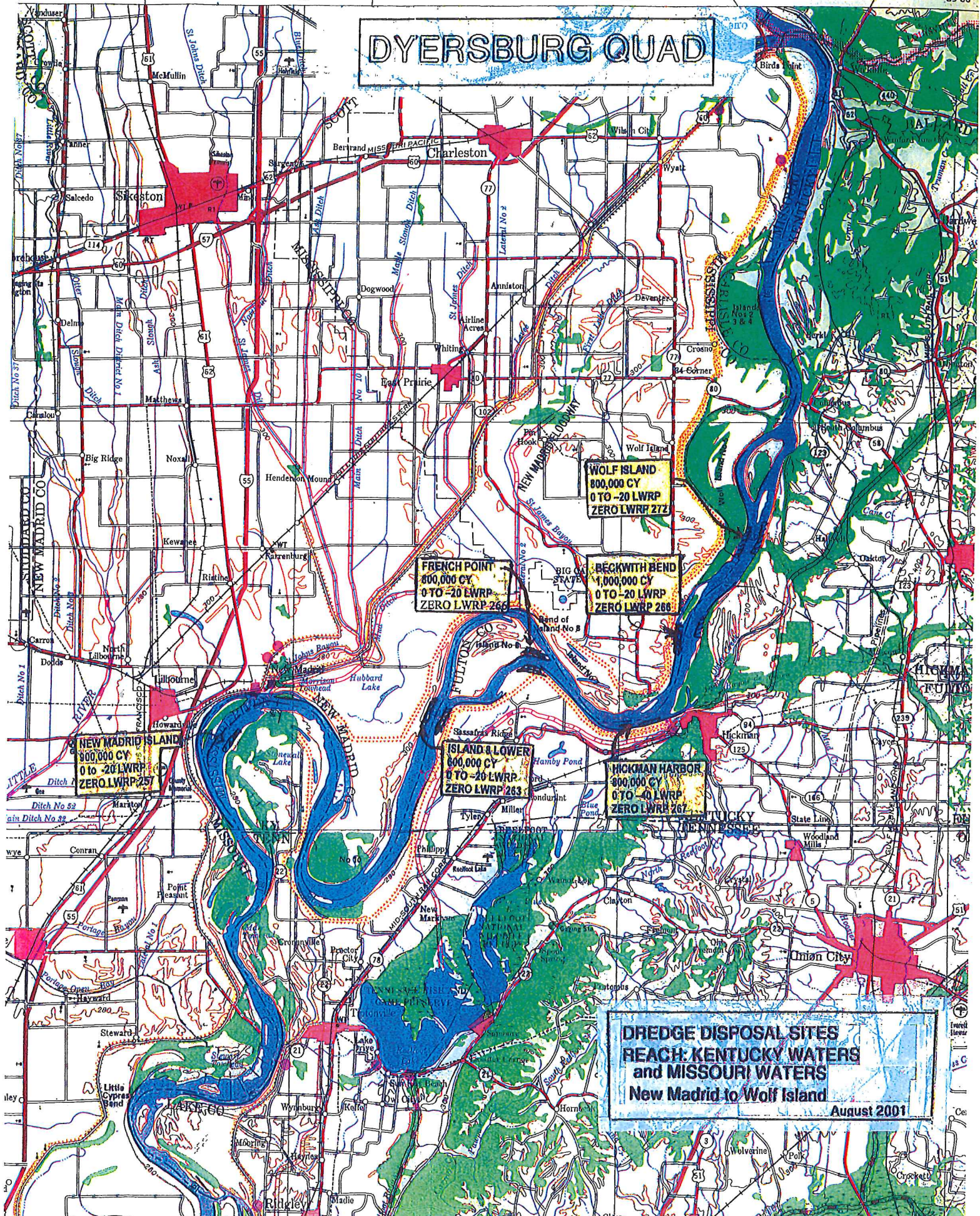
15'

ANNA 37 MI.

PADUCAH 32 MI.

89°00'

DYERSBURG QUAD



WOLF ISLAND
800,000 CY
0 TO -20 LWRP
ZERO LWRP 272

FRENCH POINT
800,000 CY
0 TO -20 LWRP
ZERO LWRP 266

BECKWITH BEND
1,000,000 CY
0 TO -20 LWRP
ZERO LWRP 268

NEW MADRID ISLAND
900,000 CY
0 TO -20 LWRP
ZERO LWRP 257

ISLAND & LOWER
800,000 CY
0 TO -20 LWRP
ZERO LWRP 263

HICKMAN HARBOR
900,000 CY
0 TO -20 LWRP
ZERO LWRP 267

**DREDGE DISPOSAL SITES
REACH: KENTUCKY WATERS
and MISSOURI WATERS
New Madrid to Wolf Island**

August 2001