



**US Army Corps
of Engineers**®
Memphis District

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PUBLIC NOTICE

**U.S. Army Corps of Engineers
Memphis District**

U.S.C. Chapter 33, Section 408 Permission Evaluation

TITLE: Section 408 Permission Evaluation for Bunge North America, Mississippi County, Arkansas.

INTRODUCTION: The authority to grant permission for temporary or permanent alterations of any U.S. Army Corps of Engineers (USACE) federally authorized civil works project is contained in Section 14 of the Rivers and Harbors Act of 1899 and codified in 33 USC 408. Bunge North America has requested to replace the existing barge loading conveyor and associated structures along the western bank of the Mississippi River Mile 783, Mississippi County, Arkansas (Figure 1).

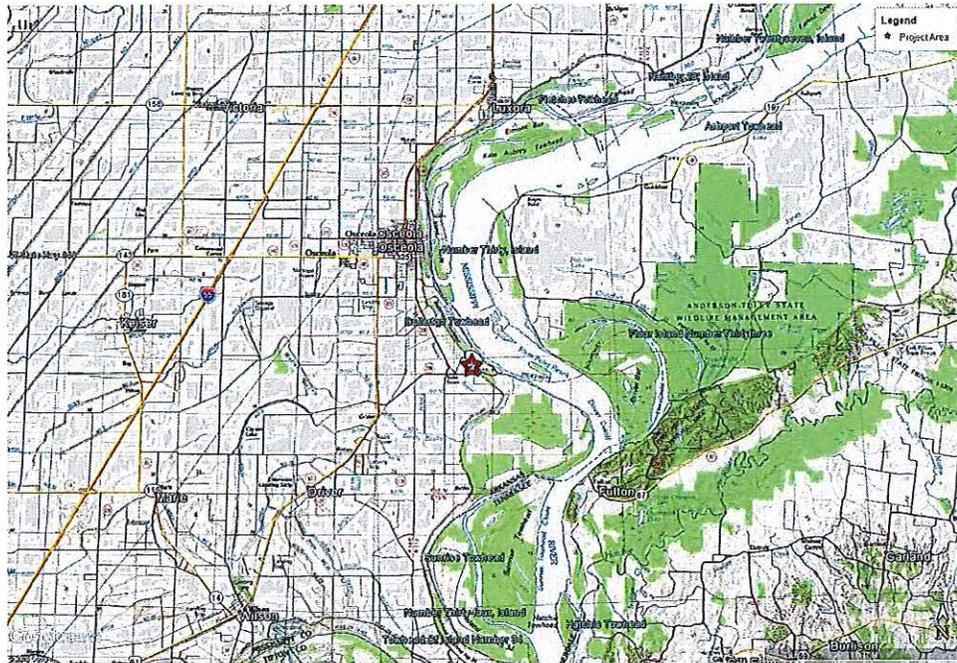


Figure 1. Location of proposed Bunge North America replacement conveyor and associated structures at River Mile 783, Mississippi County, Arkansas.

PROJECT DESCRIPTION: Section 408 authorizes USACE to grant permission for the alteration or occupation or use of the project if USACE determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project. The Mississippi River Channel Improvement Project, the federally authorized civil works project proposed for alteration, provides for channel improvement to increase the flood carrying capacity and reduce flood heights, to stabilize alignment and prevent bank caving that would destroy the main line levees, and to provide an aligned navigation channel. The proposed request involves replacing two conveyors, 151 feet and 207 feet in length. The conveyors will be supported by two support trusses roughly equivalent in length and a support tower with foundations. There will be one new work barge, 125 feet long, with six new river dolphins, 6 to 7 feet in diameter. The river dolphins will be driven into the riverbed to a depth of approximately 40 feet (Figure 2).

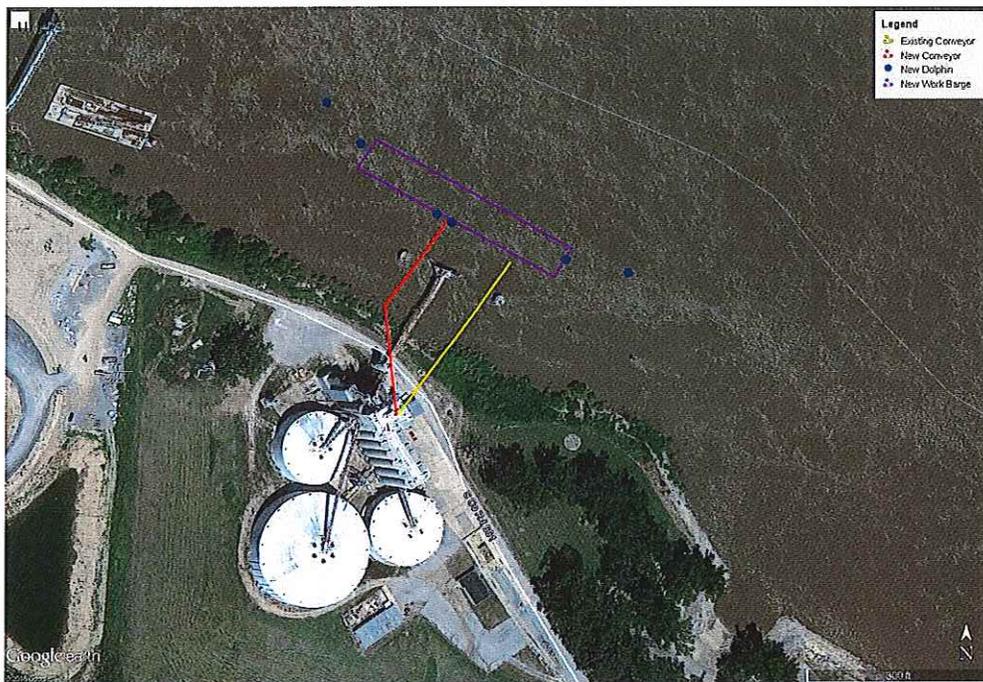


Figure 2. Proposed project features, Bunge North America, Mississippi County, Arkansas.

ENVIRONMENTAL COMPLIANCE: A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. The scope of analysis for the NEPA and environmental compliance evaluations for the Section 408 review should be limited to the area of alteration and those adjacent areas that are directly or indirectly affected by the alteration. As the proposed project would occur within Waters of the U.S., a Section 404(b)(1) and Section 10 permit request (MVM 2018-275) is currently being processed by USACE, Memphis District (MVM), Regulatory Branch. A public notice was issued on 6 September 2018. Based on best available information, the USACE determination is that the project will have no adverse effect on federally listed rare, threatened, or endangered species. This application is being coordinated with the U.S. Fish and Wildlife Service through the MVM Regulatory Branch permit request. Additionally, as the proposed Section 408 alteration is within the USACE project footprint, no known historic properties would be effected. The decision on this Section 408 request is being

analyzed in accordance with NEPA and is limited to the Section 408 boundaries described herein.

PUBLIC INTEREST REVIEW: The purpose of this notice is to solicit comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties. Comments received within 15 days of this publication will be used in the evaluation of potential impacts of the proposed action on important resources. All comments will be considered in preparing environmental documentation pursuant to NEPA. USACE has jurisdiction under 33 USC 408, only over the specific activities that have the potential to alter existing USACE projects. Please limit comments to the area of the alteration and those adjacent areas that are directly or indirectly affected by the alteration to the federally authorized civil works project described herein. **Comments may be submitted to Pamela.D.Lieb@usace.army.mil and should be received by September 25, 2018.**

Sincerely,



Edward P. Lambert
Chief, Environmental Compliance Branch,
Regional Planning and Environmental Division South