

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

ISSUE DATE: May 10, 2018

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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 Lallemand Yeast Group, Shelby County, Tennessee.

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. Lallemand Yeast Group is proposing to construct a new unloading dock to offload liquid molasses from supply barges along the eastern bank of the Mississippi River at River Mile 739, Shelby County, Tennessee (Figure 1). The proposed unloading dock will consist of a work barge 35 feet wide and 200 feet long which will be moored in place by two guide pilings on each end of the barge (Figure 2). The guide pilings will be driven into the riverbed to a depth of approximately 30 feet and will penetrate articulated concrete revetment mattress installed by USACE. Approximately 200 tons of Class Two rip-rap will be installed to armor the location where the concrete mattress has been penetrated. Five bents will be installed to support the piping used to unload the molasses from supply barges (Figure 2).

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, 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 the penetration of the articulated concrete revetment mattress (federal project) and placement of rip-rap to armor the location where the concrete mattress has been penetrated.

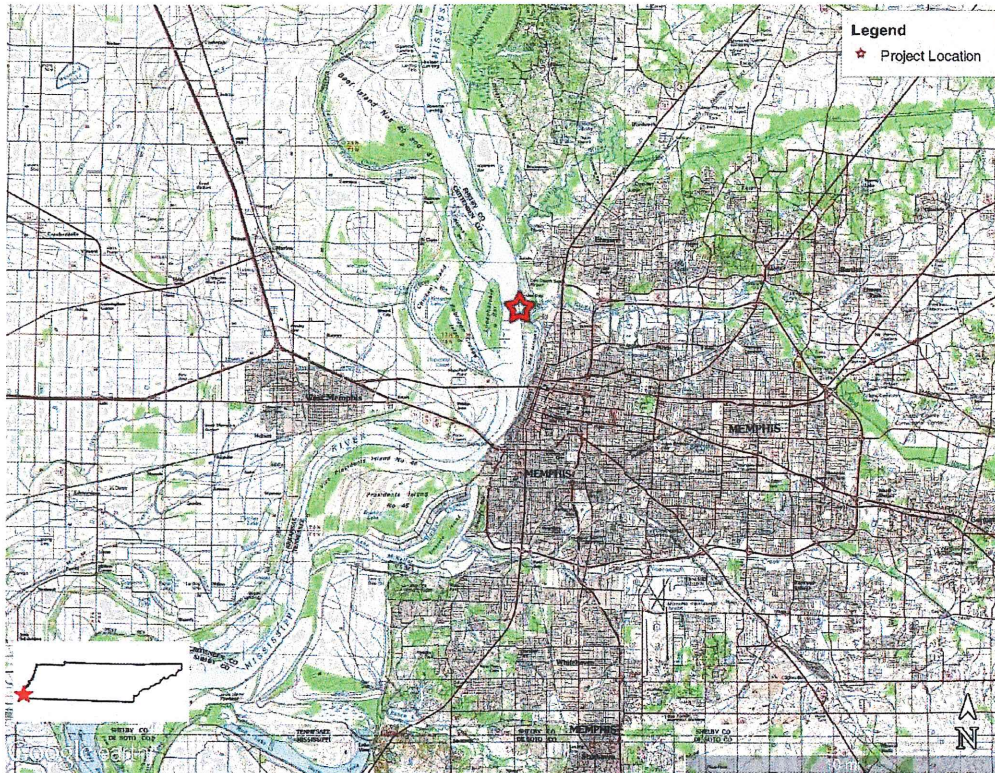


Figure 1. Proposed Section 408 project location for Lallemand Yeast Group, Shelby County, Tennessee.

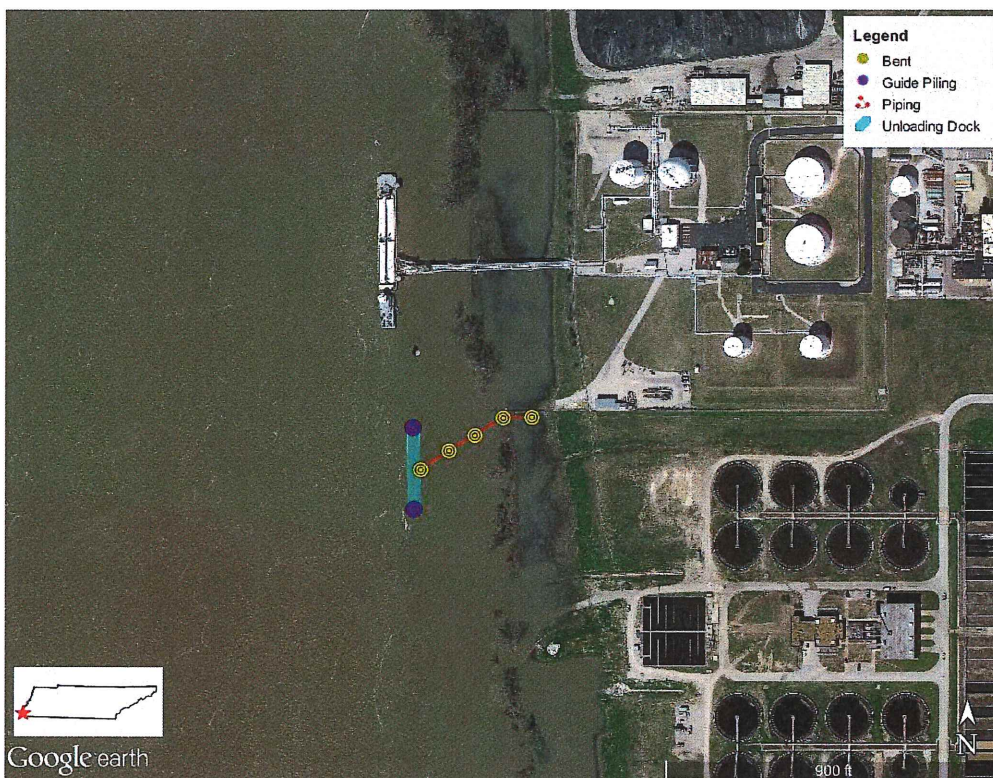


Figure 2. Proposed Section 408 project features, Lallemand Yeast Group, Shelby County, Tennessee.

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 result in fill material being placed into Waters of the U.S., a Section 404(b)(1) permit request (MVM 2018-156) is currently being processed by the USACE, Memphis District (MVM), Regulatory Branch. A public notice was issued on 4 May 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 joshua.m.koontz@usace.army.mil and should be received by May 25, 2018.**

Sincerely,



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