

US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2022-153

NOTICE DATE:
July 5, 2022

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
August 3, 2022

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources (MDNR). The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification.

APPLICANT:

Pemiscot County Port Authority
Attn: John Ferguson
2353 North State Highway D
Hayti, Missouri 63851

PURPOSE: The proposed project purpose is to discharge dredged and/or fill material to complete Phases II and III of the previously authorized Dredging Maintenance Disposal Area for the Caruthersville Harbor.

LOCATION: The Disposal Area is located along the Mississippi River at approximate River Mile 849 and Latitude 36.22055°N and Longitude -89.69271°W of Sections 6 and 7, Township 18N, and Range 13E in Pemiscot County Missouri, as shown on the attached maps (Figures 1&2). The previously approved mitigation site is located at Latitude 36.259613°N and Longitude -89.957672°W at the Little River Conservation Area in Pemiscot and Dunklin Counties, Missouri, as shown on the attached maps (Figures 1&3).

DESCRIPTION OF WORK: The applicant proposes to discharge dredged material from Caruthersville Harbor into wetlands in order to complete Phases II and III of the expansion of an existing dredged material disposal area adjacent to the existing Pemiscot County Port and allow continued maintenance dredging of the Caruthersville Harbor Project. The entire project, including the filling of 84 acres of wetlands (primarily wooded wetlands within naturalized borrow areas between the mainline Mississippi River levee and the top of the bank) was permitted in 1995 (Mississippi River-453-DM). This permit expired in April 2005. To date, approximately 20 acres have been filled as Phase I of the project. The entire permittee-responsible wetland mitigation project, which entailed the restoration of approximately 160 acres of bottomland hardwood and herbaceous wetlands within the Little River Conservation Area, has been completed. The proposed project is for the filling of the remaining 64-acres of the previously approved dredge disposal area as part of Phases II and III of the project.

AVOIDANCE, MINIMIZATION, & COMPENSATION: Mitigation was established as part of the 1995 permit for all three phases. The mitigation site was established on approximately 160-acres of Missouri Department of Conservation's (MDC) Little River Conservation Area. The mitigation site was established by MDC as bottomland hardwood forested wetland and herbaceous wetland. MDC has managed and monitored the site to ensure compliance with the mitigation terms and conditions of the 1995 permit.

ENDANGERED SPECIES: This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they have submitted regarding endangered or threatened wildlife or plants or their critical habitat will be considered in our evaluation of the described work.

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.

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 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.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: Send comments to the Corps of Engineers, Memphis District and Missouri Department of Natural Resources. 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: Damon McDermott
167 N. Main Street, B-202
Memphis, Tennessee 38103-1894
e-mail: robert.d.mcdermott@usace.army.mil
phone: (901) 544-0732
fax: (901) 544-0211

MDNR
Water Protection Program
P.O. Box 176
Jefferson City, MO 65102-0176

For Final Individual Permits actions in the Memphis District, go to the following link: <http://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 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

Area Map

Legend

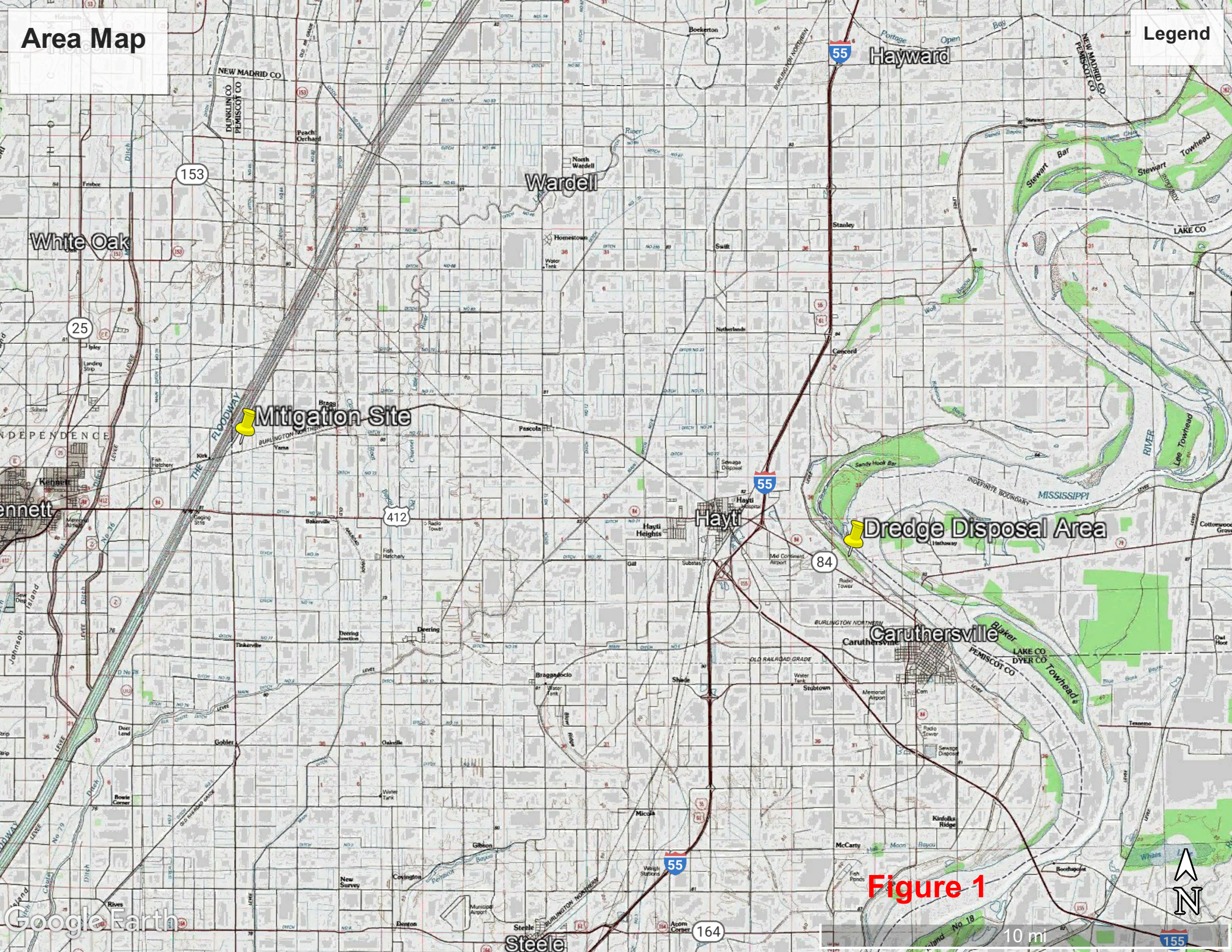


Figure 1



Mitigated Property

Write a description for your map.

Legend



Figure 2

Wetlands Mitigation

Write a description for your map.

Legend

- Jerry P. Combs Lake
- MDC Mitigation Site

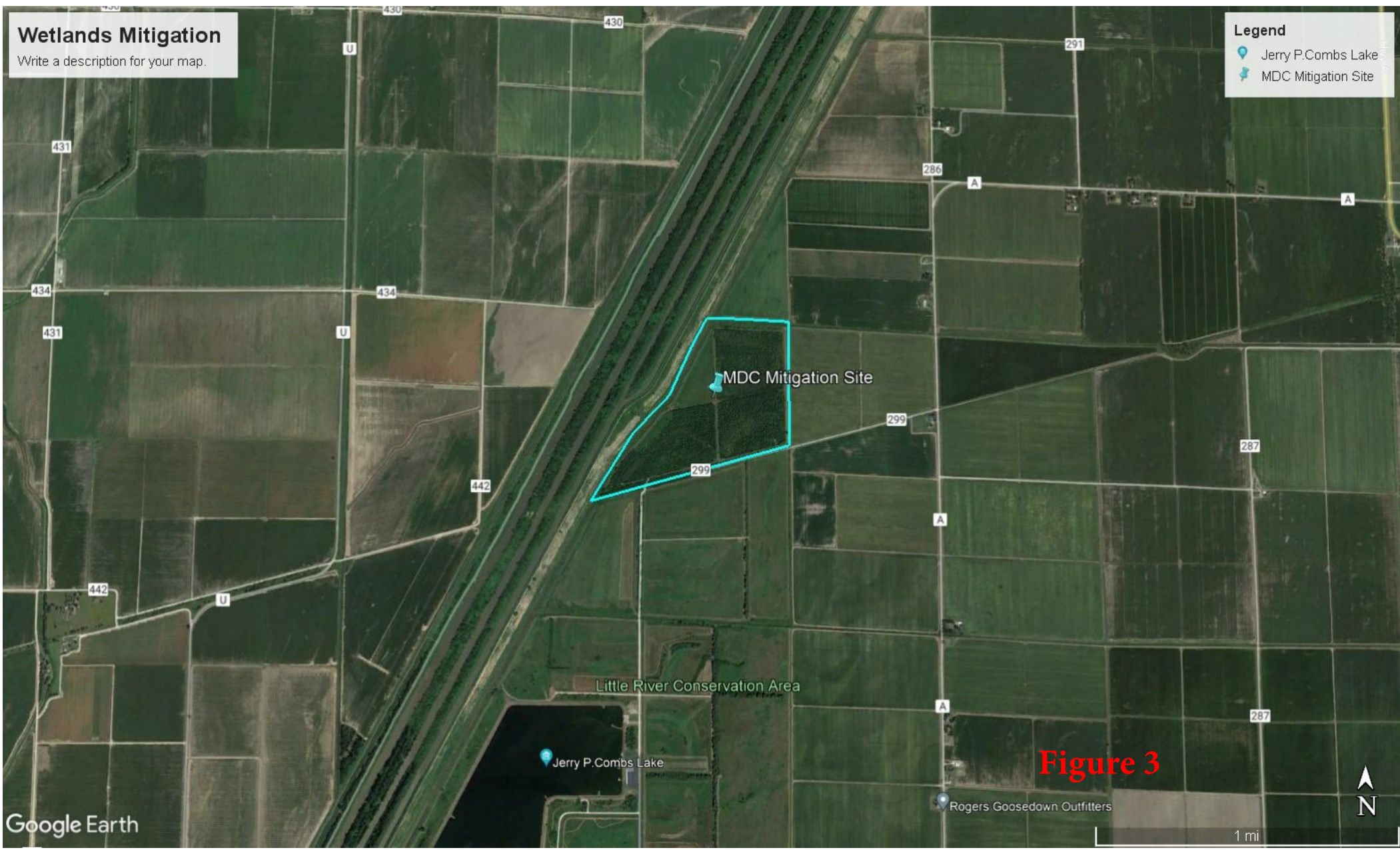


Figure 3