



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2015-109 (JME)

NOTICE DATE:
March 30, 2015

Attn: Postmaster,
Please Post Until  EXPIRATION DATE:
April 29, 2015

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 and Section 404 of the Clean Water Act.

APPLICANT:

Choctaw Transportation Company, Inc.
Attn: Mr. Jamey Sanders
P.O. Box 585
Dyersburg, Tennessee 38025
(731) 286-0012

PURPOSE: The purpose of the project is to perform maintenance dredging.

LOCATION: The project sites are located in Dyer County, Tennessee, on the left-descending bank of the Mississippi River at approximate Mississippi River Mile (RM) 832.0 and RM 831.0. Coordinates for the dredging locations are N36.0480° / W-89.6777° and N36.0380° / W- 89.6793°, respectively, as shown on the Cottonwood Point, Missouri-Tennessee-Arkansas, 7.5-minute USGS topographic quadrangle (Attachment 1).

DESCRIPTION OF WORK: The applicant proposes to perform maintenance dredging at two existing barge unloading sites. Dredging at each location will occur within an area 400 feet long by 75 feet wide and 3 feet in depth to maintain sufficient depths allowing for the unloading of barges (Attachment 2). Approximately 3,000 cubic yards of material will be dredged annually between the two locations. The dredge work will be done mechanically by either barge mounted hydraulic excavator or dragline. Dredge materials consisting of sediment/clay will be placed into the mainstem of the Mississippi River. Dredge materials consisting of sand or gravel may be placed on a deck barge for use in asphalt operations or as fill material at an upland disposal site. If authorized, maintenance dredging activities could occur, as needed, within a ten-year time frame.

The discharge of return water into the Mississippi River (administratively defined as a discharge of dredged material by CFR 323.2(d) and therefore regulated under Section 404 of the Clean Water Act) meets the requirements of Nationwide Permit 16 (Return Water From Upland Contained Disposal Areas), pursuant to the Federal Register Volume 77, Number 34, dated February 21, 2012, upon issuance of Section 401 Water Quality Certification from the State of Tennessee.

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.

AVOIDANCE/MINIMIZATION: According to the applicant, the minimum required area will be dredged and the existing revetment will not be impacted.

404(b)1 EVALUATION: The Corps of Engineers evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: The interior least tern (*Sterna antillarum athalassos*), pallid sturgeon (*Scaphirhynchus albus*), Indiana bat (*Myotis sodalis*), and Northern long-eared bat (*Myotis septentrionalis*) are listed as endangered or proposed endangered by U.S. Fish and Wildlife (USFWS) in Dyer County, Tennessee. This application is being

coordinated with USFWS. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer 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 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 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 Mr. Mitch Elcan using the information below:

U.S. Army Engineer District - Memphis
ATTN: Mitch Elcan
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894

e-mail: james.m.elcan@usace.army.mil
phone: (901) 544-0737
fax: (901) 544-0211

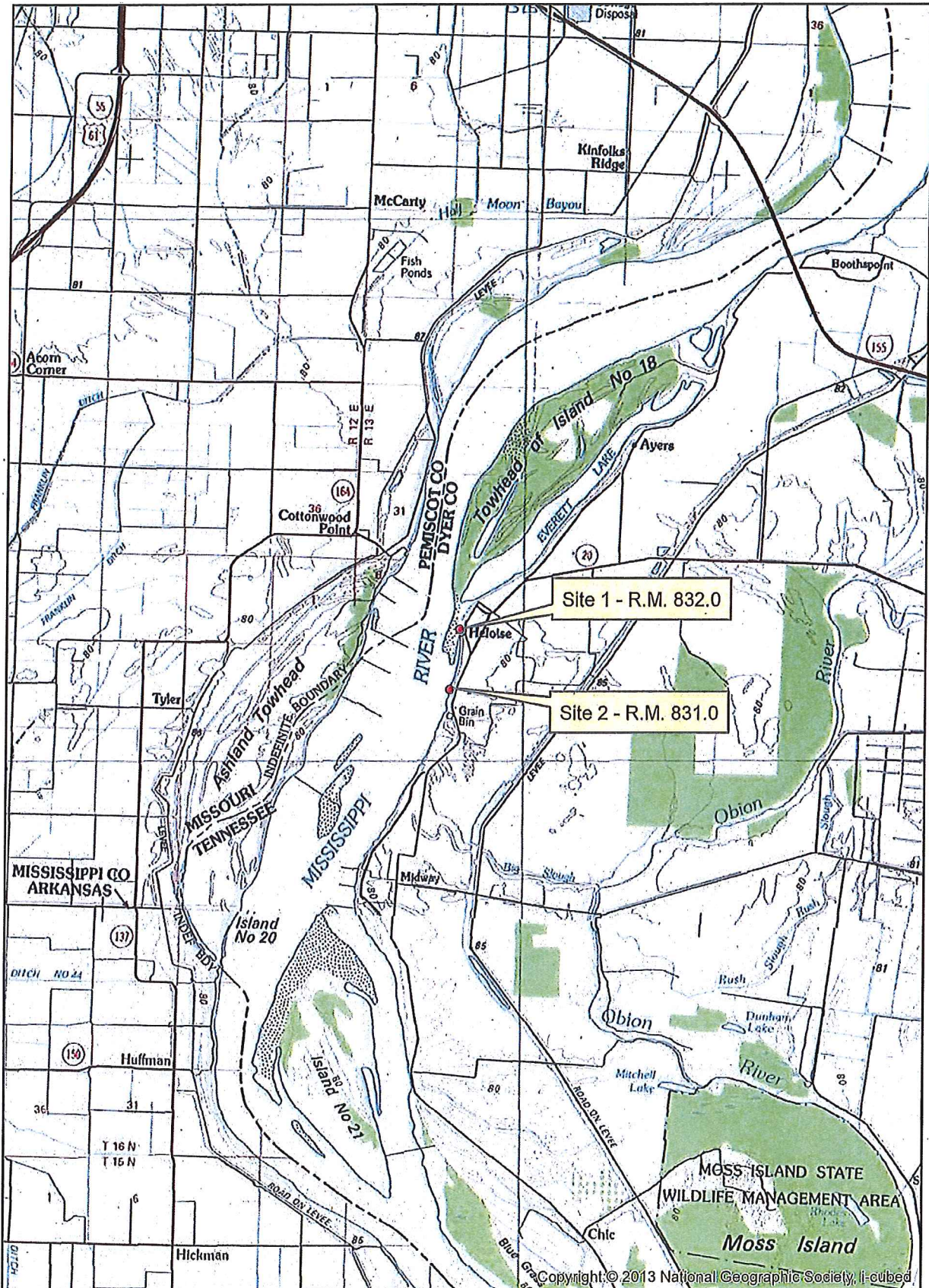
Comments may be sent via mail or e-mail. The Corps may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments should be received by the expiration date listed on page one of this notice.

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

A handwritten signature in black ink, appearing to read "Gregg Williams". The signature is fluid and cursive, with a large initial "G" and a stylized "W".

Gregg Williams
Chief
Regulatory Branch

Attachments



QUADRANGLE LOCATION

SITE PLAN

Project: Choctaw Main, Dredging
 Location: Heloise, Dyer Co. TN, MS River
 Mile 832.4 to 831.0 L&B
 Applicant: Choctaw Transportation Co.
 Date: March 13th, 2015



Moody Properties

Dyer Co. Little Levee

Heloise - Midway Rd.

Moody Properties

Moody Properties

Barge
Note: Area

Area 2 to
be dredged -

Barge

400'

River Bankline

Approx Area 1 to
be dredged.

Barge

400'

75'

Note: N.T. to Scale

Mississippi River →