



US Army Corps  
of Engineers  
Memphis District

# Public Notice

FILE NUMBER: MVM 2015-272 (JME)

NOTICE DATE:  
August 11, 2015

Attn: Postmaster,  
Please Post Until  EXPIRATION DATE:  
September 10, 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 and Section 404 of the Clean Water Act.

**APPLICANT:**

Mr. Randy Richardson  
Memphis & Shelby County Port Commission  
1115 Riverside Boulevard  
Memphis, Tennessee 38106  
(901) 948-4422

**AGENT:**

Ms. Larkin Myers  
Tioga Environmental Consultants, Inc.  
357 North Main Street  
Memphis, Tennessee 38103  
(901) 791-3432

**PURPOSE:** The applicant proposes to restore an existing public dock and terminal facility by replacing outdated infrastructure and installing more efficient systems. Restoration of the site will provide for the loading and unloading of cargo from barge, rail and truck shipments.

**LOCATION:** The project is located on the north bank of McKellar Lake at coordinates N35.103056° / W-90.090556° in Memphis, Shelby County, Tennessee, as shown on Attachment 1.

**DESCRIPTION OF WORK:** Activities proposed by the applicant below the ordinary high water mark (OHWM) elevation of 210.0' NGVD include construction of a 180' by 200' fixed dock, three floating docks with conveyor systems, ten mooring dolphins, temporary haul roads, dredging, and 2,200' of bank stabilization, as shown on Attachments 2 and 8. Demolition will include 2,220' of an existing railroad trestle, an existing dock, connected storage warehouse, and one other building. Other improvements proposed for the remainder of the site and above OHWM include construction of buildings, storage tanks, and other facilities as shown on Attachment 2. Detailed information concerning the activities proposed below OHWM, which requires a permit from our office, is provided below.

*Fixed Dock:* A fixed concrete dock with a mobile crane, portable receiving hopper, and conveyor system would be constructed at the eastern end of the site. The surface of the dock measures 180' by 200' and supported by 30" diameter steel piles every 14.5' in each direction. Detailed cross-sections of the dock structure are shown on Attachments 3 and 4.

*Floating Docks / Mooring Dolphins:* A barge receiving hopper with feeder would be constructed west of the fixed dock. Three 42" diameter steel sheet piles would be installed for three new dolphins and floating docking barge structure. A detailed cross-section is provided as Attachment 5.

A liquid pipe conveying system with a working platform would be built west of the hopper. A truss pipe rack with two 6" diameter pipes would connect the rail loading/unloading area to the barge docking station. Three 42" diameter steel sheet piles would be installed for three new dolphins and the working platform. A detailed cross-section is provided as Attachment 6.



A barge loading system would be constructed at the western end of the project. Four 42" diameter steel sheet piles would be installed for four new dolphins and the loading structure. A detailed cross-section is provided as Attachment 7.

*Temporary Haul Road:* To access the existing deteriorated rail line, a temporary haul road 25' wide and 700' in length will need to be constructed with the use of imported fill material. The haul road would extend below OHWM as shown on Attachment 8.

*Bank Stabilization/ Dredging:* Stabilization of 2,200 linear feet of the existing bank would be accomplished with the use of dredged materials and off-site material to provide a 4:1 slope from the proposed railroad line to the water. Approximately 2,200 cubic yards of material would be dredged from McKellar Lake immediately adjacent to the bank with the use of a clamshell dredge. Dredged materials will be spread, compacted, and covered with rip rap or vegetation along the existing surface to stabilize the bank. The fill is also necessary to construct the railroad. Dredged materials unsuitable for use as fill will be disposed of on Treasure Island or other approved upland disposal facility. A site plan indicating the location of the proposed bank stabilization area is provided on Attachment 8.

The location of the proposed structures, described above, would be located approximately 30.5' further into McKellar Lake as the existing dock (to be removed), as shown on Attachment 2.

The deposition of fill material into waters of the U.S., including streams and wetlands, and work below the OHWM of navigable waters of the U.S., requires authorization from the U.S. Army Corps of Engineers. At this time, it is our jurisdictional determination that McKellar Lake is considered jurisdictional and no wetlands are present on the project site.

**AVOIDANCE/MINIMIZATION:** According to the applicant, erosion control measures will be put in place to ensure sediment is not discharged into McKellar Lake. Multiple rows of silt fence with wire backing will be installed along the slope. Rip rap check dams will be installed at an area with channelized flow. Additional erosion control measures will include temporary or permanent seeding of disturbed areas immediately upon completion of grading activities. Discharge of dredged materials will be disposed of on-site or at an upland disposal facility.

**MITIGATION:** Mitigation is not being proposed by the applicant as no impacts to wetlands will occur with the project. Additionally, no loss of shoreline or open water is expected as fill materials would only be used as required to stabilize the bank as proposed.

**WATER QUALITY CERTIFICATION:** The applicant should request water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control 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 evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. 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 Shelby 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, Federally recognized Tribes and the public in response to this public notice and we may conduct, or require a survey of the project area.

**FLOOD PLAIN:** In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain 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. James M. Elcan using the information below:

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

E-mail: [james.m.elcan@usace.army.mil](mailto:james.m.elcan@usace.army.mil)  
Phone: (901) 544-0737  
Fax: (901) 544-0211

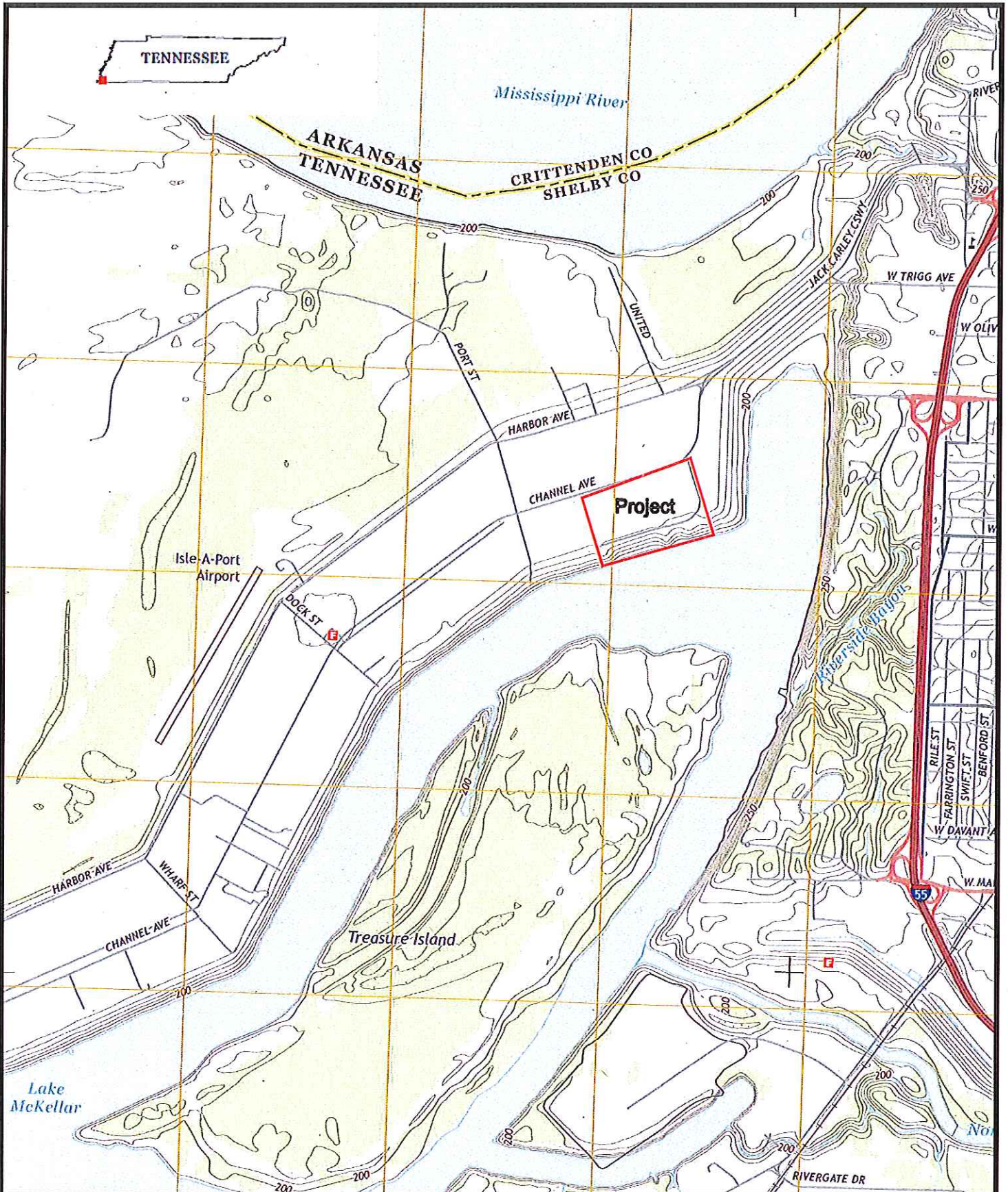
Comments may be sent via mail or E-mail. The Corps may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments must be received by the expiration date listed on page one of this notice.

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.

  
*for* Gregg Williams  
Chief  
Regulatory Branch

Attachments





INTERNATIONAL PORT OF MEMPHIS MULTI-MODAL  
TERMINAL EXPANSION & MODERNIZATION

DESCRIPTION:	PROJECT#:
USGS QUADRANGLE-SW MEMPHIS	50603.00
LOCATION:	DATE:
1073 CHANNEL AVE, MEMPHIS, TN	JUNE 2015



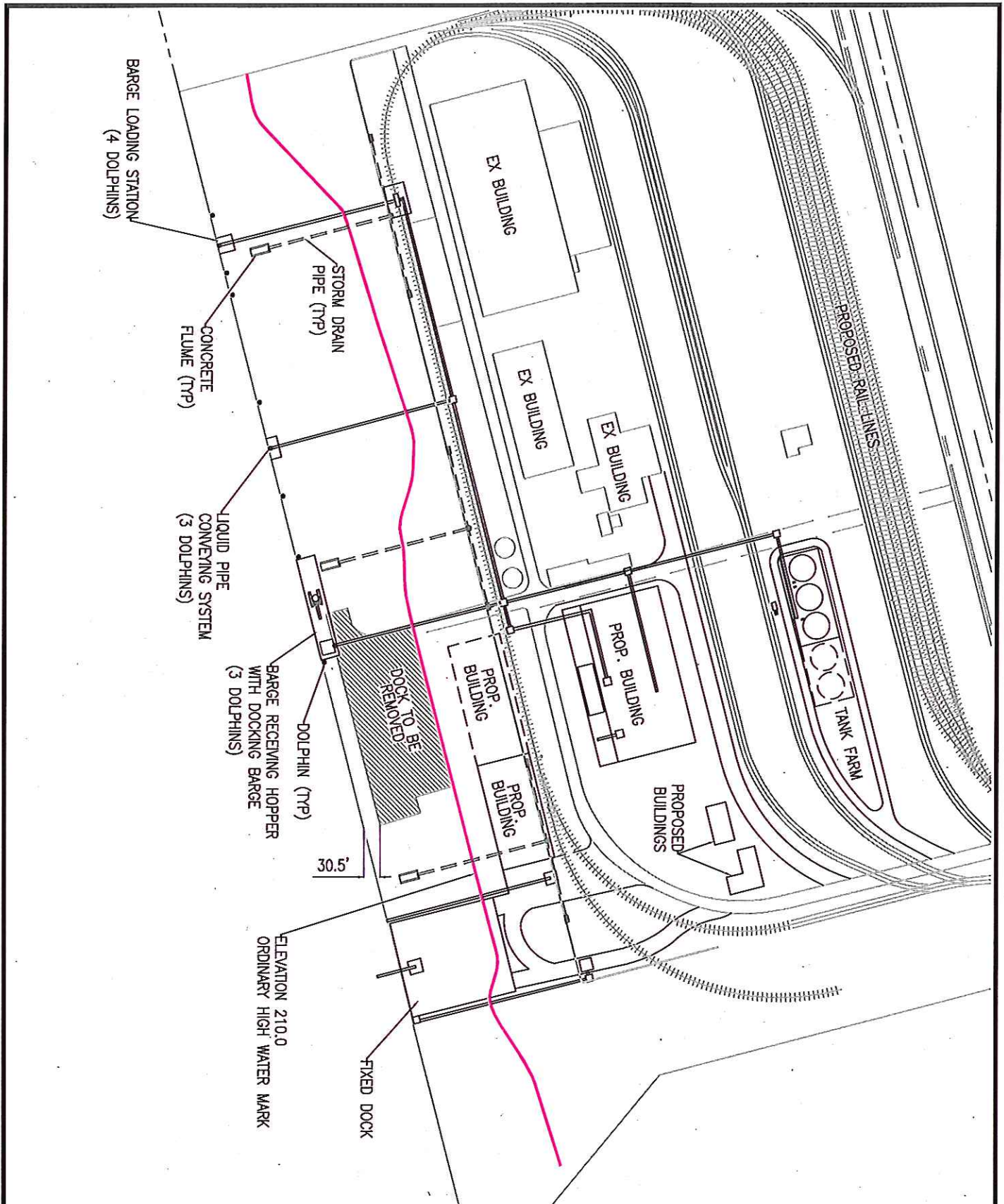
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INTERNATIONAL PORT OF MEMPHIS MULTI-MODAL  
TERMINAL EXPANSION & MODERNIZATION

DESCRIPTION:  
PLAN VIEW - STRUCTURES  
LOCATION:  
1073 CHANNEL AVE, MEMPHIS, TN

PROJECT #:  
50603.00  
DATE:  
JULY 2015

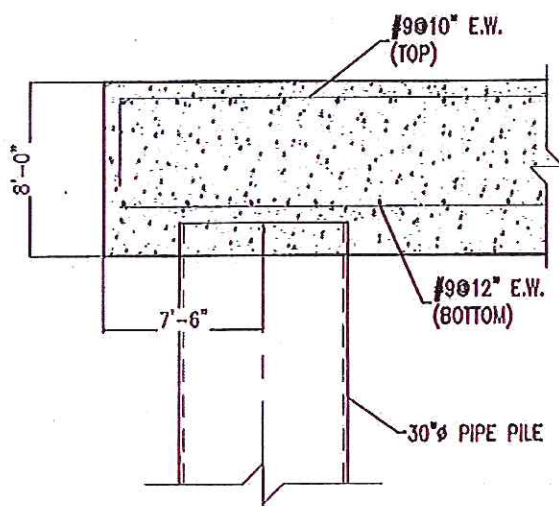


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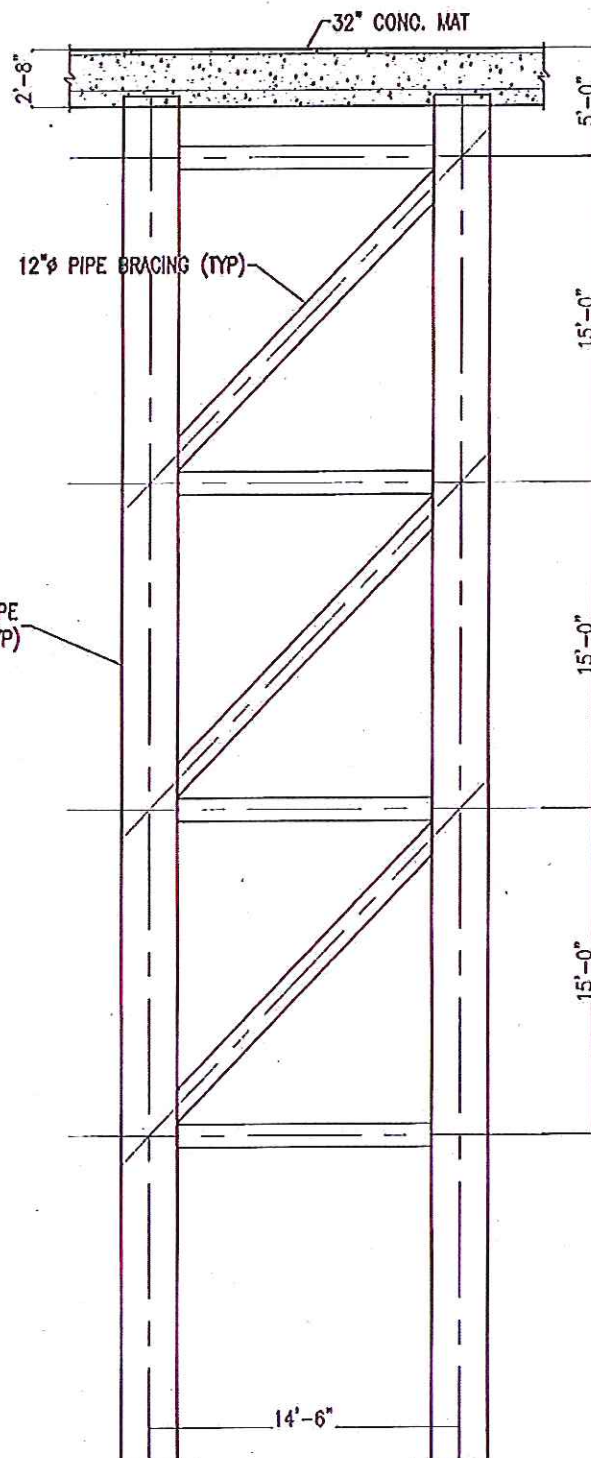
ENVIRONMENTAL CONSULTANTS



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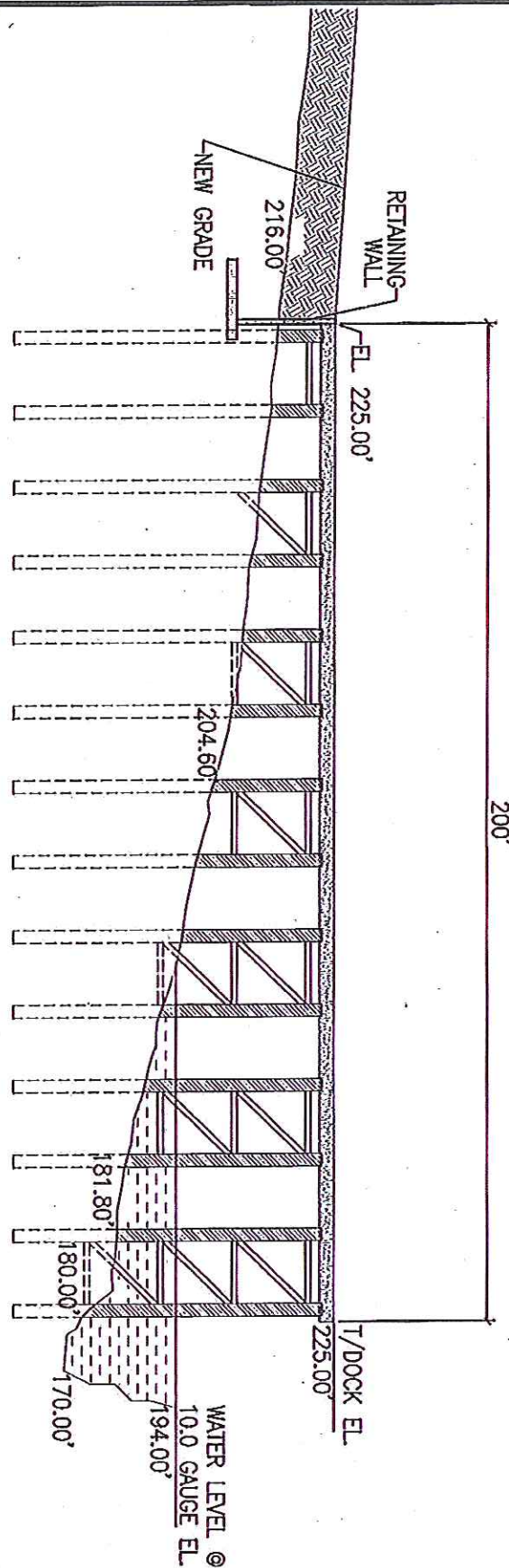
FIXED DOCK SECTION



NOTE: ELEVATION TYPICAL ON ALL FOUR SIDES.

FIXED DOCK PILING





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INTERNATIONAL PORT OF MEMPHIS MULTI-MODAL  
TERMINAL EXPANSION & MODERNIZATION

DESCRIPTION  
CROSS SECTION - FIXED DOCK  
LOCATION  
1073 CHANNEL AVE, MEMPHIS, TN

PROJECT #  
50803.00  
DATE  
JULY 2015

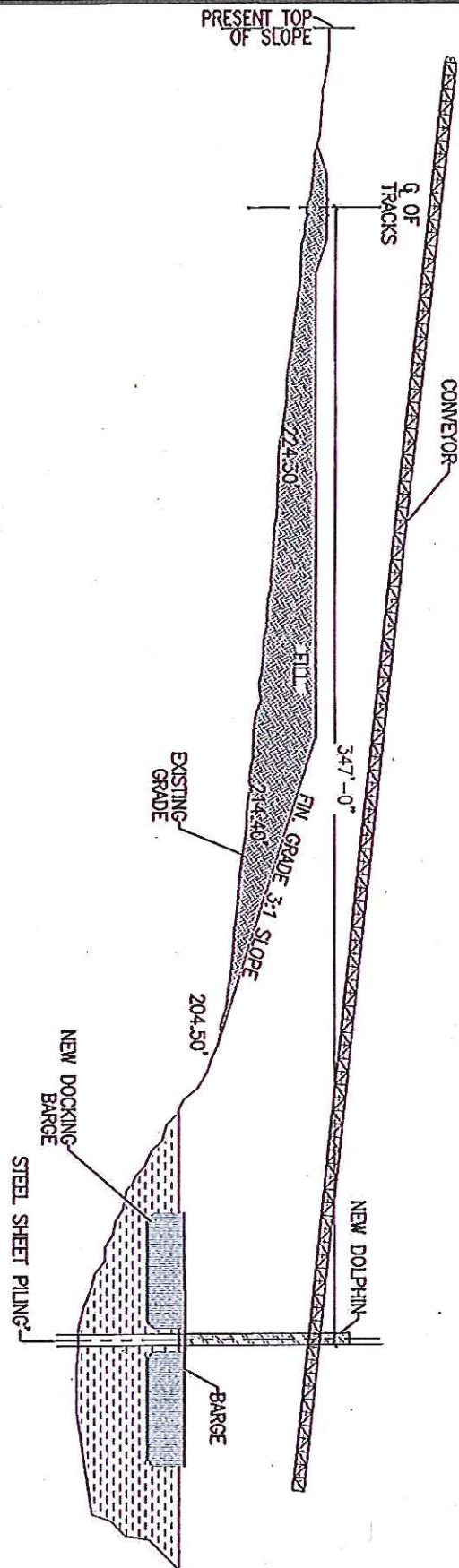


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INTERNATIONAL PORT OF MEMPHIS MULTI-MODAL  
TERMINAL EXPANSION & MODERNIZATION

DESCRIPTION	PROJECT #
CROSS SECTION - BARGE RECEIVING	50603.00
LOCATION	DATE
1073 CHANNEL AVE, MEMPHIS, TN	JULY 2016

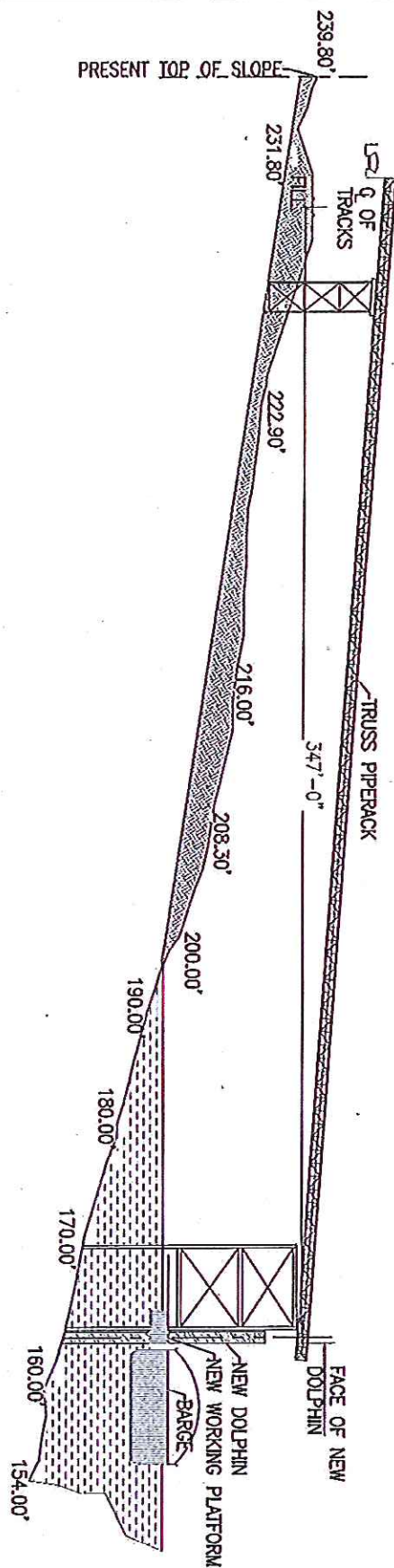


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INTERNATIONAL PORT OF MEMPHIS MULTI-MODAL  
TERMINAL EXPANSION & MODERNIZATION

DESCRIPTION  
CROSS SECTION - LIQUID LOADING  
LOCATION  
1073 CHANNEL AVE, MEMPHIS, TN

PROJECT #  
50603.00  
DATE  
JULY 2015

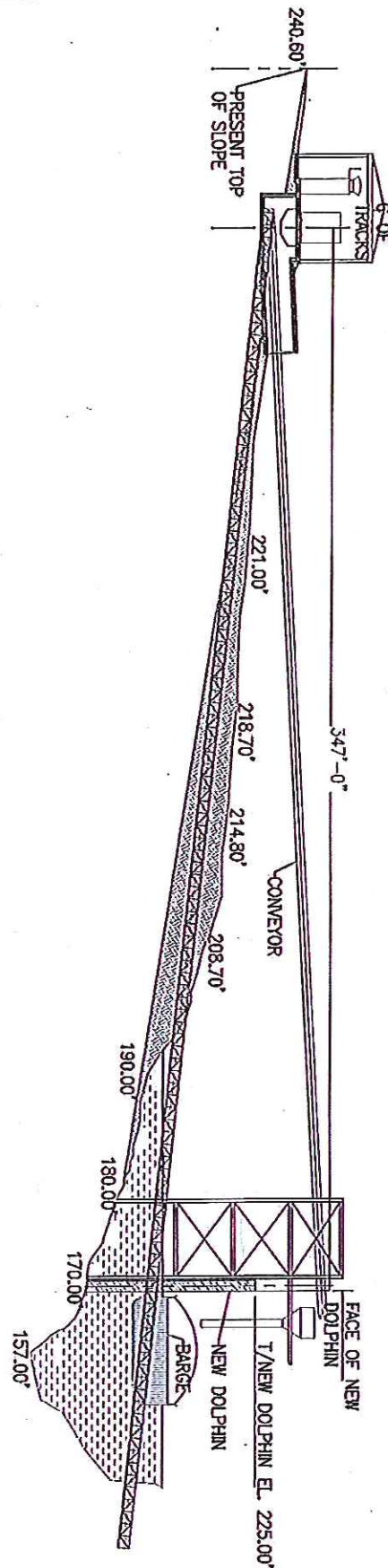


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INTERNATIONAL PORT OF MEMPHIS MULTI-MODAL TERMINAL EXPANSION & MODERNIZATION	
DESCRIPTION CROSS SECTION - BARGE LOADING	PROJECT # 50603.00
LOCATION 1073 CHANNEL AVE, MEMPHIS, TN	DATE JULY 2016

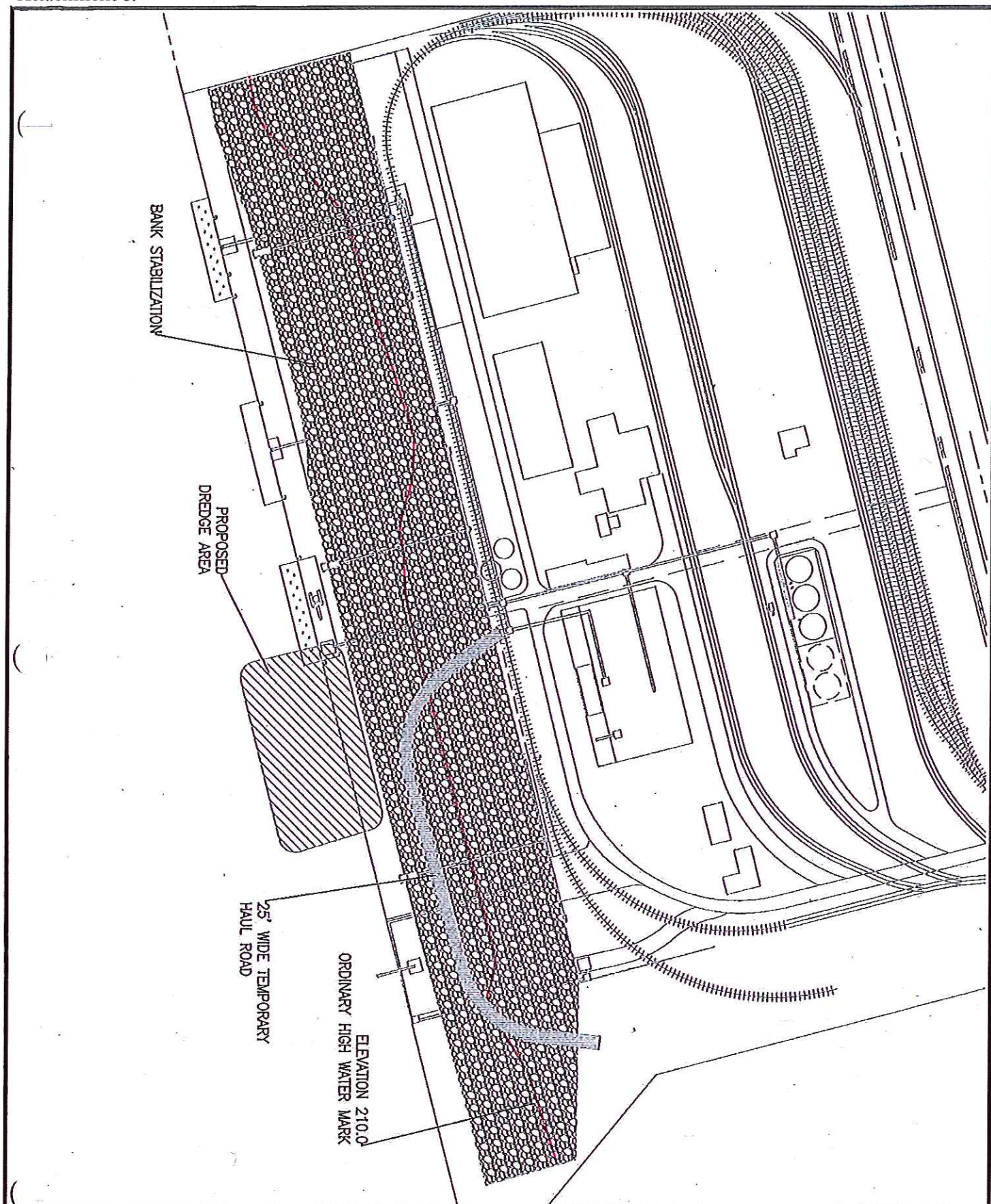


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INTERNATIONAL PORT OF MEMPHIS MULTI-MODAL  
TERMINAL EXPANSION & MODERNIZATION

DESCRIPTION  
PLAN VIEW - BANK RESTORATION

PROJECT #  
50603.00

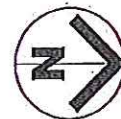
LOCATION  
1073 CHANNEL AVE, MEMPHIS, TN

DATE  
JULY 2015



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