



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2015-449 (RC)

NOTICE DATE:
December 8, 2015

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
Jan 7, 2016

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.

APPLICANT:

Mr. Scott Morgan
City of Memphis
125 N. Main Street, Room 620
Memphis, Tennessee 38103
(901) 576-7124

PURPOSE: The applicant proposes to construct floating booms to reduce the amount of floatable trash (plastic, Styrofoam, misc. floating trash, etc.) in McKellar Lake.

LOCATION: The project is located in Shelby County, Tennessee, in McKellar Lake east of Treasure Island at approximate coordinates N35° 05' 13.71 / W-90° 05' 13.76 as shown on the SW, Memphis 7.5 minute United States Geological Survey quadrangle map (See Attachment 1).

DESCRIPTION OF WORK: The project involves four assemblies of floating booms (approximate 500 feet each) with one end connected on shore to a tree and two pontoons, one connected midway of the boom and the other on the riverward end of the boom. The pontoons will support a winch and anchor system designed to move the assemblies needed for navigation and/or dredging. The assemblies will be located in strategic locations to best collect floatable trash in the lake (see Attachment 2).

AVOIDANCE/MINIMIZATION: According to the applicant, the activity during construction will have very minimal impact on Waters of the United States. There will be minor disturbance to vegetation such as brush, weeds in limited areas on the banks during surveys and when the cables are connected to the trees.

ENDANGERED SPECIES: This notice is being coordinated with the United States Fish and Wildlife Services (USFWS). The Memphis District is aware of interior least tern nesting sites and avoids dredging in the vicinity of these sites during the nesting season. The pallid sturgeon, *Scaphirhynchus albus*, is known to utilize the Mississippi River; however, little is known about the species' ecological and habitat requirements in the lower Mississippi River. However, populations have been documented throughout the entire lower Mississippi River. We have agreed to refrain from navigational dredging from April 1 to June 30, unless extreme low water conditions occur during the spawning season. We will consult with USFWS on those occasions. Any comments USFWS may have regarding other 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 of Engineers project. We are not a proponent nor are we an opponent of the project. We are merely the permitting authority of Section 10 permits required by our office.

COMMENTS: To request additional information or provide comments on this notice, please contact Mr. Randy Clark using the information below:

U.S. Army Corps of Engineers District - Memphis
ATTN: Randy Clark
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: james.r.clark@usace.army.mil
Phone: (901) 544-0735
Fax: (901) 544-0211

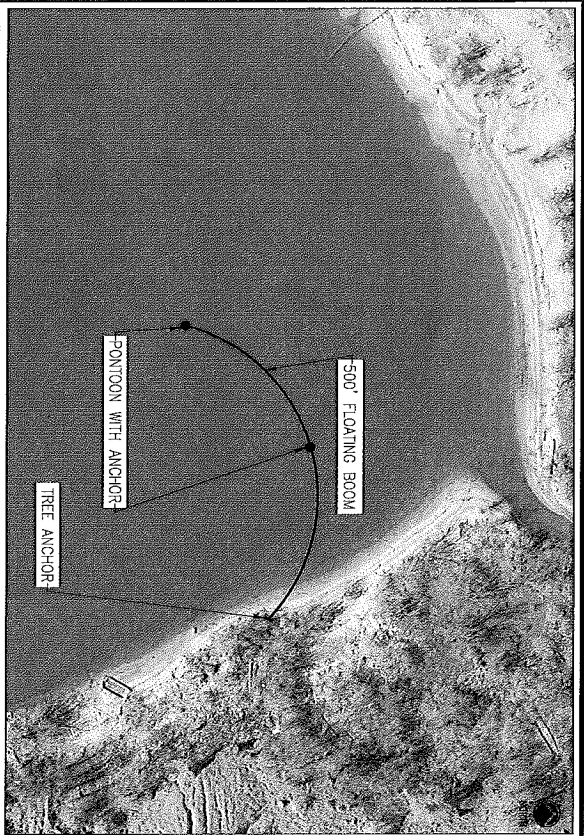
Comments may be sent via mail or e-mail. The Corps of Engineers may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments must be received by the expiration date listed on page one of this notice.

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.

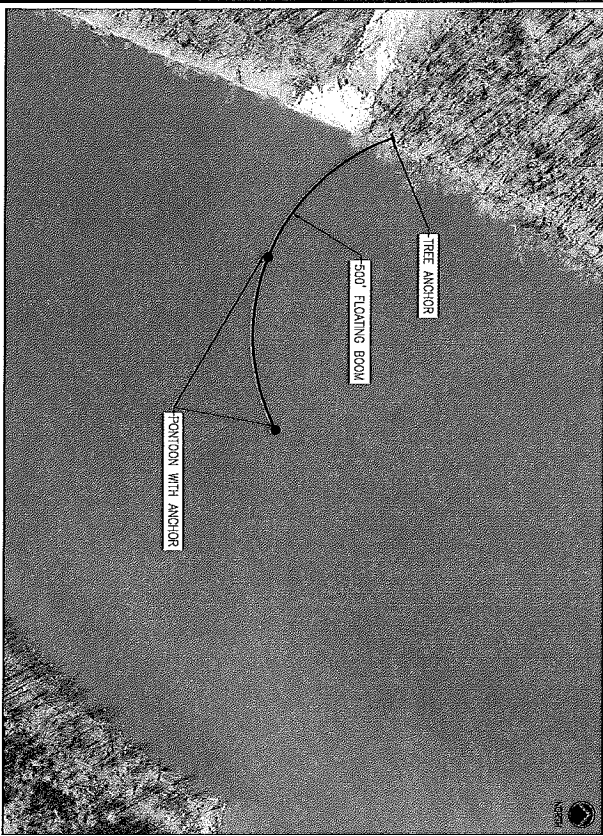


Gregg Williams
Chief
Regulatory Branch

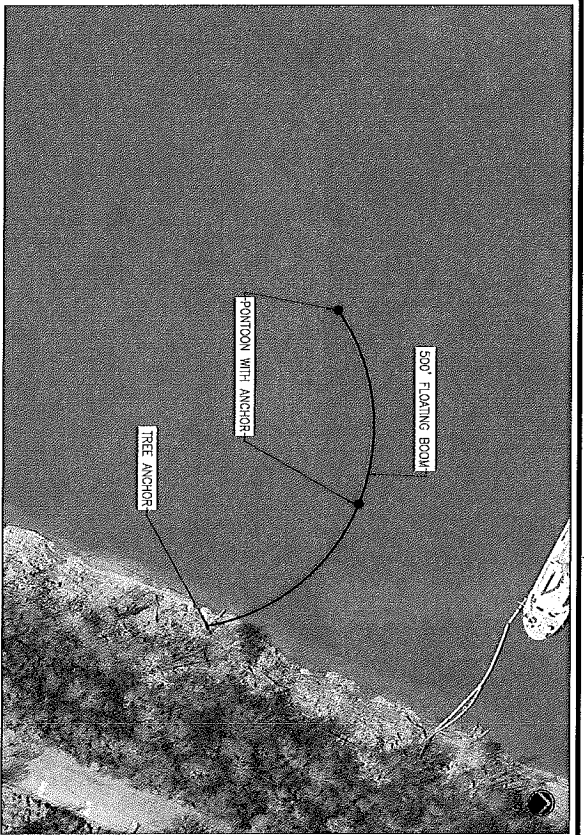
Attachments



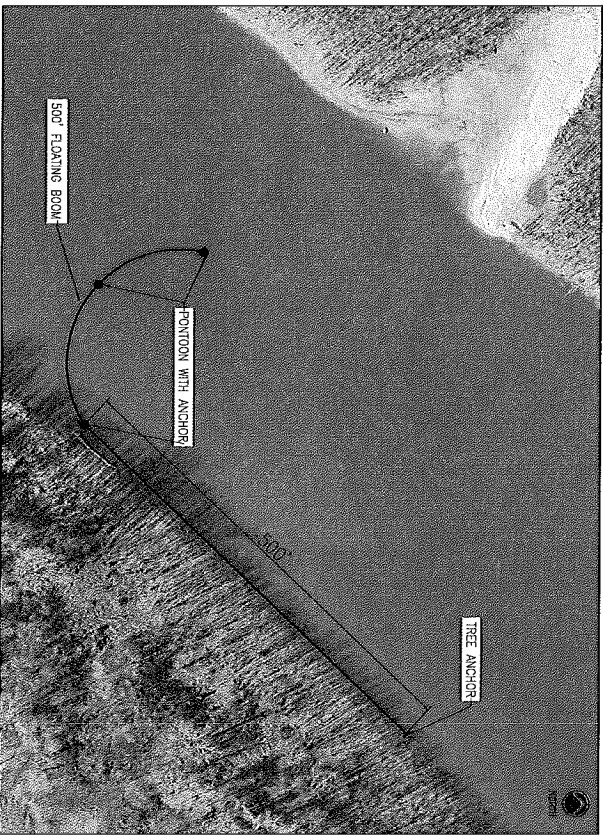
LOCATION 1
1/16



LOCATION 3
1/16



LOCATION 2
1/16



LOCATION 4
1/16

NO.	DATE	BY	REVISION

PROJECT # 2400000
 DATE NOV 2013
 DRAWN BY PFI
 CHECKED BY PFI

Pickering
 Pickering Firm, Inc.
 6775 Lewis Center Court, Suite 200
 Louisville, KY 40216
 502.491.1111

McKellar Lake Trash Collection
 Shelby County Tennessee

SCALE
 SHEET NUMBER
 2 of 2

UNITS