



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2015-40 (RC)

**NOTICE DATE:
January 29, 2015**

Attn: Postmaster,
Please Post Until  **EXPIRATION DATE:
February 28, 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 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

APPLICANT:

Mr. David Bagley
Bunge North America
1701 Centerview Drive., Ste 314
Little Rock, Arkansas 72211
(501) 954-1500

PURPOSE: The applicant proposes to perform maintenance dredging as needed during the next 10 years.

LOCATION: The project is located in Dyer County, Tennessee, on the left descending bank of the Mississippi River at Mississippi River Mile 831 (Bunge Heloise), at approximate coordinates N36.0318° / W-89.6802,° as shown on the Cottonwood Point 7.5 minute USGS quadrangle map (Attachment 1).

DESCRIPTION OF WORK: The project is to perform annual maintenance dredging at Bunge's docking area located at their Heloise, Tennessee facility. This proposal is a re-issuance of a previous permit for maintenance dredging at this location (MVM-2004-765). The applicant proposes to dredge a 400 foot by 50 foot by 4 foot deep, as needed. Dredge material is proposed to be placed into the main stream of the Mississippi River downstream of the facility. Previously, dredge spoil was placed on a barge for transport by Choctaw Transportation to their sand and gravel operation for disposal. The applicant is requesting the flexibility for either disposal area. Approximately 3,000 cubic yards of material may be dredged annually.

AVOIDANCE/MINIMIZATION: According to the applicant, the minimum required area will be dredged.

WATER QUALITY CERTIFICATION: By copy of this public notice, the Memphis District is requesting water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control that the activity will be in accordance with Section 401 (a)(1) of the Clean Water Act and all state laws and regulations promulgated pursuant. This certification or evidence of this water quality certification or waiver of the rights to certify must be submitted prior to the issuance of a Corps of Engineers permit. A determination concerning deposition of material will not be made, nor will deposition commence, until water quality certification or waiver of the right to certify is obtained. 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: No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. 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.

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. Randy Clark using the information below:

U.S. Army Engineer 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 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.

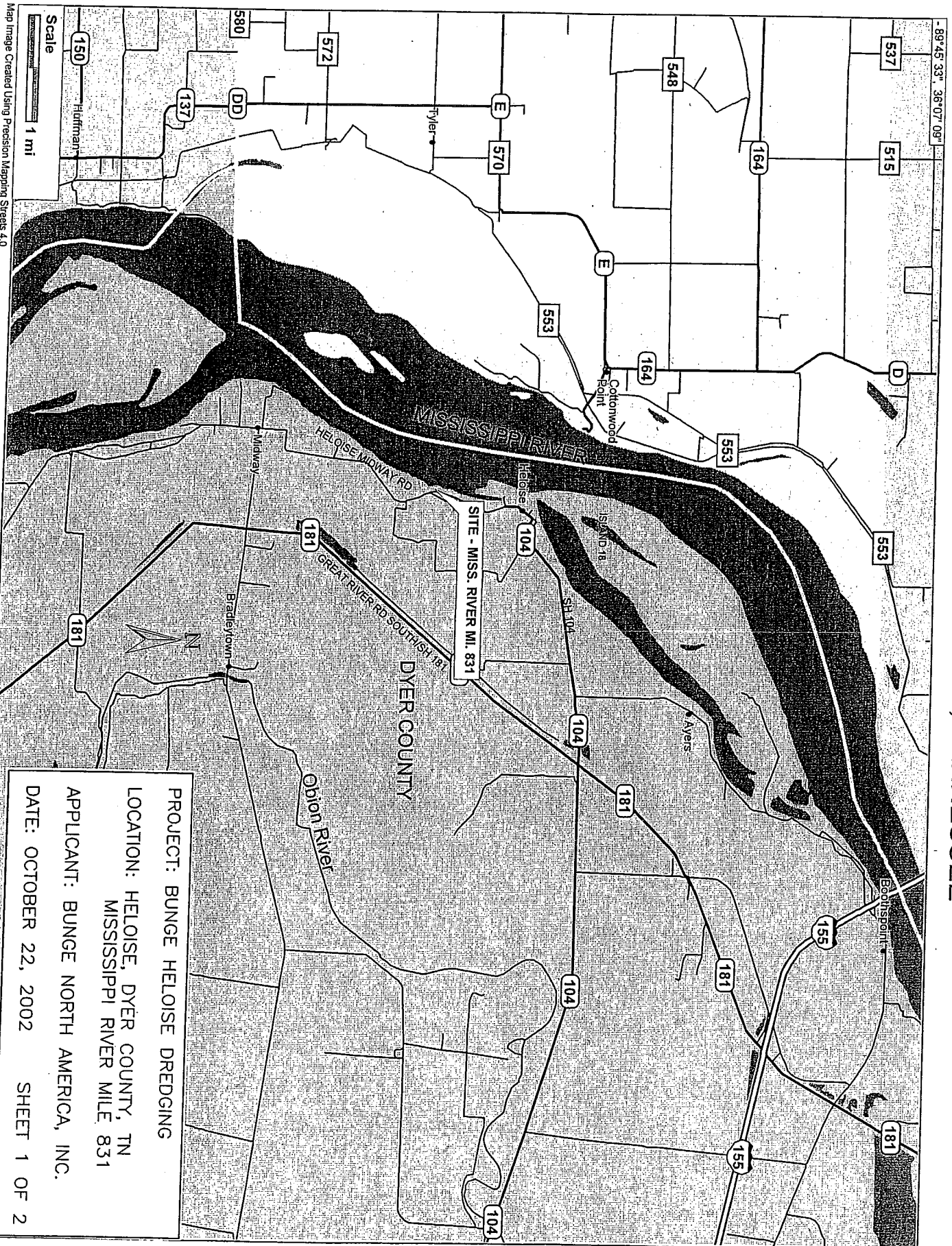
For Final Individual Permits actions in the Memphis District, go to the following link: <http://geo.usace.army.mil/egis/f?p=340:2:0::NO:RP>. Using the Filter by District drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending 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

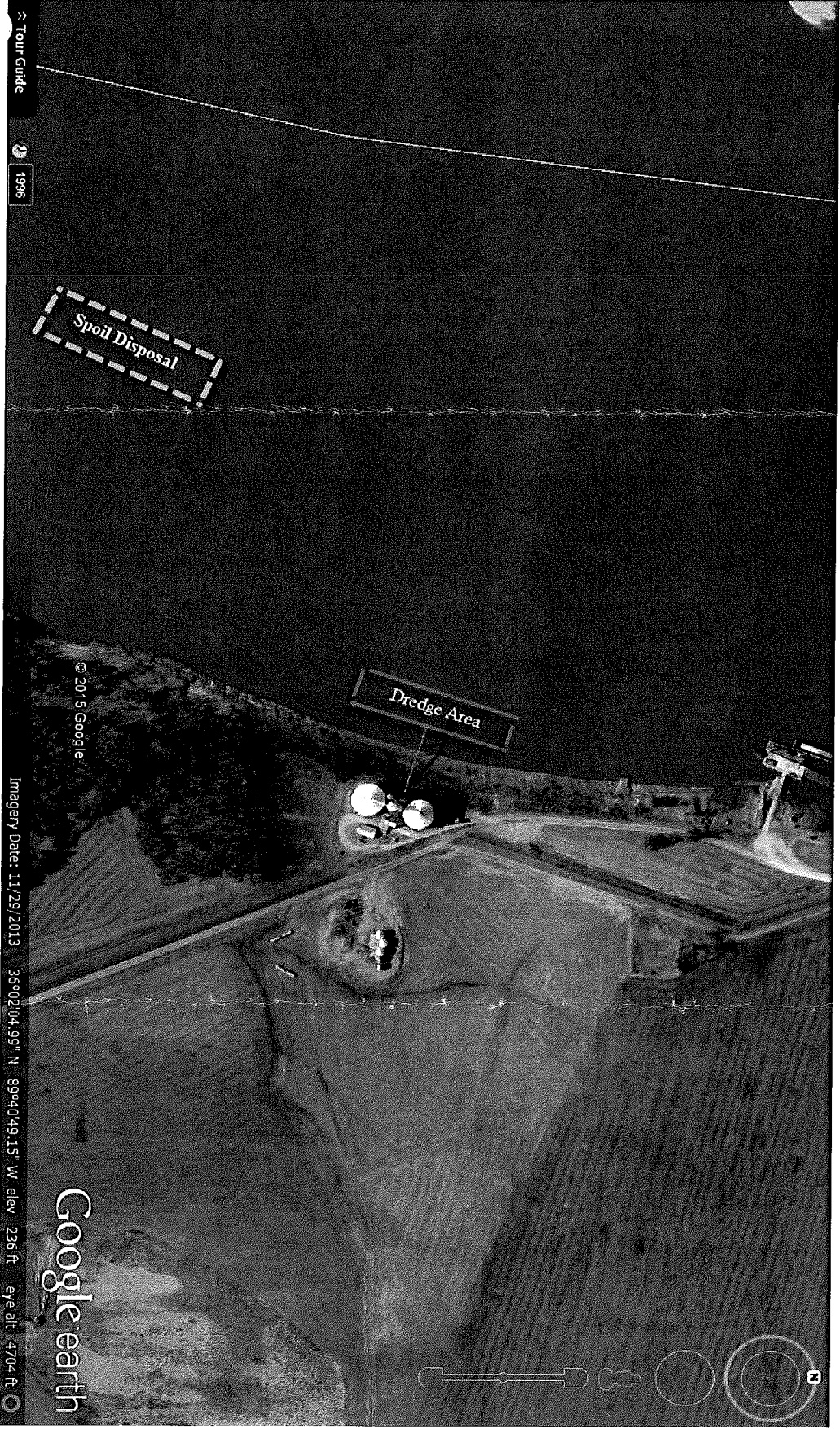
Attachments

VICINITY MAP - HELOISE, TENNESSEE



PROJECT: BUNGE HELOISE DREDGING
LOCATION: HELOISE, DYER COUNTY, TN
 MISSISSIPPI RIVER MILE 831
APPLICANT: BUNGE NORTH AMERICA, INC.
DATE: OCTOBER 22, 2002 **SHEET** 1 OF 2

Map Image Created Using Precision Mapping Streets 4.0
 Copyright 1999, Chicago Map Corporation. A - 89°33' 12" 35°57' 43"



↳ Tour Guide

1996

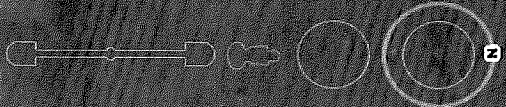
Spoil Disposal

Dredge Area

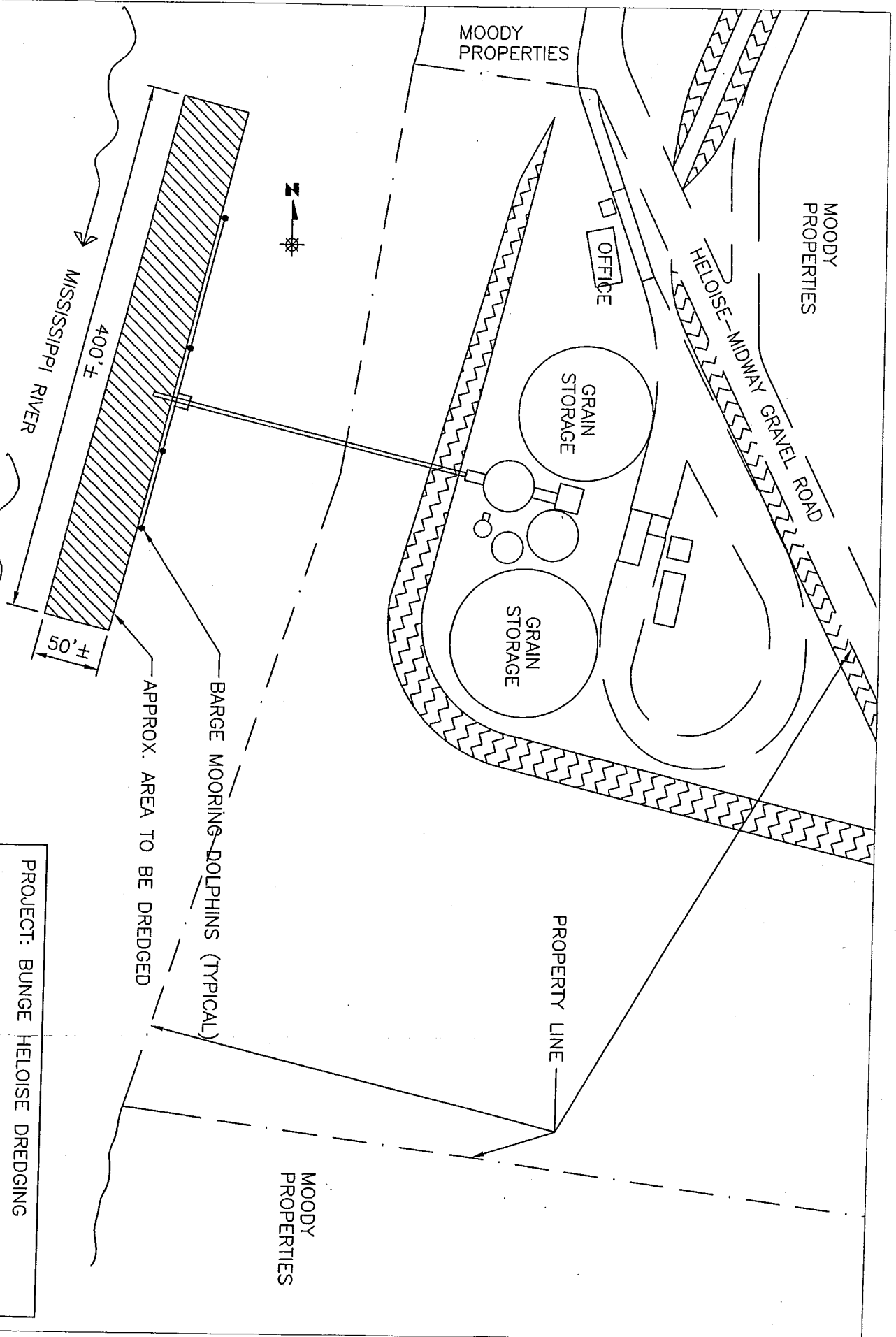
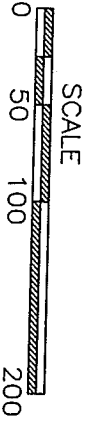
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Imagery Date: 11/29/2013 36°02'04.99" N 89°40'49.15" W elev. 236 ft eye alt. 4704 ft

Google earth



SITE PLAN



PROJECT: BUNGE HELOISE DREDGING
 LOCATION: HELOISE, DYER COUNTY, TN
 MISSISSIPPI RIVER MILE 831
 APPLICANT: BUNGE NORTH AMERICA, INC.
 DATE: OCTOBER 22, 2002 SHEET 2 OF 2