

US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2006-326

NOTICE DATE:
July 25, 2022

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
August 24, 2022



Public Notice U.S. Army Corps of Engineers

AUTHORITY: The Memphis District Corps of Engineers, hereby gives notice pursuant to Section 10 of the River and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA) and 33 CFR 337 published in the Federal Register April 26, 1988, of the U.S. Government's proposed deposition of dredged material in connection with maintenance dredging.

APPLICANT:

Nucor Steel Memphis, Inc.
Attn: Mr. Gideon Saprong
3601 Paul Lowry Road
Memphis, TN 38109
Telephone (901) 786-5255

AGENT:

Ensafe
Attn: Ms. Meghan Owens
5724 Summer Trees Drive
Memphis, TN 38134
Telephone: (901) 937-4310

PURPOSE: To dispose of maintenance dredge material from the Pidgeon Industrial Harbor (Harbor) into select locations within the Mississippi River.

LOCATION: Pidgeon Industrial Harbor, Memphis, Shelby County, Tennessee as shown on Figures 1-3. Approximate Latitude and Longitude for the project are 35.057°N and -90.172°W.

DESCRIPTION OF WORK: The applicant's request is to modify existing maintenance dredge permit File No. MVM-2006-326 to authorize maintenance dredge materials to be disposed into select locations within the Mississippi River. The prior dredging that was authorized by this permit, allowed annual maintenance dredging of the Harbor to maintain the depth of the Harbor for navigation. Dredge materials are permitted to be deposited in nearby upland disposal areas located in the vicinity of the Harbor. The applicant has stated that all dredging work will continue to utilize the prior approved methods and comply with all conditions of DA permit File No. MVM-2006-326 for the annual maintenance dredging of the Harbor.

The applicant's proposed permit modification request is to continue maintenance dredging as previously authorized with dredged materials being placed and hauled on split-haul barges or piped to Disposal Sites A and B as shown on Figures 1-3. Deep pools were identified with the use of bathymetric surveys along the left-descending bank upstream and downstream of the Harbor within the Mississippi River. To maintain 14 feet of shallow-draft navigability of the Mississippi River, maximum sediment deposition elevation will not exceed 134 feet above mean sea level. A typical section of the river bottom and sediment placement is shown on Figure 4. The applicant conducted a sediment analysis for grain size and determined that sediments within the Harbor consist of mostly silty-clay materials that transition to very sandy sediments with minimal silts and clays in samples within the Mississippi River.

AVOIDANCE, MINIMIZATION, & COMPENSATION: According to the applicant, no wetlands will be impacted by the project. The dredge site is an existing harbor and disposal will occur in-river. No terrestrial sites or vegetation will be disturbed. The previously permitted dredging has occurred on an as-needed basis since the construction of the Harbor. Due care was taken to identify deep pools within the Mississippi River that can accept sediment deposition without threatening shallow-draft navigability of the river. The dredging contractor will monitor all deposition to ensure the maximum deposition height does not exceed the 134 feet elevation of riverbed identified in this permit request

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.

WATER QUALITY CERTIFICATION: The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a federally licensed or permitted activity will comply with water quality requirements. The applicant has submitted a request for Section 401 Water Quality Certification and an Aquatic Resource Alteration Permit to the Tennessee Department of Environment and Conservation.

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.

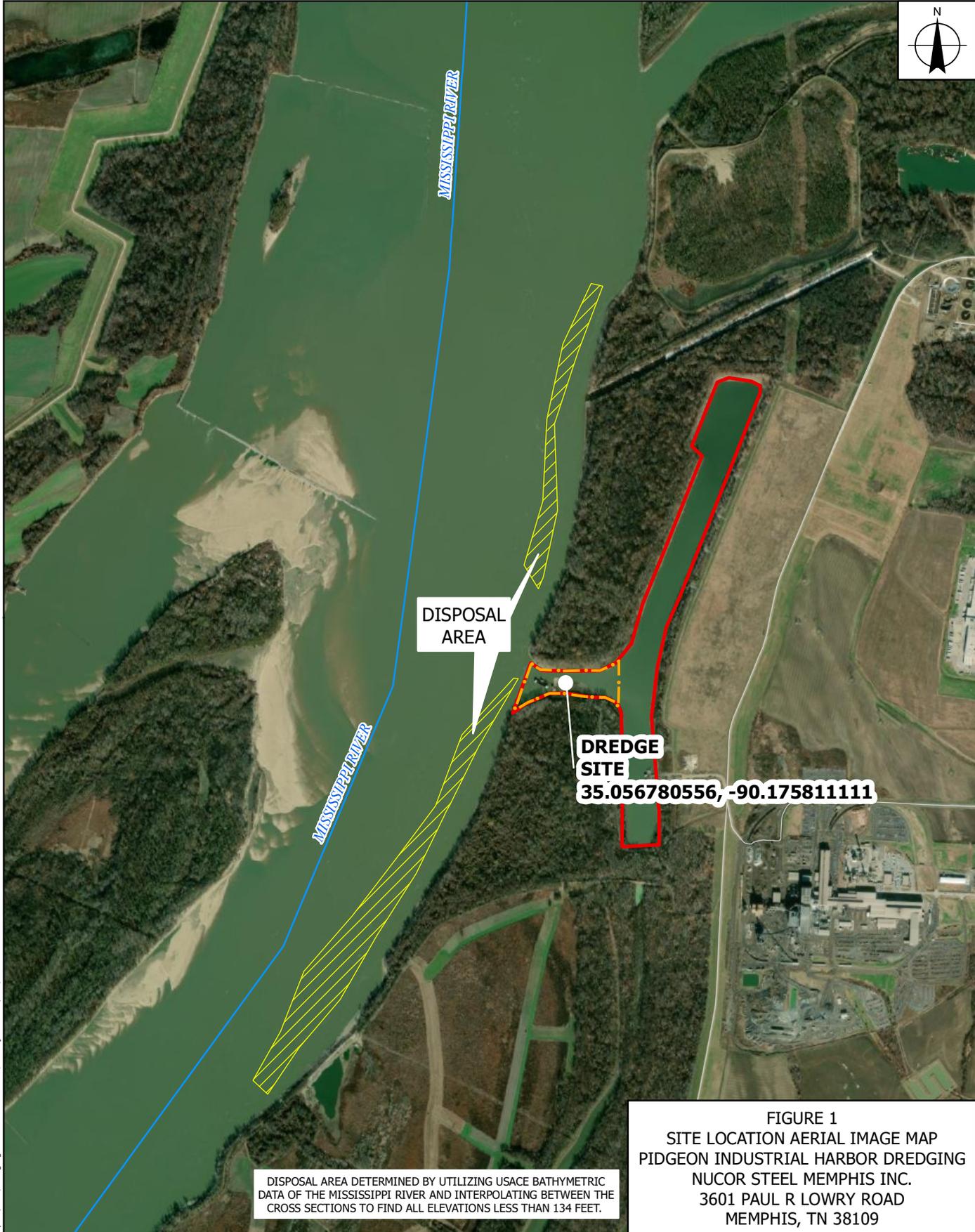
COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: Send comments to the Corps of Engineers, Memphis District. Comments must be received by the expiration date listed on page one of this notice and may be sent via mail or email to the following:

U.S. Army Corps of Engineers - Memphis District
Regulatory Division
ATTN: Mitch Elcan
167 N. Main Street, B-202
Memphis, Tennessee 38103-1894
e-mail: james.m.elcan@usace.army.mil
phone: (901) 544-0737

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 Division office for examination.

Gregg W. Williams
Chief
Regulatory Division

Attachments



DISPOSAL
AREA

DREDGE
SITE

35.056780556, -90.175811111

DISPOSAL AREA DETERMINED BY UTILIZING USACE BATHYMETRIC DATA OF THE MISSISSIPPI RIVER AND INTERPOLATING BETWEEN THE CROSS SECTIONS TO FIND ALL ELEVATIONS LESS THAN 134 FEET.

FIGURE 1
SITE LOCATION AERIAL IMAGE MAP
PIDGEON INDUSTRIAL HARBOR DREDGING
NUCOR STEEL MEMPHIS INC.
3601 PAUL R LOWRY ROAD
MEMPHIS, TN 38109

LEGEND

-  DREDGE AREA
-  PIDGEON INDUSTRIAL HARBOR
-  DREDGE DISPOSAL AREA
-  STREAM

NAD 1983 STATE PLANE
TENNESSEE FEET

0 1,000 2,000

SCALE IN FEET

REQUESTED BY:	MO
DRAWN BY:	MO
DATE:	6/15/2022
PROJECT:	0888832319

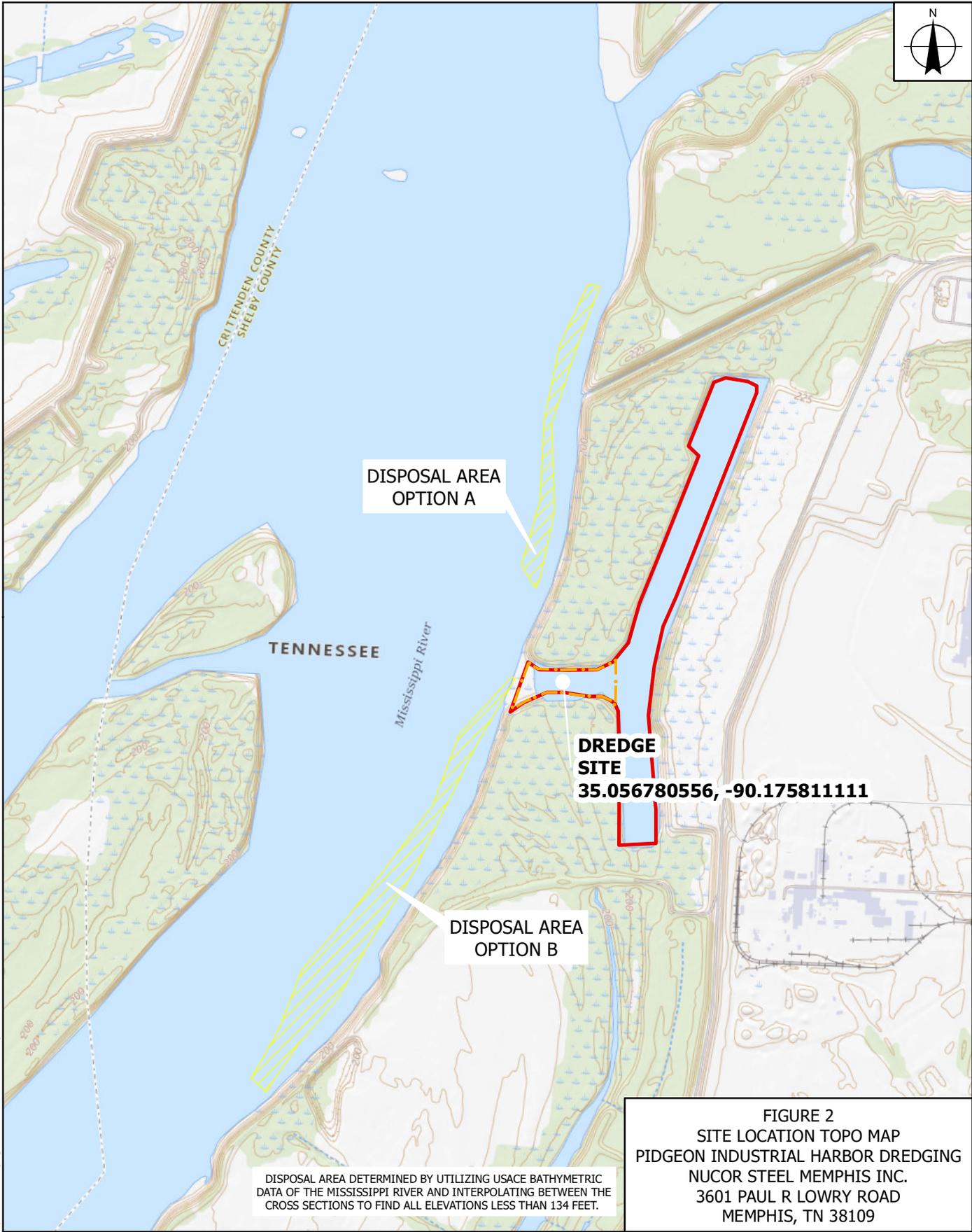
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Q:\N Clients\Nucor\Memphis, TN\Dredging Permit Modification\03 Project Exec\GIS\FIGURE 1 - SITE LOCATION AERIAL MAP.mxd

Source: U.S. Geological Survey, Justin, Argyle Quadrangles, Tennessee [Map]. Photorevised 2016. 1:24,000. 7.5 Minute Series.



DISPOSAL AREA
OPTION A

TENNESSEE

Mississippi River

**DREDGE
SITE**
35.056780556, -90.175811111

DISPOSAL AREA
OPTION B

DISPOSAL AREA DETERMINED BY UTILIZING USACE BATHYMETRIC DATA OF THE MISSISSIPPI RIVER AND INTERPOLATING BETWEEN THE CROSS SECTIONS TO FIND ALL ELEVATIONS LESS THAN 134 FEET.

FIGURE 2
SITE LOCATION TOPO MAP
PIDGEON INDUSTRIAL HARBOR DREDGING
NUCOR STEEL MEMPHIS INC.
3601 PAUL R LOWRY ROAD
MEMPHIS, TN 38109

Q:\N Clients\Nucor\Memphis, TN\Dredging Permit Modification\03 Project Exec\GIS\FIGURE 2 - SITE LOCATION USGS MAP.mxd

LEGEND

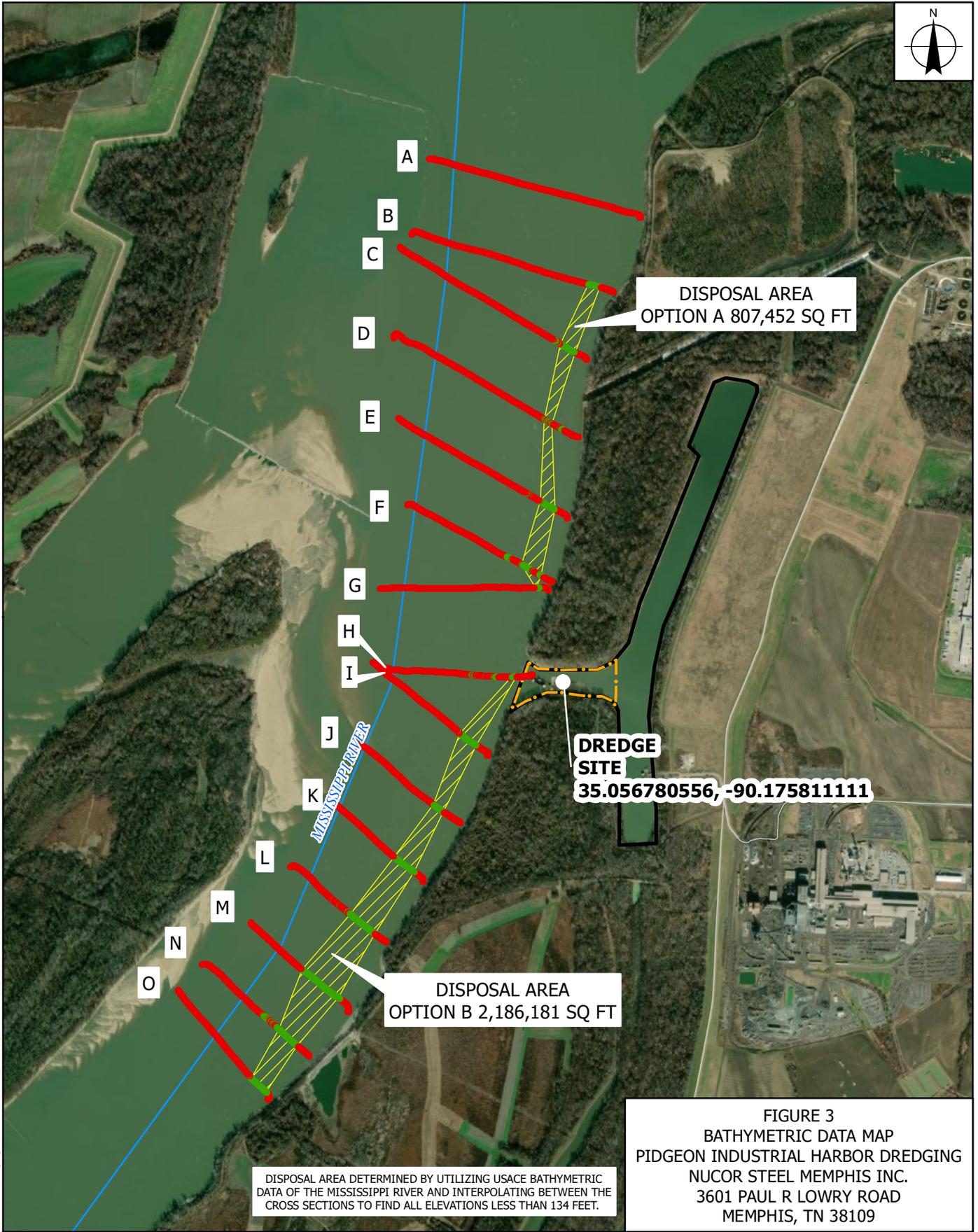
-  DREDGE AREA
-  PIDGEON INDUSTRIAL HARBOR
-  DREDGE DISPOSAL AREA

NAD 1983 STATE PLANE
TENNESSEE FEET
0 1,000 2,000
SCALE IN FEET

REQUESTED BY: MO
DRAWN BY: MO
DATE: 6/23/2022
PROJECT: 0888832319

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Source: U.S. Geological Survey, fletcher Lake Quadrangles, Tennessee [Map]. Photorevised 2017. 1:24,000. 7.5 Minute Series.



DISPOSAL AREA DETERMINED BY UTILIZING USACE BATHYMETRIC DATA OF THE MISSISSIPPI RIVER AND INTERPOLATING BETWEEN THE CROSS SECTIONS TO FIND ALL ELEVATIONS LESS THAN 134 FEET.

FIGURE 3
BATHYMETRIC DATA MAP
PIDGEON INDUSTRIAL HARBOR DREDGING
NUCOR STEEL MEMPHIS INC.
3601 PAUL R LOWRY ROAD
MEMPHIS, TN 38109

Q:\N Clients\Nucor\Memphis, TN\Dredging Permit Modification\03 Project Exec\GIS\FIGURE 3 - BATHYMETRIC DATA MAP.mxd

LEGEND

- ELEVATIONS ABOVE 134' (14,473)
- ELEVATIONS BELOW 134' (1,795)
- DREDGE DISPOSAL AREA
- PIDGEON INDUSTRIAL HARBOR
- STREAM

NAD 1983 STATE PLANE
 TENNESSEE FEET
 0 1,000 2,000
 SCALE IN FEET

REQUESTED BY: MO
 DRAWN BY: MO
 DATE: 6/22/2022
 PROJECT: 0888832319

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Source: U.S. Geological Survey, Justin, Argyle Quadrangles, Tennessee [Map]. Photorevised 2016. 1:24,000. 7.5 Minute Series.

I:\CAD PROJECTS\Nucor\32319_Memphis_TN\Plans\32319_C002_CROSS SECTION_NUCOR DREDGING_TN.dwg

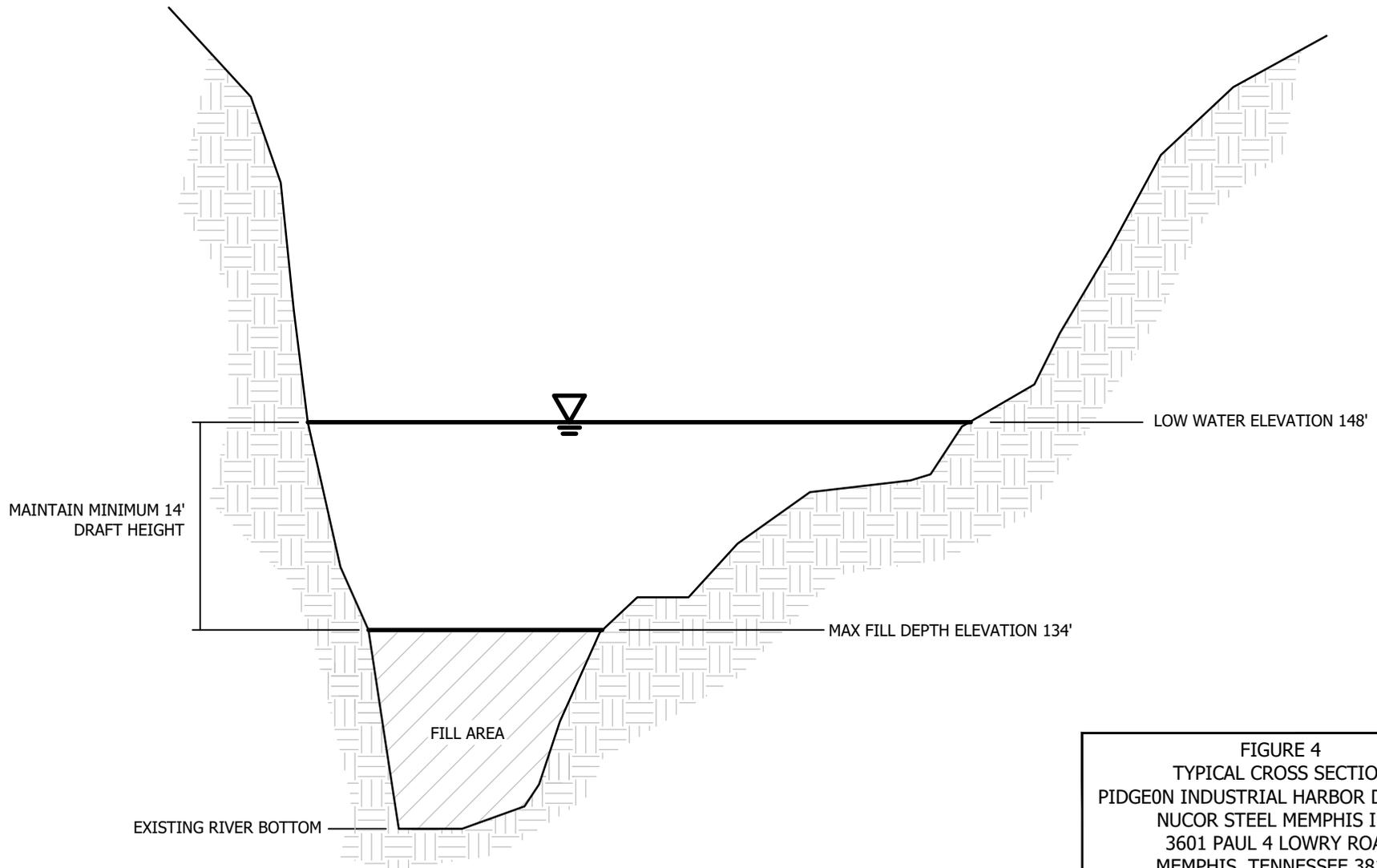


FIGURE 4
TYPICAL CROSS SECTION
PIDGEON INDUSTRIAL HARBOR DREDGING
NUCOR STEEL MEMPHIS INC.
3601 PAUL 4 LOWRY ROAD
MEMPHIS, TENNESSEE 38109

REQUESTED BY:	WG
DRAWN BY:	CC
DATE:	6/24/2022
PROJECT:	0888832319

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NOT TO SCALE