

US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2023-154

NOTICE DATE:
July 20, 2023

Attn: Postmaster,
Please Post Until  **EXPIRATION DATE:**
August 19, 2023

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 (DA) Permit under Section 404 of the Clean Water Act (CWA) and Section 10 of the River and Harbors Act of 1899. The authority to grant permission for temporary or permanent alterations of any U.S. Army Corps of Engineers federally authorized civil works project is contained in Section 14 of the Rivers and harbors Act of 1899 and codified in 33 USC 408.

APPLICANT:

City of Memphis
Attn: Manny Belen
125 North Main Street, Suite 644
Memphis, TN 38103
Telephone (901) 636-6700

AGENT:

Velita M. Thornton
Tioga Environmental Consultants, Inc.
357 North Main Street
Memphis, TN 38103
Telephone (901) 791-2432

PURPOSE: The applicant's stated purpose of the project is to expand and improve the existing Beale Street Landing dock facility by separating cart traffic from passenger traffic and to allow more than one ship to dock at a time.

LOCATION: The project is located at the existing Beale Street Landing dock facility on the left descending bank of the Mississippi River at Longitude 35.1408° and Latitude -90.0599° as shown on the Memphis NW, 7.5-minute Quadrangle map (see Figures 1 and 2).

DESCRIPTION OF WORK: The applicant is requesting a permit modification to DA Permit File No. MVM-2005-258 for the following improvements to the existing Beale Street Landing docking facility: 1. Expanding the existing barge to new dimensions of 20-feet in width and 415-feet in length which will be connected to the existing dock with pin welding; 2. Adding two mooring structures to the south west of the new barge for tie-off and support; 3. Constructing a new barge with dimensions of 48-feet in width by 300-feet in length with a flexible connection (bridge) to the existing dock; 4. Constructing four mooring cells on the east side of the dock for support and signage; 5. Utilizing a venturi dredge to remove and relocate approximately 600 cubic yards of accumulated silt and sediment from underneath the existing passenger dock. The venturi dredge accompanied with a jet, will discharge the materials underwater approximately 50-feet from the channel edge of the dock; 6. Constructing a fixed bridge connecting to the landside for access to the additional barge; and 7. Construction of a relief area for weather. The proposed work items, described above, are shown on Figures 3 and 4. There are no wetlands being affected by the project.

AVOIDANCE/MINIMIZATION: According to the information submitted within the applicant's permit application, resource impacts to the River will be minimal as most of the project is along the bank. All work will be conducted "in the dry". Work in areas outside of the water will be conducted utilizing appropriate sediment

and erosion controls and any work required that would normally be within the water will utilize flow diversion techniques to maintain dry work conditions. Silt fencing will be installed and remain in place during construction. Mechanized equipment will be required to work in the channel, and all possible efforts will be made to keep this equipment out of the water. Wherever possible, equipment will be transported along the outer edge of the channel, above the water level. Work will be completed in the dry, and equipment will be located within any containment / diversion structures to minimize potential exposure to any water in the channel. If equipment must be staged overnight in the channel, it will be similarly staged within a berm/containment structure and equipment will be removed from the channel prior to any pending storm / high flow events.

MITIGATION: The applicant is not proposing compensatory mitigation for this project.

WATER QUALITY CERTIFICATION: The 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 is responsible for requesting certification and providing required information to the certifying agency. In accordance with Certification Rule Part 121.6, once the applicant submits a certification request the Corps of Engineers will determine the reasonable period of time for the certifying agency to act upon the certification and provide written notification.

ENDANGERED AND THREATENED SPECIES: This notice is being coordinated with the United States Fish and Wildlife Services (USFWS). The Memphis District will evaluate potential impacts to rare, threatened or endangered species that could potentially be affected by the project with the use of the most recent TN SLOPES agreements with USFWS. Any comments USFWS 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: 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.

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 flood plain 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 Indian 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 404 and Section 10 permits required by our office.

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 e-mail to the following:

U.S. Army Corps of Engineers – Memphis District
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

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



Project Area

35.140856°, -90.059899°

Wolf River Harl



NOT TO SCALE



Tioga

ENVIRONMENTAL CONSULTANTS

BEALE STREET LANDING

DESCRIPTION:

VICINITY MAP

PROJECT #:

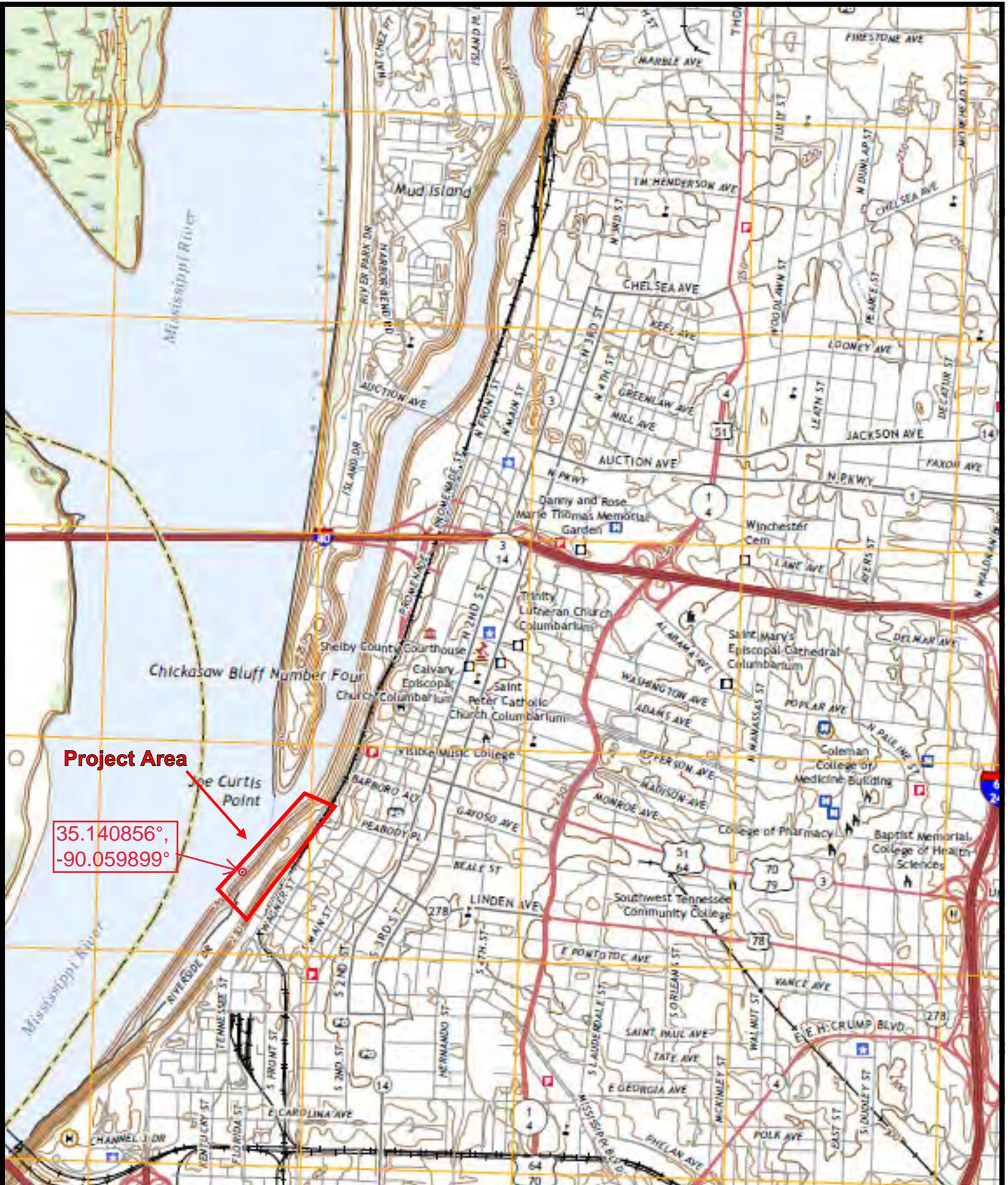
541336.00

LOCATION:

**251 RIVERSIDE DRIVE
MEMPHIS, TENNESSEE**

DATE:

MARCH 2023



Project Area

35.140856°
-90.059899°



NOT TO SCALE

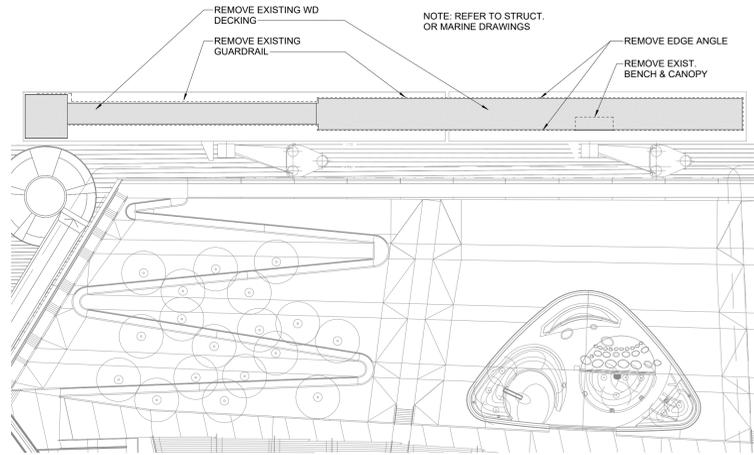


Tioga
ENVIRONMENTAL CONSULTANTS

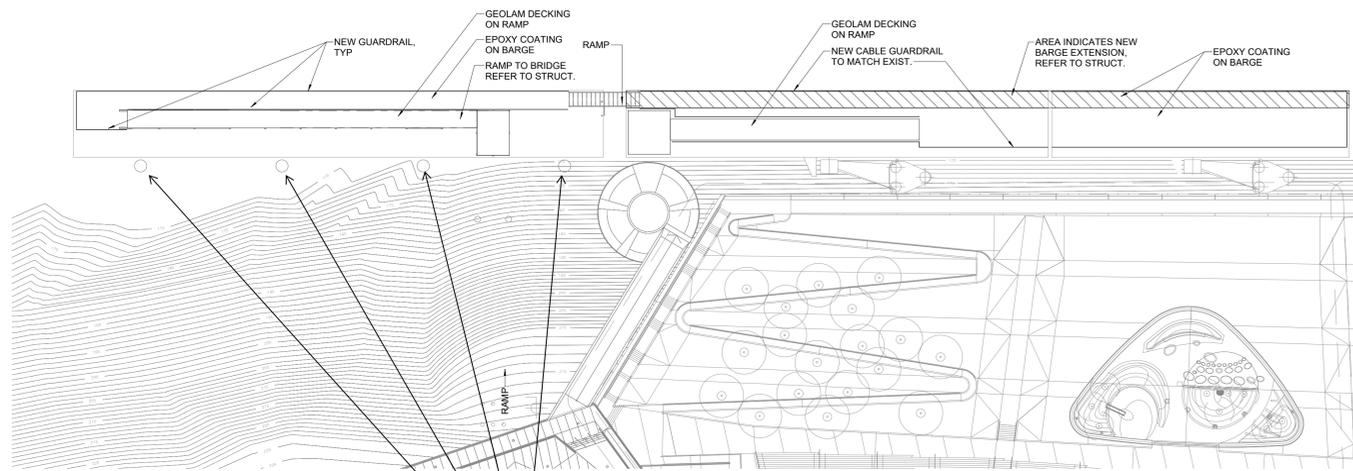
BEALE STREET LANDING

DESCRIPTION: **USGS TOPOGRAPHIC MAP
NORTHWEST MEMPHIS, 2022**
LOCATION: **251 RIVERSIDE DRIVE
MEMPHIS, TENNESSEE**

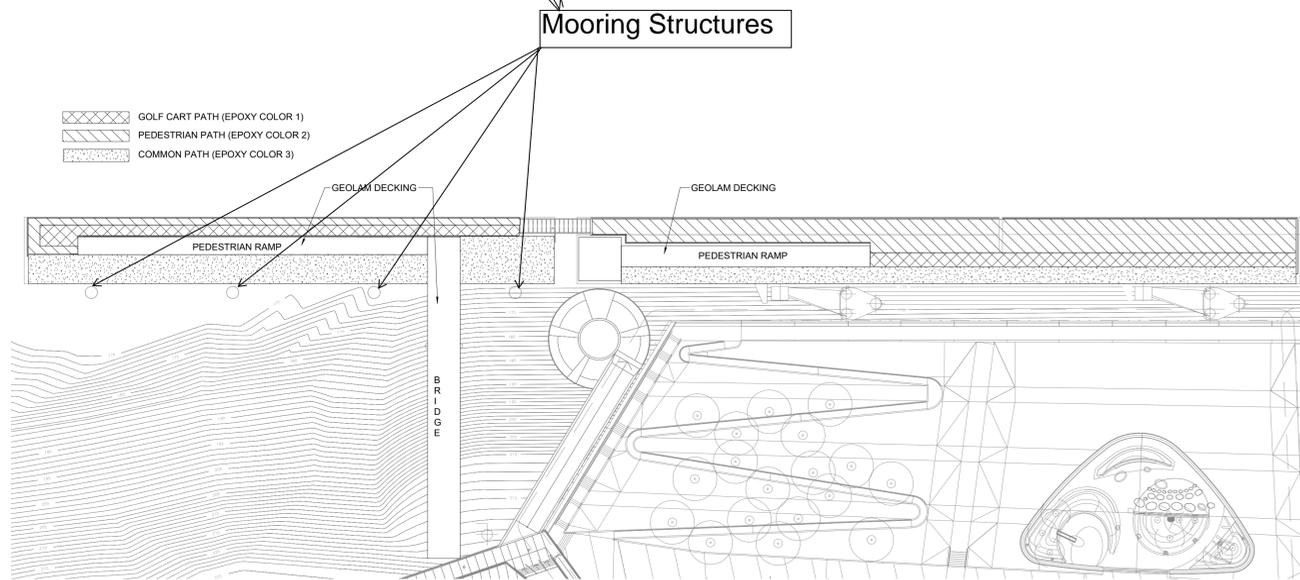
PROJECT #: **541336.00**
DATE: **MARCH 2023**



1 BARGE DEMO PLAN
1" = 40'-0"



2 NEW BARGE FLOORPLAN
1" = 40'-0"



3 BARGE FINISH PLAN
1" = 40'-0"

REV#	DATE	DESCRIPTION

DRAWN BY	Author
DESIGNED BY	Designer
CHECKED BY	Checker

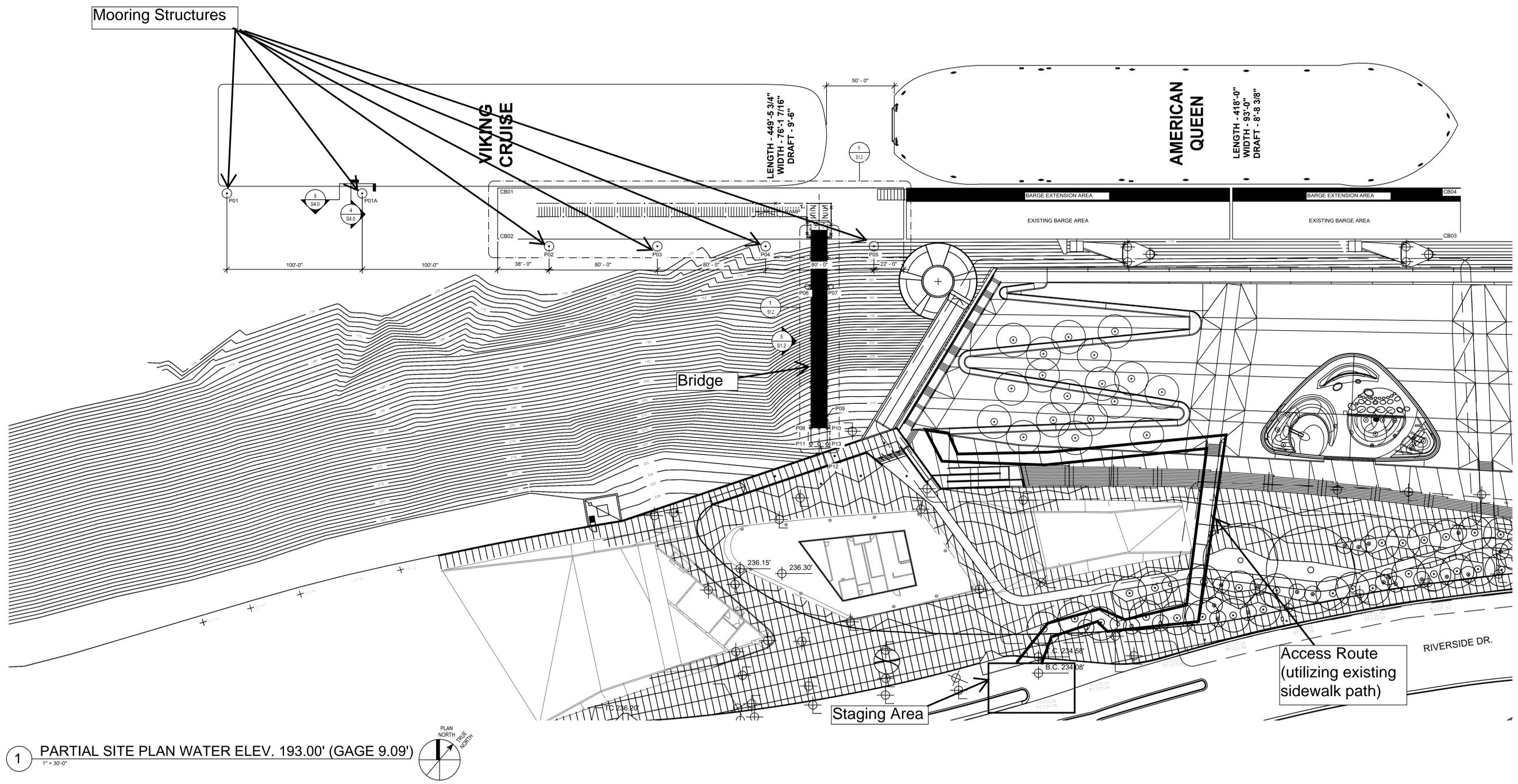
SHEET TITLE	
FLOORPLANS	
DATE	6-14-2023
PROJECT STATUS	75% CD SET
SHEET NUMBER	A100

Figure 3



Figure 4

PILE SCHEDULE						
PILE MARK	NORTHING	EASTING	TIP ELEV. (FT., NAVD83)	APPROX. GRADE (FT., NAVD83)	PILE DIA. (IN.) HP SIZE	WALL THK. (IN.)
P01	318835.19	754520.12	115	165	84	0.75
P01A	318897.90	754598.02	115	165	84	0.75
P02	318953.69	754730.26	-50	0	84	0.75
P03	319003.85	754792.58	-50	0	84	0.75
P04	319054.01	754854.90	119	169	84	0.75
P05	319104.17	754917.22	120	170	84	0.75
P06	319049.90	754897.71	130	180	42	0.5
P07	319060.88	754911.34	130	180	42	0.5
P08	318969.48	754965.90	167	217	24	CONC.
P09	318973.24	754970.58	167	217	24	CONC.
P10	318977.01	754975.25	167	217	24	CONC.
P11	318960.13	754973.43	169	219	24	CONC.
P12	318963.89	754978.10	169	219	24	CONC.
P13	318967.66	754982.77	169	219	24	CONC.
CB01	318963.78	754673.36	--	--	--	--
CB02	318934.06	754697.28	--	--	--	--
CB03	319280.13	755251.47	--	--	--	--
CB04	319409.86	755227.55	--	--	--	--



6/22/2023 11:46:41 AM Autodesk Docs://Beale Street Landing/SSR_STRUCT_22640610_BSL_R23.rvt

1 PARTIAL SITE PLAN WATER ELEV. 193.00' (GAGE 9.09')
 1" = 30'-0"



REV#	DATE	DESCRIPTION

Memphis
 HOME OF BLUE SOUL & HOT 'N' TASTY

BEALE STREET LANDING
 251 RIVERSIDE DRIVE MEMPHIS, TN 38103

DRAWN BY	MAC
DESIGNED BY	DJS
CHECKED BY	SSR
SHEET TITLE	
PARTIAL SITE PLAN AT ELEV. 193.00' (GAGE 9.09')	
DATE	6-30-2023
PROJECT STATUS	95% CD
SHEET NUMBER	
S1.0_A	