

US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2021-091 (CDK)

NOTICE DATE:
July 21, 2021

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
August 20, 2021

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. 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:

Poinsett Rice and Grain, Inc.
Attn: Mr. Scott Foushee
6211 Southwest Drive
Jonesboro, Arkansas 72404
(870) 579-2268

AGENT:

Brough and Stephens, Inc.
ATTN: Mr. Michael Stephens
5050 Poplar Ave, Suite 1020
Memphis, Tennessee 38157
(901) 684-1112

PURPOSE: The purpose of the proposed project is to construct a new Belt Conveyor Barge Loadout System on the Mississippi River for the purposes of loading and offloading barges in transit on the River.

LOCATION: The project site is located approximately 2.8 miles south of Helena–West Helena in Phillips County, Arkansas, as shown on the map within Appendix One.

DESCRIPTION OF WORK: The applicant's proposed project will consist of a Belt Conveyor from the top/bank of the River to supply barges moored in place via four, legged pipe structures along with eight dolphins. All vertical pipes to be 72" in diameter along the mooring line. Four dolphins will be single pipe while the remaining four dolphins will have two 20" diameter batter piles, each. One, 2-pile bent will be installed behind the dock to help support belt conveyor bridge span. This project will puncture articulated concrete mattress that has been placed in that area to stabilize the river bottom. All punctures will be repaired by placing a ring of riprap 20 feet in diameter and 3 feet in height at the base of each puncture location. Drawings depicting the applicants proposed plans are included in Appendix One.

AVOIDANCE/MINIMIZATION: According to the applicant, because of the location and nature of the project, disturbance to waters could not be avoided during construction of the project.

MITIGATION: No compensatory mitigation has been proposed.

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 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. Any fill material associated with this project may be permitted under one of the Corps of Engineers Nationwide Permits.

ENDANGERED SPECIES: This notice is being coordinated with the U.S. Fish and Wildlife Service. The Eastern Black Rail (*Laterallus jamaicensis ssp. Jamaicensi*), Ivory-billed Woodpecker (*Campephilus principalis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Pallid Sturgeon (*Scaphirhynchus albus*), and the Fat Pocketbook mussel (*Potamilus capax*) are listed as endangered or threatened by U.S. Fish and Wildlife Service at the location for this proposed project. 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.

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 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 404 and Section 10 permits required by our office.

COMMENTS: To request additional information or provide comments on this notice, please contact Charles Keating using the information below:

U.S. Army Engineer District - Memphis
ATTN: Charles D. Keating
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: charles.d.keating@usace.army.mil
Phone: (901) 544-0733
Fax: (901) 544-0211

Comments may be sent via mail or email. 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.

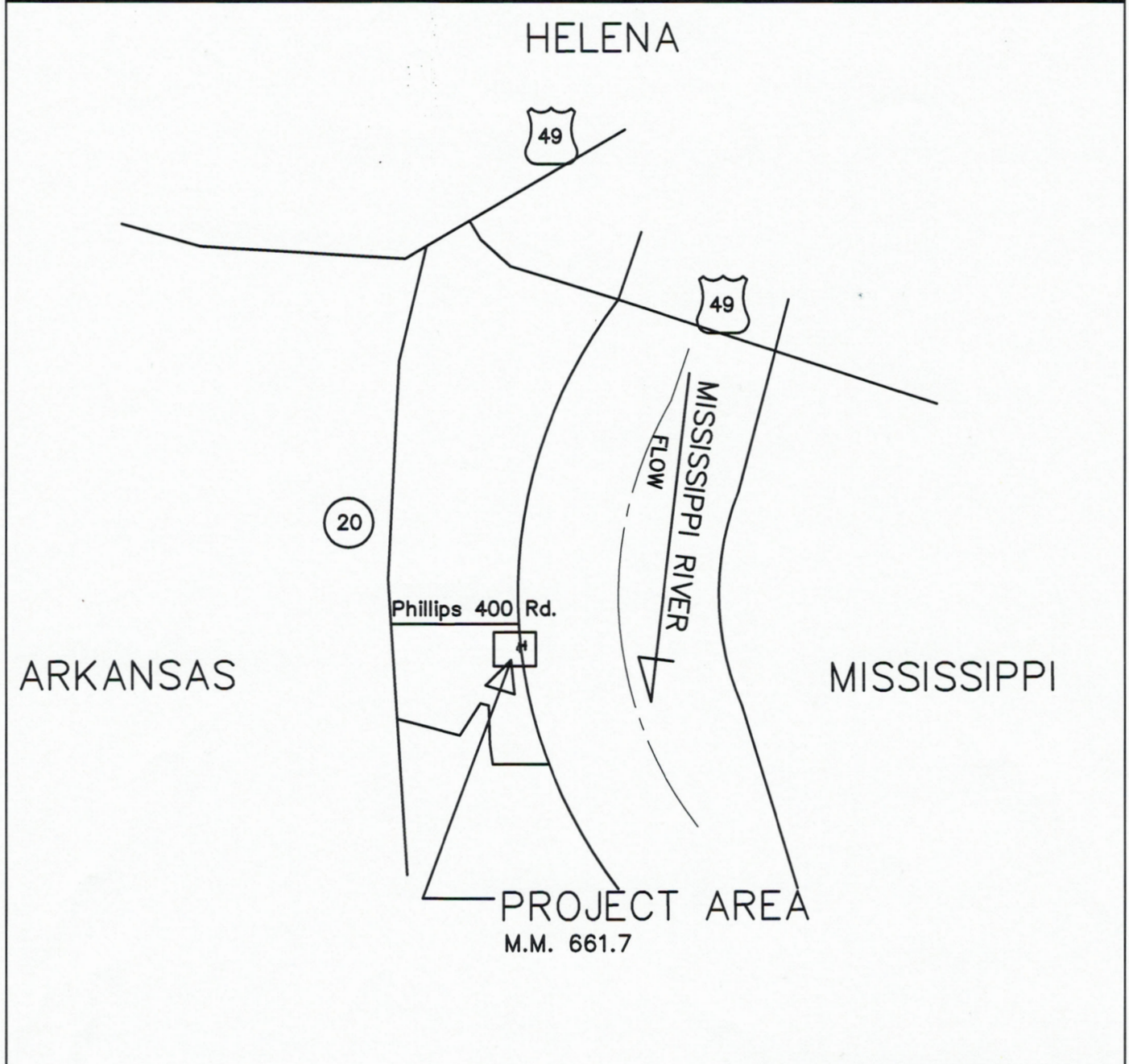
For Final Individual Permits actions in the Memphis District, go to the following link: <http://geo.usace.army.mil/egis/f?p=340:2:0::NO:RP>. Using the Filter by District drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending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

for Gregg W. Williams
Chief
Regulatory Division

Attachments

Appendix One

| | | | | | | |
|------|----|------|--|----------------|--|------------|
| | | | Draw <u>TL</u> | B S | BROUGH and STEPHENS, INC. Consulting Engineers MEMPHIS, TENNESSEE | FILE 21041 |
| | | | Chkd _____ | | | SHEET NO. |
| REV. | BY | DATE | Scale <u>NONE</u> Date <u>3/18/21</u> | | | 5 |



**PROPOSED BARGE
 LOADOUT SYSTEM
 FOR POINSETTE RICE
 ON MISSISSIPPI RIVER
 AT MILE MARKER 661.7
 AT HELENA, ARK.
 COUNTY OF PHILLIPS**

**APPLICATION BY
 BROUGH & STEPHENS, INC.
 SHT. 5 3/18/21**

VICINITY MAP
MILE 661.7 ON
MISSISSIPPI RIVER

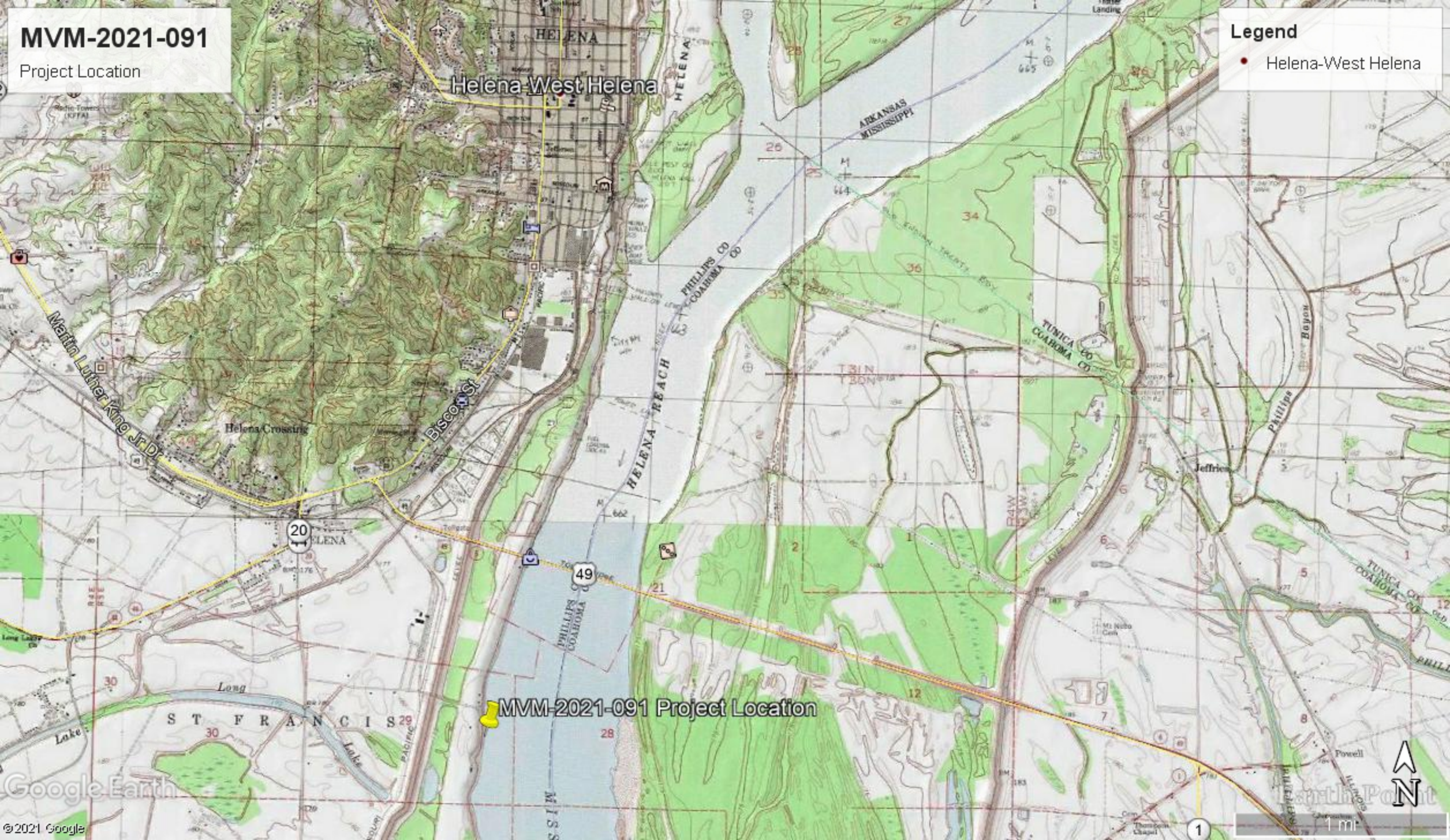


MVM-2021-091

Project Location

Legend

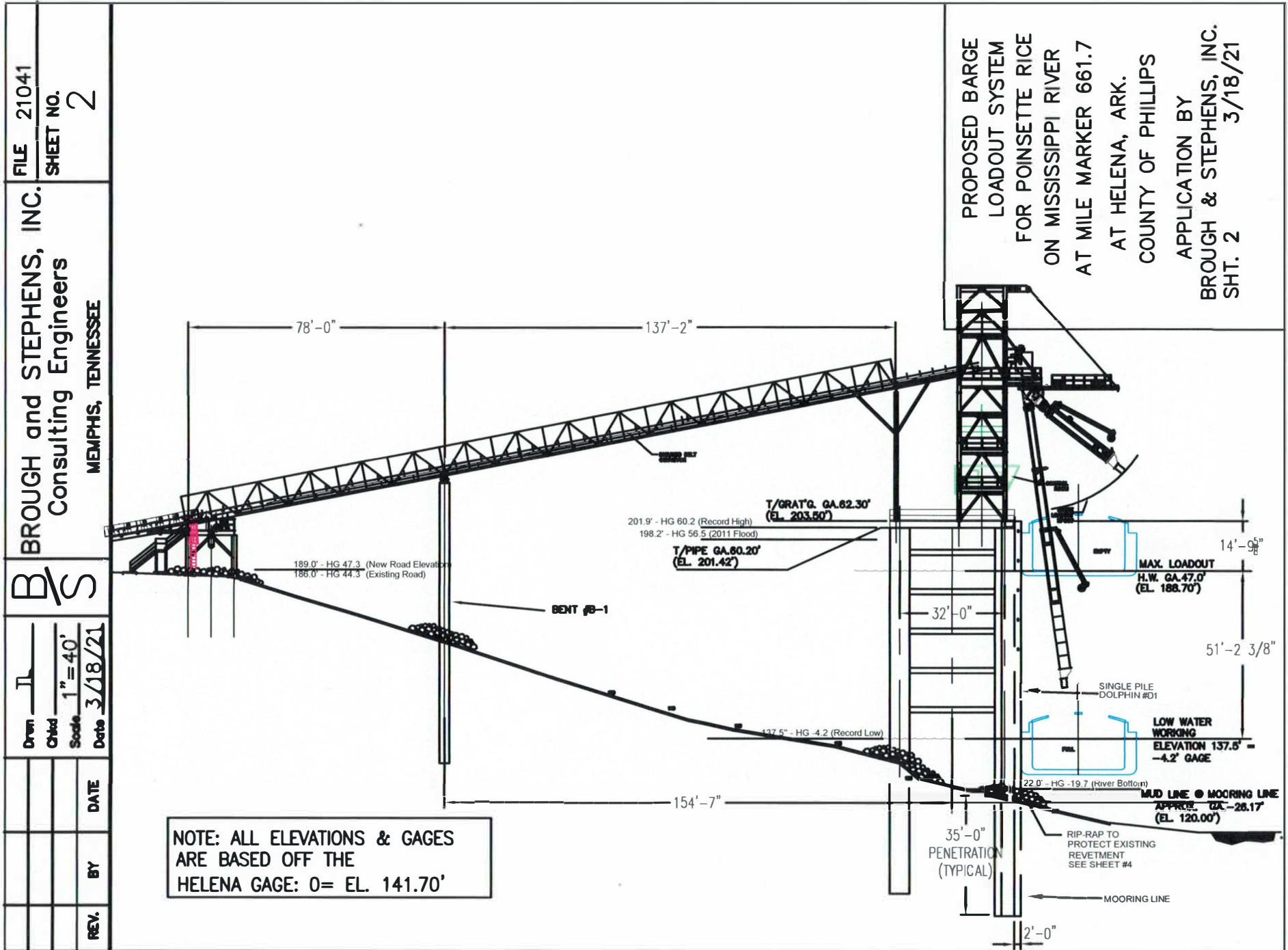
- Helena-West Helena



MMM-2021-091 Project Location



Appendix Two

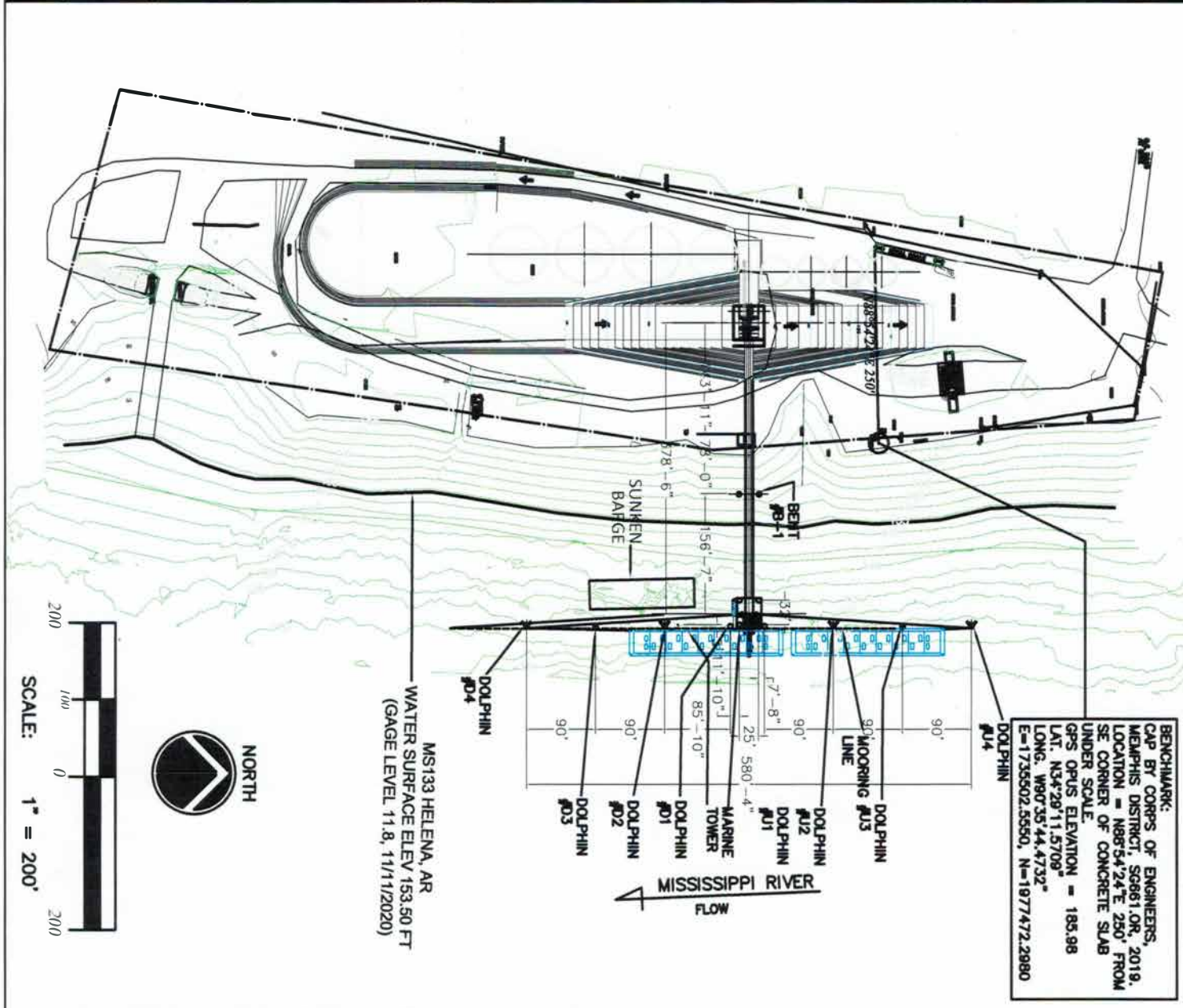


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BROUGH and STEPHENS, INC.
Consulting Engineers
MEMPHIS, TENNESSEE

FILE 21041
 SHEET NO. 1



BENCHMARK:
 CAP BY CORPS OF ENGINEERS,
 MEMPHIS DISTRICT, SC681.0R, 2019.
 LOCATION = N88°54'24"E 250' FROM
 SE CORNER OF CONCRETE SLAB
 UNDER SCALE
 GPS OPUS ELEVATION = 185.98
 LAT. N34°28'11.5709"
 LONG. W90°35'44.4732"
 E=1735502.5550, N=1977472.2980

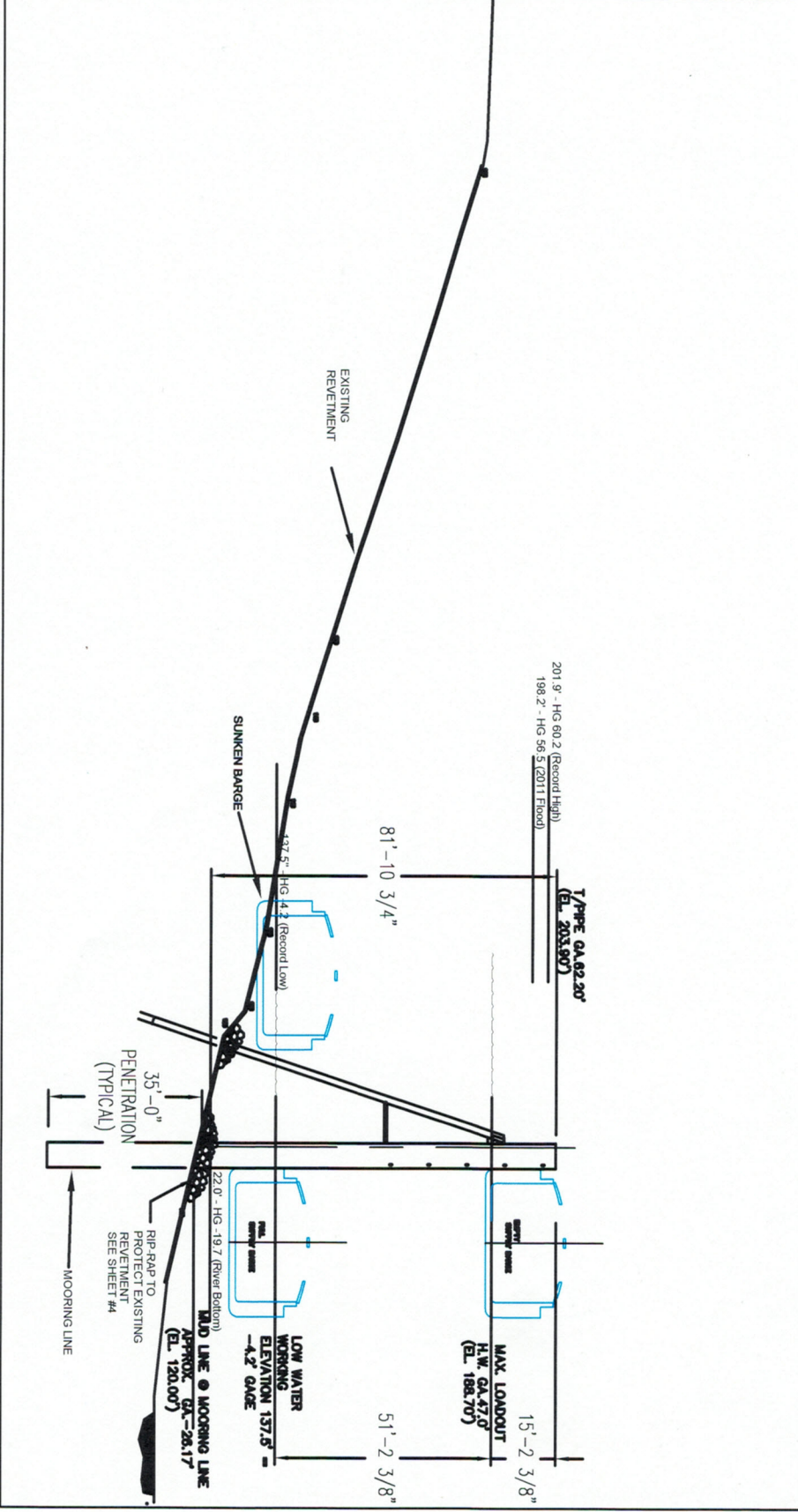
| MK. | NORTHERN | EASTERN | LATITUDE | LONGITUDE | DESCRIPTION |
|-------|--------------|--------------|---------------|----------------|------------------|
| U1 | 1977323.7663 | 1735740.3332 | 34°29'10.069" | -90°35'41.657" | 72" DOLPHIN |
| U2 | 1977413.7538 | 1735740.3504 | 34°29'10.959" | -90°35'41.642" | 72" TRI DOLPHIN |
| U3 | 1977503.7660 | 1735740.3402 | 34°29'11.849" | -90°35'41.627" | 72" DOLPHIN |
| U4 | 1977593.7658 | 1735740.3380 | 34°29'12.740" | -90°35'41.613" | 72" TRI DOLPHIN |
| NW C1 | 1977316.1017 | 1735706.3381 | 34°29'09.998" | -90°35'42.065" | TWR. COLUMN |
| NE C2 | 1977316.1017 | 1735738.3380 | 34°29'09.994" | -90°35'41.682" | TWR. COLUMN |
| SE C3 | 1977291.1017 | 1735738.3380 | 34°29'09.747" | -90°35'41.686" | TWR. COLUMN |
| SW C4 | 1977291.1017 | 1735706.3381 | 34°29'09.751" | -90°35'42.069" | TWR. COLUMN |
| D1 | 1977279.2684 | 1735740.3504 | 34°29'09.629" | -90°35'41.664" | 72" DOLPHIN |
| D2 | 1977193.4353 | 1735740.3380 | 34°29'08.780" | -90°35'41.678" | 72" TRI DOLPHIN |
| D3 | 1977103.4354 | 1735740.3380 | 34°29'07.890" | -90°35'41.693" | 72" DOLPHIN |
| D4 | 1977013.4356 | 1735740.3380 | 34°29'07.000" | -90°35'41.708" | 72" TRI DOLPHIN |
| B1 | 1977316.6528 | 1735568.2569 | 34°29'10.023" | -90°35'43.714" | N. SIDE/30" PIPE |
| B1 | 1977290.5064 | 1735568.2569 | 34°29'09.764" | -90°35'43.718" | S. SIDE/30" PIPE |

PROPOSED BARGE
 LOADOUT SYSTEM
 FOR POINSETTE RICE
 ON MISSISSIPPI RIVER
 AT MILE MARKER 661.7
 AT HELENA, ARK.
 COUNTY OF PHILLIPS

APPLICATION BY
 BROUGH & STEPHENS, INC.
 SHT. 1 3/18/21

| | | | | | | |
|------|----|------|---------------------|------------|--|------------|
| | | | Drawn <u>TL</u> | B/S | BROUGH and STEPHENS, INC. Consulting Engineers MEMPHIS, TENNESSEE | FILE 21041 |
| | | | Chkd | | | SHEET NO. |
| | | | Scale <u>1"=40'</u> | | | 3 |
| REV. | BY | DATE | Date <u>3/18/21</u> | | | |

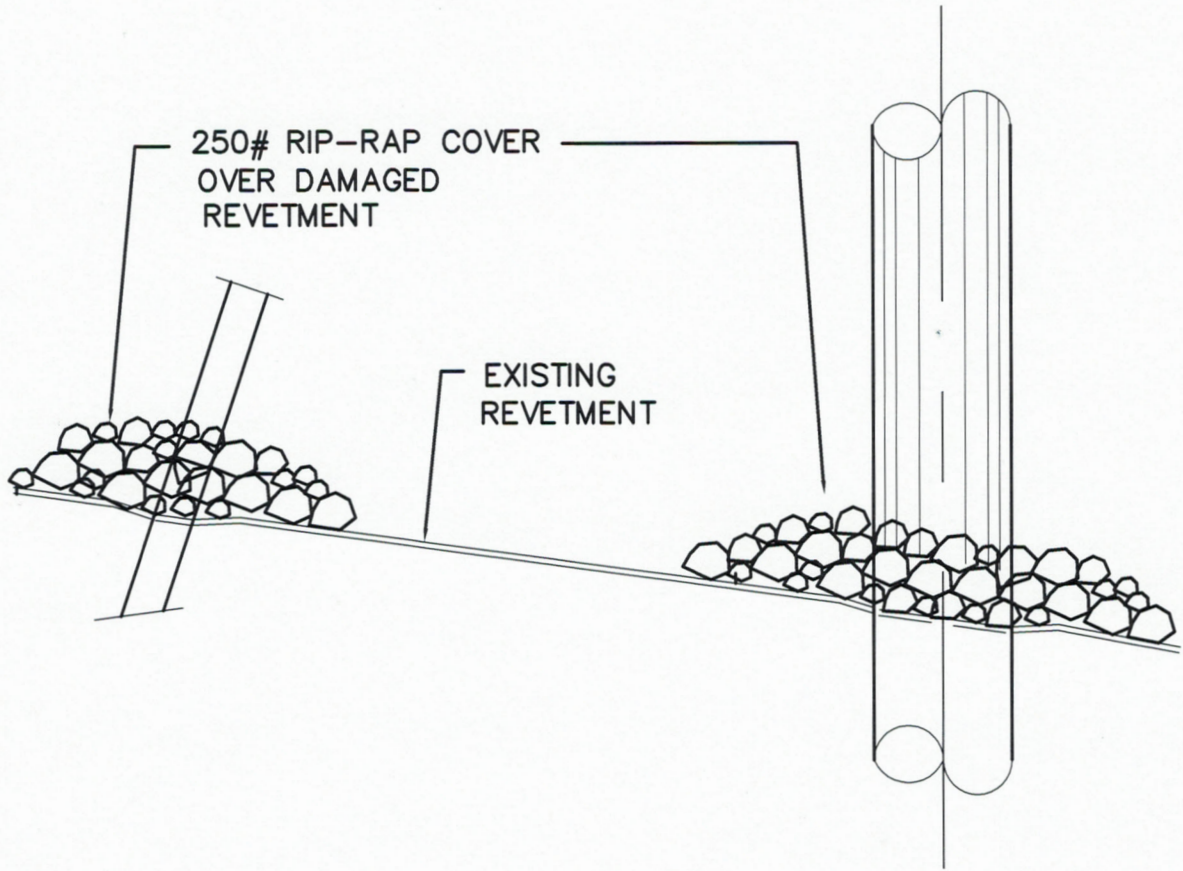
NOTE: ALL ELEVATIONS & GAGES ARE BASED OFF THE HELENA GAGE: 0 = EL. 141.70'



PROPOSED BARGE
LOADOUT SYSTEM
FOR POINSETTE RICE
ON MISSISSIPPI RIVER
AT MILE MARKER 661.7
AT HELENA, ARK.
COUNTY OF PHILLIPS

APPLICATION BY
BROUGH & STEPHENS, INC.
SHT. 3 3/18/21

| | | | | | | |
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| | | | Drwn <u>TL</u> | B S | BROUGH and STEPHENS, INC. Consulting Engineers MEMPHIS, TENNESSEE | FILE 21041 |
| | | | Chkd _____ | | | SHEET NO. |
| | | | Scale <u>NOTED</u> | | | 4 |
| REV. | BY | DATE | Date <u>3/18/21</u> | | | |



PROPOSED REVETMENT REPAIR AT
ALL PIPE PENETRATIONS THRU REVETMENT

PROPOSED DOCK
ON THE MISSISSIPPI RIVER
FOR POINSETTE RICE
ON MISSISSIPPI RIVER
AT MILE MARKER 661.7
AT HELENA, ARK.
COUNTY OF PHILLIPS

APPLICATION BY
BROUGH & STEPHENS, INC.
SHT. 4 3/18/21