



**US ARMY CORPS
OF ENGINEERS
St. Louis District
Gateway to Excellence**

Public Notice

Reply To:
U.S. Army Corps of Engineers
Attn: CEMVS-OD-F
1222 Spruce Street
St. Louis, MO 63103-2833

Public Notice No.

P-2795

Public Notice Date

May10, 2010

Expiration Date

May24, 2010

Postmaster Please Post Conspicuously Until:

Interested parties are hereby notified that an application has been received for a Department of the Army permit to discharge approximately 300 yards of excavated material into the Mississippi River, as described below.

COMMENTS AND ADDITIONAL INFORMATION: Comments on the described work should reference the U.S. Army Corps of Engineers File Number shown above and must reach this office no later than the above expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
ATTN: CEMVS-OD-F (Charles Frerker)
1222 Spruce Street
St. Louis, Missouri 63103-2833

APPLICANT: U.S. Army Corps of Engineers, Mr. Gary Lowe, Foot of Arsenal, St. Louis, Missouri 63118.

LOCATION: The activity is located at the U.S. Army Corps of Engineers Service Base, along the right descending bank of the Mississippi River, at approximate river mile 177, in St. Louis County, Missouri (See Attachments).

PROJECT DESCRIPTION: The St. Louis District Corps of Engineers requests authorization to rehabilitate mooring features at their Mississippi River Service Base. The Service Base supports the Corps' Dredge Potter and attendant plants, the MV Pathfinder and Shop and Yards emergency crew plant and equipment, crane and work barges, dredge pipe pontoons and work floats. The vessels are moored against a series of timber pile clusters and are held in position by mooring lines attached to dead men structures along the river bank. The timber pile clusters were constructed in the mid-1960's. Four of the original twelve large timber pile clusters have failed over the past three years. Failure of the pile clusters increases the risk of the Service Base fleet breaking away from its mooring facility.

The mooring rehabilitation project was previously authorized under Department of the Army Nationwide Permit 9 for Structures in Fleeting and Anchorage Areas on May 27, 2010. The rehabilitation plan involves the demolition and removal of the timber pile structure and installation of twenty-two 3-pile, steel pipe pile clusters. The contractor performing the current rehabilitation work started construction in January 2011 and is experiencing problems with the restrictions imposed by the previous nationwide permit authorization. The contractor is installing temporary steel casings for dewatering and access purposes. The contractor must remove all soil material from inside the steel casing area. All materials removed are required to be contained and

disposed at an upland location per the current nationwide permit. The contractor is using an airlift with a 12" riser to remove the material from inside the casings and subsequently contain it in a hopper barge for shipment to an upland disposal area. The overall process has been slow due to rocks, wood and in some instances metal objects that are too large to easily fit through the air lift. The Contractor requested the use of a larger airlift to more effectively deal with the larger objects. However, to use the larger airlift, the contractor will need to dispose the excavated material back into the river since the larger diameter pipe would be beyond control at the discharge end due to high discharge pressure shooting the material into the hopper barge. The current proposal requests authorization to discharge approximately 300 yards of the excavated material back to the Mississippi River. The airlift discharge pipe would run perpendicular to each casing area for open river disposal near the work area.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Mr. Brian Murtaugh of the U.S. Army Corps of Engineers Marine Design Center at (215) 656-6850, or the Corps of Engineers Regulatory Project Manager, Mr. Charles Frerker at (314) 331-8583 or at electronic mail address: Charles.F.Frerker@usace.army.mil

AUTHORITY: This permit will be processed under the provisions of Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

WATER QUALITY CERTIFICATION: By issuance of this public notice, the project plans are considered submitted to the Missouri Department of Natural Resources, Water Pollution Control Program for state certification of the proposed activity in accordance with Section 401 of the Clean Water Act. Written comments concerning possible impacts to waters of Missouri should be addressed to: Water Pollution Control Program, P.O. Box 176, Jefferson City, Missouri 65102-0176, with copy provided to the Corps of Engineers.

SECTION 404 (b)(1) EVALUATION: The impact of the activity on the public interest will be evaluated in accordance with the Missouri Department of Natural Resources, Water Pollution Control Program guidelines and the Illinois Environmental Protection Agency's guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

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. Request for public hearings shall state, with particularity, the reasons for holding the public hearing.

ENDANGERED SPECIES: The proposed project is within the range of the Federally endangered Indiana bat (*Myotis sodalis*), Gray bat (*Myotis grisescens*), Pallid sturgeon (*Scaphirhynchus albus*) and the Pink mucket (*Lampsilis abrupta*).

The proposed discharge method and quantity is minimal and would be conducted for only a short duration. As such, we have determined that the project is not likely to adversely impact federally listed species. In order to further complete our evaluation, written comments are hereby solicited from the U.S. Fish and Wildlife Service and other interested parties to ascertain any potential impacts upon these listed species, any others species or their critical habitats.

CULTURAL RESOURCES: The St. Louis 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 reconnaissance survey of the project area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity 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, flood plain values, land use, navigation, shoreline erosion, and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of these proposed activities. Any comments received will be considered by the U.S. Army 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 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.

In accordance with 33 CFR 325.3, it is presumed that all interested parties and agencies will wish to respond to public notices; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project.



Danny D. McClendon
Chief, Regulatory Branch



Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 15 days from the date of issuance.

