



# Public Notice

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

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

Public Notice No.  
P-2301  
Public Notice Date  
July 23, 2012

Expiration Date  
August 12, 2012

**Postmaster Please Post Conspicuously Until:**

File Number: MVS-1971-44293

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached map.

**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 (David Meyer)  
1222 Spruce Street  
St. Louis, Missouri 63103-2833

**APPLICANT:** Mr. David Brown, Phoenix Terminal Company, Post Office Box 455, Festus, Missouri. (314-210-8354)

**LOCATION:** Phoenix Terminal's existing facilities are located in the Southwest  $\frac{1}{4}$  of Section 9, Township 4 North, Range 9 West, near Hartford, Madison County, Illinois. The river facilities are located along the left descending bank of the Mississippi River, approximately 195.4 miles above its confluence with the Ohio River. (See Attached Location Maps).

**PROJECT DESCRIPTION:** The applicant requests for an extension of a Department of the Army Permit (P-2301), which is described as the following:

The applicant will utilize a trackhoe or clamshell excavator to remove approximately 56,000 cubic yards of material from an existing slack water barge slip for expansion and rehabilitation purposes. The material would be excavated to a finished bottom elevation of 385 msl. In March 2000, the slip was damaged by a failed support wall that introduced sloughed fill material and rendered the slip inoperable. The current plan depicts widening the existing slip, driving approximately 350 linear feet of sheet piling along the northern face of the

slip wall and installing approximately 1,000 linear feet of rip rap protection along the east and south face of the slip wall. All excavated materials would be utilized to elevate an existing access road leading to the terminal facility. The existing roadway has an average elevation of 415.5 msl and is proposed to exhibit a finished grade of 426.5 msl. The raising of the access road is sought as a beneficial use/disposal site for the excavated materials and to prolong site access during periodic high flow events of the Mississippi River. No jurisdictional wetlands would be impacted by the placement of excavated materials on the previously disturbed roadway. The applicant also seeks authorization to install a six-foot-diameter dolphin structure near the southern mouth of the slack water barge slip. The purpose of the dolphin is to provide a structure where barges can be pivoted at sharper angles into the slack water barge slip. An additional 180 linear feet of sheet piling would be driven along the river bank facing just north (upstream) of the barge slip entrance. Barges would be temporarily moored at this site in a configuration of no more than two barges wide by two barges long. All proposed activities and/or structures would be installed behind an existing dolphin line (See Attached Drawings).

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting David Meyer, Project Manager, U.S. Army Corps of Engineers at (314) 331-8810 or at electronic mail address: *david.p.meyer@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).

**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 endangered Indiana bat (**Myotis sodalis**), Least tern (**Sterna antillarum**), Pallid Sturgeon (**Scaphirhynchus albus**), Spectaclecase Mussel (**Cumberlandia monodata**), the threatened Decurrent False Aster (**Boltonia decurrens**), and Eastern Prairie Fringed Orchid (**Platanthera leucophaea**). A preliminary determination, in compliance with the Endangered Species Act as amended, has been made that this proposed activity is not likely to affect species designated as threatened or endangered, or adversely affect critical habitat. In order to complete our evaluation, written comments are solicited by this public notice from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

**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.

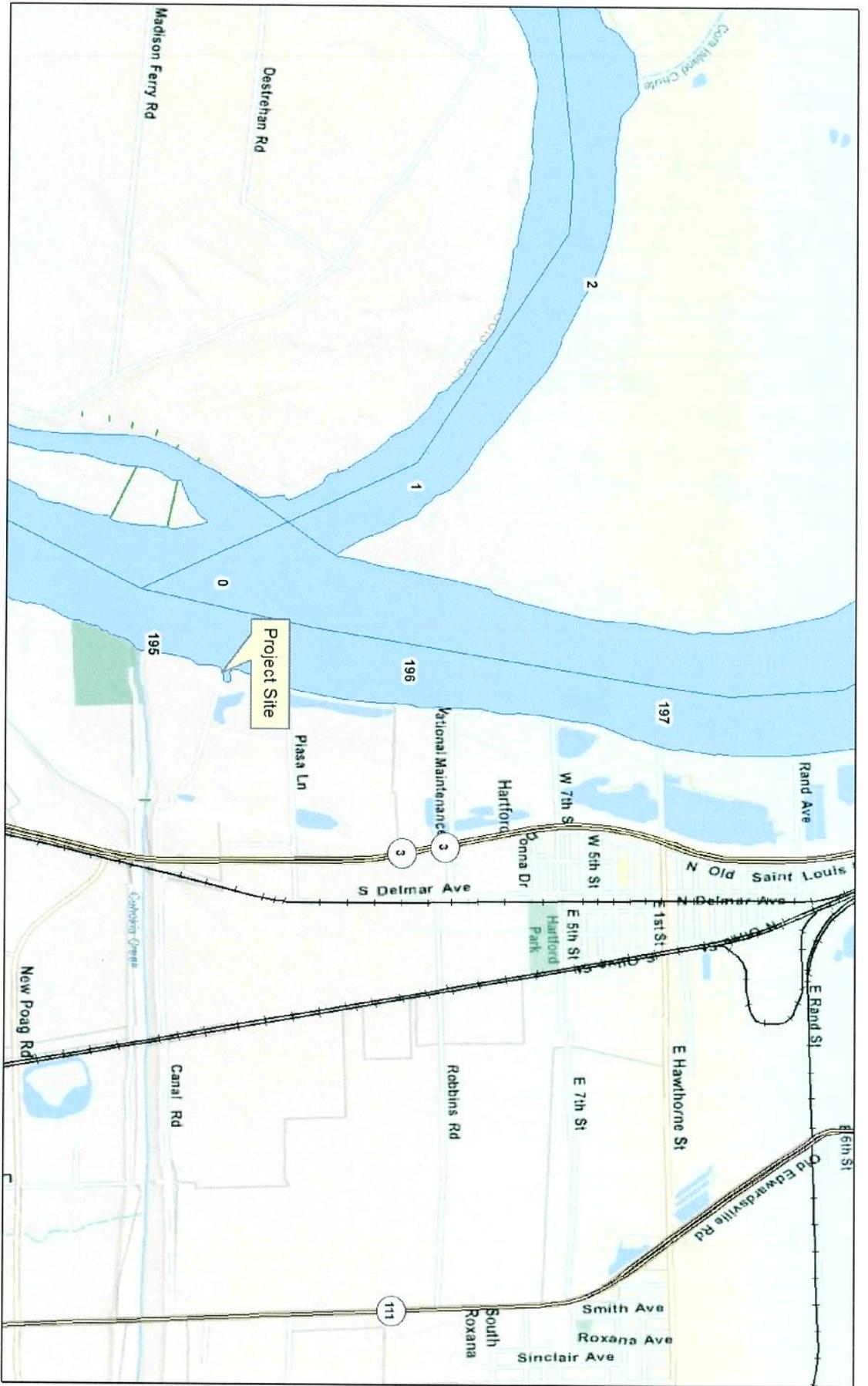


Danny D. McClendon  
Chief, Regulatory Branch

Attachments

**NOTICE TO POSTMASTERS:**

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.



**Phoenix Terminal Company**  
**Mississippi River Mile 195.4 L**  
**Hartford, Madison County, Illinois**



**US Army Corps  
of Engineers**  
St Louis District

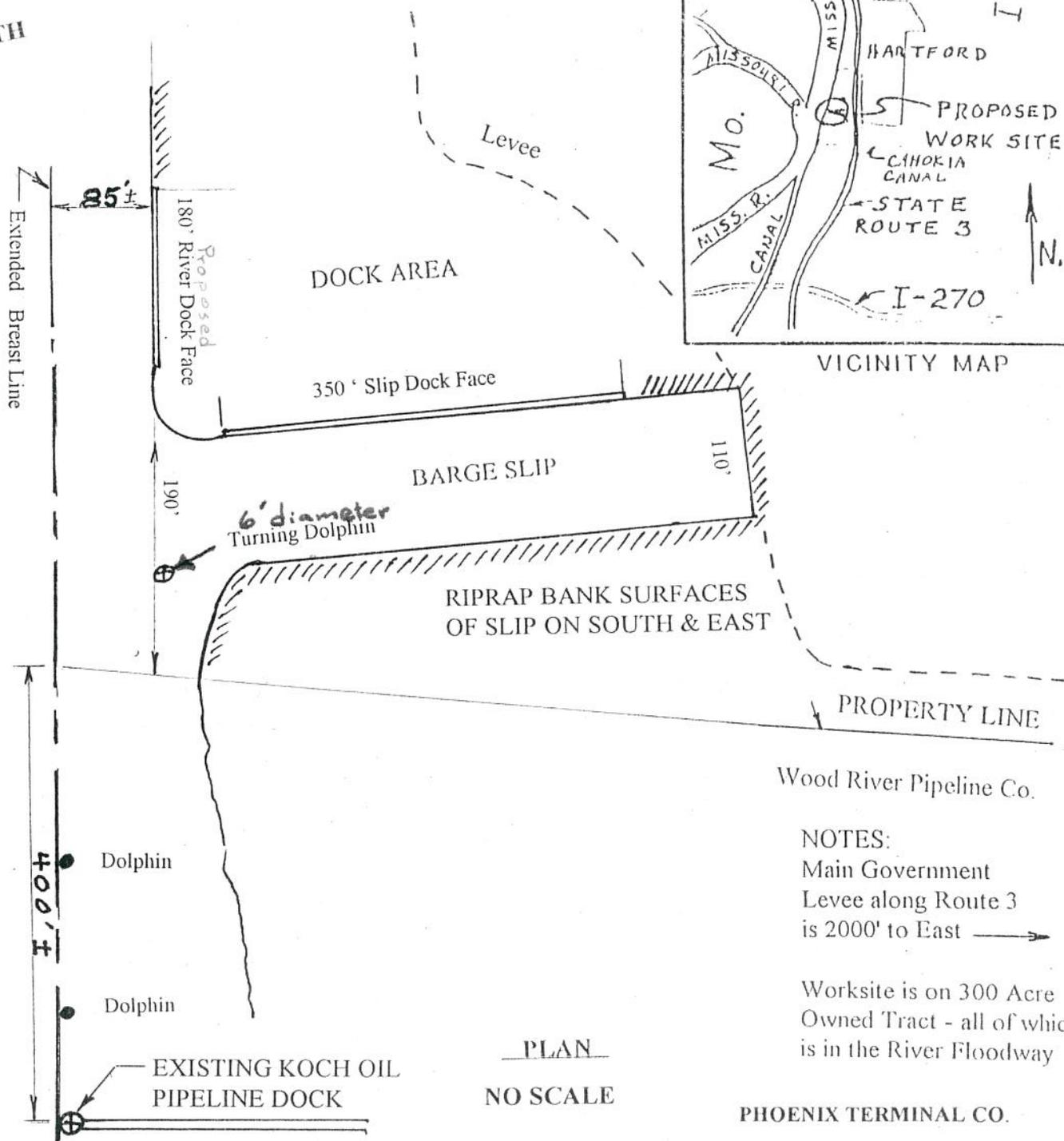
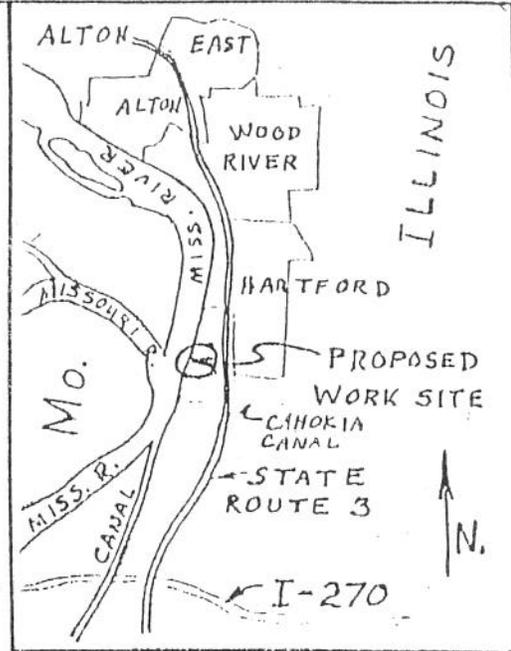


**Phoenix Terminal Company**  
Mississippi River Mile 195.4 L  
Hartford, Madison County, Illinois



**P-2301**

Phoenix Terminal Company  
 c/o: Mr. David Brown, (314) 210-8354  
 Rehabilitate/Expand Slack Water Barge Slip



Wood River Pipeline Co.

NOTES:  
 Main Government  
 Levee along Route 3  
 is 2000' to East →

Worksite is on 300 Acre  
 Owned Tract - all of which  
 is in the River Floodway

PLAN  
 NO SCALE

PHOENIX TERMINAL CO.

**LIST OF ADJACENT PROPERTY OWNERS**

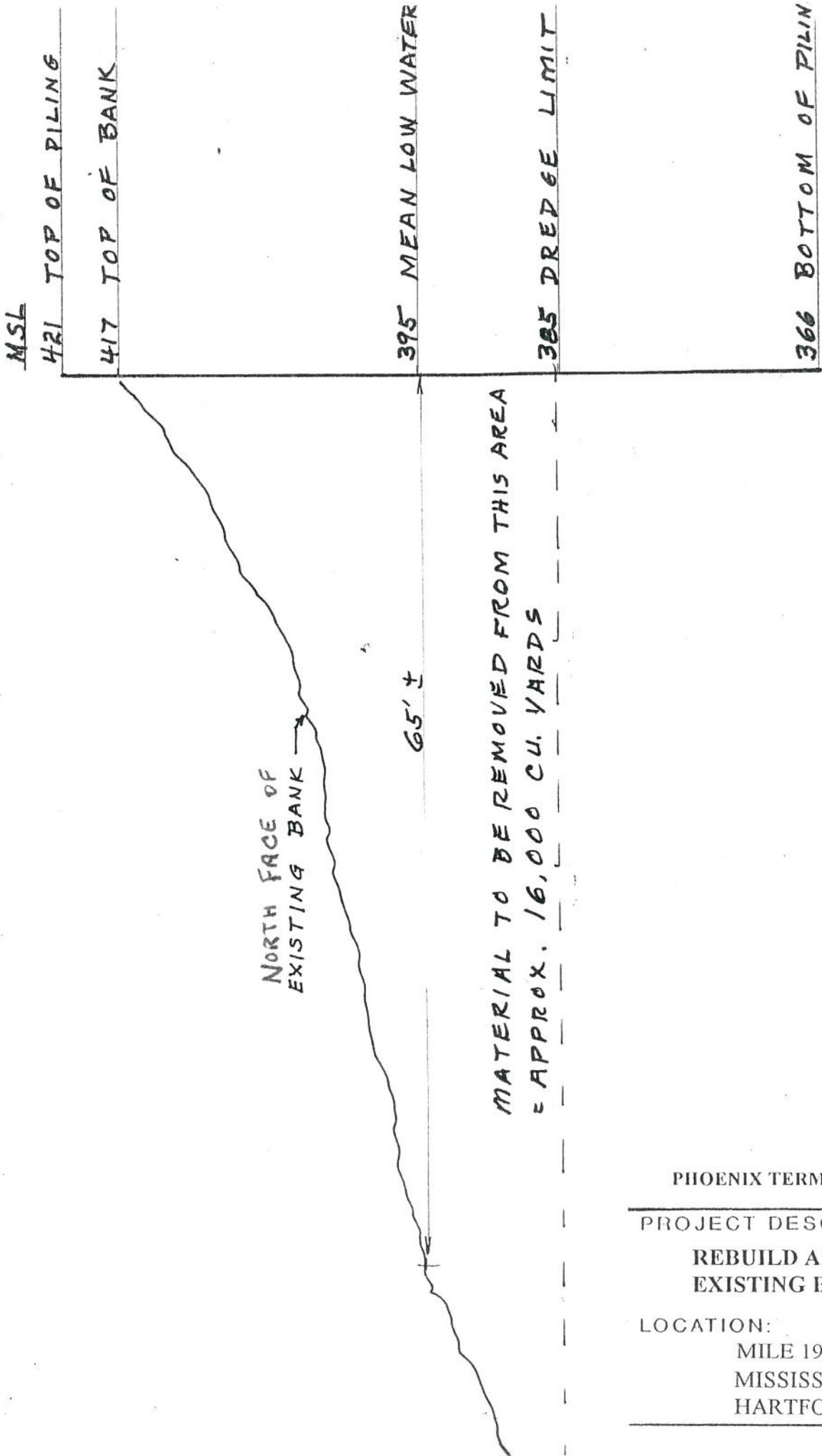
NO.	NAME	ADDRESS
	WOOD RIVER PIPELINE CO., HARTFORD, IL	618-251-5850 (500' SOUTH OF SITE)
	ORY BROS. MARINE, HARTFORD, IL	618-254-0627 (3500' NORTH OF SITE)

**PROJECT DESCRIPTION:**  
**REBUILD AND ADD TO  
 EXISTING BARGE DOCK**

**LOCATION:**  
 MILE 195.4L - UPPER  
 MISSISSIPPI RIVER  
 HARTFORD, ILLINOIS

**P-2301**

Phoenix Terminal Company  
c/o: Mr. David Brown, (314) 210-8354  
Rehabilitate/Expand Slack Water Barge Slip



PHOENIX TERMINAL CO.

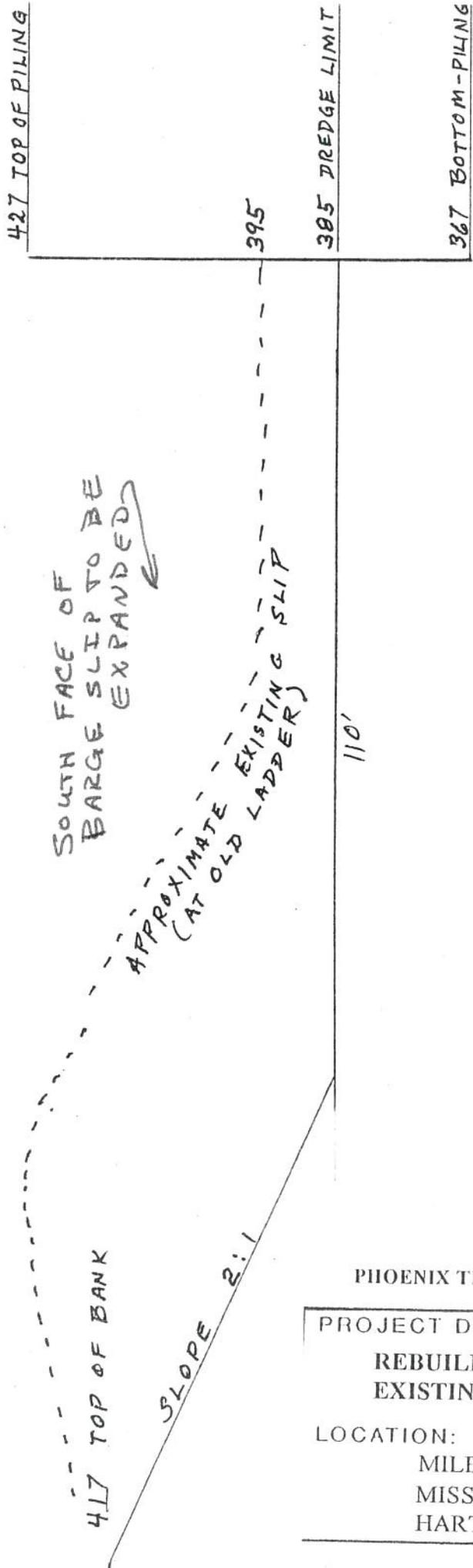
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Rehabilitate/Expand Slack Water Barge Slip

NOTE: MATERIAL TO BE REMOVED FROM  
THIS AREA = APPROX 40,000 CU. YARDS



PHOENIX TERMINAL CO.  
PROJECT DESCRIPTION:  
REBUILD AND ADD TO  
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