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St. Louis District
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Public Notice

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

Public Notice No.

P-2967

Public Notice Date

August 11, 2016

Expiration Date

August 31, 2016

Postmaster Please Post Conspicuously Until:

Regulatory File Number: 2011-598

Interested parties are hereby notified that an application has been received for a Section 10 permit to re-authorize periodic excavation in the Mississippi River, as described below and shown on the attached figures.

COMMENTS AND ADDITIONAL INFORMATION: Comments on the described work should reference the U.S. Army Corps of Engineers Public Notice Number shown above and must reach this office no later than the above expiration date 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: ADM Grain Company, Mr. Paul Wujek, #1 East Grand Avenue, St. Louis, Missouri 63147.

LOCATION: The project area is located at ADM Grain Company's existing St. Louis river terminal, along the right descending bank of the Mississippi River, at approximate river mile 184.0, in St. Louis, St. Louis County, Missouri. (See Attachments).

PROJECT DESCRIPTION: The applicant requests re-authorization to conduct periodic maintenance excavation within an approximate 500-foot-wide by 2,000-foot-long area situated adjacent and riverward of their existing barge loading infrastructure. The re-authorization would allow a clamshell excavator to remove accumulated river deposits during low river conditions or when excessive sediment amounts appear. The formation of accumulated sediments can prohibit vessel access to and from the river terminal for daily barge loading requirements. The applicant has no intention to conduct dredging unless absolutely necessary to keep the facility operational. The applicant seeks re-authorization to ensure they have a valid permit on hand in the event emergency dredging is required. A clamshell excavator would be utilized to remove accumulated river deposits to maintain approximately 12 to 15 feet of river depth in the barge loading area. Excavated material would be loaded into hopper barges and delivered to the bank for offloading on trucks. The material would be transported to an upland disposal site with no jurisdictional waters of the United States. This method would result in no open river disposal. The previous Section 10 Rivers and Harbors Act permit was issued for the same activity and the same location under Department of the Army permit P-2811, on December 20, 2011.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting the ADM's Environmental Specialist, Mr. Miles Anderson at 563-259-4116 or Mr. Charles Frerker, Regulatory Project Manager, U.S. Army Corps of Engineers at charles.f.frerker@usace.army.mil

AUTHORITY: This permit re-authorization request 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 range of the endangered Indiana bat (*Myotis sodalis*), gray bat (*Myotis grisescens*) pallid sturgeon (*Scaphirhynchus albus*), least tern (*Sterna antillarum*), pink mucket (*Lampsilis abrupta*), sheepsnose (*Plethobasus cyphus*) and the threatened piping plover (*Charadrius melodus*), rufa red knot (*Calidris canutus rufa*) and the northern long eared bat (*Myotis septentrionalis*). A preliminary determination, in compliance with the Endangered Species Act as amended, has been made that the proposed accumulated sediment removal and disposal activities are not likely to adversely affect species designated as threatened or endangered, or adversely affect critical habitat. In order to complete our evaluation, comments are hereby solicited 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 and Tribal Historic Preservation Officers, and the public, in response to this public notice. Additional reconnaissance surveys of the project area may be required if warranted.

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 that 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.



P-2967
Location

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