



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

Public Notice

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

Public Notice No.
[P-2389, & P-2390](#)
Public Notice Date
[October 29, 2003](#)

Expiration Date
[November 28, 2003](#)

Postmaster Please Post Conspicuously Until:

Regulatory Branch
Mississippi River (P-2389 & P-2390)
File Number: 199410842
840315707

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-CO-F
1222 Spruce Street
St. Louis, Missouri 63103-2833

APPLICANT: J.T.R. Inc. (Jotori Dredging), Mr. Tony W. Giordano, 2320 Creve Coeur Mill Road, Maryland Heights, Missouri 63043

LOCATION: Commercial dredging of sand from Mississippi River miles 139.0-154.0 (P-2389), and 170.0-183.0 (P-2390). (See Attached Location Maps).

PROJECT DESCRIPTION: J.T.R.'s ongoing dredging operation is performed by suction dredging and will remain the same. Suction dredging is executed by water and dredged material passing through screens allowing the desirable material (sand 3/8 inch and smaller) to be routed into barges and the undesirable material, with water, to be returned to the river. Barges are then transported to existing off-loading sites where material is generally removed by clamshell crane and stockpiled on shore. The original permits (P-2126, and P-2128) each authorized approximately 500,000 tons (333,000 cubic yards) in each reach. J.T.R. is proposing the same amount of annual extraction, but a modification on both permits to allow more than 500,000 tons of sand extraction from a single permitted reach, provided that the total amount of sand annually removed between River Mile 139.0 and 183.0 does not exceed 1,500,000 tons. Plans submitted by the applicant have been reproduced on the attached sheets.

Under Permit Number P-2389, the applicant proposes to dredge the Mississippi River between miles 139.0 and 154.0 above the mouth of the Ohio River. Sand will be accumulated on barges then transported and stored on the right descending bank at river mile 149.9. Dredging in this reach of the river has been conducted and authorized since 1964 (previous permit No. P-835, P-1191, P-1914, and P-2126). No significant impacts to the environment or navigation have been identified during this period of time.

Under Permit Number P-2390, the applicant proposes to dredge the Mississippi River between miles 170.0 and 183.0 above the mouth of the Ohio River. Sand will be accumulated on barges then transported and stored on the right descending bank at river mile 181.5, 179.0, and 177.7. Dredging in this reach of the river has been conducted and authorized since 1975 (previous permit No. P-1070, P-1570, and P-2128). No significant impacts to the environment or navigation have been identified during this period of time.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Alan Edmondson, Rivers Project Manager, U.S. Army Corps of Engineers at (314) 331-8811 or at electronic mail address: Alan.R.Edmondson@mvs02.usace.army.mil for P-2389, or Craig Litteken, Rivers Project Manager, U.S. Army Corps of Engineers at (314) 331-8579 or at electronic mail address: Craig.J.Litteken2@mvs02.usace.army.mil for P-2390.

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: The project plans have been submitted to the Missouri Department of Natural Resources, Water Pollution Control for state certifications 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. The certifications, if issued, will express the Agencies opinion that the proposed activity will not violate each state's applicable water quality standards.

This public notice also provides documentation to the Illinois Environmental Protection Agency (IEPA) for water quality certification, or waiver thereof, for the proposed activity. This public notice also provides documentation to the Illinois Environmental Protection Agency (IEPA) for water quality certification, or waiver thereof, for the proposed activity in accordance with Section 401 of the Clean Water Act. Certification or waiver indicates that IEPA believes the activity will not violate applicable water quality standards. The review by the IEPA is conducted in accordance with the Illinois water quality standards under 35 Illinois Administrative Code Subtitle C.

The water quality standards provide for the IEPA to review individual projects by providing an antidegradation assessment, which includes an evaluation of alternatives to any proposed increase in pollutant loading that may result from this activity. The "Fact Sheet" containing the antidegradation assessment for this proposed project may be found on the IEPA's web site, at www.epa.state.il.us/public-notice/. In the event that the IEPA is unable to publish the "Fact Sheet" corresponding to the timeframe of this Joint Public Notice, a separate public notice and "Fact Sheet" will be published by the IEPA at the web site identified above. You may also obtain a copy of the "Fact Sheet" by contacting the IEPA at the address or telephone number shown below. Written comments specifically concerning possible impacts to water quality should be addressed to:

Illinois Environmental Protection Agency
Bureau of Water
Watershed Management Section
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

A copy of all written comments should also be provided to the Corps of Engineers. If you have any questions please contact the IEPA at (217) 782-3362.

SECTION 404 (b)(1) EVALUATION: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

IMPACTS TO WATERS OF ILLINOIS: By issuance of this public notice, the project plans are considered submitted to the Illinois Department of Natural Resources, Office of Water Resources for state approval of the proposed work in accordance with “an Act in relation to the regulation of the rivers, lakes and streams of the State of Illinois” (Ill. Rev. Stat.; Chap. 19, par 52 et seq.). Written comments concerning possible impacts to waters of Illinois should be addressed to Mr. Bryan Martindale, Illinois Department of Natural Resources, Office of Water Resources, One Natural Resources Way, Springfield, Illinois 62701, with copy provided to the Corps of Engineers.

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**), Gray bat (**Myotis grisescens**), Least tern (**Sterna antillarum**), Pallid Sturgeon (**Scaphirhynchus albus**), and the threatened Bald eagle (**Haliaeetus leucocephalus**). A preliminary determination, in compliance with the Endangered Species Act as amended, has been made that the proposed activities are not likely to adversely affect species designated as threatened or endangered, or adversely affect their critical habitats. Standard dredging conditions created by coordinated efforts with other Federal and state resource agencies would be applied to further avoid impacts to these species. In order to complete our evaluation, written comments are hereby solicited from the U.S. Fish and Wildlife Service and other interested agencies to ascertain any potential impacts upon a listed species or their critical habitat.

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 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.

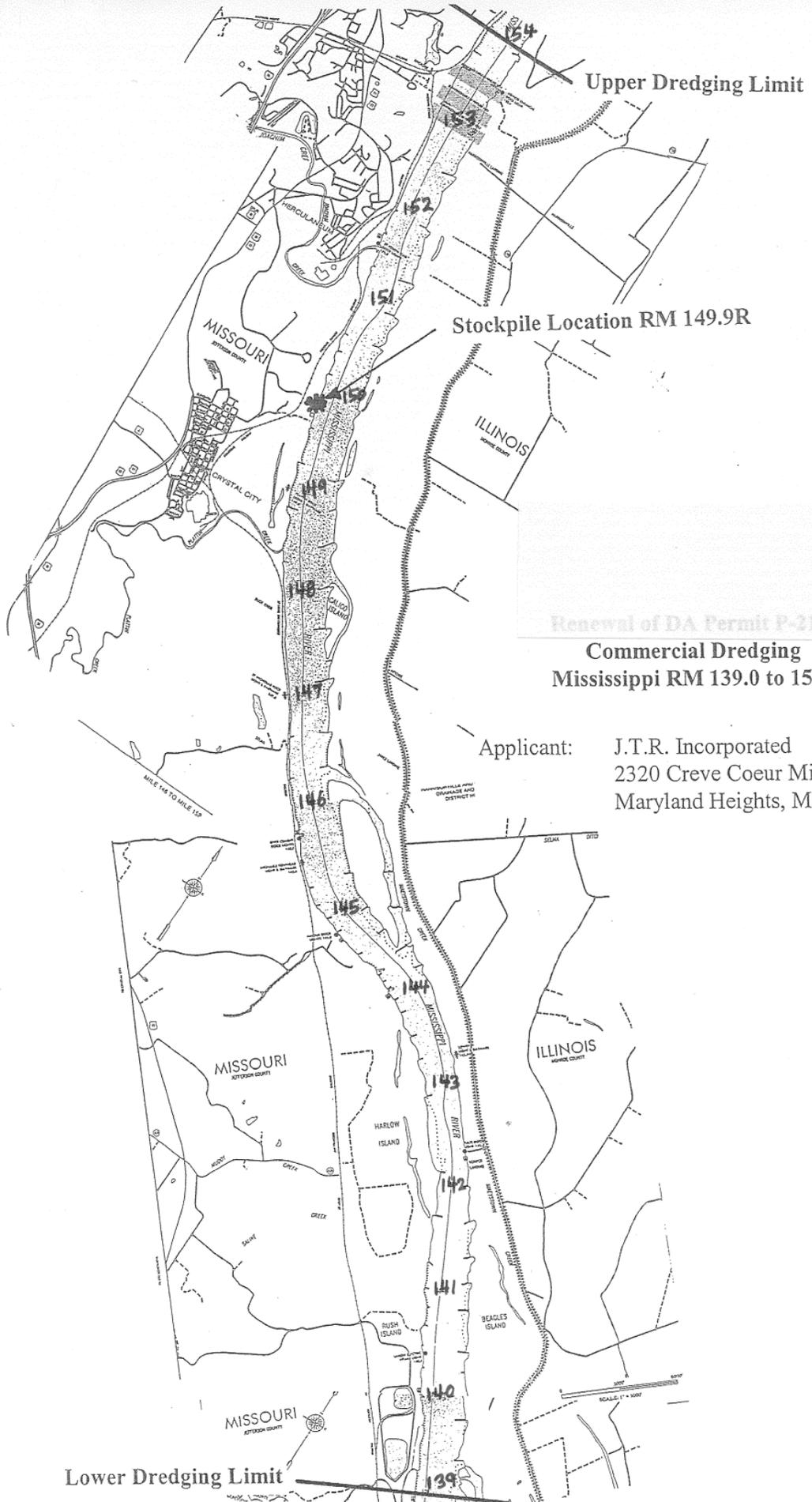
The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of these proposed activities. Any comments received will be considered by the U.S. Army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

DANNY D. MCCLENDON
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 30 days (until **November 28, 2003**) from the date of the issuance of this notice.



Renewal of DA Permit P-2126

Commercial Dredging
 Mississippi RM 139.0 to 154.0

Applicant: J.T.R. Incorporated
 2320 Creve Coeur Mill Rd.
 Maryland Heights, MO 63043

P-2389
 07V0XLI
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Lower Dredging Limit

Upper Dredging Limit

Stockpile Location
RM 181.5R

Stockpile Location
RM 179.0R

Stockpile Location
RM 177.7R

Renewal of DA Permit P-2128

Commercial Dredging
Mississippi RM 170.0 to 183.0

Applicant: J.T.R. Incorporated
2320 Creve Coeur Mill Rd.
Maryland Heights, MO 63043

P-2390
07V0xL1
1 of 1

Lower Dredging Limit

