



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, Missouri 63103-2833

Public Notice/File No.
MVS-2023-704

Public Notice Date:
December 08, 2023

Expiration Date:
December 31, 2023

Postmaster Please Post Conspicuously Until:

File Number: MVS-2023-704

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 maps.

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
Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833

APPLICANT: American River Transportation Co., Attn: Mr. Stephen LeBouef, 4528 S. Broadway, St. Louis, MO. 63111

LOCATION: The project is in Section 05, Township 02 South, Range 11 West, St. Louis County, Missouri. The proposed activities would be conducted along the right descending bank of the Mississippi River at approximate river mile 183.3, above the confluence of the Ohio River.

AUTHORITY: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

PROJECT DESCRIPTION: The applicant proposes two fleets, up and downstream of the Merchants Bridge in St. Louis County, Missouri, respectively. Both proposed fleets will be 5 barges wide by 3 barges long, for a total of 15 barges each (including captive barges). The upper fleet, the Meachum Fleet, will consist of a hole dug, measuring 20' x 20' x 20', at approximately 38.67589, -90.19049, for deadman anchor and chain (upper fleet). The lower fleet, the Merchants Fleet, will consist of a hole dug, measuring 20' x 20' x 20', at approximately 38.67373, -90.18932, for deadman anchor and chain (lower fleet). Removed soil will be used as backfill into the excavated holes, and a 2" anchor chain will be attached to a capturing barge at each fleet. The total area measures roughly 1650 feet along the Missouri bankline.

The applicant proposes that the new fleets, in this location, will better serve the growing St. Louis dry bulk market. Currently, there are fleeting activities up and downstream of the proposed sites, and the proposal will not protrude further from the bankline than those other operations. Whether grain loading, or fertilizer unloading, this fleeting location will give the applicant an opportunity to provide customers with service that is, first, outside of the navigation channel, and secondly, within one hour of local transit.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES: The applicant has researched alternatives and has attempted to minimize impacts to the waters, resulting in their preferred plan illustrated in the maps below.

LOCATION MAPS AND DRAWINGS: See attachments below. In addition, the project plans may be viewed in more detail by visiting the Public Notice section of our website at: <http://www.mvs.usace.army.mil/Missions/Regulatory/PublicNotices/OpenNotices.aspx>

WATER QUALITY CERTIFICATION: The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective November 27, 2023, does not apply in this situation as this is a Section 10 only proposal.

ENDANGERED SPECIES: The proposed project is within the range of the federally endangered Indiana bat (***Myotis sodalis***), the northern long-eared bat (***Myotis septentrionalis***), the tri-colored bat (***Perimyotis subflavus***), pallid sturgeon (***Scaphirhynchus albus***), and Monarch butterfly (***Danaus plexippus***), a proposed candidate for endangered status. A preliminary determination, in compliance with the Endangered Species Act as amended, has been made that this activity will have no effect on the habitat of these listed species. The Corps is coordinating with the U.S. Fish and Wildlife Service and the applicant is taking measures to minimize potential effects of the project during construction. In order to further 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. Coordination was conducted with the U.S. Fish and Wildlife Service during the initial Merchants Bridge replacement project, and informal coordination for this project has been initiated.

CULTURAL RESOURCES: The proposed project is 200 feet downstream of the Mary Meachum Freedom Crossing site. A cultural resource study will be performed for the project and will evaluate the significance of the Mary Meachum Freedom Crossing site. The District will consult with the Missouri State Historic Preservation Office and other consulting parties and will evaluate information provided by the public in response to this public notice.

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. 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. All factors, which may be relevant to the activity described, will be considered including the cumulative effects. Among factors considered 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.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Tribes; and other interested parties to consider and evaluate the impacts of the proposed activity. 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. Additional information may be obtained by contacting Alan Edmondson, Project Manager, U.S. Army Corps of Engineers, via e-mail at alan.r.edmondson@usace.army.mil.

To join our public notice mailing list and receive all of our Public Notices electronically, please email your request to: MVS-Regulatory@usace.army.mil and include your name, email, and phone number with your statement of request to be added to the Public Notice mailing list.

Robert S. Gramke

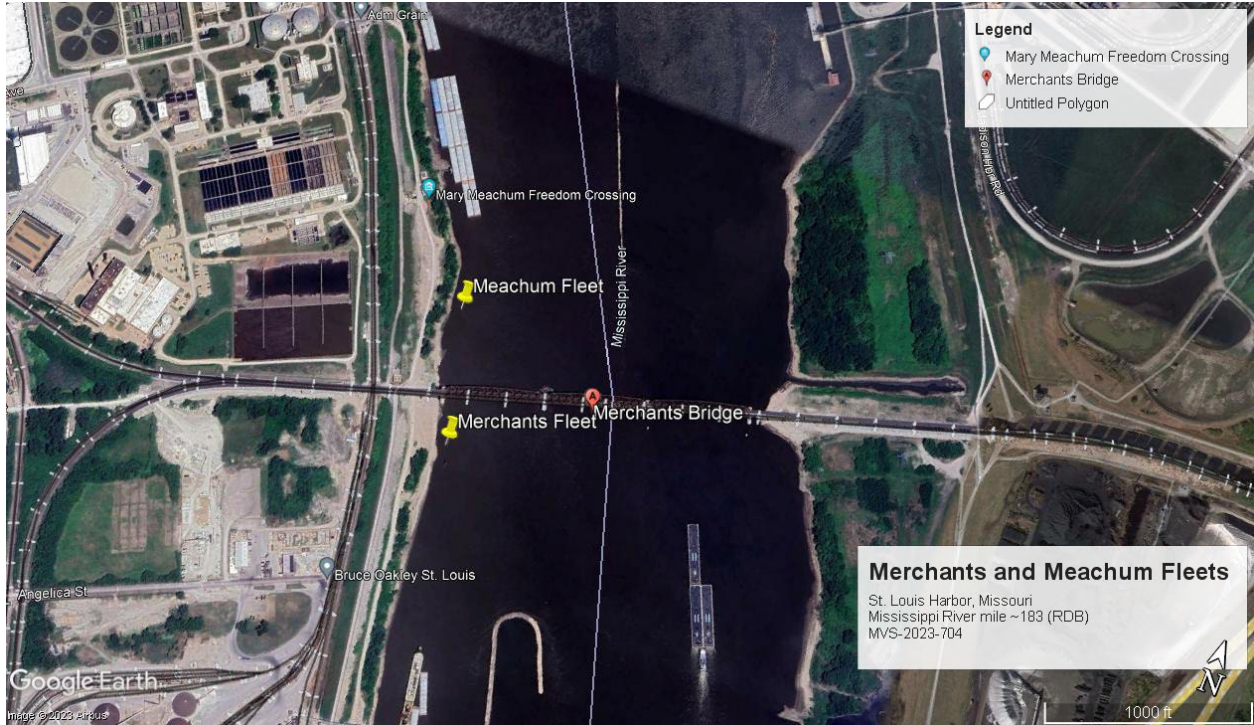
Robert S. Gramke
Chief, Regulatory Branch

Attachments

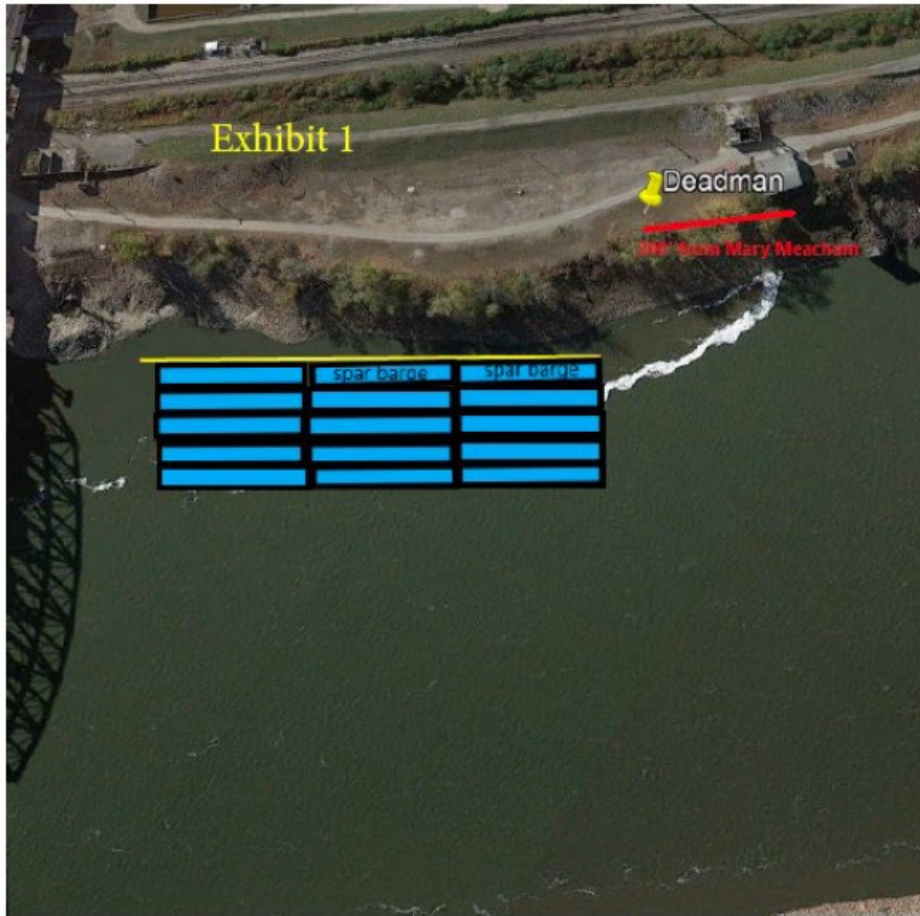
NOTICE TO POSTMASTERS:

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

Attachment 1 – Proposed Fleet Locations

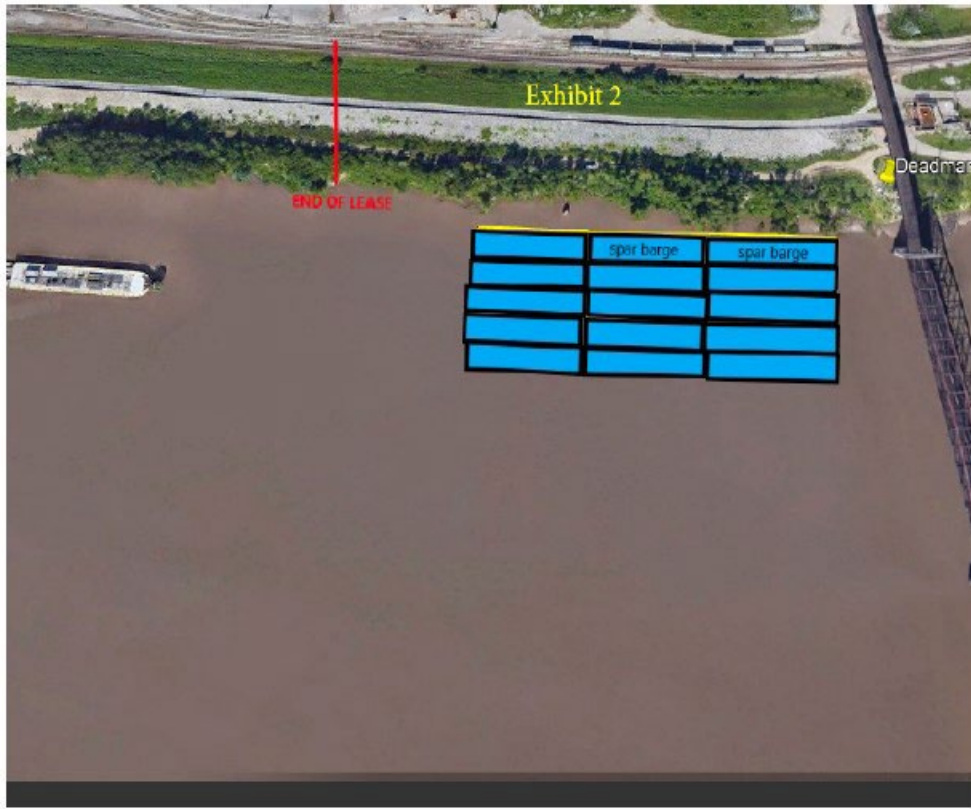


Attachment 2 – Merchant's Fleet Upper (Meachum Fleet) and Deadman Location



Upper End of Proposed Area - Merchant's Fleet Upper

Attachment 3 – Merchant's Fleet Lower and Deadman Location



Lower end of Proposed Area - Merchant's Fleet Lower