

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

Public Notice

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

Public Notice No.

P-2943 – P-2947

Public Notice Date

March 21, 2016

Expiration Date

April 11, 2016

Postmaster Please Post Conspicuously Until:

ORM Numbers: 2016-226 through 2016-230

Interested parties are hereby notified that an application has been received for Department of the Army permits to reauthorize ongoing commercial sand and gravel suction dredging operations in previously permitted areas within the Mississippi River, as described below and shown on the attachments.

COMMENTS AND ADDITIONAL INFORMATION: Comments on the described work should reference the U.S. Army Corps of Engineers File Numbers 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: Wayne B. Smith Incorporated, c/o: Mike Stevinson, Post Office Box 474, 10415 Highway 79 South, Louisiana, Missouri 63353. (573)754-4566

LOCATION: Continued commercial sand and gravel suction dredging activities would occur in the same footprint of five previously permitted areas, near the right descending bank of the Mississippi River, in select locations between river miles 277.6 to 285.2, as shown on the attachments.

PROJECT DESCRIPTION: The applicant requests reauthorization to continue commercial sand and gravel suction dredging operations for the same previously permitted quantities and from the same previously permitted areas of the Mississippi River. The project need is to support construction material needs of the local economy. The applicant states their company is the only local source of natural sand for inclusion in concrete and hot mix asphalt. The nearest alternate source of state approved materials is approximately 40 miles away. The applicant would like to continue to supply materials for the region's construction needs. Suction dredged material would be loaded into hopper barges, with excess water and oversized material discharged back into the river at the dredging locations. Filled hopper barges would be transported to Wayne B. Smith Inc.'s existing offloading facility, located along the right descending of the Mississippi River at approximate river mile 281.6, where an existing crane would unload the sand and gravel onto a conveyor system for upland stockpiling. The applicant has been authorized to conduct commercial dredging in this reach of the river since 1973 under previous Department of the Army permits, with the last authorization permitted under P-2721, P-2723, P-2726, P-2727 and P-2728. The following pending permit "P" numbers have been assigned to the requested reauthorization areas:

P-2943: Up to 20,000 tons of sand and gravel would continue to be suction dredged near the right descending bank of the Mississippi River between approximate river miles 284.9 to 285.2.

P-2944: Up to 20,000 tons of sand and gravel would continue to be suction dredged near the right descending bank of the Mississippi River at approximate river mile 284.1.

P-2945: Up to 40,000 tons of sand and gravel would continue to be suction dredged near the right descending bank of the Mississippi River at approximate river mile 281.9.

P-2946: Up to 40,000 tons of sand and gravel would continue to be suction dredged near the right descending bank of the Mississippi River between approximate river miles 281.2 to 280.1.

P-2947: Up to 40,000 tons of sand and gravel would continue to be suction dredged near the right descending bank of the Mississippi River between approximate river miles 279.5 to 277.6.

The annual total dredged material, from all sites combined, would not exceed 150,000 tons. If the proposed activity is reauthorized, all previously required Department of the Army permit special conditions would be reinstated. The applicant states known mussel beds identified by previously required mussel surveys, and as noted by federal and state Resource agency coordination, would continue to be avoided and not be affected by the proposed reauthorization.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Mike Stevinson of Wayne B. Smith, Inc., at 573-754-4566 or Charles Frerker with the U.S. Army Corps of Engineers Regulatory Branch 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. A copy of all written comments should also be 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 Environmental Protection Agency 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 range of the federally endangered Indiana bat (*Myotis sodalis*), gray bat (*Myotis grisescens*), higgins eye pearly mussel (*Lampsilis higginsii*), the fat pocketbook (*Potamilus capax*) and the federally threatened Northern long-eared bat (*Myotis septentrionalis*) and decurrent false aster (*Boltonia decurrens*). No tree clearing is associated with this riverine reauthorization activity. Therefore, we have determined the project is not likely to adversely affect the listed bat species. The applicant would be required to stay within the footprint of currently authorized dredging areas and out of known mussel bed areas found during the last permit cycles required mussel surveys. In addition, previously required permit conditions created by coordinated efforts with other Federal and state resource agencies would be included again to avoid impacts to listed species and their habitat. Based on the mentioned precautions and pending conditioned requirements, it is unlikely the proposed dredging would have an adverse impact on any of the 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.


for 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.

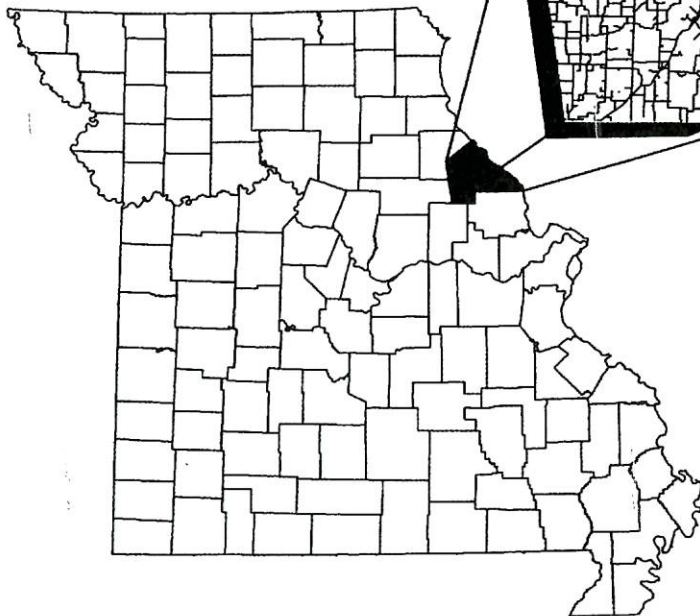
LOUISIANA, MO



PIKE COUNTY

INSET AREA
LOUISIANA, MO

STATE OF MISSOURI



LEGEND

- MINING AREA-
CURRENTLY APPROVED
RENEWAL PENDING
- MINING AREA-
CURRENTLY APPROVED
Under Existing Corps Permits
- S.S.S. Inc. - CONTROLLED
PROPERTY

**WAYNE B. SMITH
INC**

WAYNE B. SMITH INC.-HEX STONE-S S.S., INC.

DRAWN: MTS

APPD:

DATE: 3-10-16

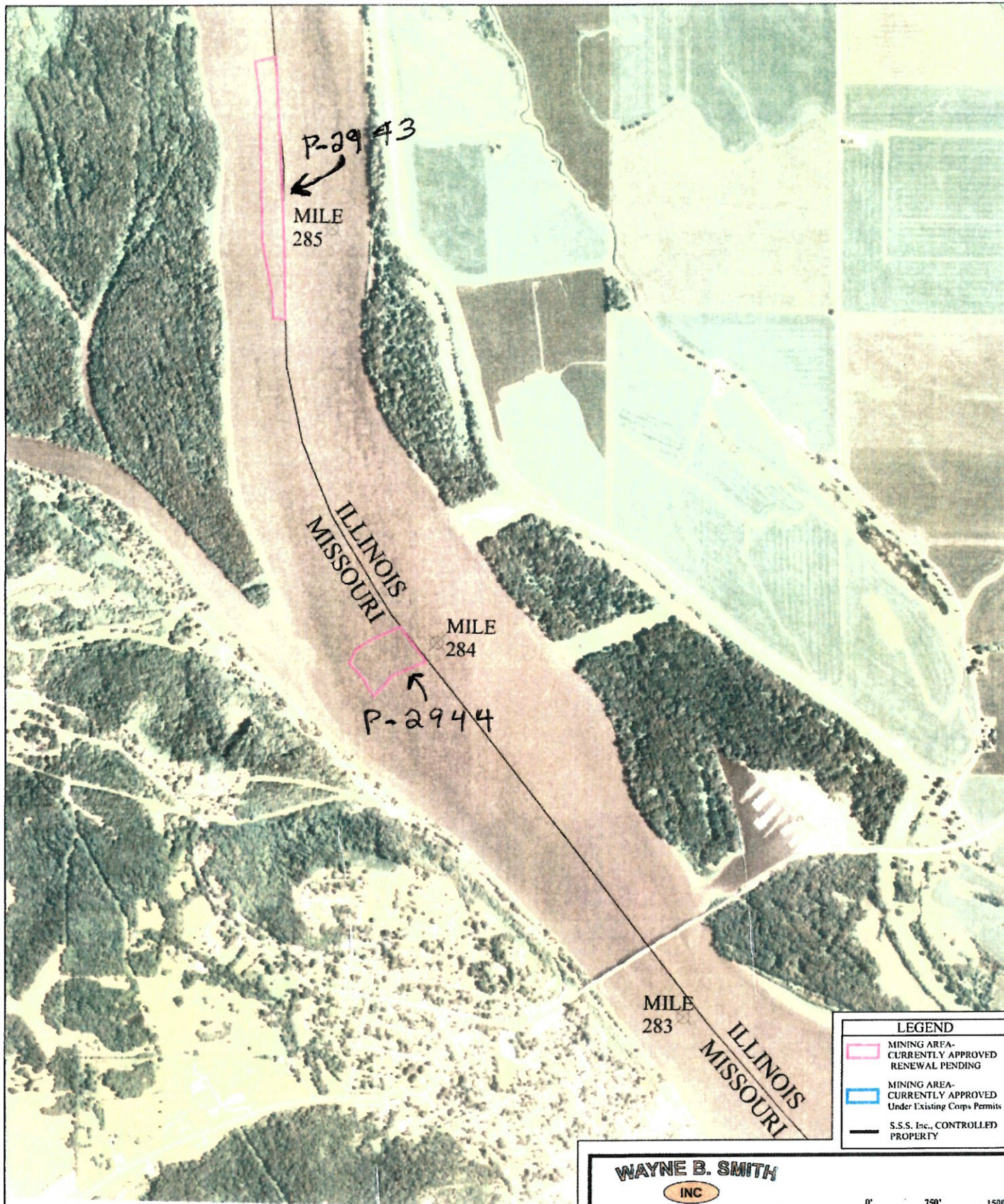
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REV

SHEET: 1 OF 5

Renewal Sand and Gravel Operations
Detail Map
MAP FOR 15AC01

NOTES:



LEGEND	
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	MINING AREA- CURRENTLY APPROVED Under Existing Craps Permits
	S.S.S. Inc., CONTROLLED PROPERTY

WAYNE B. SMITH
INC

WAYNE B. SMITH INC-HEX STONE-S.S.S., INC.

0' 750' 1500'

DRAWN: MTS

APP'D:

DATE: 3-9-16

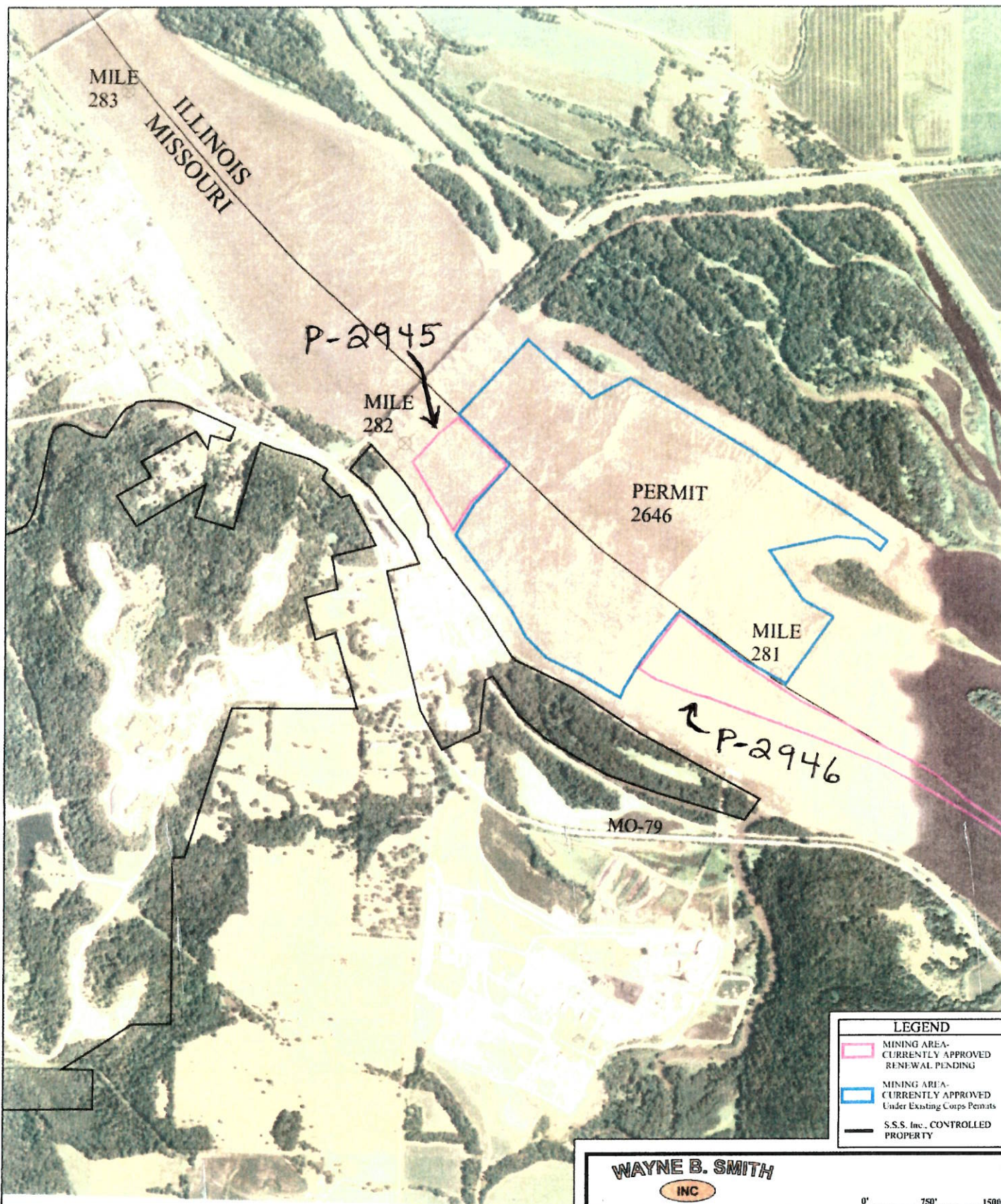
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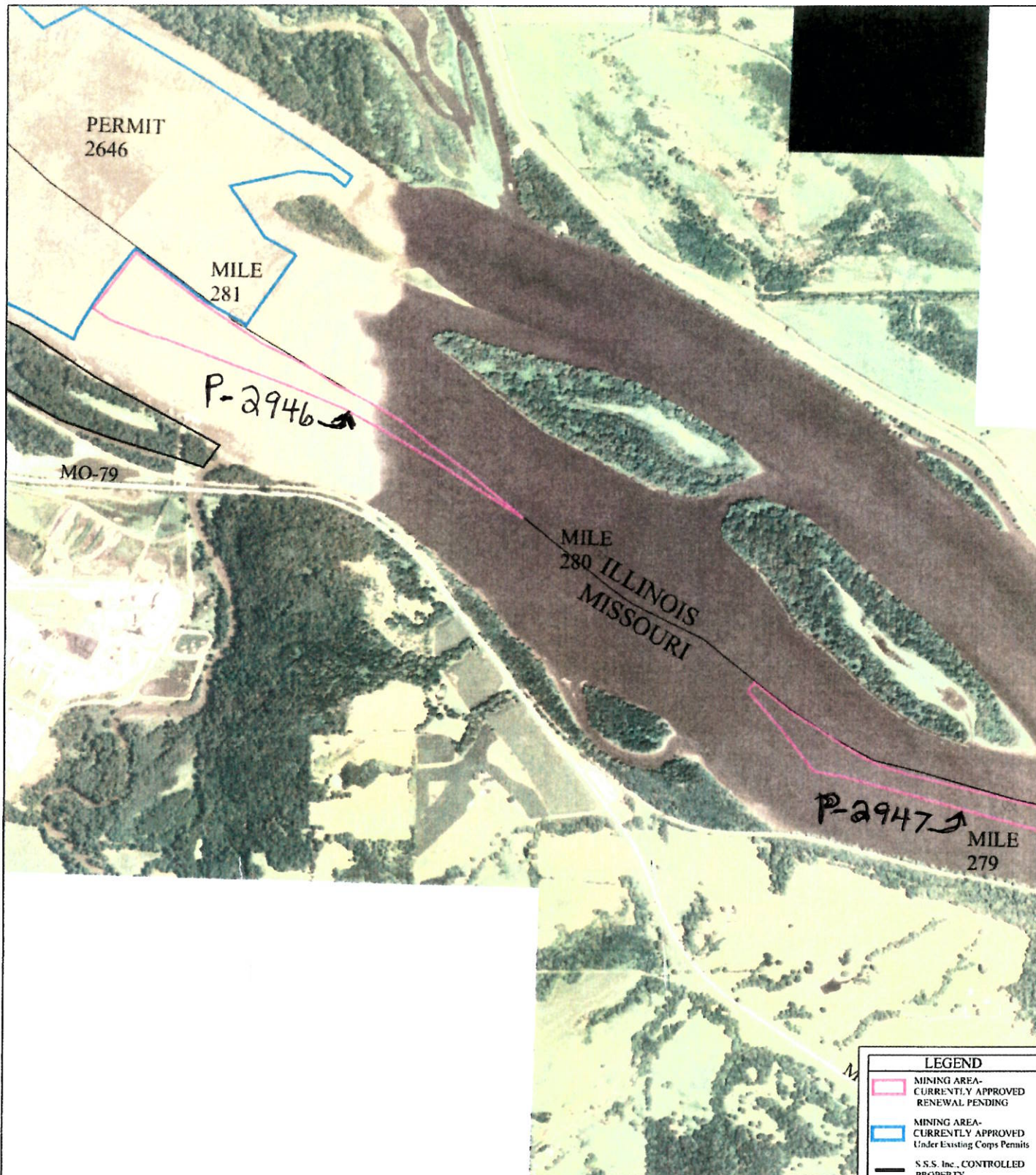
Renewal Sand and Gravel Operations
Detail Map
MAP FOR USACE

NOTES: AERIAL PHOTO FROM 2006 NAIP



LEGEND	
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	MINING AREA- CURRENTLY APPROVED Under Existing Corps Permits
	S.S.S. Inc., CONTROLLED PROPERTY

WAYNE B. SMITH	
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WAYNE B. SMITH INC.-HEX STONE- S.S.S., INC.	
DRAWN: MTS	Renewal Sand and Gravel Operations Detail Map MAP FOR USACOF
APP'D:	
DATE: 3-9-16	
SCALE: 1"=1500'	
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SHEET: 3 OF 5	
NOTES: AERIAL PHOTO FROM 2006 NAIP	



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0" 750' 1500'

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Renewal Sand and Gravel Operations
Detail Map
MAP FOR USACE

NOTES: AERIAL PHOTO FROM 2006 NAIP

SHEET: 4 OF 5



LEGEND	
	MINING AREA- CURRENTLY APPROVED RENEWAL PENDING
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SHEET: 3 OF 5

Renewal Sand and Gravel Operations
Detail Map
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NOTES: AERIAL PHOTO FROM 2006 N/AIP