



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

Public Notice

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

Public Notice Numbers:
MVS-2024-614 thru MVS-2024-616

Public Notice Date:
January 24, 2025

Expiration Date:
February 13, 2025

Postmaster Please Post Conspicuously Until:

Interested parties are hereby notified that an application has been received for a Department of the Army permits for certain work in navigable waters of the United States, 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 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 Division (OD-R)
1222 Spruce Street
St. Louis, Missouri 63103-2833
ATTN: Charles Frerker

APPLICANT: The Southern Stone Company, LLC, c/o: Mr. Andre Smith, 4750 Sherwood Common Blvd. Baton Rouge, LA 70816.

LOCATION: The project area is located at Neely's Landing Quarry, in Cape Girardeau County, Missouri. The proposed river facility activities are located near the right descending bank of the Mississippi River, between approximate river miles 70.9 to 71.7.

PROJECT DESCRIPTION: The applicant restarted operations at Neely's Landing Quarry with a proposal to expand product transportation to meet projected capacity increases and customer bulk delivery requirements. Proposed activities include permitting the prior facility's upstream unpermitted fleeting area, adding a second barge loading dock and installing a second fleeting area downstream of the proposed barge loading dock. Each activity has been assigned a separate pending permit number for future identification, comment tracking purposes and pending permit issuance numbers.

Pending Permit Number **MVS-2024-614:** The upstream, North Fleet, located near the right descending bank of the Mississippi River, at approximate river mile 71.7, would contain up to 35 barges configured 4 wide by 8 long with a 9th downstream row being in a narrower 3 barge wide configuration. A permanent spar barge would be moored at the head of the fleet, closest to the bankline, with mooring cables and chains attached to deadman anchors installed in the bankline. Additional deadman would be installed every 200 feet along the length of the fleet for secure mooring purposes. The deadmen structures would be constructed by pouring

appropriately engineer sized concrete blocks into excavated areas along the bankline with appropriately engineer designed and sized shackle points emanating out of the top of each deadman structure to securely attach and hold cables, chains and the weight of the fleet based on record flood height and flow velocity conditions.

Pending permit number **MVS-2024-615**: The downstream, South Fleet, is proposed near the right descending bank of the Mississippi River at approximate river mile 70.9, containing up to 30 barges configured 6 wide by 5 long. A permanent spar barge would be moored at the upstream head of the fleet, closest to the bankline, with mooring cables and chains attached to deadman anchors installed in the bankline. Additional deadman anchors would be installed every 200 feet along the length of the fleet for secure mooring purposes. The deadmen structures would be constructed by pouring appropriately engineer sized concrete blocks into excavated areas along the bankline with appropriately engineer sized shackle points emanating out of the top of each deadman anchor structure to securely attach and hold cables, chains and the weight of the fleet based on record flood height and flow velocity conditions.

Pending after-the-fact permit number **MVS-2024-616**: The additional barge loadout dock with an associated overhead conveyor and a permanent deck barge affixed along the riverward face of the sunk barge presently exists along the right descending bank of the Mississippi River, at approximate river mile 71.2. The previous quarry operator had barges break away from their upstream fleet. A standard sized barge sunk at the proposed barge load out dock project location. The current permit applicant filled the partially sunk barge with quarry stone in a manner like other river facilities use sheet pile to contain stone for the construction of barge loading docks along riverbank areas. The applicant is requesting after-the-fact permit authorization to keep the sunk barge, stone, deck barge and overhead conveyor in place to support additional barge loading demand for product shipment. If denied, the applicant will be required to remove all features and stop barge loading operations at this location.

LOCATION MAPS AND DRAWINGS: See attached. In addition, the project plans may be viewed in color and in more detail by visiting the Public Notice section of our website at:

<http://www.mvs.usace.army.mil/Missions/Regulatory/PublicNotices/OpenNotices.aspx>

ADDITIONAL INFORMATION: Additional information may be obtained by contacting the applicant's consultant, Mr. Jim Provine, at jprovine@aggprollc.com, or Charles Frerker, Project Manager, U.S. Army Corps of Engineers, at Charles.F.Frerker@usace.army.mil.

AUTHORITY: This pending permits will be evaluated under provisions of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act.

WATER QUALITY CERTIFICATION: Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of dredged or fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. The project plans will be submitted to the Missouri Department of Natural Resources, Water Protection Program (MDNR) in accordance with Section 401. While the Corps of Engineers may provide all relevant information to MDNR and request Section 401 review on behalf of the applicant, the applicant assumes final responsibility to ensure that both agencies receive all information required to complete their independent review. If issued, Certification will express the MDNR's opinion that the proposed activities will not violate applicable water quality standards. Written

comments concerning possible impacts to waters of Missouri should be addressed to: Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102-0176, with a copy 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 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.

ENDANGERED SPECIES: The proposed project is within range of the federally endangered Indiana bat (*Myotis sodalis*), gray bat (*Myotis grisescens*), northern long eared bat (*Myotis septentrionalis*), tricolored bat (*Perimyotis subflavus*), pallid sturgeon (*Scaphirhynchus albus*) and the proposed threatened monarch butterfly (*Danaus plexippus*). The proposed barge fleets and barge loadout dock are river-based activities that require no vegetation clearing or manipulation of adjacent landside features. The project area is a long-standing quarry facility (Neeley's Landing) that has operated for many decades. A large, industrially disturbed stone stockpile, crusher and conveyor operations already exist directly adjacent to the proposed project areas. Based on no vegetation disturbance, the existing quarry, river loading and barge fleeting activities that have been present for multiple decades, we have determined the activity will have no effect on any of the listed bat species or the monarch butterfly. The proposed fleeting areas and barge loadout dock operations may affect, but are not likely to adversely affect the pallid sturgeon based on the existing highly disturbed and industrially developed quarry and river related operations. Barges, tow boats, quarry blasting and heavy landside equipment operate in the project area on a 24 hour basis and likely generate enough significant noise, vibration and disturbance to make larger fish and aquatic species avoid the concentrated riverfront developed area. 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.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer, Native American Tribes, and the public in response to this public notice and we may conduct, or require additional reconnaissance surveys of the project area. The project areas are primarily located within inundated areas of the Mississippi River, adjacent to a highly disturbed and longstanding quarry operation that has existed for decades. Most of the proposed barge fleeting and barge loadout activities are proposed within inundated areas of the Mississippi River to support floating barge loading operations or continued use of adjacent landside areas covered with several feet of existing quarry run stone that has been present for several decades. The Corps will continue to coordinate with SHPO and Native American Tribes as appropriate.

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 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. Several of the public interest factors listed above, including land use, reclamation, air quality, mineral needs, consideration of property ownership/impact and other potential quarry related activities are also evaluated and permitted under more direct authority by the Missouri Department of Natural Resources through their mines, mineral and reclamation permit evaluation process.

SOLICITATION OF COMMENTS: 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 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.

Tyson Zobrist
Acting Chief, Regulatory Division

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.