



**US Army Corps
of Engineers**
Louisville District ®

Public Notice

Public Notice No.
LRL-2008-1321-cmh

Open Date:
20 Dec 2013

Close Date:
21 Jan 2014

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Mr. Max Hagan, CELRL-OP-FN, Rm 752
P.O. Box 59
Louisville, Kentucky 40201-0059

Phone: 502-315-6690

This notice announces an application submitted for a modification of Department of the Army (DA) Permit Number LRL-2008-1321 subject to Section 10 of the Rivers and Harbors Act of 1899.

APPLICANT: Benchmark River and Rail Terminals
4820 River Road
Cincinnati, OH 45233

AGENT: Rivertrends, LLC
4007 Fox Meadow Drive
Prospect, KY 40059

LOCATION: Along the right bank of the Ohio River at Mile
478.7 in Cincinnati, Hamilton County, Ohio.

Latitude: 39.08321
Longitude: -84.63992
7.5 Minute Quad: BURLINGTON, KY-OH

PURPOSE: To expand operations at the terminal facility.

DESCRIPTION OF WORK: The applicant proposes to expand operations with the addition of a crane that is mounted on a 35- by 200-foot spud barge at the downstream side of the existing lower mooring cell. A cargo hopper would be affixed to the spud barge with a conveyor extending to the top of bank. The spud/crane barge would be used to unload products from another standard jumbo cargo barge tied abreast. The proposed additional products to be transferred from barges to truck, rail, or stockpile include coal and related products, fertilizer, sand and aggregates, salt, steel and iron products, gypsum, loaded and empty cargo containers, cargo packaged as super sacks, and heavy equipment. The stockpile is located at the top of bank with an elevation of 480 feet National Geodetic Vertical Datum. Concrete highway barriers would be used for enclosure and containment of the stockpile storage area.

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The applicant also requests that operations be extended beyond the river stage of 40 feet on the Cincinnati United States Weather Bureau (U.S.W.B.) Gage to 51.4 feet. At 25.4 feet, the Cincinnati Gage reads the Ohio River at the normal pool elevation of 455' Ohio River Datum (ORD). Therefore, river operations are now proposed to cease at and above 481.0' ORD.

The original DA Permit 84-049 was issued to the Defense Logistics Agency at this location on August 14, 1984, for unloading fuel barges. The applicant is currently approved under DA Permit LRL-2008-1321 to transload liquid products that include ethanol, methanol, biodiesels, and asphalt; DOT non-hazardous materials consisting of UAN fertilizer solutions, glycerin, glycols, linear and branched alkyl benzene, and bean, palm, and vegetable oils; and DOT hazardous materials including sodium hydroxide, sulfuric acid, and potassium hydroxide. The existing anchorage for the floating dock barge, tug boat, and four barges up to 54 feet wide by 300 feet long, consists of four 24-foot diameter mooring cells.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, state, or local authorization or certification is denied.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The National Register of Historic Places has been examined and it has been determined that there is one previously recorded archaeological site listed on the National Register located within the vicinity of the project area. Prior to taking final action on this application, this office will establish the location of the archaeological site relative to the proposed worksite. Any impacts on such properties will be evaluated and considered in making the final decision. With respect to other sites not currently listed on the Register, if we are made aware, as a result of comments received in response to this notice or by other means, of specific archaeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National

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Historic Preservation Act of 1966 - Public Law 89-665 as amended
(including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public.

The 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 this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the 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 the 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.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. This public notice and drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Max Hagan, CELRL-OP-FN, at the address noted above and should refer to the Public Notice Number LRL-2008-1321-cmh.

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If you desire to submit your comments by email, you must comply with the following:

a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2008-1321-cmh.

Example:

Subject: LRL-2008-1321-cmh

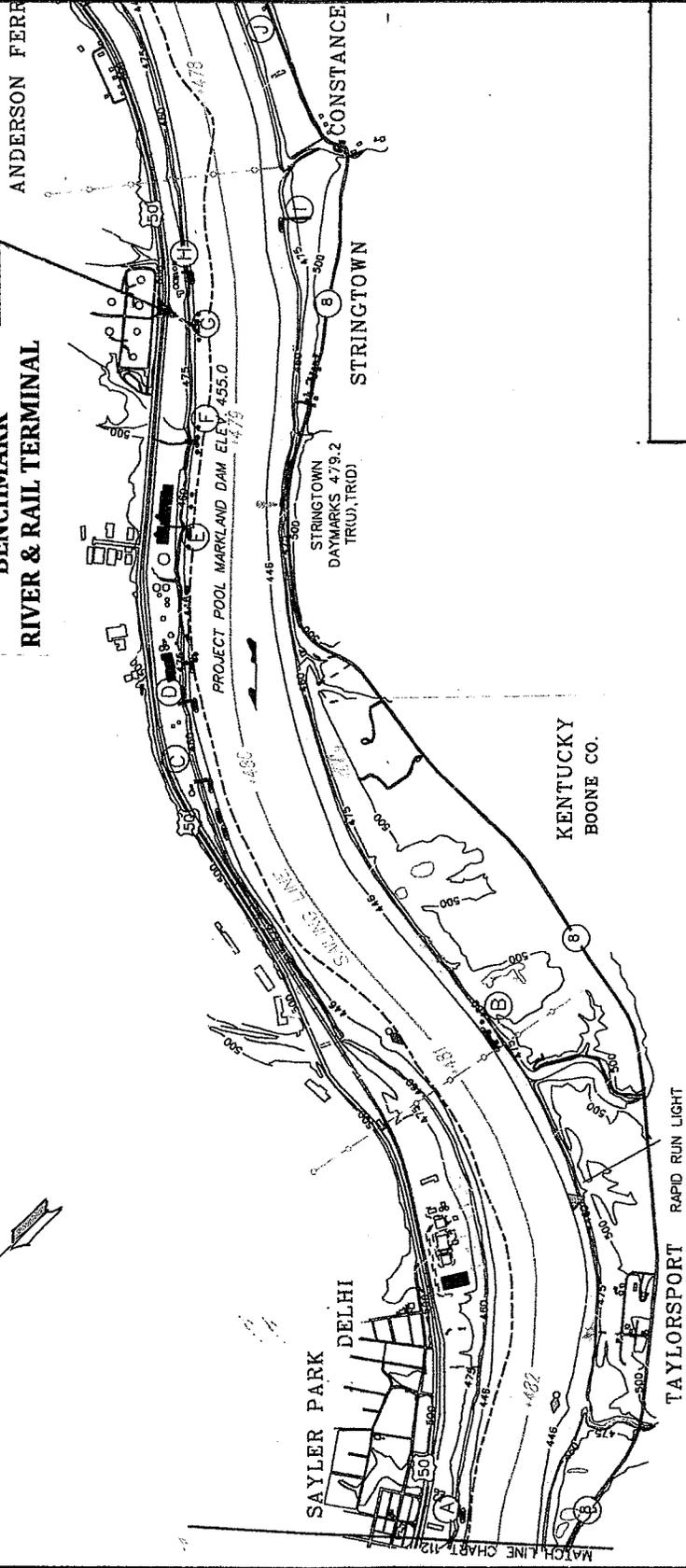
b) Provide your physical mailing address and telephone number.

c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.

d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.

OHIO
HAMILTON CO.

**BENCHMARK
RIVER & RAIL TERMINAL**



**BENCHMARK
RIVER & RAIL TERMINAL**
OHIO RIVER MI. 478.7
SITE PLAN
Pg. 1 of 3. Scale 1" = 2000'
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RAPID RUN LIGHT
& DAYMARKS 481.4
FL(2) RSS TR(U), TR(D)

TAYLORSPOORT

KENTUCKY
BOONE CO.

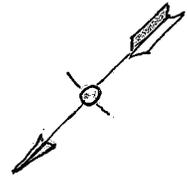
SAYLER PARK
DELHI

STRINGTOWN

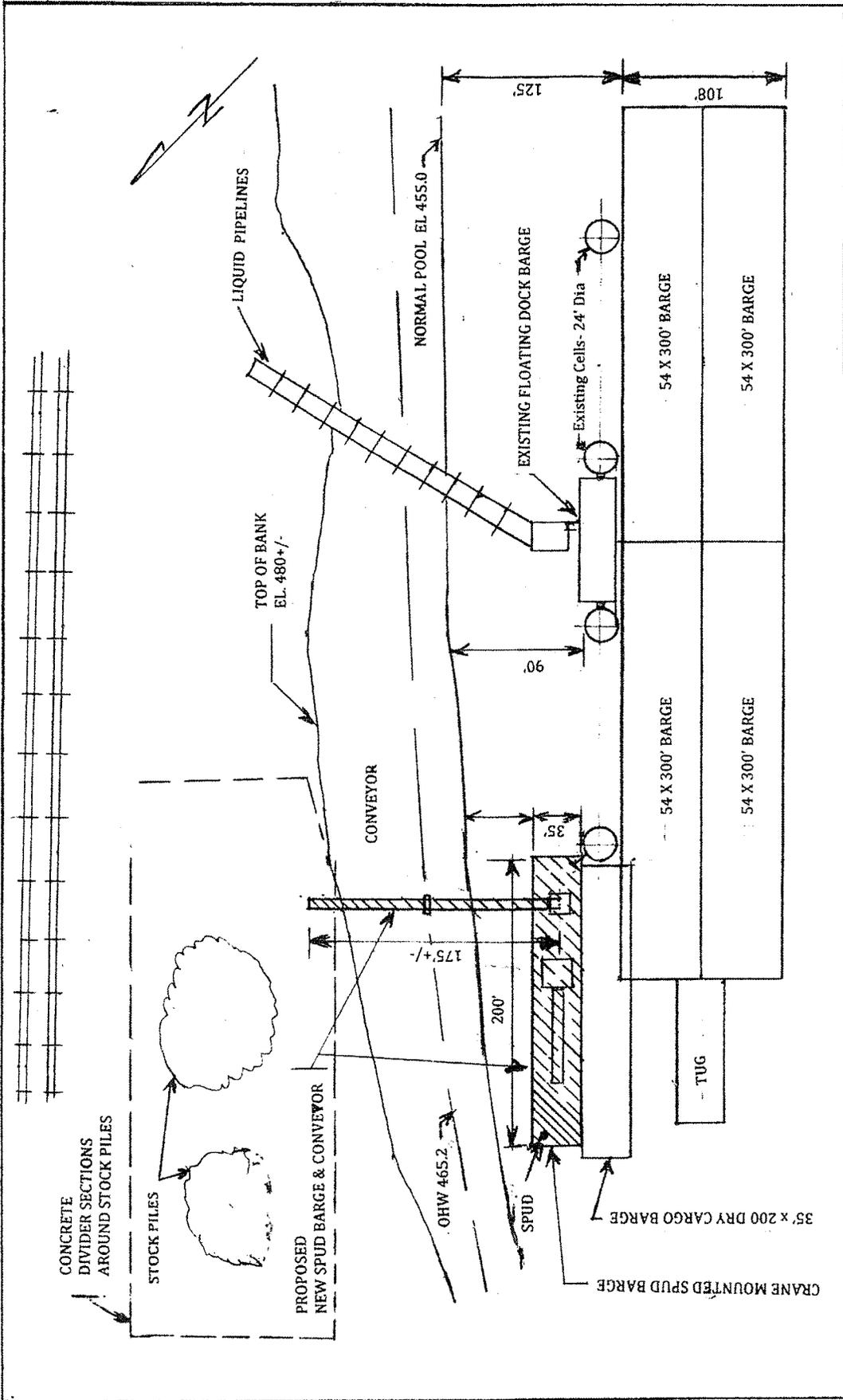
STRINGTOWN
DAYMARKS 479.2
TR(U), TR(D)

CONSTANCE

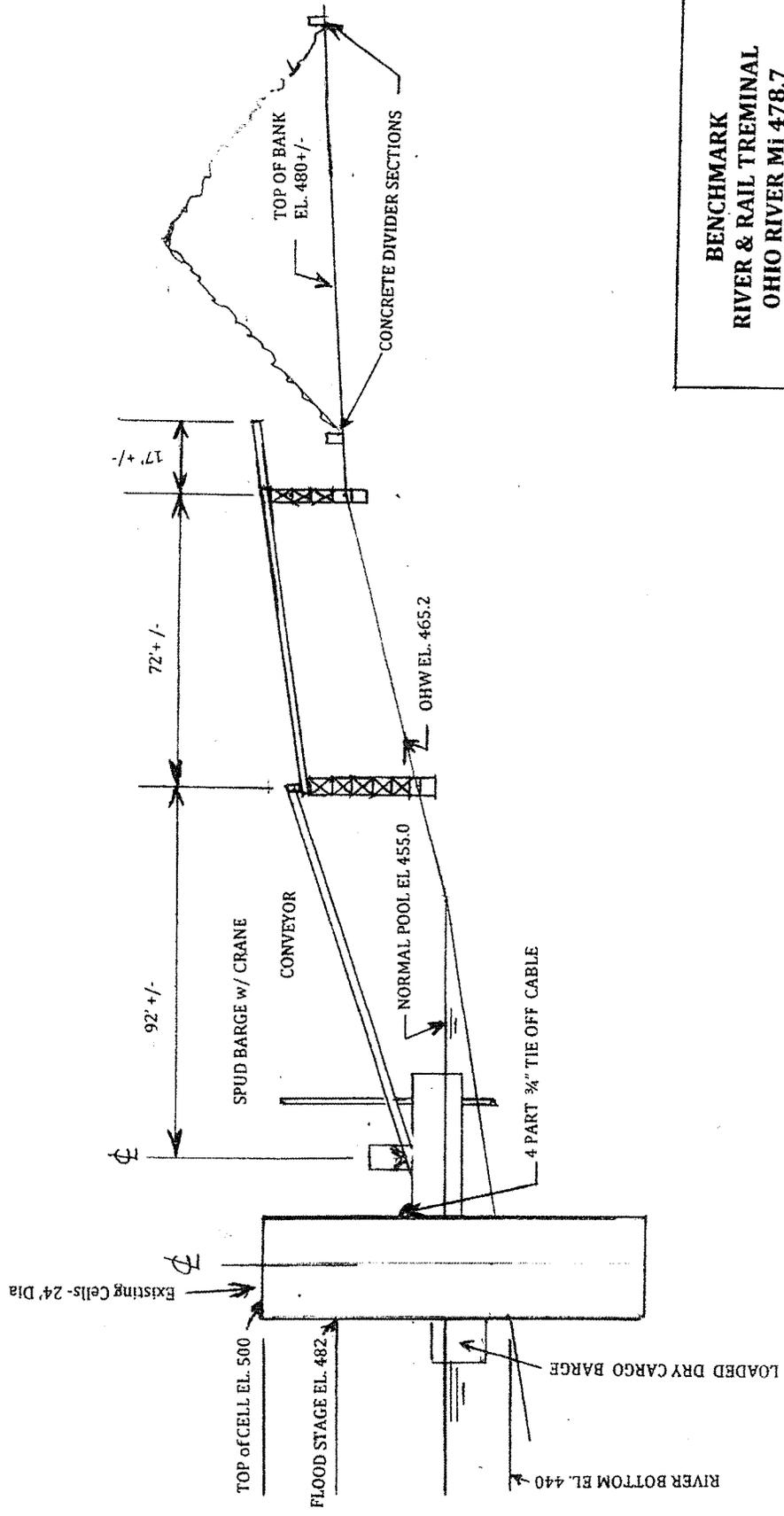
ANDERSON FERR



MATCH LINE CHART 12/17



BENCHMARK
 RIVER & RAIL TERMINAL
 OHIO RIVER MI 478.7
 DOCK PLAN
 Pg. 2 of 3 Scale 1" = 100'
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BENCHMARK
RIVER & RAIL TERMINAL
OHIO RIVER MI 478.7
CROSS SECTION
Pg. 3 of 3 Scale 1" = 40'
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