



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

Public Notice

Public Notice No.
LRL-2012-487

Open Date:
26 Oct 2012

Close Date:
26 Nov 2012

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Ms. Pam Loeffler, CELRL-OP-FS, Rm 752
P.O. Box 59
Louisville, Kentucky 40201-0059

Phone: 502-315-6693

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act:

APPLICANT: Agrium Advanced Technologies (AAT)
2915 Rock Mountain Avenue, Suite 400
Loveland, Colorado 80538

LOCATION: Ohio River, left bank at River Mile 644.2 to
645.0 near Brandenburg in Meade County, Kentucky

Latitude: 38.00633 N
Longitude: -86.14094 W
7.5 Minute Quad: Mauckport-Indiana

PURPOSE: To build and operate a fertilizer coating
facility and associated riverfront
loading/unloading terminal

SITE DESCRIPTION: The proposed project is located on 104 acres along the Ohio River comprised of three terraces. The property encompasses approximately 1970 linear feet (lft) of river frontage, as well as approximately 1960 lft of ephemeral and intermittent tributaries situated on the west end of the property. The river bank at this location includes existing riprap along 575 lft of the bank, which would remain in place.

DESCRIPTION OF WORK: The applicant proposes to construct a fertilizer coating production facility and barge loading/unloading dock in accordance with the attached plans in two phases over a period of ten years. The production facility would be constructed at approximate elevation 460 ft ORD. A barge loading/unloading dock would be constructed on the riverfront approximately 1500 lft from the coating facility and 1191(+/- 25) lft from the Ohio River sailing line as defined in United States Army Corps of Engineers navigation chart "Cairo, IL to Foster, KY", Chart No. 77.

The loading/unloading dock would consist of three (two 25-ft and one 30-ft diameter) cells supporting a crane, hopper and loading chute. The cell would be filled with a granular/stone material to 440 ft

ORD, comprising a total fill volume of approximately 4,400 cubic yards (CY). Dolphins, constructed of hollow steel pipes driven into the river bed, would be used for barge mooring. A maximum of eighteen dolphins would be installed and partially filled with stone and sand, comprising a total of 1283 CY of fill material. A 12-inch thick cap plate would top each dolphin.

Seven barges (200 ft x 35 ft each) would be moored at any time in a configuration of 1 wide by 7 long. Barges would be moved along the dock line by a positioning system during loading/unloading operations. Barge unloading via a clamshell equipped crane would be on the downstream (west) end of the dock. Barge loading would be accomplished by way of a load-out spout directly off the main conveyor on the upstream (east) end of the dock. The maximum riverward projection at normal pool would be 104.4 lft.

A conveyor system would span from the upper property tier down to the river over a length of approximately 1500 lft. This conveyor would be used for material handling to and from the barge loading/unloading dock. All conveyors would be enclosed.

Inbound granular material (urea granules) would arrive via barge. Contingency planning includes site capabilities for receiving granular materials via railcar or truck. Inbound liquid compounds (Polyols and Isocyanates needed to make polyurethane, colorant and wax) would be received via railcar or truck, depending on the product received. Outbound finished goods (controlled release urea fertilizer granules) would be shipped via barge, rail and truck.

The CSX rail service to the east of this property would be extended westward to the AAT property and would remain at its current elevation of 450 ft ORD. Main access to the site would be via State Highway 933 (Ohlin Road) to the south. Road improvements and extensions from Olin Road near the intersection of Buttermilk Falls Road would be added as needed to service the AAT site. An ephemeral stream channel to the west of this location would be avoided by this proposed fill.

No dredging is proposed for the initial construction. However, maintenance dredging would be conducted over a period of ten years, as needed, by clamshell crane or bucket excavator set on a barge, and the dredged material would be loaded onto the barge then transferred to an upland contained area above the river bank where it would be placed into a truck and hauled to the upland disposal site as shown on the attached sheet identified as River Maintenance Dredging. Dredging would be performed to maintain a river bottom elevation of 370 ft ORD from an area 1262 ft x 534 ft (9.8 acres) as needed. The containment area for the dredged material would have an earthen berm constructed of compacted native soil, approximately 8 ft high with 3:1 side slopes. The dredged material effluent would be monitored, controlled and filtered as required. The spoil location would be graded and

stabilized with grasses when not in use.

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: Due to the volume of inbound and outbound material flow, there are no cost-effective alternatives to barge transport for the bulk of the material. The applicant has proposed to minimize aquatic impacts by selective placement of the proposed facility within the 104-acre parcel. This parcel is a contiguous property consisting of three primary elevation tiers (nominal elevations of approximately 420 ft, 440 ft, and 460 ft ORD). By keeping the site to the upper, and south eastern part of the property, the site layout minimizes disturbance to existing topography and avoids impacting ephemeral/intermittent tributaries located on the west end of the property.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied. A DA permit, if otherwise warranted, will not be issued until a State of Kentucky Water Quality Certification or waiver is on file at this office. In order to comply with Section 401 of the Clean Water Act, the applicant must apply for State certification from the Kentucky Energy and Environment Cabinet Division of Water (KDOW).

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 consulted and it has been determined that there are several sites potentially eligible for listing on the Register. Prior to taking final action on this application, this office will establish the location of these sites 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, prehistoric, 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 Historic Preservation Act of 1966 -Public Law 89-665 as amended (including Public Law 96-515).

Operations Division
Regulatory Branch (South)
Public Notice No. LRL-2012-487-pjl

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. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency, under authority of Section 404(b) of the CWA.

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. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/orf/listnotices.asp>. All comments regarding this proposal should be addressed to Ms. Pam Loeffler, CELRL-OP-FS at the address noted above and should refer to the Public Notice Number LRL-2012-487.

Operations Division
Regulatory Branch (South)
Public Notice No. LRL-2012-487-pjl

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-2012-487-pjl

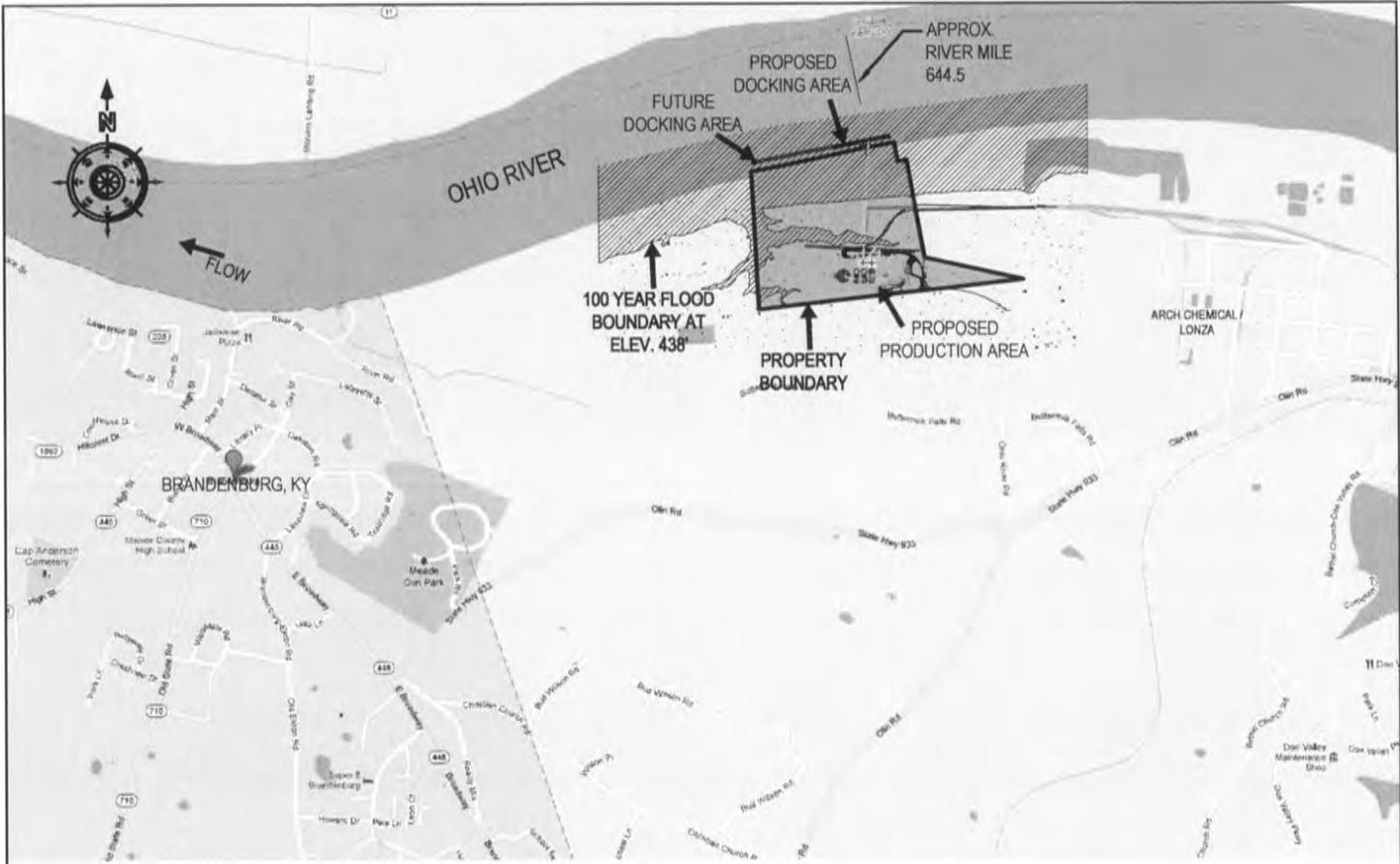
Example:

Subject: LRL-2012-487.

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.



DIRECTIONS TO SITE

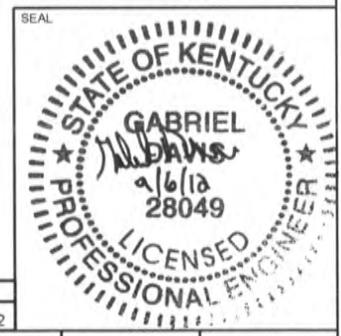
- FROM BRANDENBURG, TRAVEL EAST ON BROADWAY
- TURN LEFT ON OLIN RD., TRAVEL 2 MILES
- TURN LEFT ON RIVERPORT ACCESS RD (AKA RONNIE GREENWELL COMMERCE RD), TRAVEL 0.85 MILES
- SITE IS LOCATED ON THE RIGHT (NORTH) SIDE OF THE ROAD

GENERAL NOTES:

1. LAT: 38°00'22.80"N, LONG: 86°08'27.37"W
2. VICINITY MAP FROM GOOGLE MAPS.
3. PROPERTY SURVEY AND TOPOGRAPHIC INFORMATION PROVIDED BY OWNER, PERFORMED BY SMITH ENGINEERING AND LAND SURVEYING, INC. DATE 9-10-07. SURVEY ATTACHED.
4. 100 YEAR FLOOD ELEVATION BASED ON FEMA MAPPING 2116360120C.

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REV.	REV. DATE
1	09/06/12



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	DRAWING TITLE MAP OF PROJECT SITE


Forsythe & Long Engineering Inc.
 4560 HELTON DRIVE FLORENCE, AL 35630 PHONE: (256) 760-0000

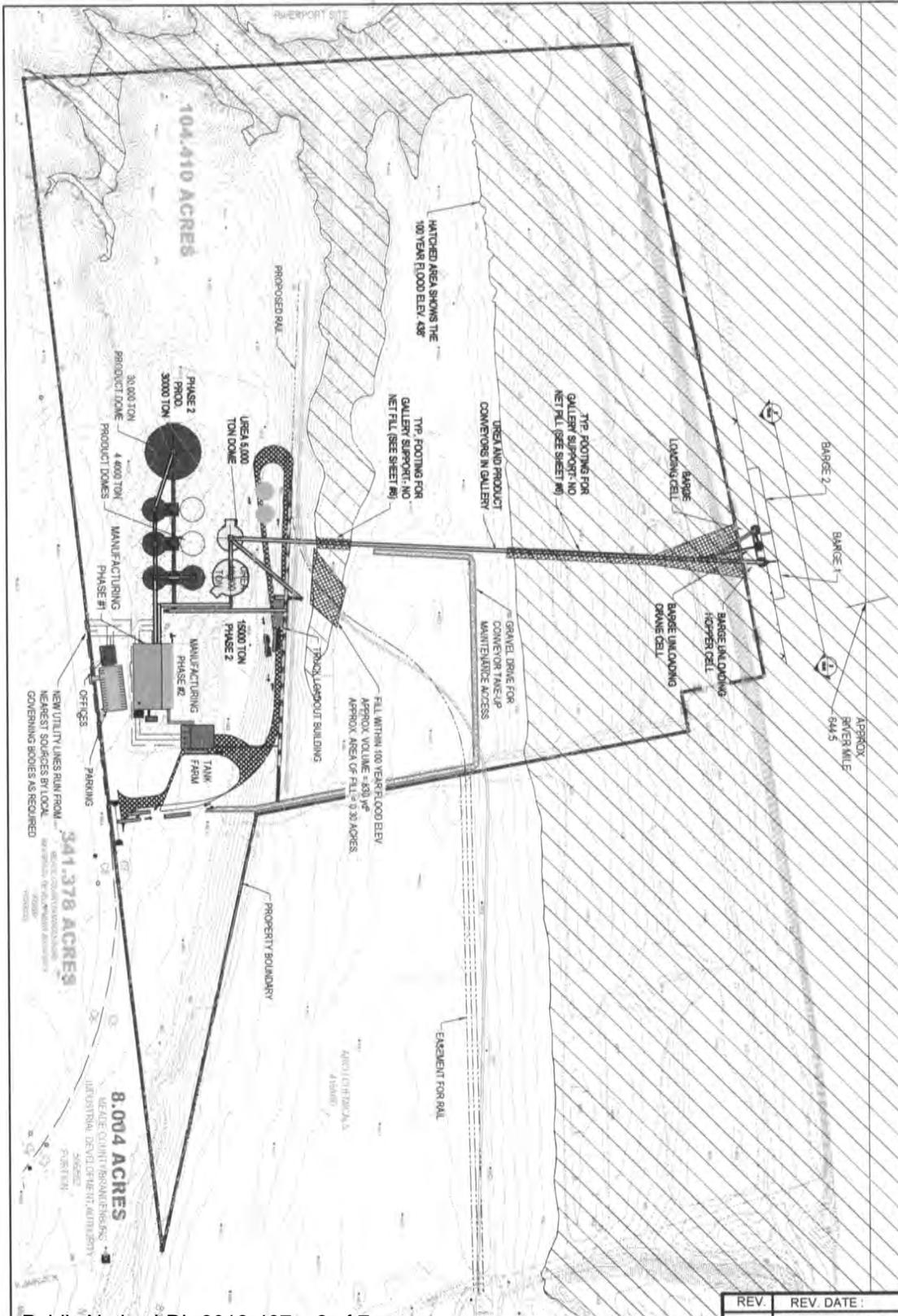
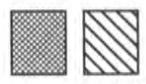
DATE: 09-06-12	JOB NUMBER
DRAWN BY: BNK	325-043
SCALE: 1"=2400'	DRAWING NO. CP1.01
PROJ. MANAGER: R.W.	SHEET 1 OF 7

C:\018\5\11 Map of Project Site.dwg
 Sep 06, 2012 - 2:37pm

- GENERAL NOTES:
1. DIMENSIONS ARE IN DECIMAL FEET.
 2. ALL GEOMETRY SHOWN DISTINCT IS NEW CONSTRUCTION
 3. ALL GEOMETRY SHOWN DISTINCT IS EXISTING.
 4. ABBREVIATIONS
 - 4.1. FIN. FLR. - FINISH FLOOR
 - 4.2. P.O.B. - POINT OF BEGINNING
 - 4.3. P.O.C. - POINT OF COMMENCEMENT
 - 4.4. SS - SANITARY SEWER
 - 4.5. PW - POTABLE WATER
 - 4.6. TRMS - TRANSFORMER
 - 4.7. SG - SWITCHGEAR
 - 4.8. N.I.C. - NOT IN CONTRACT
 5. TOTAL LAND DISTURBANCE BELOW THE 100 YEAR FLOOD ELEVATION OF 438' IS EQUAL TO 1.25 ACRES.
 6. PROPERTY SURVEY AND TOPOGRAPHIC INFORMATION BY SMITH ENGINEERING AND LAND SURVEYING, INC. DATE 8-19-07. SURVEY ATTACHED.

HATCHED AREA SHOWS THE 100 YEAR FLOOD ELEVATION AT 438'

HATCHED AREA SHOWS LAND DISTURBANCE WITHIN THE 100 YEAR FLOOD ELEVATION AT 438'



REV.	REV. DATE:
1	09/06/12

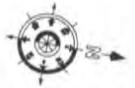


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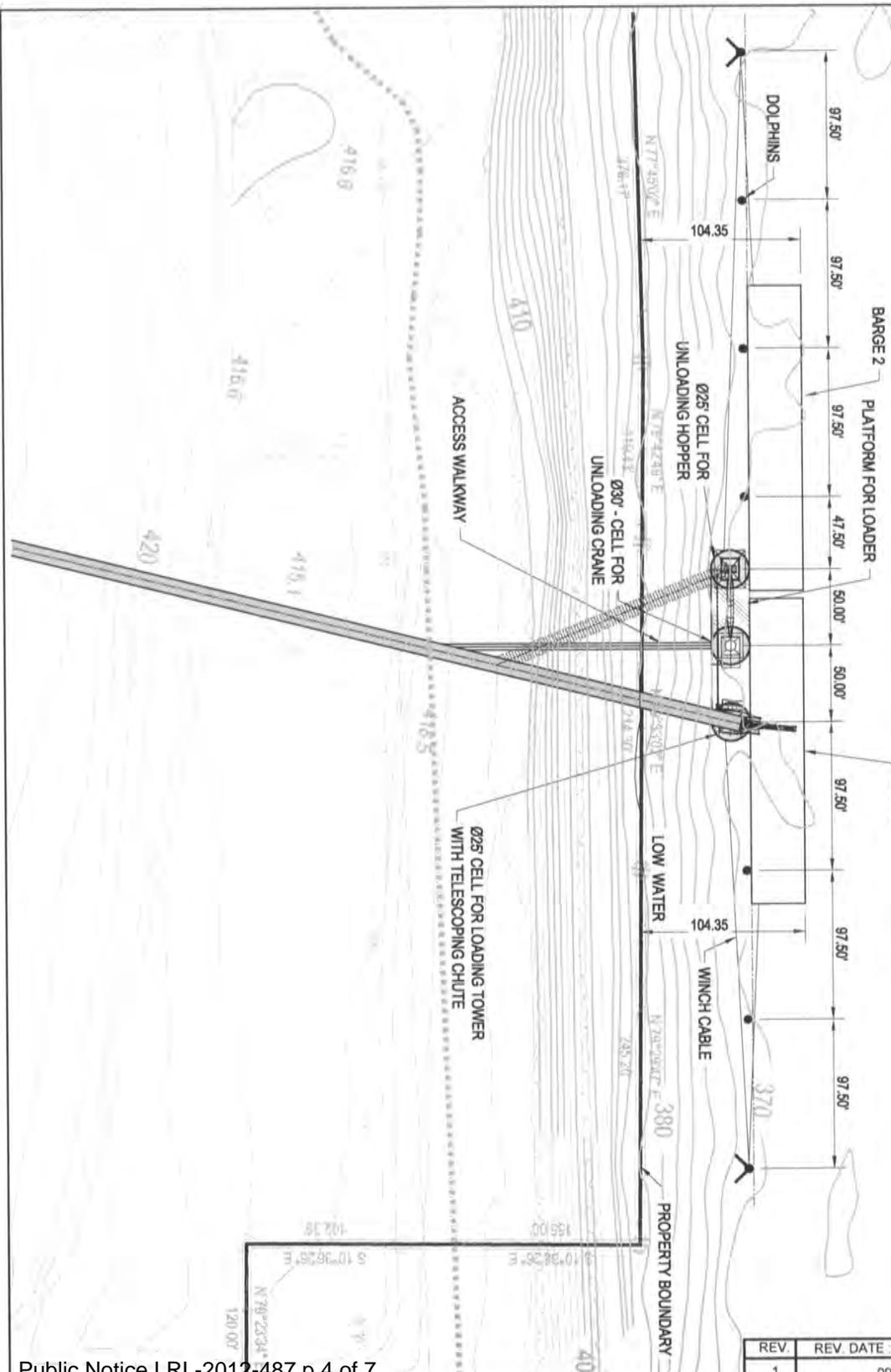
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	<p>DRAWING TITLE: Brandenburg KY Overall Site Layout/General Arrangement</p>

Forsythe & Long Engineering Inc.
 4560 HELTON DRIVE FLORENCE, AL 35630 PHONE: (256) 760-0000

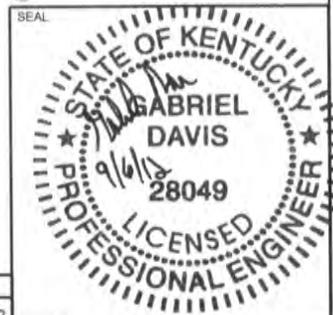
DATE: 09-06-12	JOB NUMBER: 325-043
DRAWN BY: BNK	DRAWING NO: CP1.02
SCALE: 1"=450'	SHEET: 2 OF 7
PROJ. MANAGER: R.W.	



- NOTES:
1. FACILITY FOR LOADING/UNLOADING OF BULK COMMERCIAL FERTILIZER BARGES.
 2. BARGES TO BE MOORED VIA DOLPHINS AND CELLS.
 3. BARGE TO BE MOORED ALONG DOCK LINE VIA WINCH SYSTEM.
 4. LIGHTING SHALL INCLUDE SHIELDED METAL HALIDE FLOODLIGHTS TO PROVIDE A MINIMUM 5 FC LIGHTING AT THE MEDIAN BARGE LOADING/UNLOADING HEIGHT OVER THE LOADING AREA. DOWN LIGHTING SHALL PROVIDE 30 FC ON PLATFORM, WORKING AREAS, CRANE AND LOADING STRUCTURE. WALKWAY LIGHTING, EMERGENCY LIGHTING AND EXIT SIGNS SHALL BE PROVIDED PER KENTUCKY BUILDING CODE (IBC 2006 WITH ADAPTATION) ON ACCESS WALKWAYS, STRUCTURE AND CONVEYOR GALLERIES.
 5. DOLPHINS MAY BE CONSTRUCTED IN SINGLE OR MULTI PILE CONFIGURATION DEPENDING ON SITE GEOLOGY DETERMINATION AND EQUIPMENT AVAILABILITY.
 6. ALL DOLPHINS SHALL BE DESIGNED IN GENERAL CONFORMANCE WITH UFC 4-159-03.



REV.	REV. DATE
1	09/06/12



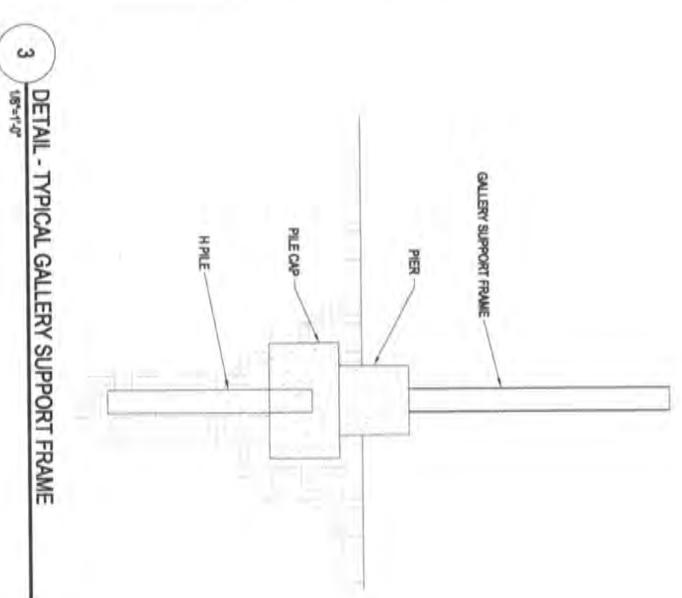
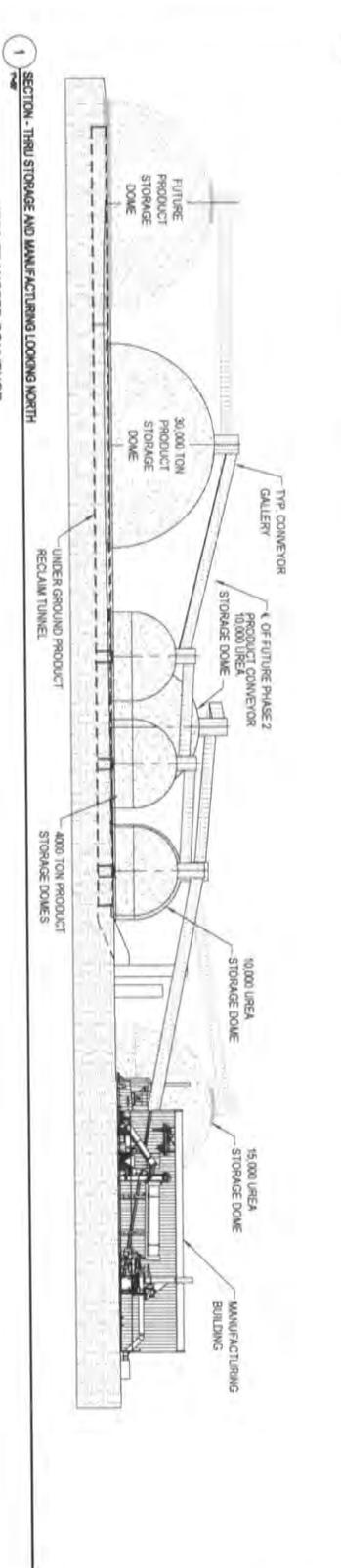
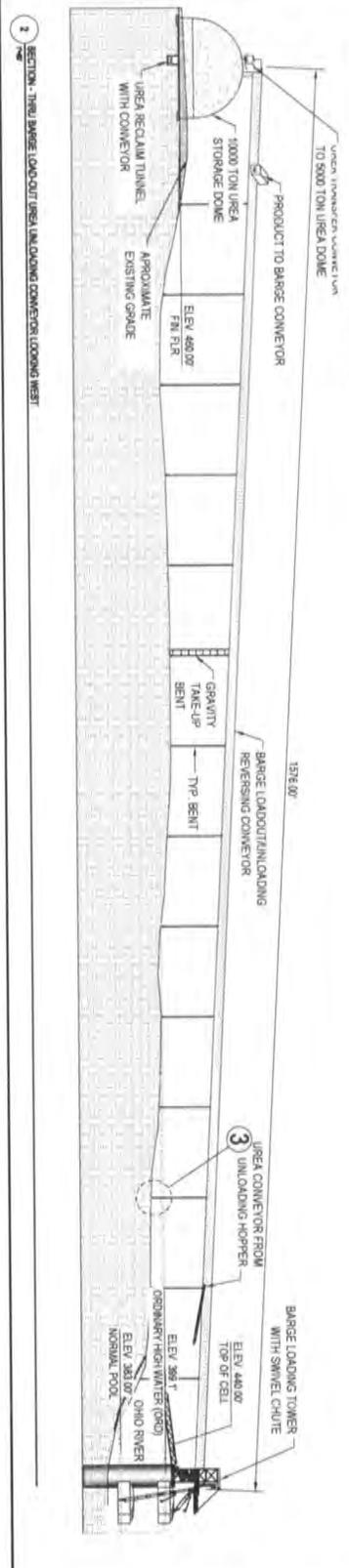
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	<p>DRAWING TITLE</p> <p>Barge Loading Unloading Dock Mooring</p>

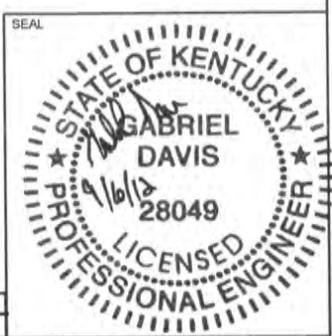

Forsythe & Long Engineering Inc.
 4560 HELTON DRIVE FLORENCE, AL 35630 PHONE: (256) 760-0000

DATE	09-06-12	JOB NUMBER	325-043
DRAWN BY	BNK	DRAWING NO	CP1.14
SCALE	1"=100'	SHEET	4 OF 7
PROJ. MANAGER	R.W.		

C:\14 & 5\11 Barge Loading Dock Area.dwg
 Sep-06-2012 - 2:49pm



REV	REV DATE
1	09/06/12

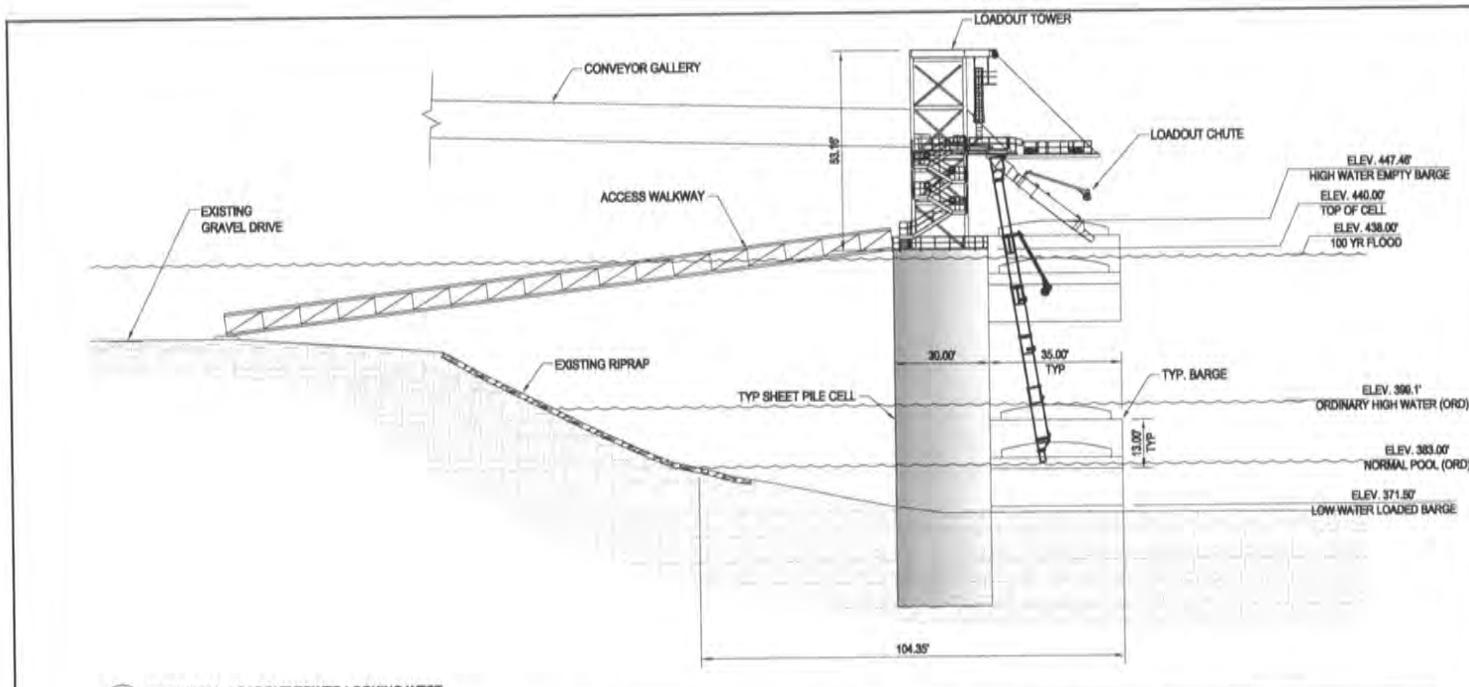


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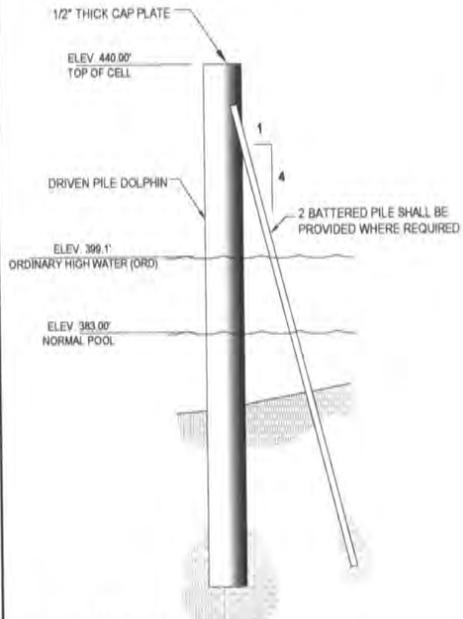
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	<p>DRAWING TITLE</p> <p>Brandenburg KY Site Sections</p>


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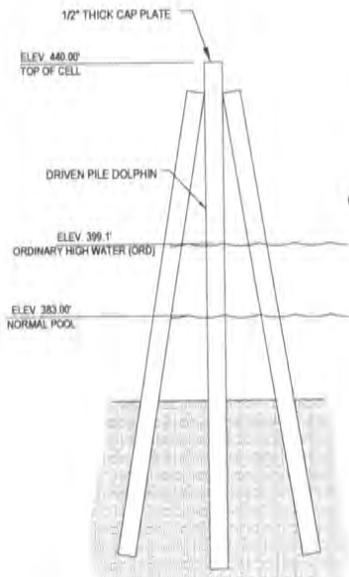
DATE: 09-06-12	JOB NUMBER
DRAWN BY: BNK	325-043
SCALE: 1"=150'	DRAWING NO. CP3.01
PROJ. MANAGER: R. W.	SHEET 6 OF 7



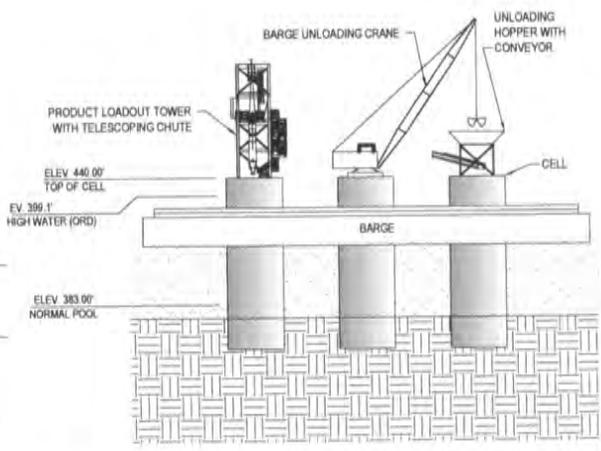
1 ELEVATION - LOADOUT TOWER LOOKING WEST
1/4" = 1' = 0"



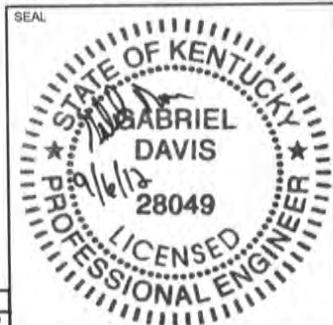
3 DETAIL - TYPICAL DOLPHIN
1/4" = 1' = 0"



4 DETAIL - TYPICAL 3-PILE DOLPHIN
1/4" = 1' = 0"



2 ELEVATION - LOADING/UNLOADING DOCK LOOKING SOUTH
1/4" = 1' = 0"



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	<p>DRAWING TITLE: Brandenburg KY Dock Area Elevations</p>		<p>SCALE: 1"=75'</p>	<p>DRAWING NO.: CP3.02</p>

C3.02 Brandenburg KY Dock Area Elevations.dwg
Sep 05, 2012 - 3:27pm



OHIO RIVER
-FLOW DIRECTION-

APPROXIMATE
RIVER MILE 64.5

SAILING LINE

REFERENCE:

- U.S. ARMY CORPS OF ENGINEERS OHIO RIVER NAVIGATION CHARTS. CAIRO, ILLINOIS TO FOSTER, KENTUCKY, JUNE 2010. CHART NUMBER 77
- BATHYMETRIC SURVEY BY HYDRO DATA, INC.
- PROPERTY SURVEY AND TOPOGRAPHY BY SMITH ENGINEERING AND LAND SURVEYING, INC. DATE 9-10-07.

0 140' 280' 560'



SCALE: 1" = 280'

APROX AREA OF
DREDGE = 9.8 ACRES

MAINTENANCE DREDGING AREA
MAINTAIN RIVER BED AT 370' ELEV

TYP BATTERED DOULPHIN

TYP 025' HOPPER CELL

TYP 030' CRANE CELL

CONVEYOR GALLERIES

TYP 025' LOADOUT TOWER CELL

WALKWAY

DOCKING LINE

FUTURE DOCKING AREA

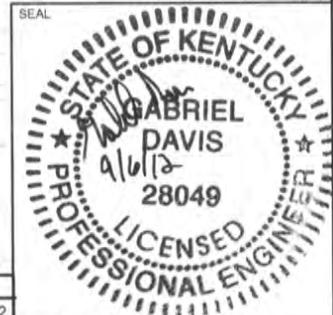
TRUCK ACCESS POINT TO
RECIEVE DREDGE MATERIALS

1. DREDGING BY CLAMSHELL CRANE OR BUCKET EXCAVATOR FROM BARGE. LOADED ON TO BARGE, THEN TRANSFERRED TO SHORE.
2. DREDGED MATERIAL TO BE CONTAINED WITHIN EARTHEN CONTAINMENT BERMS
3. EFFLUENT WATER TO BE MONITORED, CONTROLLED AND FILTERED AS REQUIRED.
4. LOCATION TO BE GRADED AND STABILIZED WITH GRASSING WHEN NOT IN USE

DETAIL 1

APPROX. TREE LINE

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PROJECT	AAT Meade County
DRAWING TITLE	RIVER MAINTENANCE DREDGING

Forsythe & Long Engineering Inc.
4560 HELTON DRIVE FLORENCE, AL 35630 PHONE: (256) 760-0000

DATE	06-22-12	JOB NUMBER	325-043
DRAWN BY:	BNK	DRAWING NO.	CP1.22
SCALE:	1"=280'	PROJ. MANAGER:	R.W.
		SHEET	1 OF 2

C1 22 & 5/11 River Maintenance Dredging.dwg
Sep 06, 2012 - 5:56pm