

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

Public Notice

Public Notice No.	Open Date:	Close Date:
LRL-2015-645-gjd	28 Aug 2015	28 Sep 2015

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Mr. George DeLancey, CELRL-OPF-W
6855 State Road 66
Newburgh, Indiana 47630

rl.regulatorypubliccomment@usace.army.mil

Phone: (812) 842-2807

This notice announces an application submitted for a Department of the Army (DA) permit, Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA).

APPLICANT: Yager Materials, Inc.
5001 Highway 60 E
Owensboro, Kentucky 42303

LOCATION: The proposed project is located on the left descending bank of the Ohio River at Mile 756, in Owensboro, Daviess County, Kentucky.
Latitude: 37-46-34.8452
Longitude: 87-06-17.8015
7.5 Minute Quad: Owensboro East, KY

PURPOSE: To add an additional loading and unloading system to improve the efficiency of the existing operation.

DESCRIPTION OF WORK: The applicant proposes to modify the existing unloading facility. The existing unloading terminal consists of a crane barge and separate hopper barge. The applicant proposes to replace this system by adding a single crane and hopper barge. The barge would support a new conveyor system that would load and unload materials. The applicant proposes to add 2 quad-tie pilings to provide anchoring for the barge. The quad-ties would be constructed with four 20-inch hollow steel pipes driven into the riverbed approximately 30 feet in depth. Each piling would then be filled with rock. The maximum riverward projection of the facility would be 155 feet at the normal pool elevation of 358.0 feet Ohio River Datum (ORD).

The applicant also proposes to drive 250 linear feet of sheet pile from the top of the bank to the riverward edge of an existing crane platform to improve the platform/ramp. The area behind the sheet piling would then be back filled with earthen material obtained from any grading required for the proposed project and crushed aggregate obtained from the materials yard on-site. Approximately 1000 cubic yards of this material would be placed below the Ordinary High Water (OHW) elevation of 370.0 feet (ORD). The platform/ramp would then be sealed with a concrete pad approximately 12 inches thick. This ramp would serve as a truck ramp to aid in the loading or offloading of materials.

The applicant also requests authorization to place riprap along

Operations Division
Regulatory Branch (West)
ID No. LRL-2015-645-gjd

approximately 500 linear feet of bank at the facility as erosion control measure. A total of 5000 tons of riprap would be utilized with 1000 tons or less being placed below OHW.

In addition, the applicant is also requesting authorization to perform annual maintenance dredging at this location for a period of ten years. Dredging would be conducted with a clamshell around the loading and unloading area to maintain a suitable depth for material barges to maneuver. An estimated 1000 cubic yards of silty and sandy material would be dredged annually and would be placed in the materials yard on-site for use as a commodity or fill material to be sold or given away.

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 are no properties currently listed on the Register which would be directly affected by the proposed work. The site has been surveyed for cultural resources and coordination with the Kentucky State Historic Preservation Office is on-going. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, pre historical, 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).

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. 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/Missions/Regulatory.aspx> under "Obtain a Permit".

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-2015-645-gjd.

Example:

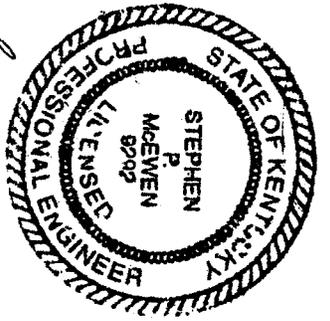
Subject: LRL-2015-645-gjd

b) Provide your physical mailing address and telephone number.

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

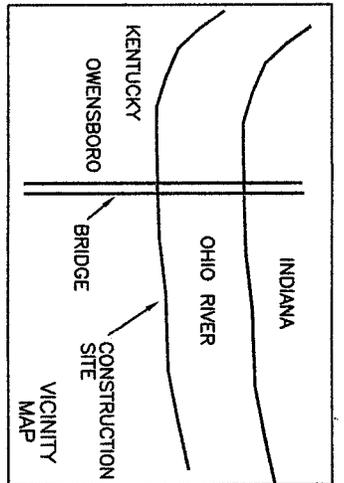
d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.

MATCH LINE



Stephen P. McEwen, P.E.
DATE: 08-11-15

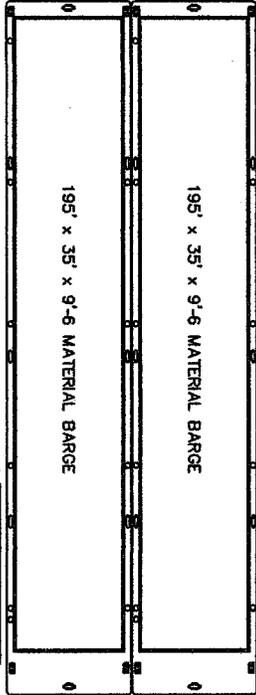
NORMAL POOL ELEVATION = 358
OHIO RIVER



YAGER MATERIALS, LLC
701 EAST SECOND STREET
OWENSBORO, KY 42301
LRL-2015-645-gid Map 1 of 4

AT: OHIO RIVER MILE 756
LEFT DESCENDING BANK
COUNTY: DAVIESS
STATE: KENTUCKY

ERIALS

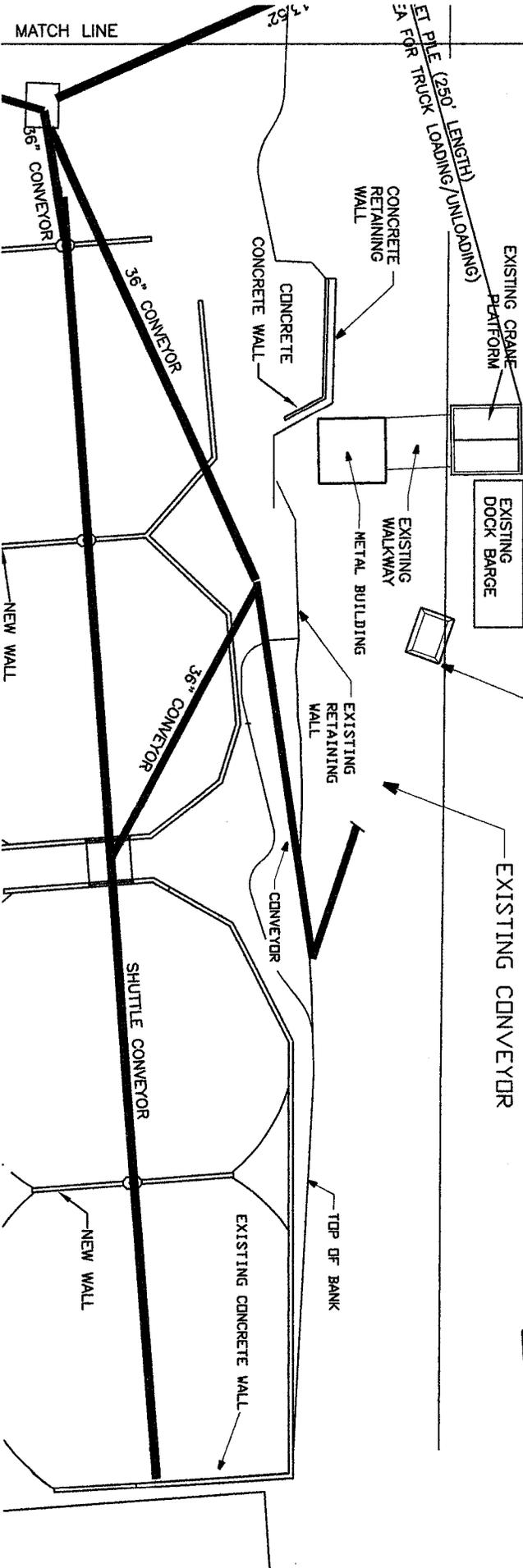


EXISTING HOPPER

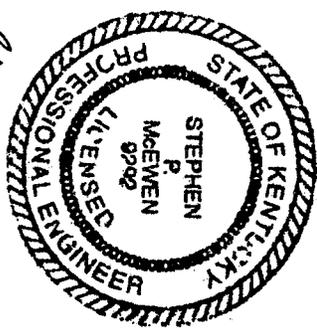
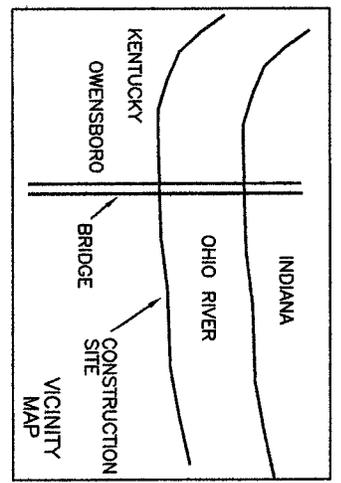
EXISTING CONVEYOR

EXISTING CELL

MATCH LINE



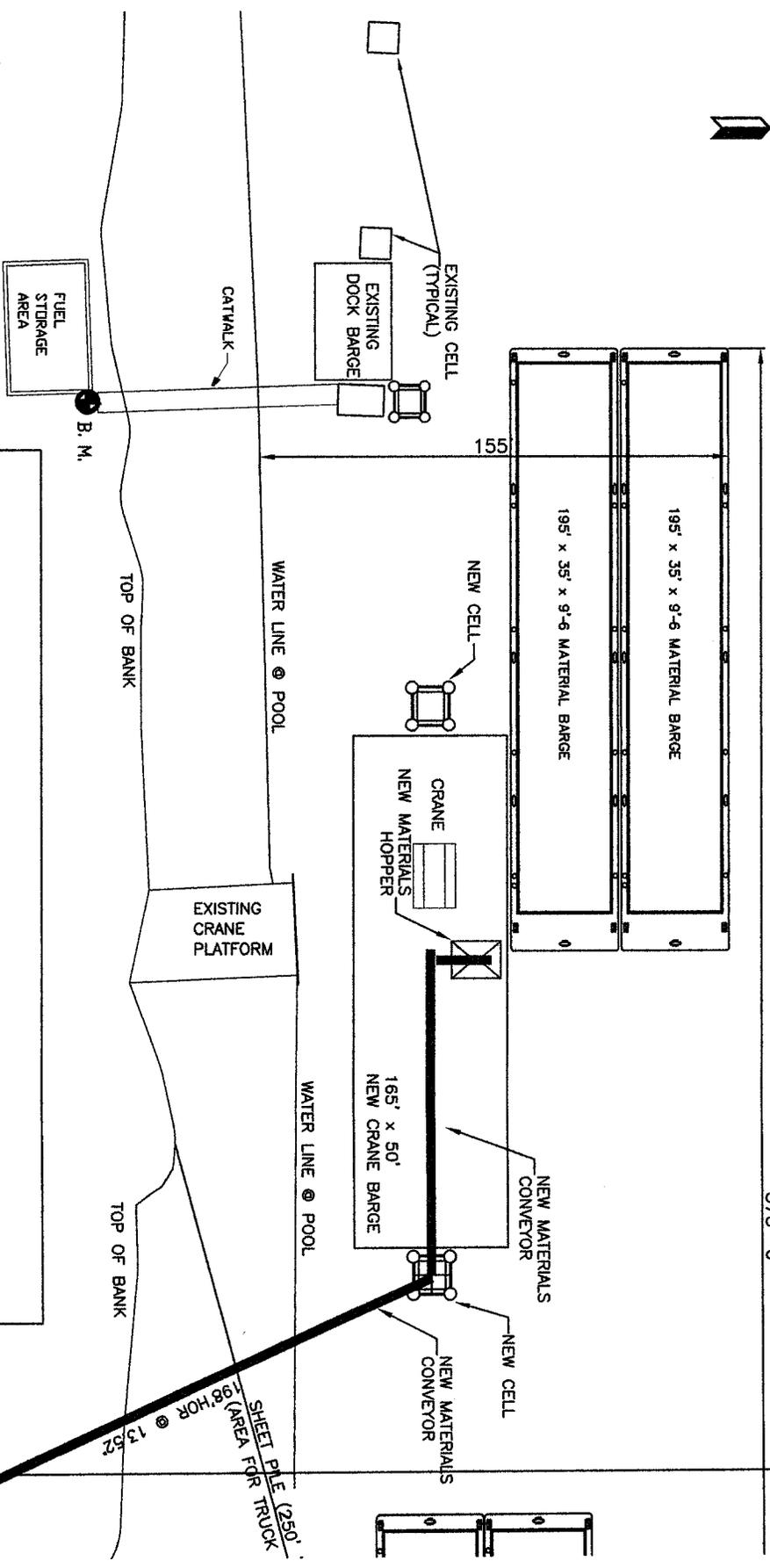
NORMAL POOL ELEVATION = 358
OHIO RIVER



Stephen P. McEwen, P.E.
DATE: 08-11-15

575'-0"

MATCH LINE



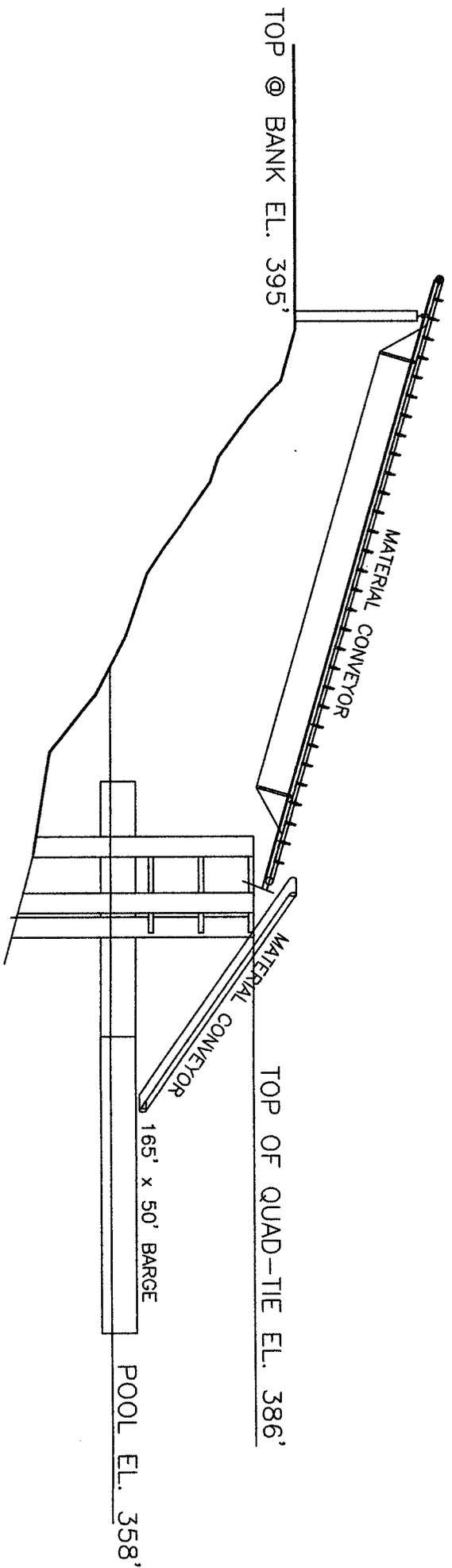
YAGER MATERIALS, LLC
701 EAST SECOND STREET
OWENSBORO, KY 42301
LRL-2015-645-gjd Map 2 of 4

AT: OHIO RIVER MILE 756
LEFT DESCENDING BANK
COUNTY: DAVIESS
STATE: KENTUCKY

MATCH LINE

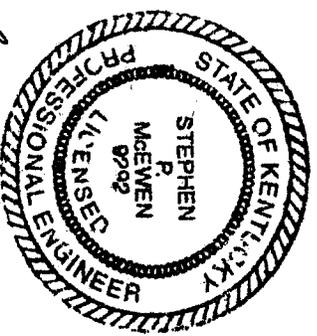


SHEET PILE (250'
AREA FOR TRUCK
198' HOR @ 13.5%



YAGER MATERIALS, LLC
 701 EAST SECOND STREET
 OWENSBORO, KY 42301
 LRL-2015-645-gid Map 3 of 4

AT: OHIO RIVER MILE 756
 LEFT DESCENDING BANK
 COUNTY: DAVIESS
 STATE: KENTUCKY



Stephen P. McEwen, P.E.
 DATE: 08-11-15

AT: OHIO RIVER MILE 756
 LEFT DESCENDING BANK
 COUNTY: DAVIESS
 STATE: KENTUCKY

OWENSBORO, KY 42302
 P.O. BOX 2000
 YAGER MATERIALS, LLC

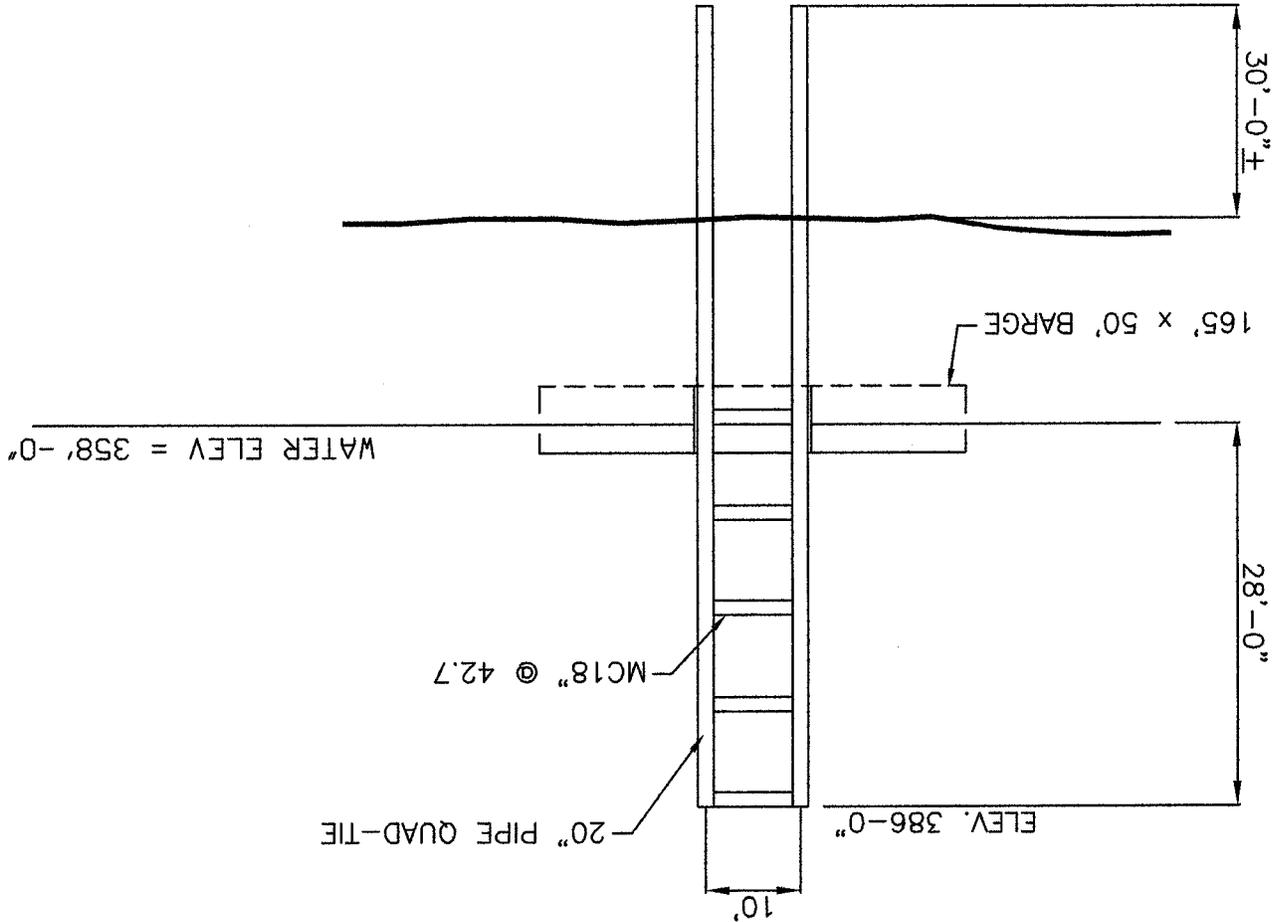
LRL-2015-645-gjd Map 4 of 4

TYPICAL SECTION QUAD-TIE

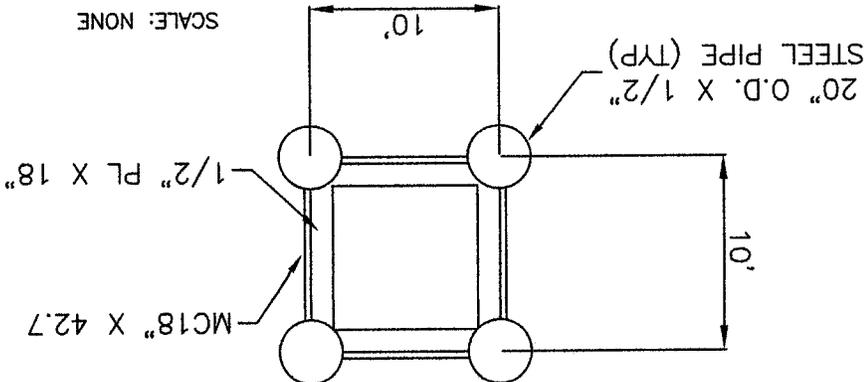
SOUTH ELEVATION

1" = 20'

PURPOSE: UNLOAD BARGES



TYPICAL SECTION
 QUAD-TIE



SCALE: NONE

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 DATE: 08-11-15

