



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

Public Notice

Public Notice No.
LRL-2016-322-lae

Open Date:
24 Jun 2016

Close Date:
25 Jul 2016

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Ms. Leslie Estill, CELRL-OPF-W, Rm 752
P.O. Box 59
Louisville, Kentucky 40201-0059

Phone: (502)315-6711

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.

APPLICANT: Three Rivers Boat & Barge
133 Rose Drive
Ledbetter, Kentucky 42058

AGENT: Mainstream Commercial Divers, Inc.
322 C.C. Lowry
Murray, Kentucky 42071

LOCATION: On the left descending bank of the Ohio River
between mile markers 928.3 and 928.9 in
Livingston County, Kentucky.

Latitude: 37.05694
Longitude: -88.49488
7.5 Minute Quad: Little Cypress, Kentucky

PURPOSE: To establish a barge fleeting area.

DESCRIPTION OF WORK: The applicant proposes to establish a barge fleeting area along 3,000 linear feet of the Kentucky shoreline within the Ohio River, between mile markers 928.3 and 928.9. The maximum riverward projection of the fleeting area would not exceed 295 feet and would be 370 feet from the sailing line at normal pool elevation of 302 feet Ohio River Datum.

The fleet's maximum configuration would be seven barges wide (245') by fifteen barges long (2,925'), for a total of 105 barges. The fleet would be moored to 10 deadmen located on the shore above the ordinary high water mark of the Ohio River. See figures 1-3. Two existing deadmen would be utilized and eight new deadmen would be constructed.

Professional Engineered plans of the proposed deadmen, existing deadmen, chains, and steel cables would be provided and reviewed by this office prior to authorization. The applicant has requested to not provide these plans at this stage in the review process. Draft

designs consists of 5 to 8-foot squared concrete deadmen and approximately 1.25-inch diameter steel cables.

The fleeting area would be utilized for staging loaded and unloaded barges waiting to access various terminals and facilities up and down the Ohio River. The loaded barges would hold commercial products for sale to exclude any red flag materials.

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. A mussel survey of the project area was completed by Mainstream Commercial Divers, Inc. dated December 2015. This survey will be provided to U.S. Fish and Wildlife Service for review. In addition, no trees which may have provided bat habitat would be cleared for the proposed deadmen.

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.

It has been determined that there are no properties currently listed on the National Register of Historic Places which would be directly affected by the proposed work. 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 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

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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. 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 Ms. Leslie Estill, CELRL-OPF-S, at the address noted above and should refer to the Public Notice Number LRL-2016-322-lae.

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-2016-322-lae.

Example:

Subject: LRL-2016-322-lae

b) Provide your physical mailing address and telephone number.

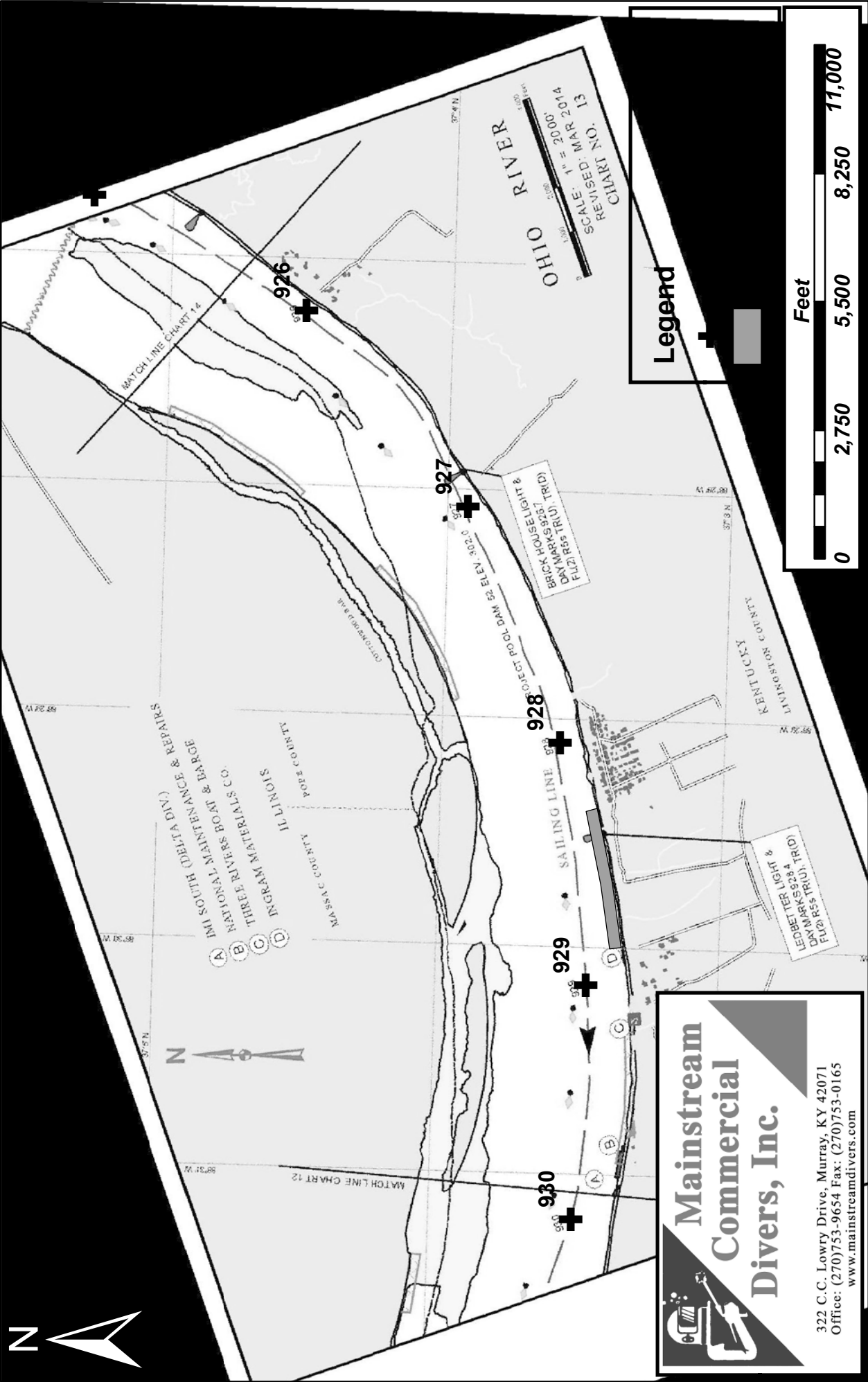
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c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.

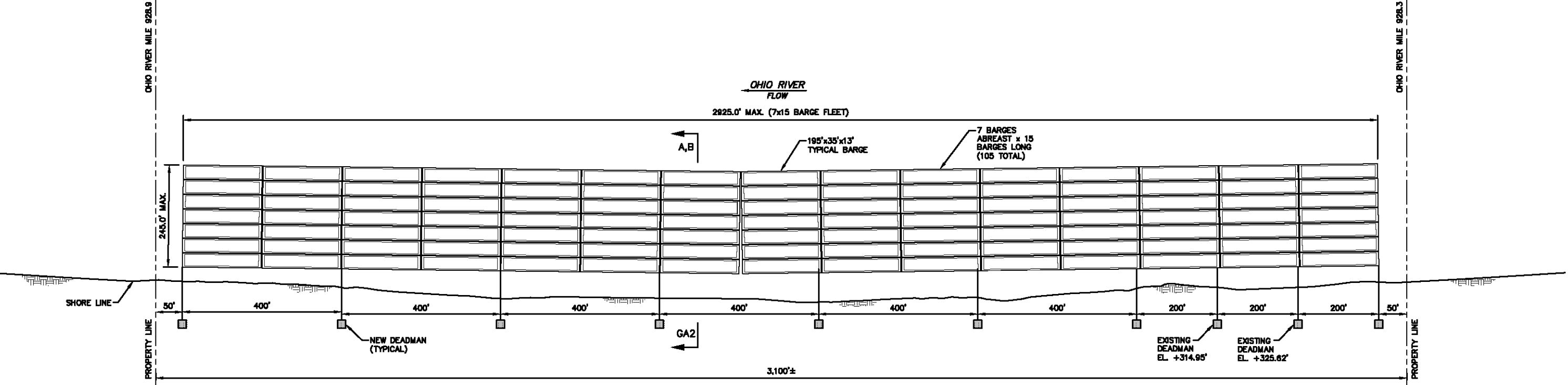
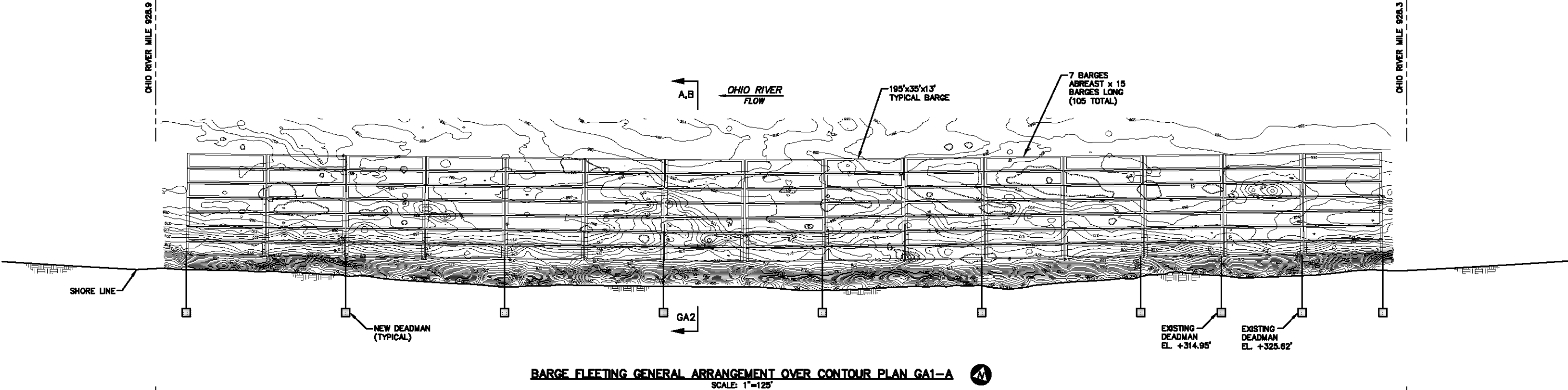
d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.

Three Rivers Boat & Barge, Inc.

Proposed Barge Fleeting Area Between Approximate ORM 928.3 and 928.9 near Ledbetter, KY

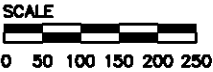


REVISIONS			
REV	DESCRIPTION	DATE	APPROVED
0	ISSUED FOR SUBMITTAL	03/16/16	PSMITH



- GENERAL NOTES**
1. DATA TAKEN FROM MCDI HYDROGRAPHIC SURVEY DATA.
 2. DEADMAN LOCATIONS PROVIDED BY THREE RIVERS BOAT AND BARGE.
 3. THE FOLLOWING ELEVATIONS WERE IN ACCORDANCE WITH THE DATUMS LISTED BELOW:
 - RIVER BOTTOM CONTOURS: NORTH AMERICAN VERTICAL DATUM 1988
 - ORDINARY HIGH WATER (OHW) EL. +311.4': OHIO RIVER DATUM
 - NORMAL POOL ELEVATION EL. +302.0': OHIO RIVER DATUM
 4. CORRECTION ADJUSTMENTS FOR NAVD88 TO ORD:
 - ADJUSTMENT FROM NAVD88 TO 1929 = +0.13'±
 - ADJUSTMENT FROM 1929 TO ORD = +0.70'±
 - TOTAL CORRECTION: 0.83'+NAVD88=ORD
 5. BARGE SIZE: 35'x195'x13'. 11' DRAFT BASED ON BARGE FULLY LOADED.

BARGE FLEETING GENERAL ARRANGEMENT PLAN GA1-B
SCALE: 1"=125'



IF SHEET DIFFERS IN SIZE THAN 22"x34"
IT IS A CHANGED PRINT-
SCALE ACCORDINGLY



SIGNED: PERRY L. SMITH
DATE: 2016.03.17 11:07:00 -05'00'

U.S.A.C.O.E. ID. NO.		SMITH LASALLE, INC.	
CONSULTING ENGINEERS • FRANKLIN PARK, ILLINOIS		THREE RIVERS BOAT & BARGE	
LEDBETTER, KENTUCKY		BARGE FLEETING GENERAL ARRANGEMENT	
OHIO RIVER PLAN VIEWS		SHEET 1 OF 2	
DO NOT SCALE DRAWING		DWR. NO. GA1	
APPROVALS		DATE	
ENGINEER PSMITH		03/12/16	
DRAWN SLJ		03/12/16	
CHECKED PSMITH		03/13/16	
APPROVED PSMITH		03/17/16	
REV.		0	

Figure 2 of 3 -

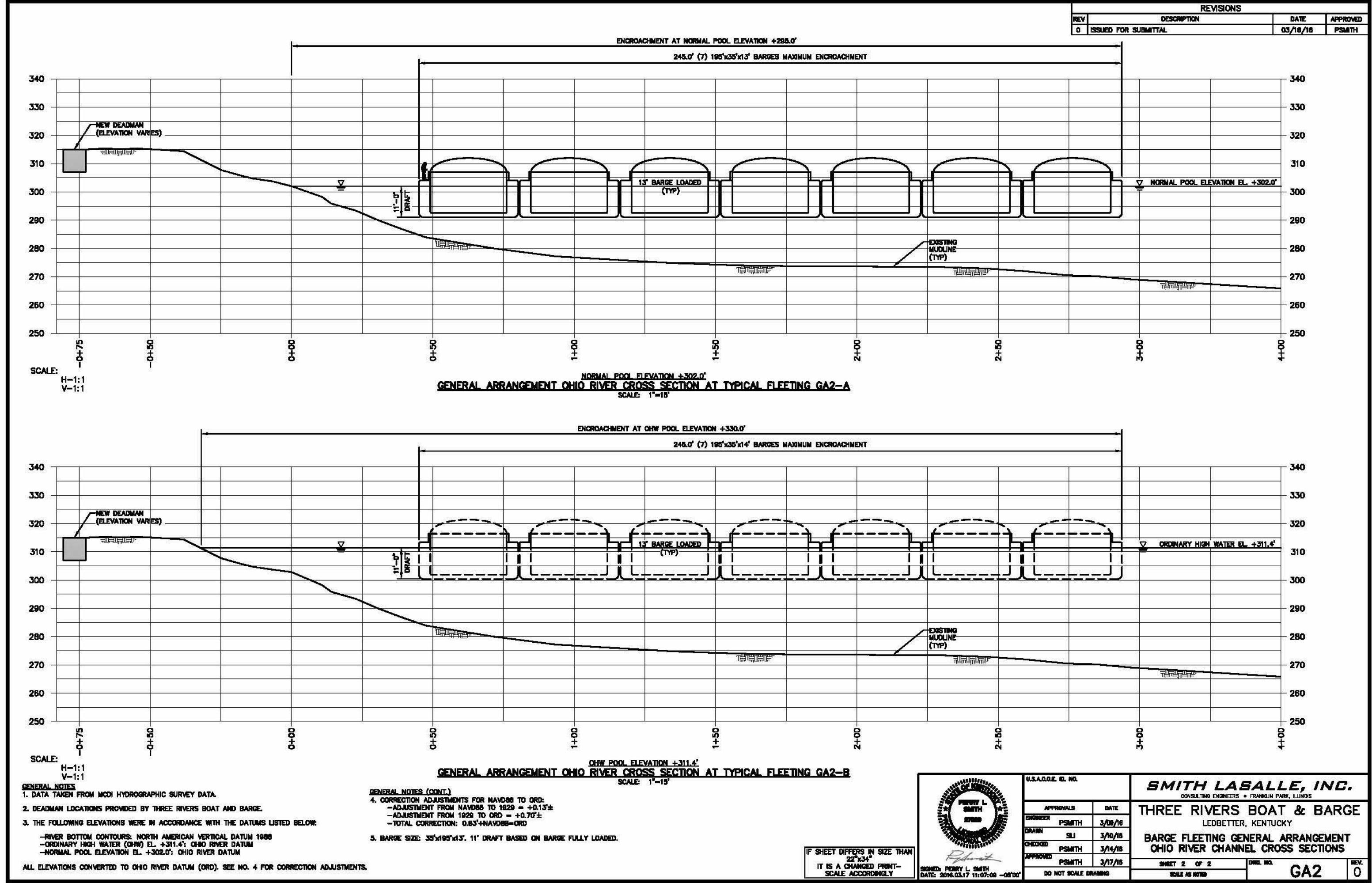


Figure 3 of 3 -