



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

Public Notice

Public Notice No.	Open Date:	Close Date:
LRL-2008-642-tmb	22 Sep 2015	22 Oct 2015

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

rl.regulatorypubliccomment@usace.army.mil

Phone: (812) 853-9713

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: Consolidated Grain and Barge Company (CGB)
P.O. BOX 70
Uniontown, Kentucky 42461

LOCATION: The proposed project is located on the left descending bank of the Ohio River at Mile 842.5, near Uniontown, Union County, Kentucky

Latitude: 37-46-26.3202
Longitude: -87-56-23.7121
7.5 Minute Quad: Uniontown, KY

PURPOSE: To perform maintenance dredging activities in order to restore water depths sufficient to allow barges ingress/egress of the existing loading facility.

DESCRIPTION OF WORK: The existing Consolidated Grain and Barge Company facility was authorized under DA permit number 75-004. The facility loads agricultural commodities on to barges for transportation on the Ohio River. It appears that deposition of sediment from Highland Creek, located just upstream of the facility, is causing the barges to run aground during low water levels. Maintenance dredging was done at this facility in 1995, 2005, 2007, 2010 and 2013. Dredging would be done on an as needed basis for the length of the 10 year permit. The applicant proposes to remove between 3,000 and 5,000 cubic yards for each occurrence of silty and sandy material from an area approximately 1 acre in size. The average depth of sediment to be removed would be three feet which would allow a suitable depth for barges to maneuver.

The applicant is requesting the flexibility of dredging methods based on availability of dredges and equipment. Mechanical methods would include grab or clamshell, bucket loader or backhoe dredging. Hydraulic methods would include suction or cutter dredging. Dredged material would then be placed in a temporary dewatering basin until a minimum moisture content is reached and then trucked to an upland disposal location in Uniontown, KY, on the west side of the sewage lagoons or placed in a hopper barge and hauled to an approved upland location by the contractor.

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The applicant's preferred alternatives was selected after considering the existing facility operations and needs to maintain adequate draft to allow for agricultural loading activities. By utilizing upland disposal, the applicant is minimizing impacts versus in river disposal.

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. 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 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>. 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-2008-642-tmb.

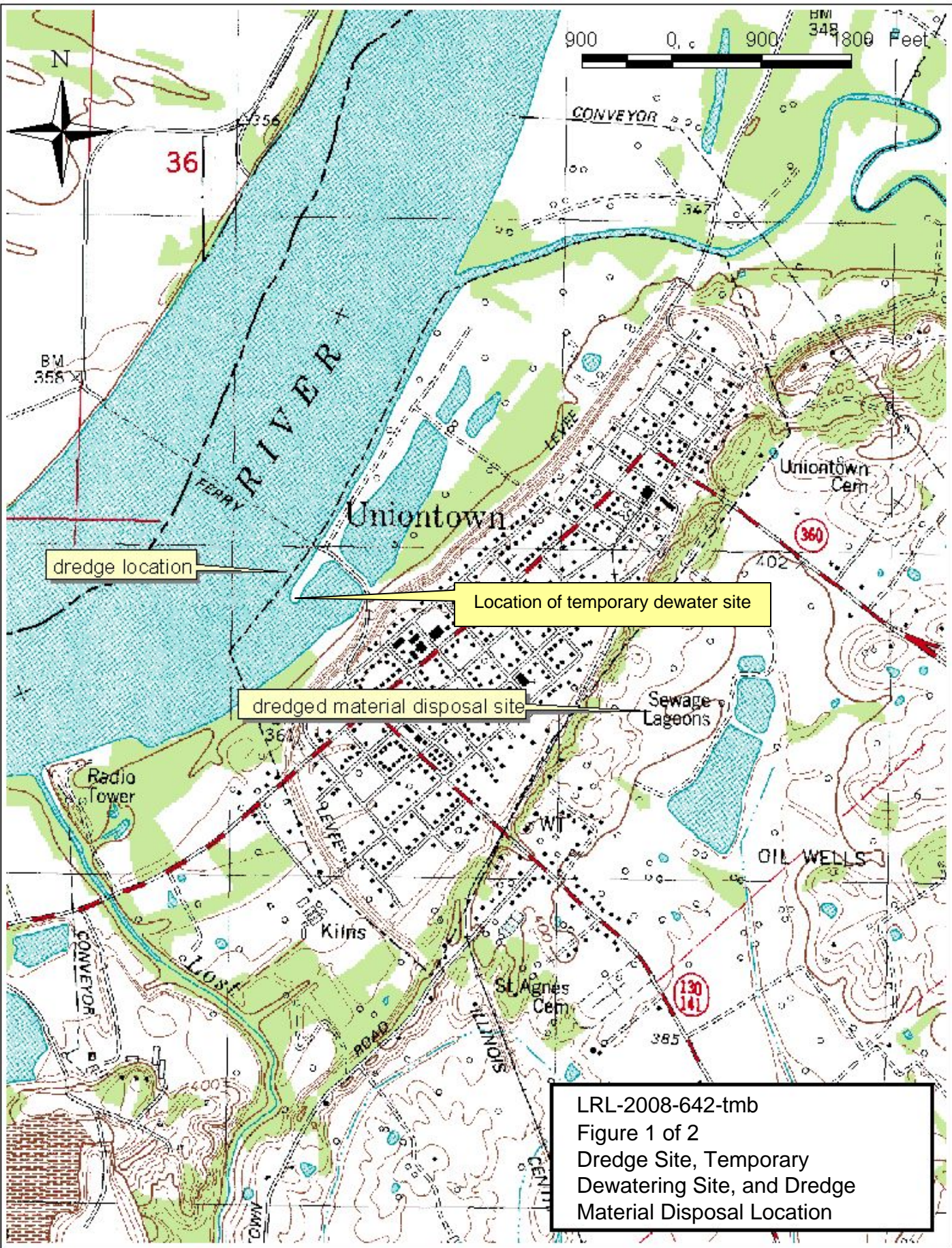
Example:

Subject: LRL-2008-642-tmb

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.



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Figure 1 of 2
Dredge Site, Temporary
Dewatering Site, and Dredge
Material Disposal Location

