



# Public Notice

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

Public Notice No.  
LRL-2014-604-gjd

Open Date:  
10 Sep 2014

Close Date:  
10 Oct 2014

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

[lrl.regulatorypubliccomment@usace.army.mil](mailto:lrl.regulatorypubliccomment@usace.army.mil)

Phone: 812-842-2807

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: Mulzer Crushed Stone, Inc.  
900 NW Riverside Drive  
Evansville, IN 47734

LOCATION: Ohio River Mile 833.1, right descending bank, Posey  
County, Indiana.  
Latitude: 37-53-01.52  
Longitude: -87-56-43.09  
7.5 Minute Quad: Mt. Vernon, IN-KY

PURPOSE: To expand existing fleet and loading facility.

DESCRIPTION OF WORK: The subject facility is an existing unloading facility. The purpose of this announcement is to clarify the existing facility and to modify part of the existing layout.

The existing facility includes 3 loading/unloading areas within the facility boundaries.

The upper most loading/unloading unit supports the facility operation of loading/unloading bulk material, primarily rock, gravel, sand, salt and magnetite. The unit consists of a 20' wing wall cell and two deadmans. The in river structures includes a spud work barge and possibly one or more unloading/loading barges. This unit has a maximum riverward projection of 85' at normal pool, 342.0' Ohio River Datum (ORD).

The middle unloading area is utilized to unload bulk loose material onto a conveyor system. This unit includes a fixed 20' cell with a hopper mounted on top of the cell, conveyor system, and two deadmans. The in river portion of the structure includes one spud work barge and two loading/unloading barges. This unit has a maximum riverward projection of 85' at normal pool, 342.0' ORD.

The lower existing loading/unloading area is set to accommodate the facility at lower Ohio River stages. This unit includes a portable receiving hopper, feeder, and several portable conveyors. The in river

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portion of the unit includes one spud barge and four loading/unloading barges. This unit has a maximum riverward projection of 170.6' at normal pool, 342.0' ORD.

Each of these units has been in operation for about 37 years. In river dimensions of the facility units and the presence of the lower unit are being clarified with this notice.

The applicant is requesting authorization to modify the lower unit on an as needed basis to accommodate the loading and unloading of equipment in support of local businesses. The modification would include the placement of two spud barges to receive and dock a 75'x280' barge supported by two 1200+ Horsepower Tugboats. The modification would allow for a temporary 384.3' riverward projection at normal pool.

AVOIDANCE, MINIMIZATION, and AVOIDANCE MEASURES: The applicant's preferred alternative, was selected after considering the presence of the existing facility and proximity to improved roadway networks.

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, 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,

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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 (USEPA), 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/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-2014-604-GJD.

Example:

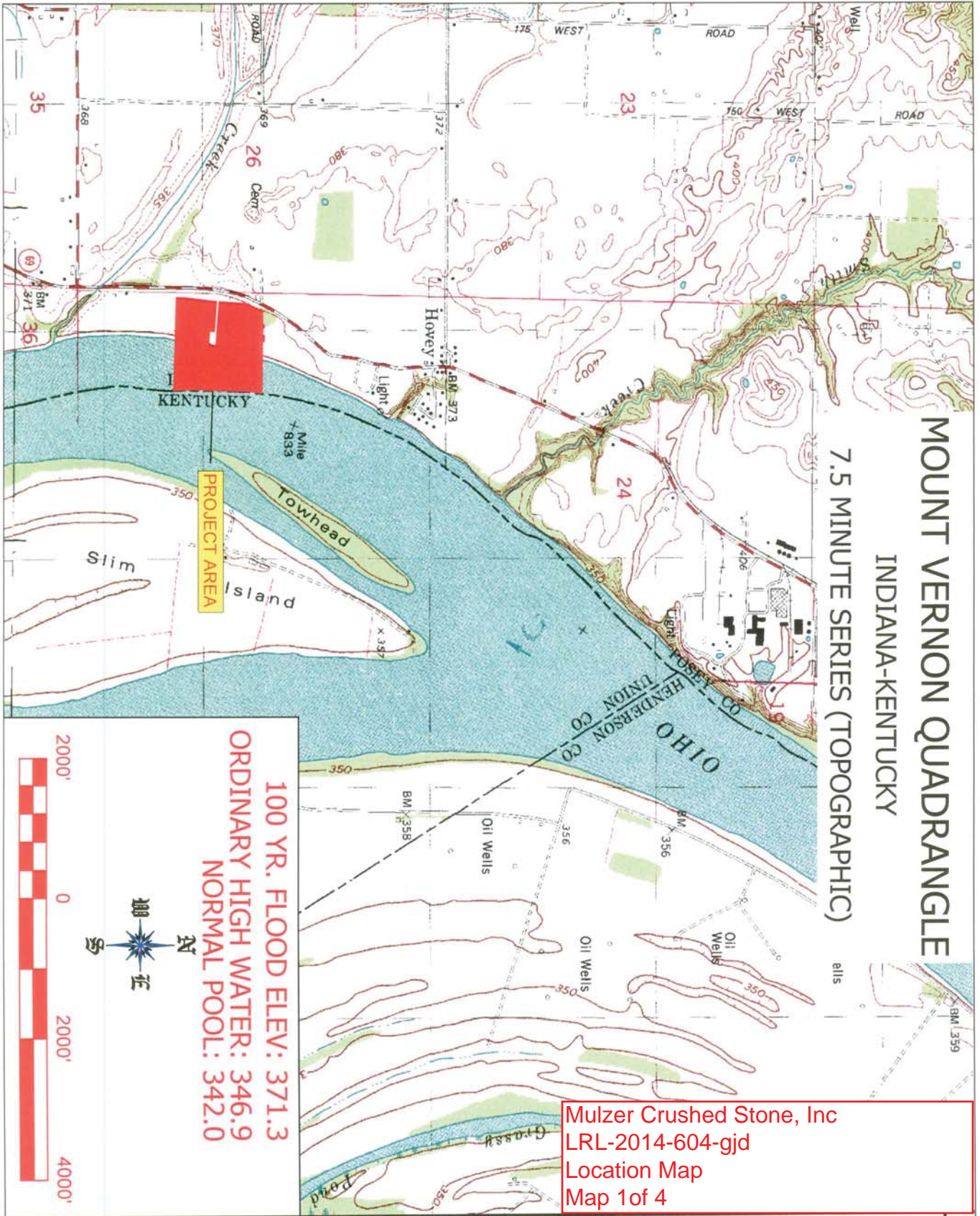
Subject: LRL-2014-604-gjd

b) Provide your physical mailing address and telephone number.

c) Send your email to: [lrl.regulatorypubliccomment@usace.army.mil](mailto:lrl.regulatorypubliccomment@usace.army.mil).

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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.

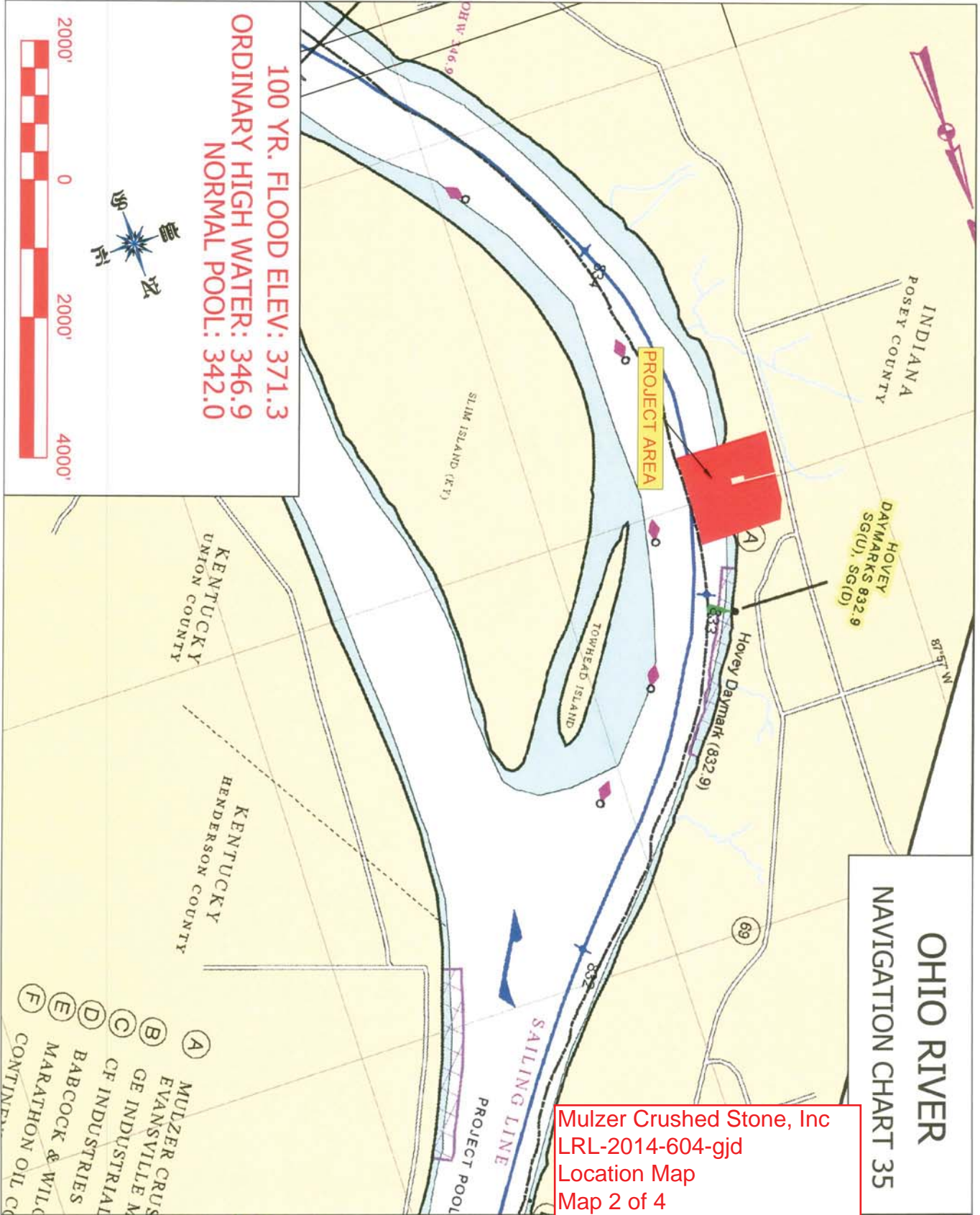


Mulzer Crushed Stone, Inc  
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Location Map  
Map 1 of 4

APPLICANT: <b>MULZER CRUSHED STONE</b>		PROJECT: <b>MT VERNON PROJECT LOCATION MAP</b>	
AGENT: <b>STEVE MCMANAWAY</b>		<b>MM 833.1</b>	
DRAWING NAME: MT VERNON	DRAWN BY: SBM	APPROVED BY:	
LOCATION: MT VERNON	DATE: 7/22/2014	SCALE: 1" = 2000'	

PHONE:  
FAX PHONE:

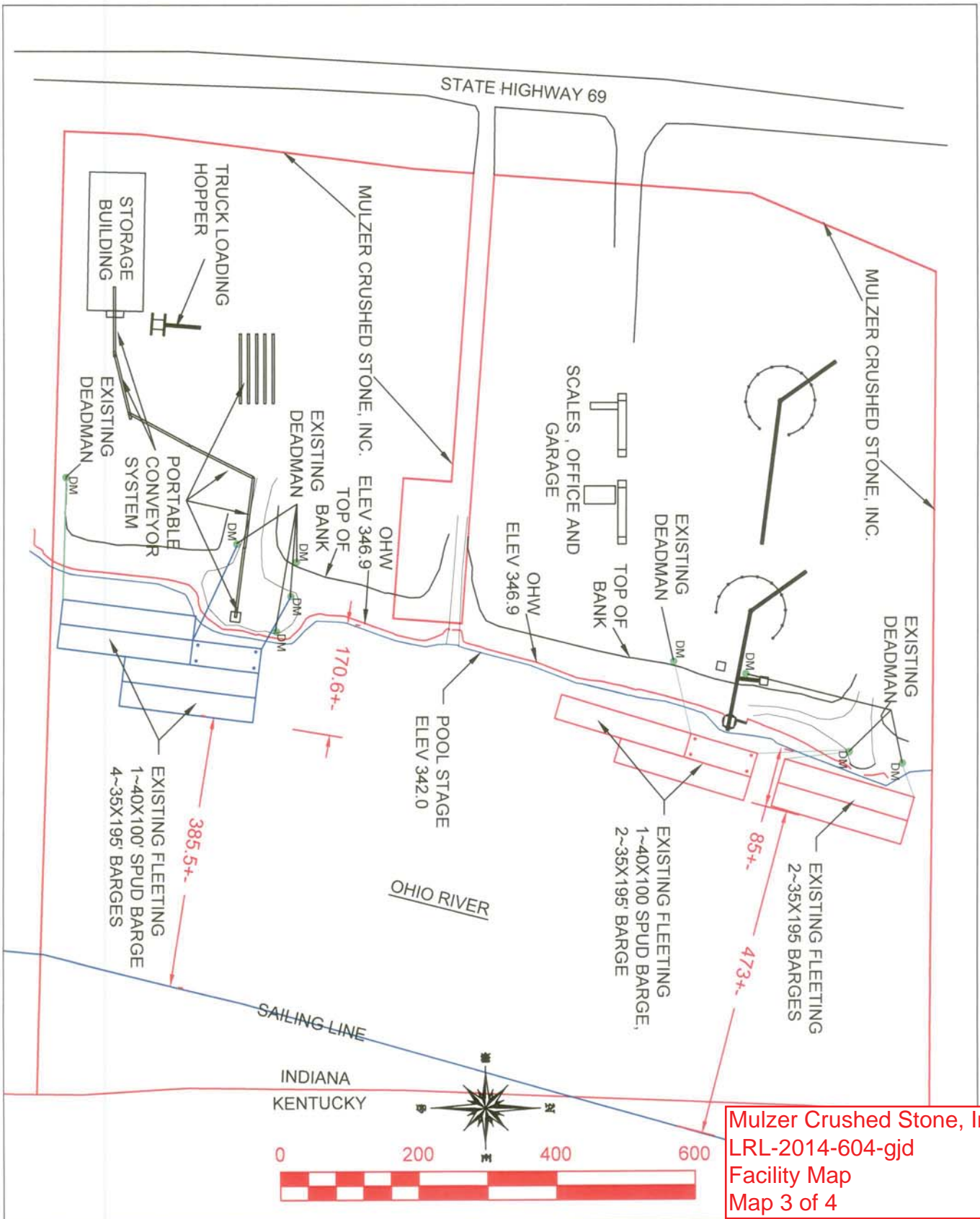
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Mulzer Crushed Stone, Inc  
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Location Map  
Map 2 of 4

APPLICANT: <b>MULZER CRUSHED STONE</b>		PROJECT: <b>MT VERNON PROJECT LOCATION MAP</b>	
AGENT: <b>STEVE MCMANAWAY</b>		<b>MM 833.1</b>	
DRAWING NAME: _____	DRAWN BY: <b>SBM</b>	APPROVED BY: _____	
LOCATION: _____	DATE: <b>7/22/2014</b>	SCALE: <b>1"=2000'</b>	

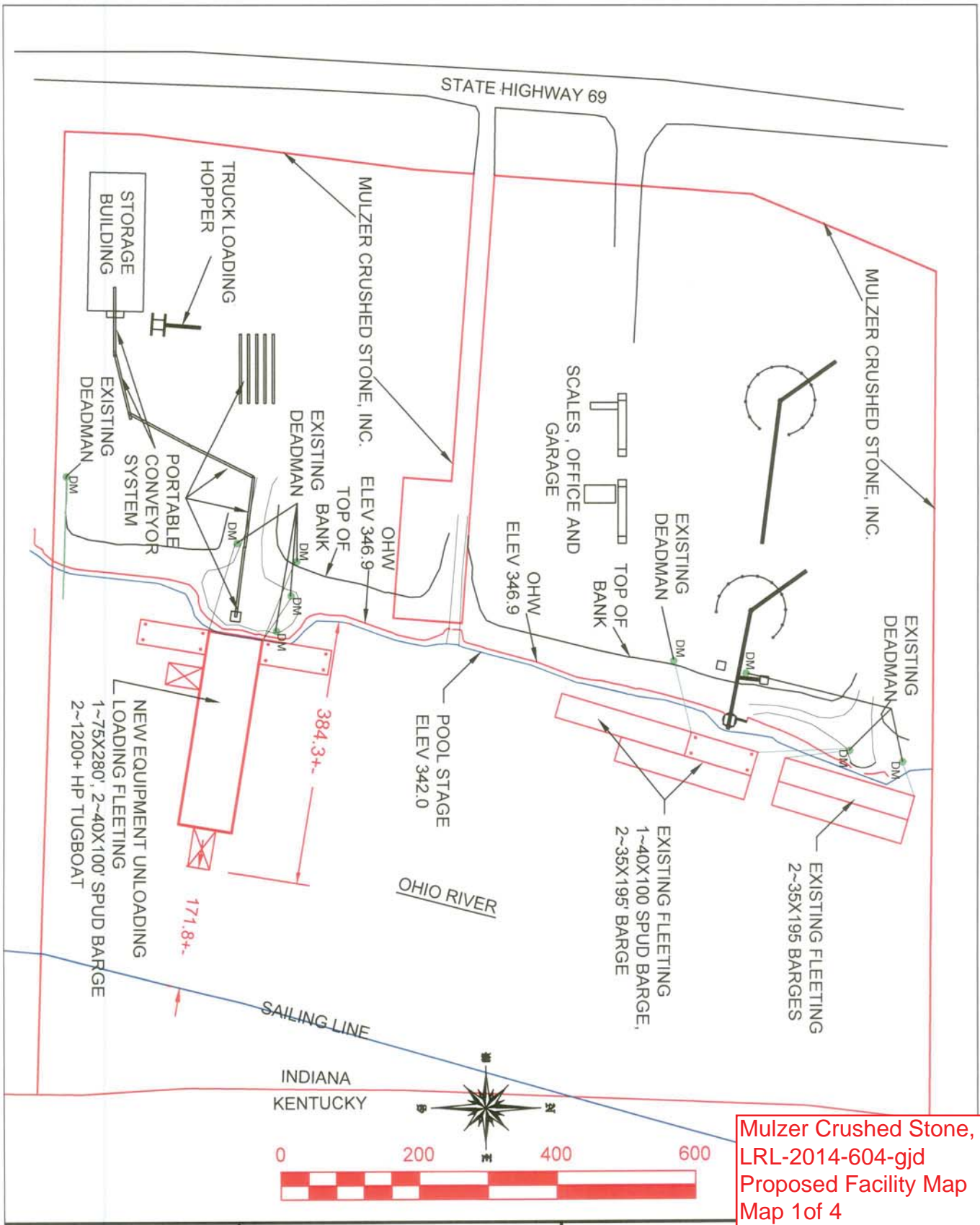
PHONE:  
FAX PHONE:



Mulzer Crushed Stone, Inc  
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 Facility Map  
 Map 3 of 4

FLEETING WITH UNLOADING/LOADING MATERIAL BARGE 1 OF 2  <small>PHONE: FAX PHONE:</small>	APPLICANT: <b>MULZER CRUSHED STONE</b>	PROJECT: <b>MT VERNON FLEETING</b>
	ADDR: <b>STEVE MCMANAWAY</b>	<b>EXISTING FLEETING</b>
	DRAWING NAME: <b>SBM</b>	APPROVED BY: <small>SCALE: 1"=200'</small>
	LOCATION: <b>7/22/2014</b>	<b>UNLOADING/LOADING AREA</b>  <b>MM 833.1</b>

ES&S  
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Mulzer Crushed Stone, Inc  
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 Proposed Facility Map  
 Map 1 of 4

FLEETING WITH UNLOADING/LOADING EQUIPMENT BARGE 2 OF 2  <small>PHONE: FAX PHONE:</small>	APPLICANT: <b>MULZER CRUSHED STONE</b> ADDR: STEVE MCMANAWAY DRAWING NAME: OWNER BY: SBM APPROVED BY: LOCATION: DATE: 7/22/2014 SCALE: 1"=200'	PROJECT: MT VERNON FLEETING EXSITING/NEW FLEETING UNLOADING/LOADING AREA MM 833.1	E2 4
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