

**US Army Corps
of Engineers**

Louisville District ®

Public Notice

Public Notice No.
LRL-2023-00605

Date:
27 NOV 2023

Closing Date:
27 DEC 2023

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Ms. Sarah Atherton, CELRL-RDN, Rm 183
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 and Section 404 of the Clean Water Act (CWA).

APPLICANT: City of Madison
101 West Main Street
Madison, Indiana 47250

AGENT: Jacobi, Toombs, and Lanz, Inc.
1829 East Spring Street
New Albany, Indiana 47150

LOCATION: Right descending bank of the Ohio River at river mile 557.6 in
Madison, Jefferson County, Indiana.

Latitude: 38.73265°N
Longitude: -85.38041°W
7.5 Minute Quad: Madison West

PURPOSE: To upgrade an existing boat ramp and off-boarding area.

DESCRIPTION OF WORK: The applicant proposes to upgrade and extend the existing City of Madison public boat ramp/launch to provide sufficient space and safety measures required to accommodate the American Queen Vessel (AQV) riverboat, alongside other public and private boats utilizing the facility. Work would include the installation of 6,930 square feet (0.16 acre) of concrete pavement over compacted stone (total 257 cubic yards of fill), for a new passenger access pad. The proposed work would be below the ordinary high water mark (OHWM) elevation of 433.5 feet Ohio River Datum (ORD) and above the normal pool elevation of 420.0 feet ORD. The AQV would dock at this facility up to 15 times a year starting in 2024 for five years. The visits would be between May and November, lasting from 12 hours to overnight. Existing onshore anchors would be utilized for mooring tie-offs using 1.5-inch Kevlar coated rope cables. When docked the AQV gangway would be lowered to the new access pad for passengers to embark/disembark.

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The proposed project has been minimized to the maximum extent practical and still provide safe off-loading and sufficient space for the American Queen as well as other public and private boats at this facility.

The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

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 on this project until a State of Indiana Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or it is considered waived. In order to comply with Section 401 of the Clean Water Act, the applicant must apply for State certification from IDEM. IDEM can be contacted at the following address: IDEM, Office of Water Quality, Section 401 WQC Program, 100 N. Senate Avenue Room N1255, Indianapolis, Indiana 46204. The applicant is responsible for obtaining the certification from IDEM.

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 have been directly affected by the 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. 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/Missions/Regulatory/Public-Notices/>. All comments regarding this proposal should be addressed to Ms. Sarah Atherton, CELRL-RDN at the address noted above and should refer to the Public Notice Number No. LRL-2023-00605.

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-2023-00605.

Example:


Subject: LRL-2023-00605


- 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 10 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.

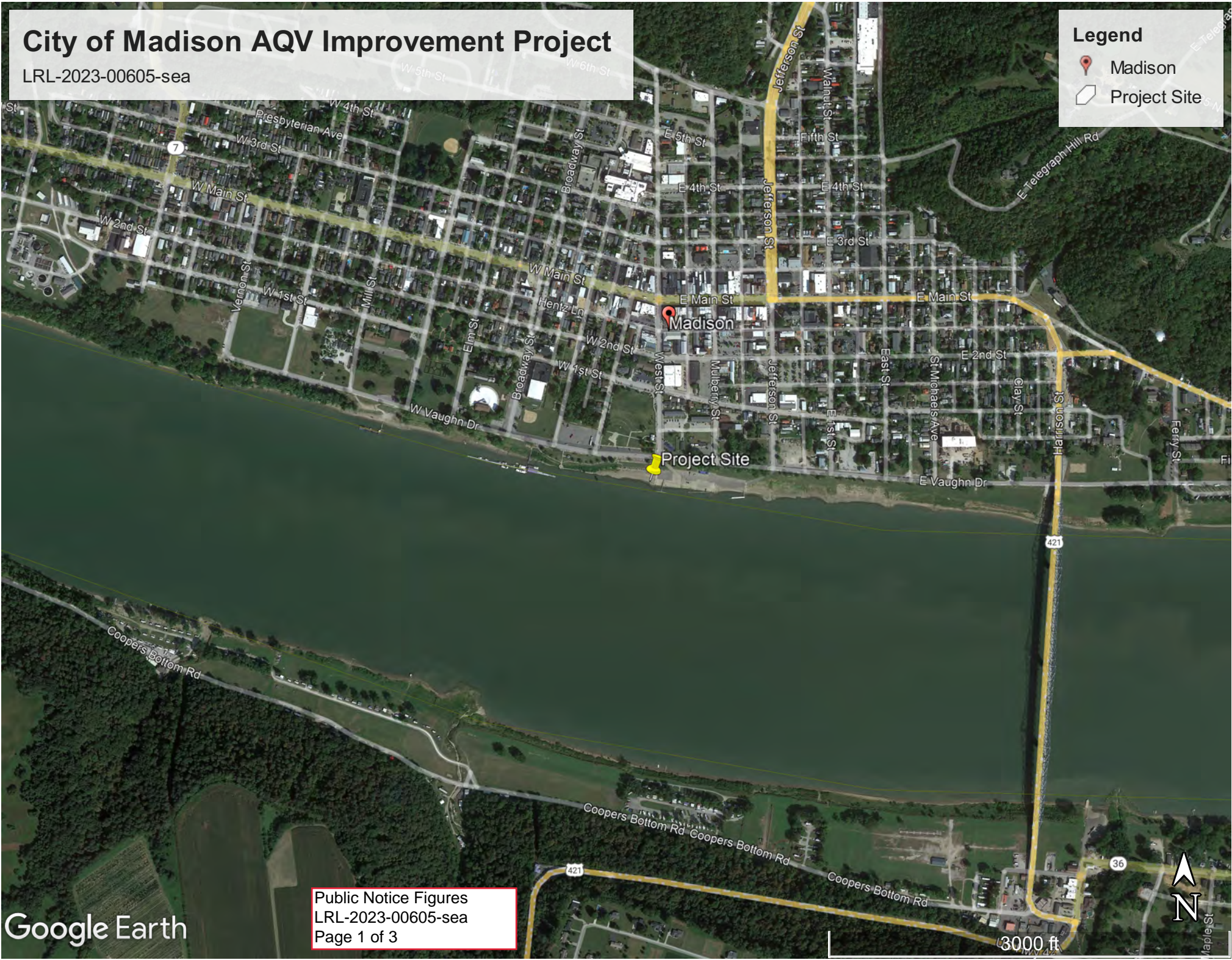
City of Madison Aqv Improvement Project

LRL-2023-00605-sea

Legend

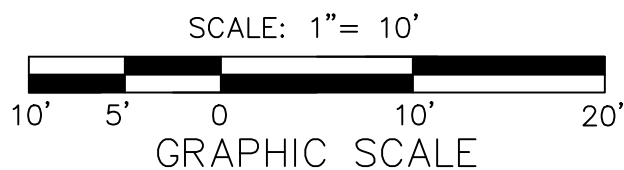
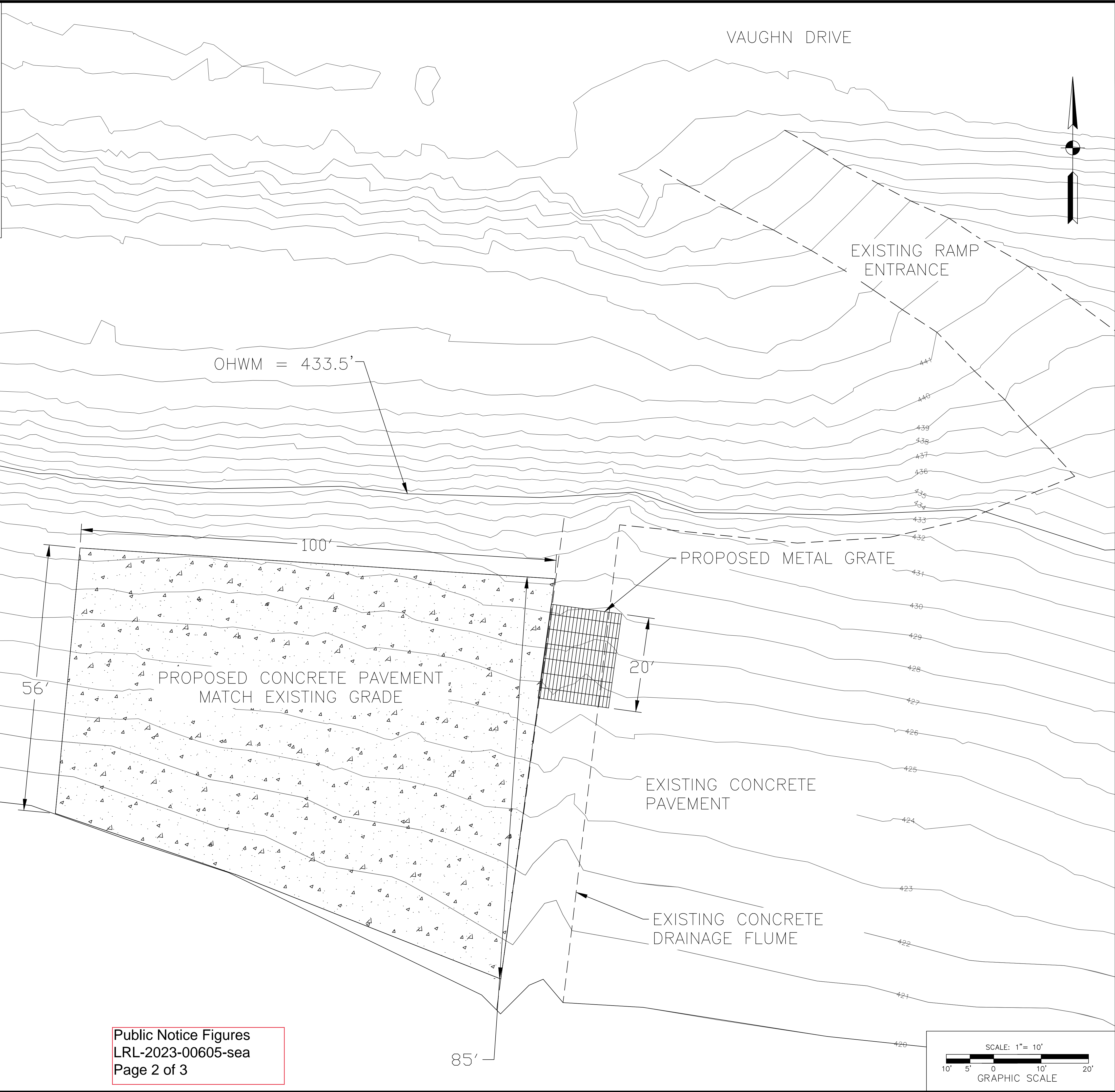
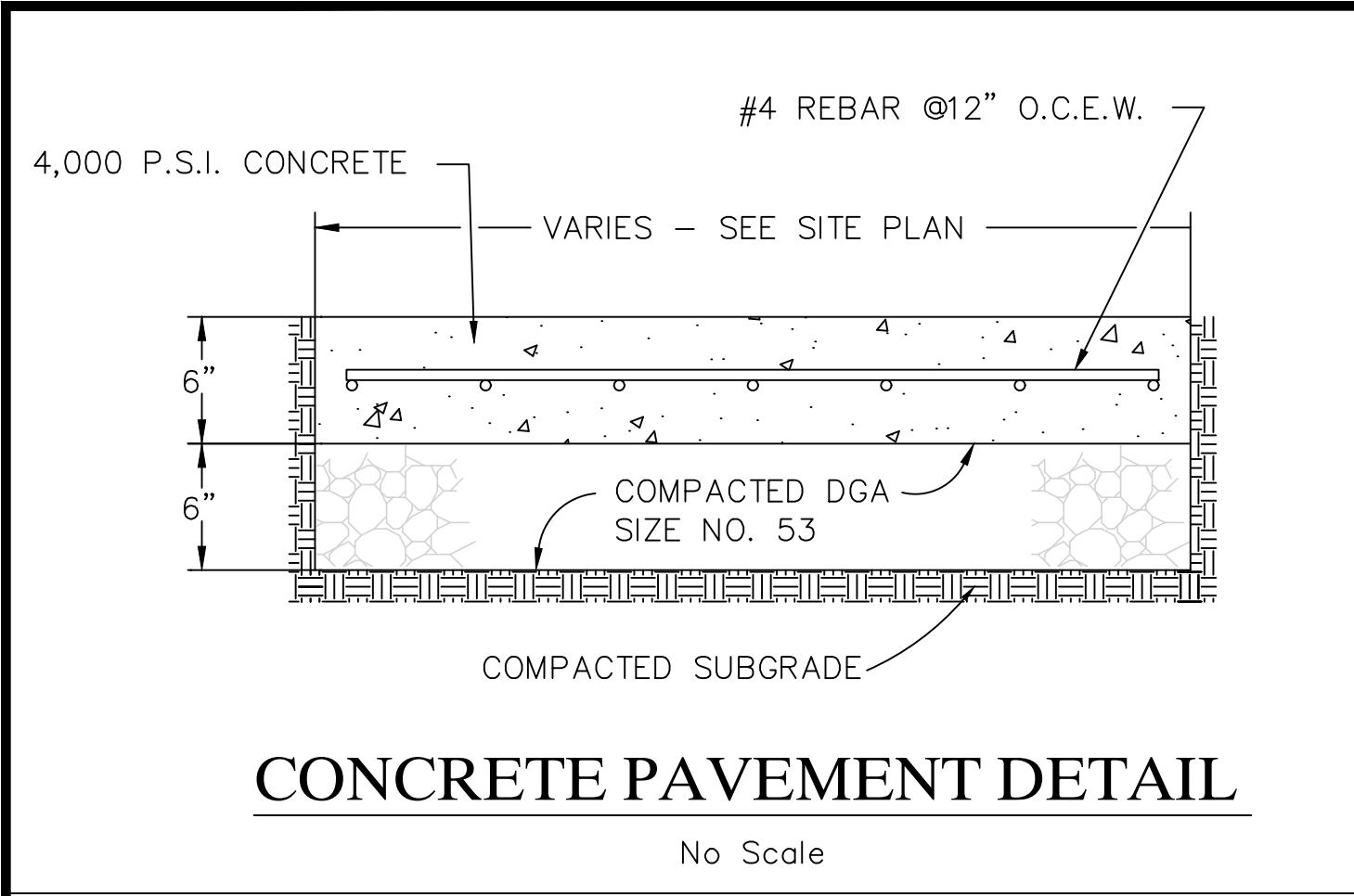
 Madison

 Project Site



Google Earth

3000 ft



| NO. | REVISION | DATE | |
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Public Notice Figures
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Jacobi, Toombs & Lanz, Inc.
Consulting Engineers & Land Surveyors
1829 East Spring Street - New Albany, Indiana 47150
812-945-9585 - WWW.JTLINC.COM

CITY OF MADISON
REDEVELOPMENT COMMISSION
101 WEST MAIN STREET
MADISON, INDIANA 47250
(812) 265-3394

AMERICAN QUEEN VOYAGES IMPROVEMENTS
VAUGHN DR
MADISON, IN 47250

PROPOSED SITE PLAN

Professional Engineer's Seal
JOSHUA S. DANKS
REGISTERED
No. 1170022
STATE OF INDIANA
PROFESSIONAL ENGINEER

Signature: *J.S. Danks*
Date: 10/02/2023

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|--------------|------------|
| JOB No. | 22011-2 |
| DATE: | 10/02/2023 |
| CHECKED BY: | J.G.D. |
| DESIGNED BY: | S.D.H. |
| DRAWN BY: | S.D.H. |

DRAWING No.: **1**

SHEET 1 OF 3

