



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

# Public Notice

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Public Notice No.  
LRL-1993-1023-anr

Open Date:  
21 Jul 2017

Close Date:  
21 Aug 2017

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Please address all comments and inquiries to:  
U.S. Army Corps of Engineers, Louisville District  
ATTN: Mr. Andrew Roberts, CELRL-RDS, Rm 752  
P.O. Box 59  
Louisville, Kentucky 40201-0059

Phone: (502)315-6681

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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.  
P.O. Box 3596  
Evansville, Indiana 47734

**AGENT:** American Engineers Inc.  
Nelson Miller Parkway  
Louisville, Kentucky 40223

**LOCATION:** The proposed project would be located on the right descending bank of the Ohio River, on Three Mile Island, between miles 80.3 and 780.5 in Henderson County, Kentucky.

Latitude: 37.939311° North  
Longitude: -87.452736° West  
7.5 Minute Quad: Newburgh, Indiana-Kentucky

**PURPOSE:** To expand a barge fleeting area.

**DESCRIPTION OF WORK:** The applicant is seeking modifications to their existing permit LRL-1993-1023, that established a barge fleeting area located between Mile 780.3 and Mile 780.5 on the right bank of the Ohio River.

The applicant proposes to expand the existing 3-wide by 5-long to a 5-wide by 5-long, increasing the capacity from 15 barges to 25. The maximum riverward extension would be 202 feet at normal pool. The barges would be anchored to an existing 24-foot diameter steel cell, existing tri-tie, an existing 12-foot diameter cell and an existing 6-foot diameter cell using, at minimum, 7/8-inch steel cable. See Sheets 1, 2 and 3 of 5 in the included plans.

In addition, the applicant is seeking authorization for an additional barge fleeting area and three constructed deadmen approximately 500 feet downstream from the existing fleeting area. This

area has been used by the applicant since 1998 intermittently for barge fleeting, and the deadmen were constructed above the ordinary high water mark by the applicant between 1997 and 1998. It is proposed that this fleeting area would contain a maximum of 10 barges in a 2-wide by 5-long configuration and would extend a maximum of 92.5 feet into the river at normal pool. The barges would be secured to the three deadmen with 7/8-inch steel cable. See Sheets 1, 2, 4, and 5 of 5 in the included plans. The proposed fleeting area would serve as a staging area for empty barges. The fleeting area would be operated between dawn and dusk on weekdays.

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.

It has been determined that this request has no potential to affect historic properties as the project does not involve any new ground disturbances; and, based on the surveys performed for the area, 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, 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. It is presumed that all interested parties and agencies will

Regulatory Division  
South Branch (CELRL-RDS)  
Public Notice No. LRL-1993-1023-anr

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 Mr. Andrew Roberts, CELRL-RDS, at the address noted above and should refer to the Public Notice Number LRL-1993-1023-anr.

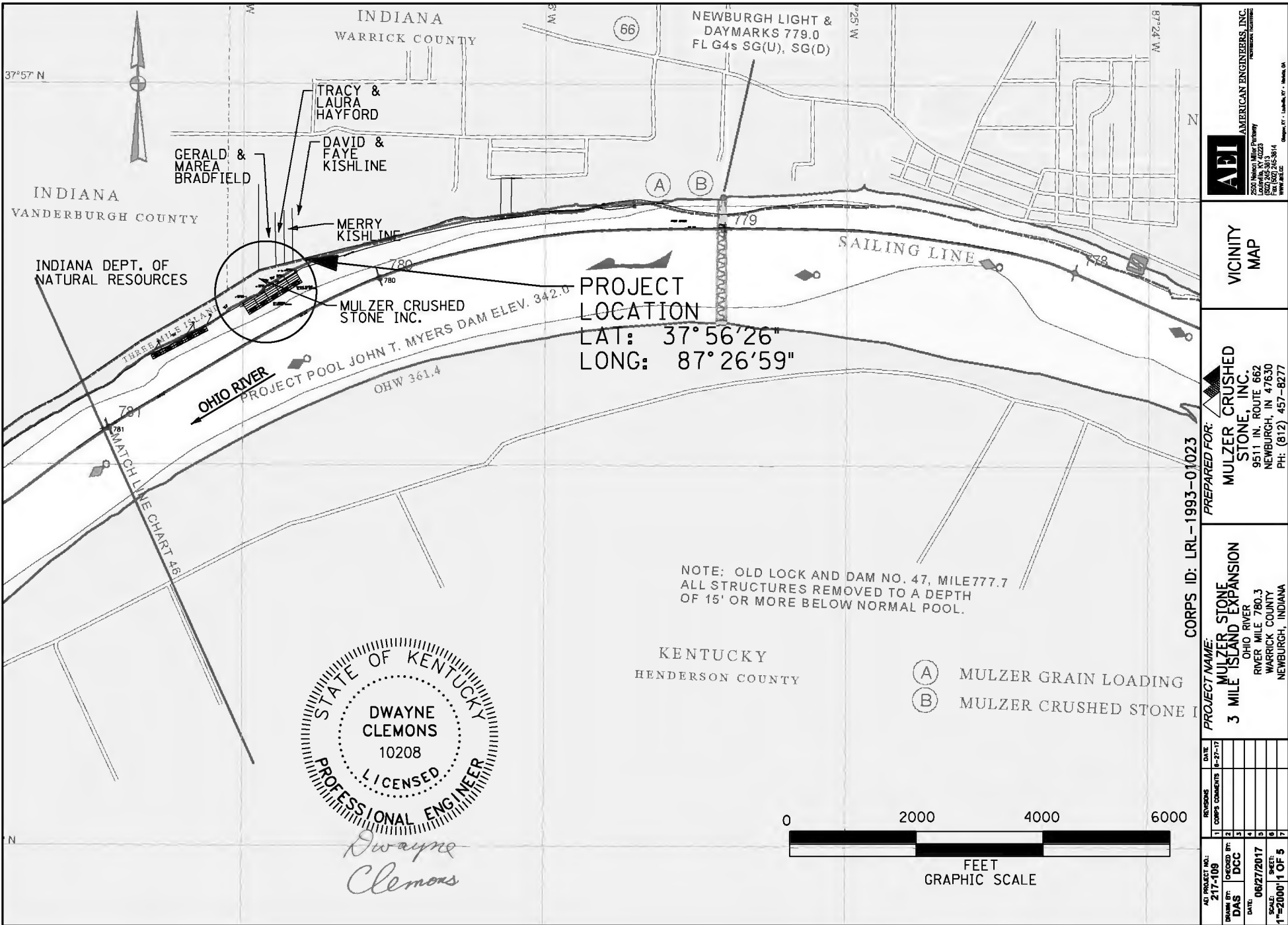
If you desire to submit your comments by email, you must comply with the following:

- a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-1993-1023-anr.

Example:

Subject: LRL-1993-1023-anr

- 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).
- 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.



37°57' N



INDIANA  
VANDERBURGH COUNTY

INDIANA  
WARRICK COUNTY

66

NEWBURGH LIGHT &  
DAYMARKS 779.0  
FL G4s SG(U), SG(D)

87°26' W

GERALD &  
MAREA  
BRADFELD

TRACY &  
LAURA  
HAYFORD

DAVID &  
FAYE  
KISHLINE

MERRY  
KISHLINE

(A)

(B)

779

SAILING LINE

778

INDIANA DEPT. OF  
NATURAL RESOURCES

THREE MILE ISLAND

MULZER CRUSHED  
STONE INC.

PROJECT  
LOCATION

LAT: 37°56'26"

LONG: 87°26'59"

OHIO RIVER

PROJECT POOL JOHN T. MYERS DAM ELEV. 342.0  
OHW 361.4

781  
MATCH LINE CHART 46

NOTE: OLD LOCK AND DAM NO. 47, MILE 777.7  
ALL STRUCTURES REMOVED TO A DEPTH  
OF 15' OR MORE BELOW NORMAL POOL.

KENTUCKY  
HENDERSON COUNTY

(A)

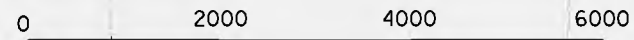
MULZER GRAIN LOADING

(B)

MULZER CRUSHED STONE



*Dwayne  
Clemons*



FEET  
GRAPHIC SCALE

CORPS ID: LRL-1993-01023

**AEI**  
AMERICAN ENGINEERS, INC.  
REGISTERED PROFESSIONAL ENGINEERS  
2500 Newburg Pike Parkway  
Newburgh, IN 47633  
Phone (812) 245-3813  
Fax (812) 245-3814  
www.aei.com

VICINITY  
MAP

PREPARED FOR:  
**MULZER CRUSHED  
STONE, INC.**  
9511 IN. ROUTE 662  
NEWBURGH, IN 47630  
PH: (812) 457-8277

PROJECT NAME:  
**3 MILE ISLAND EXPANSION**  
OHIO RIVER  
RIVER MILE 780.3  
WARRICK COUNTY  
NEWBURGH, INDIANA

AS PROJECT NO.	DATE	ISSUANCE	REVISIONS
217-108	11-27-17	1	CORP COMMENTS
DESIGNED BY:		2	
DAS	DEC	3	
DATE:		4	
06/27/2017		5	
SCALE:		6	
1"=2000'		7	



**SITE NOTES**

NOTE: PROPERTY LINES SHOWN HEREON ARE GRAPHICAL REPRESENTATIONS AS BASED ON MAPPING IN THE REPRESENTATIVE COUNTY(IES) OF THE PROJECT PROVIDED BY MULZER STONE, INC.

THIS DRAWING DOES NOT CONSTITUTE A BOUNDARY SURVEY OF ANY KIND, AND AS SUCH SHALL NOT BE DEEMED A PLAT NOR SHALL THE DRAWING BE USED FOR LEGAL PROPERTY CONVEYANCE. THIS DRAWING SHALL NOT BE RECORDED. THIS DRAWING SHALL NOT BE ALTERED IN ANY MANNER.

NEWBURGH LOCKS & DAM IS APPROX. 4.2 MILES UPSTREAM OF PROJECT.

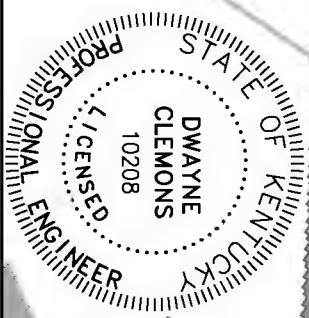
JOHN T. MYERS LOCKS & DAM IS APPROX. 65.7 MILES DOWNSTREAM OF PROJECT.

POLITICAL JURISDICTIONS:  
HENDERSON COUNTY, KENTUCKY & WARRICK COUNTY, INDIANA

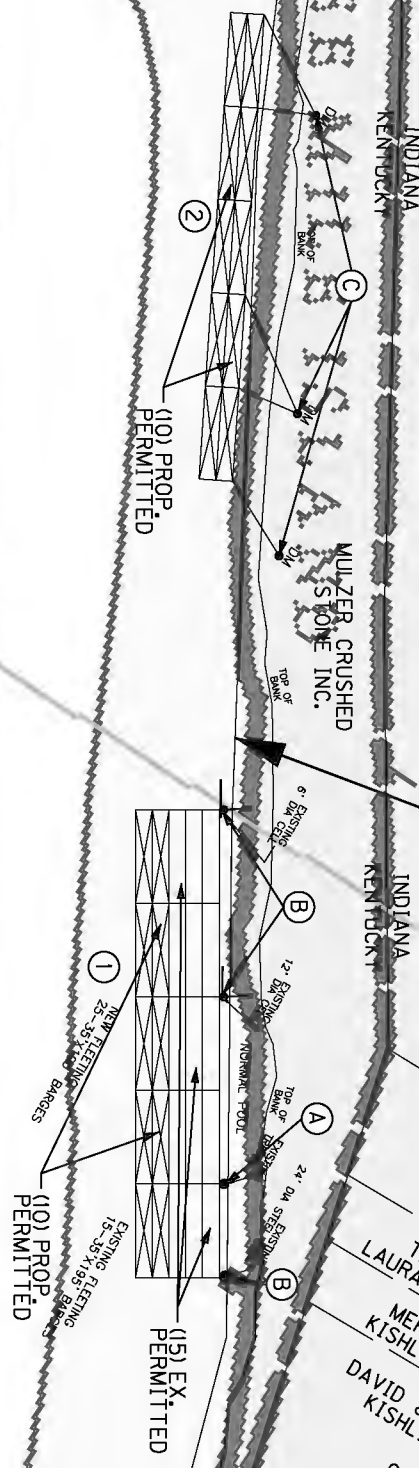
ALL EXISTING AND PROPOSED CABLES FROM DEADMEN ARE 1/8" DIA. STEEL CABLES.

- ① THRU ② - DENOTES FLEETING AREAS ONE THROUGH TWO
- Ⓐ -EX. PERMITTED TRI-TIE
- Ⓑ -EX. PERMITTED CELL
- Ⓒ -EX. DEADMEN TO BE PERMITTED

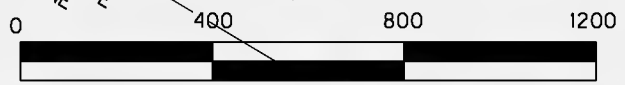
OHIO RIVER



*Dwayne Clemons*



PROJECT LOCATION  
 LAT: 37° 56' 26"  
 LONG: 87° 26' 59"



CORPS ID: LRL-1993-01023

A&I PROJECT NO: 217-109		REVISIONS	DATE
DRAWN BY: DAS	CHECKED BY: DCC	1	CORPS COMMENTS 6-27-17
DATE: 06/27/2017		2	
SCALE: 1"=400'	SHEET: 2 OF 5	3	
		4	
		5	
		6	
		7	

**PROJECT NAME:**  
**MULZER STONE**  
**3 MILE ISLAND EXPANSION**  
 OHIO RIVER  
 RIVER MILE 780.3  
 WARRICK COUNTY  
 NEWBURGH, INDIANA

**PREPARED FOR:**  
**MULZER CRUSHED**  
**STONE, INC.**  
 9511 IN. ROUTE 662  
 NEWBURGH, IN 47630  
 PH: (812) 457-8277

**SITE PLAN**

**A&I** AMERICAN ENGINEERS, INC.  
 2500 Nelson Miller Parkway  
 Louisville, KY 40223  
 (502) 245-3815  
 Fax (502) 245-3814  
 WWW.A&I.CO



INDIANA DEPT. OF  
NATURAL RESOURCES

INDIANA

KENTUCKY

MULZER CRUSHED  
STONE INC.

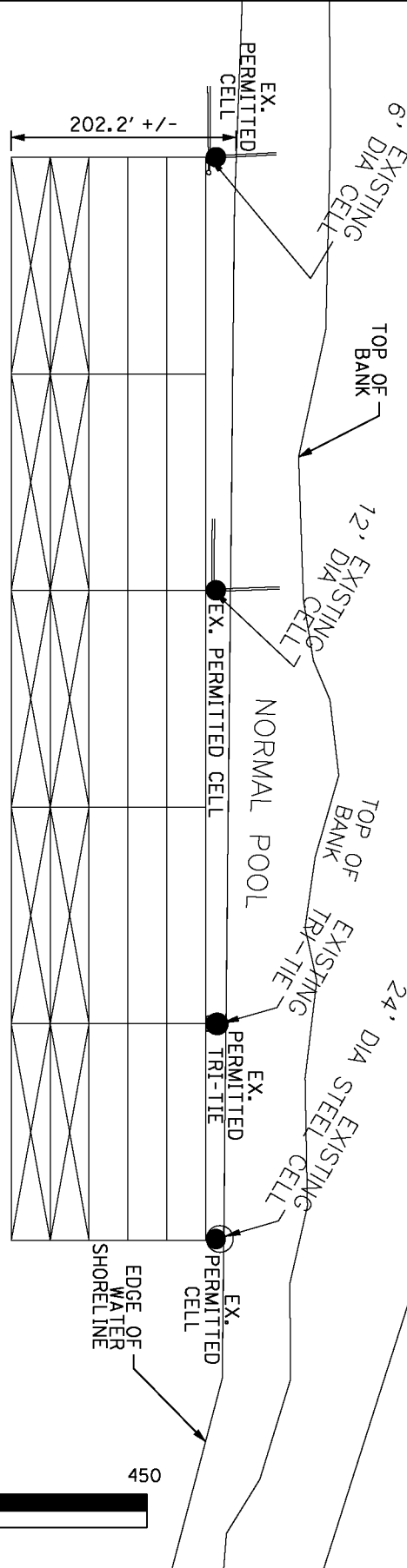
GERALD &  
MAREA  
BRADFELD

TRACY &  
LAURA HAYFORD

MERRY  
KISHLINE

DAVID & FAYE  
KISHLINE

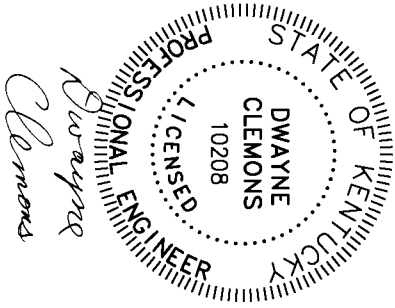
Corps ID LRL-1993-01023



NEW FLEETING  
25-35' X 195' BARGES

EXISTING FLEETING  
15-35' X 195' BARGES

OHIO RIVER



FEET  
GRAPHIC SCALE

AEL PROJECT NO: 217-109		REVISIONS	DATE
DRAWN BY: DAS	CHECKED BY: DCC	1 Corps comments	6-27-17
DATE: 06/27/2017		2	
		3	
		4	
		5	
SCALE: 1"=150'	SHEET: 3 OF 5	6	
		7	

PROJECT NAME:  
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3 MILE ISLAND EXPANSION**  
OHIO RIVER  
RIVER MILE 780.3  
WARRICK COUNTY  
NEWBURGH, INDIANA

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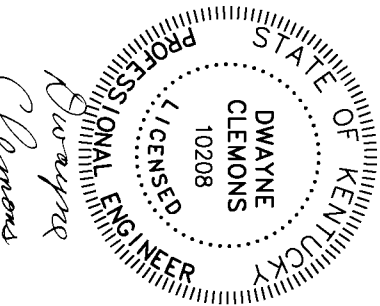
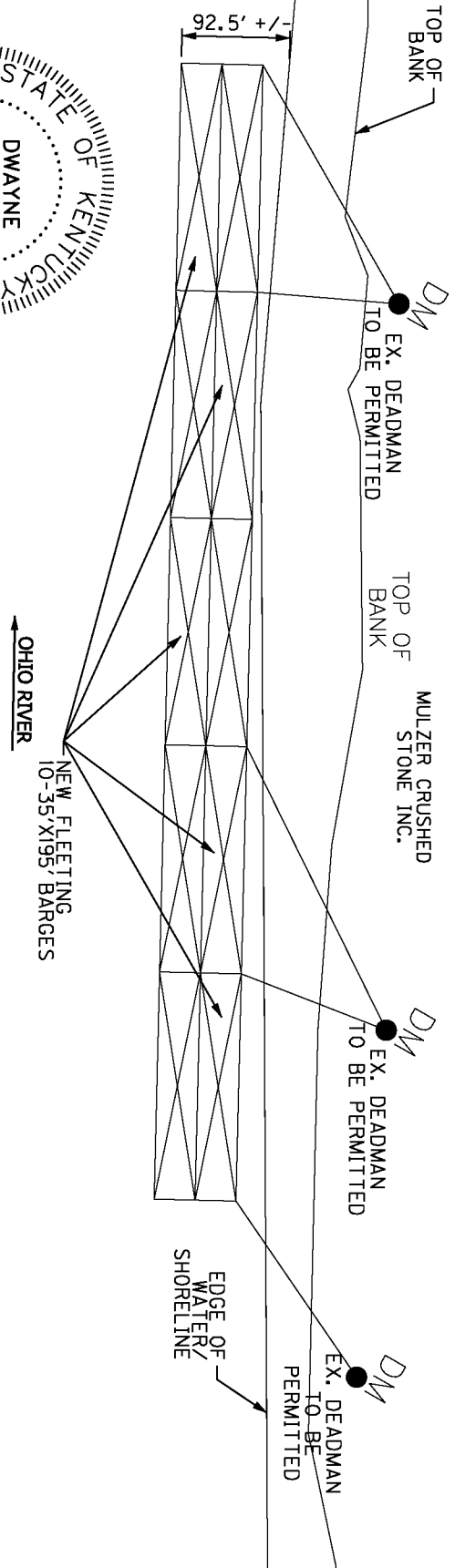
**FLEETING  
AREA 1  
PLAN**

**AEL** AMERICAN ENGINEERS, INC.  
PROFESSIONAL ENGINEERING  
2500 Nelson Miller Parkway  
Louisville, KY 40223  
(502) 245-5815  
Fax (502) 245-5814  
WWW.AEL.CC  
Osgood, KY • Louisville, KY • Marietta, GA



INDIANA DEPT. OF  
NATURAL RESOURCES

INDIANA  
KENTUCKY




Corps ID-1993-01023

A&I PROJECT NO.: 217-109		REVISIONS	DATE
1	Corps comments	6-27-17	
2			
3			
4			
5			
6			
7			
DRAWN BY: DAS	CHECKED BY: DCC		
DATE: 06/27/2017			
SCALE: 1"=150'	SHEET: 4 OF 5		

**PROJECT NAME:**  
MULZER STONE  
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RIVER MILE 780.3  
WARRICK COUNTY  
NEWBURGH, INDIANA

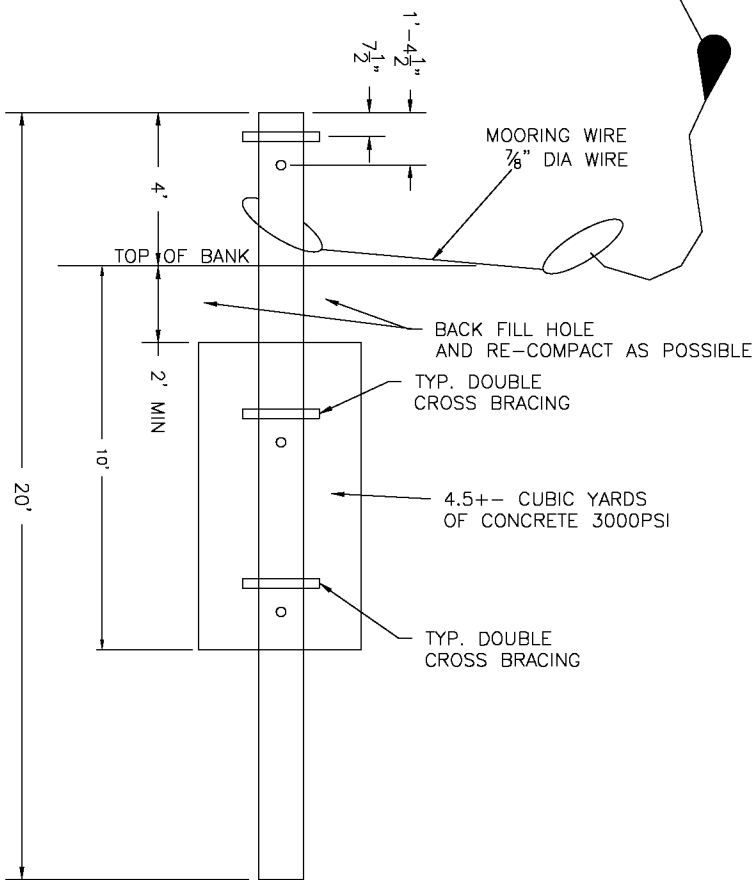
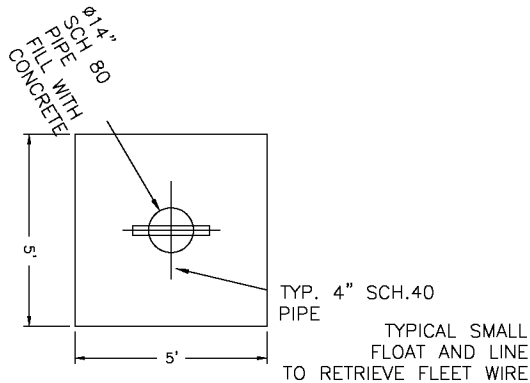
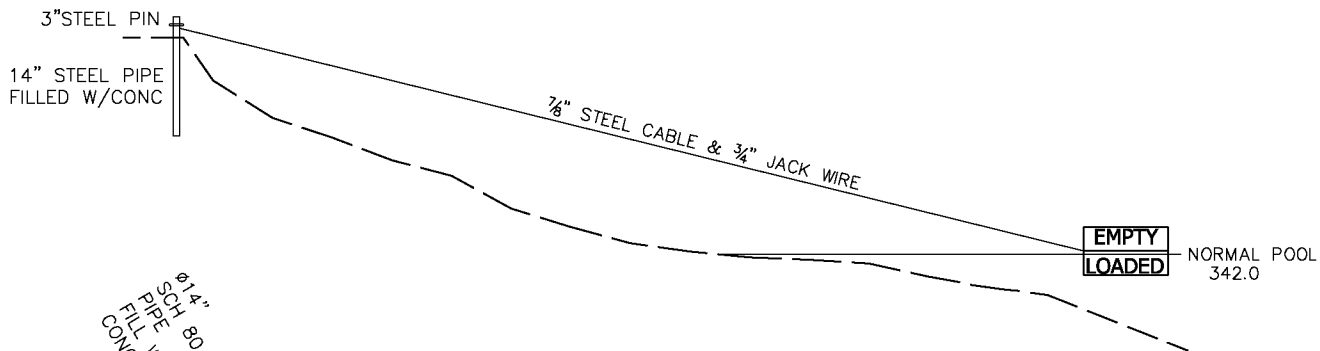
**PREPARED FOR:**   
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**FLEETING  
AREA 2  
PLAN**

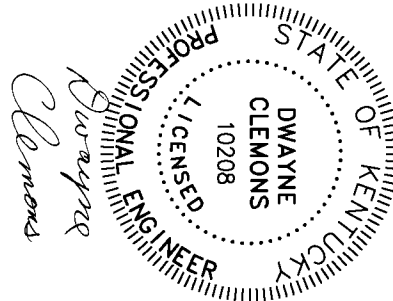


**AMERICAN ENGINEERS, INC.**  
PROFESSIONAL ENGINEERING  
2500 Nelson Miller Parkway  
Louisville, KY 40223  
(502) 245-5815  
Fax (502) 245-5814  
WWW.AEI.CC  
Clemson, KY • Louisville, KY • Marietta, GA

DEADMAN-TYPICAL SECTION



DEADMAN-TYPICAL SECTION



Corps ID-1993-01023

AG PROJECT NO: <b>217-109</b>	REVISIONS	DATE
DRAWN BY: <b>DAS</b>	1	Corpe comments 8-27-17
CHECKED BY: <b>DCC</b>	2	
DATE: <b>06/27/2017</b>	3	
SCALE: <b>N/A</b>	4	
SHEET: <b>5 OF 5</b>	5	
	6	
	7	

PROJECT NAME:  
**MULZER STONE  
3 MILE ISLAND EXPANSION**  
OHIO RIVER  
RIVER MILE 780.3  
WARRICK COUNTY  
NEWBURGH, INDIANA

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**DEADMAN  
DETAIL  
SHEET**

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