



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

Public Notice

Public Notice No.	Open Date:	Close Date:
LRL-2017-724-tmb	Sep 6, 2017	Oct 6, 2017

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

lr.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 and Section 404 of the Clean Water Act (CWA).

APPLICANT: Mr. Bruce Kanipe
Dekoven Dock, Inc.
2556 State Route 1508
Stugis, KY 42459

LOCATION: Ohio River, Left Descending Bank at Mile 870.1, in
Sturgis, Union County, Kentucky

Latitude: 37.548403° North
Longitude: -88.084028° West
7.5 Minute Quad: Dekoven, KY-IL

PURPOSE: To construct a commercial unloading and transfer facility associated with the Dekoven Docks Loading Terminal.

DESCRIPTION OF WORK: The applicant proposes to construct a new unloading and transfer facility approximately 500 feet upstream from the existing Dekoven Docks Loading Terminal. The proposed facility would consist of two (2), 120 feet long x 30 feet wide hinged ramps cantilevered to a permanent deck barge 250 feet long x 75 feet wide with an attached caterpillar unloader. Another permanent deck barge would be positioned 60 feet out and would be 250 feet long x 50 feet wide. This would allow commodity barges to be unloaded between the two permanent deck barges which would be secured by H beams connected (welded) to four (4), 20 feet diameter cells positioned above and below the deck barges and filled with #3 rock to the top and capped with a 1 foot concrete cap. No cables would be used to secure deck barges. All barges being unloaded would be secured by winch cables. In addition, the two deck barges would be covered by a pre-engineered building. The barges being unloaded would hold commercial products for sale to exclude any red flag materials. Please see figures 1-5 for plans and location.

Two, (2) deadman anchors would be located above the ordinary high water mark (OHW), capped with concrete and have a top elevation of 340. The ramps would be hinged to the deadmen to allow fluctuation with the river levels. The maximum riverward projection of the unloading facility would not exceed 305 feet at normal pool elevation of 324 feet Ohio River Datum and would be approximately 748 feet from the sailing line.

In addition to the facility, the applicant proposes to place 211 cubic yards of riprap below the OHW, along 400 linear feet of sloped bank for shoreline erosion protection.

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: This site was preferred and selected due to the location of the existing loading facility less than 500 feet down river. The project area was minimized to affect only the required area to construct the project. Although the shoreline is not presently cleared, the area is somewhat disturbed due to the current navigation traffic entering and exiting the Dekoven Dock Facility. No mitigation is being proposed.

It is noted that this proposed mitigation plan is open to comment and subject to change. 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.

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, 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. 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". All comments regarding this proposal should be addressed to Ms. Tre M. Barron, CELRL-RD-S at the address noted above and should refer to the Public Notice Number LRL-2017-724-tmb.

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-2017-724-tmb.

Example:

Subject: LRL-2017-724-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.





8-08-2017

AEI

AMERICAN ENGINEERS INC.

1000 Highway 101A
Memphis, TN 38117
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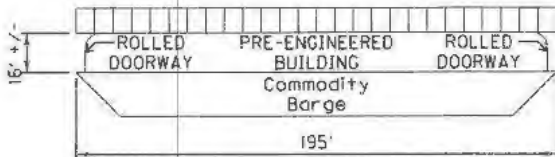
1000 Highway 101A, Memphis
38117, TN
1000 Highway 101A, Suite 100
Memphis, TN 38117
(901) 521-1000



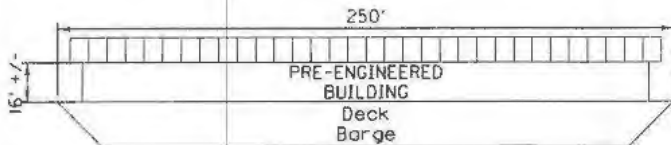
LRL-2017-724
Figure 2 of 5

DATE	BY	DESC.	REV.
08/08/17	DAJ	DESIGN	1
08/08/17	DAJ	CHECK	1

PROJECT NO. 2017-021
 SHEET NO. 3
 OF 7



SECTION C-C
NOT TO SCALE



SECTION D-D
NOT TO SCALE

LRL-2017-724
Figure 3 of 5

PLANS PREPARED AND SUBMITTED BY:
KCBEN CONSULTANT



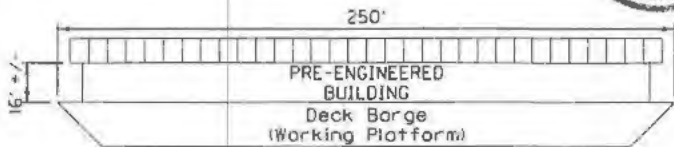
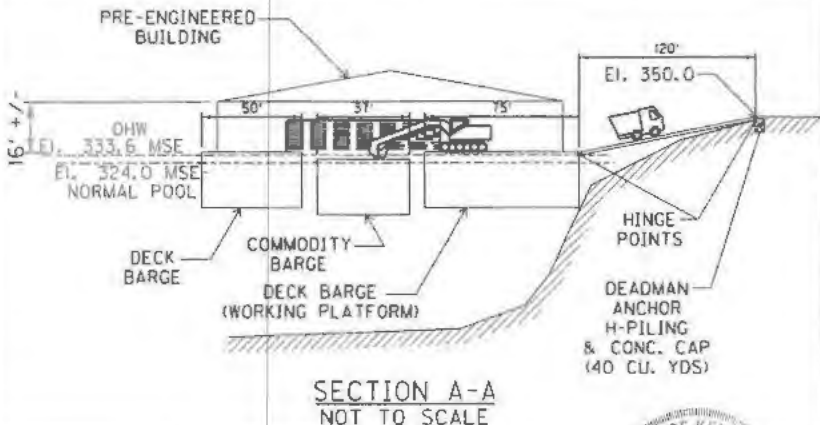
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 - 1624 White Circle, Suite 101
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- www.aei.co

35 Aberdeen Drive
Saugus, NY 42141
(315) 693-7224



DRAWING TITLE:		TERMINAL SECTIONS C-C AND D-D	
PLANS PREPARED FOR:		DEKOVEN DOCK, INC.	
DRAWN BY:	DATE:	PROJECT NO.:	SHEET:
DAS	8/23/17	209-003	6
CHECKED BY:	DATE:	SCALE:	OF 7
DCC	8/23/17	NONE	



SECTION B-B
NOT TO SCALE

LRL-2017-724
Figure 4 of 5

PLANS PREPARED AND SUBMITTED BY:
SEAL NO. 12510

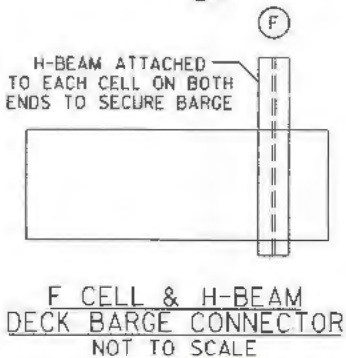
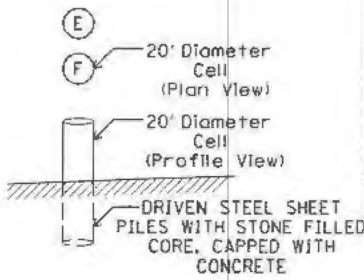
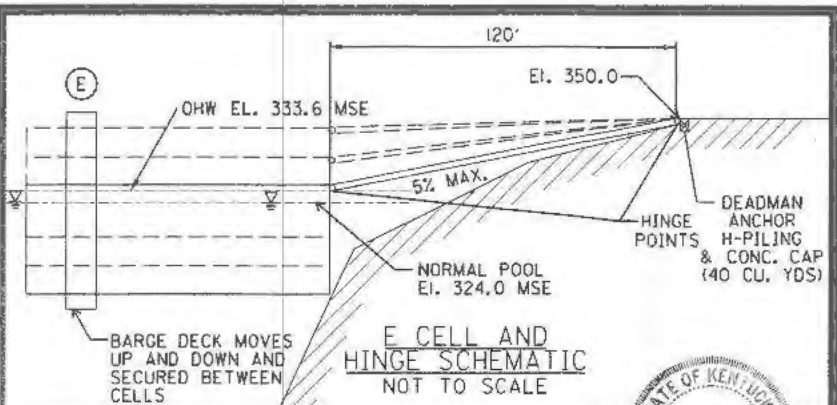


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Marietta, GA 30066
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DRAWING TITLE		TERMINAL SECTIONS A-A AND B-B	
PLANS PREPARED FOR		DEKOVEN DOCK, INC.	
DESIGN BY:	DATE:	PROJECT NO.:	SHEET 5 OF 7
GAS	8/23/17	209-003	
CHECKED BY:	DATE:	SCALE:	
OCC	8/23/17	NONE	



LRL-2017-724
Figure 5 of 5

PLANS PREPARED AND SUBMITTED BY:
DESIGN CONSULTANT



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PLANS PREPARED FOR:		DETAILS		
DEKOVEN DOCK, INC.				
CREATED BY	DATE	PROJECT NO.	SHEET	
DAS	8/23/17	209-005	7	
CHECKED BY	DATE	SCALE		
ICC	8/23/17	NONE		OF 7