Public Notice

U S Army Corps of Engineers
Huntington District

In reply refer to Public Notice No.	Issuance Date:
2006-2281-LMR	May 10, 2007
Stream:	Closing Date:
Little Miami River M.P. 0.08	June 11, 2007

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Huntington District
ATTN: CELRH-OR-F Public Notice No. (*reference above*)
502 Eighth Street
Huntington, West Virginia 25701-2070 Phone: (304) 399-5210

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

SECTION 10: The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States (U.S.). The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404: The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

SPECIAL PROVISIONS: This portion of the site has been designated as a component of a State and/or Federal Wild and Scenic River System. A DA permit cannot be issued until it has been determined that the proposed project will not have a direct and adverse effect on the values for which the stream was established as a wild and scenic river.

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 10 of the Rivers and Harbors Act.

APPLICANT: Harbour Towne Yacht Club
5001 Kellogg Ave.
Cincinnati, Ohio 45228

LOCATION: The proposed project is located in a cove along the left descending bank of the Little Miami River, 0.08 mile upstream from the confluence with the Ohio River in Cincinnati, Hamilton County, Ohio.

PROJECT HISTORY: A Department of the Army (DA) permit was issued to the Harbour Towne Yacht Club on June 21, 1984 by the Louisville District of the United States Army Corps of Engineers to enlarge a bay for docking pleasure craft on the Little Miami River. On March 11, 1988 a DA permit was issued to the Harbour Towne Yacht Club authorizing the performance of maintenance dredging for a period of ten years. On January 8, 1998 a DA permit was issued to the Harbour Towne Yacht Club extending the existing maintenance dredging authorization for an additional ten years.

DESCRIPTION OF THE PROPOSED WORK: The applicant requests renewal of a ten year hydraulic dredging permit for a 141-slip sheltered boat harbor. The dredging would consist of normal maintenance dredging to allow safe moorage and boat passage entering and exiting the harbor. The dredge material would be pumped to two approved dredge disposal areas illustrated on the attached drawing. The existing dredge disposal area is owned by the City of Cincinnati Park District and has a limited remaining capacity to accommodate only 10,000 cubic yards of material. The new proposed disposal area is located in uplands adjacent to the boat harbor and has approximately 20,473 cubic yards of storage capacity. Once the material has been dewatered it can be removed and sold as topsoil. A total harbor dredge would require the removal of approximately 32,000 cubic yards of material. Because of the smaller capacity of the new proposed disposal area, periodic maintenance dredging would occur on an as needed basis to provide adequate drafting depths over the next ten years. No more than a total of 20,000 cubic yards of material would be dredged at any one time so as not to exceed the storage capacity of the proposed disposal area. Plans of the proposal are attached to this notice.

HISTORIC AND CULTURAL RESOURCES: The National Register of Historic Places has been consulted and it has been determined that there are currently no historic properties listed in the National Register in the area affected by the project. A copy of this public notice will be furnished to the Ohio State Historic Preservation Office (OHPO) for their review.

ENDANGERED/THREATENED SPECIES REVIEW: The project is located within the known or historic range of the following endangered species:

Sheepnose mussel
Indiana bat
Running buffalo clover

The Huntington District has consulted the most recently available information and has determined the project may affect these species or designated Critical Habitat for these Federally listed species. This public notice serves as a request to the USFWS for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST REVIEW AND COMMENT: Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity. This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404(b) (1) of the CWA. Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

SOLICITATION OF COMMENTS: 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. For accuracy and completeness of the administrative record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. 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.

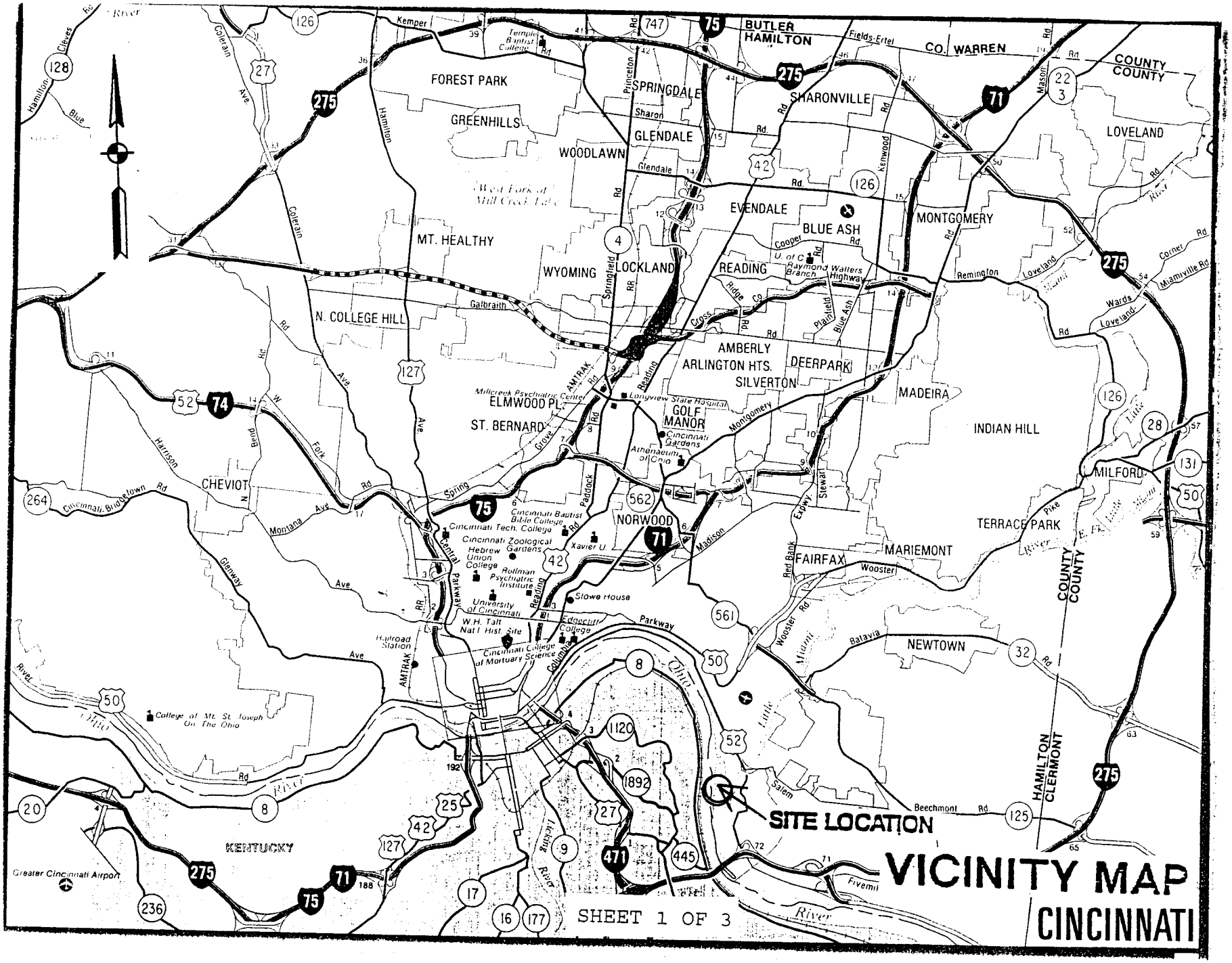
CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to:

North Regulatory Permit Section - CELRH-OR-FN-2006-2281-LMR
U. S. Army Corps of Engineers Huntington District
502 Eighth Street
Huntington, West Virginia 25701-2070

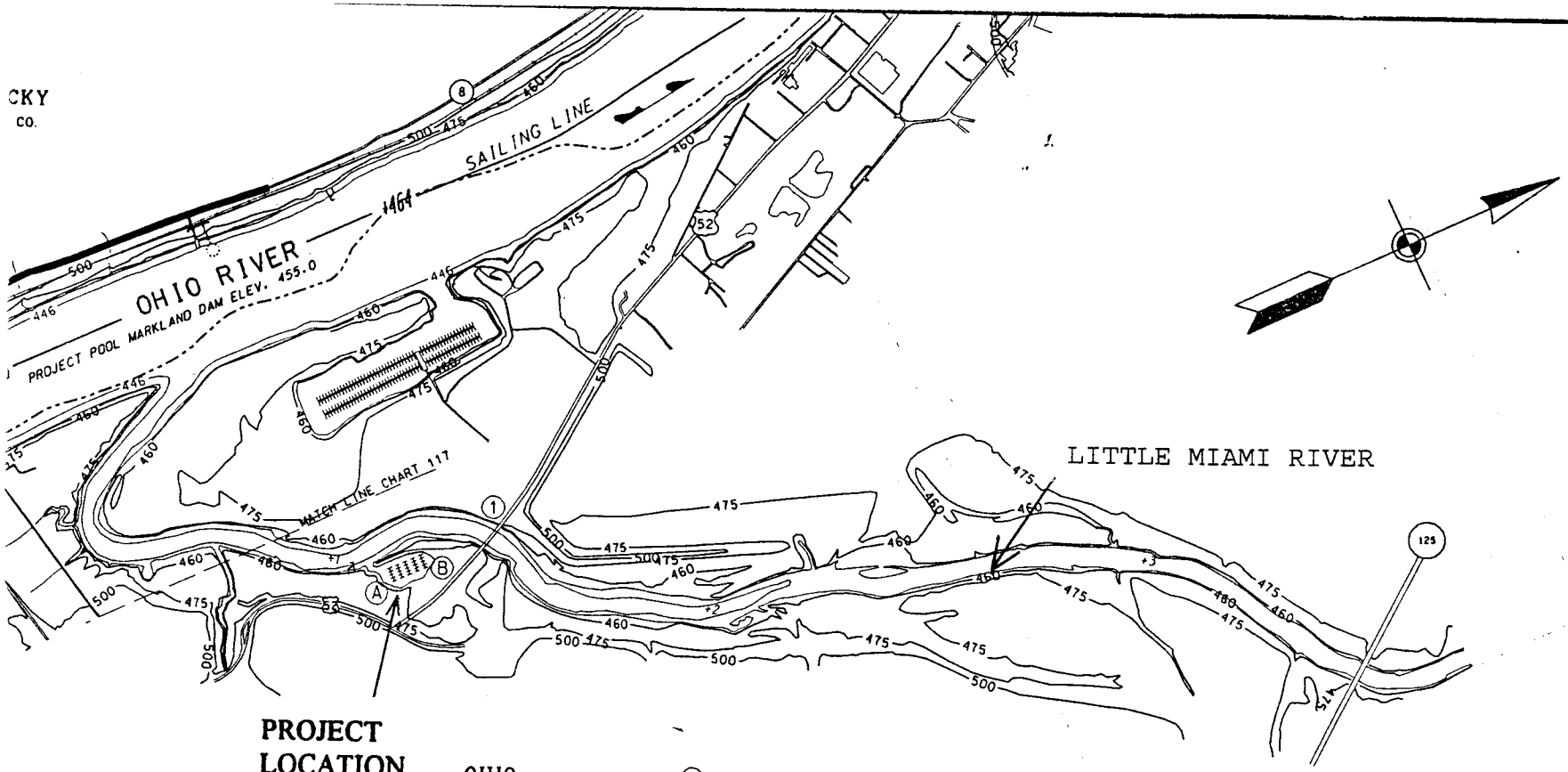
Please note, the names and addresses of those who submit comments in response to this public notice become part of our administrative record and, as such, are available to the public under provisions of the Freedom of Information Act. Thank you for your interest in our nation's water resources. If you have any questions concerning this public notice, please contact Ms. Lee A. Pittman of the North Regulatory Section at 304-399-5210.

Ginger Mullins
Regulatory Branch

(O)(L)



VICINITY MAP
CINCINNATI
SITE LOCATION
SHEET 1 OF 3
BUTLER
HAMILTON
CO. WARREN
COUNTY
COUNTY
HAMILTON
CLERMONT
FOREST PARK
GREENHILLS
SPRINGDALE
SHARONVILLE
GLENDALE
WOODLAWN
LOVELAND
EVENDALE
BLUE ASH
MONTGOMERY
MT. HEALTHY
WYOMING
LOCKLAND
READING
N. COLLEGE HILL
AMBERLY
ARLINGTON HTS.
DEERPARK
SILVERTON
MADEIRA
ELMWOOD PL.
ST. BERNARD
GOLF MANOR
INDIAN HILL
CHEVIOT
NORWOOD
MILFORD
TERRACE PARK
MARIEMONT
FAIRFAX
NEWTOWN
KENTUCKY
Millcreek Psychiatric Center
Longview State Hospital
Cincinnati Gardens
Athenaeum of Ohio
Cincinnati Baptist Bible College
Cincinnati Tech. College
Cincinnati Zoological Gardens
Hebrew Union College
Rollman Psychiatric Institute
University of Cincinnati
W.H. Taft Nat'l Hist. Site
Cincinnati College of Mortuary Science
Edgecliff College
Xavier U.
Stowe House
Railroad Station
College of Mt. St. Joseph On The Ohio
Greater Cincinnati Airport
West Fork of Mill Creek Lake
Ohio River
Licking River
Little Miami River
Fivemile River



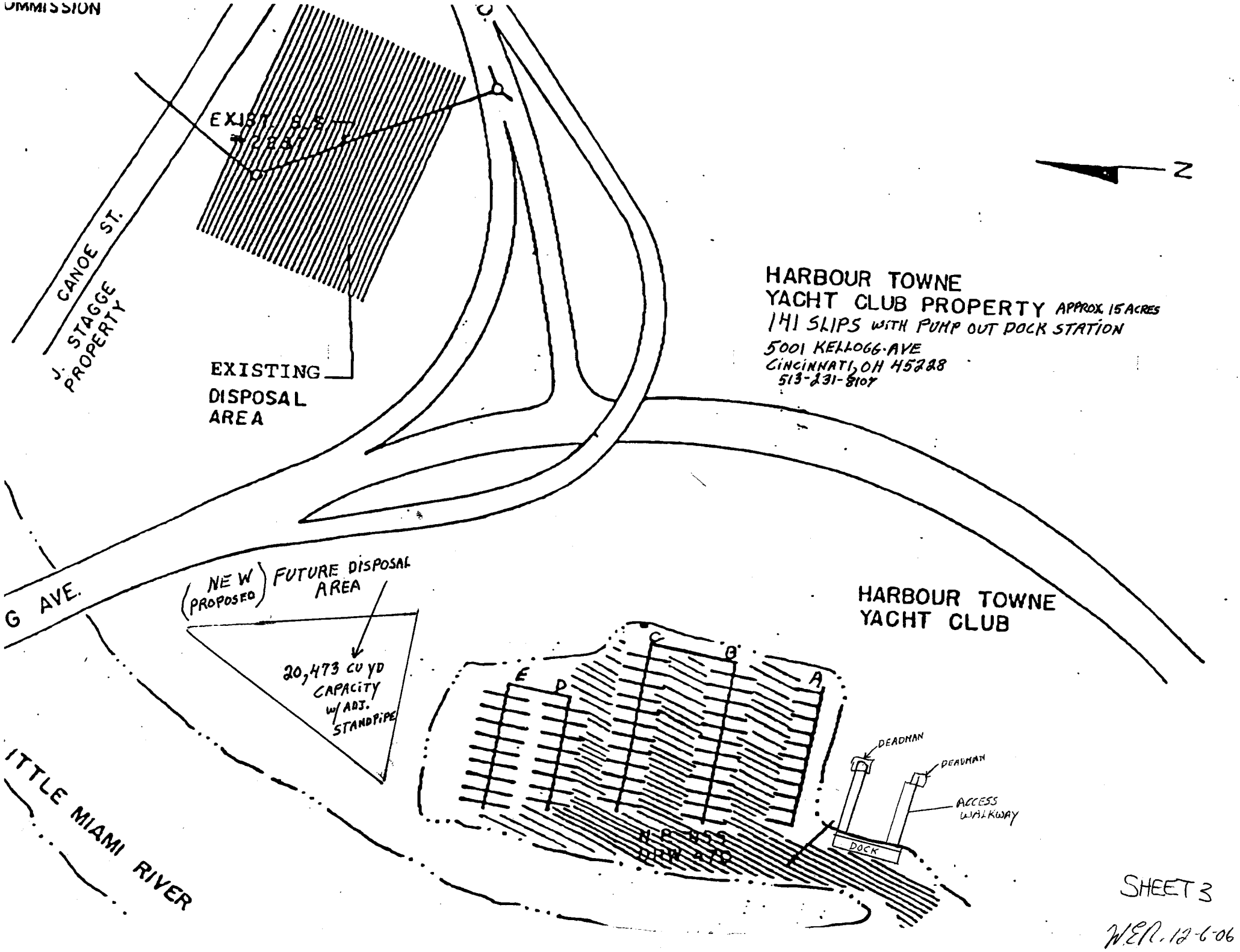
① US 52 HIGHWAY BRIDGE
VERTICAL CLEARANCE AT POOL STAGE 40.5'
HORIZONTAL CLEARANCE 122.0'

Ⓐ HARBOUR TOWNE YACHT CLUB

Ⓑ MIAMI BEACH MARINA

HARBOUR TOWNE YACHT CLUB
MAINTENANCE DREDGING
LOCATION: LITTLE MIAMI RIVER MILE 0.8
COVE ALONG LEFT BANK

SHEET 2 OF 3


OMMISSION
EXIST. SET
CANOE ST.
J. STAGGE PROPERTY
EXISTING DISPOSAL AREA
N
HARBOUR TOWNE YACHT CLUB PROPERTY APPROX. 15 ACRES
141 SLIPS WITH PUMP OUT DOCK STATION
5001 KELLOGG AVE
CINCINNATI, OH 45228
513-231-8107
G AVE.
(NEW PROPOSED) FUTURE DISPOSAL AREA
20,473 CU YD CAPACITY W/ ADJ. STANDPIPE
HARBOUR TOWNE YACHT CLUB
E
D
C
B
A
DEADMAN
DEADMAN
ACCESS WALKWAY
DOCK
ITTLE MIAMI RIVER
SHEET 3
WEP. 12-6-06