



# Public Notice

**U S Army Corps  
of Engineers**  
Huntington District

In reply refer to Public Notice No.  
2006-2115-OHR

Issuance Date:  
September 20, 2006

Stream: Ohio River, MP 322.6

Closing Date:  
October 19, 2006

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) 399-5710

**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.

**TO WHOM IT MAY CONCERN:** The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Commonwealth of Kentucky, Kentucky Division of Water to act on Section 401 Water Quality Certification for the following application.

**APPLICANT:** City of Ashland  
Post Office Box 1839  
Ashland, Kentucky 41105-1839

**LOCATION:** The proposed project is located on the Ashland USGS quadrangle at latitude 38° 29'02" and longitude 82° 38'23" along the Ohio River, M.P. 322.6, in the City of Ashland, Boyd County, Kentucky.

**DESCRIPTION:** The proposed project would involve the discharge of dredged or fill material into waters of the United States in conjunction with the City of Ashland Riverfront Development Project. The proposed project would include construction of a large amphitheater, a boat ramp, docking areas for pleasure or large river boats, a small amphitheater, four mounds, observation decks (located on three of the mounds), and walking paths and sidewalks.

The proposed project extends approximately 1200 linear feet along the existing City of Ashland's waterfront area. Steel sheet piling would be installed to facilitate dewatering and to enable filling and construction of the project area. The riverward face of the proposed project would be located approximately 75 linear feet to 110 linear feet from the shoreline. The ground would be contoured to create an amphitheater which would feature a large concrete "fin" that would serve as a stage or accommodate the construction of a temporary stage. The concrete "fin" would also accommodate the docking of large excursion and river boats. The proposed boat ramp would be located along the eastern edge of the amphitheater. West of the main stage, three concrete "fins" would form the base of the three eastern most mounds, establishing the riverward edge of the project adjacent to the amphitheater. These "fins" would accommodate the docking of pleasure craft. According to the applicant, the design of these "fins" should minimize the collection of river debris, facilitating its continued flow down river. The three eastern most mounds would have observation platforms atop them to offer views of the river and the park. The western most mound would include a small amphitheater midway between the top of the mound and the river.

Cut and fill activities for the development project would involve the placement of approximately 60,000 cubic yards of material. Approximately 10,000 cubic yards of the required material would be available on site from the reduction of the existing river bank slope. The placement of fill required to construct the western most mound would not extend beyond the ordinary high water mark. Construction of the riverfront development project would involve the placement of approximately 2 acres of material into 1,200 linear feet of a water of the United States.

Plans for the proposed riverfront development project are attached to this public notice.

**WATER QUALITY CERTIFICATION:** A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain certification from the Commonwealth of Kentucky, Kentucky Division of Water.

**HISTORIC AND CULTURAL RESOURCES:** The proposed riverfront development project area is located adjacent to the Ashland Coal and Iron Railroad Office which is listed on the National Register of Historic Places (NRHP). A copy of this public notice will be sent to the Kentucky Heritage Council for their review and coordination. Comments concerning archeological sensitivity of a project area should be based upon collected data.

**ENDANGERED AND THREATENED SPECIES:** The Huntington District has consulted the most recently available information and has determined the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This public notice serves as a request to the U.S. Fish and Wildlife Service 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:** 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. 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.

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 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 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 public notice is being distributed to all known interested persons in order to assist in developing fact upon which a decision by the District Engineer may be based. For accuracy and completeness of the 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 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.

**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

U.S. Army Corps of Engineers  
ATTN: CELRH-OR-F Public Notice No. 200400681  
502 Eighth Street  
Huntington, West Virginia 25701-2070

If you have any questions concerning this public notice, please call Ms. LuAnne Conley, South Regulatory Section at 304-399-5710.

  
Ginger Mullins, Chief  
Regulatory Branch

(KY)

Lot 38-29-02.2204  
Song - 82'-38'-23".0244

# Vicinity Map



N.T.S.



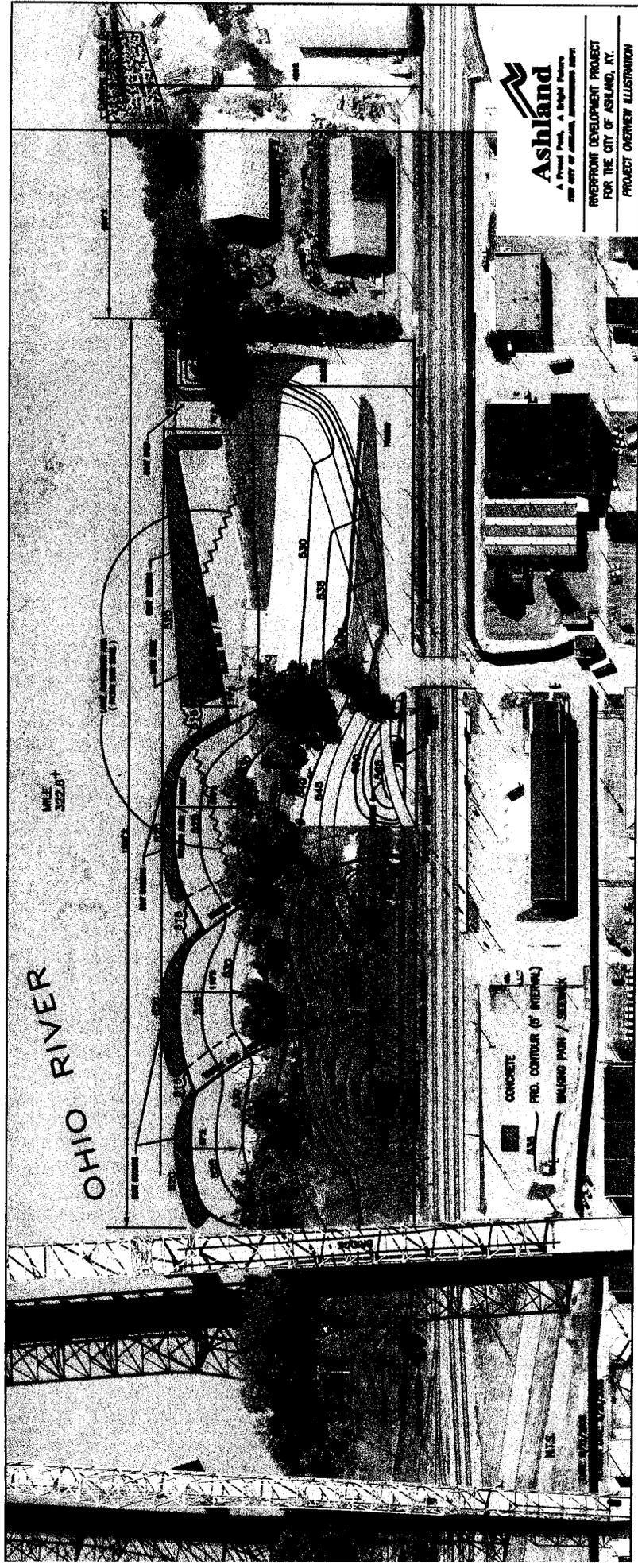
A Proud Past, A Bright Future  
*THE CITY OF ASHLAND, ENGINEERING DEPT.*

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RIVERFRONT DEVELOPMENT PROJECT  
FOR THE CITY OF ASHLAND, KY.

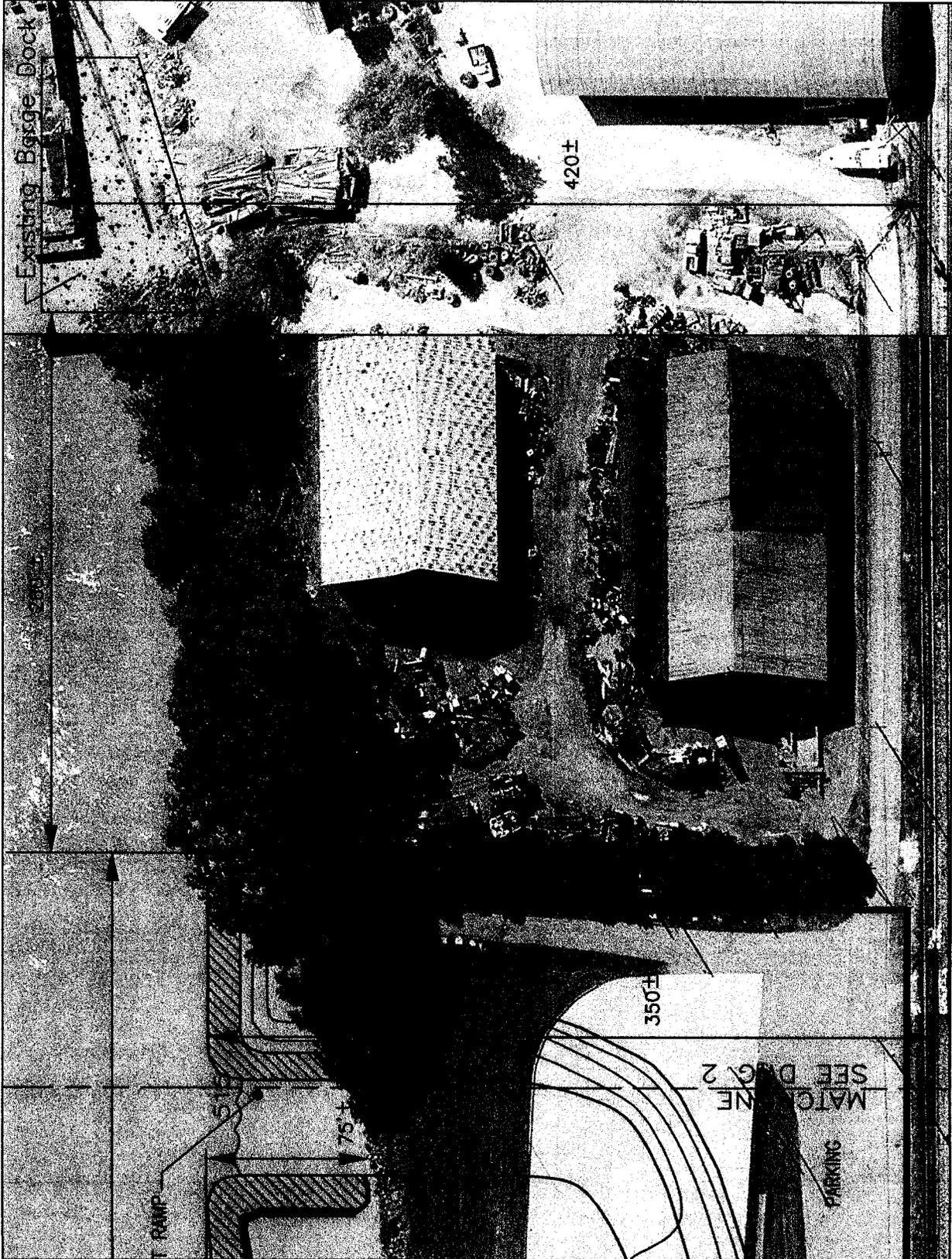
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VICINITY MAP



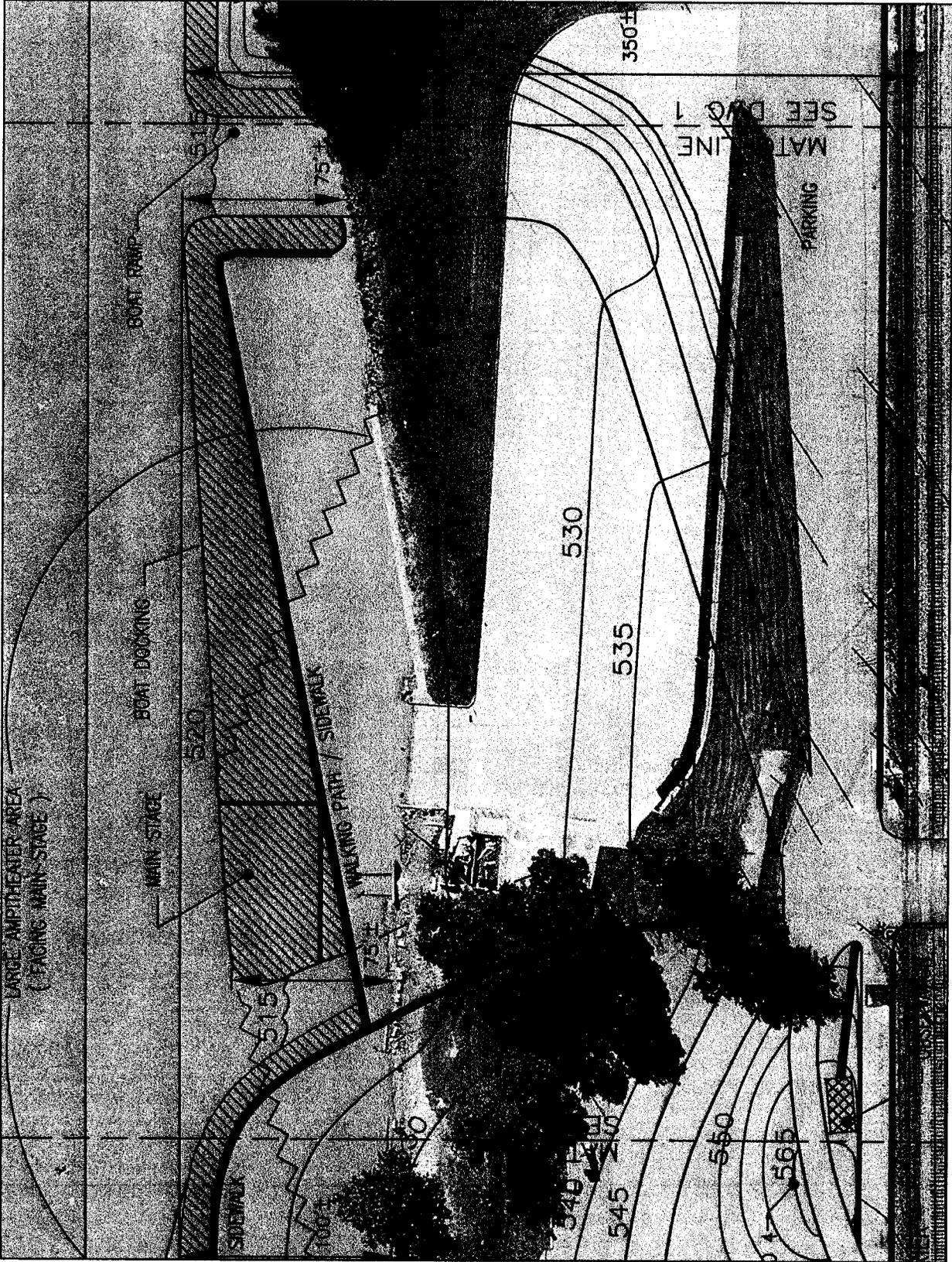
N.T.S.  
DATE: 8/29/2006

RIVERFRONT DEVELOPMENT PROJECT  
FOR THE CITY OF ASHLAND, KY.  
*PROJECT OVERVIEW ILLUSTRATION*



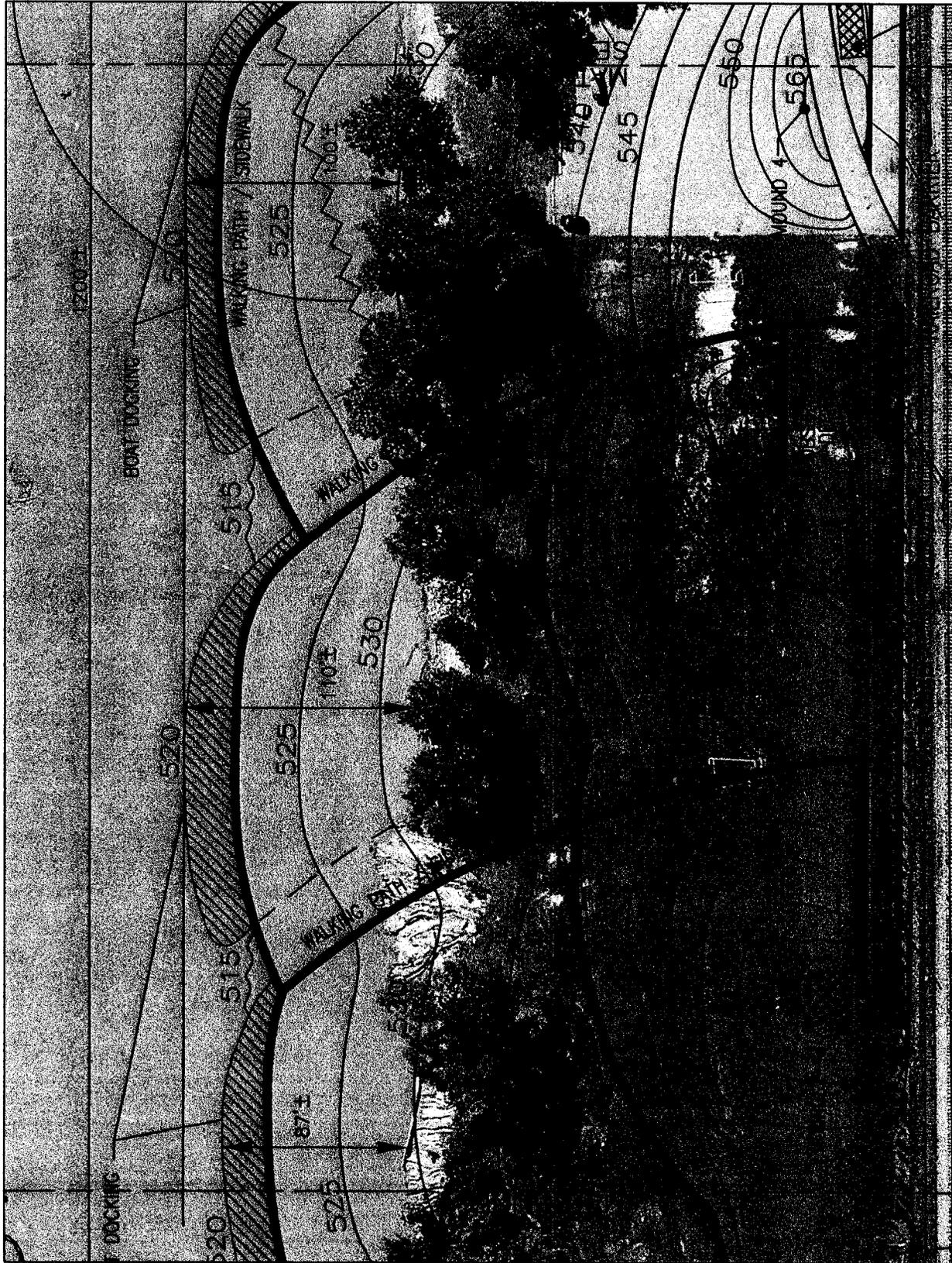
RIVERFRONT DEVELOPMENT PROJECT  
 FOR THE CITY OF ASHLAND, KY.  
**PLAN VIEW DETAIL - 1**

SCALE: 1" = 70'  
 DATE: 8/29/2006



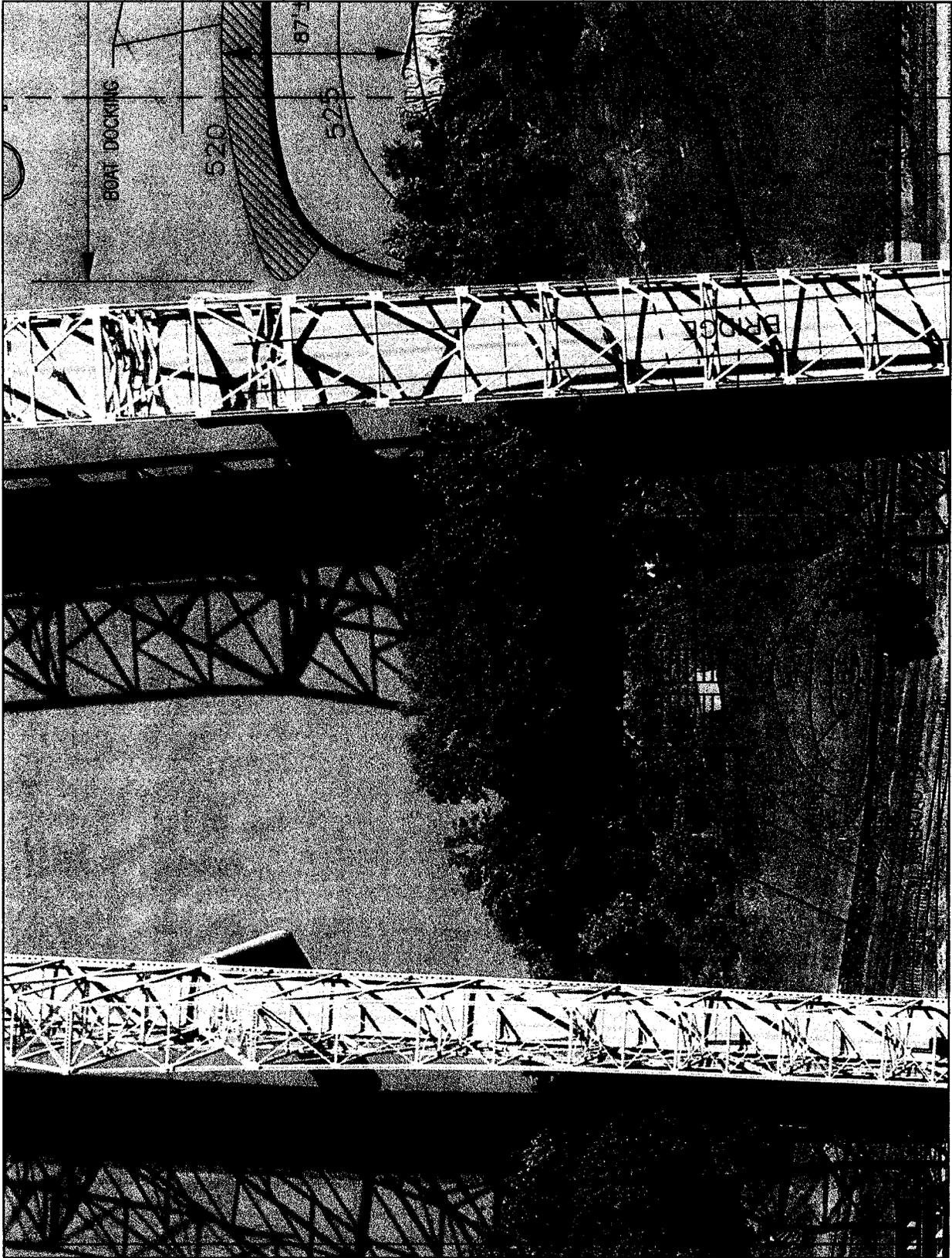
RIVERFRONT DEVELOPMENT PROJECT  
 FOR THE CITY OF ASHLAND, KY.  
**PLAN VIEW DETAIL - 2**

SCALE: 1" = 70'  
 DATE: 8/29/2006



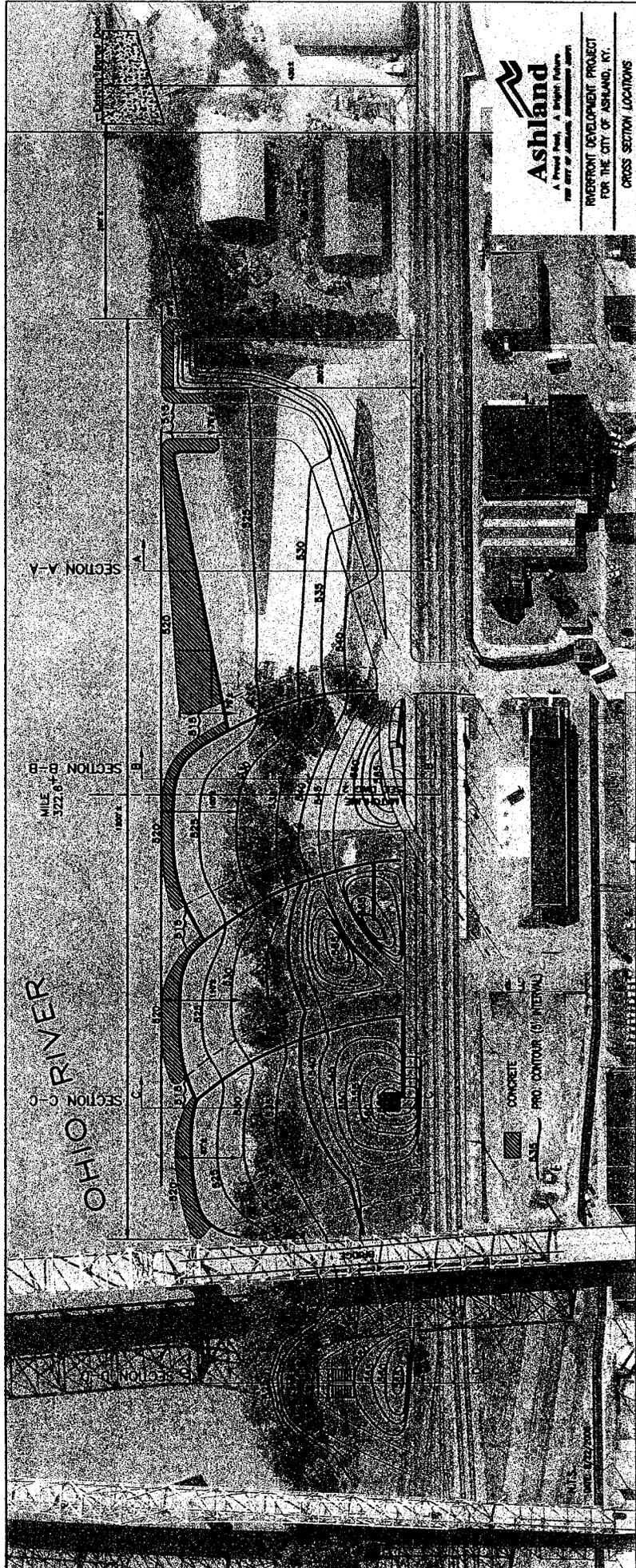
RIVERFRONT DEVELOPMENT PROJECT  
 FOR THE CITY OF ASHLAND, KY.  
**PLAN VIEW DETAIL - 3**

SCALE: 1" = 70'  
 DATE: 8/29/2006



SCALE: 1" = 70'  
DATE: 8/29/2006

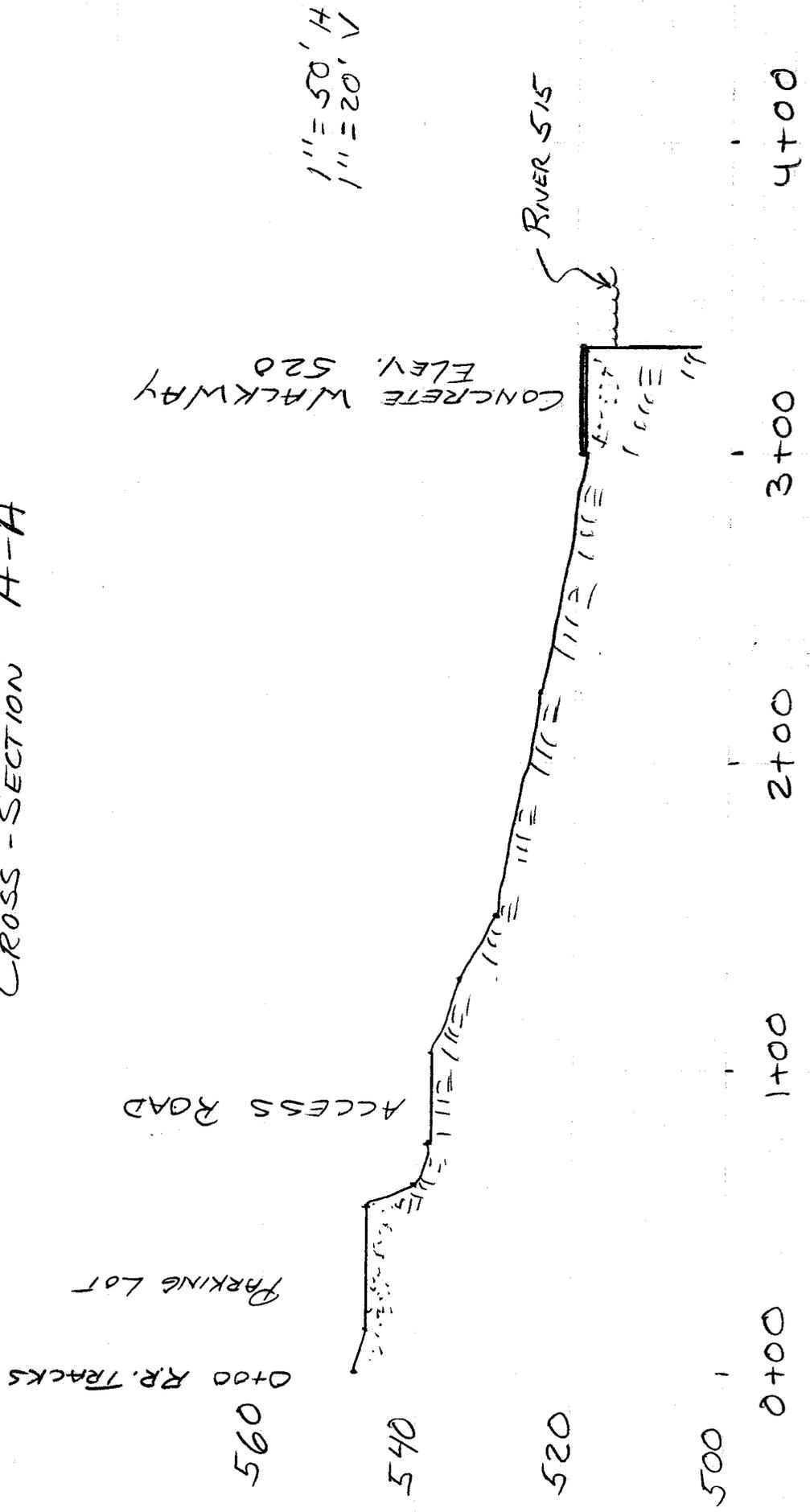
RIVERFRONT DEVELOPMENT PROJECT  
FOR THE CITY OF ASHLAND, KY.  
*PLAN VIEW DETAIL - 4*



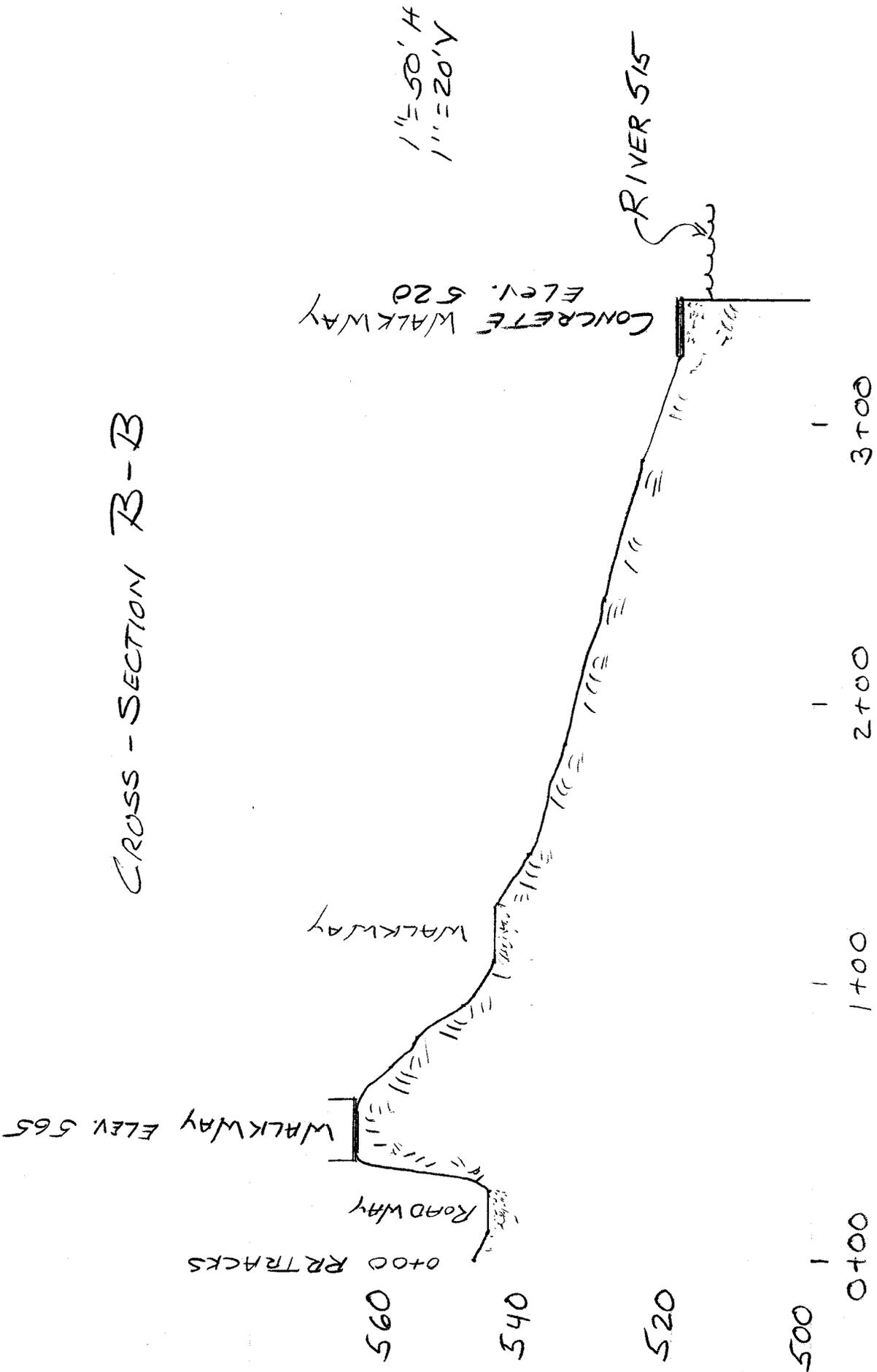
RIVERFRONT DEVELOPMENT PROJECT  
 FOR THE CITY OF ASHLAND, KY.  
**CROSS SECTION LOCATIONS**

N.T.S.  
 DATE: 8/22/2006

CROSS-SECTION A-A



CROSS-SECTION B-B



13,782 500 SHEETS, FILER 5 SQUARE  
 42,381 50 SHEETS, ENVELOPE 5 SQUARE  
 42,389 100 SHEETS, ENVELOPE 5 SQUARE  
 42,392 100 RECYCLED WHITE 5 SQUARE  
 42,389 200 RECYCLED WHITE 5 SQUARE  
 Made in U.S.A.



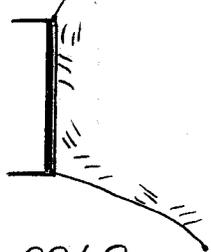
T

CROSS - SECTION C-C

1" = 50' H  
1" = 20' V

OBSERVATION DECK  
ELEV. 565

RR TRACKS  
0+00  
0+95



540

520

500

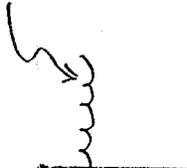
0+00  
1+00

2+00

3+00

CONCRETE WALKWAY  
ELEV. 520

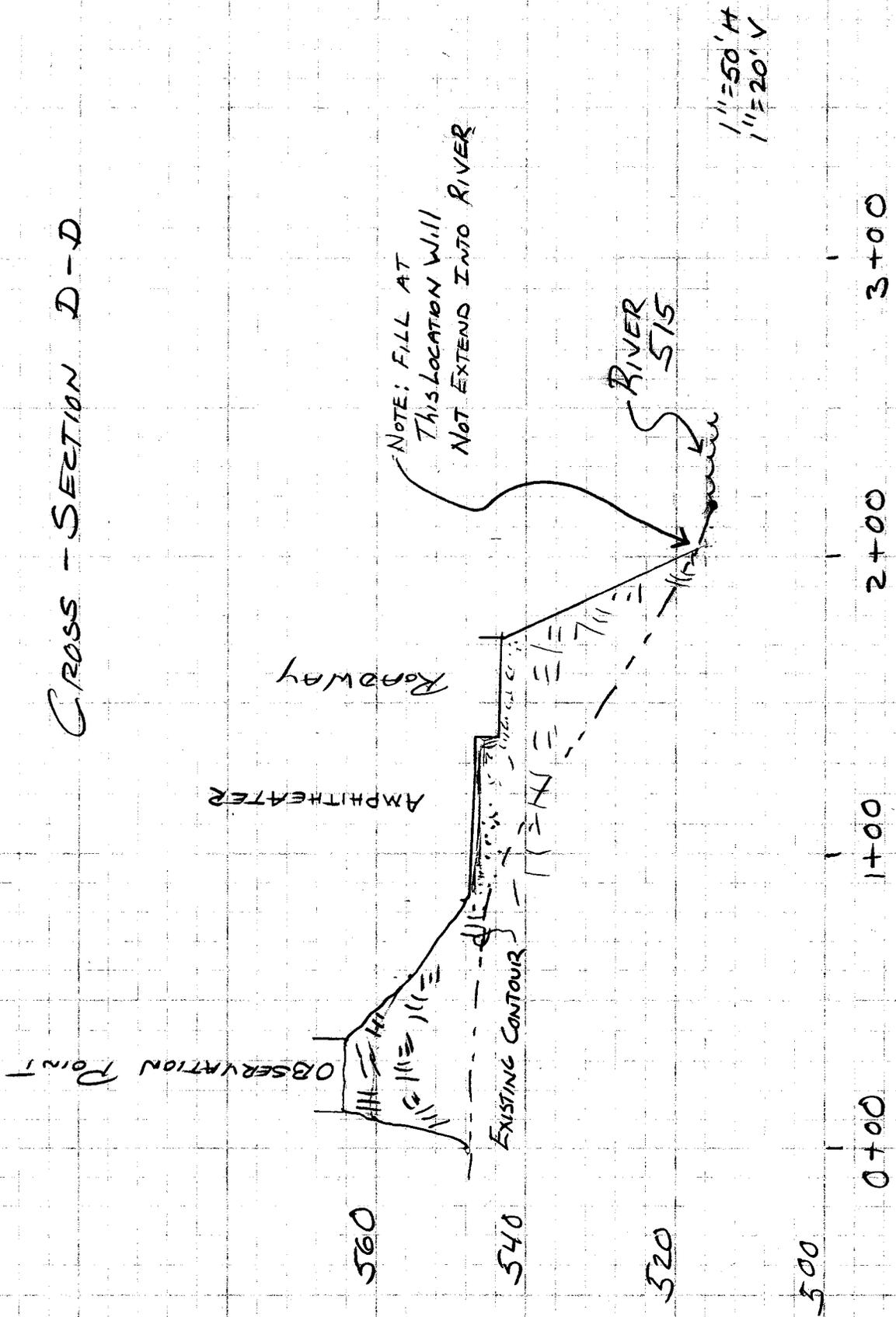
RIVER SLS



19 3/8" 500 SHEETS FILTER 5 SQUARE  
 42 3/8" 50 SHEETS FILTER 5 SQUARE  
 42 3/8" 100 SHEETS EYE-EASE 5 SQUARE  
 42 3/8" 200 SHEETS EYE-EASE 5 SQUARE  
 42 3/8" 100 SHEETS EYE-EASE 5 SQUARE  
 42 3/8" 100 RECYCLED WHITE 5 SQUARE  
 42 3/8" 200 RECYCLED WHITE 5 SQUARE  
 Made in U.S.A.

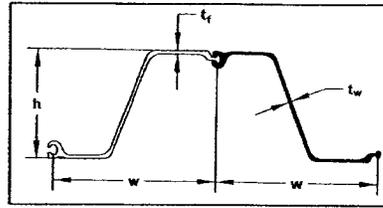


CROSS-SECTION D-D



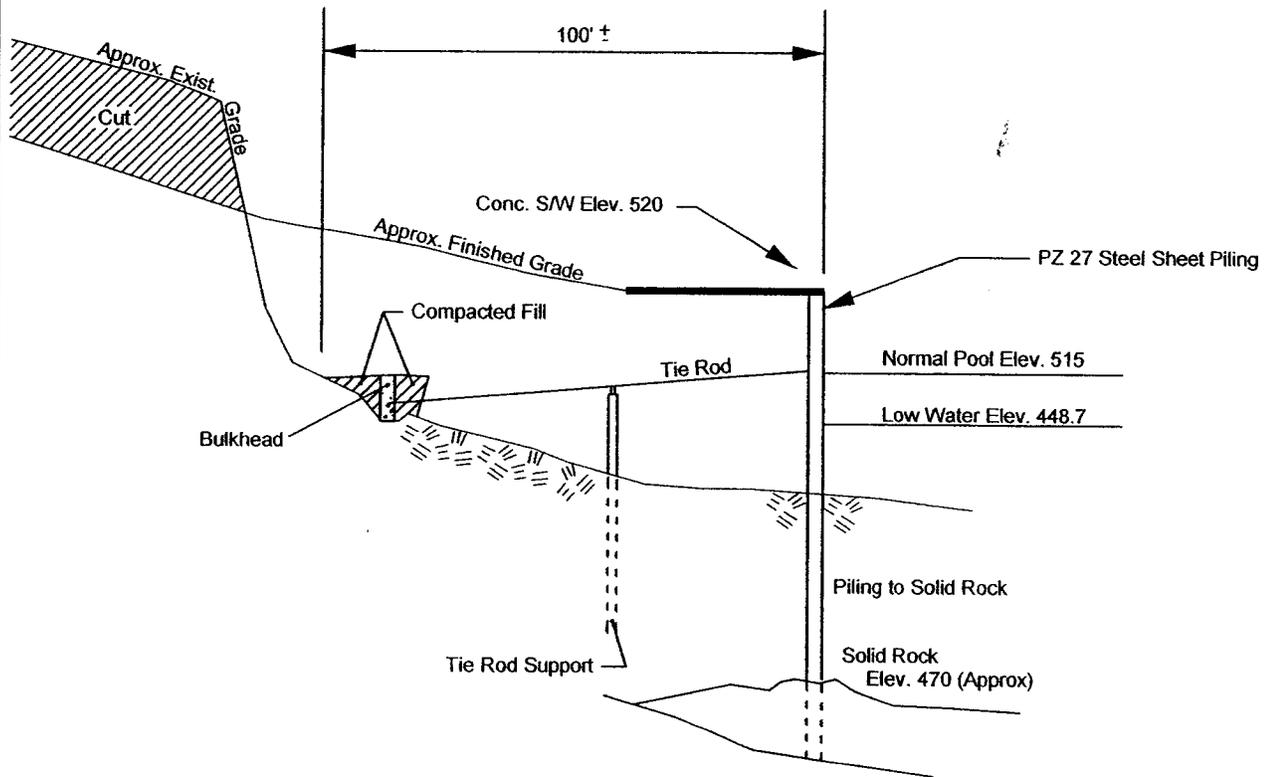
13-792  
42-381  
42-382  
42-382  
42-382  
42-389  
500 SHEETS, FILLER, 5 SQUARE  
50 SHEETS, EVERLAST, 5 SQUARE  
100 SHEETS, EVERLAST, 5 SQUARE  
100 SHEETS, EVERLAST, 5 SQUARE  
100 RECYCLED WHITE, 5 SQUARE  
100 RECYCLED WHITE, 5 SQUARE  
National Brand  
Made in U.S.A.

TYPICAL PILING DETAIL



Section	Width (w)	Height (h)	Thickness		Area	Weight	
			tf	tw		Pile	Wall
PZ 27	18 in	12 in	0.375 in	0.375 in	7.94 in <sup>2</sup> /ft	40.5 lb/ft	27.0 lb/ft <sup>2</sup>

PZ 27 Steel Sheet Piling



**NOTE:**

Elevations obtained from Ky. Dept. of Transportation & Ohio Dept. of Transportation plans for bridge over Ohio River @ 13th St., Ashland.  
Piling to be PZ27 or approved other.

RIVERFRONT DEVELOPMENT PROJECT  
FOR THE CITY OF ASHLAND, KY.

RIVERFRONT PILING DETAIL



DATE:	8/18/2006
DWG. NO.	RF-PDET1-06
SCALE:	N.T.S.