



**US Army Corps
of Engineers®**

Nashville District

Public Notice

Public Notice No. 04-41

Date: June 23, 2004

Application No. 5064100

Please address all comments to:
Floyd M. Carnes
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
AND
TENNESSEE VALLEY AUTHORITY
STATE OF ALABAMA

SUBJECT: Proposed Recessed Barge Slip, Tennessee River Mile 297.4, Left Bank, Morgan County, Alabama

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899** and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act**.

APPLICANT: Independence Tube Corporation
6226 West 74th Street
Chicago, Illinois 60638

LOCATION: Tennessee River Mile 297.4, Left Bank, Wheeler Lake, Morgan County, Alabama. (USGS JONES CROSSROADS, ALA. Quadrangle; Longitude: 87-4-54.1; Latitude: 34-39-43)

DESCRIPTION: The proposed work consists of the excavation and construction of a recessed barge slip. The recessed barge slip was previously permitted, but not constructed. The approximate length of the recessed barge slip would be 205' with a width of 40'. The bottom of the slip would be at Elevation 538.0, which is 18' below Wheeler Lake normal summer pool Elevation 556.0. The recessed barge slip would be lined with interlocking corrugated driven steel pilings. The excavation and construction of a recessed barge slip would be performed in the dry as much as possible. Prior to diverting water into the recessed barge slip, a plug at the end of the slip would be maintained. The construction of the recessed barge slip would be used for the commercial loading and unloading of dry goods.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore 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. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

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.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

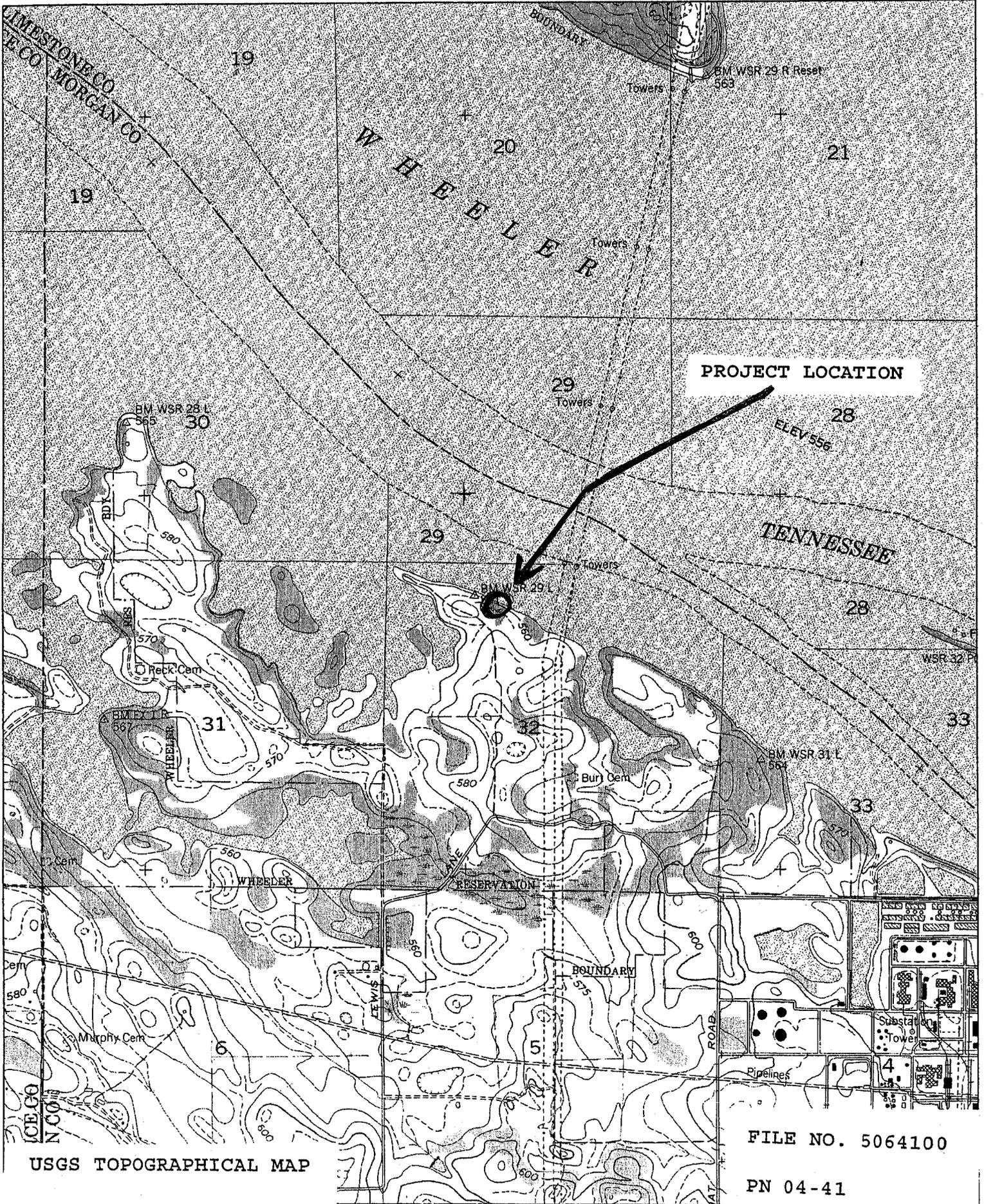
The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals may be required for the proposed work.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before **July 23, 2004**, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Floyd M. Carnes, at the above address, telephone (615) 369-7503. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Mr. Willie Buchanan, Manager, Pickwick-Wheeler Watershed Team, P.O. Box 1010, SB 1H-M, Muscle Shoals 35662.



PROJECT LOCATION

FILE NO. 5064100

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EXHIBIT A

USGS TOPOGRAPHICAL MAP

JONES CROSSROADS, ALA

34° 43' 87° 06'

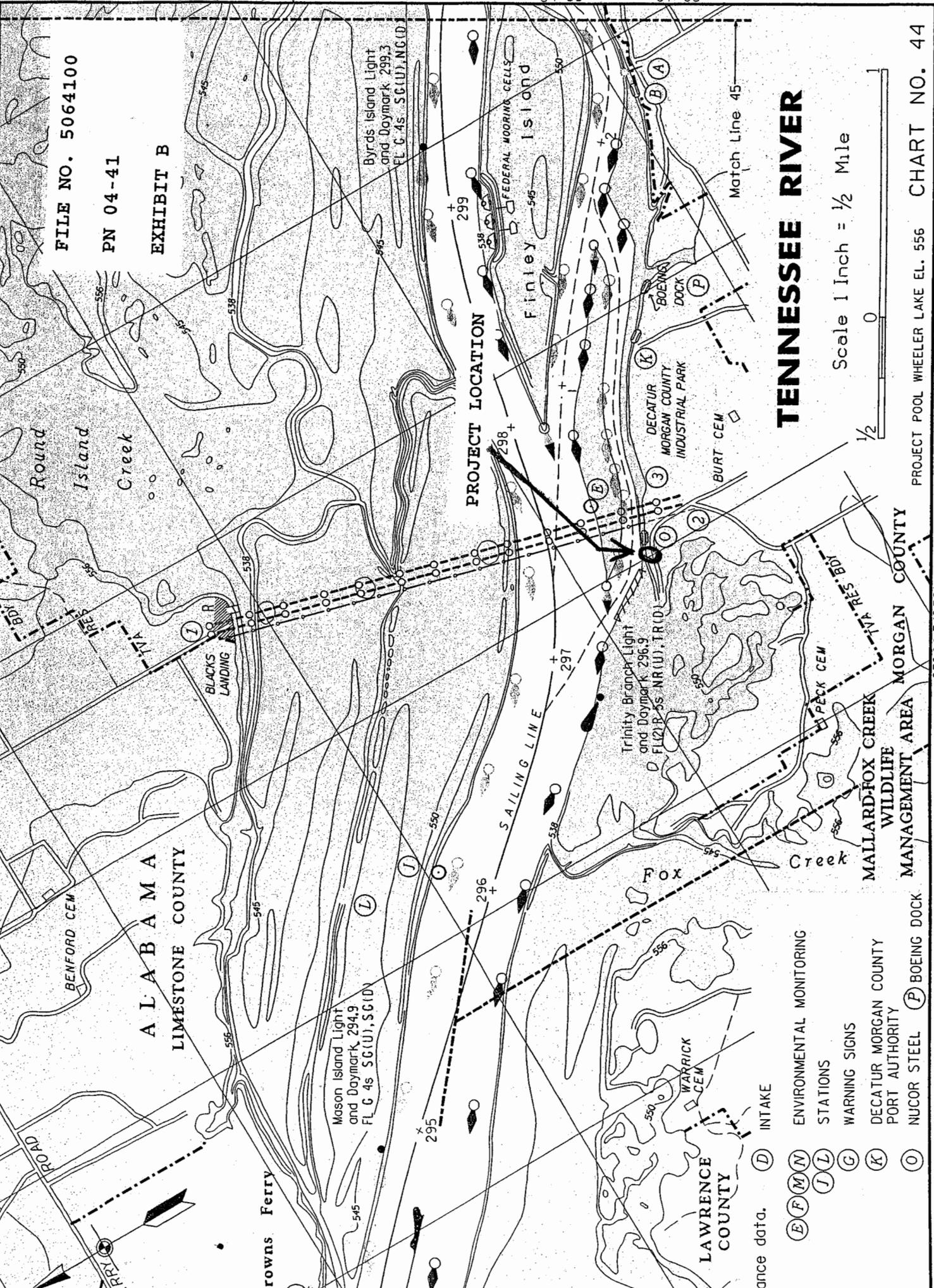
87° 05'

34° 42' 87° 04'

87° 03'

34° 41' 87° 02'

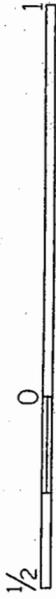
87° 02' 34° 40'



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 EXHIBIT B

TENNESSEE RIVER

Scale 1 Inch = 1/2 Mile



- ance data. (D) INTAKE
- (E) (F) (M) (N) ENVIRONMENTAL MONITORING STATIONS
- (J) (L) WARNING SIGNS
- (G) (K) (O) DECATUR MORGAN COUNTY PORT AUTHORITY
- (P) BOEING DOCK

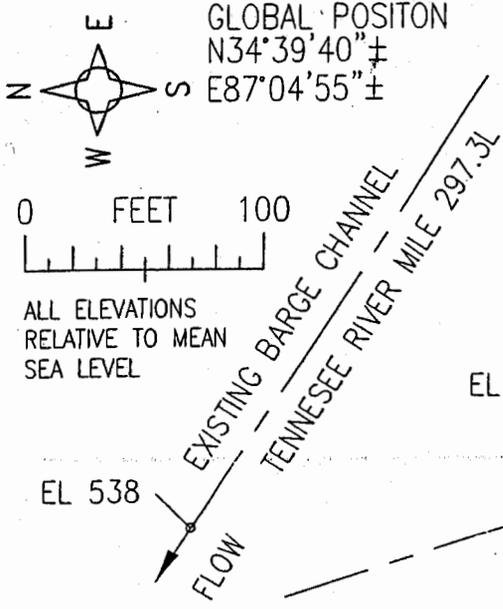
PROJECT POOL WHEELER LAKE EL. 556

CHART NO. 44

87° 06' 34° 39'

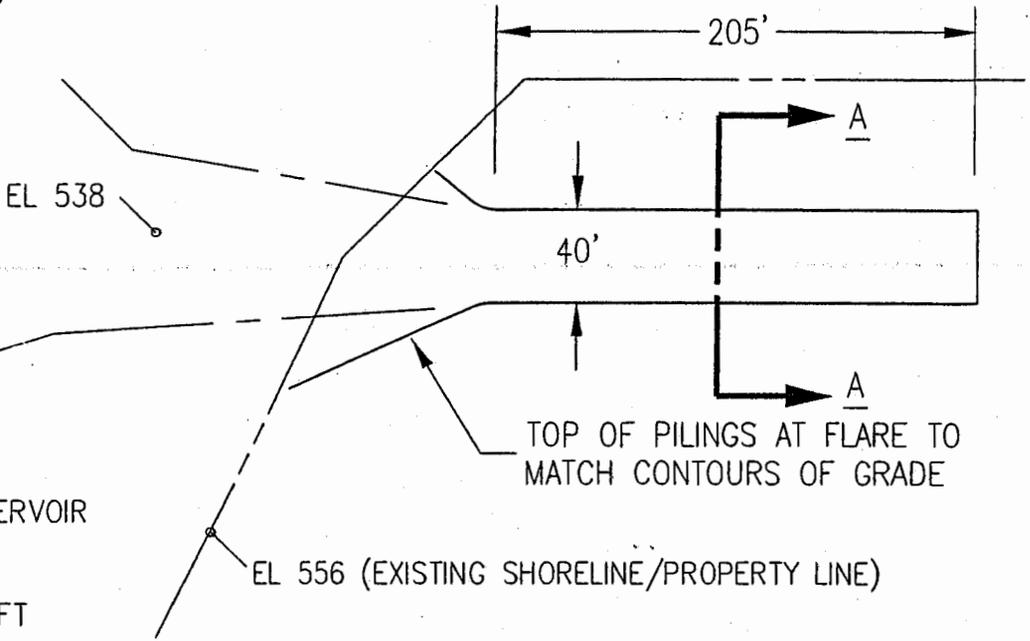
DRAWING NO. A-0002	DRAWN BY Kem E.	DATE 4-04	ITC INDEPENDENCE TUBE CORPORATION
NAME BARGE SLIP, DECATUR, AL	SCALE NOTED		

2000 INDEPENDENCE AVE.
DECATUR, AL 35601

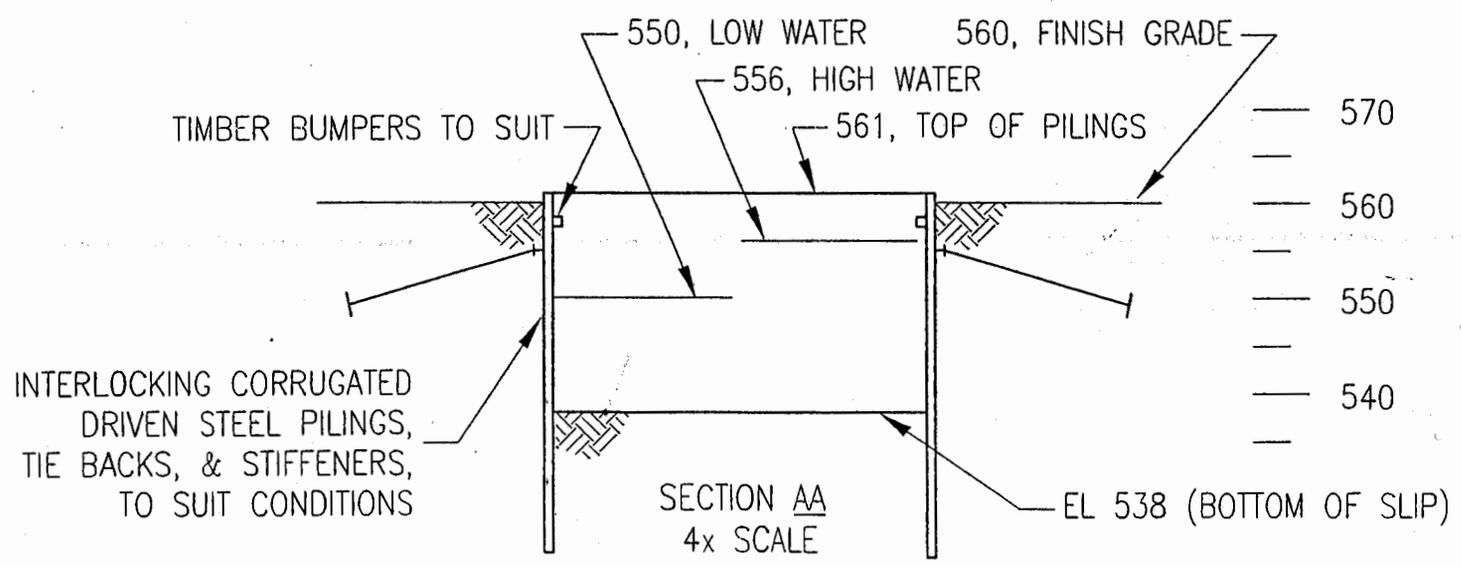


ALL ELEVATIONS
RELATIVE TO MEAN
SEA LEVEL

TENNESSEE RIVER, WHEELER RESERVOIR
NORM POOL EL 550-556
100Y FLOOD 559
9' MAX ALLOWABLE BARGE DRAFT
(APROX 1400 TONS DISP.)



REMOVE AS MUCH SPOIL AS POSSIBLE DRY, ALL SPOILS DISPOSED OF ON LAND



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ALL DIMENSIONS IN FEET