

TO: US Army Corps of Engineers, Louisville District
ATTN: Sarah McKeown, CELRL-OP-FN
9799 Billings Road
Indianapolis, Indiana 46216

SUBJECT: Request for Public Hearing

PROJECT: ID # LRL-2009-1174-sjm

Stream: Canary Ditch aka Canary Creek

Applicant: Johnson County Surveyor's Office

We, the undersigned petitioners, by our signature do hereby request a public hearing in the above matter, under the provisions of 33 CFR 327. We also request that the hearing be held in the county seat of Johnson County, preferably in the auditorium of the Courthouse Annex Building, with use of the venue's audio recording apparatus, and at a date and time most convenient for the petitioners and other members of the public. We furthermore request, per 327.8, that the USACE hold a joint public hearing and invite all interested parties, including representatives of Federal, State, and local governments and private individuals and organizations, are to be present or to be represented. We particularly seek testimony, advice, and scientific expertise from Federal and State agencies such as USACE, USEPA, USDOJ, USFEMA, USNRCS, USFWS, and Indiana IDEM and DNR.

The specific public interests which may be damaged by the issuance of the DA permit include, but are not limited to:

1. The project is not necessary.
2. Violations of the Clean Water Act;
3. A federally-funded study by the Johnson County Soil and Water Conservation District has shown that these activities by the Johnson County Surveyor degrade water quality in streams (see also USDOJ-USDOA MOA 18/21 Dec. 1992).
4. Violations of Federal and State Flood Control acts;
5. Franklin experienced a federally-declared flood disaster in 2008. This stream was a major factor in that disaster. It has not been scientifically determined what effect these activities by the Johnson County Surveyor have on flooding.
6. The City of Franklin has made numerous requests to USACE for assistance and funding in studying drainage and mitigating flooding in and around the city, particularly with regard to this stream.
7. If this project is not necessary, and if it is in conflict with the other public interests mentioned above, then issuance of the DA permit would result in tremendous waste of public resources involving all of the Federal and State agencies listed above.
8. The project may be a threat to public health and safety for the above reasons.

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