



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

Joint Public Notice

Public Notice No.

LRL-2012-631-lae

Open Date:

27 Nov 2012

Close Date:

27 Dec 2012

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Louisville District

ATTN: Ms. Leslie Estill, CELRL-OP-FN, Rm 752

P.O. Box 59

Louisville, Kentucky 40201-0059

Phone: (502)315-6711

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act (CWA) and for State Water Quality Certification pursuant to Section 401 of the CWA from the Indiana Department of Environmental Management, Office of Water Quality.

APPLICANT: Clark County Commissioners
501 East Court Avenue, Room 404
Jeffersonville, Indiana 47130

AGENT: Earth Source Inc.
14921 Hand Road
Fort Wayne, Indiana 46818

LOCATION: Near the intersection of Rake Road and St. John Road to IN-60 near Koetter Hollow Road in Borden, Clark County, Indiana.

Latitude: 38.44263
Longitude: -85.93926
7.5 minute Quad: Borden, IN

PURPOSE: To construct a 2.13-mile connector road from Rake Road to IN-60 to relieve traffic congestion and improve road safety.

DESCRIPTION OF WORK: The applicant proposes to discharge 10,725 cubic yards of fill material into "waters of the United States (U.S.)" to facilitate the construction of 2.13 miles of new roadway which would connect Rake Road and IN-60. The new roadway, Starhill Road, is proposed to relieve traffic congestion on Dow Knob Road caused by logging trucks, commercial trucks, and tourism. In addition, Starhill Road would provide a safer route for traffic as Dow Knob Road has steep grades, sharp curves, narrow lanes, no shoulders, and steep side slopes.

Starhill Road's proposed alignment would pass through a predominantly forested valley called Koetter Hollow. The project would encapsulate 845 linear feet of perennial stream, 1,316 linear feet of intermittent streams, and 3,360 linear feet of ephemeral streams within Koetter Hollow. In addition, 0.16 acre of emergent wetland would be filled for the proposed roadway.

Operations Division
Regulatory Branch (North)
Public Notice No. LRL-2012-631-lae

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The applicant evaluated three alignments for Starhill Road: Koetter Hollow, Gibson and Burns Hollows, and the reconstruction of Dow Knob Road. The applicant's preferred alignment is Koetter Hollow based on multiple factors, including the amount of impacts to "waters of the U.S." and project costs.

The preferred road alignment proposed through Koetter Hollow would avoid encapsulating 655 linear feet of perennial stream by making a perpendicular stream crossing. Originally, the applicant intended the alignment to pass through the center of Koetter Hollow, which would have encapsulated 1,500 linear feet of perennial stream.

To mitigate for the proposed impacts to "waters of the U.S." the applicant proposes 1,906 linear feet of perennial stream enhancement and 0.714 acre of emergent wetland creation. The mitigation is proposed on-site upstream of the flood control basin located at the base of Koetter Hollow.

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.

A DA Permit, if otherwise warranted, will not be issued on this project until a State of Indiana Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or it is considered waived. This Public Notice serves as the notice for a Clean Water Act Section 401 application for water quality certification from the IDEM. The IDEM will review this proposal for compliance with the applicable provisions of Section 301, 302, 303, 306 and 307 of the CWA, including the state water quality standards currently set forth at 327 IAC 2. They will consider comments regarding this proposal postmarked by the closing date of this notice. Comments to IDEM should be addressed to: IDEM, Office of Water Quality, Section 401 WQC Program, 100 North Senate Avenue Room N1255, Indianapolis, Indiana 46204. The applicant is responsible for obtaining the certification from IDEM.

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.

Operations Division
Regulatory Branch (North)
Public Notice No. LRL-2012-631-lae

The National Register of Historic Places and the Indiana State Architectural and Archeological Research Database 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. However, we have determined that the proposed work is within an area which has a high potential to contain unidentified archaeological sites. Therefore, a Phase Ia archaeological reconnaissance survey of the project corridor and the mitigation area has been requested. If we are made aware, as a result of the requested survey, or the comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistorical, 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. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency (USEPA), under authority of Section 404(b) of the CWA.

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. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. 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

Operations Division
Regulatory Branch (North)
Public Notice No. LRL-2012-631-lae

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/orf/listnotices.asp>. All comments regarding this proposal should be addressed to Ms. Leslie Estill, CELRL-OP-FN at the address noted above and should refer to the Public Notice Number LRL-2012-631-lae.

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-2012-631-lae:

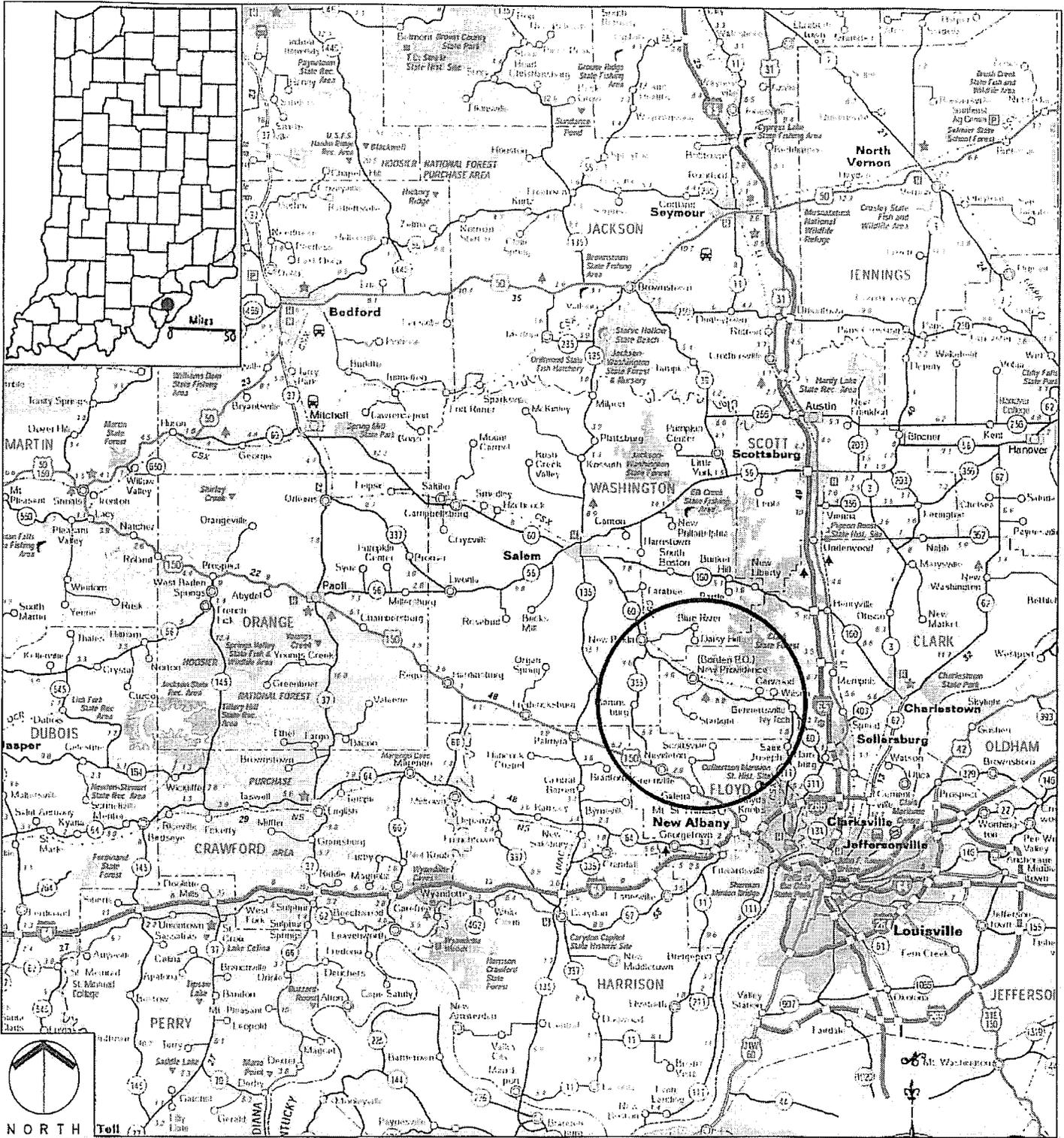
Example:

Subject: LRL-2012-631-lae.

b) Provide your physical mailing address and telephone number.

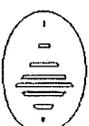
c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.

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.



Project Name: **STARHILL ROAD**

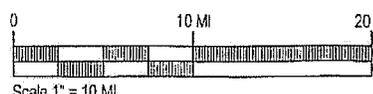
Agent:



Earth-Source Inc
 14921 Hand Road, Fort Wayne, IN 46818
 (260) 489-8511 Fax (260) 489-8607

LRL-2012-631-lae Figure 1 of 4

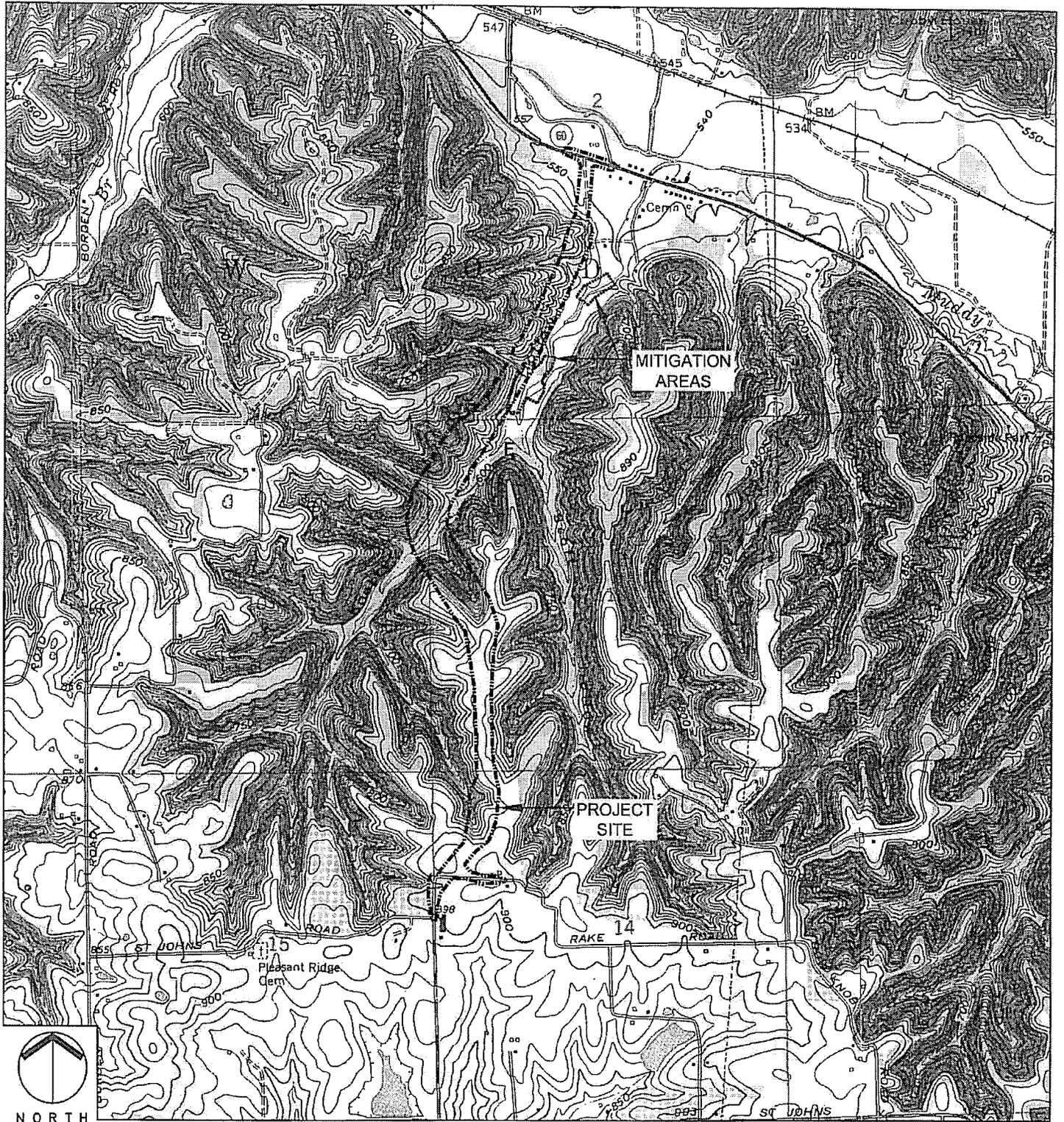
REGIONAL LOCATION MAP



Scale 1" = 10 MI

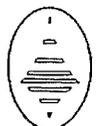
Applicant:
STRAND ASSOCIATES, INC.
 629 WASHINGTON STREET
 COLUMBUS, IN 47201

State:		County:	
INDIANA		CLARK	
Township Name:			
WOOD			
Township:	Range:	Section:	
T01S	R05E	2, 11, & 14	
Quadrangle:			
BORDEN (IN)			
Latitude/Longitude (NAD 27):			
38° 26' 39.54" N, 85° 56' 08.12" W			
Date:		Attachment:	
3-13-2012		S1	



Project Name: STARHILL ROAD

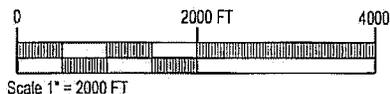
Agent:



Earth-Source Inc
 14921 Hand Road, Fort Wayne, IN 46818
 (260) 489-8511 Fax (260) 489-8507

LRL-2012-631-lae Figure 2 of 4

PROJECT LOCATION MAP

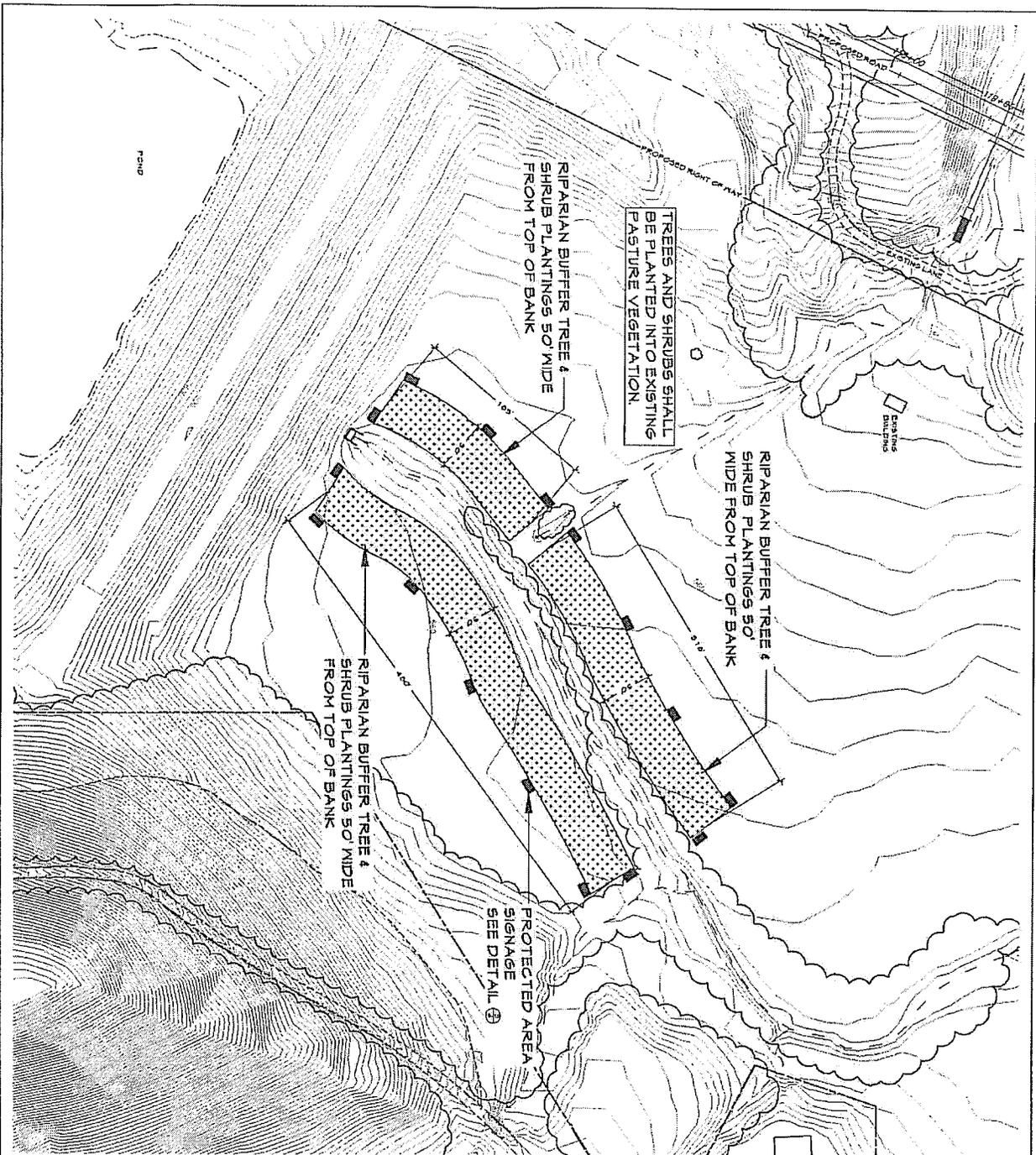


Scale 1" = 2000 FT

Applicant:

STRAND ASSOCIATES INC.
 629 WASHINGTON STREET
 COLUMBUS, IN 47201

State: INDIANA		County: CLARK
Township Name: WOOD		
Township: T01S	Range: R05E	Section: 2, 11, & 14
Quadrangle: BORDEN (IN)		
Latitude/Longitude (NAD 27): 38° 26' 39.54" N, 85° 56' 08.12" W		
Date: 3-13-2012	Attachment: S2	

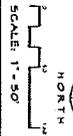


LEGEND

	PROPERTY LINE
	EXISTING CONTOURS
	EXISTING TOP OF BANK
	CENTERLINE OF DRAINAGE/STREAM
	EXISTING DRIVING PATH
	EXISTING WOODS
	MILLOW FASCINE
	CROSS VANE STRUCTURE
	J-HOOK STRUCTURE
	MIDWESTERN WETLAND BASIN SEED MIX (MP4)
	HERBACEOUS PLUG PLANTING AREA
	MIDWESTERN RIPARIAN SEED MIX (MS2)
	RIPARIAN BUFFER TREE AND SHRUB PLANTINGS
	RIPARIAN BUFFER LIVE STAKE PLANTINGS
	EROSION CONTROL FABRIC
	SIGNAGE

RESTORATION NOTES

1. Existing woody and herbaceous vegetation within riparian buffer planting areas are to remain, although mounding of this existing vegetation may be necessary.
2. Restoration contractor to be responsible for field verification of presence of existing vegetation and material quantities.
3. See specifications for planting and seeding instructions.
4. Restoration contractor shall install signage every 100' along perimeter of all riparian buffer areas. See Details 3 & 4 SHEET 4.



STARHILL ROAD MITIGATION

Clark County, Indiana

RESTORATION PLAN



Earth-Source Inc
11211 Pond Road, Fort Wayne, IN 46825
(317) 433-5111

Project No.	1011
Client	Clark County, Indiana
Date	07/30/13
Drawn by	DLE
Checked by	07/31/13
Scale	
Sheet No.	010705D
Sheet Title	RESTORATION PLAN
Project No.	1011
Client	Clark County, Indiana
Date	07/30/13
Drawn by	DLE
Checked by	07/31/13
Scale	
Sheet No.	010705D
Sheet Title	RESTORATION PLAN

SHEET 3 OF 7

