



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

Public Notice

Public Notice No.
LRL-2014-885-mck

Open Date:
10 Feb 2015

Close Date:
12 Mar 2015

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Ms. Meagan Knuckles, CELRL-OPF-S, Rm 752
P.O. Box 59
Louisville, Kentucky 40201-0059

Phone: 502-315-6709

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act:

APPLICANT: City of Crestview Hills, Kentucky
50 Town Center Boulevard
Crestview Hills, Kentucky 41017

AGENT: James W. Berling Engineering, PLLC
1671 Park Road, Suite One
Fort Wright, Kentucky 41011

LOCATION: Unnamed tributaries to Horse Branch Creek located
at the intersection of Horsebranch Road and Rhine
Valley Lane, Crestview Hills, Kenton County,
Kentucky.

Latitude: 39.0181396° N
Longitude: 84.555677° W
7.5 Minute Quad: KY-COVINGTON

PURPOSE: To reduce the water flow and lower the velocities
associated with these flows from the heavily
developed areas upstream of the project location
as well as reduce erosion and road slips along
Horsebranch Road located downstream of the
project area.

DESCRIPTION OF WORK: The applicant proposes to construct a stormwater management facility that would consist of a box control structure at the entrance of an existing 72-inch corrugated metal culvert and would detain water at various high water events. The proposed box control structure would be a 10 feet by 10 feet concrete box with 3 feet high by 4 feet wide windows at various elevations. The structure would be 25 feet in height and would consist of a footer constructed into bedrock.

The total cubic yards of concrete required below the Ordinary High Water Mark (OHWM) for the control structure would be 8 cubic yards. A total of 18 cubic yards would be above the OHWM for the construction of the structure. At the maximum elevation of detention the structure

would detain water at an elevation of 718.7 feet (see Table 1) and would impact 452 linear feet of the unnamed perennial stream to Horse Branch Creek, 170 linear feet of an unnamed intermittent stream to Horse Branch Creek, and 142 linear feet of an unnamed ephemeral stream to Horse Branch Creek. The project would also include temporary impacts to 70 linear feet of the unnamed ephemeral channel for a temporary road crossing to install the control structure at the end of the existing culvert. The temporary crossing would be removed and restored once construction is completed.

Time (Minutes)	Storm Event	Discharge Elevation	Discharge (CFS)
5.4	2 Year	705.1	191.1
8.8	5 Year	707.0	289.9
16.7	10 Year	710.2	372.5
24.6	25 Year	712.9	488.5
29.3	50 Year	714.9	585.6
34.4	100 Year	718.7	686.6

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The stormwater being detained upstream from the proposed box control structure would have minimal negative effect on the quality of the stream. Calculated detention times show that water would be detained for very short periods of time with it being approximately 32 minutes for the 100 year event (1% chance of occurrence). Creating backwaters upstream of the box control structure would slow the velocity of the flow, thus reducing the potential for erosion. Because the effect on the upstream water quality is minimally negative to help maintain its current condition, no mitigation is proposed.

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 until a State of Kentucky Water Quality Certification or waiver is on file at this office. In order to comply with Section 401 of the Clean Water Act, the applicant must apply for State certification from the Kentucky Energy and Environment Cabinet Division of Water (KDOW).

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.

The National Register of Historic Places 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. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, pre-historical, 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, 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 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/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Ms. Meagan Knuckles, CELRL-OPF-S at the address noted above and should refer to the Public Notice Number LRL-2014-885-mck.

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-2014-885-mck.

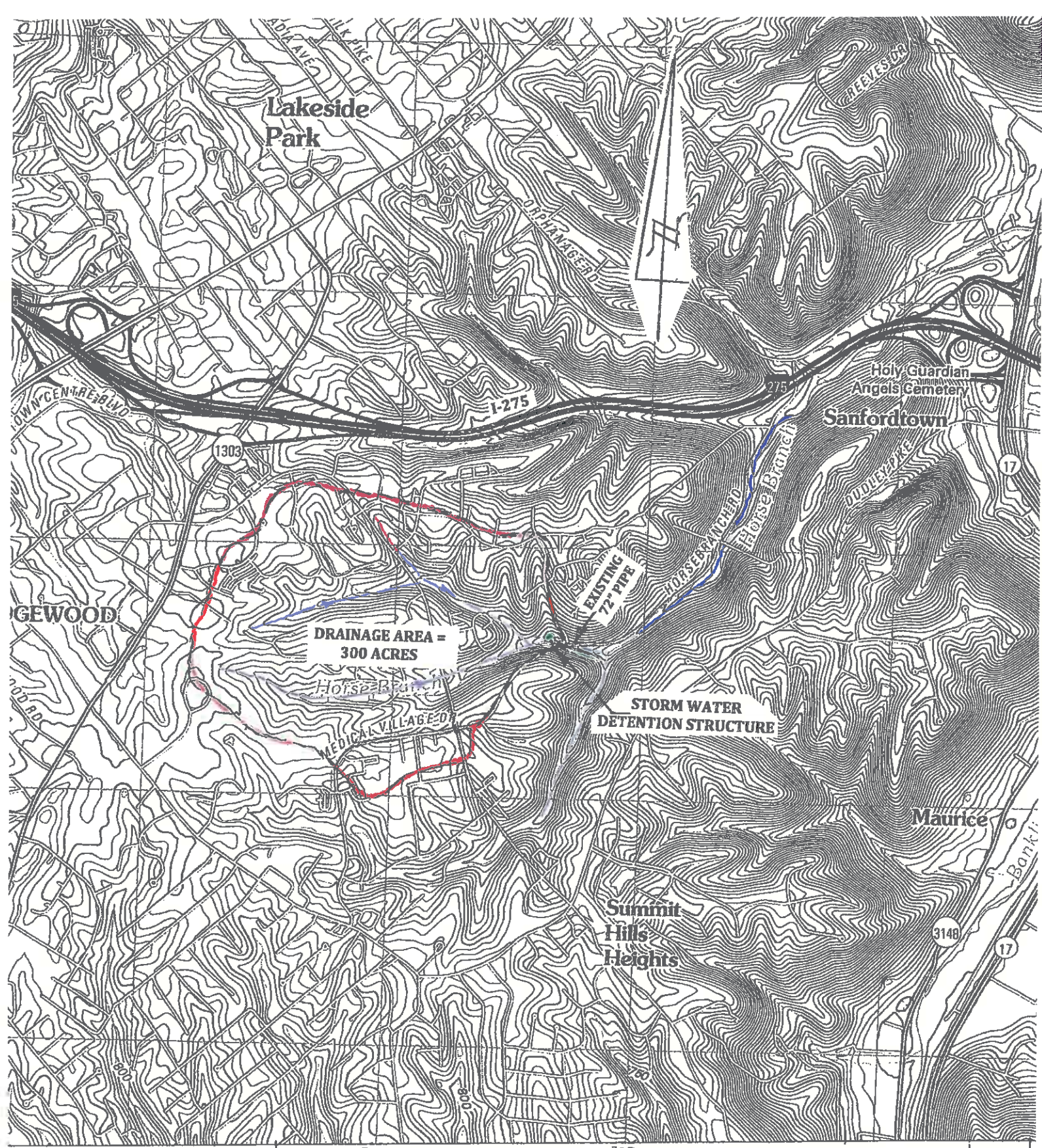
Example:

Subject: LRL-2014-885-mck

b) Provide your physical mailing address and telephone number.

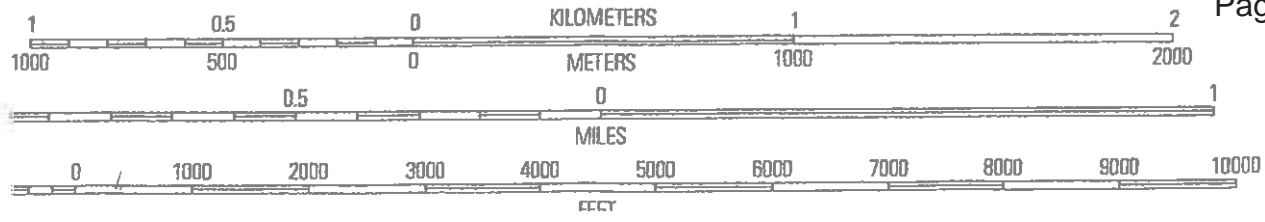
c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.

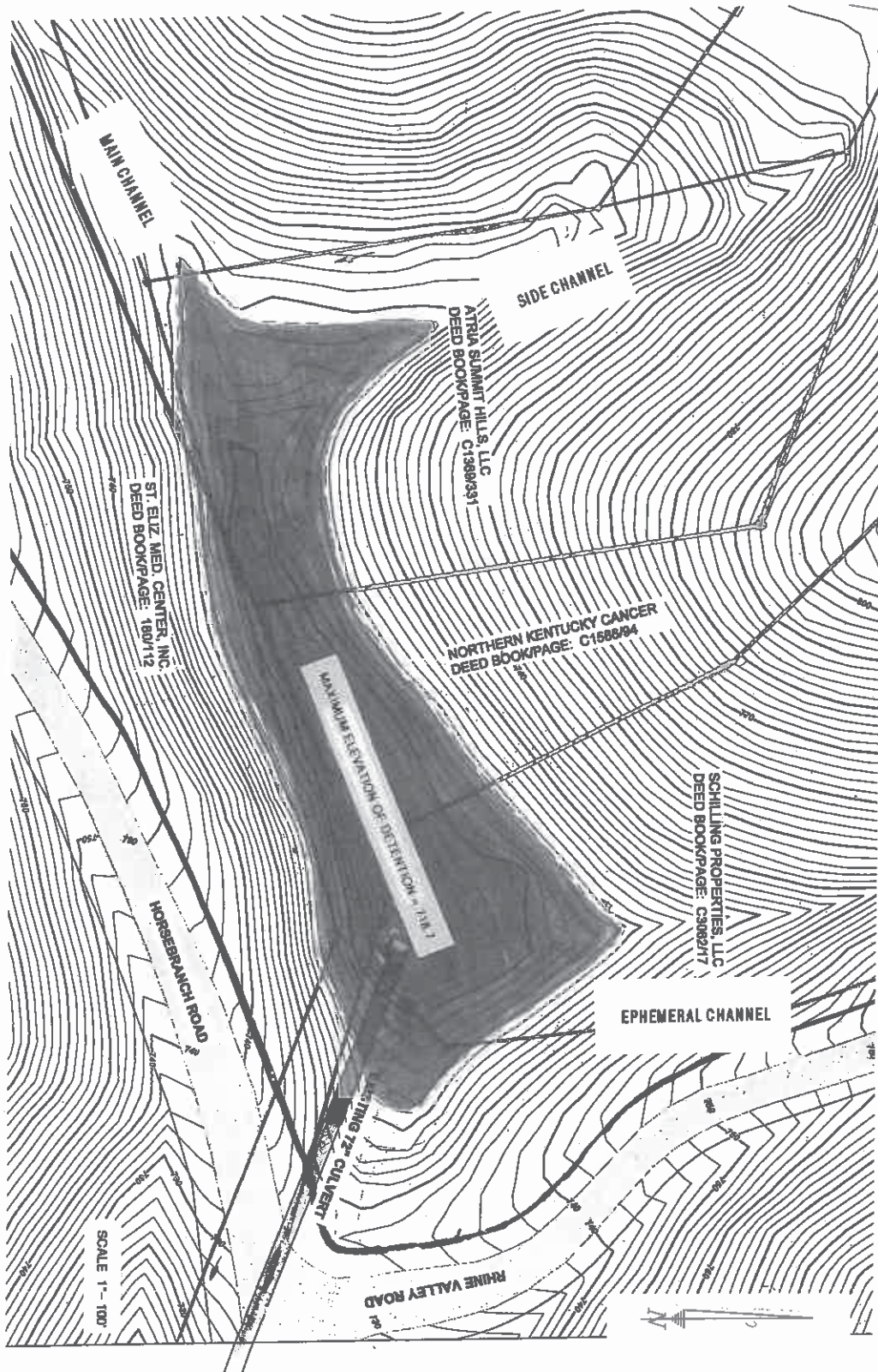
d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.



**CITY OF CRESTVIEW HILLS, KY
STORM WATER DETENTION STRUCTURE**

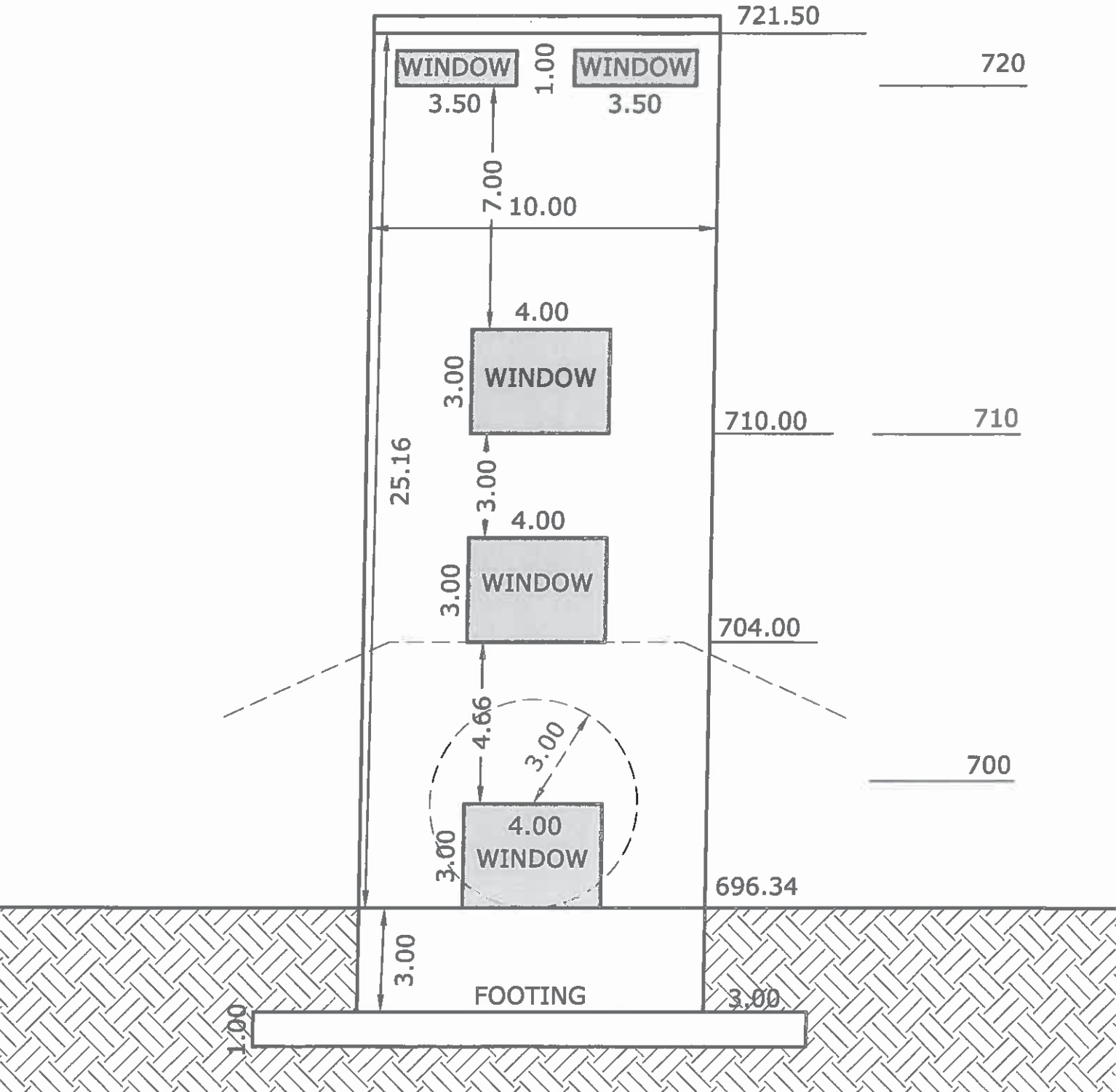
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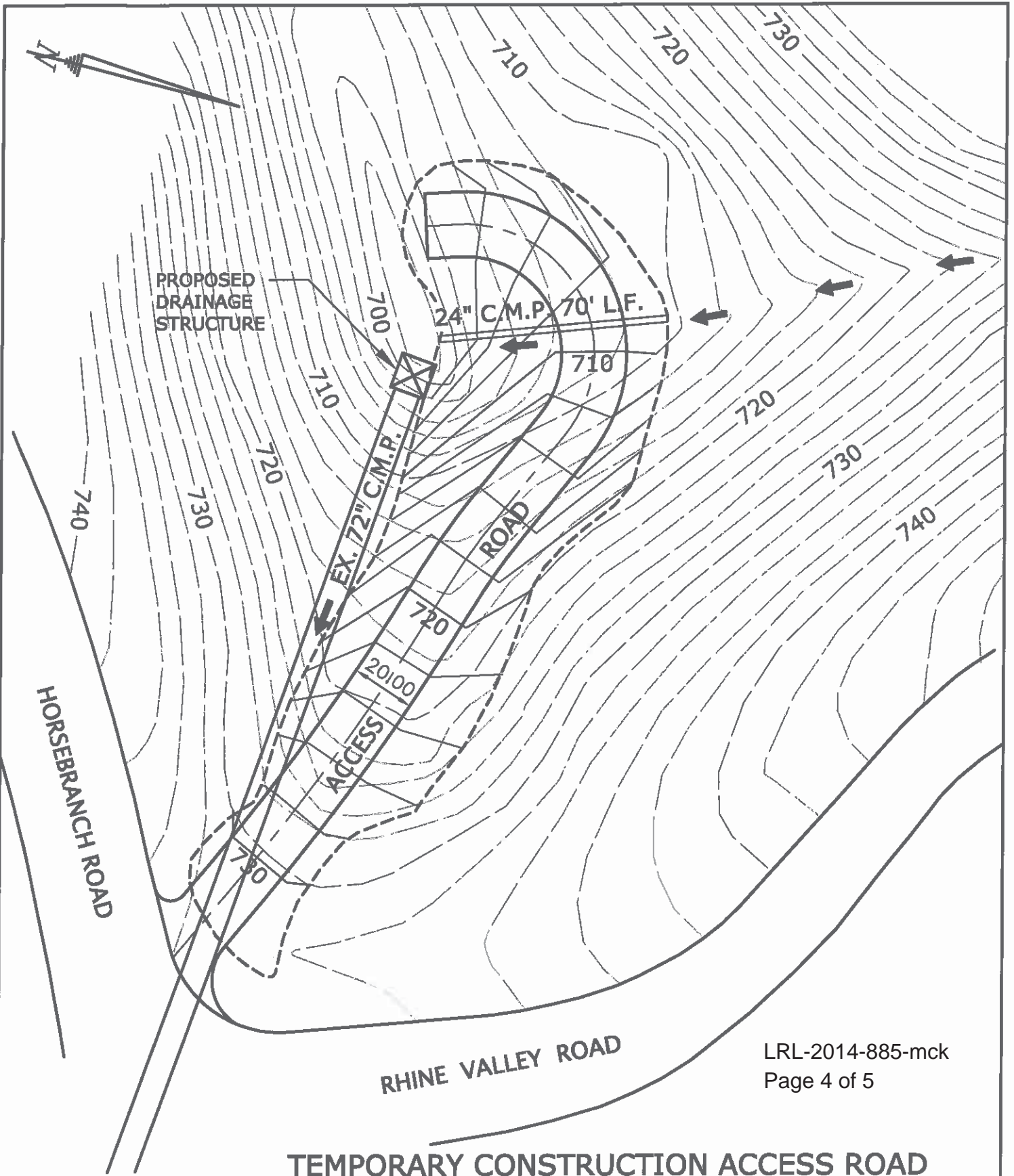
MAXIMUM ELEVATION OF DETENTION

100 YEAR FLOOD = 718.7



**PROPOSED
DRAINAGE STRUCTURE**
SCALE: 1" = 4'

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TEMPORARY CONSTRUCTION ACCESS ROAD

CITY OF CRESTVIEW HILL

CRESTVIEW HILL, KENTUCKY

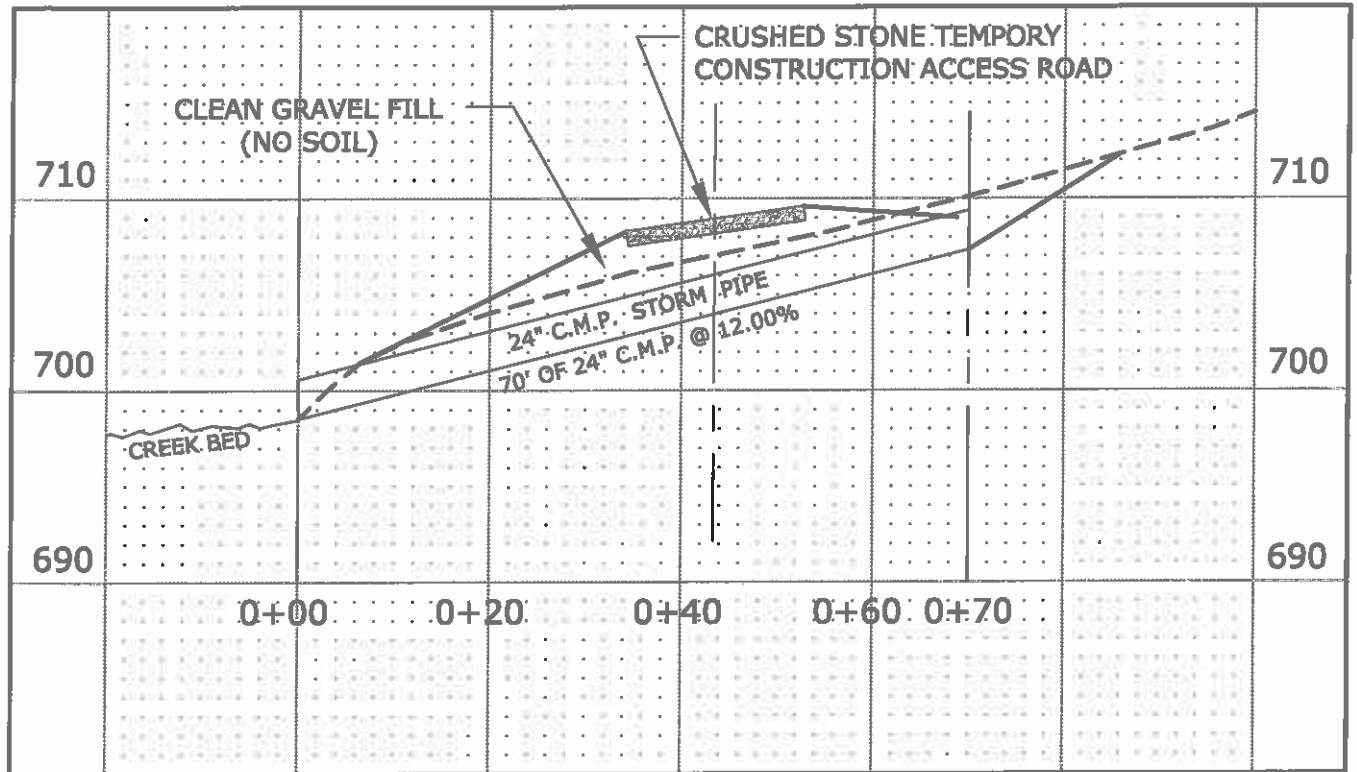
DRAWN BY **Chris D. Berling**

SUBDIVISION **JAMES W. BERLING
KY. SURVEYOR No.206**

DATE **1/09/15**

SCALE **1" = 40'**

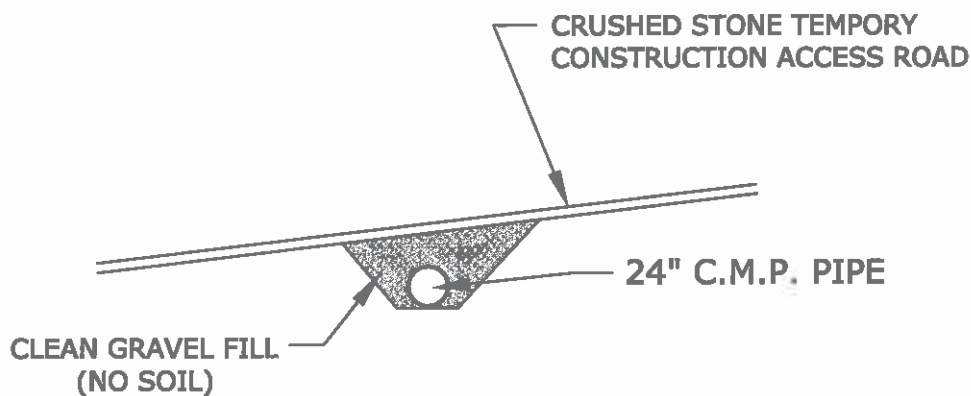
STATE OF KENTUCKY
JAMES W. BERLING
206
LICENSED
LAND SURVEYOR



24" STORM SEWER PROFILE

SCALE: HORZ: 1" = 20'

VERT: 1" = 20'



LOW-WATER CROSSING

SCALE: 1" = 10'

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TEMPORARY CONSTRUCTION ACCESS ROAD

CITY OF CRESTVIEW HILL



CRESTVIEW HILL, KENTUCKY		DRAWN BY Chris D. Berling	
SUBDIVISION	JAMES W. BERLING KY. SURVEYOR No.206	DATE 1/09/15	SCALE 1" = 20'