



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

Public Notice

Public Notice No.
LRL-2015-282-mdh

Open Date:
29 Jul 2015

Close Date:
28 Aug 2015

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

Phone: 502.648.2428

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

APPLICANT: Louisville Renaissance Zone Corporation
700 Administration Drive
Louisville, KY 40209

AGENT: Redwing Ecological Services, Inc.
1139 South Fourth Street
Louisville, KY 40203

LOCATION: Streams, wetlands and an open water within a 35-acre parcel in southwest Louisville.

Latitude: 38°-07'-15" (N)
Longitude: 85°-42'-27" (W)
7.5 Minute Quad: LOUISVILLE EAST AND BROOKS,
KENTUCKY.

PURPOSE: Commercial and industrial development expansion.

DESCRIPTION OF WORK: The Louisville Renaissance Zone Corporation (LRZC) proposes to develop Phase III of a planned commercial and industrial park. The expansion is proposed to meet demand for additional construction ready, airport compatible, warehouse/business space. Under the proposal, Phase III would impact 6.92 acres of eleven (11) wetlands, 1,020 linear feet of two (2) intermittent stream channels and 0.12 of an acre of one (1) open water (see attached Figures 1-3).

Phase I was authorized by DA Permit No. LRL-2006-179 in February of 2007, and construction has been completed for this phase. Phase II was authorized by DA Permit No. LRL-2011-52 in January of 2013.

Of the eleven (11) proposed wetland impacts, four (4) are emergent (0.13 acre), two (2) are scrub-shrub (0.25 acre) and five (5) are forested (6.54 acres). Itemized listings of proposed water impacts may be obtained by request from this office.

AVOIDANCE AND MINIMIZATION MEASURES: The applicant looked at alternative locations for expansion, which included adjacent lands to

the north, south, and west. However, all of these tracts contain various uses including roadways or commercial and industrial developments. The proposed Phase III parcel is adjacent to the existing LRZC phases and is convenient to the Louisville International Airport making it a practicable location for the proposed expansion. The applicant did consider alternatives to reduce impacts within the Phase III parcel; however, due to the limited size (35 acres) and wide dispersion of waters within the parcel, avoidance and minimization of impacts was not viewed as a viable option by the applicant.

MITIGATION MEASURES: The applicant proposes to provide compensation for the unavoidable wetland impacts, through the purchase of 20.76 acres of wetland credits from a mitigation bank within the Salt River basin. With regard to unavoidable stream impacts, the applicant proposes to provide compensation through the purchase of 1,224 Adjusted Mitigation Units (AMUs) from the Kentucky Department of Fish and Wildlife Resources (KDFWR) Stream and Wetland Mitigation Program.

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 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

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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 C.F.R. 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 Mr. Michael Hasty, CELRL-OPF-S at the address noted above and should refer to the Public Notice Number LRL-2015-282-mdh.

If you desire to submit your comments by email, you must comply with the following:

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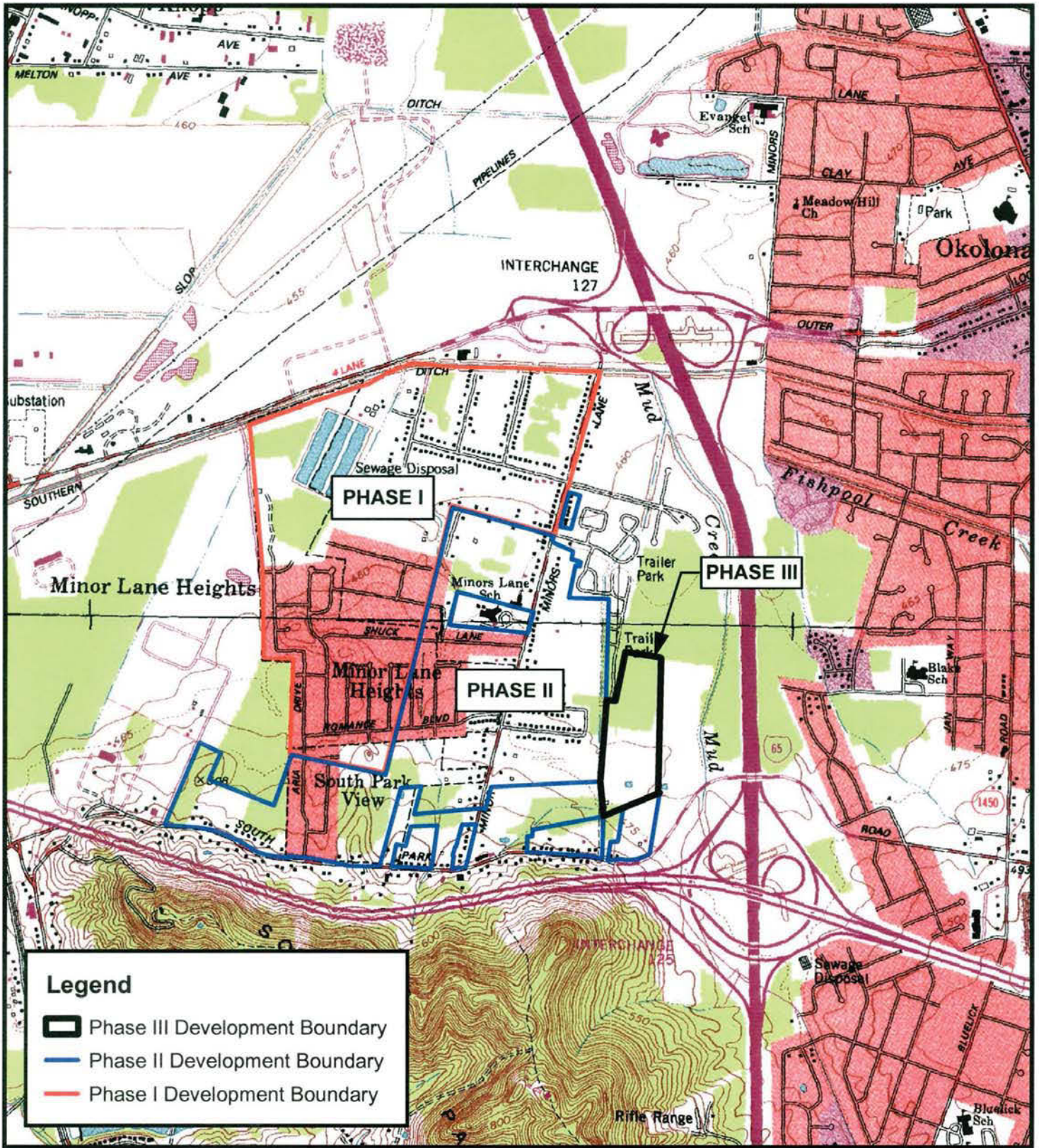
a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2015-282-mdh.

Example: LRL-2015-282-mdh (subject)

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.



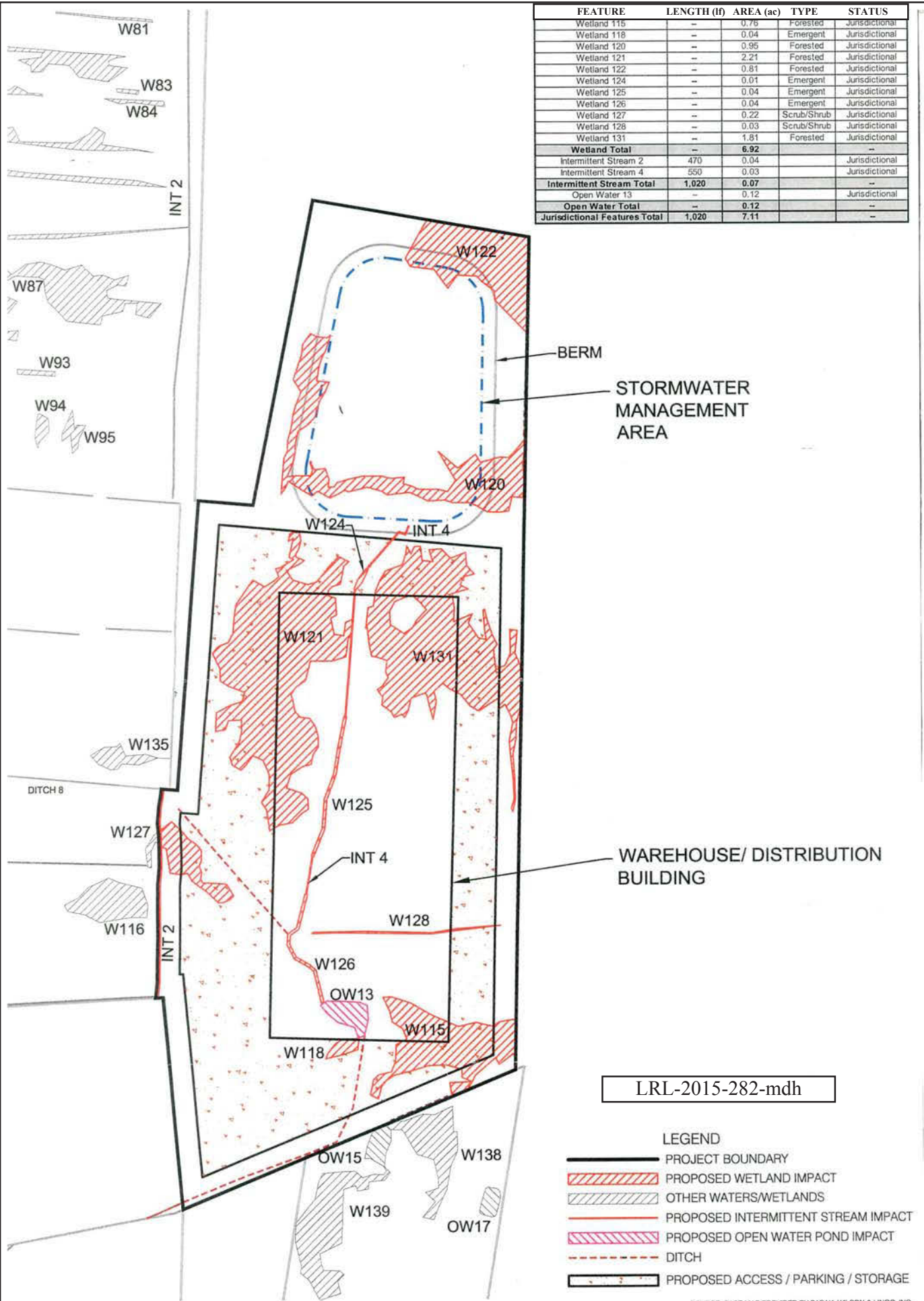
RENAISSANCE BUSINESS PARK SOUTH
 PHASE III
 JEFFERSON COUNTY, KENTUCKY



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SITE LOCATION MAP

FEATURE	LENGTH (ft)	AREA (ac)	TYPE	STATUS
Wetland 115	--	0.76	Forested	Jurisdictional
Wetland 118	--	0.04	Emergent	Jurisdictional
Wetland 120	--	0.95	Forested	Jurisdictional
Wetland 121	--	2.21	Forested	Jurisdictional
Wetland 122	--	0.81	Forested	Jurisdictional
Wetland 124	--	0.01	Emergent	Jurisdictional
Wetland 125	--	0.04	Emergent	Jurisdictional
Wetland 126	--	0.04	Emergent	Jurisdictional
Wetland 127	--	0.22	Scrub/Shrub	Jurisdictional
Wetland 128	--	0.03	Scrub/Shrub	Jurisdictional
Wetland 131	--	1.81	Forested	Jurisdictional
Wetland Total	--	6.92		--
Intermittent Stream 2	470	0.04		Jurisdictional
Intermittent Stream 4	550	0.03		Jurisdictional
Intermittent Stream Total	1,020	0.07		--
Open Water 13	--	0.12		Jurisdictional
Open Water Total	--	0.12		--
Jurisdictional Features Total	1,020	7.11		--



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- LEGEND**
- PROJECT BOUNDARY
 - PROPOSED WETLAND IMPACT
 - OTHER WATERS/WETLANDS
 - PROPOSED INTERMITTENT STREAM IMPACT
 - PROPOSED OPEN WATER POND IMPACT
 - DITCH
 - PROPOSED ACCESS / PARKING / STORAGE

SOURCE: BASE MAP PROVIDED BY SABAK, WILSON & LINGO, INC.

NOTE: JURISDICTIONAL WATER/WETLAND BOUNDARIES WERE DELINEATED BY REDWING WETLAND SCIENTISTS AND VERIFIED BY THE U.S. ARMY CORPS OF ENGINEERS ON MAY 2, 2012.



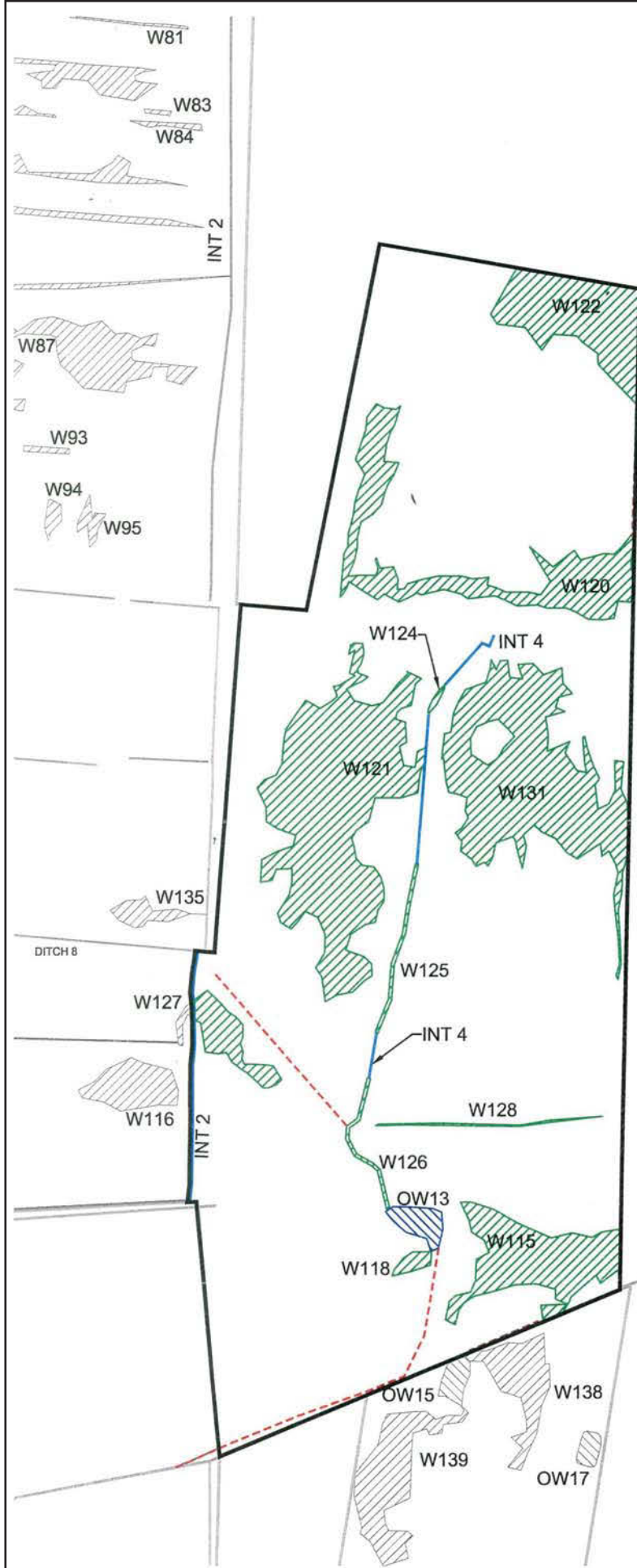
RENAISSANCE SOUTH BUSINESS PARK
 PHASE III
 JEFFERSON COUNTY, KENTUCKY



PROPOSED
 DEVELOPMENT MAP

Figure 2

FEATURE	LENGTH (lf)	AREA (ac)	TYPE	STATUS
Wetland 115	--	0.76	Forested	Jurisdictional
Wetland 118	--	0.04	Emergent	Jurisdictional
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Wetland 121	--	2.21	Forested	Jurisdictional
Wetland 122	--	0.81	Forested	Jurisdictional
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Wetland 125	--	0.04	Emergent	Jurisdictional
Wetland 126	--	0.04	Emergent	Jurisdictional
Wetland 127	--	0.22	Scrub/Shrub	Jurisdictional
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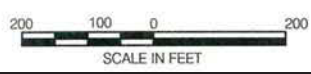
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LEGEND

- PROJECT BOUNDARY
- JURISDICTIONAL WETLAND
- OTHER WATERS/WETLANDS
- INTERMITTENT STREAM
- OPEN WATER POND
- DITCH

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RENAISSANCE SOUTH BUSINESS PARK
PHASE III
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WATER/WETLAND
LOCATION MAP

Figure 3