



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

Public Notice

Public Notice No.
LRL-2016-239--mck

Open Date:
16 Mar 2016

Close Date:
15 Apr 2016

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 404 of the Clean Water Act:

APPLICANT: Red Rock Developments
1111 Metropolitan Avenue
Charlotte, North Carolina 27204

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

LOCATION: Wetlands, ephemeral and intermittent tributaries to Long Lick Creek, on an approximately 138-acre site, located west of the intersection of Kentucky Highway 61 (KY 61) and Kentucky Highway 245 (KY 245), in Bullitt County, Kentucky.

Latitude: 37.922085° N
Longitude: 85.702508° W
7.5 Minute Quad: KY-SHEPHERDSVILLE

PURPOSE: To provide light industrial/warehouse development and associated infrastructure along the I-65/KY 245 corridor in Bullitt County, Kentucky.

DESCRIPTION OF WORK: The applicant proposes to permanently discharge approximately 5,255 cubic yards of clean fill into 1.52 acres of emergent, scrub-shrub and forested wetlands, 165 linear feet (0.011 acre) of intermittent stream and 2,665 linear feet (0.10 acre) of ephemeral streams for the proposed Project 245. In addition, approximately 160 linear feet (0.011 acre) of ephemeral stream would be temporarily impacted from the construction of a sewer line along the western property boundary of the site. This activity is required for the construction of the proposed light industrial/warehouse development, which would include the construction of three large industrial warehouse buildings with parking lots and associated infrastructure.

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The applicant would avoid 5,995 linear feet of ephemeral stream and 0.04 acre of wetland

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onsite. To compensate for the unavoidable impacts to "waters of the United States (U.S.)," the applicant proposes to purchase mitigation bank credits from an approved mitigation bank in the vicinity of the proposed project at a 2:1 ratio. To mitigate for the proposed impacts to the intermittent stream the applicant proposes to purchase credits from the Kentucky Department of Fish and Wildlife Stream and Wetland Restoration In-Lieu Fee Program. The applicant proposes a stormwater management system within the development to compensate for impacts to the ephemeral streams.

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. Currently, an archaeological study is being performed at the project site. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistoric, 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

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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-2016-239-mck.

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-2016-239-mck.

Example:

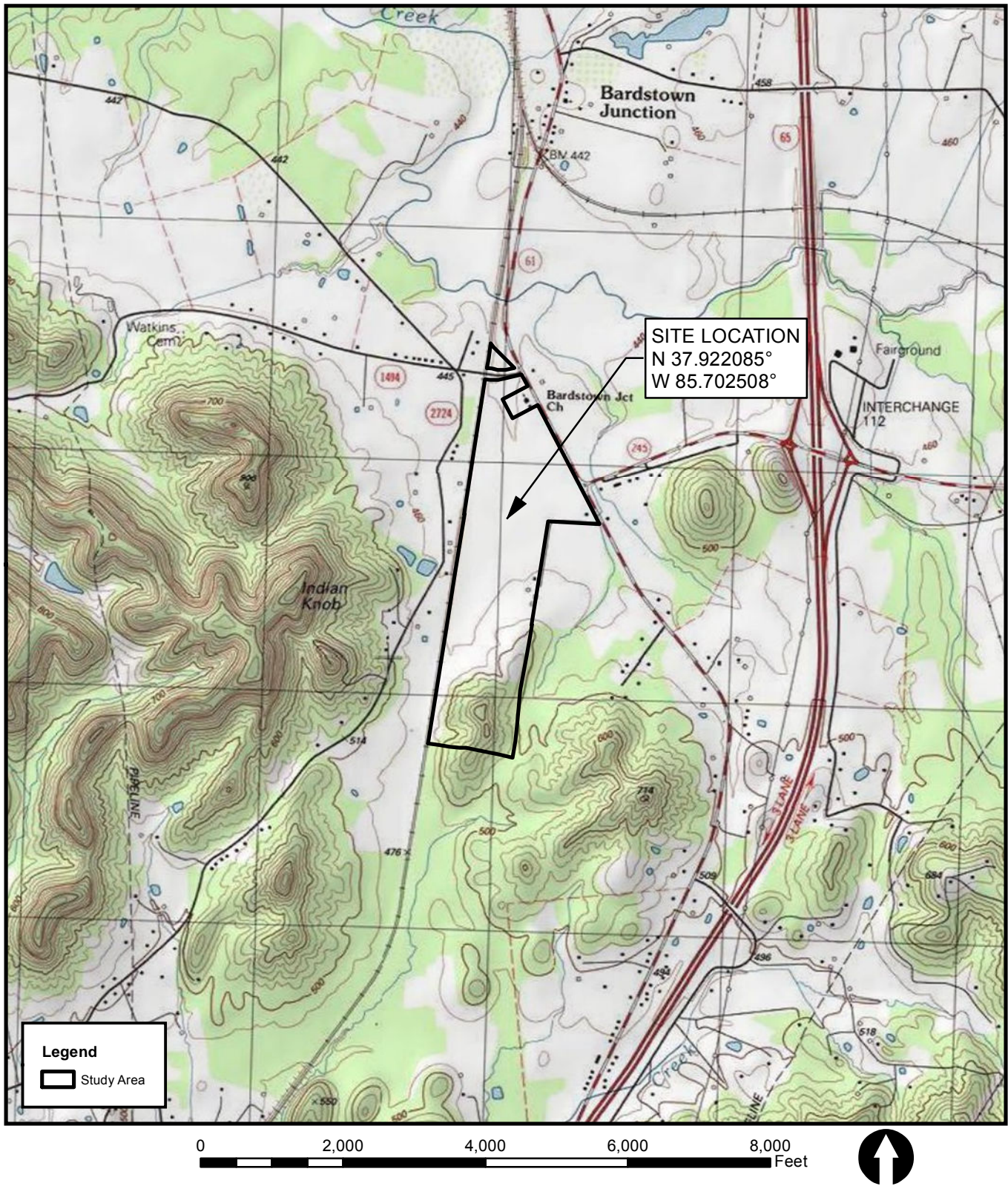
Subject: LRL-2016-00239-mck

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.

Source: USGS 7.5-minute Topographic Map - (Shepherdville), Kentucky Quadrangle.



P:\2015 Projects\15-043-Project 245\Figures\Site Location Map.mxd, 01-22-2016, ebowman

PROJECT 245
BULLITT COUNTY, KENTUCKY



SITE LOCATION MAP
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REVISED DATE: 12-08-15

DRAWN BY: BJD

FIGURE 1



Feature	Stream Length (ft)	Area (ac)	Impact Length (ft)	Impact Area (ac)	Status
Ephemeral Stream 1	195	0.007	35	0.001	Jurisdictional
Ephemeral Stream 2	745	0.028	435	0.017	Jurisdictional
Ephemeral Stream 3	260	0.006	260	0.006	Jurisdictional
Ephemeral Stream 4	1,095	0.050	935	0.043	Jurisdictional
Ephemeral Stream 5	240	0.008	0	0	Jurisdictional
Ephemeral Stream 6	395	0.014	0	0	Jurisdictional
Ephemeral Stream 7	615	0.021	0	0	Jurisdictional
Ephemeral Stream 8	325	0.007	0	0	Jurisdictional
Ephemeral Stream 9	105	0.002	0	0	Jurisdictional
Ephemeral Stream 10	175	0.004	0	0	Jurisdictional
Ephemeral Stream 11	165	0.006	0	0	Jurisdictional
Ephemeral Stream 12	165	0.004	0	0	Jurisdictional
Ephemeral Stream 13	160	0.004	0	0	Jurisdictional
Ephemeral Stream 14	95	0.002	0	0	Jurisdictional
Ephemeral Stream 15	35	0.001	0	0	Jurisdictional
Ephemeral Stream 16	60	0.001	0	0	Jurisdictional
Ephemeral Stream 17	20	0.000	0	0	Jurisdictional
Ephemeral Stream 18	15	0.001	0	0	Jurisdictional
Ephemeral Stream 19	55	0.002	0	0	Jurisdictional
Ephemeral Stream 20	235	0.008	0	0	Jurisdictional
Ephemeral Stream 21	40	0.001	0	0	Jurisdictional
Ephemeral Stream 22	415	0.010	0	0	Jurisdictional
Ephemeral Stream 23	150	0.003	0	0	Jurisdictional
Ephemeral Stream 24	385	0.013	0	0	Jurisdictional
Ephemeral Stream 25	35	0.001	0	0	Jurisdictional
Ephemeral Stream 26	355	0.012	0	0	Jurisdictional
Ephemeral Stream 27	95	0.003	0	0	Jurisdictional
Ephemeral Stream 28	220	0.008	220	0.008	Jurisdictional
Ephemeral Stream 29	700	0.024	445	0.015	Jurisdictional
Ephemeral Stream 30	355	0.012	160	0.006	Jurisdictional
Ephemeral Stream 31	120	0.003	120	0.003	Jurisdictional
Ephemeral Stream 32	55	0.001	55	0.001	Jurisdictional
Ephemeral Stream 33	195	0.007	0	0	Jurisdictional
Ephemeral Stream 34	225	0.008	0	0	Jurisdictional
Ephemeral Stream 35	160	0.011	160*	0.011*	Jurisdictional
Ephemeral Stream Total	8,660	0.293	2,665	0.100	
Intermittent Stream 1	490	0.034	165	0.011	Jurisdictional
Intermittent Stream Total	490	0.034	165	0.011	
Wetland 1	--	0.06	--	0.05	Jurisdictional
Wetland 2	--	0.12	--	0.12	Jurisdictional
Wetland 3	--	1.06	--	1.06	Jurisdictional
Wetland 4	--	0.04	--	0.04	Jurisdictional
Wetland 5	--	0.05	--	0.05	Jurisdictional
Wetland 6	--	0.11	--	0.11	Jurisdictional
Wetland 7	--	0.09	--	0.09	Jurisdictional
Wetland 8	--	0.04	--	0	Jurisdictional
Wetland Total	--	1.57	--	1.52	
Jurisdictional Features Total	9,150	1.897	2,830	1.631	

*Impact length and acreage are temporary and are not included in overall ephemeral stream impact total.

- LEGEND**
- STUDY AREA
 - 50 ft PROPOSED SEWERLINE CORRIDOR
 - INTERMITTENT STREAM
 - PROPOSED INTERMITTENT STREAM IMPACT
 - EPHEMERAL STREAM
 - PROPOSED PERMANENT EPHEMERAL STREAM IMPACT
 - PROPOSED TEMPORARY EPHEMERAL STREAM IMPACT
 - JURISDICTIONAL WETLAND
 - PROPOSED JURISDICTIONAL WETLAND IMPACT

SOURCE: BASE MAP PROVIDED BY OK-4



SCALE IN FEET



PROJECT 245
BULLITT COUNTY, KENTUCKY

REVISED DATE: 12-02-15
DRAWN BY: BJD



SITE DEVELOPMENT
MAP
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FIGURE 4