

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

# Public Notice

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Public Notice No.  
LRL-2023-00758

Date:  
16 NOV 2023

Closing Date:  
16 DEC 2023

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Please address all comments and inquiries to:  
U.S. Army Corps of Engineers, Louisville District  
ATTN: Mr. Jason Rhoades, CELRL-RDS, Rm 183  
P.O. Box 59  
Louisville, Kentucky 40201-0059

Phone: 502-315-2643

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

**APPLICANT:** Hunt Midwest  
1881 Main Street, Suite 200  
Kansas City, Missouri 64108

**AGENT:** RES, Kentucky  
2307 Green Way, Suite B  
Louisville, Kentucky 40220

**LOCATION:** Aquatic resources located within the Lower Bullskin Creek  
HUC\_12 (051401020406) watershed located on the north side of I-  
64, approximately 0.25-mile east of Buck Creek Road at the I-64  
intersection in Simpsonville, Shelby County, Kentucky.

Latitude: 38.201571  
Longitude: -85.334409  
7.5 Minute Quad: Simpsonville

**PURPOSE:** Construct a warehouse distribution complex that can provide up to  
approximately 2.3 million square feet of warehouse space along  
the I-64 corridor east of Louisville Kentucky.

**DESCRIPTION OF WORK:** The proposed development would consist of a large-scale  
warehouse distribution complex, with approximately 2.5 million square feet of capacity. Key  
project components include two buildings of 1.5 million and 800,000 square feet, along with  
associated access roads, parking for cars (895 spaces) and truck trailers (652 spaces), stormwater  
management, utilities, and other required infrastructure. Proposed development activities would  
result in the discharge of dredged or fill material into 4,043 linear feet of intermittent tributaries,  
0.361 acres of Wetland, and 0.756 acres of open water aquatic resources.

**AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES:** The proposed  
development would avoid impacts to all perennial streams located on-site and has been designed

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to minimize impacts to jurisdictional waters to the greatest practicable extent possible while accomplishing the overall Project purpose and need. In addition, the applicant is proposing to offset unavoidable impacts to intermittent tributaries and wetlands through the purchase of 4,043 Adjusted Mitigation Units (AMUs) of stream mitigation credits and 0.7 AMUs of wetland mitigation credits from an approved mitigation bank, or 4,852 stream AMUs and 0.8 wetland AMUs from the Kentucky in-lieu fee program administered by the Kentucky Department of Fish and Wildlife Resources (KDFWR).

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. The Endangered Species Act (ESA, 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) requires federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7(a) 2 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered, or any designated critical habitat. A copy of this notice is being furnished to the USFWS for their review. Per this notification, we request comments from the USFWS concerning potential impact to threatened and/or endangered species that may occur within the project area. After receipt of comments, the USACE will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat and initiate consultation with USFWS, if required.

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-Columbian, 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

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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/Public-Notices/>. All comments regarding this proposal should be addressed to Mr. Jason Rhoades, CELRL-RDS at the address noted above and should refer to the Public Notice Number LRL-2023-00758.

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-2023-00758.

Example:

Subject: LRL-2023-00758

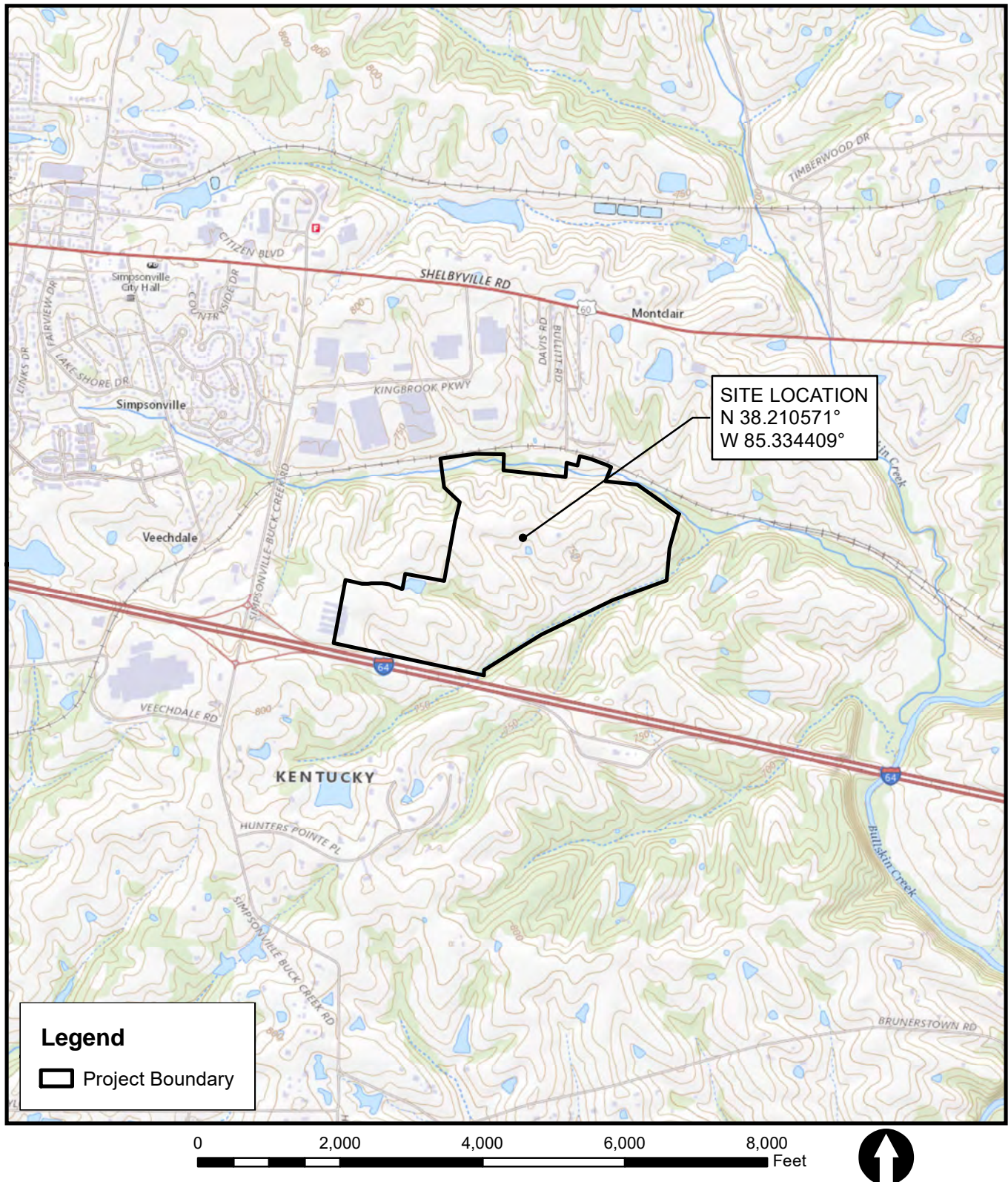
- b) Provide your physical mailing address and telephone number.

- c) Send your email to: [lrl.regulatorypubliccomment@usace.army.mil](mailto:lrl.regulatorypubliccomment@usace.army.mil)

- d) If you are sending attachments greater than 10 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.



Source: USGS The National Map (2021)' USGS 7.5-minute Topographic Map - Simpsonville, Kentucky Quadrangle.



SIMPSONVILLE 64 LOGISTICS PARK  
SHELBY COUNTY, KENTUCKY



SITE LOCATION MAP  
LRL-2023-00758-jwr  
Simpsonville 64 Logistics Park  
1 of 3

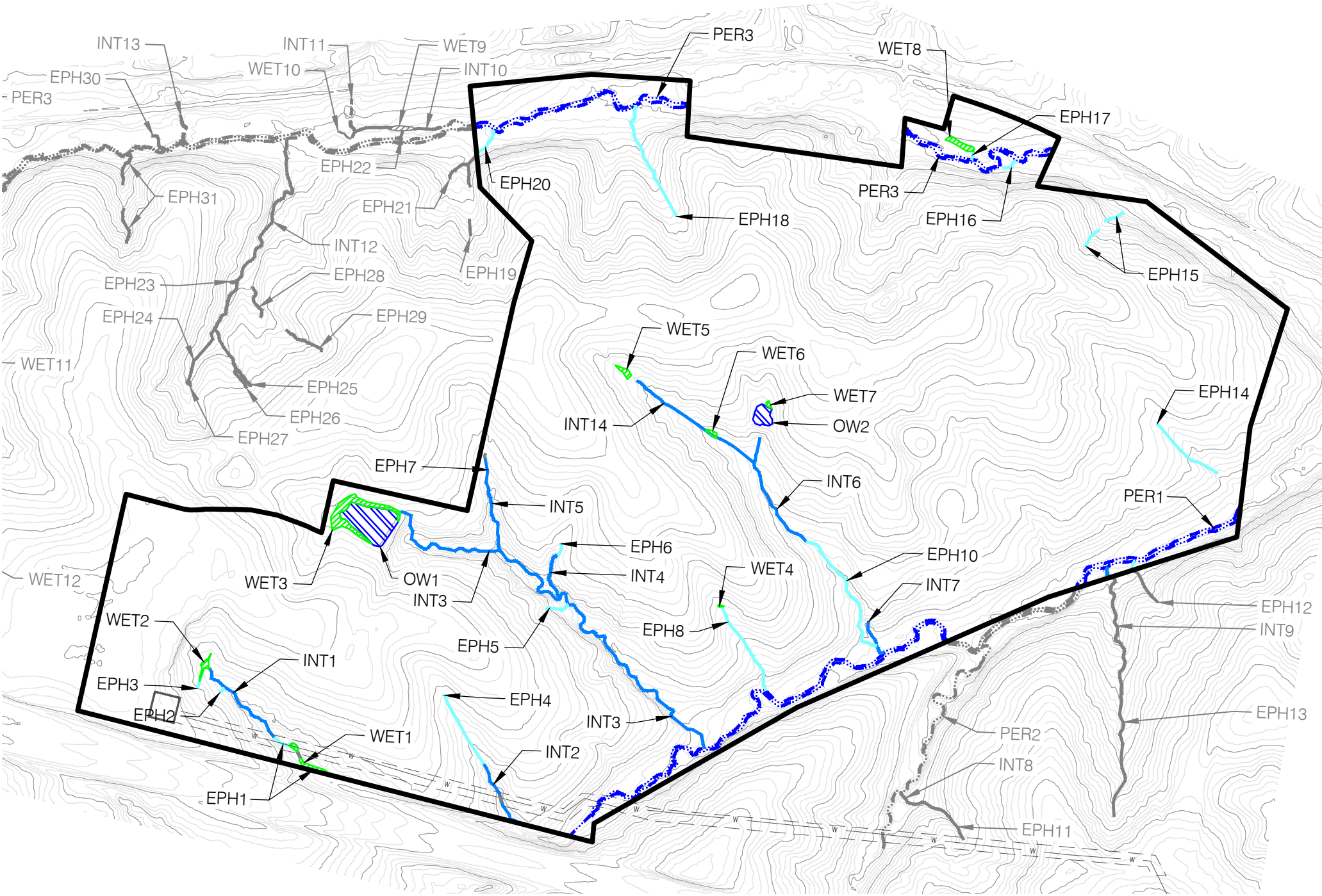
REVISED DATE: 07-24-23

DRAWN BY: EDB



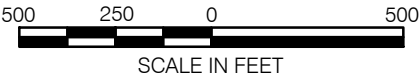
R:\ResGIS\entgis\Projects\105310\_Marshall\_Property\CAD\105310-BaseMap-PHASE 2 WaterWetland, Eric Bowman, 10/6/2023 8:17 AM

Feature	Stream Length (feet)	Stream Width (feet)	Area (acres)	Federal Status
Perennial Stream 1	2,934	8	0.539	Jurisdictional
Perennial Stream 3	1,806	9	0.373	Jurisdictional
Perennial Stream Total	4,740	---	0.912	---
Intermittent Stream 1	419	5.5	0.053	Jurisdictional
Intermittent Stream 2	275	4	0.025	Jurisdictional
Intermittent Stream 3	1,938	4.5	0.200	Jurisdictional
Intermittent Stream 4	205	4	0.019	Jurisdictional
Intermittent Stream 5	270	5	0.031	Jurisdictional
Intermittent Stream 6	513	2.5	0.029	Jurisdictional
Intermittent Stream 7	158	4	0.015	Jurisdictional
Intermittent Stream 9	50	4	0.005	Jurisdictional
Intermittent Stream 14	589	2	0.027	Jurisdictional
Intermittent Stream Total	4,417	---	0.404	---
Ephemeral Stream 1	212	1	0.005	Non-Jurisdictional
Ephemeral Stream 2	27	5.5	0.003	Non-Jurisdictional
Ephemeral Stream 3	78	1	0.002	Non-Jurisdictional
Ephemeral Stream 4	322	1.5	0.011	Non-Jurisdictional
Ephemeral Stream 5	102	2	0.005	Non-Jurisdictional
Ephemeral Stream 6	51	1.5	0.002	Non-Jurisdictional
Ephemeral Stream 7	146	1.5	0.005	Non-Jurisdictional
Ephemeral Stream 8	405	3	0.028	Non-Jurisdictional
Ephemeral Stream 10	576	1.6	0.021	Non-Jurisdictional
Ephemeral Stream 12	35	2.5	0.002	Non-Jurisdictional
Ephemeral Stream 14	325	2	0.015	Non-Jurisdictional
Ephemeral Stream 15	181	2	0.008	Non-Jurisdictional
Ephemeral Stream 16	70	1.5	0.002	Non-Jurisdictional
Ephemeral Stream 17	37	1	0.001	Non-Jurisdictional
Ephemeral Stream 18	510	1.5	0.018	Non-Jurisdictional
Ephemeral Stream 20	170	1	0.004	Non-Jurisdictional
Ephemeral Stream Total	3,247	---	0.132	---
Wetland 1	---	---	0.057	Jurisdictional
Wetland 2	---	---	0.029	Jurisdictional
Wetland 3	---	---	0.261	Jurisdictional
Wetland 4	---	---	0.003	Jurisdictional
Wetland 5	---	---	0.028	Jurisdictional
Wetland 6	---	---	0.017	Jurisdictional
Wetland 7	---	---	0.008	Jurisdictional
Wetland 8	---	---	0.054	Jurisdictional
Wetland Total	---	---	0.457	---
Open Water 1	---	---	0.568	Jurisdictional
Open Water 2	---	---	0.188	Jurisdictional
Open Water Total	---	---	0.756	---
Jurisdictional Features Total	9,157	---	2.529	---



LEGEND

- PROJECT BOUNDARY
- PERENNIAL STREAM
- INTERMITTENT STREAM
- NON-JURISDICTIONAL EPHEMERAL STREAM
- CULVERT
- OPEN WATER POND
- WETLAND



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Simpsonville 64 Logistic Park  
2 of 3

SIMPSONVILLE 64 LOGISTICS PARK  
SHELBY COUNTY, KENTUCKY

REVISED DATE: 10-06-23

DRAWN BY: EDB



REVISED  
WATER/WETLAND  
LOCATION MAP

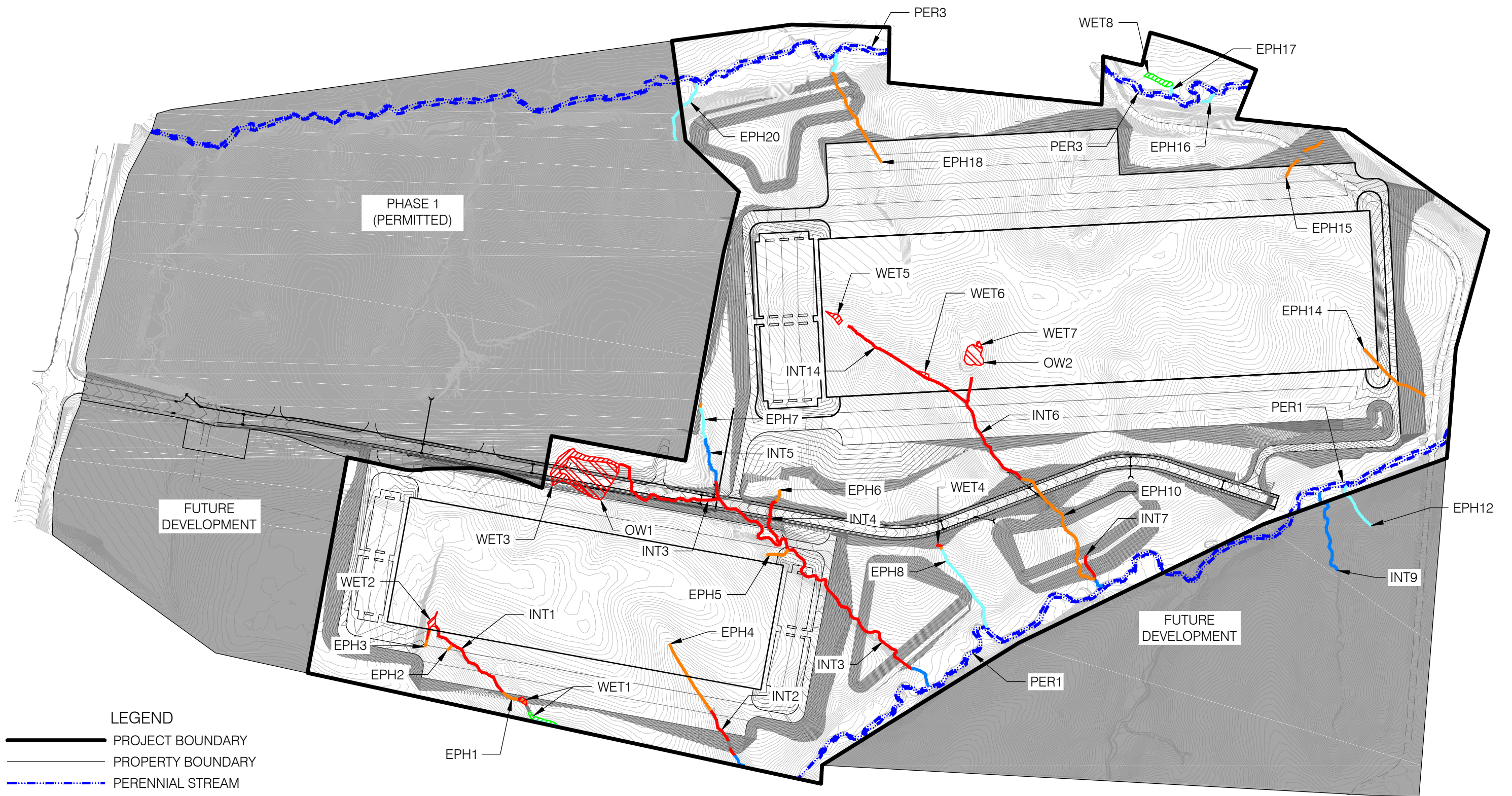
FIGURE 3

NOTE: JURISDICTIONAL WATER/WETLAND BOUNDARIES WERE DELINEATED AND SURVEYED USING GLOBAL POSITIONING SYSTEM EQUIPMENT BY RES WETLAND SCIENTISTS ON NOVEMBER 8-11, 2021. THESE BOUNDARIES HAVE BEEN VERIFIED BY THE U.S. ARMY CORPS OF ENGINEERS VIA THE PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATION ISSUED OCTOBER 28, 2022. USE OF THIS MAP IS FOR PRELIMINARY PLANNING PURPOSES ONLY.

SOURCE: BASE MAP PROVIDED BY MINDEL, SCOTT & ASSOCIATES, INC.



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LEGEND

- PROJECT BOUNDARY
- PROPERTY BOUNDARY
- PERENNIAL STREAM
- PROPOSED PERENNIAL STREAM IMPACT
- INTERMITTENT STREAM
- PROPOSED INTERMITTENT STREAM IMPACT
- NON-JURISDICTIONAL EPHEMERAL STREAM
- PROPOSED NON-JURISDICTIONAL EPHEMERAL STREAM IMPACT
- CULVERT
- PROPOSED OPEN WATER POND IMPACT
- WETLAND
- PROPOSED WETLAND IMPACT

NOTE: JURISDICTIONAL WATER/WETLAND BOUNDARIES WERE DELINEATED AND SURVEYED USING GLOBAL POSITIONING SYSTEM EQUIPMENT BY RES WETLAND SCIENTISTS ON NOVEMBER 8-11, 2021. THESE BOUNDARIES HAVE BEEN VERIFIED BY THE U.S. ARMY CORPS OF ENGINEERS VIA THE PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATION ISSUED OCTOBER 28, 2022. USE OF THIS MAP IS FOR PRELIMINARY PLANNING PURPOSES ONLY.



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Simpsonville 64 Logistics Park  
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SOURCE: BASE MAP PROVIDED BY MINDEL, SCOTT & ASSOCIATES, INC.

SIMPSONVILLE 64 LOGISTICS PARK  
SHELBY COUNTY, KENTUCKY



REVISED  
SITE DEVELOPMENT  
PLAN

REVISED DATE: 10-06-23 DRAWN BY: EDB

FIGURE 4