



Public Notice

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

Public Notice No.
LRL-2013-00091-pgj

Open Date:
9 Feb 2017

Close Date:
13 Mar 2017

Inquiries:
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This notice describes an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act. The project is being considered for authorization in accordance with 33 CFR 325.2(b)(2) and the procedures outlined in the "Letter of Permission for New Mitigation Projects Associated with Approved Compensatory Mitigation Banking and In-Lieu Fee Instruments", I.D. No. LRL-2010-323.

SPONSOR: The Kentucky Dept. of Fish and Wildlife Resources
Stream and Wetland In-Lieu Fee Program
#1 Sportsman's Lane
Frankfort, Kentucky 40601

LOCATION: On unnamed ephemeral and intermittent streams, Minors Creek (a perennial stream) in Owen and Franklin Counties, Kentucky.

Latitude: 38.35548 N
Longitude: -84.74179 W
7.5 Minute Quad: KY-Stamping Ground

PURPOSE: To provide aquatic habitat re-establishment, rehabilitation, enhancement, preservation.

DESCRIPTION OF WORK: The Minors Creek Restoration Project would enhance riparian habitat and re-establish, rehabilitate and enhance 14,093 linear feet of unnamed ephemeral, 3,475 linear feet of intermittent, and 6,647 linear feet of perennial streams, including Minors Creek. The project is within the Lower Kentucky River Service Area.

The unnamed ephemeral and intermittent streams flow into Minors Creek, a perennial stream. Minors Creek flows to Elm Fork. Elm Fork flows into Cedar Creek, which flows into the Kentucky River. Elm Fork, Cedar Creek and the Kentucky River are perennial streams. The Kentucky River is a Traditionally Navigable Water.

The project would result in an estimated net gain of 20,346 stream Adjusted Mitigation Units (AMUs). The project area, including a minimum 50-foot buffer surrounding all streams, would be permanently protected through implementation of conservation deed restrictions on a 308-acre site owned by the Sponsor.

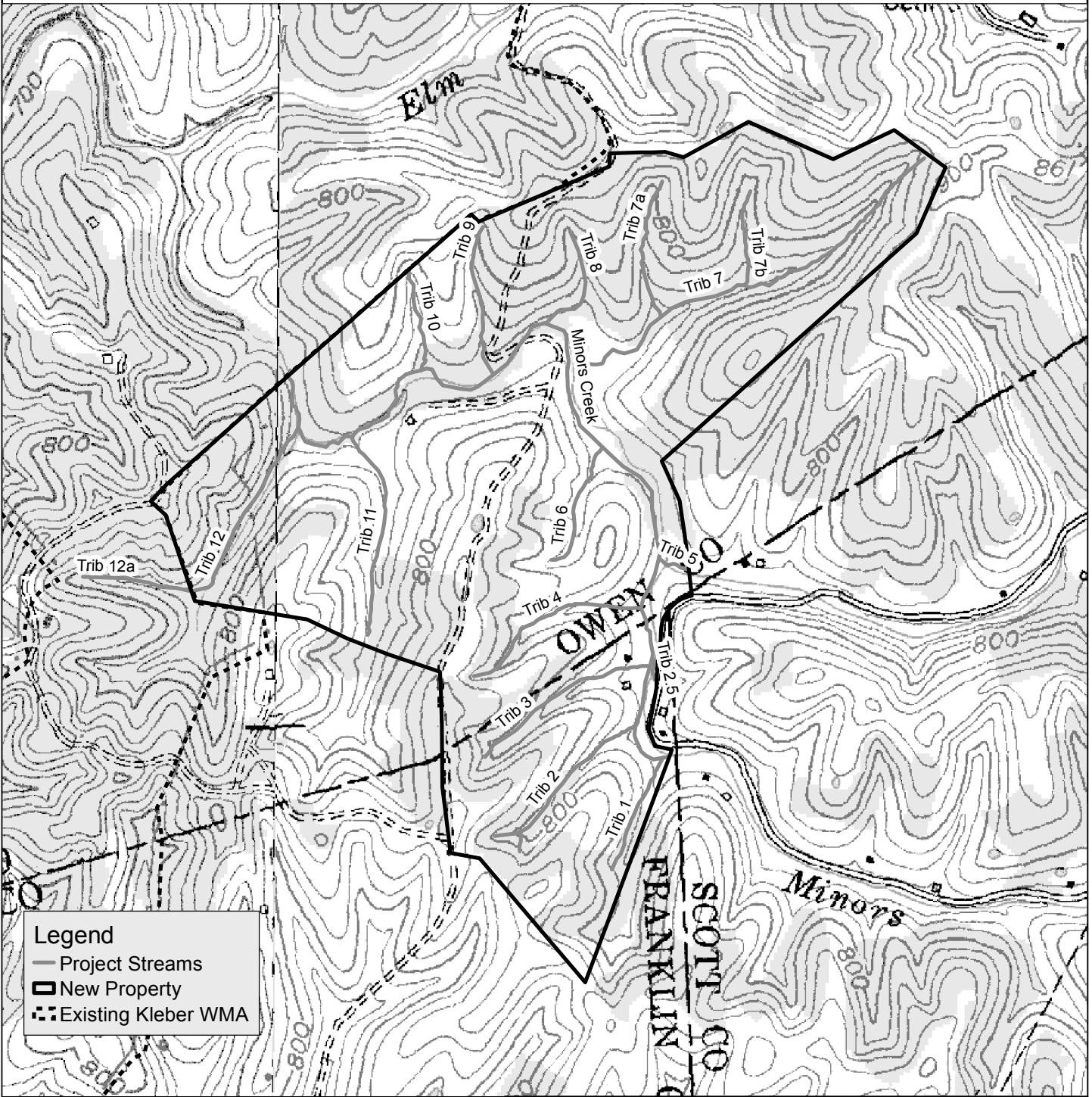
Regulatory Division
Mitigation, Compliance & Enforcement Branch
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On January 19, 2017, the Corps determined, in accordance with 36 C.F.R. §800.4(d)(1); 33 C.F.R. §325, Appendix C §7(b), and the Interim Guidance issued by the Corps of Engineers on April 25, 2005, that "no historic properties would be affected by the proposed undertaking". This determination is being coordinated with the Kentucky State Historic Preservation Officer.

In a letter, dated January 24, 2017, the U.S. Fish and Wildlife Service stated that the project, as proposed, "may affect - not likely to adversely affect" the gray (*Myotis grisescens*), running buffalo clover (*Trifolium stoloniferum*), clubshell (*Pleurobema clava*) and fanshell (*Cyprogenia stegaria*) mussels, Braun's Rockcress (*Arabis perstellata*) and Short's Bladderpod (*Physaria globose*). The letter also stated that the project would not likely jeopardize the continued existence of the Indiana (*Myotis sodalis*) and northern long-eared (*Myotis septentrionalis*) bats.

The Public Notice and drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>.

Public Notice Map with Stream Locations on USGS Topo Mapping



**Minors Creek Stream
Mitigation Site**

LRL-2013-91-PGJ

