



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

Public Notice

Public Notice No.
LRL-2017-708

Open Date:
Aug 24, 2017

Closing Date:
Sept 25, 2017

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Louisville District

ATTN: Pam Loeffler, CELRL-RDS Rm 752

P.O. Box 59

Louisville, Kentucky 40201-0059

Phone: 502-315-6693

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: Creekside Landing Marina
6511 River Road
Prospect, KY 40059

AGENT: Mr. Stephen Rauh
Creekside Landing Marina
P O Box 407
Harrods Creek, KY 40027

LOCATION: Harrods Creek, right bank at Mile 0.75, between the River Road Bridge and the KY 841 bridges, near Prospect, in Jefferson County, Kentucky 40059

Latitude: 38.32977
Longitude: -85.63031
7.5 Minute Quad: Jeffersonville

PURPOSE: Construct a rock jetty and berm to protect the marina against flash flood damage

DESCRIPTION OF WORK: The applicant proposes to construct a rock jetty in Harrods Creek that extends from the right bank out into the creek for approximately 25 linear feet (lft). Approximately 240 cubic yards (CY) of Class II riprap would be placed using a barge-mounted long-arm backhoe. Dimensions of the jetty would be 3 feet across the top and 24 feet at the base. The jetty would be 10 feet wide at the normal pool elevation, and would protrude above the normal pool by 8 feet. An additional 178 CY of Class II riprap would be placed in a berm extending landward from the jetty for approximately 135 lft. Dimensions of the berm would be 8 feet at its base with a height of 6 feet.

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The applicant has tried other measures not requiring fill to protect the marina from damage caused by flash flooding in the past. A floating boom was installed in November 2015, to redirect debris to the outside of the finger docks, which was destroyed during a flash flood two weeks later. During the spring of 2016, four 20-foot finger docks were removed from the marina in an attempt to mitigate future damages to the most vulnerable area of the marina, to no avail. The applicant anticipates that construction of a significant rock barrier could protect the marina during the short 4-foot to 8-foot rapid rises that seem to occur on a regular basis.

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, 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 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

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South Branch
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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.

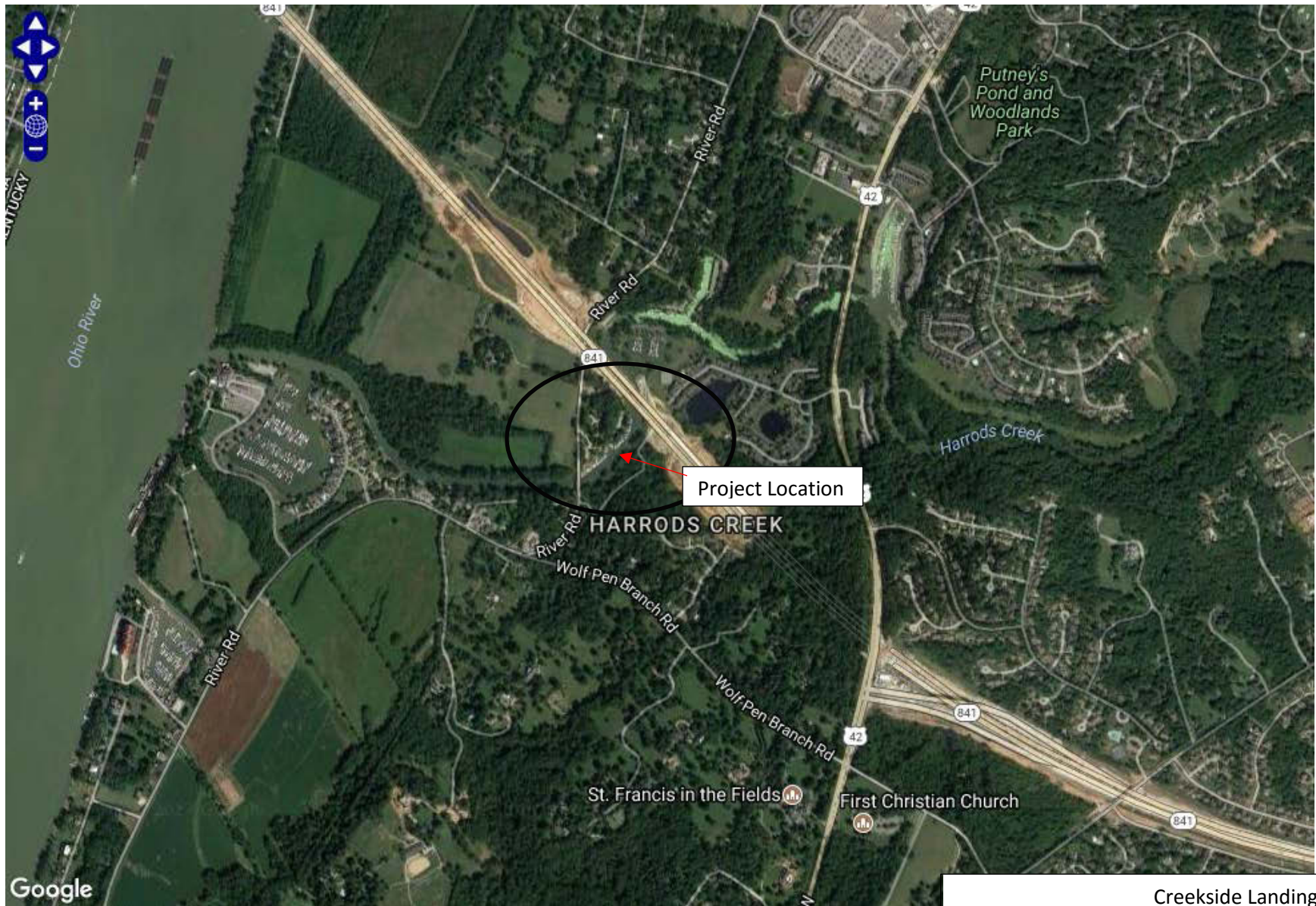
Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Ms. Pam Loeffler, CELRL-RDS at the address noted above and should refer to the Public Notice Number LRL-2017-708-pjl.

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-2017-708-pjl

Example: Subject: LRL-2017-708-pjl

- 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.



Creekside Landing Marina
Proposed Jetty and Berm
Harrods Creek, Right bank at Mile 0.75
Prospect, Jefferson County, KY
Public Notice LRL-2017-708 – Vicinity Map
Sheet 1 of 7



Proposed Berm/Jetty



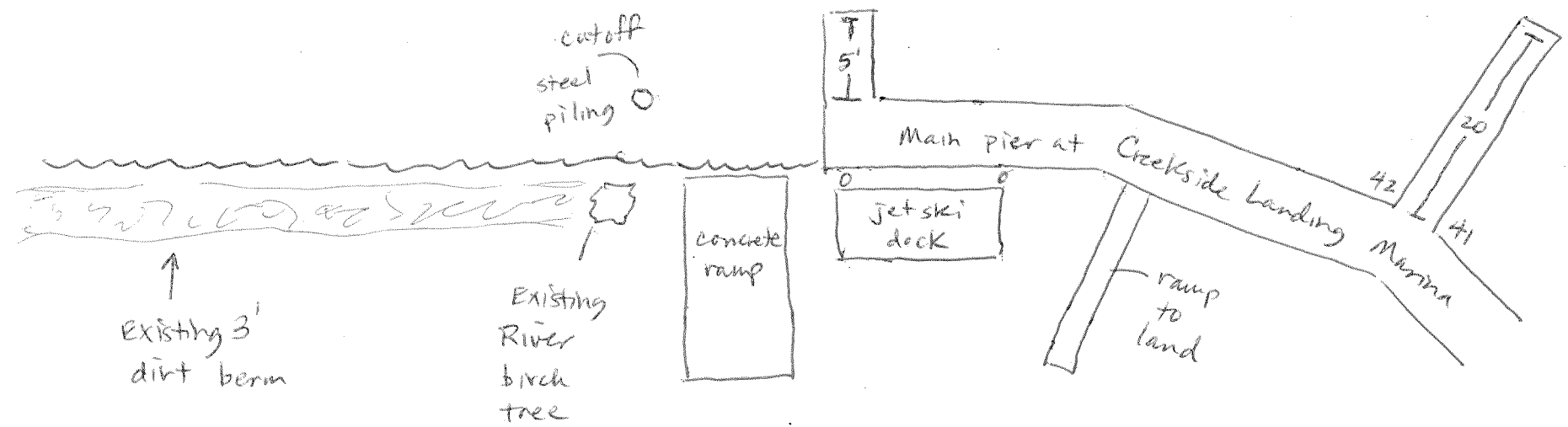
Not to Scale

Crekside Landing Marina
Proposed Jetty and Berm
Harrods Creek, Right Bank at Mile 0.75
Prospect, Jefferson County, Kentucky
Public Notice LRL-2017-708
Plan View Sheet 2 of 7

Southbound
I 265

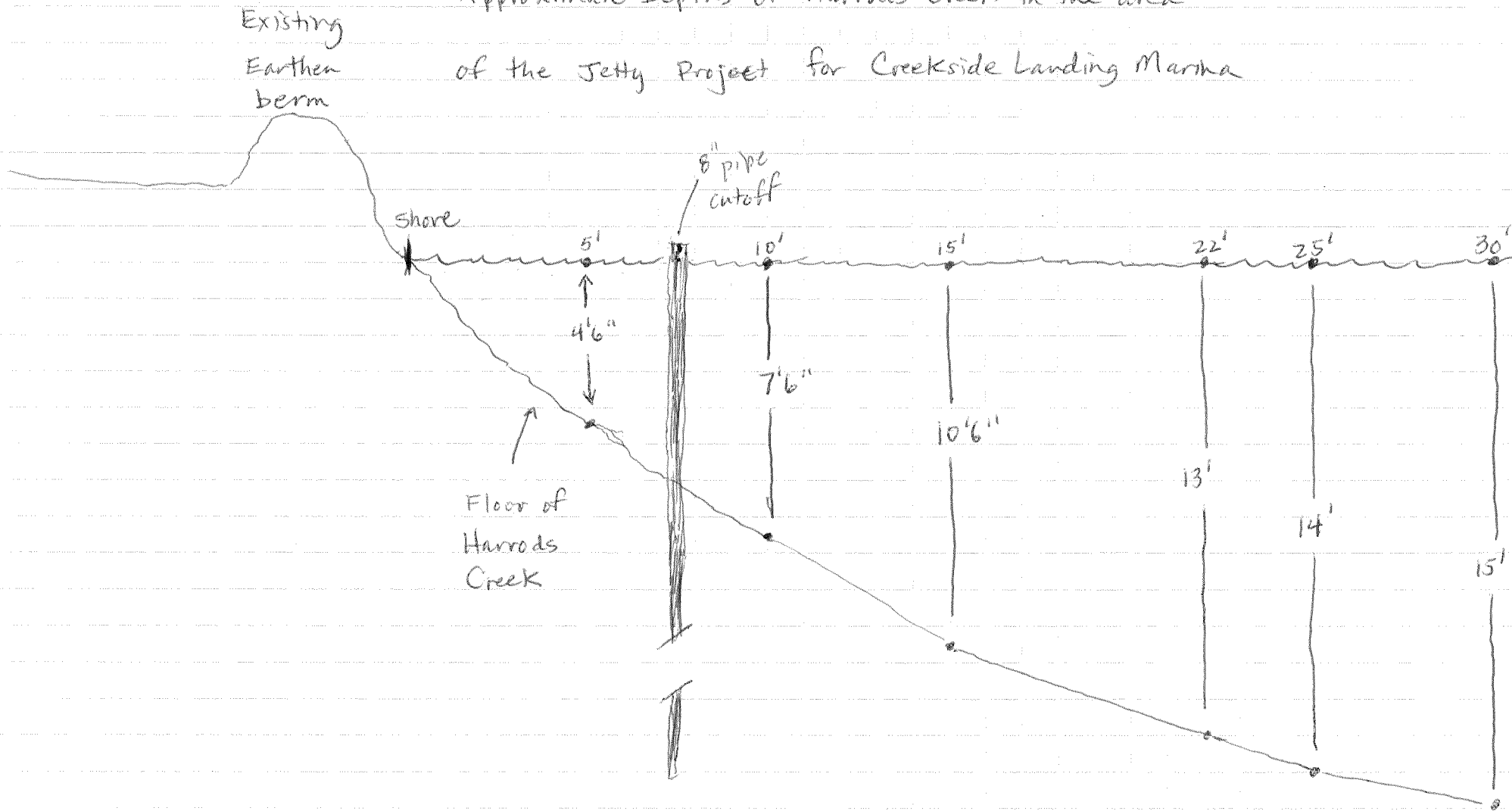
Existing Marina Configuration at
Creekside Landing Marina
6511 River Road, Prospect, Ky 40059

Harrods Creek -
Flow -
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Creekside Landing Marina
Proposed Jetty and Berm
Harrods Creek, Right Bank at Mile 0.75
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Existing Plan View - Sheet 3 of 7

Approximate Depths of Harrods Creek in the area
of the Jetty Project for Creekside Landing Marina

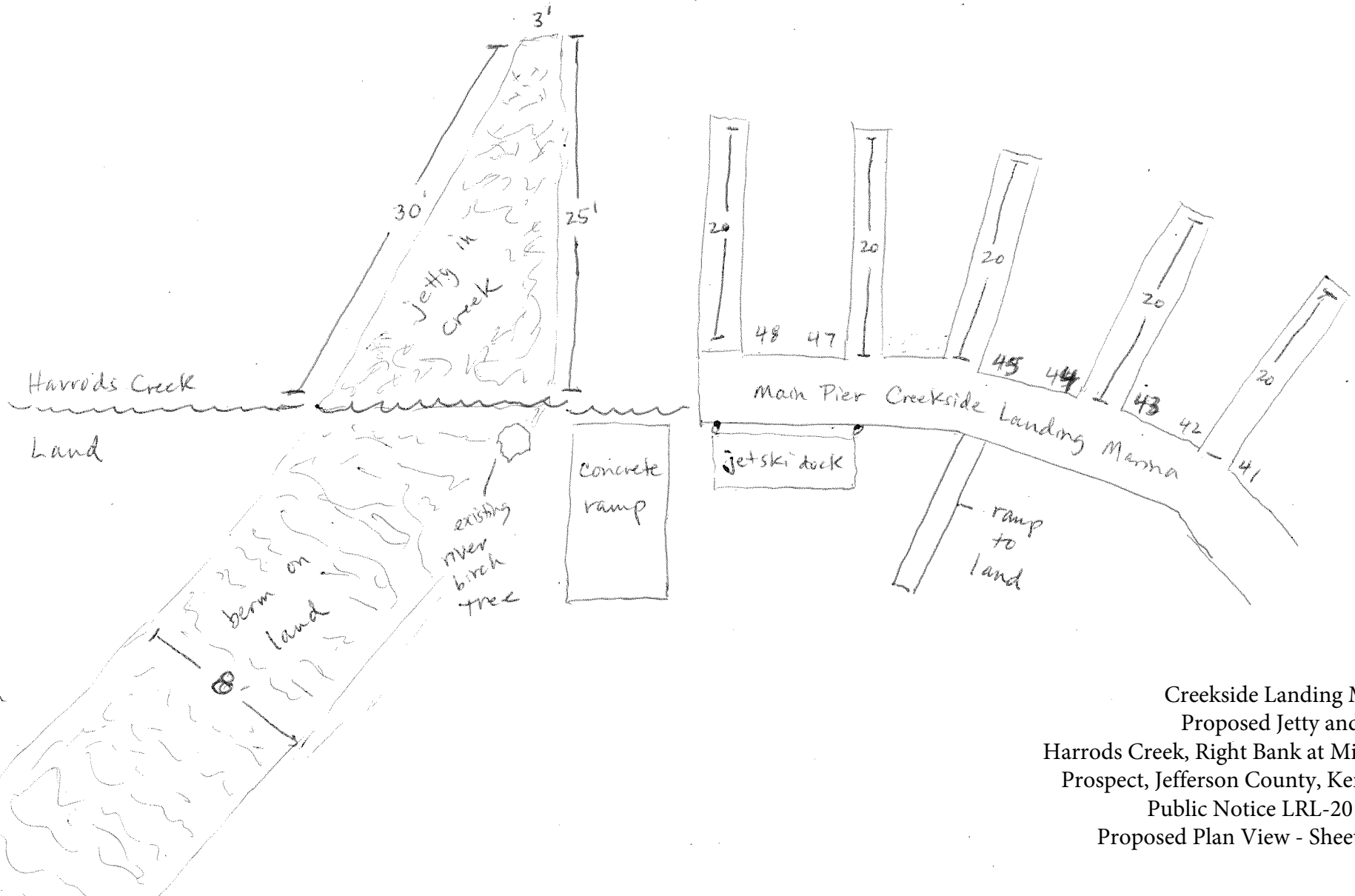


Scale
1 square = 1' x 1'

Southbound I 265 Bridge

Proposed Protective Jetty at Creekside Landing Marina 6511 River Road, Prospect, KY 40059

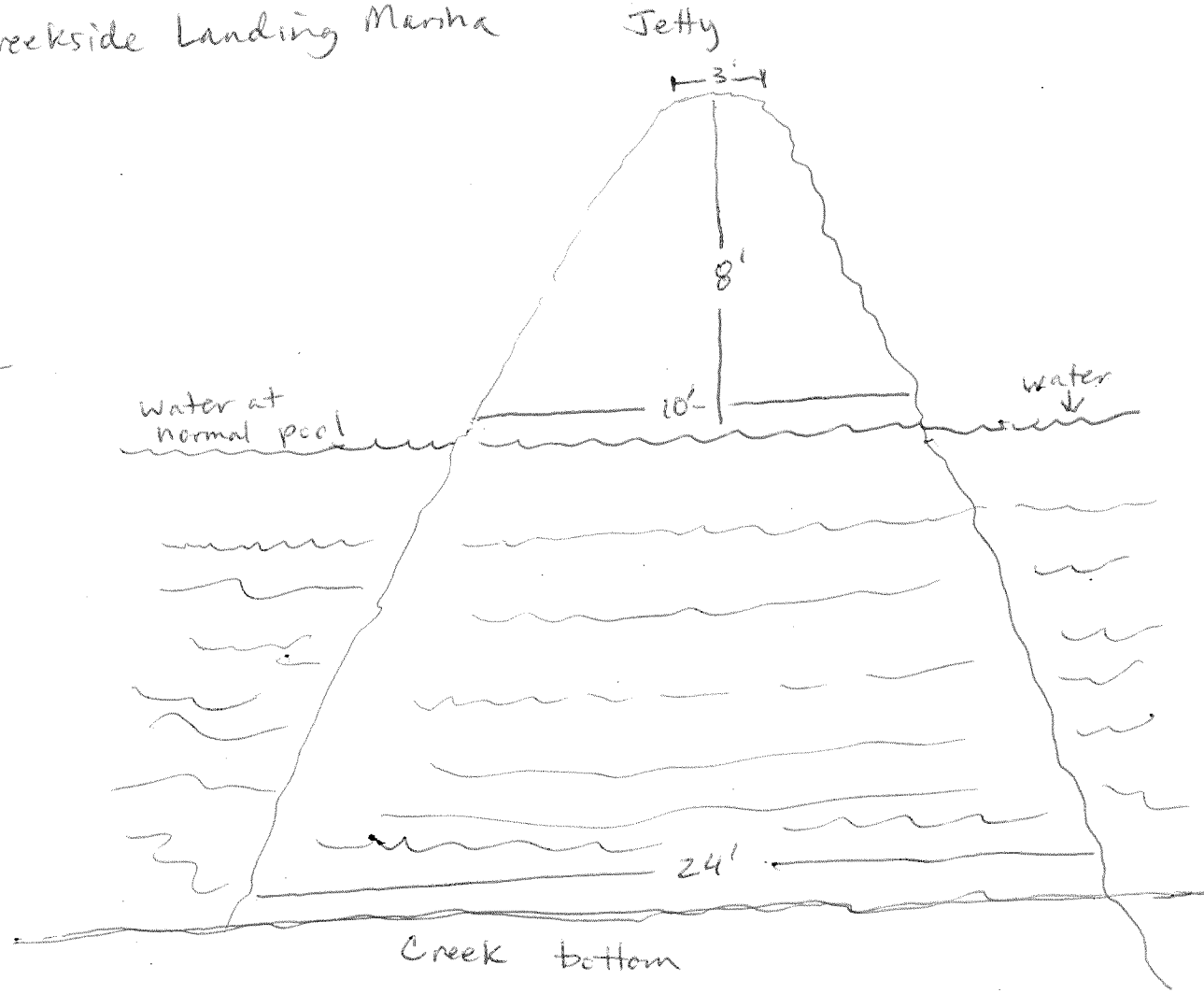
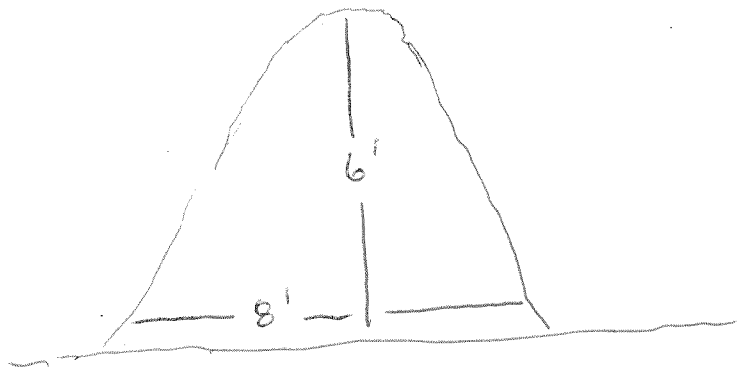
Harrods Creek
Flow -
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Creekside Landing Marina
Proposed Jetty and Berm
Harrods Creek, Right Bank at Mile 0.75
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Proposed Plan View - Sheet 5 of 7

Cross Sectional Drawings
of Berm and Jetty
Creekside Landing Marina

Rip Rap Berm on Land



Creekside Landing Marina
Proposed Jetty and Berm
Harrods Creek, Right Bank at Mile 0.75
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Berm and Jetty Cross-section - Sheet 6 of 7

Protective Land Berm - side view
Creekside Landing Marina

