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VIA EMAIL

June 14, 2022

Mr. Matt Dennis
Senior Project Manager
U.S. Army Corps of Engineers
Louisville District
600 Dr. Martin Luther King, Jr. Place
Louisville, Kentucky 40202
matt.a.dennis@usace.army.mil

Mr. Mike Heyn
Environmental Scientist IV
Water Quality Certification Section
Kentucky Division of Water
300 Sower Blvd, 3rd Floor
Frankfort, Kentucky 40601
michael.heyn@ky.gov

**Subject: Addendum to PCN for NWP 39 and Application for Individual WQC
Commerce Crossings Two – Lot 1
Jefferson County, Kentucky
RES Project No.: 106074
KDOW AI No.: 173054
USACE ID No.: LRL-2022-00490**

Dear Mr. Dennis and Mr. Heyn:

On behalf of Commerce Crossings Two, LLC, RES Kentucky, LLC (RES) is pleased to submit this Addendum to the Preconstruction Notification (PCN) for Nationwide Permit (NWP) 39 and Application for Individual Water Quality Certification (WQC) originally submitted on May 3, 2022, in support of the proposed Commerce Crossings Two – Lot 1 development project in Jefferson County, Kentucky. The purpose of this submittal is to provide requested additional project information regarding the delineation and site development plans, including revisions to: the water/wetland delineation; the proposed site development plan; and the mitigation plan.

REVISED DELINEATION

The original delineation has been modified to address changes requested during the site inspection with the U.S. Army Corps of Engineers (USACE) and Kentucky Division of Water (KDOW) on June 3, 2022. These changes include: reclassifying the 91 linear feet of Intermittent Stream 2 as a perennial stream (Perennial Stream 1) and reclassifying the upstream 213 linear feet of Intermittent Stream 1 as ephemeral (Ephemeral Stream 2). The revised delineation is depicted on the attached Revised Water/Wetland Location Map (Figure 3) and summarized in the table below.

Feature	Stream Length (feet)	Average Stream Width (feet)	Area (acres)	Status
Perennial Stream 1	1,454	10	0.334	Jurisdictional
Perennial Stream Total	1,454		0.334	
Intermittent Stream 1	787	3	0.054	Jurisdictional
Intermittent Stream Total	787		0.054	
Ephemeral Stream 1	623	2	0.029	Jurisdictional
Ephemeral Stream 2	439	2	0.020	Jurisdictional
Ephemeral Stream Total	1,062		0.049	
Wetland 1	---	---	0.025	Jurisdictional
Wetland 2	---	---	0.065	Jurisdictional
Wetland Total	---	---	0.090	
Jurisdictional Features Total	3,303		0.527	

REVISED SITE PLAN

Based on the changes to the delineation, as reflected in the revised water/wetland location map (Figure 3), the site development map was revised to document final project jurisdictional impacts. Based on the revised site plan (Figure 4), permanent jurisdictional impacts resulting from the proposed project total 0.231 acre of jurisdictional waters, including 181 linear feet (0.042 acre) of perennial stream, 732 linear feet (0.050 acre) of intermittent stream, 1,062 linear feet (0.049 acre) of ephemeral stream, and 0.090 acre of wetland. The updated impacts are depicted on the attached Revised Site Development Plan (Figure 4) and summarized in the table below.

Feature	Impact Stream Length (feet)	Average Stream Width (feet)	Impact Area (acres)	Status
Perennial Stream 1	181	10	0.042	Jurisdictional
Perennial Stream Total	181		0.042	
Intermittent Stream 1	732	3	0.050	Jurisdictional
Intermittent Stream Total	732		0.050	
Ephemeral Stream 1	623	2	0.029	Jurisdictional
Ephemeral Stream 2	439	2	0.020	Jurisdictional
Ephemeral Stream Total	1,062		0.049	
Wetland 1	---	---	0.025	Jurisdictional
Wetland 2	---	---	0.065	Jurisdictional
Wetland Total	---	---	0.090	
Jurisdictional Features Total	1,975		0.231	

REVISED MITIGATION PLAN

Since impacts total less than 0.1 acre of wetland, no compensatory mitigation for wetland impacts is required. Since impacts total greater than 0.03 acre of stream, mitigation for the perennial, intermittent, and ephemeral stream impacts is required. Based on discussion with the USACE and KDOW during the site visit on June 3, 2022, on-site mitigation as originally proposed in the application was not accepted and all mitigation will be purchase from either a stream mitigation bank or the Kentucky Department of Fish & Wildlife (KDFWR) in-lieu fee program.


To compensate for impacts to the streams, Commerce Crossings Two, LLC will purchase 1,535 Adjusted Mitigation Units (AMUs) of stream mitigation credits from the Licking River Stream Mitigation Bank (LRL-2017-405). If bank credits are not available, Commerce Crossings Two, LLC will purchase 1,841 mitigation credits (including 20% temporal loss markup) from the KDFWR in-lieu fee program. Required stream mitigation is summarized in the following table.

Feature	Impacts (feet)	Mitigation Multiplier*	AMUs Required Mitigation Bank	AMUs Required KDFWR ILF
Perennial Stream	181	1.5	272	326
Intermittent Stream	732	1.0	732	878
Ephemeral Stream	1,062	0.5	531	637
Stream Total	1,975		1,535	1,841


*Based on poor quality of perennial, intermittent, and ephemeral streams

Please contact Kaitlin Ilnick or Ron Thomas of RES at (502) 625-3009 with any questions regarding this submittal or the overall project.

Sincerely,


 Kaitlin J. Ilnick (Jun 14, 2022 11:46 EDT)

Kaitlin J. Ilnick
 Project Manager II


 Ronald L. Thomas (Jun 14, 2022 11:46 EDT)

Ronald L. Thomas
 Senior Project Manager

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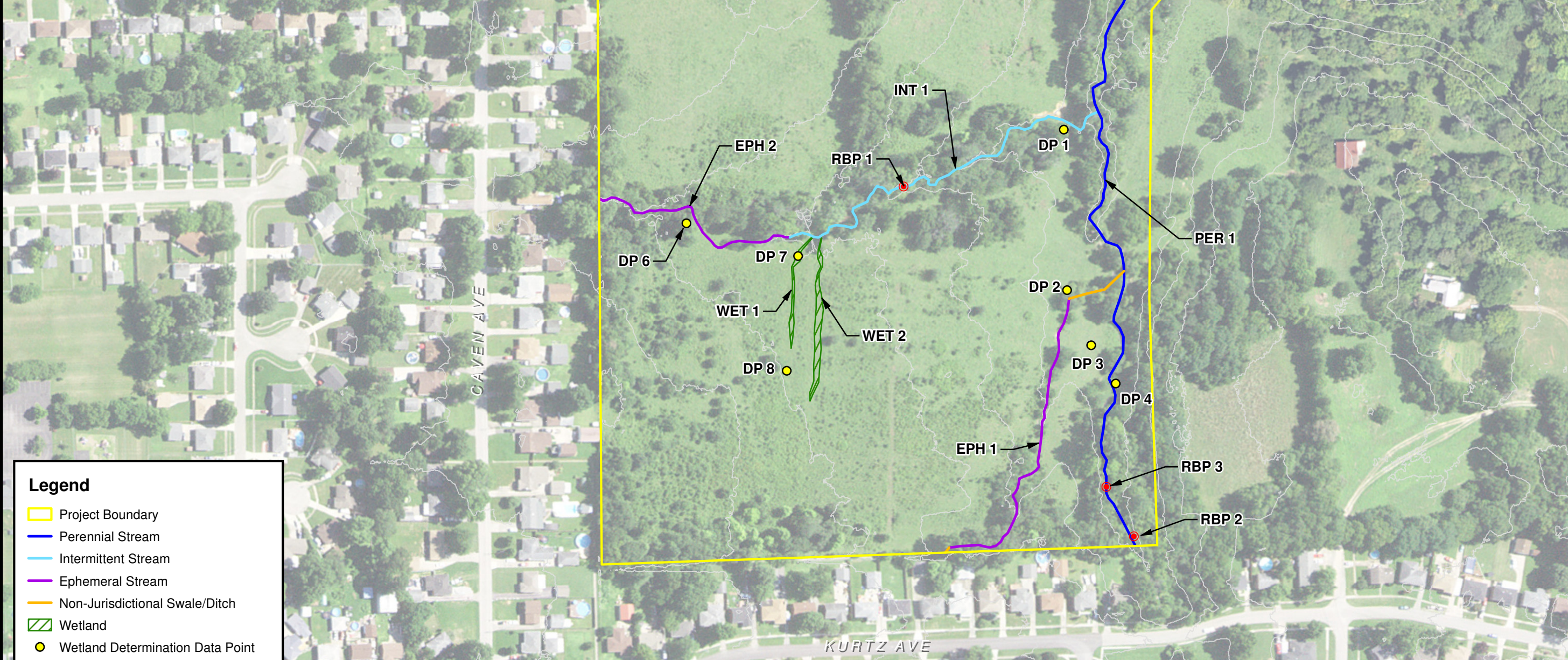
cc: Mr. Gabe Molnar – Commerce Crossings Two, LLC

Attachments: Revised Figures

REVISED FIGURES

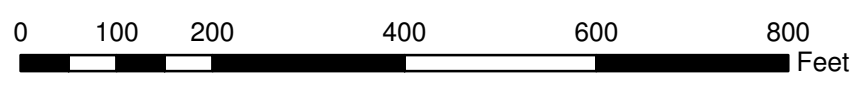
Source: Aerial - (NAIP-FSA) from kygisserver.ky.gov ArcGIS services (2018); Existing topography from Milestone Design Group, Inc.

Feature	Stream Length (feet)	Average Stream Width (feet)	Area (acres)	Status
Perennial Stream 1	1,454	10	0.334	Jurisdictional
Perennial Stream Total	1,454		0.334	
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Wetland Total	---	---	0.090	
Jurisdictional Features Total	3,303		0.527	



Legend

- Project Boundary
- Perennial Stream
- Intermittent Stream
- Ephemeral Stream
- Non-Jurisdictional Swale/Ditch
- Wetland
- Wetland Determination Data Point
- Rapid Bioassessment Protocol Point



NOTE: JURISDICTIONAL WATER/WETLAND BOUNDARIES WERE DELINEATED AND SURVEYED BY RES WETLAND SCIENTISTS ON FEBRUARY 16, MARCH 2, AND MARCH 30, 2022. THESE BOUNDARIES WERE VERIFIED BY THE U.S. ARMY CORPS OF ENGINEERS ON JUNE 3, 2022. USE OF THIS MAP IS FOR PRELIMINARY PLANNING PURPOSES ONLY.



COMMERCE CROSSINGS TWO - LOT 1
JEFFERSON COUNTY, KENTUCKY



REVISED
WATER/WETLAND
LOCATION MAP

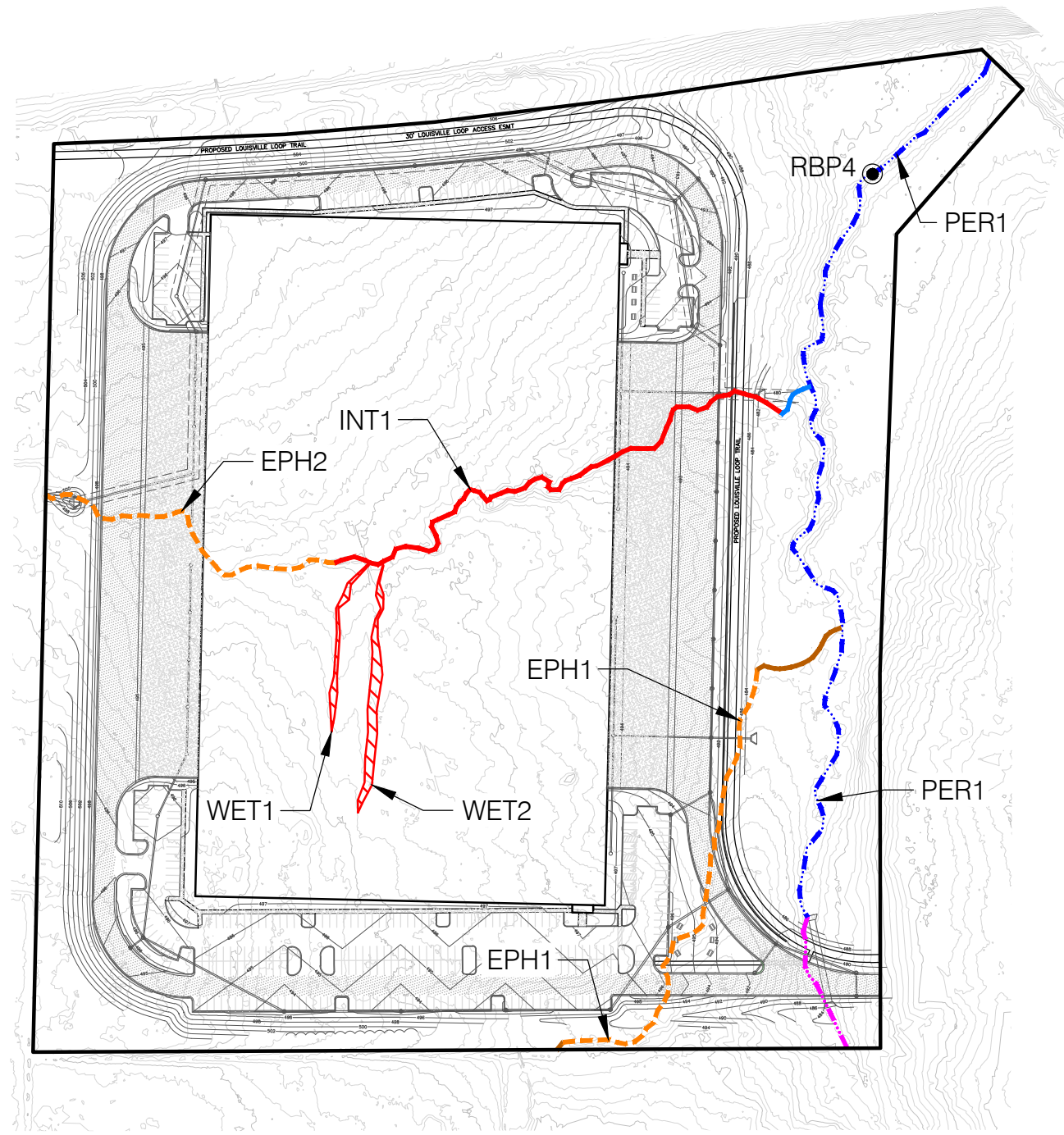
REVISED DATE: 06-07-22 | DRAWN BY: EDB/CDS

FIGURE 3

R:\Res\gis\Projects\106074 - Commerce Crossings Two\MXD\Water\Wetland Map.mxd, 06-7-2022, ebowman

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Feature	Impact Length (feet)	Average Stream Width (feet)	Impact Area (acres)	Status
Perennial Stream 1	181	10	0.042	Jurisdictional
Perennial Stream Total	181		0.042	
Intermittent Stream 1	732	3	0.050	Jurisdictional
Intermittent Stream Total	732		0.050	
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Wetland Total	--	--	0.090	
Jurisdictional Features Total	1,975		0.231	

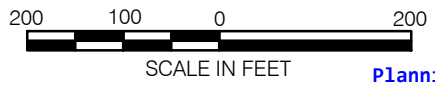


LEGEND

- PROJECT BOUNDARY
- PERENNIAL STREAM
- PROPOSED PERENNIAL STREAM IMPACT
- INTERMITTENT STREAM
- PROPOSED INTERMITTENT STREAM IMPACT
- EPHEMERAL STREAM
- PROPOSED EPHEMERAL STREAM IMPACT
- PROPOSED JURISDICTIONAL WETLAND IMPACT
- DITCH/SWALE

Received by Planning & Design 10/06/2022

NOTE: JURISDICTIONAL WATER/WETLAND BOUNDARIES WERE DELINEATED AND SURVEYED USING GLOBAL POSITIONING SYSTEM EQUIPMENT BY RES WETLAND SCIENTISTS ON FEBRUARY 16, MARCH 2, AND MARCH 30, 2022. THESE BOUNDARIES WERE VERIFIED BY THE U.S. ARMY CORPS OF ENGINEERS ON JUNE 3, 2022. USE OF THIS MAP IS FOR PRELIMINARY PLANNING PURPOSES ONLY.



Planning & Design Services



COMMERCE CROSSINGS TWO - LOT 1
JEFFERSON COUNTY, KENTUCKY

REVISED DATE: 06-07-22

DRAWN BY: EDB

SOURCE: BASE MAP PROVIDED BY MILESTONE DESIGN GROUP, INC.



REVISED
SITE DEVELOPMENT
PLAN

21-ZONE-0125 FIGURE 4