



REDWING
ECOLOGICAL SERVICES, INC.

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VIA EMAIL

August 31, 2020

Mr. David Greenberg
GKG, LLC
13287 O'Bannon Station Way
Louisville, KY 40223
David@selectky.com

**Subject: Water/Wetland Delineation Summary Report
9305 Smyrna Parkway
Jefferson County, Kentucky
Redwing Project 20-152**

Dear Mr. Greenberg:

Redwing Ecological Services, Inc. (Redwing) is pleased to submit this Water/Wetland Delineation Summary Report to GKG, LLC for the proposed 9305 Smyrna Parkway development site in Jefferson County, Kentucky. The approximately nine-acre site has an address of 9305 Smyrna Parkway, and is located on the east side of Smyrna Parkway, approximately 0.4 miles south of I-265 (Figure 1). The purpose of this report is to present the results of the delineation, along with a discussion of development-related permitting issues and mitigation requirements.

Based on the delineation, no jurisdictional waters are present on the site. However, two non-jurisdictional ephemeral streams and seven non-jurisdictional wetlands were identified on the site.

BACKGROUND

Redwing was contracted to complete a delineation of waters/wetlands on the site to assist GKG, LLC with site development planning. Jurisdictional waters of the U.S., including wetlands, are defined by 33 CFR Part 328.3 and are protected by Section 404 of the Clean Water Act (33 USC 1344), which is administered and enforced by the U.S. Army Corps of Engineers (USACE). Impacts to waters of the U.S. can require permitting ranging from activities that are pre-authorized, to those requiring a Nationwide Permit (NWP), to those requiring a full Individual Permit. Certain activities also require a Section 401 Water Quality Certification (WQC) from the Kentucky Division of Water (KDOW). Under the new Navigable Waters Protection Rule: Definition of "Waters of the United States" (NWPL), which became effective June 22, 2020, ephemeral streams and any waters/wetlands not directly adjacent to jurisdictional waters are considered non-jurisdictional and impacts to them are not regulated by the USACE or KDOW. Any intermittent or perennial streams, and their associated waters/wetlands, remain jurisdictional.

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METHODOLOGY

A delineation of jurisdictional waters of the U.S., including wetlands, on the site was completed by Redwing wetland scientists on August 27, 2020 using a combination of in-house research and field evaluation. In-house research included a review of the USGS topographic map, aerial photography, FEMA floodplain map, and the USDA Soil Survey Geographic Database for Jefferson County, Kentucky. The wetland delineation was accomplished through documentation of the presence/absence of hydric soils, wetland hydrology, and hydrophytic vegetation per the guidelines of the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region – Version 2.0* (April 2012). Soil, hydrology, and vegetation data were collected on Routine Wetland Determination Data Forms at 14 data points located throughout the site. The jurisdictional status of open waters, such as streams and ponds, was determined based on the presence/absence of an ordinary high water mark (OHWM), defined bed and bank features, and flow regime.

RESULTS

Based on the NWPR, no jurisdictional waters of the U.S. are present on the site. Non-jurisdictional water/wetland features identified include two ephemeral streams and seven wetlands. These results have not been verified by the USACE, who holds final authority over the location, extent, and jurisdictional status of waters/wetlands. These features are shown on Figure 2, summarized in the following table, and discussed below.

Feature	Stream Length (feet)	Stream Width (feet)	Area (acres)	Status
Ephemeral Stream 1	90	1	0.002	Non-Jurisdictional
Ephemeral Stream 2	30	1.5	0.001	Non-Jurisdictional
Ephemeral Stream Total	120		0.003	
Wetland 1	--	--	0.046	Non-Jurisdictional
Wetland 2	--	--	0.014	Non-Jurisdictional
Wetland 3	--	--	0.043	Non-Jurisdictional
Wetland 4	--	--	0.063	Non-Jurisdictional
Wetland 5	--	--	0.939	Non-Jurisdictional
Wetland 6	--	--	0.066	Non-Jurisdictional
Wetland 7	--	--	0.444	Non-Jurisdictional
Wetland Total	--	--	1.615	
Non-Jurisdictional Features Total	120		1.618	

Wetlands 1, 2, 6, and 7 all drain to non-jurisdictional ditches located just outside of the project boundary. These ditches connect to stormwater pipes located beneath Smyrna Parkway. Wetlands 3, 4, and 5 are all located in isolated depressions with no connection to any other water features. Ephemeral Streams 1 and 2 both drain to Wetland 1. The ephemeral streams are considered non-jurisdictional due their ephemeral flow regime and the wetlands are considered non-jurisdictional due to their lack of connection to jurisdictional waters.

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DISCUSSION

Based on the delineation results, the on-site ephemeral streams and wetlands are non-jurisdictional under the NWPR and impacts to the features do not require authorization from, or coordination with, the USACE or KDOW. However, if you require a formal determination, we recommend submitting a Jurisdictional Determination Request package to the USACE requesting their concurrence with this delineation.

We appreciate the opportunity to assist you on this important project. Please call Ron Thomas or Kaitlin Ilnick with any questions regarding this report or the overall project.

Sincerely,

Kaitlin J Ilnick

Kaitlin J Ilnick (Aug 31, 2020 11:40 CDT)

Kaitlin J. Ilnick
Project Ecologist

Ronald L. Thomas

Ronald L. Thomas (Aug 31, 2020 12:49 EDT)

Ronald L. Thomas
Principal
Senior Ecologist

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Attachments: Figures

cc: Mr. Eric Senn – Land Design & Development, Inc.

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