



US Army Corps  
of Engineers  
Memphis District

# Public Notice

**FILE NUMBER: MVM 2016-185 (RC)**

**NOTICE DATE:**  
**June 23, 2016**

Attn: Postmaster,  
Please Post Until  **EXPIRATION DATE:**  
**July 23, 2016**

**Joint Public Notice**  
**U.S. Army Corps of Engineers**  
**and**  
**Commonwealth of Kentucky**

**AUTHORITY:** Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

**APPLICANT:**

Mr. Roy Collins  
Kentucky Transportation Cabinet (KYTC)  
200 Mero Street  
Frankfort, Kentucky 40622  
(502) 564-7250

**AGENT:**

Mr. Steve Rice  
HMB Professional Engineers, Inc.  
#3 HMB Circle  
Frankfort, Kentucky 40601  
(502) 696-9800

**PURPOSE:** The purpose of the project is to extend the Mayfield Southern Bypass for safety and added site distance.

**LOCATION:** The project site is located from State Highway 303 south of the City of Mayfield northwest to Julian M. Carroll Parkway at coordinates 36.7180° N and -88.6661° in Graves County, Kentucky, as shown in Attachment 1.

**DESCRIPTION OF WORK:** The applicant proposes to construct a new route for the proposed Kentucky 80 (Southern Bypass Extension). The project involves the re-construction of 2.7 miles of roadway, which will result in 9 unavoidable impacts with the construction of 5 culverts and 1 channel change within Kess Creek and its tributaries. Approximately 2,730 feet of stream and 0.052 acres of wetlands will be impacted by the project. A detailed schematic of the overall project can be reviewed upon request.

The deposition of fill material into waters of the United States, including streams and wetlands, requires authorization from the Corps of Engineers. At this time, it is our preliminary jurisdictional determination that the subject wetlands are considered jurisdictional.

**AVOIDANCE/MINIMIZATION:** According to the applicant, it would be impracticable to attain the project goals without impacting the existing wetlands and waters of the United States, which are present on the project site. The applicant avoided and minimized wetland impacts to the maximum extent possible to still meet the project purpose. This information is being reviewed by our office for compliance with Section 404(b) (1) Guidelines.

**MITIGATION:** The project will impact a total of 0.052 acres of wetlands and 2,730 feet of streams. Both wetlands and stream impacts will be mitigated at the KYTC Riley Advanced Mitigation Site.

**WATER QUALITY CERTIFICATION:** By copy of this public notice, the applicant is requesting water quality certification from the Commonwealth of Kentucky that the activity will be in accordance with Section 401

(a)(1) of the Clean Water Act and all state laws and regulations promulgated pursuant. A determination concerning deposition of material will not be made, nor will deposition commence, until water quality certification or waiver of the right to certify is obtained. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

**ENDANGERED SPECIES:** The Relic darter (*Etheostoma chienense*) Indiana bat (*Myotis sodalis*), and Northern long-eared bat (*Myotis septentrionalis*) are listed as endangered or proposed endangered by U.S. Fish and Wildlife (FWS) in Graves County, Kentucky. This application is being coordinated with FWS. Any comments they may have regarding endangered or threatened wildlife or plants or their critical habitat will be considered in our evaluation of the described work.

**CULTURAL RESOURCES:** The Memphis District will evaluate information provided by the State Historic Preservation Officer, federally recognized tribes, and the public in response to this public notice and we may conduct, or require a survey of the project area.

**FLOODPLAIN:** In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. Floodplain administrators should review the proposed public notice and notify this office of any floodplain development permit requirements.

**PUBLIC INTEREST REVIEW:** The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the 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 project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; federally recognized tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. 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.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision. If a public hearing is held, it will be for the purpose of obtaining additional information that we could not otherwise obtain through a public notice process;



not to inform the public about the specific details of the project in greater detail than what is found in this notice. This is not a Corps of Engineers project. We are not a proponent nor are we an opponent of the project. We are merely the permitting authority of Section 404 and Section 10 permits required by our office.

**COMMENTS:** To request additional information or provide comments on this notice, please contact Mr. Randy Clark using the information below:

U.S. Army Corps of Engineers District - Memphis  
ATTN: Randy Clark  
167 N. Main Street  
Bldg 202 RM 522  
Memphis, Tennessee 38103-1894  
E-mail: [james.r.clark@usace.army.mil](mailto:james.r.clark@usace.army.mil)  
Phone: (901) 544-0735  
Fax: (901) 544-0211

Ms. Joyce Fry  
Commonwealth of Kentucky  
Department For environmental Protection  
Division of Water  
200 Fair Oaks Lane, 4th Floor  
Frankfort, Kentucky 40801  
(501) 564-3410

Comments may be sent via mail or email. The Corps of Engineers may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments must be received by the expiration date listed on page one of this notice.

For Final Individual Permits actions in the Memphis District, go to the following link: <http://geo.usace.army.mil/egis/f?p=340:2:0::NO:RP>. Using the Filter by District drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending individual permits can be located by selecting the "Pending IP" tab above. All of the environmental documents and statements of findings supporting issuance or denial of the permit decisions are available upon written request and where applicable, upon the payment of administrative fees. They are also available at the Memphis District, Regulatory Branch office for examination.

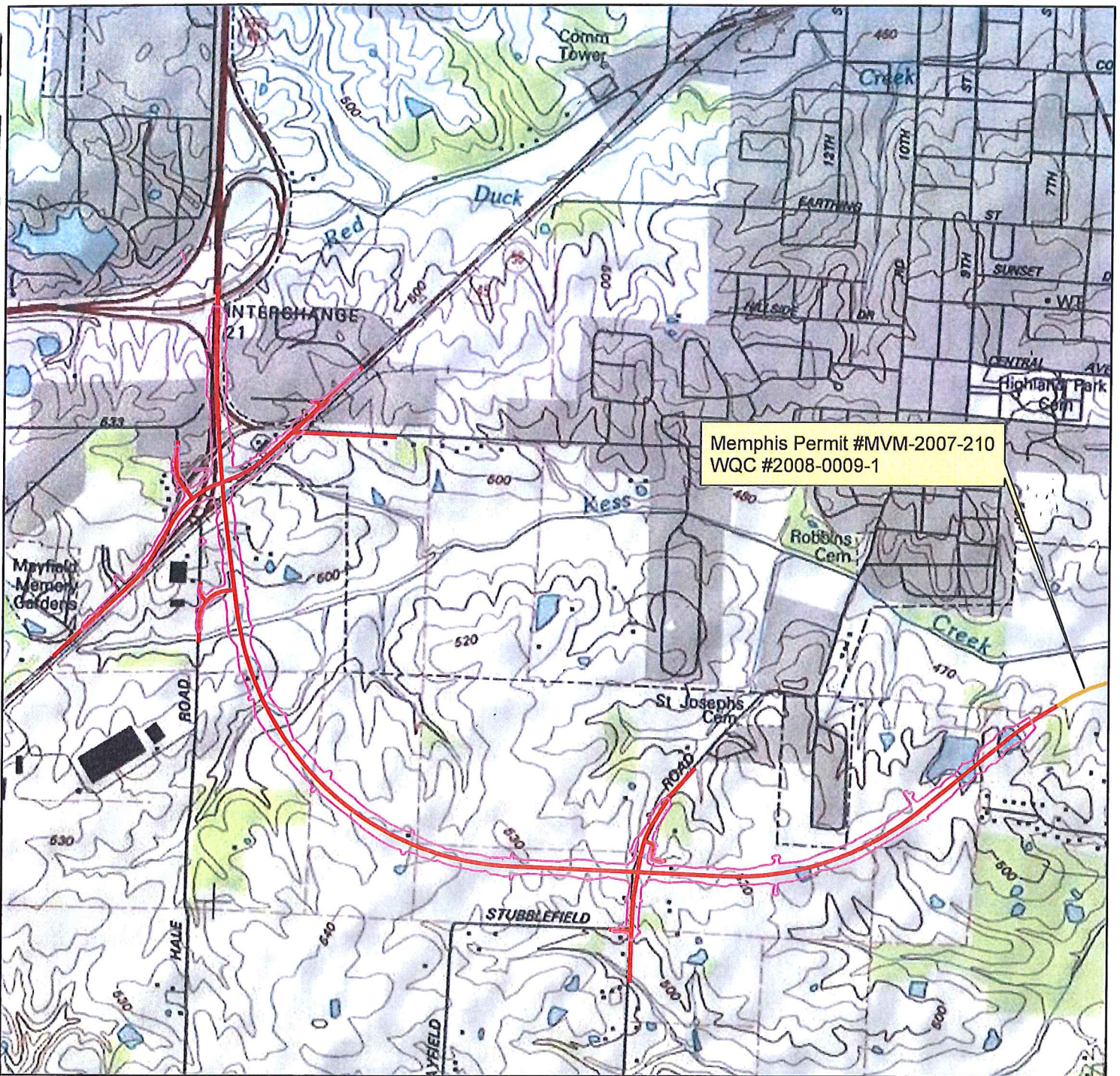


Gregg Williams  
Chief  
Regulatory Branch

Attachment



# 1-181.5 Alignment Location Map



## Legend

- Disturb Limits
- Centerline
- Existing 80

Graves County, KY  
 Bayou De Chien-Mayfield, Kentucky, Tennessee  
 KYTC Item # 1-181.5  
 Extend Mayfield Southern Bypass  
 from KY 303 to Julian M. Carroll Parkway  
 HUC 14: 08010201010160, and 08010201010190

0 0.175 0.35 0.7 Miles

