

Water Quality Certification

Port of Calvert City
Facility Requirements

Permit Number:WQC#2014-37-7M
Activity ID No.: APE20140002

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Submittal/Action Requirements:

Condition	Item ID	Condition
S-1	ACTV1 (River port and rail spur)	First Marine Properties and Marshall County-Calvert Riverport Authority shall submit written notification: Due prior to any construction activity A copy of the wetland bank fee receipt paid to West Kentucky Wetwoods must be submitted to the Water Quality Certification Section, Kentucky Division of Water, 200 Fair Oaks Lane, Frankfort, Kentucky 40601 before the beginning of construction. [Clean Water Act]
S-2	ACTV1 (River port and rail spur)	First Marine Properties and Marshall County-Calvert Riverport Authority shall notify the Division: Due prior to any construction activity. Notify Joyce Fry at (502) 564-3410 or joyce.fry@ky.gov no later than two weeks prior to the beginning of construction. [Clean Water Act]
S-3	ACTV1 (River port and rail spur)	First Marine Properties and Marshall County-Calvert Riverport Authority shall notify the Division: Due when construction is complete. Notify Joyce Fry at (502) 564-3410 or joyce.fry@ky.gov no later than two weeks post-construction. [Clean Water Act]

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Narrative Requirements:

Condition	Item ID	Condition
T-1	ACTV1 (River port and rail spur)	<p>The work approved by this certification shall be limited to:</p> <ul style="list-style-type: none">- the construction of a new inland sea-port terminal resulting in permanent impacts to approximately 3.9 acres of mixed palustrine hardwood/shrub wetlands;- the construction of a new docking platform resulting in permanent impacts to approximately 0.40 acres of river bottom. The breasting wall will be comprised of a land mass built approximately 75 ft extending out from the left descending bank of the river shoreline. The breasting wall will be backfilled with earth and quarry run stone. The land mass will result in permanent impacts to approximately 1,520 linear feet of river bank;- the installation of two pipe dolphins located on 150 ft centers downstream of the sheet pile breasting wall and one pipe dolphin 150 ft upstream of the sheet pile breasting wall;- the construction of a rail spur with four wetland crossings and three stream crossings resulting in impacts to 0.49 acres of Palustrine-Forested and Palustrine-Emergent Wetland and 240 linear feet of intermittent stream;- The construction of a 5-span bridge across Cypress Creek, a perennial stream and a 2-span bridge crossing an intermittent tributary to Cypress Creek will not result in impacts to those streams. [Clean Water Act]
T-2	ACTV1 (River port and rail spur)	<p>All work performed under this certification shall adhere to the design and specifications set forth in the “Application for Construction Across or Along a Stream and/or Water Quality Certification” received February 13, 2014, USACE Public Notice No 14-06 (LRN-2012-00349, River Port and LRN-2014-00120, Rail Spur), Approved & Preliminary Jurisdictional Determination dated April 22, 2014, Biological Assessment dated May 2014, Revised Railroad Structures Plans, received May 28, 2014, Rail Drawing Location Map received June 24, 2014, Typical Sections plans, received May 28, 2014, Wetland 2 crossings email received May 28, 2014. [Clean Water Act]</p>
T-3	ACTV1 (River port and rail spur)	<p>First Marine Properties is required to provide mitigation for the loss of 3.9 acres of jurisdictional wetlands due to construction of the inland seaport terminal; Marshall County-Calvert Riverport Authority is required to provide mitigation for the loss of 0.49 acre due to construction of the rail spur. The Kentucky Division of Water requires wetland mitigation at a 2:1 ratio, which shall be the purchase of 7.8 wetland credits and 0.98 wetland credits, respectively, for a total of 8.78 wetland credits to be purchased from West Kentucky Wetwoods (as identified by the applicants). [Clean Water Act]</p>
T-4	ACTV1 (River port and rail spur)	<p>First Marine Properties and Marshall County-Calvert Riverport Authority are responsible for preventing degradation of waters of the Commonwealth from soil erosion. An erosion and sedimentation control plan must be designed, implemented, and maintained in effective operating condition at all times during construction. [Clean Water Act]</p>

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Narrative Requirements:

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T-5	ACTV1 (River port and rail spur)	The Division of Water reserves the right to modify or revoke this certification should it be determined that the activity is in noncompliance with any condition set forth in this certification. [Clean Water Act]
T-6	ACTV1 (River port and rail spur)	If construction does not commence within one year of the date of this letter, this certification will become void. A letter requesting a renewal should be submitted. [Clean Water Act]
T-7	ACTV1 (River port and rail spur)	Other permits from the Division of Water may be required for this activity. If this activity occurs within a floodplain, a Permit to Construct Across or Along a Stream may be required. Please contact Todd Powers (502-564-3410) for more information. If the project will disturb one acre or more of land, or is part of a larger common plan of development or sale that will ultimately disturb one acre or more of land, a Kentucky Pollution Discharge Elimination System (KPDES) stormwater permit shall be required from the Surface Water Permits Branch. This permit requires the development of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP must include erosion prevention and sediment control measures. Contact: Surface Water Permits Branch (SWPB) Support (502-564-3410 or SWPBsupport@ky.gov). [Clean Water Act]
T-8	ACTV1 (River port and rail spur)	Dredging work shall not be conducted during the fish spawning season, April 15th through June 15th. [Clean Water Act]
T-9	ACTV1 (River port and rail spur)	Check dams are not allowed within the stream channel. [Clean Water Act]
T-10	ACTV1 (River port and rail spur)	Remove all sediment and erosion control measures after re-vegetation has become well-established. [Clean Water Act]