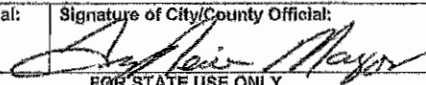


REQUEST FOR APPROVAL OF EVIDENTIARY MATERIALS AND RELEASE OF FUNDS

Grantee Name: City of Hindman		Grant Agreement Number: ARC 18A - 015	
Grantee Address: P.O. Box 496 Hindman, KY 41822		Date of Request: February 5, 2021	
Evidentiary Materials		Items* Included	State Use Only
1. Environmental Review	I hereby state that the community has completed the required environmental review process and a Certification of Completion is attached to this request for release of funds.	X	
2. Historic Properties	I hereby state that the State Historic Preservation Officer was provided information and given thirty (30) days to comment on proposed activities and correspondence is attached.	X	
3. Tribal Consultation	I hereby state that the tribal consultation requirements of 24 CFR Part 58 and related guidance have been adhered to and correspondence is attached.	X	
4. Other Fund Commitments	I hereby state that firm commitments for other funds referenced in the evidentiary materials have been secured and are attached to this request for release of funds.	N/A	
5. Legally Binding Commitments	I hereby certify that the legally binding commitments required have been submitted and are attached to this request for release of funds.	N/A	
6. Other	Floodplains and Wetlands Public Notices	X	
Typed Name and Title of City/County Official: Tracy Niece, Mayor		Signature of City/County Official: 	Date: 1-21-2021
FOR STATE USE ONLY			
Action Taken:	Individual Authorizing Action:	Date:	

* Items Included Code: N/A = Not Applicable to this program X= Included

ENVIRONMENTAL REVIEW

FOR THE

Hindman Lift Station Repair Project

BY

City of Hindman

Prepared by

Kentucky River Area Development District

On behalf of the City of Hazard

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U.S. Department of Housing and Urban
Development

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: Hindman Sewer Rehab and WWTP Rehab Project/Hindman Lift Station Repair Project

Responsible Entity: City of Hindman

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: Grant # ARC 18A - 015

Preparer: Angelia Hall

Certifying Officer Name and Title: Tracy Niece, Mayor

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable):

Direct Comments to:

Angelia Hall
Kentucky River Area Development District
941 North Main Street Hazard, KY 41701
angelia@kradd.org

Project Location:

- Cowtown Lift Station Hindman, KY 41822 – GPS Coordinates: Latitude 37°19'51.092"N; Longitude -82°59'13.092"W
- Post Office Lift Station Hindman, KY 41822 – GPS Coordinates: Latitude 37°20'9.34"N; Longitude -82°58'53.532"W
- Triggers Lift Station Hindman, KY 41822 – GPS Coordinates: Latitude 37°20'24.115"N; Longitude -82°58'52.458"W

- College Lift Station Hindman, KY 41822 – GPS Coordinates: Latitude 37°20'24.115"N; Longitude -82°58'52.458"W
- Bob Pigman Lift Station Hindman, KY 41822 – GPS Coordinates: Latitude 37°20'5.226"N; Longitude -82°58'25.047"W
- High School Lift Station Hindman, KY 41822 – GPS Coordinates: Latitude 37°19'22.236"N; Longitude -82°58'5.225

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

This project will repair 5 lift stations in the City of Hindman Sewer System. The lift stations include the Cowtown Lift Station, Bob Pigman Lift Station, WWTP Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. The pumps will be replaced with the same pump size, wetwell rails will be installed, the piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels with a local disconnect added to each. If funding allows the Trigger Lift Station and the College Lift Station will also be rehabbed.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The City of Hindman lift stations are experiencing issues and are having to continually be worked on. This project would provide necessary updates to the lift stations and would allow the City of Hindman to continue providing the same excellent service that their customers have come to rely on.

Existing Conditions and Trends [24 CFR 58.40(a)]:

This project is located in the City of Hindman and would improve service to 460 underserved customers.

Funding Information

Grant Number	HUD Program	Funding Amount
18A - 015	ARC	594,000

Estimated Total HUD Funded Amount: \$2,000,000/\$594,000 for Lift Stations

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$2,000,000/\$594,000 for Lift Stations

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statues, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation	Compliance determinations

	required?	
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>There are no airports on or near any of the proposed project area. No impact.</i>
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Hindman, KY does not have Coastal areas.</i>
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>The City of Hindman has completed the eight-step process per requested 24 CFR 55 since sections of the water project appear to be within the bounds of a 100-year floodplain. The City of Hindman does participate in the National Flood Insurance Program. The Floodplains and Wetlands Early Public Notice was ran in the November 5, 2020 edition of The Troublesome Creek Times. The Floodplain and Wetland Notice of Explanation was ran in the November 26, 2020 edition of The Troublesome Creek Times. Once constructed the lift stations will not impact the floodplain. No public comments were received.</i>
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Minimal impact. According to the letter dated November 2, 2020 from the Energy and Environmental Cabinet in which Louanna Aldridge states the following: Open burning shall be prohibited except as specifically provided. Open burning is defined as burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. Other suggestions include: Utilize alternatively fueled equipment, utilize other emission controls that are applicable to your equipment, and reduce idling time on equipment.</i>

<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>There are no coastal areas in Hindman, KY. No Impact.</i></p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>The US EPA website database was searched in order to identify any listed contamination areas, none were noted. No impact.</i></p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>No Impact. According to Jennifer Garland's letter dated 12/02/2020, "Significant impacts to federally-listed species are not likely to result from this project as currently proposed.</p> <p>According to Doug Dawson's letter dated 11/12/2020, "KDFWR does not believe the project will impact any federal or state-listed threatened/endangered species or any associated critical habitat. No Critical area, wildlife preserves, or other significant ecological areas will be impacted by the proposed project."</p> <p>Per email dated 12/10/2020 from Justin Branham, USACOE, "Based on the information submitted, it does not appear that a permit would be required for the above referenced project as no discharge of fill or dredged material is proposed within aquatic resources. The information submitted by you indicated that no proposed stream crossings are required. If the scope of the project changes and the project would necessitate the discharge of fill material, please contact our office to determine permit requirement."</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>No impact. There will be no above ground storage tanks with explosive and/or flammable materials on or near the project.</i></p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>No impact. Per letters dated 10/28/2020 from Perri Pedley, Soil Scientist, NCRS, "no conversion of agricultural lands (prime, unique, or farmland of local or statewide importance) will occur or be negatively impacted by the proposed undertaking (for the new route). Therefore, this office has no additional concerns at this time.</i></p>

<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p><i>Per DOW comments in response to scoping letter, "an 'Application for Permit to Construct Across or Along a Stream' must be filed at this office." The City of Hindman has acquired a floodplain permit for the project. A DA permit is not required for directional drilling of the streams. The City of Hindman has completed the eight-step process per requested 24 CFR 55 since sections of the water project appear to be within the bounds of a 100-year floodplain. The City of Hindman does participate in the National Flood Insurance Program. The Floodplains and Wetlands Early Public Notice was ran in the November 5, 2020 edition of The Troublesome Creek Times. The Floodplain and Wetland Notice of Explanation was ran in the November 26, 2020 edition of The Troublesome Creek Times. Once construction is complete the lift stations will have no impact on the floodplains. No public comments were received.</i></p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>No Impact. Per letter dated October 28, 2020 Craig A. Potts, Executive Director, "Based on the information submitted, we would concur with a determination of No Historic Properties Affected for this project.</i></p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>The project is not located in a high noise area. The project will have minimal and limited noise due to construction equipment. The construction will be carried out in order to minimize the potential impacts.</i></p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>No impacts. There were no sole source aquifers identified by the City of Hindman during field visits, or according to any records obtained from state or federal resources.</i></p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>No wetlands. No impact.</i></p>
<p>Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>No impact. There are no wild and scenic rivers located in the project area or in Hindman, Kentucky.</i></p>
<p>ENVIRONMENTAL JUSTICE</p>		

Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	No impact. The project will benefit all area residents regardless of any protected class. The City of Hindman is an equal opportunity provider and will serve all potential customers equally.
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Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The City of Hindman has no zoning ordinance in place. The project is anticipated to have a positive impact to the proposed area by improving pump stations.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The project has some areas of moderate to steep slope. Appropriate erosion control measures and silt barriers will be utilized to minimize potential impacts.
Hazards and Nuisances including Site Safety and Noise	3	Any construction along state and county road right-of-way must have adequate safety measures in place to protect motorists and construction workers
Energy Consumption	2	This project is located in rural areas throughout the county. No impact. The contractor must use EPA compliant equipment during construction activities.

Environmental Assessment Factor	Impact Code	Impact Evaluation
---------------------------------	-------------	-------------------

SOCIOECONOMIC		
Employment and Income Patterns	2	The project will be upgrading existing pump stations improving sewer service to business and residents.
Demographic Character Changes, Displacement	2	No impact. The project will not displace any families, nor will it require residents to relocate.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	No impact. The project will be upgrading existing pump stations.
Commercial Facilities	2	There are no commercial properties located within the project area. No impact.
Health Care and Social Services	2	No impact. This project will be upgrading existing pump stations in the area.
Solid Waste Disposal / Recycling	2	All federal and state regulations will be followed in the disposal of any generated solid waste. Minor impact.
Waste Water / Sanitary Sewers	1	This project will improve existing waste water systems in the City of Hindman by rehabilitating existing lift stations.
Water Supply	2	No impact. This is a sewer project.
Public Safety - Police, Fire and Emergency Medical	2	The project is located within a rural area with access to adequate policing services, fire services, and emergency services. This project will not impact emergency services to area residents.
Parks, Open Space and Recreation	2	This project will have no impact on parks, open spaces, and recreation to area residents.
Transportation and Accessibility	3	The contractor(s) must comply with all safety regulations and assure adequate measures for traffic and workers.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	1	There are no unique features located at the project site or within close proximity to the project site.

Vegetation, Wildlife	2	According to Jennifer Garland letter dated December 2, 2020, "Significant impact to federally-listed species are not likely to result from this project as currently proposed." No impact.
Other Factors	2	No other factors have been identified.

Additional Studies Performed: Air Quality Attainment Report, Air Quality Index, Wild and Scenic River report, Flood Insurance Participating Communities Report

Field Inspection (Date and completed by): November 11, 2020 – Shannon Ritchie

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

- **KY State Clearinghouse, Lee Nalley**
- **Department for Environmental Protection, Louanna Aldridge**
- **Office of Kentucky Nature Preserves**
- **DOW, Daniel Fraley**
- **US Fish and Wildlife, Jennifer Garland**
- **Natural Resources Conversation Services, Perri Pedley**
- **State Historic Preservation Officer, Craig A. Potts**
- **Division of Waste Management**
- **Kentucky Division of Water, Chloe Brantley**
- **Kentucky Fish and Wildlife**
- **Army Corps of Engineers, Justin Branham**
- **FEMA**

List of Permits Obtained:

Per email dated November 19, 2020 from Justin Branham, US Army Corps of Engineers A stream construction permit will not be permit will not be required. Per DOW comments dated October 23, 2020, "The proposed project does not require a Kentucky DOW Application for Permit to Construct Across or Along a Stream."

Public Outreach [24 CFR 50.23 & 58.43]:

- November 5, 2020 - Floodplains and Wetlands Early Public Notice Activity in a 100-year Floodplain
- November 26, 2020 – Floodplain and Wetland Notice of Explanation Activity in a 100-year Floodplain
- January 21, 2021 - Combine Notice to Public of No Significant Effect on the Environment Notice to Public of Request for Release of Funds

Cumulative Impact Analysis [24 CFR 58.32]:

It is highly anticipated that the project will have a positive impact. The City of Hindman has determined that the project will have no significant impact on the human environment. Erosions and sedimentation control will be required as needed. Any stream crossing will be completed by horizontal directionally drilled means in order to minimize impact on local surface waters. No significant adverse impacts to federally listed endangered or threatened species are anticipated.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

Alternative 1: To construct the project as proposed is the preferred alternative. This alternative has been deemed the most advantageous and environmentally sound. It is important that the lift stations are repaired properly because they have been experiencing a lot of issues and continuously need to be worked on.

Alternative 2: To construct the project as the City of Hindman’s budget allows. This would not be feasible as the budget does not contain the extra funds.

No Action Alternative [24 CFR 58.40(e)]:

This is the least preferred alternative. This would result in operating the pump stations as is. Currently the pump stations are experiencing issues and continually having to be worked on

Summary of Findings and Conclusions: The proposed recommended project will overall have a positive environmental impact. The project will repair the Cowtown Lift Station, Bob Pigman Lift Station, WWTP Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. If funding allows the Trigger Lift Station and College Lift Station will also be rehabbed. All required mitigation actions must be strictly adhered to.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Kentucky Nature Preserves	In a letter dated December 17, 2020 from the Kentucky Nature Preserves, Elizabeth Mason stated that, “this project does pose some concern.” The different species that need to be monitored are the Etheostoma spilotum, Myotis sodalist, Perimyotis subflavus, and M.septentrionalis . If the identified species are knowingly encountered during construction the Kentucky Nature Preserves will need to be contacted for further instruction.
Kentucky Fish and Wildlife	Erosion control measures will be developed and implemented.
Energy and Environment Cabinet Water Quality Branch	Best management practices should be utilized to reduce runoff from project construction activities into nearby waters.

Energy and Environment Cabinet Division of Waste Management	Any solid waste encountered by this project must be disposed of at a permitted facility
--	---


Determination:

- Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

- Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27] The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: 1/21/2021

Name/Title/Organization: Angelia Hall /CEDS Associate Director/Kentucky River Area Development District

Certifying Officer Signature:  Date: 1/21/2021

Name/Title: Tracy Niece/Mayor

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Environment Review Assessment

Exempt

Administration

Planning

Historic and Environmental Studies

Engineering

Categorically Excluded

Assessment

- This project will repair Cowtown Lift Station
- This project will repair Bob Pigman Lift Station
- This project will repair WWTP Lift Station
- This project will repair Knott County Central Lift Station
- This project will repair Post Office Lift Station
- If funding allows the Trigger Lift Station and College Lift Station will be repaired

ENVIRONMENTAL CERTIFICATION

With reference to the above projects, I, the undersigned officer of the grantee, certify:

That the grantee has at least seven (7) days prior to submitting this request for release of funds and certification, published and disseminated in the manner prescribed by 24 CFR 58.43, a notice to the public (a copy of which is attached) in accordance with 24 CFR 58.70;

That the applicant has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project named above; that the applicant has complied with the National Environmental Policy Act of 1969; that the applicant has complied with environmental procedures, permit requirements and the statutory obligations of the laws cited in 24 CFR 58.5(a)(2); and that the applicant has taken into account the environmental criteria standards, permit requirements and other obligations applicable to the project under the other related laws and authorities cited under such laws and in 24 CFR 58.5;

That the level of environmental clearance carried out by the applicant in connection with the said project () did (X) did not require the preparation and dissemination of an environmental impact statement;

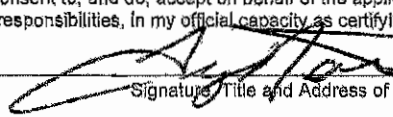
That the dates upon which all statutory and regulatory time periods for review, comment or other response or action to this clearance began and ended as indicated below; that all such dates which are applicable to this aforesaid clearance are indicated below; and that the expiration of each of the time periods indicated below, applicant is in compliance with the requirement of 24 CFR Part 58:

Item	Publication MO/DAY/YR	Commence MO/DAY/YR	Expire MO/DAY/YR
Notice of Finding of No Significant Impact (FONSI): Publication Date			
Same: Comment period			
Notice of Intent to Request Release of Funds (NOI/RROF): Publication Date			
Concurrent Notice (FONSI & NOI/RROF): Publication Date	1/21/2021		
Same: Local Comment Period		1/22/2021	2/06/2021
State Decision Period		2/11/2021	2/26/2021
Notice of Intent to Prepare EIS: Publication			
Draft EIS: Comment Period			
Same: 90-day period (NEPA Regs)			
Final EIS: 30-day period (NEPA Regs)			
Other (Specify) Early Floodplain Notice	11/5/2020	11/6/2020	11/21/2020
Other (Specify) Notice of Explanation	11/26/2020	11/27/2020	12/11/2020

That I am authorized to, and do, consent to assume the status of responsible federal official under the National Environmental Policy Act of 1969 and each provision of law specified in 24 CFR 58.5 insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action as to environmental issues, preparation and circulation of draft, final and supplemental environmental impact statements, and assumption of lead agency or cooperation agency responsible for preparation of such statements on behalf of Federal agencies including HUD, when these agencies consent to such assumption;

That I am authorized to consent to, and do, accept on behalf of the applicant and personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my official capacity as certifying officer of the applicant.

City of Hindman
Applicant Name



Mavor - P.O. Box 496 Hindman, KY 41822

Certifying Officer of Applicant
Tracy Niece
Name, Environmental Certifying Officer
P.O. Box 496
Hindman, Kentucky 41822

Contract #:

Warning - Section 1001 of Title 18 of the United States Code and Criminal Procedure shall apply to this certification. Title 18 provides, among other things, that whoever knowingly makes or uses a document or writing containing any false, fictitious or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of the United States, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

DLG Environmental Submittal Checklist

Project/Program Name: Hindman Lift Station

Project/Program ID Number: ARC 18A – 015

- **Project Location (if applicable):** Cowtown Lift Station Hindman, KY 41822 – GPS Coordinates: Latitude 37°19'51.092"N; Longitude -82°59'13.092"W
- Post Office Lift Station Hindman, KY 41822 – GPS Coordinates: Latitude 37°20'9.34"N; Longitude -82°58'53.532"W
- Triggers Lift Station Hindman, KY 41822 – GPS Coordinates: Latitude 37°20'24.115"N; Longitude -82°58'52.458"W
- College Lift Station Hindman, KY 41822 – GPS Coordinates: Latitude 37°20'24.115"N; Longitude -82°58'52.458"W
- Bob Pigman Lift Station Hindman, KY 41822 – GPS Coordinates: Latitude 37°20'5.226"N; Longitude -82°58'25.047"W
- High School Lift Station Hindman, KY 41822 – GPS Coordinates: Latitude 37°19'22.236"N; Longitude -82°58'5.225

Level of Environmental Review Completed:

Date Commitment and Expenditure of Funds was authorized by the Responsible Entity/Environmental Certifying Officer: _____

Exempt [§58.34(a)] Date completed: _____

Environmental Review Status Form submitted to KY DLG Date: _____

Exempt/CENST determination form

Request for Approval of Evidentiary Materials and Release of Funds submitted to KY DLG with copy of the above completed form Date: _____

Categorically excluded *not subject to §58.5* [§58.35(b)]
Date completed: _____

Environmental Review Status Form submitted to KY DLG Date: _____

Exempt/CENST determination form

Request for Approval of Evidentiary Materials and Release of Funds submitted to KY DLG with copy of the above completed form Date: _____



Categorically excluded *subject to §58.5* [§58.35(a)]:

Converted to exempt (§ 58.35(a)(12)) Date converted: _____

OR

NOI/RROF published Date: _____

Environmental Certification submitted to KY DLG Date: _____

Request for Approval of Evidentiary Materials and Release of Funds submitted to KY DLG Date: _____

Environmental Review Status Form-submitted to KY DLG

KY State eClearinghouse comments-submitted to KY DLG

KY Heritage Council-SHPO comments and approval- submitted to KY DLG

All required publication(s) tear sheets- submitted to KY DLG

KY DLG Approval received Date signed by KY DLG: _____



Environmental Assessment (§58.36)

FONSI/NOI published Date: 1/21/2021

Environmental Certification submitted to KY DLG Date: 2/05/2021

Request for Approval of Evidentiary Materials and Release of Funds submitted to KY DLG Date: 2/05/2021

Environmental Review Status Form submitted to KY DLG Date: 2/05/2021

KY State eClearinghouse comments submitted to KY DLG 2/05/2021

KY Heritage Council-SHPO comments and approval- submitted to DLG 2/05/2021

All required publication(s) tear sheets- submitted to KY DLG 2/05/2021

KYDLG approval received Date signed by KY DLG: _____

Attachment 2-15
SAMPLE ENVIRONMENTAL REVIEW RECORD CHECKLIST

- Finding of Exemption and/or Categorical Exclusion not Subject to
- Statutory Checklist and all supporting documentation
- Historic Preservation Procedures Completed and Documented including Tribal Consultation
- Floodplains/Wetlands Procedures Completed and Documented
 - Early Public Notice Published
 - Notice of Explanation Published
- Environmental Assessment and Checklist (Format II) and all supporting documentation
- Notice of Intent to Request Release of Funds (NOIRROF) Publication (tear sheet)
- Concurrent Notice of Finding and No Significant Effect and Notice of Intent to Request Release of Funds (FONSI-NOIRROF) (tear sheet)
- Notice of Availability of Environmental Assessment (if joint project with Rural Development only)
- Distribution List for all Public Notices
- Comments Received and City/County responses
- Environmental Certification, Request for Approval of Evidentiary Materials and Release of Funds Submitted
- Post-Review Revisions and Changes, Written Decisions, Amendments and Supplements

(This listing is for all types of possible projects. For a more complete listing of required documentation for the ERR as it relates to a specific type of project, see Section 58.30 of the regulations and the Handbook Chapter 2.)

Exhibit 1
Clearinghouse Comments



ANDY BESHEAR
GOVERNOR

DEPARTMENT FOR LOCAL GOVERNMENT
OFFICE OF THE GOVERNOR
100 AIRPORT ROAD, 3rd FLOOR
FRANKFORT, KENTUCKY 40601-8204
PHONE (502) 573-2382 FAX (502) 573-2939
TOLL FREE (800) 346-5606/ TDD:711
WWW.kydlgweb.ky.gov

DENNIS KEENE
COMMISSIONER

October 22, 2020

Mr. Tracy Niece
City of Hindman
P.O. Box 496
Hindman, KY 41822

RE: Hindman Lift Station Repair Project
SX21119016
SAI# KY202009251163
CFDA# 23.002

Dear Mr. Niece:

The Kentucky State e-Clearinghouse is the official designated Single Point of Contact (SPOC) for the Commonwealth pursuant to Presidential Executive Order 12372, and supported by Kentucky Statutes KRS 45.031. The primary function of the SPOC is to streamline the review aforementioned process for the applicant and the funding agency. This process helps in vocalizing the statutory and regulatory requirements. Information in the form of comments, if any, will be attached to this correspondence.

This proposal has been reviewed by the appropriate state agencies in the e-Clearinghouse for conflicts with state or local plans, goals and objectives. After receiving this letter, you should make it available to the funding agency and continue with the funding agencies application process. This e-clearinghouse SPOC letter signifies only that the project has followed the state reviewing requirements, and is neither a commitment of funds from this agency or any other state or federal agency. Please remember if any federal reviews are required the applicant must follow through with those federal agencies.

The results of this review are valid for one year from the date of this letter. If the project is not submitted to the funding agency or not approved within one year after the completion of this review, the applicant can request an extension by email to Lee.Nalley@ky.gov. If the project changes in any way after the review, the applicant must reapply through the eclearinghouse for a new review. There are no exceptions.

If you have any questions regarding this letter or the review process please contact the e-Clearinghouse office at 502-573-2382, ext. 274.

Sincerely,

Lee Nalley, SPOC
Kentucky State Clearinghouse

Attachment

Department for Environmental Protection
Louanna Aldridge

Joel Murphy - Endorse with Comments The proposed project is subject to Division of Water (DOW) jurisdiction because the following are or appear to be involved: sewer lines and appurtenances. Prior approval must be obtained from the DOW before construction can begin. The applicant must cite the State Application Identifier (SAI #KY202009251163) when submitting plans and specifications.

The project will repair 5 lift stations in the City of Hindman Sewer system. The lift stations include the Cowtown Lift Station, Bob Pigman Lift Station, Wastewater Treatment Plant Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. The pumps will be replaced with the same pump size, wetwell rails and piping will be replaced, the valve vault will be rehabbed and the valves replaced, the control panels will be replaced and a local disconnect added to each and any other issues discovered during the construction will be replaced as needed. If funding allows, the Trigger Lift Station and College Lift Station will also be rehabbed.

A meeting was conducted on November 14, 2018 to determine the best course for the City of Hindman to fulfill the wastewater planning requirements for regional planning agencies, 401 KAR 5:006 and the City decided to submit an Asset Inventory Report Form. This document is still needed to fulfill the requirements. Questions should be directed to Lori Dials, Municipal Planning Section, (502) 782-6937, Lori.Dials@ky.gov.

While not required, you may submit plans and specifications to the Water Infrastructure Branch's Engineering section as a maintenance/repair project. A construction permit is not necessary. Questions should be directed to Michael Snyder, Engineering Section, (502) 782-1235, Michael.Snyder@ky.gov.

Best management practices should be utilized to reduce runoff from project construction activities into nearby waters. Questions should be directed to Andrea Fredenburg, Water Quality Branch, (502) 782-6950, Andrea.Fredenburg@ky.gov.

This proposed project is not within a designated Source Water Protection Area. Questions should be directed to Chloe Brantley, Water Supply Section, (502) 782-6898, Chloe.Brantley@ky.gov.

Endorse. Questions should be directed to Daniel Fraley, Field Operations Branch, (606) 783-8655, Daniel.Fraley@ky.gov.

The proposed work is endorsed by the Groundwater Section of the Watershed Management Branch. However, there are domestic groundwater water well users near the proposed work. 401 KAR 6:310 provides minimum standards and requirements for construction, modification, and abandonment of water supply wells. 401 and KAR 6:320 provides for the certification of water well drillers, including the requirements for examination, application, and disciplinary action. Questions should be directed to Scotty Robertson at 502-782-7054 or Scotty.Robertson@ky.gov. It is our recommendation that site be made aware of the requirements of 401 KAR 5:037 and the need to develop a Groundwater Protection Plan (GPP) for the protection of groundwater resources within that area. Questions should be directed to Adam Nolte, Groundwater Section, (502) 782-1312, Adam.Nolte@ky.gov or Kurtis Spears, Groundwater Section, (502) 782- 7119, Kurtis.Spears@ky.gov.

If waters of the Commonwealth are impacted, a Clean Water Act Section 401 Water Quality Certification from the DOW is required for this project. Questions should be directed to Samantha Vogeler, Water Quality Certification Section, (502) 782-6995, Samantha.Vogeler@ky.gov.

This proposed project will require a Kentucky DOW Application for Permit to Construct Across or Along a Stream. Questions should be directed to Shawn Hokanson, Floodplain Management Section, (502) 782-6977, Shawn.Hokanson@ky.gov.

The Division of Enforcement does not object to the project proposed by the applicant. Questions should be directed to Tim Harrod, Division of Enforcement, (502) 782-6858, Timothy.Harrod@ky.gov.

If the construction area disturbed is equal to or greater than 1 acre, the applicant will need to apply for a Kentucky Pollutant Discharge Elimination System (KPDES) storm water discharge permit.

The Kentucky Division of Water supports the goals of EPA's Sustainable Infrastructure Initiative. This Initiative seeks to promote sustainable practices that will help to reduce the potential gap between funding needs and spending at the local and national level. The Sustainable Infrastructure Initiative will guide our efforts in changing how Kentucky views, values, manages, and invests in its water infrastructure. This website, www.epa.gov/waterinfrastructure/, contains information that will help you ensure your facility and operations are consistent with and can benefit from the aims of the Sustainable Infrastructure Initiative. John Poore - Endorse with Comments UST Branch records indicate the following underground storage tank site issues identified within the project impact area:

Active Sites:

Red Hed 34

MASTER AI ID: 52618

LONGITUDE: -82.9805

LATITUDE: 37.335401

Jay Maa Quick Mart

MASTER AI ID: 60254

LONGITUDE: -82.980066

LATITUDE: 37.339318

Closed Sites:

Hindman Car Wash

MASTER AI ID: 2519

LONGITUDE: -82.97914088

LATITUDE: 37.34275642

Rogers Auto Mart

MASTER AI ID: 60231

LONGITUDE: -82.97000527

LATITUDE: 37.3316244

Hayes Gulf

MASTER AI ID: 60259

LONGITUDE: -82.981111

LATITUDE: 37.34

Town Market

MASTER AI ID: 63680

LONGITUDE: -82.98361111

LATITUDE: 37.33416667

If any UST's are encountered during the project construction they should be reported to KDWM. Any UST issues or questions should be directed to the UST Branch.

Superfund Branch records indicate the following superfund site issues identified within the project impact area:

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: 12466

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 03/05/2001

LAT LONG SOURCE: SI

LONGITUDE: -83.001

LATITUDE: 37.32703

Red Hed 34

MASTER AI ID: 52618

SUBJECT ITEM DESIGNATION: 39160
CLOSURE OPTION DESC: Option A No Action Necessary
CLOSURE DATE: 09/10/1998
LAT LONG SOURCE: SI
LONGITUDE: -82.98070899999999
LATITUDE: 37.335269
Ni-Source Mercury Meter Stations - Knott Co
MASTER AI ID: 70509
SUBJECT ITEM DESIGNATION:
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 10/09/2008
LAT LONG SOURCE: SI
LONGITUDE: -82.963725
LATITUDE: 37.330178
Columbia Gas - Knott Co
MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: Gas Pipelines
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 08/11/1991
LAT LONG SOURCE: SI
LONGITUDE: -82.96426799999999
LATITUDE: 37.330402
Kentucky Hydrocarbon Liquified Gas Spill
MASTER AI ID: 127705
SUBJECT ITEM DESIGNATION: Transportation Accident
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/07/1993
LAT LONG SOURCE: SI
LONGITUDE: -82.97106
LATITUDE: 37.331752
Columbia Gas - Knott Co
MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 13922
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/11/2001
LAT LONG SOURCE: SI
LONGITUDE: -82.97874999999999
LATITUDE: 37.332409999999996
Columbia Gas - Knott Co
MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 4931
CLOSURE OPTION DESC: Option A No Action Necessary
CLOSURE DATE: 04/03/2000
LAT LONG SOURCE: SI
LONGITUDE: -82.96472
LATITUDE: 37.3228
Columbia Gas - Knott Co
MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 12497
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/05/2001
LAT LONG SOURCE: SI
LONGITUDE: -82.98331
LATITUDE: 37.33316

Any superfund issues or questions should be directed to the Superfund Branch.

Solid Waste Branch records indicate no active or historic landfill sites within the project impact area. Any solid waste issues or questions should be directed to the Solid Waste Branch.

Hazardous Waste Branch records indicate no hazardous waste issues identified within the project impact area. Any hazardous waste issues or questions should be directed to the Hazardous Waste Branch.

RLA Branch records indicate no RLA tracked open dump sites within the project impact area. Any questions or issues should be directed to the RLA Branch.

All solid waste generated by this project must be disposed of at a permitted facility.

If asbestos, lead paint and/or other contaminants are encountered during this project contact the Division of Waste Management for proper disposal and closure.

The information provided is based on those facilities or sites that KDWM currently has in its database. If you would like additional information on any of these facilities or sites, you may contact the file room custodian at (502) 782-6357. Please keep in mind additional locations of releases, potential contamination or waste facilities may be present but unknown to the agency. Therefore, it is recommended that appropriate precautions be taken during construction activities. Please report any evidence of illegal waste disposal facilities and releases of hazardous substances, pollutants, contaminants or petroleum to the 24-hour Environmental Response Team at 1-800-928-2380.

Department for Local Government

Lee Nalley

ENDORSED

Department of Housing, Buildings and Construction

Kevin Carlin

The Department of Housing Buildings and Construction, Division of Building Code Enforcement, has no comments concerning this proposed project. A building permit from this office is not required.

Division of Enforcement

Tim Harrod

The Division of Enforcement does not object to the project proposed by the applicant.

Tim Harrod, Enforcement Specialist

Division of Enforcement

Timothy.Harrod@ky.gov

Division of Water

Andrea Fredenburg

Best management practices should be utilized to reduce runoff from project construction activities into nearby waters.

DOW

Daniel Fraley

Endorse

Fish and Wildlife

Dan Stoelb

Based on the information provided, the Kentucky Department of Fish & Wildlife Resources has no comments concerning the proposed project. Please contact Dan Stoelb @ 502-892-4453 or Daniel.Stoelb@ky.gov if you have further questions or require additional information.

Kentucky Division of Water

Chloe Brantley

Project filed.

Kentucky Division of Water

Michael Snyder

Not required but you may submit plans/specifications to the WIB-Engineering section as a maintenance/repair project. No construction permit is necessary.

Kentucky Division of Water, Water Quality Certification

Samantha Vogeler

If waters of the Commonwealth are impacted, a Clean Water Act Section 401 Water Quality Certification from the Division of Water is required for this project. Questions should be directed to Samantha Vogeler, Project Manager, at Samantha.Vogeler@ky.gov or (502) 782-6995.

Kentucky Infrastructure Authority

Don Schierer

This project was reviewed in the WRIS Portal by KIA staff.

Kentucky River ADD

Jennifer McIntosh

KY River ADD has reviewed the project and it matches the project profile submitted to the WMC. The ADD asks that upon completion a copy of the as-builts be submitted digitally so that the WRIS may be updated.

Kentucky River Area Development District

Angelia Hall

KRADD has no concerns with the proposed project.

KY Division of Water

Lori Dials

A meeting was conducted on 11/14/18 to determine the best course for the City of Hindman to fulfill the wastewater planning requirements for regional planning agencies, 401 KAR 5:006 and the City decided to submit an Asset Inventory Report Form. This document is still needed to fulfill the requirements.

KY Division of Water

Allan Shingleton

This proposed project will require a Kentucky Division of Water Application for Permit to Construct Across or Along a Stream. Questions should be directed to Shawn Hokanson at 502-782-6977 or Shawn.Hokanson@ky.gov.

This proposed project is not within a designated Source Water Protection Area. Questions should be directed to Chloe Brantley at 502-782-6898 or Chloe.Brantley@ky.gov

KY Heritage Council

Yvonne Sherrick

To receive a review from the KY Heritage Council/State Historical Preservation Office (SHPO) you must follow the instructions located on their website at <http://www.heritage.ky.gov/siteprotect/> . There you will find the required documents for the Section 106 Review and Compliance for 36 CFR Part 800. This Section 106 submission process to SHPO will assist applicants and agencies in providing the appropriate level of information to receive comments from SHPO. If you have any questions please contact Yvonne Sherrick, Administrative Specialist III, (502) 564-7005, Ext. 113, yvonne.sherrick@ky.gov.

Please note: If your project is funded through Transportation Alternative (TAP), Transportation Enhancements (TE), Congestion, Mitigation, Air Quality (CMAQ), or Safe Routes to School (SRTS) you will need to send this information to Michael Jones, Historic Preservation Program Administrator with the Kentucky Transportation Cabinet via email MichaelR.Jones2@ky.gov or hard copy to Michael Jones, Office of Local Programs, KY Transportation Cabinet, 200 Mero Street Frankfort, KY 40622. Do not send materials directly to SHPO if your project involves funding from these four sources as it will cause delays in the review process. Michael Jones will consult directly with the SHPO on projects with these funding sources to complete the Section 106 review.

KY. Division of Water

Kurtis Spears

The proposed work is endorsed by the Groundwater Section of the Watershed Management Branch. However, there are domestic groundwater water well users in the vicinity of the proposed work. 401 KAR 6:310 provides minimum standards and requirements for construction, modification, and abandonment of water supply wells. 401 and KAR 6:320 provides for the certification of water well drillers, including the requirements for examination, application, and disciplinary action. Questions should be directed to Scotty Robertson at 502-782-7054 or Scotty.Robertson@ky.gov It is our recommendation that site be made aware of the requirements of 401 KAR 5:037 and the need to develop a Groundwater Protection Plan (GPP) for the protection of groundwater resources within that area. Questions should be directed to Adam Nolte (502-782-1312) or Kurtis Spears (502-782-7119).

KYTC DISTRICT 12
Samuel Hale

Notify the Permit Office of the Transportation Cabinet at 109 Loraine Street Pikeville, KY 41501 (606) 433-7791 before working on or near the highway right of way.

Exhibit 2
State Historic Preservation Officer (SHPO)
Correspondence



ANDY BESHEAR
GOVERNOR

**TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL**

MICHAEL E. BERRY
SECRETARY

JACQUELINE COLEMAN
LT. GOVERNOR

THE STATE HISTORIC PRESERVATION OFFICE

410 HIGH STREET
FRANKFORT, KENTUCKY 40601
(502) 564-7005

www.heritage.ky.gov

December 3, 2020

CRAIG A. POTTS
EXECUTIVE DIRECTOR &
STATE HISTORIC PRESERVATION OFFICER

Shannon Ritchie
Ky River Area Development Dist.
941 N. Main St.
Hazard, KY 41701

Re: **City of Hindman-Hindman Lift Station Repair Project, Knott Co., KY**

Dear Ms. Ritchie:

Our review indicates that the proposed project will not impact any properties or sites that are listed in or eligible for the National Register of Historic Places. The proposed project should not require an archaeological survey or cultural historic survey.

In the event that human remains are encountered during project activities, all work should be immediately stopped in the area. The area should be cordoned off, and in accordance with KRS 72.020 the county coroner and local law enforcement must be contacted immediately. Upon confirmation that the human remains are not of forensic interest, the unanticipated discovery must be reported to the Kentucky Heritage Council.

Should the project plans change, or should additional information become available regarding cultural resources or citizens' concerns regarding impacts to cultural resources, please submit that information to our office as additional consultation may be warranted. Should you have any questions, feel free to contact Nick Laracuente of my staff at nicolas.laracuente@ky.gov.

Sincerely,

Craig A. Potts,
Executive Director and
State Historic Preservation Officer

CP:nrl KHC #60215



An Equal Opportunity Employer M/F/D



Kentucky River

AREA
DEVELOPMENT
DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

November 13, 2020

Mr. Craig Potts
Executive Director/State Historic Preservation Officer
Kentucky Heritage Council
300 Washington Street
Frankfort, KY 40601

RE: City of Hindman – Hindman Lift Station Repair Project

Dear Mr. Potts:

The City of Hindman is in the process of conducting an environmental review pursuant to the State Environmental Review Process for the Economic Development Administration. The purpose of the review is to assess the environmental impacts of the Hindman Lift Station Repair Project located in Knott County, Hindman, Kentucky.

Enclosed is the KHC cover sheet for Section 106 Review and Compliance containing project information. Also enclosed you will find project maps and photographs of the project site including anything over 50 years of age visible from the project site.

As documented by the maps and supporting documentation enclosed, there will be minimal ground disturbance to previously the disturbed right-of-way or existing easements. Due to the nature of the project, we feel that there will be no effect on properties eligible for the Historic Register or on any historical structures. Please advise us of any present concerns your office may have related to the possible effects of the above mentioned project.

We would appreciate a response within 30 days, if possible. If you need any further information or wish to discuss the project, please feel free to contact me at (606) 436-3158 or by email at shannonr@kradd.org.

Sincerely,

Shannon Ritchie
Community and Economic Development Specialist

enclosures
cc: City of Hindman

CHAIRMAN
Mayor
Tracy Neice

VICE-CHAIRMAN
Gregory Whitson

TREASURER
Mayor
Laura Thomas

SECRETARY
Judge Executive
Chuck Caudill, Jr.

PARLIAMENTARIAN
Fred Hall

BOARD OF DIRECTORS

County Judge Executives

Jeff Noble - Breathitt County
Jeff Dobson - Knott County
Chuck Caudill, Jr. - Lee County
William R. Lewis - Leslie County
Terry Adams - Letcher County
Cale Turner - Owsley County
Scott Alexander - Perry County
Raymond Banks - Wolfe County

Mayors

Laura Thomas - Jackson
Tracy Neice - Hindman
Scott Cornett - Pippa Passes
Scott Jackson - Beattyville
Carol Joseph - Hyden
Susan Polis - Fleming-Neon
James W. Craft - Whitesburg
Todd DePriest - Jenkins
Nelson Bobrowski - Booneville
Ernest Back - Vicco
Donald "Happy" Mobelini - Hazard
Tom Burns - Buckhorn
Kathi May - Campton

Citizen Members

Roy Darrell Herald
Gary Campbell
Ray D. Moore
Larry Parke
Larry Perkins
Zach Sandlin
Everett Marshall
Doug Brandenburg
Hiram Cornett
Eugene Stewart
Fred Hall
Jack Burkich
Dale Bishop
Derrick Bowling
Lonnie Brewer
Gregory Whitson
Meriwether Wash-Hall
Pam Pilgrim
Shirley Halcomb

Executive Director

Michelle Allen

E-Mail: michelle@kradd.org
FAX NUMBER 606-436-3154
TDD NUMBER 1-800-247-2510
(Hearing Impaired)

KENTUCKY HERITAGE COUNCIL COVER SHEET FOR SECTION 106 REVIEW AND COMPLIANCE

When federal (and some state) funds, permits or approvals are needed for a project, regulations such as 36 CFR Part 800 require agencies or their delegates to consult with the Kentucky Heritage Council/State Historic Preservation Office regarding the project's potential effects on historic properties. To facilitate our review, please provide the following information and applicable attachments. Our office will generate a response within 30 days of receipt. Incomplete submissions may result in review delays.

SECTION 1: APPLICANT INFORMATION

Project Sponsor or Applicant: City of Hindman

Contact Person (name & position): Angelia Hall - Community and Economic Development Associate Director

Telephone: (606) 436-3158 **E-mail:** angelia@kradd.org

Project Title: Hindman Lift Station Repair Project

SECTION 2: AGENCY INFORMATION

Funding/Permitting Agency: Appaliachian Regional Commission

Agency Contact Person (name & position): Scott Sharp, ARC Program Manager

Telephone: (502) 892-3476 **E-mail:** scott.sharp@ky.gov

SECTION 3: PROJECT LOCATION

E911 Street Address (or other description): 26 Push Back Branch

City/Township: Hindman **County:** Knott

Latitude: 37°19'46.015"N **Longitude:** -83°0'0.007"W

SECTION 4: PROJECT TYPE (please check all that apply)

Proposed Activity: Demolition Rehabilitation Structural Relocation Trails

New Construction Land and/or Building Acquisition Sewer/Water Lines Roads/Bridges

Non-Construction Planning/Refinancing Other (describe):

SECTION 5: IDENTIFICATION OF KNOWN HISTORIC PROPERTIES

KHC Preliminary Site Check #: 63206946 **OSA Preliminary Site Check #:** 274688

If your project involves ground disturbance, has the site been previously disturbed?

Yes (describe in detail below) No

This project will repair 6 lift stations in the City of Hindman Sewer System. The lift stations include the Cowntown Lift Station, Bob Pigman Lift Station, WWTP Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. The pumps will be replaced with the same pump size, wetwell rails will be installed, the piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels with a local disconnect added to each. If funding allows the Trigger Lift Station and the College Lift Station will also be rehabbed.

Is there anything over 50 years of age in or visible from the project location? Yes No

SECTION 6: ATTACHMENTS

Please attach the following documentation as applicable: All documentation should be labeled with the project name or site address.

- Clear, current photographs of the project site and anything over 50 years of age in or visible from it.
- Site map/plan indicating the exact location and boundaries of the project area.
- Detailed description of the project (may include plans, scope of work, and other available information.)
- Documentation of prior ground disturbance (e.g. maps, photographs, underground utility plans, etc.)
- Any known information about the history/use of the property and local significance.

We are unable to accept electronic submissions at this time. Please submit all information to **Craig Potts, Executive Director/SHPO, Kentucky Heritage Council, 300 Washington St., Frankfort, KY 40601.**

Project Description

This project will repair 5 lift stations in the City of Hindman Sewer System. The lift stations include the Cowtown Lift Station, Bob Pigman Lift Station, WWTP Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. The pumps will be replaced with the same pump size, wetwell rails will be installed, the piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels with a local disconnect added to each. If funding allows the Trigger Lift Station and the College Lift Station will also be rehabbed.

Kentucky Office of State Archaeology

University of Kentucky, 1020A Export Street, Lexington, KY 40506
Phone:859-257-1944 Fax:859-323-1698 email:ky-osa@lsv.uky.edu

**Confidential Information
Not for Public Release**

Preliminary Records Review Coversheet

Date Request Processed: 10/20/2020

Preliminary Review Number: 274688

Paid via: Check (Check No.:)

Credit Card (Transaction ID: 1572679768)

If you have any questions, please contact KyOSA at (859)257-1944 or ky-osa@lsv.uky.edu.

Kentucky Office of State Archaeology

University of Kentucky, 1020A Export Street, Lexington, KY 40506

Phone:(859)257-1944 Fax: (859)323-9866 Email: ky-osa@uky.edu

Confidential Information; Not for Public Release

Prelim Request Number: 274688

Title: Repair 5 Lift Stations in the City of Hindman Sewer system

This report includes only previously recorded archaeological resources within your project area and its immediate vicinity and may not be exhaustive of all archaeological resources actually present. This information does not constitute Section 106 consultation or 'clearance' from the KHC/SHPO.

Date Request Filled: 10/20/20

There are **no previously recorded archaeological sites** within your project area or an additional 30 m buffer.

Archaeological Project Areas

060-052 579529 1993 Creasman, Steven D.

An Archeological Survey of the Proposed Hindman Sewage Treatment Plant Expansion, Knott County, Kentucky

Kentucky Heritage Council

Site Identification Program

410 High Street, Frankfort, KY 40601

Confidential Information Not for Public Release

This information report includes only those historic resources within or near the project area that have been previously recorded with the Site Identification Program of the Kentucky Heritage Council and may not be exhaustive of all historic resources that are actually present. Note: this information report does not constitute Section 106 consultation or "clearance" from the KHC/SHPO.

KHC Preliminary Request #: 63206946

Date: 10/19/2020

KHC National Register Districts

DISTRICT NAME

HINDMAN HISTORIC DISTRICT

Page 1 of 1

Please note that those resources for which National Register status is listed as 'undetermined' may include those that have been previously determined eligible for listing in the National Register of Historic Places as part of a consensus determination between the SHPO and a Federal agency, but for which the determination field has not yet been updated.

Kentucky Heritage Council

Site Identification Program

410 High Street, Frankfort, KY 40601

Confidential Information Not for Public Release

This information report includes only those historic resources within or near the project area that have been previously recorded with the Site Identification Program of the Kentucky Heritage Council and may not be exhaustive of all historic resources that are actually present. Note: this information report does not constitute Section 106 consultation or "clearance" from the KHC/SHPO.

KHC Preliminary Request #: 63206946

Date: 10/19/2020

KHC Historic Resources

Name	Location	Est. Construction	Architectural Style
COMMERCIAL BLDG #EL#	27 E MAIN ST HINDMAN KY	1925-1949	N/R DISTRICT CONTRI. SITE
PROFESSOR CLARKE'S HOUSE	15 E MAIN ST HINDMAN KY	1925-1949	N/R DISTRICT CONTRI. SITE
CAMPBELL BLDG	10 E MAIN ST HINDMAN KY	1925-1949	N/R DISTRICT CONTRI. SITE
BRIDGE	KY 550 (MAIN ST) IN HINDMAN OVER LEFT FORK OF TROUBLESOME CREEK	1925-1949	MEETS N/R CRITERIA
COMMERCIAL BUILDING	SE SIDE OF MAIN ST (KY 550) 1ST BUILDING 5 OF CREEK HINDMAN	1950-1974	UNDETERMINED

Page 1 of 3

Please note that those resources for which National Register status is listed as 'undetermined' may include those that have been previously determined eligible for listing in the National Register of Historic Places as part of a consensus determination between the SHPO and a Federal agency, but for which the determination field has not yet been updated.

Name	Location	Est. Construction	Architectural Style	NR Status
MARTIN BLDG	HINDMAN 41-43 W MAIN ST HINDMAN KY	1925-1949		N/R DISTRICT CONTRI. SITE
FRANCIS BLDG	47 W MAIN ST HINDMAN KY	1925-1949		N/R DISTRICT CONTRI. SITE
JOHN W COMBS HOUSE SITE (DEMOLISHED)	MAIN	1900-1924		DEMOLISHED
BANK	KY 80	1925-1949		UNDETERMINED
YOUNG'S DEPT STORE & HOTEL	18 W MAIN ST HINDMAN KY	1925-1949		N/R DISTRICT CONTRI. SITE
ELIZABETH WATTS SCHOOL BUILDING (DEMOLISHED)	KY 160 .3 M E OF JUNCT W/KY 80	1900-1924		DEMOLISHED
KNOTT COUNTY COURTHOUSE	54 W MAIN ST HINDMAN KY	1925-1949		N/R DISTRICT CONTRI. SITE
KENTUCKY SCHOOL OF CRAFT/ OLD KNOTT CO BOARD OF ED	56 EDUCATION LN HINDMAN KY	1925-1949		N/R DISTRICT CONTRI. SITE
HINDMAN BEN FRANKLIN STORE (CONTRIB-	16 W MAIN ST HINDMAN KY	1900-1924		NATIONAL REGISTER

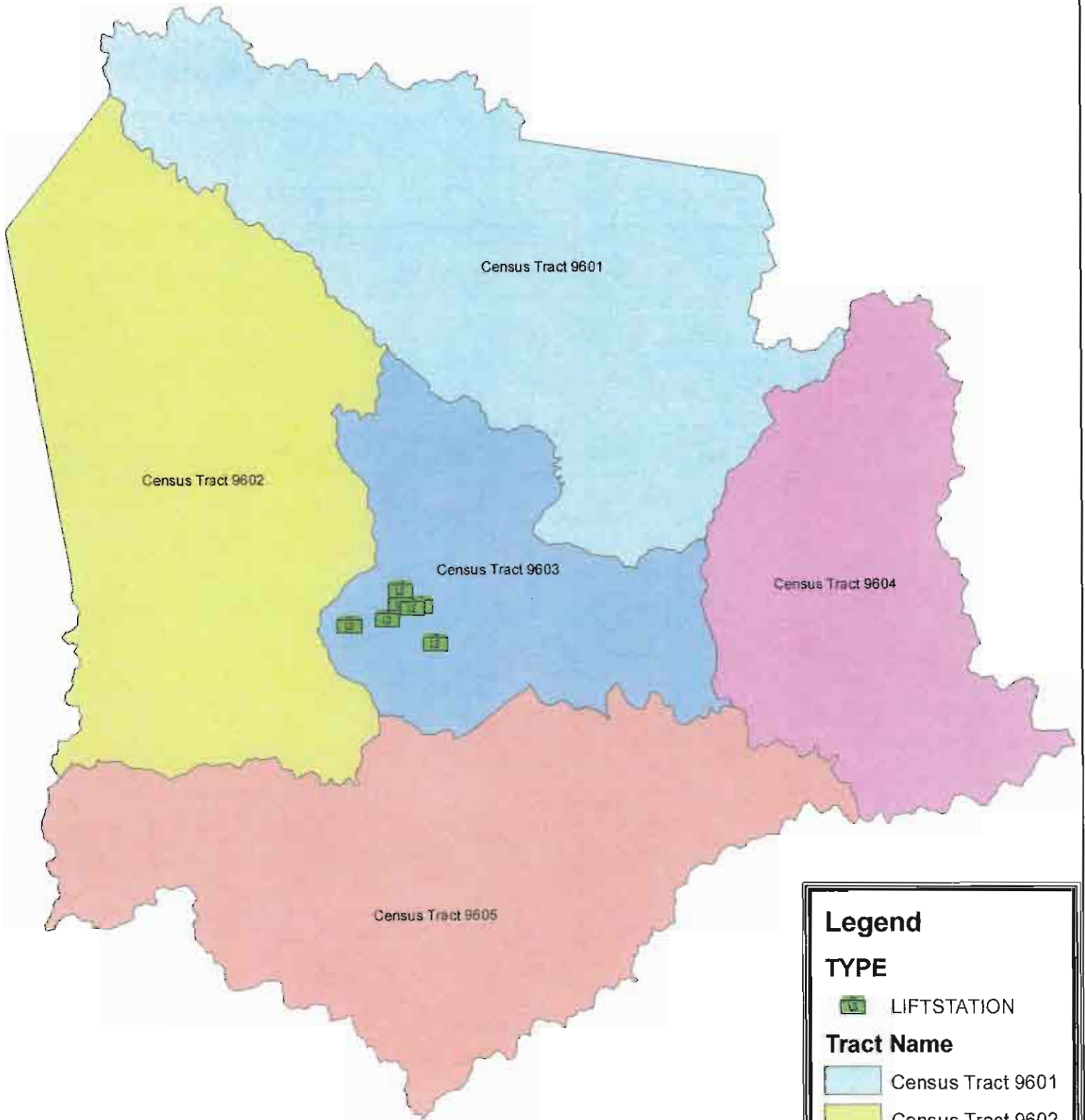
Please note that those resources for which National Register status is listed as 'undetermined' may include those that have been previously determined eligible for listing in the National Register of Historic Places as part of a consensus determination between the SHPO and a Federal agency, but for which the determination field has not yet been updated.

Name	Location	Est. Construction	Architectural Style	NR Status
HINDMAN HD)				
JAMES STILL LEARNING CENTER	254 S HWY 160 HINDMAN KY	1925-1949		N/R DISTRICT CONTRI. SITE
LOGAN RISNER/ROBERT YOUNG HOUSE	KY 60 1 M SE OF HINDMAN	1900-1924		UNDETERMINED
BECKHAM COMBS HOUSE	45 EDUCATION LN HINDMAN KY	1900-1924		N/R DISTRICT CONTRI. SITE
MORGAN'S RAID PLAQUE	HINDMAN; E OF ELEMENTARY SCHOOL	1950-1974		UNDETERMINED
VACANT LOT #EL#	58 PROFESSOR CLARKE CIR HINDMAN KY			N/R DISTRICT NON-CONTRIB.
CODY BLDG #EL#	30 W MAIN ST HINDMAN KY	1950-1974		N/R DISTRICT NON-CONTRIB.
COMMERCIAL BLDG #EL#	28 BAILEY ST HINDMAN KY	1925-1949		N/R DISTRICT CONTRI. SITE
COMMERCIAL BLDG #EL#	30 BAILEY ST HINDMAN KY	1925-1949		N/R DISTRICT CONTRI. SITE
BRIDGE	SARAH EVERAGE BR OVER TROUBLESOME CK	1975-2000		MEETS N/R CRITERIA
HOUSE	8 COWTOWN RD	1925-1949		MEETS N/R CRITERIA

Page 3 of 3

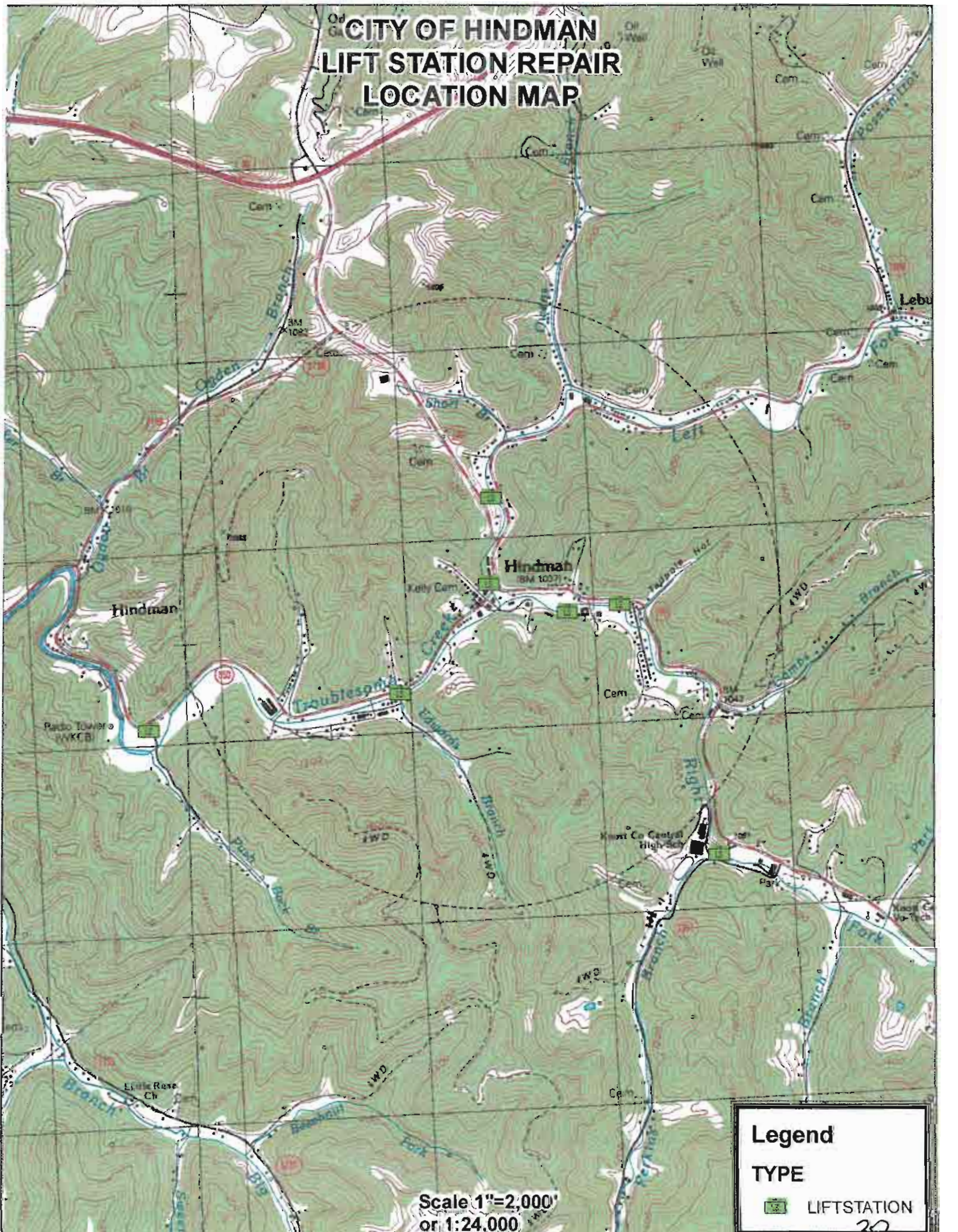
Please note that those resources for which National Register status is listed as 'undetermined' may include those that have been previously determined eligible for listing in the National Register of Historic Places as part of a consensus determination between the SHPO and a Federal agency, but for which the determination field has not yet been updated.

CITY OF HINDMAN LIFT STATION REPAIR CENSUS TRACT MAP



Legend	
TYPE	
	LIFTSTATION
Tract Name	
	Census Tract 9601
	Census Tract 9602
	Census Tract 9603
	Census Tract 9604
	Census Tract 9605

CITY OF HINDMAN LIFT STATION REPAIR LOCATION MAP



Scale 1"=2,000'
or 1:24,000

Legend	
TYPE	
	LIFTSTATION

32

CITY OF HINDMAN LIFT STATION REPAIR FLOODPLAIN MAP



Legend

TYPE

- LIFTSTATION

FLOODWAY

- FLOODWAY

FEMA DFIRM - Floodplain

FLD_ZONE

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE

CITY OF HINDMAN LIFT STATION REPAIR WETLANDS MAP




Legend


TYPE


 LIFTSTATION

National Wetland Inventory Polygons

WETLAND_TYPE

 Freshwater Emergent Wetland

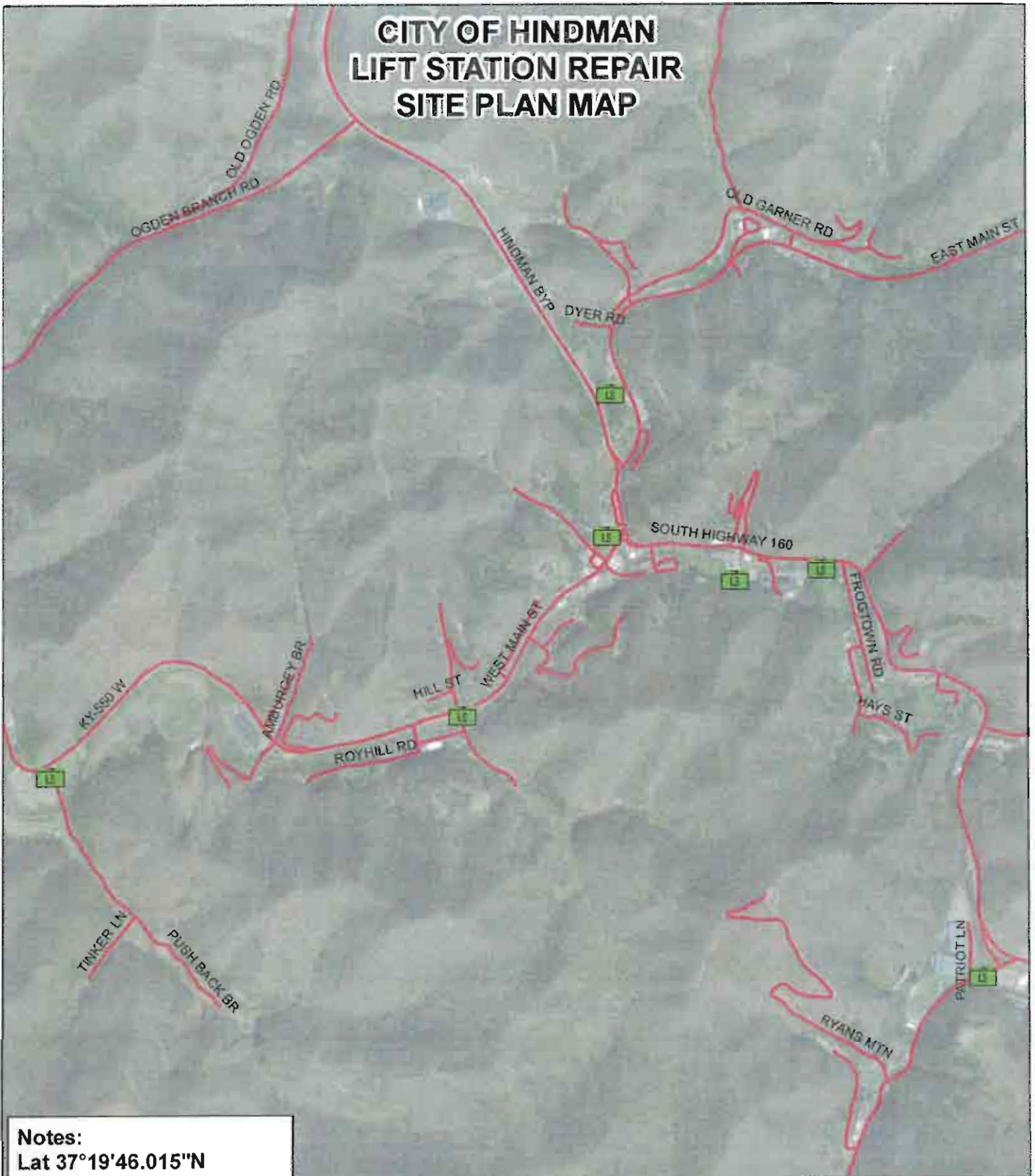
 Freshwater Forested/Shrub Wetland

 Freshwater Pond



 Lake

 Riverine

CITY OF HINDMAN LIFT STATION REPAIR SITE PLAN MAP



Notes:
 Lat 37°19'46.015"N
 Long -83°0'0.007"W
 Address 26 Puch Back Br
 Hindman, KY 41822
 Quad Name Hindman
 Tile Name P54
 Quad Name Carrie
 Tile Name P53

Legend	
TYPE	
	LIFTSTATION
	Knott Roads

41

Source: Esri, DeLorme, Globe, GeoEye, Earthstar, United States, AeroGRID, IGN, and the GIS User Community

27 East Main Street Hindman, KY.



27 East Main Street Hindman, KY – Aerial View



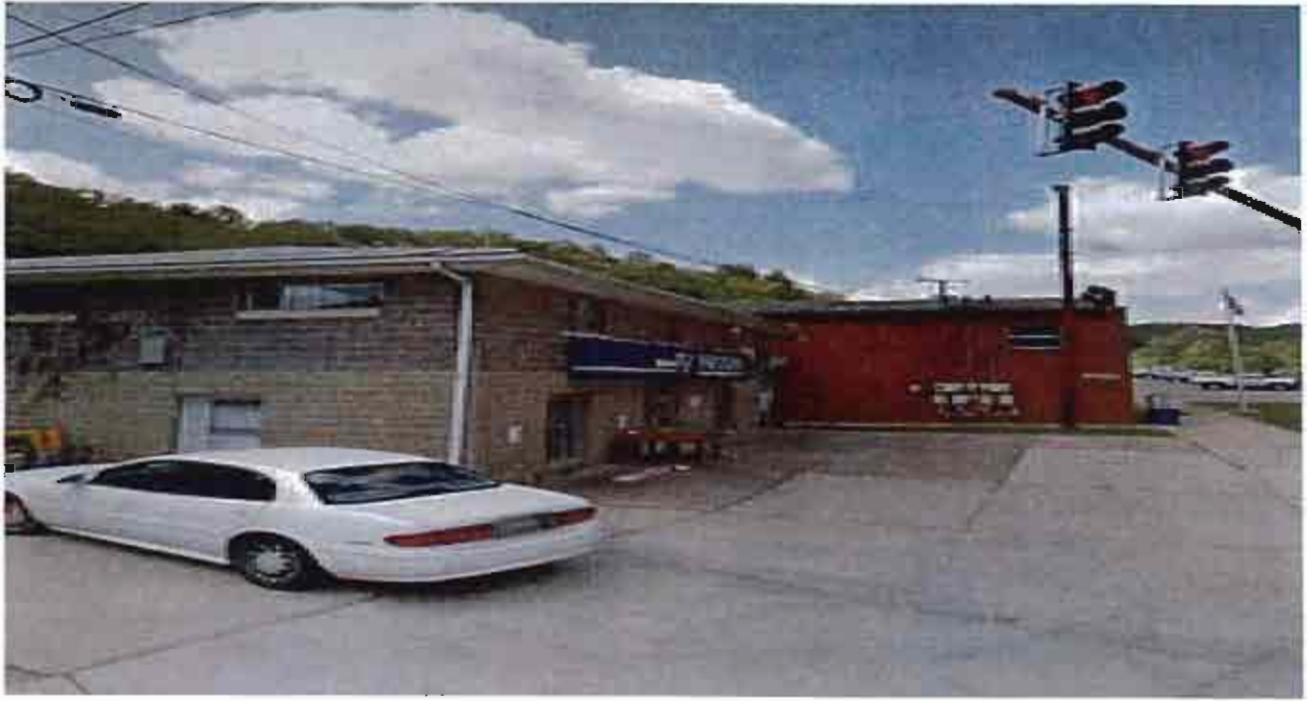
27 East Main Street – Side View



15 East Main Street Hindman, KY.



15 East Main Street Hindman, KY. – Side View



10 East Main Street Hindman, KY.



KY 550 Bridge



Sideview from KY 550 Bridge



1st Building SE Side of Main Street



Front View of Building on SE Side of Main Street



41-43 West Main Street Hindman, KY.



47 West Main Street Hindman, KY.



John W. Combs House Site – Demolished



KY 80 – Bank



View from KY 80 - Bank



18 West Main Street Hindman, KY.



Where the Elizabeth Watts School Building use to set – Demolished – Front View



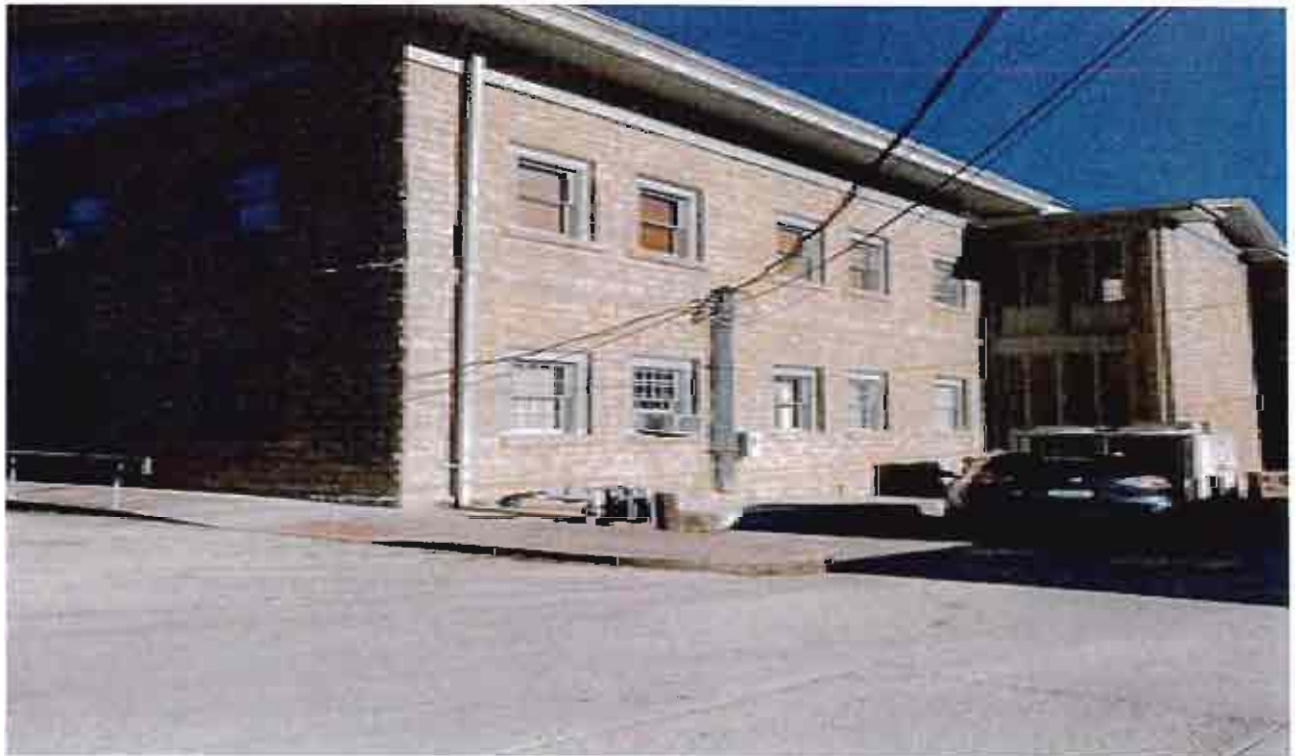
Side View where Elizabeth Watts School Building use to set



4 West Main Street Hindman, KY.



Rear view of the Court House



56 Education Lane Hindman, KY. – Front View



56 Education Lane Hindman, KY. – Side View



16 West Main Street Hindman, KY



254 South HWY 160 Hindman, KY. – Front View



254 South HWY 160 Hindman, KY. – Front View



Logan Risner/Robert Young House (Demolished – Vacant Lot)



45 Education Lane Hindman, KY.



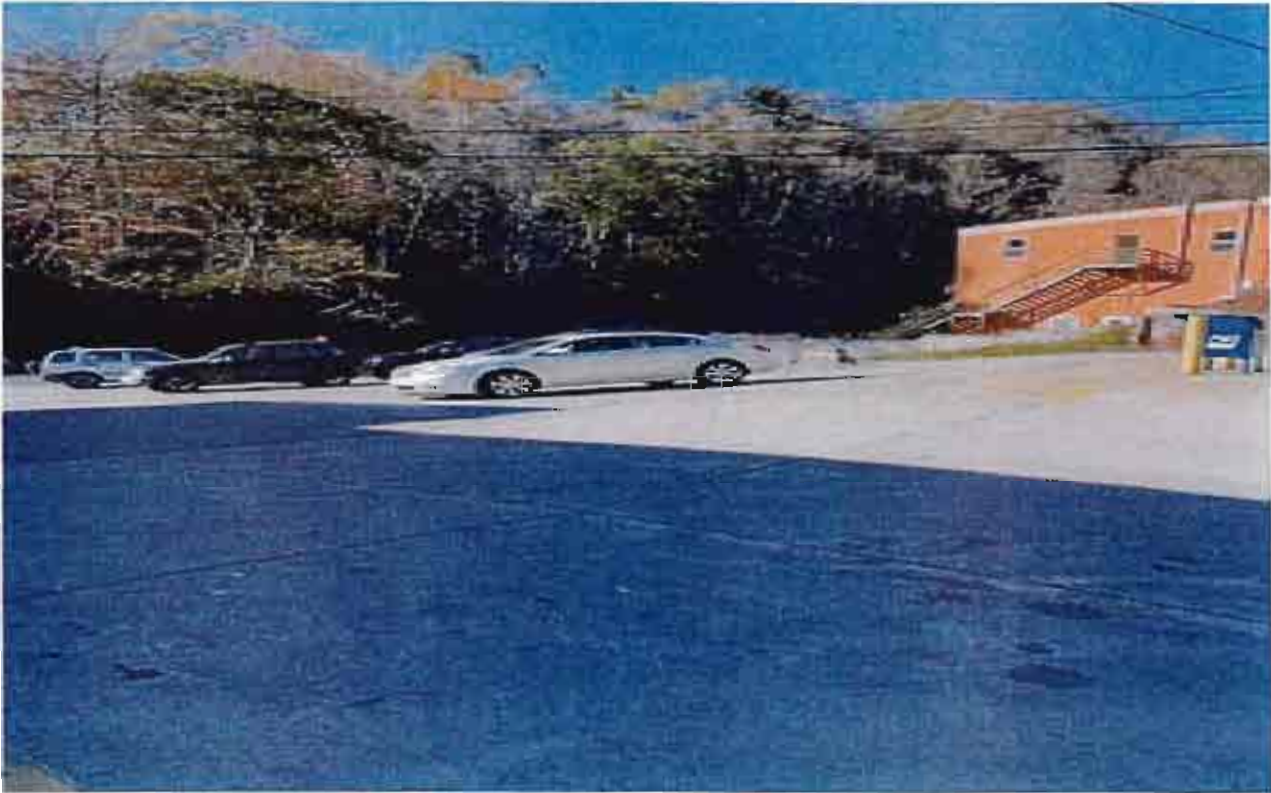
Side View of Education Lane Hindman, KY



Morgan's Raid Plaque



58 Professor Clark Circle Hindman, KY.



30 West Main Street Hindman, KY.



28 Bailey Street Hindman, KY.



Side view of 28 Bailey Street



30 Bailey Street Hindman, KY.



Side view of 30 Bailey Street



Sarah Everage Bridge



8 Cowntown Road Hindman, KY.



Rear View of 8 Cowntown Road



Side View of 8 Cowtown Road



Hindman Student Ministries – 150 West Main Street Hindman, KY.



WWTP Lift Station – North View



WWTP Lift Station – South View



WWTP Lift Station – East View



WWTP – West View



High School Lift Station – North View



High School Lift Station – South View



High School Lift Station – East View



High School Lift Station – West View



Bob Pigman Lift Station – North View



Bob Pigman Lift Station – South View



Bob Pigman Lift Station – West View



Bob Pigman Lift Station – East View



Triggers Lift Station – North View



Triggers Lift Station – South View



LA

Triggers Lift Station – East View



Triggers Lift Station – West View



College Lift Station – North View



College Lift Station – South View



College Lift Station – East View



College Lift Station – West View



Post Office Lift Station – West



Post Office Lift Station – East



Post Office Lift Station – North



Post Office Lift Station – South



Cowtown Lift Station – East View



Cowtown Lift Station – South View



Cowtown Lift Station – North View



Cowtown Lift Station – West View



Exhibit 3
Floodplain and Wetland Correspondence
Maps and Data

**Floodplain and Wetland Notice of Explanation
Activity in a 100-Year Floodplain**

To: All interested Agencies **all Federal, State, and Local** Groups and Individuals

This is to give notice that the **City of Hindman under 24 CFR Part 58** has conducted an evaluation as required by **Executive Order 11988 and/or 11990**, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its project in the floodplain and wetland will have on the human environment for **Hindman Lift Station Repair Project** under **WX21119016**. The proposed project is located at multiple locations in the City of Hindman, Knott County, Kentucky. The purpose of this project is to improve sewer service to the customers of Knott County, Kentucky. In doing so, 460 households will receive improved sewer services in the City of Hindman.

The City of Hindman has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: The City of Hindman evaluated alter natives. The first option is to continue making repairs to the lift stations, but that would not be cost efficient. The second option is to do nothing and continue operations, but that is not feasible. The third option is to construct the project as designed. **Part of the project may be in the 100-year floodplain as designated by the September 16, 2015 FEMA Floodplain Maps; with very minimal impacts to the floodplain areas.**

The City of Hindman has re-evaluated the alternatives to building in the floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of [**Executive Order 11988 and/or 11990**], are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments. This activity will have no significant impact on the environment for the following reasons:

The construction of the Hindman Lift Station Repair Project in the floodplain areas will disturb very minimal surface area during construction, as it is a repair project. The project will repair 5 Lift Stations in the City of Hindman Sewer system. The Lift Stations include the Cowtown Lift Station, Bob Pigman Lift Station, WWTP Lift Station, Knott County Central Lift Station and the Post Office Lift Station. The pumps will be replaced with the same pump size, wetwell rails and piping will be replaced, the valve vault will be rehabbed and the valves replaced, the Control panels will be replaced and a local disconnect added to each and any other issues discovered during the construction will be replaced as needed. If funding allows the Trigger LS and College LS will also be rehabbed. Once completed the project will not impede the floodplain. This is the most economical and least environmentally impacting alternative considered.

Written comments must be received by the **Kentucky River Area Development District** at the following address on or before **December 11, 2020: Kentucky River Area Development District, 941 North Main Street Hazard, KY 41701 and (606) 436-3158, Attention: Shannon**

Ritchie, Community and Economic Development Specialist, during the hours of **8am-4:30pm Monday through Friday**. Comments may also be submitted via email at shannonr@kradd.org.

Date: November 26, 2020

NEWSPAPER AFFIDAVIT

I, Sharon K. Hall of the TROUBLESOME CREEK TIMES newspaper, published at HINDMAN, KENTUCKY, and having the largest general circulation of any newspaper in KNOTT COUNTY, KENTUCKY, do hereby certify from my own knowledge and a check of the files of this newspaper, that the advertisement of:

Floodplain & Wetland Notice of Explanation

For Kentucky River Area Development District

was inserted in the TROUBLESOME CREEK TIMES on the following dates:

Date Nov 26, 2020 Page 8 Column 1, 2, 3

Date _____ Page _____ Column _____

Date _____ Page _____ Column _____

Date _____ Page _____ Column _____

Signature Sharon K Hall

Subscribed and sworn before me on this 10 day of December, 2020, by the above.

NOTARY PUBLIC Jeremy Turner Bell

My commission expires October 23, 2023

Bond Releases

NOTICE OF BOND RELEASE Pursuant to Application Number 860-0412

In accordance with the provisions of KRS 350.035, notice is hereby given that the...

The application covers an area of approximately 161.80 acres located 1.2 miles east of...

The bonds now in effect are letters of credit for increment 1. In the amount of \$1,600,000, \$14,300,000, \$5,700,000, \$3,000,000 and \$35,300,000 and increment 6 in this amount of \$32,800,000 and \$31,200,000.

Reclamation work performed includes backfilling, grading and initial seeding completed in May 2016.

Written comments, objections, and requests for a public hearing or informal conference must be filed with the Director, Division of Mine Reclamation and Enforcement, Hazard Regional Office, 356 Village Lane, Hazard, Kentucky 47027.

Written comments, objections, and requests for a public hearing or informal conference must be filed with the Director, Division of Mine Reclamation and Enforcement, Hazard Regional Office, 356 Village Lane, Hazard, Kentucky 47027.

Our Classified Ads Start at only \$7.50 Call to place your ad today!

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Kentucky Public Service Commission (KPS-C) will conduct a public hearing regarding the...



OPEN HOUSE

37 Dulles Branch Road in Downtown Hindman, December 1, 9 am - 4 pm.

Residential or Commercial Ideal location for law or medical office. 9 rooms, 2145 sq. ft. Brick home with many to park. 7 car garage.

Call 866-785-3007

Hazard Community & Technical College Vacancy



Tool & Die Instructor (10-month contract) Teach courses in the Machine Tool/Die Casting/Tool & Die Fabrication program.

Applicants may obtain additional information at www.kctcs.edu

PUBLIC MEETING NOTICE

Recovery and Resilience Mitigation Due to Covid-19 Thursday, December 10, 2020, at 9:30 AM via Zoom

The Kentucky River Area Development District will hold a virtual public meeting on Thursday, December 10, 2020 at 9:30 AM via Zoom.

Each Area Development District has been charged with writing a non-natural disaster mitigation plan to assist each ADB region in recovering and building resilience from the coronavirus (Covid-19) and to complement the current Hazard Mitigation Plan.

To join audio only: Dial by your location 1-846-558-8656 (New York) Meeting ID: 826 2072 8504 Passcode: 652782

The meeting will be live streamed on the following Facebook page: https://www.facebook.com/KRAD-public-meetings-101269161542676

Floodplain and Wetland Notice of Explanation

Activity in a 100-Year Floodplain

To: All Interested Agencies (all Federal, State, and Local Groups and Individuals)

This is to give notice that the City of Hindman under 24 CFR Part 58 has conducted an evaluation as required by Executive Order 11988 and/or 11990, in accordance with HUD regulations of 24 CFR 58.20 Subpart C Procedures for Making Determinations on Floodplain Management.

The City of Hindman has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values.

The construction of the Hindman Lift Station Repair Project in the floodplain areas will disturb very minimal surface area during construction, as it is a repair project. The project will repair 5 Lift Stations in the City of Hindman Sewer system.

Public comments may be received by the Kentucky River Area Development District at the following address: 11988 and/or 11990, are available for public inspection review and copying upon request at the times and location identified in the last paragraph of this notice for receipt of comments.

COMBINED NOTICE

NOTICE TO PUBLIC OF NO SIGNIFICANT IMPACT ON THE ENVIRONMENT AND NOTICE TO PUBLIC OF REQUEST FOR RELEASE OF FUNDS

Date: November 26, 2020 Troublesome Creek Environmental Authority (Name of Applicant) 941 North Main Street, Hazard KY 47027 (606) 426-3251 (Bureau City, Zip Code) (Telephone #)

This notice shall satisfy the separate but related procedural requirements for the activities to be undertaken by the Troublesome Creek Environmental Authority

TO ALL INTERESTED AGENCIES, GROUPS, AND PERSONS:

Request for Release of Funds On or about December 14, 2020, the Troublesome Creek Environmental Authority will submit a request to the Department for Local Government for the release of Community Development Block Grant (CDBG) funds under Title 1 of the Housing and Community Development Act of 1974 (PL 93-383) to undertake the following project:

Drainage Port/Water and Sewer Collection (Project Title or Name) Construction of water and sewer lines to the USA Drone Port (Purpose or Nature of the Project) Hazard, Knott County, Kentucky (Location - City, County, State - of Project) 9402 (Census Tract(s))

Finding of No Significant Impact

The Troublesome Creek Environmental Authority has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) (PL-91-190) is not required.

Public Comments

All interested agencies, groups, and persons disagreeing with the EIR decision are invited to submit written comments for consideration by the Troublesome Creek Environmental Authority to the Authority's office.

Objection to Release of Funds

The Troublesome Creek Environmental Authority will undertake the project described above with Applicant Regional Commission funds from the Department for Local Government under Title 1 of the Housing and Community Development Act of 1974.

Objections to the release of funds

The state will accept objections to its release of funds and the Troublesome Creek Environmental Authority certification for a period of fifteen days following the anticipated submission date or its actual receipt for the request.

- (a) The certification was not in fact executed by the Troublesome Creek Environmental Authority's Certifying Officer.
(b) The Troublesome Creek Environmental Authority has failed to make one of the two findings pursuant to 585.41, or to make the written determination decision required by 585.93, 585.93 or 585.94 for the project, as applicable.
(c) The Troublesome Creek Environmental Authority has omitted one or more of the steps set forth at Subparts F and G for the preparation and completion of an EA.
(d) No opportunity was given to the Advisory Council on Historic Preservation or its Executive Director to review the effect of the project on a property listed on the National Register of Historic Places, or found to be eligible for such listing by the Secretary of the Interior, in accordance with 36 CFR Part 800.
(e) The recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR part 58 before approval of the release of funds and approval of the Environmental Certification by HUD or the State.
(f) Another Federal agency acting pursuant to 40 CFR Part 1604 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.78) and shall be addressed to the Department for Local Government, Office of Federal Grants, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Objections to the release of funds on bases other than those stated above will not be considered by the state. No objection received after January 4, 2021 will be considered by the state. Potential objectors should contact the Department for Local Government to verify the actual last day of the state comment period.

Den Gibson/Chairman (Name of Certifying Officer of Applicant/Title) 941 North Main Street (Address) 973:1126:1cb Hazard, KY 47027

**Floodplains and Wetlands Early Public Notice
Activity in a 100-Year Floodplain**

To: All persons of the City of Hindman Sewer System, Knott County, Kentucky

This is to give notice that the **City of Hindman Sewer System under 24 CFR Part 58** has conducted an evaluation as required by [**Executive Order 11988 and/or 11990**], in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its project in the floodplain and wetland will have on the human environment for the Hindman Lift Station Repair Project. The purpose of this project is to improve sewer service to 420 residents of Knott County. This project will repair 5 lift stations in the City of Hindman Sewer System. The lift stations include the Cowtown Lift Station, Bob Pigman Lift Station, WWTP Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. The pumps will be replaced with the same pump size, wetwell rails will be installed, the piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels with a local disconnect added to each. If funding allows the Trigger Lift Station and the College Lift Station will also be rehabbed.

Written comments must be received by Kentucky River Area Development District at the following address on or before **November 20, 2020**. **Kentucky River Area Development District, 941 N. Main Street Hazard, KY 41701, (606) 436-3158, Attention: Shannon Ritchie, Community and Economic Development Specialist** during the hours of **8am to 4:30pm Monday through Friday**. Comments may also be submitted via email at shannonr@kradd.org.

Date: November 5, 2020

NEWSPAPER AFFIDAVIT

I, Sharon K. Hall of the TROUBLESOME CREEK TIMES newspaper, published at HINDMAN, KENTUCKY, and having the largest general circulation of any newspaper in KNOTT COUNTY, KENTUCKY, do hereby certify from my own knowledge and a check of the files of this newspaper, that the advertisement of:

Flood plains & wetlands Public Notice

For Kentucky River Area Development District

was inserted in the TROUBLESOME CREEK TIMES on the following dates:

Date Nov 5, 2020 Page 10 Column 5, 6

Date _____ Page _____ Column _____

Date _____ Page _____ Column _____

Date _____ Page _____ Column _____

Signature Sharon K. Hall

Subscribed and sworn before me on this 10 day of December, 2020, by the above.

NOTARY PUBLIC Judy Ann Hall

My commission expires October 15, 2023

shannonr@kradd.org

From: Branham, Justin L CIV USARMY CELRL (USA) <Justin.L.Branham@usace.army.mil>
Sent: Thursday, December 10, 2020 11:46 AM
To: shannonr@kradd.org
Subject: LRL-2020-1056 - Hindman Lift Station Project

Ms. Ritchie;

This email will serve as our official response to the above referenced request. A hard copy will not be mailed unless one is requested. Based on the information submitted, it does NOT appear that a permit would be required for the above referenced project as no discharge of fill or dredged material is proposed within aquatic resources. The information submitted by the applicant, consultant or agent indicated that the project does not involve the discharge of dredged or fill material into "waters of the U.S." and is therefore not a regulated activity. If the scope of the project changes and the project would necessitate the discharge of fill material into any aquatic resource, please contact our office to determine permit requirements. If you have any questions, please do not hesitate to contact me. Thank you for your awareness of our regulatory program

Thank you,

Justin Branham
Team Leader / Regulatory Specialist
U.S. Army Corps of Engineers - Louisville District Eastern Kentucky Regulatory Office
845 Sassafras Creek Road
Sassafras, KY 41759
Phone: 606-642-3208
Email: Justin.L.Branham@usace.army.mil
Comments on our Regulatory Services are invited:
http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey



Kentucky River

AREA
DEVELOPMENT
DISTRICT

941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

October 20, 2020

Justin Branham
Team Leader / Regulatory Specialist
US Army Corps of Engineers – Louisville District Eastern Kentucky
Regulatory Office
845 Sassafras Creek Road
Sassafras, KY 41759

CHAIRMAN
Pam Pilgrim
VICE-CHAIRMAN
Tracy Neice
Mayor
TREASURER
Terry Adams
Judge/Executive
SECRETARY
Gregory Whitson
PARLIAMENTARIAN
Laura Thomas
Mayor

RE: Hindman Lift Station Repair Project

BOARD OF DIRECTORS

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Jeff Dobson - Knott Co.
Chuck Caudill - Lee Co.
William R. Lewis - Leslie Co.
Terry Adams - Letcher Co.
Cale Turner - Owsley Co.
Scott Alexander - Perry Co.
Raymond Banks - Wolfe Co.
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Tracy Neice - Hindman
Scott Cornett - Pippa Passes
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Carol Joseph - Hyden
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Nelson Bobrowski - Booneville
Ernest Back - Vicco
Donald "Happy" Mobelint - Hazard
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Kathi May - Campton
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Gary Campbell
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Zach Sandlin
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Eugene Stewart
Everett Marshall
Doug Brandenburg
Fred Hall
Jack Burkich
Dale Bishop
Derrick Bowling
Neil Napier
Gregory Whitson
Meriwether Wash-Hall
Pam Pilgrim
Shirley Halcomb

Dear Mr. Branham:

The City of Hindman has been approved for funding through the Appalachian Regional Commission for the above referenced project. The project will repair five lift stations in the City of Hindman Sewer System. The lift stations to receive repairs are Cowtown Lift Station, Bob Pigman Lift Station, WWTP Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. If funding allows the Trigger Lift Station and College Lift Station will also be rehabbed.

The scope of this project will replace the pumps with same pump sizes, wetwell rails, piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels will be replaced with a local disconnect added to each.

Due to the scope of the project there will be minimal ground disturbance, the project involves replacing a tank where the ground has previously been disturbed. There is expected to be no tree or vegetation removal. No existing farmlands will be impacted by this project. Coordinates for this project are WWTP Lift Station 37°19'46.047"N; -83°0'7.98"W, Cowtown Lift Station 37°19'51.092"N; -82°59'13.427", Post Office Lift Station 37°20'9.34"N; -82°58'53.532"W, Triggers Lift Station 37°20'24.115"N; -82°58'52.458"W, College Lift Station 37°20'4.28"N; -82°58'36.639"W, Bob Pigman Lift Station 37°20'5.226"N; -82°58'25.047"W, Knott County Central Lift Station 37°19'22.236"N; -82°58'5.228"W.

The Kentucky River Area Development District has been asked to undertake an environmental review of this project to ascertain the impact of the proposed activities. I would appreciate your office reviewing this project in relation to its potential impact(s) on any wetlands or permit issues under your jurisdiction. I have enclosed a project location map and

Executive Director
Michelle Allen
E-Mail: michelle@kradd.org
FAX NUMBER 606-436-2144
TDD NUMBER 1-800-247-2510
(Hearing Impaired)

project description for your reference.

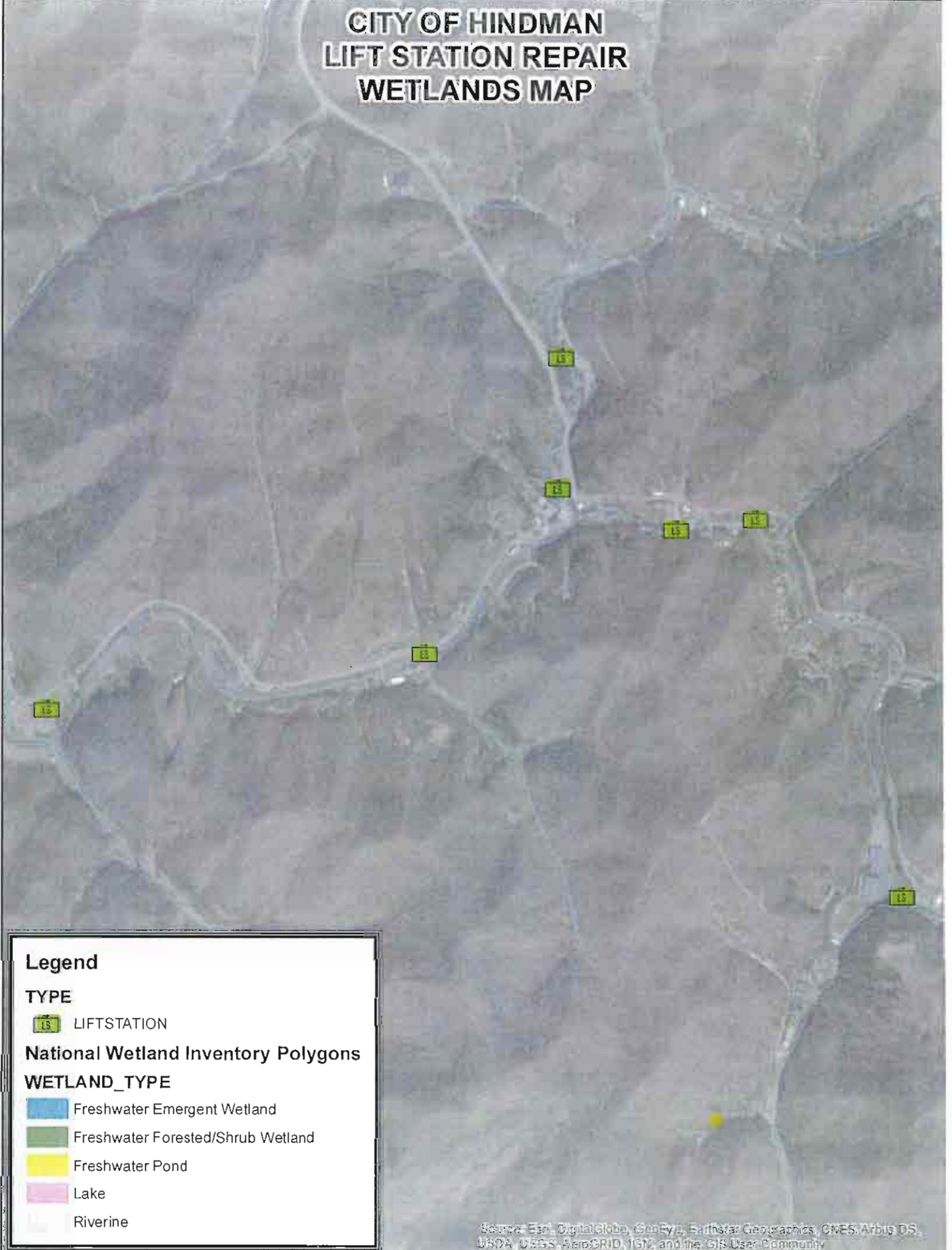
Your comments may address beneficial or adverse impacts or, both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: shannonr@kredd.org. Thank you for your time and assistance.

Sincerely,



Shannon Ritchie
Community and Economic Development Specialist

CITY OF HINDMAN LIFT STATION REPAIR WETLANDS MAP



Legend


TYPE


 LIFTSTATION

National Wetland Inventory Polygons

WETLAND_TYPE

 Freshwater Emergent Wetland

 Freshwater Forested/Shrub Wetland

 Freshwater Pond

 Lake


 Riverine

CITY OF HINDMAN LIFT STATION REPAIR FLOODPLAIN MAP




Legend

TYPE


 LIFTSTATION

FLOODWAY

 FLOODWAY

FEMA DFIRM - Floodplain

FLD_ZONE

 0.2 PCT ANNUAL CHANCE FLOOD HAZARD

 A

 AE

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Exhibit 4
Natural Resource Conservation Service
Correspondence



United States Department of Agriculture

Natural Resources Conservation Service
Owensboro USDA Service Center
3100 Alvey Park Drive W
Owensboro, KY 42303

October 28, 2020

Shannon Ritchie
Kentucky River Area Development District
941 N. Main Street
Hazard, KY 41701

RE: HINDMAN LIFT STATION REPAIR PROJECT

Dear Ms. Ritchie:

In response to your request from 10/20/2020 regarding the above referenced project in Hindman, Kentucky, the Natural Resources Conservation Service (NRCS) has no congressional authority for conducting Environmental Assessments (EA).

NRCS is mandated to provide information on the soils and/or impact to farmland according to the Farmland Protection Policy Act (P.L. 97-98) for projects that will be utilizing federal funding.

Based on the information contained in your request and accompanying maps, no conversion of agricultural lands (*Prime or Statewide Important Farmland*) will occur or be negatively impacted by the proposed undertaking. Therefore, this office has no concerns at this time.

If I may be of additional assistance, please do not hesitate to contact me.

Sincerely,

Perri Pedley
Soil Scientist
Perri.Pedley@usda.gov



Kentucky River

AREA
DEVELOPMENT
DISTRICT

941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

October 20, 2020

Perri Pedley
USDA Natural Resources Conservation Service
1000 Commonwealth Drive
Maysville, KY 42066

RE: Hindman Lift Station Repair Project

Dear Ms. Pedley:

The City of Hindman has been approved for funding through the Appalachian Regional Commission for the above referenced project. The project will repair five lift stations in the City of Hindman Sewer System. The lift stations to receive repairs are Cowtown Lift Station, Bob Pigman Lift Station, WWTP Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. If funding allows, the Trigger Lift Station and College Lift Station will also be rehabbed.

The scope of this project will replace all pumps with the same size pumps currently used, wetwell rails will be installed, the piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels will be replaced with a local disconnect added to each.

Due to the scope of the project there will be minimal ground disturbance since it is a repair project. There is expected to be no tree or vegetation removal. No existing farmlands will be impacted by this project. Coordinates for this project are WWTP Lift Station 37°19'46.047"N; -83°0'7.98"W, Cowtown Lift Station 37°19'51.092"N; -82°59'13.427", Post Office Lift Station 37°20'9.34"N; -82°58'53.532"W, Triggers Lift Station 37°20'24.115"N; -82°58'52.458"W, College Lift Station 37°20'4.28"N; -82°58'36.639"W, Bob Pigman Lift Station 37°20'5.226"N; -82°58'25.047"W, Knott County Central Lift Station 37°19'22.236"N; -82°58'5.228"W.

The Kentucky River Area Development District has been asked to undertake an environmental review of this project to ascertain the impact of the proposed activities. I would appreciate your office reviewing this project in relation to its potential impact(s) on any environmental areas within your jurisdiction. I have enclosed a project location map and project description for your reference.

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BOARD OF DIRECTORS

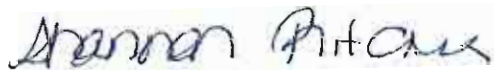
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Nelson Bobrowski - Booneville
Ernest Back - Vicco
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Tom Burns - Buckhorn
Kalhi May - Campton
Citizen Members
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Larry Perkins
Zach Sandlin
Hiram Cornett
Eugene Stewart
Everett Marshall
Doug Brandenburg
Fred Hall
Jack Burkich
Oale Bishop
Derrick Elowling
Neil Napier
Gregory Whitson
Meriwether Wash-Hall
Pam Pilgrim
Stirley Halcomb

Executive Director
Michelle Allen

E-Mail: mchenelle@kradd.org
FAX NUMBER 606-436-2144
TDD NUMBER 1-800-247-2510
(Hearing Impaired)

Your comments may address beneficial or adverse impacts or both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: shannon.ritchie@krcwd.com. Thank you for your time and assistance.

Sincerely,

A handwritten signature in black ink that reads "Shannon Ritchie". The signature is written in a cursive style and is positioned above the printed name.

Shannon Ritchie
Community and Economic Development Specialist



ANDY BESHEAR
GOVERNOR

REBECCA W. GOODMAN
SECRETARY

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

ANTHONY R. HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601
TELEPHONE: 502-564-2150
TELEFAX: 502-564-4245

November 2, 2020

Kentucky River Area Development District
941 N. Main St.
Hazard, KY 41701

Re: Hindman Lift Station Repair Project--SERO 2020-43

Dear Ms. Ritchie,

The Energy and Environment Cabinet serves as the state clearinghouse for review of environmental documents generated pursuant to the National Environmental Policy Act (NEPA). Within the Cabinet, the Commissioner's Office in the Department for Environmental Protection coordinates the review for Kentucky state agencies. We received your letter requesting an environmental review for this project. We have reviewed the document and provided comments below.

Division of Water

Water Infrastructure Branch:

A meeting was conducted on November 14, 2018 to determine the best course for the City of Hindman to fulfill the wastewater planning requirements for regional planning agencies, 401 KAR 5:006 and the City decided to submit an Asset Inventory Report Form. This document is still needed to fulfill the requirements. Questions should be directed to Lori Dials, Municipal Planning Section, (502) 782-6937, Lori.Dials@ky.gov.

While not required, you may submit plans and specifications to the Water Infrastructure Branch's Engineering section as a maintenance/repair project. A construction permit is not necessary. Questions should be directed to Michael Snyder, Engineering Section, (502) 782-1235, Michael.Snyder@ky.gov.

Water Quality Branch:

Best management practices should be utilized to reduce runoff from project construction activities into nearby waters. Questions should be directed to Andrea Fredenburg, Water Quality Branch, (502) 782-6950, Andrea.Fredenburg@ky.gov.

Water Resources Branch:

An Equal Opportunity Employer M/F/D

This proposed project will require a Kentucky DOW Application for Permit to Construct Across or Along a Stream. Questions should be directed to Shawn Hokanson, Floodplain Management Section, (502) 782-6977, Shawn.Hokanson@ky.gov.

If waters of the Commonwealth are impacted, a Clean Water Act Section 401 Water Quality Certification from the DOW is required for this project. Questions should be directed to Samantha Vogeler, Water Quality Certification Section, (502) 782-6995, Samantha.Vogeler@ky.gov.

Watershed Management:

This proposed project is not within a designated Source Water Protection Area. Questions should be directed to Chloe Brantley, Water Supply Section, (502) 782-6898, Chloe.Brantley@ky.gov.

The proposed work is endorsed by the Groundwater Section of the Watershed Management Branch. However, there are domestic groundwater water well users near the proposed work. 401 KAR 6:310 provides minimum standards and requirements for construction, modification, and abandonment of water supply wells. 401 and KAR 6:320 provides for the certification of water well drillers, including the requirements for examination, application, and disciplinary action. Questions should be directed to Scotty Robertson at 502-782-7054 or Scotty.Robertson@ky.gov. It is our recommendation that site be made aware of the requirements of 401 KAR 5:037 and the need to develop a Groundwater Protection Plan (GPP) for the protection of groundwater resources within that area. Questions should be directed to Adam Nolte, Groundwater Section, (502) 782-1312, Adam.Nolte@ky.gov or Kurtis Spears, Groundwater Section, (502) 782- 7119, Kurtis.Spears@ky.gov.

Field Operations Branch:

Endorse. Questions should be directed to Daniel Fraley, Field Operations Branch, (606) 783-8655, Daniel.Fraley@ky.gov.

Enforcement Branch:

The Division of Enforcement does not object to the project proposed by the applicant. Questions should be directed to Tim Harrod, Division of Enforcement, (502) 782-6858, Timothy.Harrod@ky.gov.

Division of Waste Management

UST Branch records indicate the following underground storage tank site issues identified within the project impact area:

Active Sites:

Red Hed 34

MASTER AI ID: 52618

LONGITUDE: -82.9805

LATITUDE: 37.335401

Jay Maa Quick Mart

MASTER AI ID: 60254

LONGITUDE: -82.980066
LATITUDE: 37.339318

Closed Sites:

Hindman Car Wash
MASTER AI ID: 2519
LONGITUDE: -82.97914088
LATITUDE: 37.34275642

Rogers Auto Mart
MASTER AI ID: 60231
LONGITUDE: -82.97000527
LATITUDE: 37.3316244

Hayes Gulf
MASTER AI ID: 60259
LONGITUDE: -82.981111
LATITUDE: 37.34

Town Market
MASTER AI ID: 63680
LONGITUDE: -82.98361111
LATITUDE: 37.33416667

If any UST's are encountered during the project construction they should be reported to KDWM. Any UST issues or questions should be directed to the UST Branch.

Superfund Branch records indicate the following superfund site issues identified within the project impact area:

Columbia Gas - Knott Co
MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 12466
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/05/2001
LAT LONG SOURCE: S1
LONGITUDE: -83.001
LATITUDE: 37.32703

Red Hed 34
MASTER AI ID: 52618
SUBJECT ITEM DESIGNATION: 39160
CLOSURE OPTION DESC: Option A No Action Necessary
CLOSURE DATE: 09/10/1998
LAT LONG SOURCE: S1
LONGITUDE: -82.98070899999999

LATITUDE: 37.335269

Ni-Source Mercury Meter Stations - Knott Co

MASTER AI ID: 70509

SUBJECT ITEM DESIGNATION:

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 10/09/2008

LAT LONG SOURCE: SI

LONGITUDE: -82.963725

LATITUDE: 37.330178

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: Gas Pipelines

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 08/11/1991

LAT LONG SOURCE: SI

LONGITUDE: -82.96426799999999

LATITUDE: 37.330402

Kentucky Hydrocarbon Liquified Gas Spill

MASTER AI ID: 127705

SUBJECT ITEM DESIGNATION: Transportation Accident

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 03/07/1993

LAT LONG SOURCE: SI

LONGITUDE: -82.97106

LATITUDE: 37.331752

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: 13922

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 03/11/2001

LAT LONG SOURCE: SI

LONGITUDE: -82.97874999999999

LATITUDE: 37.332409999999996

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: 4931

CLOSURE OPTION DESC: Option A No Action Necessary

CLOSURE DATE: 04/03/2000

LAT LONG SOURCE: SI

LONGITUDE: -82.96472

LATITUDE: 37.3228

Columbia Gas - Knott Co

MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 12497
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/05/2001
LAT LONG SOURCE: S1
LONGITUDE: -82.98331
LATITUDE: 37.33316

Any superfund issues or questions should be directed to the Superfund Branch.

Solid Waste Branch records indicate no active or historic landfill sites within the project impact area. Any solid waste issues or questions should be directed to the Solid Waste Branch.

Hazardous Waste Branch records indicate no hazardous waste issues identified within the project impact area. Any hazardous waste issues or questions should be directed to the Hazardous Waste Branch.

RLA Branch records indicate no RLA tracked open dump sites within the project impact area. Any questions or issues should be directed to the RLA Branch.

All solid waste generated by this project must be disposed of at a permitted facility.

If asbestos, lead paint and/or other contaminants are encountered during this project contact the Division of Waste Management for proper disposal and closure.

The information provided is based on those facilities or sites that KDWM currently has in its database. If you would like additional information on any of these facilities or sites, you may contact the file room custodian at (502) 782-6357. Please keep in mind additional locations of releases, potential contamination or waste facilities may be present but unknown to the agency. Therefore, it is recommended that appropriate precautions be taken during construction activities. Please report any evidence of illegal waste disposal facilities and releases of hazardous substances, pollutants, contaminants or petroleum to the 24-hour Environmental Response Team at 1-800-928-2380.

Division for Air Quality

401 KAR 63:010, Fugitive Emissions, states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth-moving equipment to be deposited onto a paved street or roadway. Please note the Fugitive Emissions Fact Sheet located at <https://eec.ky.gov/Environmental-Protection/Air/Documents/Fugitive%20Dust%20Fact%20Sheet.pdf>

401 KAR 63:005 states that open burning shall be prohibited except as specifically provided. Open Burning is defined as the burning of any matter in such a manner that the products of

combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Brochure located at

<https://eec.ky.gov/Environmental-Protection/Air/Pages/Open-Burning.aspx>

The Division would like to offer the following suggestions on how this project can help us stay in compliance with the NAAQS. These air quality control strategies are beneficial to the health of citizens of Kentucky.

- Utilize alternatively fueled equipment.
- Utilize other emission controls that are applicable to your equipment.
- Reduce idling time on equipment.

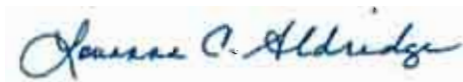
The Division also suggests an investigation into compliance with applicable local government regulations.

Kentucky Nature Preserves

Your project might have the potential of impacting federally or state listed species and natural communities. Go to the Kentucky Biological Assessment Tool (kynaturepreserves.org) to obtain a Standard Occurrence Report for information regarding listed species known within your project area. The report will also provide information on public and private conservation lands, areas of biodiversity significance, and other natural resources in your project area for which the Office of Kentucky Nature Preserves maintains data.

This review is based upon the information that was provided by the applicant. An endorsement of this project does not satisfy, or imply, the acceptance or issuance of any permits, certifications or approvals that may be required from this agency under Kentucky Revised Statutes or Kentucky Administrative Regulations. Such endorsement means this agency has found no major concerns from the review of the proposed project as presented other than those stated as conditions or comments. If you should have any questions, please contact me at (502) 782-0863 or e-mail Louanna.Aldridge@ky.gov.

Sincerely,



Louanna Aldridge
Staff Assistant
Office of the Commissioner
Department for Environmental Protection
Energy and Environment Cabinet



Kentucky River

AREA
DEVELOPMENT
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941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

October 20, 2020

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Derrick Bowling
Neil Napier
Gregory Whitson
Meriwether Wash-Hall
Pam Pilgrim
Shirley Halcomb

Executive Director

Michelle Allen

E-Mail: michelle@kradd.org
FAX NUMBER 606-436-2144
TDD NUMBER 1-800-247-2510
(Hearing Impaired)

Louanna Aldridge
Office of the Commissioner
300 Sower Blvd., 2nd floor
Frankfort, KY 40601

RE: Hindman Lift Station Repair Project

Dear Ms. Aldridge:

The Kentucky River Area Development District has been asked to undertake a NEPA environmental review of the above referenced project to determine the impact of the proposed activities. Please provide comments from the following Divisions under the Kentucky Department for Environmental Protection jurisdiction:

- Division of Air Quality
- Division of Waste Management
- Division of Water
- Division of Water, Floodplain Management

The scope of this project will replace the pumps with same pump sizes, wetwell rails, piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels will be replaced with a local disconnect added to each.

Any ground disturbance with this project will be minimal due to the project being a repair project. I would appreciate your office reviewing this project and its potential impact(s) on any environmental areas within your jurisdiction. I have enclosed a project location map and project description for your reference. Coordinates for this project are WWTP Lift Station 37°19'46.047"N; -83°0'7.98"W, Cowtown Lift Station 37°19'51.092"N; -82°59'13.427", Post Office Lift Station 37°20'9.34"N; -82°58'53.532"W, Triggers Lift Station 37°20'24.115"N; -82°58'52.458"W, College Lift Station 37°20'4.28"N; -82°58'36.639"W, Bob Pigman Lift Station 37°20'5.226"N; -82°58'25.047"W, Knott County Central Lift Station 37°19'22.236"N; -82°58'5.228"W.

Your comments may address beneficial or adverse impacts or both. I would appreciate receiving your comments in the near future. I will

assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: shannon@krodd.org.

Thank you for your time and assistance.

Sincerely,

A handwritten signature in black ink that reads "Shannon Ritchie". The signature is written in a cursive, slightly slanted style.

Shannon Ritchie
Community and Economic Development Specialist



ANDY BESHEAR
GOVERNOR

REBECCA W. GOODMAN
SECRETARY

ENERGY AND ENVIRONMENT CABINET
OFFICE OF KENTUCKY NATURE PRESERVES

ZEB WEESE
EXECUTIVE DIRECTOR

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601
TELEPHONE: 502-573-2886
TELEFAX: 502-564-7484

December 17, 2020

Shannon Ritchie
Kentucky River Area Development District
941 North Main Street
Hazard, KY 41701

Project: Hindman Lift Station Repair Project
Project ID: 21-0079
Project Type: Standard (*customers will be invoiced), 1 mile buffer
(\$120 fee)
Site Acreage: 1,471.82
Site Lat/Lon: 37.333156 / -82.983076
County: Knott
USGS Quad: CARRIE; HINDMAN
Watershed HUC12: Big Branch-Troublesome Creek; Right Fork Troublesome
Creek

Dear Shannon Ritchie,

This letter is in response to your data request for the project referenced above. We have reviewed our Natural Heritage Program Database to determine if any of the endangered, threatened, or special concern plants and animals or exemplary natural communities monitored by the Office of Kentucky Nature Preserves occur within your general project area. Your project does pose a concern at this time, therefore please see the attached reports and [report key](#) for more detailed information.

I would like to take this opportunity to remind you of the terms of the data request license, which you agreed upon in order to submit your request. The license agreement states "Data and data products received from the Office of Kentucky Nature Preserves, including any portion thereof, may not be reproduced in any form or by any means without the express written authorization of the Office of Kentucky Nature Preserves." The exact location of plants, animals, and natural communities, if released by the Office of Kentucky Nature Preserves, may not be released in any document or correspondence. These products are provided on a temporary basis for the express project (described above) of the requester, and may not be redistributed, resold or copied without the written permission of the Biological Assessment Branch (300 Sower Blvd - 4th Floor, Frankfort, KY, 40601. Phone: 502-782-7828).

Please note that the quantity and quality of data collected by the Kentucky Natural Heritage Program are dependent

Project ID: 21-0079
December 17, 2020
Page 2

on the research and observations of many individuals and organizations. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Kentucky have never been thoroughly surveyed and new plants and animals are still being discovered. For these reasons, the Kentucky Natural Heritage Program cannot provide a definitive statement on the presence, absence, or condition of biological elements in any part of Kentucky. Heritage reports summarize the existing information known to the Kentucky Natural Heritage Program at the time of the request regarding the biological elements or locations in question. They should never be regarded as final statements on the elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. We would greatly appreciate receiving any pertinent information obtained as a result of on-site surveys.

If you have any questions, or if I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Elizabeth Mason
Geoprocessing Specialist

**Standard Occurrence Report
KNP monitored species within 1 Miles of Project Area**

Field	Scientific Name	Common Name	GRank	SRank	SPROT	USESA	STWG	Last Obs. Date	Precision	EC Rank	Lat/Long	Directions	Habitat
13046	<i>Etheostoma spilotum</i>	Kentucky Arrow Darter	G2G3	S2	T	LT	Y	1890-08-28	M	H	37.3357 / -82.9815	Left Troublesome Creek at Hindman (Plotted at SR-60 Bridge just above mouth).	Clean bedrock, boulder, or coarse gravel of small to medium-size upland streams with slow to moderate current (Kuehne and Bailey 1961, Kuehne and Barbour 1983, Page 1983, Starnes and Finjar 1990, Burr and Warjen 1986).
13520	<i>Myotis sodalis</i>	Indiana Bat	G2	S1S2	E	LE	Y	2011-06-20	S	U	37.3175 / -82.8568	Near Brinkley, ca 260 m SE of Knott Co Vo-Tech School across Right Fork.	Primarily use caves for hibernacula, although they are occasionally found in old mine portals. During summer, colonies are found behind slabs of exfoliating bark of dead trees, often in bottomland or floodplain habitats, but also in upland situations.
15136	<i>Perimyotis subflavus</i>	Tricolored Bat	G2G3	S2	T			2011-06-23	S	E	37.3177 / -82.9561	W of Gus Hays Path, along creek	

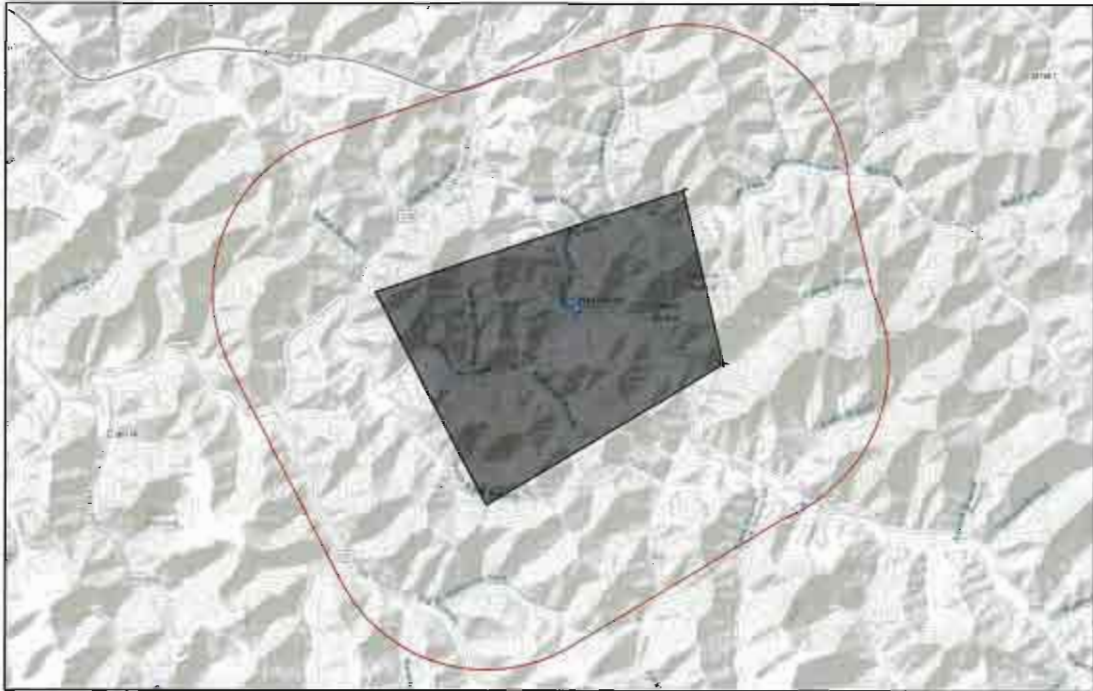
Bat Habitats within 1 Miles of Project Area

Habitat	Species	USFWS
SUMMER 1	<i>M. septentrionalis</i>	Contact USFWS at (502) 695-0468, or KentuckyES@fws.gov

THESE DATA ARE VALID ONLY ON THE DATE ON WHICH THE REPORT WAS GENERATED.
THESE DATA MAY ONLY BE USED FOR THE PROJECT NAMED ABOVE.

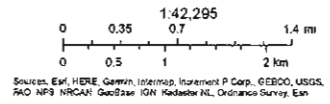
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Hindman Lift Station Repair Project



December 17, 2020

- Project Boundary
- Buffered Project Boundary
- Element Occurences



104

Exhibit 5

US Fish and Wildlife Correspondence



Kentucky River

AREA
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DISTRICT

941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

October 20, 2020

Mr. Lee Andrews
Field Supervisor
US Fish and Wildlife Service
Kentucky Ecological Services
330 West Broadway, Room 265
Frankfort KY 40601

For

Significant Impacts to federally-listed species are not likely to result from this project as currently proposed. Project re-coordination is needed if the project changes or if new species or critical habitats are listed that could be impacted by the project.

JENNIFER GARLAND Digitally signed by JENNIFER GARLAND
Date: 2020.12.02 08:05:58 -05'00'

**Kentucky Field Supervisor
U.S. Fish and Wildlife Service**

Date

**RE: Hindman Lift Station Repair Project; IPaC Consultation
Code: 04EK1000-2021-SLI-0078**

Dear Sir or Madam:

The City of Hindman has been approved for funding through the Appalachian Regional Commission for the above referenced project. The project will repair five lift stations in the City of Hindman Sewer System. The lift stations to receive repairs are Cowtown Lift Station, Bob Pigman Lift Station, WWTP Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. If funding allows the Trigger Lift Station and College Lift Station will also be rehabbed.

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The IPaC species listed, dated October 19, 2020, identifies four federally-listed endangered or threatened species; the Gray Bat (*Myotis grisescens*) – endangered, the Indiana Bat (*Myotis sodalis*) – endangered, the Northern Long-eared Bat (*Myotis septentrionalis*) – threatened, and the Kentucky Arrow Darter (*Esheostoma spilotum*) - endangered. No critical habitats

CHAIRMAN
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Scott Jackson - Beattyville
Carol Joseph - Hyden
Susan Polis - Fleming-Neon
James W. Craft - Whitesburg
Todd DePriest - Jenkins
Nelson Bobrowski - Booneville
Ernest Bach - Vicco
Donald "Happy" Mobelini - Hazard
Tom Burns - Buckhorn
Kathi May - Campton
Citizen Members
Roy Darrell Herald
Gary Campbell
Ray D. Moore
Larry Parke
Larry Perkins
Zach Sandlin
Hiram Cornett
Eugene Stewart
Everett Marshall
Doug Brandenburg
Fred Hall
Jack Burkich
Dale Bishop
Derrick Bowling
Neil Napier
Gregory Whitson
Meriwether Wash-Hall
Pam Pilgrim
Shirley Halcomb

Executive Director
Michelle Allen
E-Mail: michelle@kradd.org
FAX NUMBER 606-436-2144
TDD NUMBER 1-800-247-2510
(Hearing Impaired)

1/PL

are listed within the project area.

Direct effects – The construction will affect the Hindman area. This could result in some traffic delays, but not likely as it is a repair project. The project will utilize the best management practices and will observe local sedimentation and erosion control ordinances, therefore very minimal surface disturbance should occur during construction causing minimal effects to the surrounding environment.

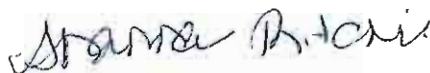
Indirect effects – With the repairs made to the lift stations, customers will experience less disruption in their sewer service. Also, the lift stations will not need the continual maintenance they are currently receiving in order to produce the needed water supply.

Cumulative effects – There should be minimal impacts to federally listed species or critical habitats as a result of this project as this is a repair project.

The Kentucky River Area Development District has been asked to undertake an environmental review of this project to ascertain the impact of the proposed activities. I would appreciate your office reviewing this project in relation to its potential impact(s) on any wetlands, vegetation and animal life and endangered/threatened species. With the renovations taking place on the interior of the structure, we do not anticipate any impacts to wetlands, vegetation, animal life or endangered/threatened species. I have enclosed a project location map and a project description for your reference.

Your comments may address beneficial or adverse impacts or, both. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: ShannonR@kradd.org. Thank you for your time and assistance.

Sincerely,



Shannon Ritchie
Community and Economic Development Specialist



Kentucky River

AREA
DEVELOPMENT
DISTRICT

941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

October 20, 2020

CHAIRMAN
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VICE-CHAIRMAN
Tracy Neice
Mayor
TREASURER
Terry Adams
Judge/Executive
SECRETARY
Gregory Whitson
PARLIAMENTARIAN
Laura Thomas
Mayor

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Executive Director
Michelle Allen

E-Mail: michelle@kradd.org
FAX NUMBER 606-436-2144
TDD NUMBER 1-800-247-2510
(Hearing Impaired)

Mr. Lee Andrews
Field Supervisor
US Fish and Wildlife Service
Kentucky Ecological Services
330 West Broadway, Room 265
Frankfort KY 40601

RE: Hindman Lift Station Repair Project; IPaC Consultation
Code: 04EK1000-2021-SLI-0078

Dear Sir or Madam:

The City of Hindman has been approved for funding through the Appalachian Regional Commission for the above referenced project. The project will repair five lift stations in the City of Hindman Sewer System. The lift stations to receive repairs are Cowtown Lift Station, Bob Pigman Lift Station, WWTP Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. If funding allows the Trigger Lift Station and College Lift Station will also be rehabbed.

The scope of this project will replace the pumps with same pump sizes, wetwell rails, piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels will be replaced with a local disconnect added to each.

Due to the scope of the project there will be minimal ground disturbance, the project involves replacing a tank where the ground has previously been disturbed. There is expected to be no tree or vegetation removal. No existing farmlands will be impacted by this project. Coordinates for this project are WWTP Lift Station 37°19'46.047"N; -83°0'7.98"W, Cowtown Lift Station 37°19'51.092"N; -82°59'13.427", Post Office Lift Station 37°20'9.34"N; -82°58'53.532"W, Triggers Lift Station 37°20'24.115"N; -82°58'52.458"W, College Lift Station 37°20'4.28"N; -82°58'36.639"W, Bob Pigman Lift Station 37°20'5.226"N; -82°58'25.047"W, Knott County Central Lift Station 37°19'22.236"N; -82°58'5.228"W.

The IPaC species listed, dated October 19, 2020, identifies four federally-listed endangered or threatened species; the Gray Bat (*Myotis grisescens*) – endangered, the Indiana Bat (*Myotis sodalis*) – endangered, the Northern Long-eared Bat (*Myotis septentrionalis*) – threatened, and the Kentucky Arrow Darter (*Esheostoma spilotum*) - endangered. No critical habitats

108

are listed within the project area.

Direct effects – The construction will affect the Hindman area. This could result in some traffic delays, but not likely as it is a repair project. The project will utilize the best management practices and will observe local sedimentation and erosion control ordinances, therefore very minimal surface disturbance should occur during construction causing minimal effects to the surrounding environment.

Indirect effects – With the repairs made to the lift stations, customers will experience less disruption in their sewer service. Also, the lift stations will not need the continual maintenance they are currently receiving in order to produce the needed water supply.

Cumulative effects – There should be minimal impacts to federally listed species or critical habitats as a result of this project as this is a repair project.

The Kentucky River Area Development District has been asked to undertake an environmental review of this project to ascertain the impact of the proposed activities. I would appreciate your office reviewing this project in relation to its potential impact(s) on any wetlands, vegetation and animal life and endangered/threatened species. With the renovations taking place on the interior of the structure, we do not anticipate any impacts to wetlands, vegetation, animal life or endangered/threatened species. I have enclosed a project location map and a project description for your reference.

Your comments may address beneficial or adverse impacts or, both. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: shannon@kradd.org. Thank you for your time and assistance.

Sincerely,



Shannon Ritchie
Community and Economic Development Specialist

Exhibit 6
Kentucky Fish and Wildlife
Correspondence



**TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES**

Andy Beshear
Governor

#1 Sportsman's Lane
Frankfort, Kentucky 40601
Phone (502) 564-3400
Fax (502) 564-0506

Mike Berry
Secretary

November 12, 2020

Kentucky River Area Development District
Attn: Shannon Ritchie
941 N. Main Street
Hazard, KY 41701

RE: Hindman Lift Station Project

Dear Ms. Ritchie:

The Kentucky Department of Fish and Wildlife Resources (KDFWR) has received your request for information regarding the subject project. Due to the location and nature of the project, KDFWR does not believe the project will impact any federal or state-listed threatened/endangered species or any associated critical habitat. No critical areas, wildlife preserves, or other significant ecological areas will be impacted by the proposed project.

I hope this information is helpful to you, if you have questions or require additional information, please call me at 502-892-4472.

Sincerely,

Doug Dawson

Doug Dawson
Environmental Section Chief





Kentucky River

AREA
DEVELOPMENT
DISTRICT

941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

October 20, 2020

Kentucky Department of Fish and Wildlife
#1 Sportsman's Lane
Frankfort KY 40601

CHAIRMAN
Pam Pilgrim
VICE-CHAIRMAN
Tracy Neice
Mayor
TREASURER
Terry Adams
Judge/Executive
SECRETARY
Gregory Whitson
PARLIAMENTARIAN
Laura Thomas
Mayor

**RE: Hindman Lift Station Repair Project: IPac Consultation Code:
04EK1000-2021-SLI-0078**

Dear Sir or Madam:

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E-Mail: michelle@kradd.org
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(Hearing Impaired)

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Sincerely,



Shannon Ritchie
Community and Economic Development Specialist

Exhibit 7
Wild and Scenic River Data



NATIONAL WILD AND SCENIC RIVERS SYSTEM



NATIONAL SYSTEM

MANAGEMENT

RESOURCES

PUBLICATIONS

CONTACT US

50 YEARS

SITE INDEX



DID YOU KNOW...

Less than 1/2 of 1% of our rivers are protected under the National Wild & Scenic Rivers System.



Latest News

(December 1, 2020) Maine's senators introduced legislation to designate the York River in Maine as a wild & scenic river. The National Park Service has found the river to be eligible and suitable for protection under the National System.

(October 15, 2020) The U.S. Forest Service has released a [Draft Management Plan](#) for the Middle Fork Snoqualmie and Pratt Rivers (Washington).

(October 13, 2020) [Legislation](#) has been introduced to designate the Little Manatee River in Florida as a wild & scenic river.





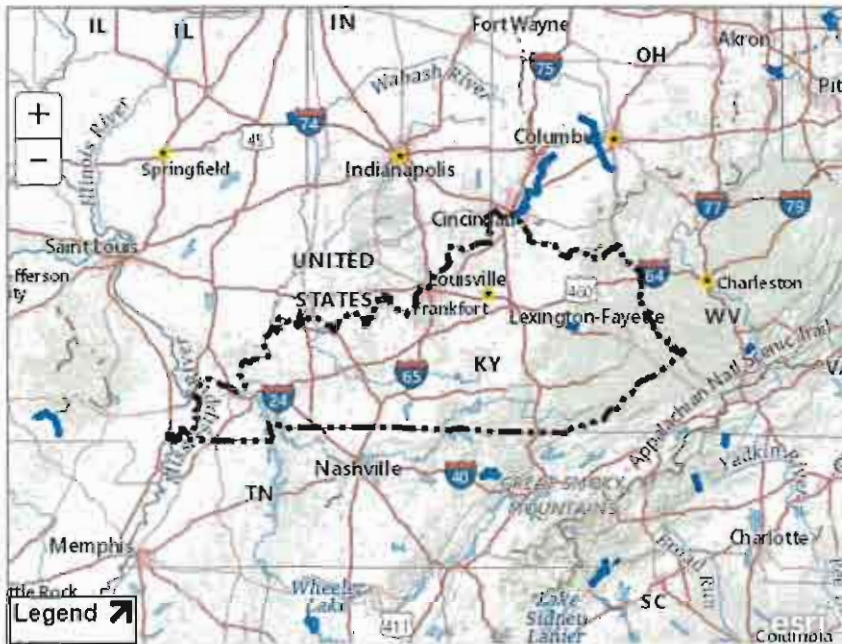
NATIONAL WILD AND SCENIC RIVERS SYSTEM



NATIONAL SYSTEM MANAGEMENT RESOURCES PUBLICATIONS CONTACT US 50 YEARS SITE INDEX

KENTUCKY

Kentucky has approximately 49,105 miles of river, of which 19.4 miles of one river are designated as wild & scenic—less than 4/100ths of 1% of the state's river miles.



+ View larger map

Red River

EXPLORE DESIGNATED RIVERS



Choose A State Go

Choose A River Go

Nourished by the fertile soils of the region, rivers of the Midwest explode with life, from great avian migrations to ancient fishes.



Exhibit 8
Air Quality Data



ANDY BESHEAR
GOVERNOR

REBECCA W. GOODMAN
SECRETARY

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

ANTHONY R. HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601
TELEPHONE: 502-564-2150
TELEFAX: 502-564-4245

November 2, 2020

Kentucky River Area Development District
941 N. Main St.
Hazard, KY 41701

Re: Hindman Lift Station Repair Project--SERO 2020-43

Dear Ms. Ritchie,

The Energy and Environment Cabinet serves as the state clearinghouse for review of environmental documents generated pursuant to the National Environmental Policy Act (NEPA). Within the Cabinet, the Commissioner's Office in the Department for Environmental Protection coordinates the review for Kentucky state agencies. We received your letter requesting an environmental review for this project. We have reviewed the document and provided comments below.

Division of Water

Water Infrastructure Branch:

A meeting was conducted on November 14, 2018 to determine the best course for the City of Hindman to fulfill the wastewater planning requirements for regional planning agencies, 401 KAR 5:006 and the City decided to submit an Asset Inventory Report Form. This document is still needed to fulfill the requirements. Questions should be directed to Lori Dials, Municipal Planning Section, (502) 782-6937, Lori.Dials@ky.gov.

While not required, you may submit plans and specifications to the Water Infrastructure Branch's Engineering section as a maintenance/repair project. A construction permit is not necessary. Questions should be directed to Michael Snyder, Engineering Section, (502) 782-1235, Michael.Snyder@ky.gov.

Water Quality Branch:

Best management practices should be utilized to reduce runoff from project construction activities into nearby waters. Questions should be directed to Andrea Fredenburg, Water Quality Branch, (502) 782-6950, Andrea.Fredenburg@ky.gov.

Water Resources Branch:

An Equal Opportunity Employer M/F/D

This proposed project will require a Kentucky DOW Application for Permit to Construct Across or Along a Stream. Questions should be directed to Shawn Hokanson, Floodplain Management Section, (502) 782-6977, Shawn.Hokanson@ky.gov.

If waters of the Commonwealth are impacted, a Clean Water Act Section 401 Water Quality Certification from the DOW is required for this project. Questions should be directed to Samantha Vogeler, Water Quality Certification Section, (502) 782-6995, Samantha.Vogeler@ky.gov.

Watershed Management:

This proposed project is not within a designated Source Water Protection Area. Questions should be directed to Chloe Brantley, Water Supply Section, (502) 782-6898, Chloe.Brantley@ky.gov.

The proposed work is endorsed by the Groundwater Section of the Watershed Management Branch. However, there are domestic groundwater water well users near the proposed work. 401 KAR 6:310 provides minimum standards and requirements for construction, modification, and abandonment of water supply wells. 401 and KAR 6:320 provides for the certification of water well drillers, including the requirements for examination, application, and disciplinary action. Questions should be directed to Scotty Robertson at 502-782-7054 or Scotty.Robertson@ky.gov. It is our recommendation that site be made aware of the requirements of 401 KAR 5:037 and the need to develop a Groundwater Protection Plan (GPP) for the protection of groundwater resources within that area. Questions should be directed to Adam Nolte, Groundwater Section, (502) 782-1312, Adam.Nolte@ky.gov or Kurtis Spears, Groundwater Section, (502) 782- 7119, Kurtis.Spears@ky.gov.

Field Operations Branch:

Endorse. Questions should be directed to Daniel Fraley, Field Operations Branch, (606) 783-8655, Daniel.Fraley@ky.gov.

Enforcement Branch:

The Division of Enforcement does not object to the project proposed by the applicant. Questions should be directed to Tim Harrod, Division of Enforcement, (502) 782-6858, Timothy.Harrod@ky.gov.

Division of Waste Management

UST Branch records indicate the following underground storage tank site issues identified within the project impact area:

Active Sites:

Red Hed 34

MASTER AI ID: 52618

LONGITUDE: -82.9805

LATITUDE: 37.335401

Jay Maa Quick Mart

MASTER AI ID: 60254

LONGITUDE: -82.980066
LATITUDE: 37.339318

Closed Sites:

Hindman Car Wash
MASTER AI ID: 2519
LONGITUDE: -82.97914088
LATITUDE: 37.34275642

Rogers Auto Mart
MASTER AI ID: 60231
LONGITUDE: -82.97000527
LATITUDE: 37.3316244

Hayes Gulf
MASTER AI ID: 60259
LONGITUDE: -82.981111
LATITUDE: 37.34

Town Market
MASTER AI ID: 63680
LONGITUDE: -82.98361111
LATITUDE: 37.33416667

If any UST's are encountered during the project construction they should be reported to KDWM. Any UST issues or questions should be directed to the UST Branch.

Superfund Branch records indicate the following superfund site issues identified within the project impact area:

Columbia Gas - Knott Co
MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 12466
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/05/2001
LAT LONG SOURCE: SI
LONGITUDE: -83.001
LATITUDE: 37.32703

Red Hed 34
MASTER AI ID: 52618
SUBJECT ITEM DESIGNATION: 39160
CLOSURE OPTION DESC: Option A No Action Necessary
CLOSURE DATE: 09/10/1998
LAT LONG SOURCE: SI
LONGITUDE: -82.98070899999999

LATITUDE: 37.335269

Ni-Source Mercury Meter Stations - Knott Co

MASTER AI ID: 70509

SUBJECT ITEM DESIGNATION:

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 10/09/2008

LAT LONG SOURCE: SI

LONGITUDE: -82.963725

LATITUDE: 37.330178

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: Gas Pipelines

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 08/11/1991

LAT LONG SOURCE: SI

LONGITUDE: -82.96426799999999

LATITUDE: 37.330402

Kentucky Hydrocarbon Liquified Gas Spill

MASTER AI ID: 127705

SUBJECT ITEM DESIGNATION: Transportation Accident

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 03/07/1993

LAT LONG SOURCE: SI

LONGITUDE: -82.97106

LATITUDE: 37.331752

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: 13922

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 03/11/2001

LAT LONG SOURCE: SI

LONGITUDE: -82.97874999999999

LATITUDE: 37.332409999999996

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: 4931

CLOSURE OPTION DESC: Option A No Action Necessary

CLOSURE DATE: 04/03/2000

LAT LONG SOURCE: SI

LONGITUDE: -82.96472

LATITUDE: 37.3228

Columbia Gas - Knott Co

MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 12497
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/05/2001
LAT LONG SOURCE: SI
LONGITUDE: -82.98331
LATITUDE: 37.33316

Any superfund issues or questions should be directed to the Superfund Branch.

Solid Waste Branch records indicate no active or historic landfill sites within the project impact area. Any solid waste issues or questions should be directed to the Solid Waste Branch.

Hazardous Waste Branch records indicate no hazardous waste issues identified within the project impact area. Any hazardous waste issues or questions should be directed to the Hazardous Waste Branch.

RLA Branch records indicate no RLA tracked open dump sites within the project impact area. Any questions or issues should be directed to the RLA Branch.

All solid waste generated by this project must be disposed of at a permitted facility.

If asbestos, lead paint and/or other contaminants are encountered during this project contact the Division of Waste Management for proper disposal and closure.

The information provided is based on those facilities or sites that KDWM currently has in its database. If you would like additional information on any of these facilities or sites, you may contact the file room custodian at (502) 782-6357. Please keep in mind additional locations of releases, potential contamination or waste facilities may be present but unknown to the agency. Therefore, it is recommended that appropriate precautions be taken during construction activities. Please report any evidence of illegal waste disposal facilities and releases of hazardous substances, pollutants, contaminants or petroleum to the 24-hour Environmental Response Team at 1-800-928-2380.

Division for Air Quality

401 KAR 63:010, Fugitive Emissions, states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth-moving equipment to be deposited onto a paved street or roadway. Please note the Fugitive Emissions Fact Sheet located at <https://eec.ky.gov/Environmental-Protection/Air/Documents/Fugitive%20Dust%20Fact%20Sheet.pdf>

401 KAR 63:005 states that open burning shall be prohibited except as specifically provided. Open Burning is defined as the burning of any matter in such a manner that the products of

combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Brochure located at <https://eec.ky.gov/Environmental-Protection/Air/Pages/Open-Burning.aspx>

The Division would like to offer the following suggestions on how this project can help us stay in compliance with the NAAQS. These air quality control strategies are beneficial to the health of citizens of Kentucky.

- Utilize alternatively fueled equipment.
- Utilize other emission controls that are applicable to your equipment.
- Reduce idling time on equipment.

The Division also suggests an investigation into compliance with applicable local government regulations.

Kentucky Nature Preserves

Your project might have the potential of impacting federally or state listed species and natural communities. Go to the Kentucky Biological Assessment Tool (kynaturepreserves.org) to obtain a Standard Occurrence Report for information regarding listed species known within your project area. The report will also provide information on public and private conservation lands, areas of biodiversity significance, and other natural resources in your project area for which the Office of Kentucky Nature Preserves maintains data.

This review is based upon the information that was provided by the applicant. An endorsement of this project does not satisfy, or imply, the acceptance or issuance of any permits, certifications or approvals that may be required from this agency under Kentucky Revised Statutes or Kentucky Administrative Regulations. Such endorsement means this agency has found no major concerns from the review of the proposed project as presented other than those stated as conditions or comments. If you should have any questions, please contact me at (502) 782-0863 or e-mail Louanna.Aldridge@ky.gov.

Sincerely,



Louanna Aldridge
Staff Assistant
Office of the Commissioner
Department for Environmental Protection
Energy and Environment Cabinet



ANDY BESHEAR
GOVERNOR

REBECCA W. GOODMAN
SECRETARY

ENERGY AND ENVIRONMENT CABINET
OFFICE OF KENTUCKY NATURE PRESERVES

ZEB WEESE
EXECUTIVE DIRECTOR

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601
TELEPHONE: 502-573-2886
TELEFAX: 502-564-7484

December 17, 2020

Shannon Ritchie
Kentucky River Area Development District
941 North Main Street
Hazard, KY 41701

Project: Hindman Lift Station Repair Project
Project ID: 21-0079
Project Type: Standard (*customers will be invoiced), 1 mile buffer
(\$120 fee)
Site Acreage: 1,471.82
Site Lat/Lon: 37.333156 / -82.983076
County: Knott
USGS Quad: CARRIE; HINDMAN
Watershed HUC12: Big Branch-Troublesome Creek; Right Fork Troublesome
Creek

Dear Shannon Ritchie,

This letter is in response to your data request for the project referenced above. We have reviewed our Natural Heritage Program Database to determine if any of the endangered, threatened, or special concern plants and animals or exemplary natural communities monitored by the Office of Kentucky Nature Preserves occur within your general project area. Your project does pose a concern at this time, therefore please see the attached reports and [report key](#) for more detailed information.

I would like to take this opportunity to remind you of the terms of the data request license, which you agreed upon in order to submit your request. The license agreement states "Data and data products received from the Office of Kentucky Nature Preserves, including any portion thereof, may not be reproduced in any form or by any means without the express written authorization of the Office of Kentucky Nature Preserves." The exact location of plants, animals, and natural communities, if released by the Office of Kentucky Nature Preserves, may not be released in any document or correspondence. These products are provided on a temporary basis for the express project (described above) of the requester, and may not be redistributed, resold or copied without the written permission of the Biological Assessment Branch (300 Sower Blvd - 4th Floor, Frankfort, KY, 40601. Phone: 502-782-7828).

Please note that the quantity and quality of data collected by the Kentucky Natural Heritage Program are dependent

Project ID: 21-0079
December 17, 2020
Page 2

on the research and observations of many individuals and organizations. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Kentucky have never been thoroughly surveyed and new plants and animals are still being discovered. For these reasons, the Kentucky Natural Heritage Program cannot provide a definitive statement on the presence, absence, or condition of biological elements in any part of Kentucky. Heritage reports summarize the existing information known to the Kentucky Natural Heritage Program at the time of the request regarding the biological elements or locations in question. They should never be regarded as final statements on the elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. We would greatly appreciate receiving any pertinent information obtained as a result of on-site surveys.

If you have any questions, or if I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Elizabeth Mason
Geoprocessing Specialist

**Standard Occurrence Report
KNP monitored species within 1 Miles of Project Area**

EO ID	Scientific Name	Common Name	GRank	SRank	SPROT	USES	STWG	Last Obs Date	Prevalence	EO Rank	Lat / Lon	Directions	Habitat
13046	<i>Etheosoma splottum</i>	Kentucky Arrow Darter	G2G3	S2	T	LT	Y	1890-08-28	M	H	37.3357 / -82.9815	Left Troublesome Creek at Hindman (Plotted at SR-80 Bridge just above mouth).	Clean bedrock, boulder, or coarse gravel of small to medium-size upland streams with slow to moderate current (Kuehne and Bailey 1961, Kuehne and Barbour 1983, Page 1983, Siarnas and Etnier 1980, Burr and Warren 1966).
13626	<i>Myotis sodalis</i>	Indiana Bat	G2	S1B2	E	LE	Y	2011-06-20	S	U	37.3175 / -82.9568	Near Brinkley, ca 260 m SE of Knott Co Vo-Tech School across Right Fork.	Primarily use caves for hibernacula, although they are occasionally found in old mine portals. During summer, colonies are found behind slabs of exfoliating bark of dead trees, often in bottomland or floodplain habitats, but also in upland situations.
15138	<i>Perimyotis subflavus</i>	Tricolored Bat	G2G3	S2	T			2011-06-23	S	E	37.3177 / -82.9561	W of Gus Hays Path, along creek	

Bat Habitats within 1 Miles of Project Area

Habitat	Species	USFWS
SUMMER 1	<i>M. septentrionalis</i>	Contact USFWS at (502) 895-0468 or KentuckyES@fws.gov

THESE DATA ARE VALID ONLY ON THE DATE ON WHICH THE REPORT WAS GENERATED.
THESE DATA MAY ONLY BE USED FOR THE PROJECT NAMED ABOVE.

126



Kentucky River

AREA
DEVELOPMENT
DISTRICT

941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

October 20, 2020

CHAIRMAN
Pam Pilgrim
VICE-CHAIRMAN
Tracy Neice
Mayor
TREASURER
Terry Adams
Judge/Executive
SECRETARY
Gregory Whitson
PARLIAMENTARIAN
Laura Thomas
Mayor

BOARD OF DIRECTORS

County Judge Executives
Jeff Noble - Breathitt Co.
Jeff Dobson - Knott Co.
Chuck Caudill - Lee Co.
William R. Lewis - Leslie Co.
Terry Adams - Letcher Co.
Cale Turner - Owsley Co.
Scott Alexander - Perry Co.
Raymond Banks - Wolfe Co.
Mayors
Laura Thomas - Jackson
Tracy Neice - Hindman
Scott Cornett - Pippa Passes
Scott Jackson - Beattyville
Carol Joseph - Hyden
Susan Polis - Fleming-Neon
James W. Craft - Whitesburg
Todd DePrest - Jenkins
Nelson Bobrowski - Booneville
Ernest Back - Vibo
Donald "Happy" Mobilini - Hazard
Tom Burns - Buckhorn
Kathi May - Campton
Citizen Members
Roy Darrell Herald
Gary Campbell
Ray D. Moore
Larry Parke
Larry Perkins
Zach Sandlin
Hiram Cornett
Eugene Stewart
Everett Marshall
Doug Brandenburg
Fred Hall
Jack Burkich
Dale Bishop
Derrick Bowling
Neil Napier
Gregory Whitson
Meriwether Wash-Hall
Pam Pilgrim
Shirley Helcomb

Executive Director
Michelle Allen

E-Mail: michelle@kradd.org
FAX NUMBER 606-436-2144
TDD NUMBER 1-800-247-2510
(Hearing Impaired)

Louanna Aldridge
Office of the Commissioner
300 Sower Blvd., 2nd floor
Frankfort, KY 40601

RE: Hindman Lift Station Repair Project

Dear Ms. Aldridge:

The Kentucky River Area Development District has been asked to undertake a NEPA environmental review of the above referenced project to determine the impact of the proposed activities. Please provide comments from the following Divisions under the Kentucky Department for Environmental Protection jurisdiction:

- Division of Air Quality
- Division of Waste Management
- Division of Water
- Division of Water, Floodplain Management

The scope of this project will replace the pumps with same pump sizes, wetwell rails, piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels will be replaced with a local disconnect added to each.

Any ground disturbance with this project will be minimal due to the project being a repair project. I would appreciate your office reviewing this project and its potential impact(s) on any environmental areas within your jurisdiction. I have enclosed a project location map and project description for your reference. Coordinates for this project are WWTP Lift Station 37°19'46.047"N; -83°0'7.98"W, Cowtown Lift Station 37°19'51.092"N; -82°59'13.427", Post Office Lift Station 37°20'9.34"N; -82°58'53.532"W, Triggers Lift Station 37°20'24.115"N; -82°58'52.458"W, College Lift Station 37°20'4.28"N; -82°58'36.639"W, Bob Pigman Lift Station 37°20'5.226"N; -82°58'25.047"W, Knott County Central Lift Station 37°19'22.236"N; -82°58'5.228"W.

Your comments may address beneficial or adverse impacts or both. I would appreciate receiving your comments in the near future. I will

assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: shannon@kruid.org.

Thank you for your time and assistance.

Sincerely,

A handwritten signature in black ink that reads "Shannon Ritchie". The signature is written in a cursive, slightly slanted style.

Shannon Ritchie
Community and Economic Development Specialist

Exhibit 9
Division of Water Correspondence

Floodplains and Wetlands Early Public Notice Activity in a 100-Year Floodplain

To: All persons of the City of Hindman Sewer System, Knott County, Kentucky

This is to give notice that the City of Hindman Sewer System under 24 CFR Part 58 has conducted an evaluation as required by Executive Order 11988 and/or 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential effect that its project in the floodplain and wetland will have on the human environment for the Hindman Lift Station Repair Project. The purpose of this project is to improve sewer service to 420 residents of Knott County. This project will repair 5 lift stations in the City of Hindman Sewer System. The lift stations include the Cowtown Lift Station, Bob Piggem Lift Station, WWT#1 Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. The pumps will be replaced with the same pump size, wetwell tanks will be installed, the piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels with a local disconnect added to each. If funding allows the Trigger Lift Station and the College Lift Station will also be rehabbed.

Written comments must be received by Kentucky River Area Development District at the following address on or before November 20, 2020. Kentucky River Area Development District, 941 N. Main Street Hazard, KY 41701. (606) 456-3158. Attention: Shannon Ritchie, Community and Economic Development Specialist during the hours of 8am to 4:30pm Monday through Friday. Comments may also be submitted via email at shannon_ritchie@kradd.org. 966:11/5:11b

COMMONWEALTH OF KENTUCKY
KNOTT CIRCUIT COURT
CIVIL ACTION NO. 19-CI-00189

PLAINTIFF

LAKEVIEW LOAN SERVICING, LLC

NOTICE OF MASTER COMMISSIONER SALE

DEFENDANT

PAUL PENNINGTON

Pursuant to an In Rem Judgment and Order of Sale entered on September 24, 2020 in the office of the Knott Circuit Clerk, the undersigned, as Master Commissioner of said Court, will offer for sale on the 13th day of November, at the hour of 2:00 p.m. on the front steps of the Knott County Courthouse, on Main Street, Hindman, Kentucky, to the highest bidder at public sale the following property:
Property Address: 4374 Highway 80E, Leburn, KY 41831
Tax ID No.: 046-00-00-017-02
Prior Instrument: Deed Book 273, Page 584

A certain tract or parcel of land situate and being on Buck Gayheart Branch of Balls Fork in Knott County, Kentucky, and described as follows:

Beginning at a steel post on the south side of Highway 80 right of way at Highway marker number being approximately 4312+50; thence running southwest in a straight line one hundred eighty-one (181) feet to a steel post; thence running southwest in a straight line two hundred seventy five (275) feet to a steel post; thence running northwest in a straight line two hundred forty three (243) feet to a steel post; thence running northwest with Highway 80 right of way back to the point of beginning. Subject to any and all easements, restrictions, conditions, and legal highways of record and/or in existence.

Being the same property conveyed from Douglas Sexton, a single person, to Paul Pennington, a single person, in fee simple by virtue of a deed dated July 21, 2015 and recorded July 23, 2015 at Deed Book 273, Page 584 of the Knott County, Kentucky real estate records.

The property hereinabove described is indivisible, without materially impairing its value or the value of the plaintiff's interest therein; said property shall be sold together as a whole. The foregoing property shall be sold for cash on the day of the sale. The purchaser shall be required to pay cash, certified or cashier's check at the time of the sale (we do not accept personal checks), or, at the option of the purchaser, to make a non-refundable down payment from a bank account.

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MINORITIES ARE ENCOURAGED TO APPLY
HCTC is an equal opportunity employer and education institution.
 974:11/26:2eb

PUBLIC MEETING NOTICE

Recovery and Resilience Mitigation Due to Covid-19
Thursday, December 10, 2020, at 9:30 AM via Zoom

The Kentucky River Area Development District will hold a virtual public meeting on Thursday, December 10, 2020 at 9:30 AM to gather Knott County input regarding an economic recovery and resilience plan from the coronavirus pandemic. Data gathered will help to identify regional recovery needs from the virus and help to create a resilience plan to mitigate future effects from similar pandemics.

Each Area Development District has been charged with writing a non-natural disaster mitigation plan to assist each ADD region in economic recovery and resilience from the coronavirus (Covid-19), and to compliment the current Hazard Mitigation Plan.

Due to the COVID 19 Pandemic, the meeting will be held through a Zoom Video Conference and live streamed through Facebook. You can join the meeting through the following link:
<https://us02web.zoom.us/j/82620728504?pwd=WFVFRzZlS3hMcVZkd0VhSjZlN0FOQzZ09>

To join audio only: Dial by your location 1-646-558-8656 (New York)
 Meeting ID: 826 2072 8504
 Passcode: 662182

The meeting will be live streamed on the following Facebook page:
<https://www.facebook.com/kraadd-public-meetings-101269161542675>
 974:11/26:2eb

Floodplain and Wetland Notice of Explanation
Activity in a 100-Year Floodplain

To: All interested Agencies all Federal, State, and Local Groups and Individuals

This is to give notice that the City of Hindman under 24 CFR Part 58 has conducted an evaluation as required by Executive Order 11988 and/or 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential effect that its project in the floodplain and wetland will have on the human environment for Hindman Lift Station Repair Project under W2X2H150H6. The proposed project is located at multiple locations in the City of Hindman, Knott County, Kentucky. The purpose of this project is to improve sewer services to the customers of Knott County, Kentucky. In doing so, 460 households will receive improved sewer services in the City of Hindman.

The City of Hindman has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: The City of Hindman evaluated alter naries. The first option is to continue making repairs to the lift stations, but that would not be cost efficient. The second option is to do nothing and continue operations, but that is not feasible. The third option is to construct the project as designed. Part of the project may be in the 100-year floodplain as designated by the September 16, 2015 FEMA Floodplain Maps, with very minimal impacts to the floodplain areas.

The City of Hindman has re-evaluated the alternatives to building in the floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988 and/or 11990, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments. This activity will have no significant impact on the environment for the following reasons:

The construction of the Hindman Lift Station Repair Project in the floodplain areas will disturb very minimal surface area during construction, as it is a repair project. The project will repair 5 Lift Stations in the City of Hindman Sewer system. The Lift Stations include the Cowtown Lift Station, Bob Piggan Lift Station, WWTP Lift Station, Knott County Central Lift Station and the Post Office Lift Station. The pumps will be replaced with the same pump size, wetwell rails and piping will be replaced, the valve vault will be relabbed and the valves replaced, the Control panels will be replaced and a local disconnect added to each and any other issues discovered during the construction will be replaced as needed. If funding allows the Trigger LS and College LS will also be relabbed. Once completed the project will not impede the floodplain. This is the most economical and least environmentally impacting alternative considered.

Written comments must be received by the Kentucky River Area Development District at the following address on or before December 11, 2020: Kentucky River Area Development District, 941 North Main Street Hazard, KY 41701 and (606) 436-3158, Attention: Shannon Ritchie, Community and Economic Development Specialist, during the hours of 8am- 4:30pm Monday through Friday. Comments may also be submitted via email at shannonr@kraadd.org.

Date: November 26, 2020

974:11/26:1eb



ANDY BESHEAR
GOVERNOR

DEPARTMENT FOR LOCAL GOVERNMENT
OFFICE OF THE GOVERNOR
100 AIRPORT ROAD, 3RD FLOOR
FRANKFORT, KENTUCKY 40601-8204
PHONE (502) 573-2382 FAX (502) 573-2939
TOLL FREE (800) 346-5606/ TDD:711
WWW.kydlgweb.ky.gov

DENNIS KEENE
COMMISSIONER

October 22, 2020

Mr. Tracy Niece
City of Hindman
P.O. Box 496
Hindman, KY 41822

RE: Hindman Lift Station Repair Project
SX21119016
SAI# KY202009251163
CFDA# 23.002

Dear Mr. Niece:

The Kentucky State e-Clearinghouse is the official designated Single Point of Contact (SPOC) for the Commonwealth pursuant to Presidential Executive Order 12372, and supported by Kentucky Statutes KRS 45.031. The primary function of the SPOC is to streamline the review aforementioned process for the applicant and the funding agency. This process helps in vocalizing the statutory and regulatory requirements. Information in the form of comments, if any, will be attached to this correspondence.

This proposal has been reviewed by the appropriate state agencies in the e-Clearinghouse for conflicts with state or local plans, goals and objectives. After receiving this letter, you should make it available to the funding agency and continue with the funding agencies application process. This e-clearinghouse SPOC letter signifies only that the project has followed the state reviewing requirements, and is neither a commitment of funds from this agency or any other state or federal agency. Please remember if any federal reviews are required the applicant must follow through with those federal agencies.

The results of this review are valid for one year from the date of this letter. If the project is not submitted to the funding agency or not approved within one year after the completion of this review, the applicant can request an extension by email to Lee.Nalley@ky.gov. If the project changes in any way after the review, the applicant must reapply through the eclearinghouse for a new review. There are no exceptions.

If you have any questions regarding this letter or the review process please contact the e-Clearinghouse office at 502-573-2382, ext. 274.

Sincerely,

Lee Nalley, SPOC
Kentucky State Clearinghouse

Attachment

Department for Environmental Protection

Louanna Aldridge

Joel Murphy - Endorse with Comments The proposed project is subject to Division of Water (DOW) jurisdiction because the following are or appear to be involved: sewer lines and appurtenances. Prior approval must be obtained from the DOW before construction can begin. The applicant must cite the State Application Identifier (SAI #KY202009251163) when submitting plans and specifications.

The project will repair 5 lift stations in the City of Hindman Sewer system. The lift stations include the Cowtown Lift Station, Bob Pigman Lift Station, Wastewater Treatment Plant Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. The pumps will be replaced with the same pump size, wetwell rails and piping will be replaced, the valve vault will be rehabbed and the valves replaced, the control panels will be replaced and a local disconnect added to each and any other issues discovered during the construction will be replaced as needed. If funding allows, the Trigger Lift Station and College Lift Station will also be rehabbed.

A meeting was conducted on November 14, 2018 to determine the best course for the City of Hindman to fulfill the wastewater planning requirements for regional planning agencies, 401 KAR 5:006 and the City decided to submit an Asset Inventory Report Form. This document is still needed to fulfill the requirements. Questions should be directed to Lori Dials, Municipal Planning Section, (502) 782-6937, Lori.Dials@ky.gov.

While not required, you may submit plans and specifications to the Water Infrastructure Branch's Engineering section as a maintenance/repair project. A construction permit is not necessary. Questions should be directed to Michael Snyder, Engineering Section, (502) 782-1235, Michael.Snyder@ky.gov.

Best management practices should be utilized to reduce runoff from project construction activities into nearby waters. Questions should be directed to Andrea Fredenburg, Water Quality Branch, (502) 782-6950, Andrea.Fredenburg@ky.gov.

This proposed project is not within a designated Source Water Protection Area. Questions should be directed to Chloe Brantley, Water Supply Section, (502) 782-6898, Chloe.Brantley@ky.gov.

Endorse. Questions should be directed to Daniel Fraley, Field Operations Branch, (606) 783-8655, Daniel.Fraley@ky.gov.

The proposed work is endorsed by the Groundwater Section of the Watershed Management Branch. However, there are domestic groundwater water well users near the proposed work. 401 KAR 6:310 provides minimum standards and requirements for construction, modification, and abandonment of water supply wells. 401 and KAR 6:320 provides for the certification of water well drillers, including the requirements for examination, application, and disciplinary action. Questions should be directed to Scotty Robertson at 502-782-7054 or Scotty.Robertson@ky.gov. It is our recommendation that site be made aware of the requirements of 401 KAR 5:037 and the need to develop a Groundwater Protection Plan (GPP) for the protection of groundwater resources within that area. Questions should be directed to Adam Nolte, Groundwater Section, (502) 782-1312, Adam.Nolte@ky.gov or Kurtis Spears, Groundwater Section, (502) 782- 7119, Kurtis.Spears@ky.gov.

If waters of the Commonwealth are impacted, a Clean Water Act Section 401 Water Quality Certification from the DOW is required for this project. Questions should be directed to Samantha Vogeler, Water Quality Certification Section, (502) 782-6995, Samantha.Vogeler@ky.gov.

This proposed project will require a Kentucky DOW Application for Permit to Construct Across or Along a Stream. Questions should be directed to Shawn Hokanson, Floodplain Management Section, (502) 782-6977, Shawn.Hokanson@ky.gov.

The Division of Enforcement does not object to the project proposed by the applicant. Questions should be directed to Tim Harrod, Division of Enforcement, (502) 782-6858, Timothy.Harrod@ky.gov.

If the construction area disturbed is equal to or greater than 1 acre, the applicant will need to apply for a Kentucky Pollutant Discharge Elimination System (KPDES) storm water discharge permit.

The Kentucky Division of Water supports the goals of EPA's Sustainable Infrastructure Initiative. This Initiative seeks to promote sustainable practices that will help to reduce the potential gap between funding needs and spending at the local and national level. The Sustainable Infrastructure Initiative will guide our efforts in changing how Kentucky views, values, manages, and invests in its water infrastructure. This website, www.epa.gov/waterinfrastructure/, contains information that will help you ensure your facility and operations are consistent with and can benefit from the aims of the Sustainable Infrastructure Initiative. John Poore - Endorse with Comments UST Branch records indicate the following underground storage tank site issues identified within the project impact area:

Active Sites:

Red Hed 34

MASTER AI ID: 52618

LONGITUDE: -82.9805

LATITUDE: 37.335401

Jay Maa Quick Mart

MASTER AI ID: 60254

LONGITUDE: -82.980066

LATITUDE: 37.339318

Closed Sites:

Hindman Car Wash

MASTER AI ID: 2519

LONGITUDE: -82.97914088

LATITUDE: 37.34275642

Rogers Auto Mart

MASTER AI ID: 60231

LONGITUDE: -82.97000527

LATITUDE: 37.3316244

Hayes Gulf

MASTER AI ID: 60259

LONGITUDE: -82.981111

LATITUDE: 37.34

Town Market

MASTER AI ID: 63680

LONGITUDE: -82.98361111

LATITUDE: 37.33416667

If any UST's are encountered during the project construction they should be reported to KDWM. Any UST issues or questions should be directed to the UST Branch.

Superfund Branch records indicate the following superfund site issues identified within the project impact area:

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: 12466

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 03/05/2001

LAT LONG SOURCE: SI

LONGITUDE: -83.001

LATITUDE: 37.32703

Red Hed 34

MASTER AI ID: 52618

SUBJECT ITEM DESIGNATION: 39160
CLOSURE OPTION DESC: Option A No Action Necessary
CLOSURE DATE: 09/10/1998
LAT LONG SOURCE: SI
LONGITUDE: -82.98070899999999
LATITUDE: 37.335269
Ni-Source Mercury Meter Stations - Knott Co
MASTER AI ID: 70509
SUBJECT ITEM DESIGNATION:
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 10/09/2008
LAT LONG SOURCE: SI
LONGITUDE: -82.963725
LATITUDE: 37.330178
Columbia Gas - Knott Co
MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: Gas Pipelines
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 08/11/1991
LAT LONG SOURCE: SI
LONGITUDE: -82.96426799999999
LATITUDE: 37.330402
Kentucky Hydrocarbon Liquified Gas Spill
MASTER AI ID: 127705
SUBJECT ITEM DESIGNATION: Transportation Accident
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/07/1993
LAT LONG SOURCE: SI
LONGITUDE: -82.97106
LATITUDE: 37.331752
Columbia Gas - Knott Co
MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 13922
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/11/2001
LAT LONG SOURCE: SI
LONGITUDE: -82.97874999999999
LATITUDE: 37.332409999999996
Columbia Gas - Knott Co
MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 4931
CLOSURE OPTION DESC: Option A No Action Necessary
CLOSURE DATE: 04/03/2000
LAT LONG SOURCE: SI
LONGITUDE: -82.96472
LATITUDE: 37.3228
Columbia Gas - Knott Co
MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 12497
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/05/2001
LAT LONG SOURCE: SI
LONGITUDE: -82.98331
LATITUDE: 37.33316

Any superfund issues or questions should be directed to the Superfund Branch.

Solid Waste Branch records indicate no active or historic landfill sites within the project impact area. Any solid waste issues or questions should be directed to the Solid Waste Branch.

Hazardous Waste Branch records indicate no hazardous waste issues identified within the project impact area. Any hazardous waste issues or questions should be directed to the Hazardous Waste Branch.

RLA Branch records indicate no RLA tracked open dump sites within the project impact area. Any questions or issues should be directed to the RLA Branch.

All solid waste generated by this project must be disposed of at a permitted facility.

If asbestos, lead paint and/or other contaminants are encountered during this project contact the Division of Waste Management for proper disposal and closure.

The information provided is based on those facilities or sites that KDWM currently has in its database. If you would like additional information on any of these facilities or sites, you may contact the file room custodian at (502) 782-6357. Please keep in mind additional locations of releases, potential contamination or waste facilities may be present but unknown to the agency. Therefore, it is recommended that appropriate precautions be taken during construction activities. Please report any evidence of illegal waste disposal facilities and releases of hazardous substances, pollutants, contaminants or petroleum to the 24-hour Environmental Response Team at 1-800-928-2380.

Department for Local Government

Lee Nalley

ENDORSED

Department of Housing, Buildings and Construction

Kevin Carlin

The Department of Housing Buildings and Construction, Division of Building Code Enforcement, has no comments concerning this proposed project. A building permit from this office is not required.

Division of Enforcement

Tim Harrod

The Division of Enforcement does not object to the project proposed by the applicant.

Tim Harrod, Enforcement Specialist

Division of Enforcement

Timothy.Harrod@ky.gov

Division of Water

Andrea Fredenburg

Best management practices should be utilized to reduce runoff from project construction activities into nearby waters.

DOW

Daniel Fraley

Endorse

Fish and Wildlife

Dan Stoelb

Based on the information provided, the Kentucky Department of Fish & Wildlife Resources has no comments concerning the proposed project. Please contact Dan Stoelb @ 502-892-4453 or Daniel.Stoelb@ky.gov if you have further questions or require additional information.

Kentucky Division of Water

Chloe Brantley

Project filed.

Kentucky Division of Water

Michael Snyder

Not required but you may submit plans/specifications to the WIB-Engineering section as a maintenance/repair project. No construction permit is necessary.

Kentucky Division of Water, Water Quality Certification

Samantha Vogeler

If waters of the Commonwealth are impacted, a Clean Water Act Section 401 Water Quality Certification from the Division of Water is required for this project. Questions should be directed to Samantha Vogeler, Project Manager, at Samantha.Vogeler@ky.gov or (502) 782-6995.

Kentucky Infrastructure Authority

Don Schierer

This project was reviewed in the WRIS Portal by KIA staff.

Kentucky River ADD

Jennifer McIntosh

KY River ADD has reviewed the project and it matches the project profile submitted to the WMC. The ADD asks that upon completion a copy of the as-builts be submitted digitally so that the WRIS may be updated.

Kentucky River Area Development District

Angelia Hall

KRADD has no concerns with the proposed project.

KY Division of Water

Lori Dials

A meeting was conducted on 11/14/18 to determine the best course for the City of Hindman to fulfill the wastewater planning requirements for regional planning agencies, 401 KAR 5:006 and the City decided to submit an Asset Inventory Report Form. This document is still needed to fulfill the requirements.

KY Division of Water

Allan Shingleton

This proposed project will require a Kentucky Division of Water Application for Permit to Construct Across or Along a Stream. Questions should be directed to Shawn Hokanson at 502-782-6977 or Shawn.Hokanson@ky.gov.

This proposed project is not within a designated Source Water Protection Area. Questions should be directed to Chloe Brantley at 502-782-6898 or Chloe.Brantley@ky.gov

KY Heritage Council

Yvonne Sherrick

To receive a review from the KY Heritage Council/State Historical Preservation Office (SHPO) you must follow the instructions located on their website at <http://www.heritage.ky.gov/siteprotect/> . There you will find the required documents for the Section 106 Review and Compliance for 36 CFR Part 800. This Section 106 submission process to SHPO will assist applicants and agencies in providing the appropriate level of information to receive comments from SHPO. If you have any questions please contact Yvonne Sherrick, Administrative Specialist III, (502) 564-7005, Ext. 113, yvonne.sherrick@ky.gov.

Please note: If your project is funded through Transportation Alternative (TAP), Transportation Enhancements (TE), Congestion, Mitigation, Air Quality (CMAQ), or Safe Routes to School (SRTS) you will need to send this information to Michael Jones, Historic Preservation Program Administrator with the Kentucky Transportation Cabinet via email MichaelR.Jones2@ky.gov or hard copy to Michael Jones, Office of Local Programs, KY Transportation Cabinet, 200 Mero Street Frankfort, KY 40622. Do not send materials directly to SHPO if your project involves funding from these four sources as it will cause delays in the review process. Michael Jones will consult directly with the SHPO on projects with these funding sources to complete the Section 106 review.

KY. Division of Water

Kurtis Spears

The proposed work is endorsed by the Groundwater Section of the Watershed Management Branch. However, there are domestic groundwater water well users in the vicinity of the proposed work. 401 KAR 6:310 provides minimum standards and requirements for construction, modification, and abandonment of water supply wells. 401 and KAR 6:320 provides for the certification of water well drillers, including the requirements for examination, application, and disciplinary action. Questions should be directed to Scotty Robertson at 502-782-7054 or Scotty.Robertson@ky.gov It is our recommendation that site be made aware of the requirements of 401 KAR 5:037 and the need to develop a Groundwater Protection Plan (GPP) for the protection of groundwater resources within that area. Questions should be directed to Adam Nolte (502-782-1312) or Kurtis Spears (502-782-7119).

KYTC DISTRICT 12

Samuel Hale

Notify the Permit Office of the Transportation Cabinet at 109 Loraine Street Pikeville, KY 41501 (606) 433-7791 before working on or near the highway right of way.



ANDY BESHEAR
GOVERNOR

REBECCA W. GOODMAN
SECRETARY

ENERGY AND ENVIRONMENT CABINET
OFFICE OF KENTUCKY NATURE PRESERVES

ZEB WEESE
EXECUTIVE DIRECTOR

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601
TELEPHONE: 502-573-2886
TELEFAX: 502-564-7484

December 17, 2020

Shannon Ritchie
Kentucky River Area Development District
941 North Main Street
Hazard, KY 41701

Project: Hindman Lift Station Repair Project
Project ID: 21-0079
Project Type: Standard (*customers will be invoiced), 1 mile buffer
(\$120 fee)
Site Acreage: 1,471.82
Site Lat/Lon: 37.333156 / -82.983076
County: Knott
USGS Quad: CARRIE; HINDMAN
Watershed HUC12: Big Branch-Troublesome Creek; Right Fork Troublesome
Creek

Dear Shannon Ritchie,

This letter is in response to your data request for the project referenced above. We have reviewed our Natural Heritage Program Database to determine if any of the endangered, threatened, or special concern plants and animals or exemplary natural communities monitored by the Office of Kentucky Nature Preserves occur within your general project area. Your project does pose a concern at this time, therefore please see the attached reports and [report key](#) for more detailed information.

I would like to take this opportunity to remind you of the terms of the data request license, which you agreed upon in order to submit your request. The license agreement states "Data and data products received from the Office of Kentucky Nature Preserves, including any portion thereof, may not be reproduced in any form or by any means without the express written authorization of the Office of Kentucky Nature Preserves." The exact location of plants, animals, and natural communities, if released by the Office of Kentucky Nature Preserves, may not be released in any document or correspondence. These products are provided on a temporary basis for the express project (described above) of the requester, and may not be redistributed, resold or copied without the written permission of the Biological Assessment Branch (300 Sower Blvd - 4th Floor, Frankfort, KY, 40601. Phone: 502-782-7828).

Please note that the quantity and quality of data collected by the Kentucky Natural Heritage Program are dependent

Project ID: 21-0079
December 17, 2020
Page 2

on the research and observations of many individuals and organizations. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Kentucky have never been thoroughly surveyed and new plants and animals are still being discovered. For these reasons, the Kentucky Natural Heritage Program cannot provide a definitive statement on the presence, absence, or condition of biological elements in any part of Kentucky. Heritage reports summarize the existing information known to the Kentucky Natural Heritage Program at the time of the request regarding the biological elements or locations in question. They should never be regarded as final statements on the elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. We would greatly appreciate receiving any pertinent information obtained as a result of on-site surveys.

If you have any questions, or if I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Elizabeth Mason
Geoprocessing Specialist

**Standard Occurrence Report
KNP monitored species within 1 Miles of Project Area**

EOID	Scientific Name	Common Name	GRank	SRank	SPROT	USESA	SIWG	Last Obs Date	Pre-Blon	EO Rank	Lat/Lon	Directions	Habitat
13046	<i>Etheostoma spilotum</i>	Kentucky Arrow Darter	G2G3	S2	T	LT	Y	1890-08-28	M	H	37.3357 / -82.9815	Left Troublesome Creek at Hindman (Plotted at SR-60 Bridge just above mouth)	Clean bedrock, boulder, or coarse gravel of small to medium-size upland streams with slow to moderate current (Kuehn and Bailey 1961, Kuehn and Barbour 1963, Page 1983, Starnes and Einler 1990, Burr and Warren 1996)
13526	<i>Myotis sodalis</i>	Indiana Bat	G2	S1S2	E	LE	Y	2011-08-20	S	U	37.3175 / -82.9568	Near Brinkley, ca 280 m SE of Knott Co Vo-Tech School across Right Fork.	Primarily use caves for hibernacula, although they are occasionally found in old mine portals. During summer, colonies are found behind slabs of exfoliating bark of dead trees, often in bottomland or floodplain habitats, but also in upland situations.
15136	<i>Pernyotis subflavus</i>	Tricolored Bat	G2G3	S2	T			2011-08-23	S	E	37.3177 / -82.9561	W of Gua Hays Path along creek	

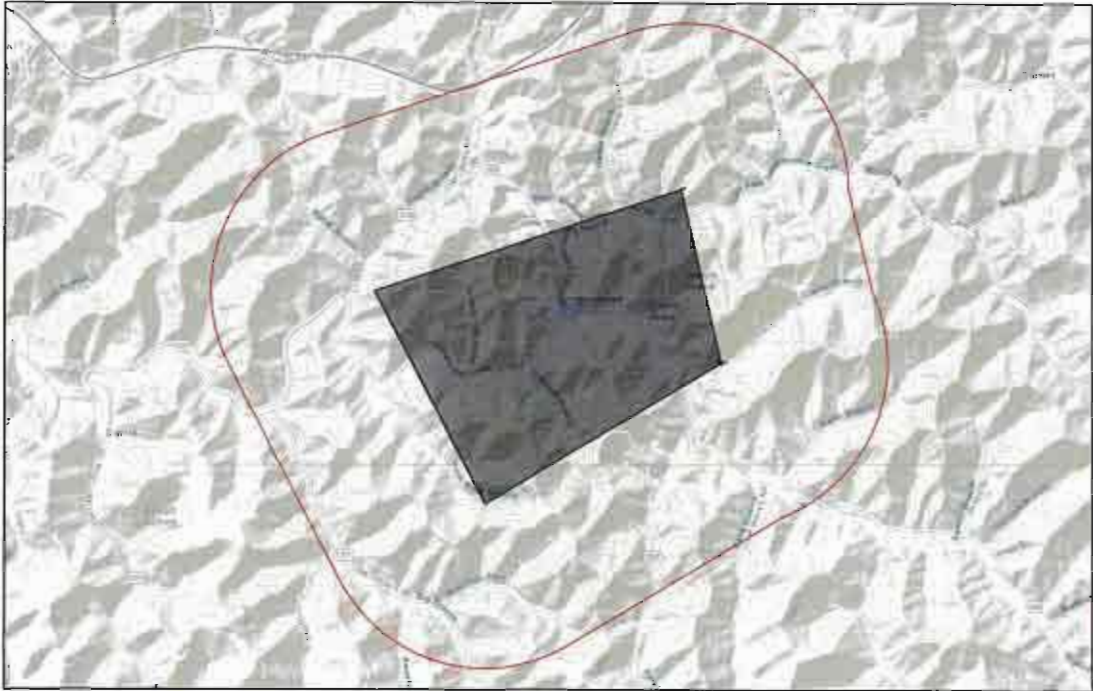
Bat Habitats within 1 Miles of Project Area

Habitat	Species	USEWS
SUMMER 1	<i>M. septentrionalis</i>	Contact USEWS at (502) 695-0468 or KentuckyES@fws.gov

THESE DATA ARE VALID ONLY ON THE DATE ON WHICH THE REPORT WAS GENERATED.
THESE DATA MAY ONLY BE USED FOR THE PROJECT NAMED ABOVE.

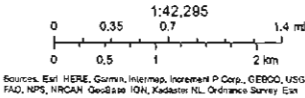
143

Hindman Lift Station Repair Project



December 17, 2020

- Project Boundary
- Buffered Project Boundary
- Element Occurrences



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Kentucky River

AREA
DEVELOPMENT
DISTRICT

941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

October 20, 2020

CHAIRMAN
Pam Pilgrim
VICE-CHAIRMAN
Tracy Neice
Mayor
TREASURER
Terry Adams
Judge/Executive
SECRETARY
Gregory Whitson
PARLIAMENTARIAN
Laura Thomas
Mayor

BOARD OF DIRECTORS

County Judge Executives

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Chuck Caudill - Lee Co.
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Scott Alexander - Perry Co.
Raymond Banks - Wolfe Co.

Mayors

Laura Thomas - Jackson
Tracy Neice - Hindman
Scott Cornett - Pippa Passes
Scott Jackson - Beattyville
Carol Joseph - Hyden
Susan Polis - Fleming-Neon
James W. Craft - Whitesburg
Todd DePree - Jenkins
Nelson Bobrowski - Booneville
Ernest Back - Vicks
Donald "Happy" Moberlin - Hazard
Tom Burns - Buckhorn
Kathi May - Campton

Citizen Members

Roy Darrell Herald
Gary Campbell
Ray D. Moore
Larry Parker
Larry Perkins
Zach Sandlin
Hiram Cornett
Eugene Stewart
Everett Marshall
Doug Brandenburg
Fred Hill
Jack Burkich
Dale Bishop
Demick Bowling
Neil Napier
Gregory Whitson
Meriwether Wash-Hall
Pam Pilgrim
Shirley Halcomb

Executive Director

Michelle Allen

E-Mail: michelle@kradd.org
FAX NUMBER 606-436-2144
TDD NUMBER 1-800-247-2517
(Hearing Impaired)

Louanna Aldridge
Office of the Commissioner
300 Sower Blvd., 2nd floor
Frankfort, KY 40601

RE: Hindman Lift Station Repair Project

Dear Ms. Aldridge:

The Kentucky River Area Development District has been asked to undertake a NEPA environmental review of the above referenced project to determine the impact of the proposed activities. Please provide comments from the following Divisions under the Kentucky Department for Environmental Protection jurisdiction:

- Division of Air Quality
- Division of Waste Management
- Division of Water
- Division of Water, Floodplain Management

The scope of this project will replace the pumps with same pump sizes, wetwell rails, piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels will be replaced with a local disconnect added to each.

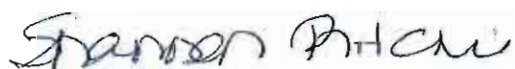
Any ground disturbance with this project will be minimal due to the project being a repair project. I would appreciate your office reviewing this project and its potential impact(s) on any environmental areas within your jurisdiction. I have enclosed a project location map and project description for your reference. Coordinates for this project are WWTP Lift Station 37°19'46.047"N; -83°0'7.98"W, Cowtown Lift Station 37°19'51.092"N; -82°59'13.427"W, Post Office Lift Station 37°20'9.34"N; -82°58'53.532"W, Triggers Lift Station 37°20'24.115"N; -82°58'52.458"W, College Lift Station 37°20'4.28"N; -82°58'36.639"W, Bob Pigman Lift Station 37°20'5.226"N; -82°58'25.047"W, Knott County Central Lift Station 37°19'22.236"N; -82°58'5.228"W.

Your comments may address beneficial or adverse impacts or both. I would appreciate receiving your comments in the near future. I will

assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: shannon@kradd.com.

Thank you for your time and assistance.

Sincerely,

A handwritten signature in black ink that reads "Shannon Ritchie". The signature is written in a cursive, slightly slanted style.

Shannon Ritchie
Community and Economic Development Specialist

Exhibit 10
Site Contamination Data



ANDY BESHEAR
GOVERNOR

REBECCA W. GOODMAN
SECRETARY

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

ANTHONY R. HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601
TELEPHONE: 502-564-2150
TELEFAX: 502-564-4245

November 2, 2020

Kentucky River Area Development District
941 N. Main St.
Hazard, KY 41701

Re: Hindman Lift Station Repair Project--SERO 2020-43

Dear Ms. Ritchie,

The Energy and Environment Cabinet serves as the state clearinghouse for review of environmental documents generated pursuant to the National Environmental Policy Act (NEPA). Within the Cabinet, the Commissioner's Office in the Department for Environmental Protection coordinates the review for Kentucky state agencies. We received your letter requesting an environmental review for this project. We have reviewed the document and provided comments below.

Division of Water

Water Infrastructure Branch:

A meeting was conducted on November 14, 2018 to determine the best course for the City of Hindman to fulfill the wastewater planning requirements for regional planning agencies, 401 KAR 5:006 and the City decided to submit an Asset Inventory Report Form. This document is still needed to fulfill the requirements. Questions should be directed to Lori Dials, Municipal Planning Section, (502) 782-6937, Lori.Dials@ky.gov.

While not required, you may submit plans and specifications to the Water Infrastructure Branch's Engineering section as a maintenance/repair project. A construction permit is not necessary. Questions should be directed to Michael Snyder, Engineering Section, (502) 782-1235, Michael.Snyder@ky.gov.

Water Quality Branch:

Best management practices should be utilized to reduce runoff from project construction activities into nearby waters. Questions should be directed to Andrea Fredenburg, Water Quality Branch, (502) 782-6950, Andrea.Fredenburg@ky.gov.

Water Resources Branch:

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This proposed project will require a Kentucky DOW Application for Permit to Construct Across or Along a Stream. Questions should be directed to Shawn Hokanson, Floodplain Management Section, (502) 782-6977, Shawn.Hokanson@ky.gov.

If waters of the Commonwealth are impacted, a Clean Water Act Section 401 Water Quality Certification from the DOW is required for this project. Questions should be directed to Samantha Vogeler, Water Quality Certification Section, (502) 782-6995, Samantha.Vogeler@ky.gov.

Watershed Management:

This proposed project is not within a designated Source Water Protection Area. Questions should be directed to Chloe Brantley, Water Supply Section, (502) 782-6898, Chloe.Brantley@ky.gov.

The proposed work is endorsed by the Groundwater Section of the Watershed Management Branch. However, there are domestic groundwater water well users near the proposed work. 401 KAR 6:310 provides minimum standards and requirements for construction, modification, and abandonment of water supply wells. 401 and KAR 6:320 provides for the certification of water well drillers, including the requirements for examination, application, and disciplinary action. Questions should be directed to Scotty Robertson at 502-782-7054 or Scotty.Robertson@ky.gov. It is our recommendation that site be made aware of the requirements of 401 KAR 5:037 and the need to develop a Groundwater Protection Plan (GPP) for the protection of groundwater resources within that area. Questions should be directed to Adam Nolte, Groundwater Section, (502) 782-1312, Adam.Nolte@ky.gov or Kurtis Spears, Groundwater Section, (502) 782- 7119, Kurtis.Spears@ky.gov.

Field Operations Branch:

Endorse. Questions should be directed to Daniel Fraley, Field Operations Branch, (606) 783-8655, Daniel.Fraley@ky.gov.

Enforcement Branch:

The Division of Enforcement does not object to the project proposed by the applicant. Questions should be directed to Tim Harrod, Division of Enforcement, (502) 782-6858, Timothy.Harrod@ky.gov.

Division of Waste Management

UST Branch records indicate the following underground storage tank site issues identified within the project impact area:

Active Sites:

Red Hed 34

MASTER AI ID: 52618

LONGITUDE: -82.9805

LATITUDE: 37.335401

Jay Maa Quick Mart

MASTER AI ID: 60254

LONGITUDE: -82.980066
LATITUDE: 37.339318

Closed Sites:

Hindman Car Wash
MASTER AI ID: 2519
LONGITUDE: -82.97914088
LATITUDE: 37.34275642

Rogers Auto Mart
MASTER AI ID: 60231
LONGITUDE: -82.97000527
LATITUDE: 37.3316244

Hayes Gulf
MASTER AI ID: 60259
LONGITUDE: -82.981111
LATITUDE: 37.34

Town Market
MASTER AI ID: 63680
LONGITUDE: -82.98361111
LATITUDE: 37.33416667

If any UST's are encountered during the project construction they should be reported to KDWM. Any UST issues or questions should be directed to the UST Branch.

Superfund Branch records indicate the following superfund site issues identified within the project impact area:

Columbia Gas - Knott Co
MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 12466
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/05/2001
LAT LONG SOURCE: SI
LONGITUDE: -83.001
LATITUDE: 37.32703

Red Hed 34
MASTER AI ID: 52618
SUBJECT ITEM DESIGNATION: 39160
CLOSURE OPTION DESC: Option A No Action Necessary
CLOSURE DATE: 09/10/1998
LAT LONG SOURCE: SI
LONGITUDE: -82.98070899999999

LATITUDE: 37.335269

Ni-Source Mercury Meter Stations - Knott Co

MASTER AI ID: 70509

SUBJECT ITEM DESIGNATION:

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 10/09/2008

LAT LONG SOURCE: SI

LONGITUDE: -82.963725

LATITUDE: 37.330178

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: Gas Pipelines

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 08/11/1991

LAT LONG SOURCE: SI

LONGITUDE: -82.96426799999999

LATITUDE: 37.330402

Kentucky Hydrocarbon Liquified Gas Spill

MASTER AI ID: 127705

SUBJECT ITEM DESIGNATION: Transportation Accident

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 03/07/1993

LAT LONG SOURCE: SI

LONGITUDE: -82.97106

LATITUDE: 37.331752

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: 13922

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 03/11/2001

LAT LONG SOURCE: SI

LONGITUDE: -82.97874999999999

LATITUDE: 37.332409999999996

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: 4931

CLOSURE OPTION DESC: Option A No Action Necessary

CLOSURE DATE: 04/03/2000

LAT LONG SOURCE: SI

LONGITUDE: -82.96472

LATITUDE: 37.3228

Columbia Gas - Knott Co

MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 12497
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/05/2001
LAT LONG SOURCE: SI
LONGITUDE: -82.98331
LATITUDE: 37.33316

Any superfund issues or questions should be directed to the Superfund Branch.

Solid Waste Branch records indicate no active or historic landfill sites within the project impact area. Any solid waste issues or questions should be directed to the Solid Waste Branch.

Hazardous Waste Branch records indicate no hazardous waste issues identified within the project impact area. Any hazardous waste issues or questions should be directed to the Hazardous Waste Branch.

RLA Branch records indicate no RLA tracked open dump sites within the project impact area. Any questions or issues should be directed to the RLA Branch.

All solid waste generated by this project must be disposed of at a permitted facility.

If asbestos, lead paint and/or other contaminants are encountered during this project contact the Division of Waste Management for proper disposal and closure.

The information provided is based on those facilities or sites that KDWM currently has in its database. If you would like additional information on any of these facilities or sites, you may contact the file room custodian at (502) 782-6357. Please keep in mind additional locations of releases, potential contamination or waste facilities may be present but unknown to the agency. Therefore, it is recommended that appropriate precautions be taken during construction activities. Please report any evidence of illegal waste disposal facilities and releases of hazardous substances, pollutants, contaminants or petroleum to the 24-hour Environmental Response Team at 1-800-928-2380.

Division for Air Quality

401 KAR 63:010, Fugitive Emissions, states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth-moving equipment to be deposited onto a paved street or roadway. Please note the Fugitive Emissions Fact Sheet located at <https://eec.ky.gov/Environmental-Protection/Air/Documents/Fugitive%20Dust%20Fact%20Sheet.pdf>

401 KAR 63:005 states that open burning shall be prohibited except as specifically provided. Open Burning is defined as the burning of any matter in such a manner that the products of

combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Brochure located at

<https://eec.ky.gov/Environmental-Protection/Air/Pages/Open-Burning.aspx>

The Division would like to offer the following suggestions on how this project can help us stay in compliance with the NAAQS. These air quality control strategies are beneficial to the health of citizens of Kentucky.

- Utilize alternatively fueled equipment.
- Utilize other emission controls that are applicable to your equipment.
- Reduce idling time on equipment.

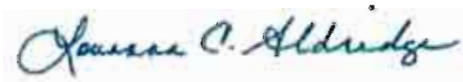
The Division also suggests an investigation into compliance with applicable local government regulations.

Kentucky Nature Preserves

Your project might have the potential of impacting federally or state listed species and natural communities. Go to the Kentucky Biological Assessment Tool (kynaturepreserves.org) to obtain a Standard Occurrence Report for information regarding listed species known within your project area. The report will also provide information on public and private conservation lands, areas of biodiversity significance, and other natural resources in your project area for which the Office of Kentucky Nature Preserves maintains data.

This review is based upon the information that was provided by the applicant. An endorsement of this project does not satisfy, or imply, the acceptance or issuance of any permits, certifications or approvals that may be required from this agency under Kentucky Revised Statutes or Kentucky Administrative Regulations. Such endorsement means this agency has found no major concerns from the review of the proposed project as presented other than those stated as conditions or comments. If you should have any questions, please contact me at (502) 782-0863 or e-mail Louanna.Aldridge@ky.gov.

Sincerely,



Louanna Aldridge
Staff Assistant
Office of the Commissioner
Department for Environmental Protection
Energy and Environment Cabinet



Kentucky River

AREA
DEVELOPMENT
DISTRICT

941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

October 20, 2020

Louanna Aldridge
Office of the Commissioner
300 Sower Blvd., 2nd floor
Frankfort, KY 40601

RE: Hindman Lift Station Repair Project

Dear Ms. Aldridge:

The Kentucky River Area Development District has been asked to undertake a NEPA environmental review of the above referenced project to determine the impact of the proposed activities. Please provide comments from the following Divisions under the Kentucky Department for Environmental Protection jurisdiction:

- Division of Air Quality
- Division of Waste Management
- Division of Water
- Division of Water, Floodplain Management

The scope of this project will replace the pumps with same pump sizes, wetwell rails, piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels will be replaced with a local disconnect added to each.

Any ground disturbance with this project will be minimal due to the project being a repair project. I would appreciate your office reviewing this project and its potential impact(s) on any environmental areas within your jurisdiction. I have enclosed a project location map and project description for your reference. Coordinates for this project are WWTP Lift Station 37°19'46.047"N; -83°0'7.98"W, Cowtown Lift Station 37°19'51.092"N; -82°59'13.427", Post Office Lift Station 37°20'9.34"N; -82°58'53.532"W, Triggers Lift Station 37°20'24.115"N; -82°58'52.458"W, College Lift Station 37°20'4.28"N; -82°58'36.639"W, Bob Pigman Lift Station 37°20'5.226"N; -82°58'25.047"W, Knott County Central Lift Station 37°19'22.236"N; -82°58'5.228"W.

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Ernest Back - Vioce
Donald "Happy" Mobilini - Hazard
Tom Burns - Buckhorn
Kathi May - Clampton

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Everett Marshall
Doug Brandenburg
Fred Hall
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Dale Bishop
Derrick Bowling
Neil Napier
Gregory Whitson
Meriwether Wash-Hall
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Executive Director

Michelle Alton

E-Mail: michelle@kredd.org
FAX NUMBER 606-436-2144
TDD NUMBER 1-800-247-2510
(Hearing Impaired)

assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: shannon.ritchie@wpaiaid.org.

Thank you for your time and assistance.

Sincerely,

A handwritten signature in blue ink that reads "Shannon Ritchie". The signature is written in a cursive style and is highlighted with a light blue rectangular background.

Shannon Ritchie
Community and Economic Development Specialist

Exhibit 11

Sole Source Aquifer Data

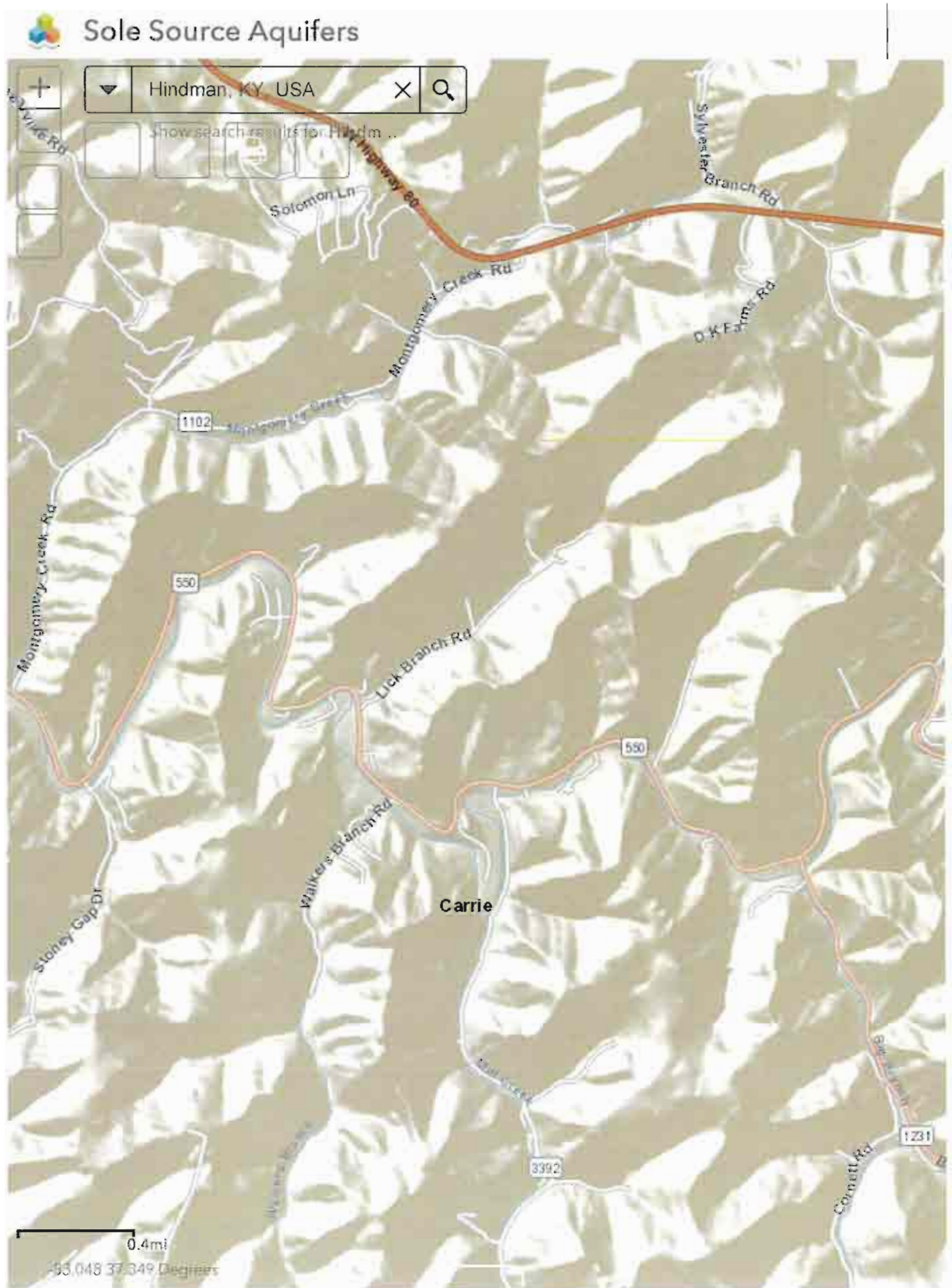


Exhibit 12
Division of Waste Management
Correspondence



ANDY BESHEAR
GOVERNOR

REBECCA W. GOODMAN
SECRETARY

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

ANTHONY R. HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601
TELEPHONE: 502-564-2150
TELEFAX: 502-564-4245

November 2, 2020

Kentucky River Area Development District
941 N. Main St.
Hazard, KY 41701

Re: Hindman Lift Station Repair Project--SERO 2020-43

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While not required, you may submit plans and specifications to the Water Infrastructure Branch's Engineering section as a maintenance/repair project. A construction permit is not necessary. Questions should be directed to Michael Snyder, Engineering Section, (502) 782-1235, Michael.Snyder@ky.gov.

Water Quality Branch:

Best management practices should be utilized to reduce runoff from project construction activities into nearby waters. Questions should be directed to Andrea Fredenburg, Water Quality Branch, (502) 782-6950, Andrea.Fredenburg@ky.gov.

Water Resources Branch:

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This proposed project will require a Kentucky DOW Application for Permit to Construct Across or Along a Stream. Questions should be directed to Shawn Hokanson, Floodplain Management Section, (502) 782-6977, Shawn.Hokanson@ky.gov.

If waters of the Commonwealth are impacted, a Clean Water Act Section 401 Water Quality Certification from the DOW is required for this project. Questions should be directed to Samantha Vogeler, Water Quality Certification Section, (502) 782-6995, Samantha.Vogeler@ky.gov.

Watershed Management:

This proposed project is not within a designated Source Water Protection Area. Questions should be directed to Chloe Brantley, Water Supply Section, (502) 782-6898, Chloe.Brantley@ky.gov.

The proposed work is endorsed by the Groundwater Section of the Watershed Management Branch. However, there are domestic groundwater water well users near the proposed work. 401 KAR 6:310 provides minimum standards and requirements for construction, modification, and abandonment of water supply wells. 401 and KAR 6:320 provides for the certification of water well drillers, including the requirements for examination, application, and disciplinary action. Questions should be directed to Scotty Robertson at 502-782-7054 or Scotty.Robertson@ky.gov. It is our recommendation that site be made aware of the requirements of 401 KAR 5:037 and the need to develop a Groundwater Protection Plan (GPP) for the protection of groundwater resources within that area. Questions should be directed to Adam Nolte, Groundwater Section, (502) 782-1312, Adam.Nolte@ky.gov or Kurtis Spears, Groundwater Section, (502) 782- 7119, Kurtis.Spears@ky.gov.

Field Operations Branch:

Endorse. Questions should be directed to Daniel Fraley, Field Operations Branch, (606) 783-8655, Daniel.Fraley@ky.gov.

Enforcement Branch:

The Division of Enforcement does not object to the project proposed by the applicant. Questions should be directed to Tim Harrod, Division of Enforcement, (502) 782-6858, Timothy.Harrod@ky.gov.

Division of Waste Management

UST Branch records indicate the following underground storage tank site issues identified within the project impact area:

Active Sites:

Red Hed 34

MASTER AI ID: 52618

LONGITUDE: -82.9805

LATITUDE: 37.335401

Jay Maa Quick Mart

MASTER AI ID: 60254

LONGITUDE: -82.980066
LATITUDE: 37.339318

Closed Sites:

Hindman Car Wash
MASTER AI ID: 2519
LONGITUDE: -82.97914088
LATITUDE: 37.34275642

Rogers Auto Mart
MASTER AI ID: 60231
LONGITUDE: -82.97000527
LATITUDE: 37.3316244

Hayes Gulf
MASTER AI ID: 60259
LONGITUDE: -82.981111
LATITUDE: 37.34

Town Market
MASTER AI ID: 63680
LONGITUDE: -82.98361111
LATITUDE: 37.33416667

If any UST's are encountered during the project construction they should be reported to KDWM.
Any UST issues or questions should be directed to the UST Branch.

Superfund Branch records indicate the following superfund site issues identified within the project impact area:

Columbia Gas - Knott Co
MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 12466
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/05/2001
LAT LONG SOURCE: SI
LONGITUDE: -83.001
LATITUDE: 37.32703

Red Hed 34
MASTER AI ID: 52618
SUBJECT ITEM DESIGNATION: 39160
CLOSURE OPTION DESC: Option A No Action Necessary
CLOSURE DATE: 09/10/1998
LAT LONG SOURCE: SI
LONGITUDE: -82.98070899999999

LATITUDE: 37.335269

Ni-Source Mercury Meter Stations - Knott Co

MASTER AI ID: 70509

SUBJECT ITEM DESIGNATION:

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 10/09/2008

LAT LONG SOURCE: SI

LONGITUDE: -82.963725

LATITUDE: 37.330178

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: Gas Pipelines

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 08/11/1991

LAT LONG SOURCE: SI

LONGITUDE: -82.96426799999999

LATITUDE: 37.330402

Kentucky Hydrocarbon Liquified Gas Spill

MASTER AI ID: 127705

SUBJECT ITEM DESIGNATION: Transportation Accident

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 03/07/1993

LAT LONG SOURCE: SI

LONGITUDE: -82.97106

LATITUDE: 37.331752

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: 13922

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 03/11/2001

LAT LONG SOURCE: SI

LONGITUDE: -82.97874999999999

LATITUDE: 37.332409999999996

Columbia Gas - Knott Co

MASTER AI ID: 52759

SUBJECT ITEM DESIGNATION: 4931

CLOSURE OPTION DESC: Option A No Action Necessary

CLOSURE DATE: 04/03/2000

LAT LONG SOURCE: SI

LONGITUDE: -82.96472

LATITUDE: 37.3228

Columbia Gas - Knott Co

MASTER AI ID: 52759
SUBJECT ITEM DESIGNATION: 12497
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/05/2001
LAT LONG SOURCE: SI
LONGITUDE: -82.98331
LATITUDE: 37.33316

Any superfund issues or questions should be directed to the Superfund Branch.

Solid Waste Branch records indicate no active or historic landfill sites within the project impact area. Any solid waste issues or questions should be directed to the Solid Waste Branch.

Hazardous Waste Branch records indicate no hazardous waste issues identified within the project impact area. Any hazardous waste issues or questions should be directed to the Hazardous Waste Branch.

RLA Branch records indicate no RLA tracked open dump sites within the project impact area. Any questions or issues should be directed to the RLA Branch.

All solid waste generated by this project must be disposed of at a permitted facility.

If asbestos, lead paint and/or other contaminants are encountered during this project contact the Division of Waste Management for proper disposal and closure.

The information provided is based on those facilities or sites that KDWM currently has in its database. If you would like additional information on any of these facilities or sites, you may contact the file room custodian at (502) 782-6357. Please keep in mind additional locations of releases, potential contamination or waste facilities may be present but unknown to the agency. Therefore, it is recommended that appropriate precautions be taken during construction activities. Please report any evidence of illegal waste disposal facilities and releases of hazardous substances, pollutants, contaminants or petroleum to the 24-hour Environmental Response Team at 1-800-928-2380.

Division for Air Quality

401 KAR 63:010, Fugitive Emissions, states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth-moving equipment to be deposited onto a paved street or roadway. Please note the Fugitive Emissions Fact Sheet located at <https://eec.ky.gov/Environmental-Protection/Air/Documents/Fugitive%20Dust%20Fact%20Sheet.pdf>

401 KAR 63:005 states that open burning shall be prohibited except as specifically provided. Open Burning is defined as the burning of any matter in such a manner that the products of

combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Brochure located at

<https://eec.ky.gov/Environmental-Protection/Air/Pages/Open-Burning.aspx>

The Division would like to offer the following suggestions on how this project can help us stay in compliance with the NAAQS. These air quality control strategies are beneficial to the health of citizens of Kentucky.

- Utilize alternatively fueled equipment.
- Utilize other emission controls that are applicable to your equipment.
- Reduce idling time on equipment.

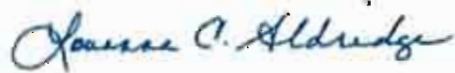
The Division also suggests an investigation into compliance with applicable local government regulations.

Kentucky Nature Preserves

Your project might have the potential of impacting federally or state listed species and natural communities. Go to the Kentucky Biological Assessment Tool (kynaturepreserves.org) to obtain a Standard Occurrence Report for information regarding listed species known within your project area. The report will also provide information on public and private conservation lands, areas of biodiversity significance, and other natural resources in your project area for which the Office of Kentucky Nature Preserves maintains data.

This review is based upon the information that was provided by the applicant. An endorsement of this project does not satisfy, or imply, the acceptance or issuance of any permits, certifications or approvals that may be required from this agency under Kentucky Revised Statutes or Kentucky Administrative Regulations. Such endorsement means this agency has found no major concerns from the review of the proposed project as presented other than those stated as conditions or comments. If you should have any questions, please contact me at (502) 782-0863 or e-mail Louanna.Aldridge@ky.gov.

Sincerely,



Louanna Aldridge
Staff Assistant
Office of the Commissioner
Department for Environmental Protection
Energy and Environment Cabinet



Kentucky River

AREA
DEVELOPMENT
DISTRICT

941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

October 20, 2020

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Dale Bishop
Derrick Bowling
Neil Napier
Gregory Whitson
Meriwether Wash-Hall
Pam Pilgrim
Shirley Halcomb

Executive Director

Michelle Allen

E-Mail: michelle@kradd.org
FAX NUMBER 606-436-2144
TDD NUMBER 1-800-247-2510
(Hearing Impaired)

Louanna Aldridge
Office of the Commissioner
300 Sower Blvd., 2nd floor
Frankfort, KY 40601

RE: Hindman Lift Station Repair Project

Dear Ms. Aldridge:

The Kentucky River Area Development District has been asked to undertake a NEPA environmental review of the above referenced project to determine the impact of the proposed activities. Please provide comments from the following Divisions under the Kentucky Department for Environmental Protection jurisdiction:

- Division of Air Quality
- Division of Waste Management
- Division of Water
- Division of Water, Floodplain Management

The scope of this project will replace the pumps with same pump sizes, wetwell rails, piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels will be replaced with a local disconnect added to each.

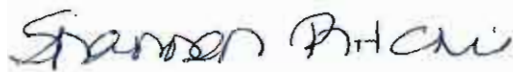
Any ground disturbance with this project will be minimal due to the project being a repair project. I would appreciate your office reviewing this project and its potential impact(s) on any environmental areas within your jurisdiction. I have enclosed a project location map and project description for your reference. Coordinates for this project are WWTP Lift Station 37°19'46.047"N; -83°0'7.98"W, Cowtown Lift Station 37°19'51.092"N; -82°59'13.427", Post Office Lift Station 37°20'9.34"N; -82°58'53.532"W, Triggers Lift Station 37°20'24.115"N; -82°58'52.458"W, College Lift Station 37°20'4.28"N; -82°58'36.639"W, Bob Pigman Lift Station 37°20'5.226"N; -82°58'25.047"W, Knott County Central Lift Station 37°19'22.236"N; -82°58'5.228"W.

Your comments may address beneficial or adverse impacts or both. I would appreciate receiving your comments in the near future. I will

assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: shannon@kradd.com.

Thank you for your time and assistance.

Sincerely,

A handwritten signature in black ink that reads "Shannon Ritchie". The signature is written in a cursive style with a light blue highlight behind it.

Shannon Ritchie
Community and Economic Development Specialist

Exhibit 13
FEMA Correspondence



Kentucky River

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October 20, 2020

Federal Emergency Management Agency
Region IV
3003 Chamblee Tucker Road
Atlanta GA 30341

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Gregory Whitson
Merwether Wash-Hall
Pam Pilgrim
Shirley Halcomb

Executive Director
Michelle Allen

E-Mail: michelle@kradd.org
FAX NUMBER 606-436-2144
TDD NUMBER 1-800-247-2510
(Hearing Impaired)

RE: Hindman Lift Station Repair Project

Dear Sir or Madam:

The City of Hindman has been approved for funding through the Appalachian Regional Commission for the above referenced project. The project will repair five lift stations in the City of Hindman Sewer System. The lift stations to receive repairs are Cowtown Lift Station, Bob Pigman Lift Station, WWTP Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. If funding allows the Trigger Lift Station and College Lift Station will also be rehabbed.

The scope of this project will replace the pumps with same pump sizes, wetwell rails, piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels will be replaced with a local disconnect added to each.

Due to the scope of the project there will be minimal ground disturbance, since it is a repair project. There is expected to be no tree or vegetation removal. No existing farmlands will be impacted by this project. Coordinates for this project are WWTP Lift Station 37°19'46.047"N; -83°0'7.98"W, Cowtown Lift Station 37°19'51.092"N; -82°59'13.427", Post Office Lift Station 37°20'9.34"N; -82°58'53.532"W, Triggers Lift Station 37°20'24.115"N; -82°58'52.458"W, College Lift Station 37°20'4.28"N; -82°58'36.639"W, Bob Pigman Lift Station 37°20'5.226"N; -82°58'25.047"W, Knott County Central Lift Station 37°19'22.236"N; -82°58'5.228"W.


The Kentucky River Area Development District has been asked to undertake an environmental review of this project to ascertain the impact of the proposed activities. I would appreciate your office reviewing this project in relation to its potential impact(s) on any issues under your jurisdiction for Knott County or the Commonwealth of Kentucky. I have enclosed a project location map, floodplain, and wetlands map(s) and project description for your reference.

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Your comments may address beneficial or adverse impacts or, both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: shannonr@knsd.com.

Thank you for your time and assistance.

Sincerely,



Shannon Ritchie
Community and Economic Development Specialist

Exhibit 14
Tribal Consultation



Kentucky River

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Gregory Whitson
Marnesther Wash-Nail
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Shirley Halcomb

Executive Director

Michelle Allen

E-Mail: michelle@kradd.org
FAX NUMBER 606-436-2144
TDD NUMBER 1-800-247-2510
(Hearing Impaired)

Russ Townsend
Eastern Band of Cherokee Indians
Tribal Historic Preservation Office
PO Box 455
Cherokee, NC 28719

RE: Hindman Lift Station Repair Project

Dear Mr. Townsend:

The City of Hindman has been approved for funding through the Appalachian Regional Commission for the above referenced project. The project will repair five lift stations in the City of Hindman Sewer System. The lift stations to receive repairs are Cowtown Lift Station, Bob Pigman Lift Station, WWTP Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. If funding allows the Trigger Lift Station and College Lift Station will also be rehabbed.

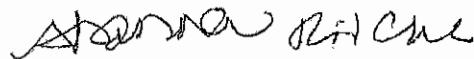
The scope of this project will replace the pumps with same pump sizes, wetwell rails, piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels will be replaced with a local disconnect added to each.

Due to the scope of the project there will be minimal ground disturbance, the project involves replacing a tank where the ground has previously been disturbed. There is expected to be no tree or vegetation removal. No existing farmlands will be impacted by this project. Coordinates for this project are WWTP Lift Station 37°19'46.047"N; -83°0'7.98"W, Cowtown Lift Station 37°19'51.092"N; -82°59'13.427", Post Office Lift Station 37°20'9.34"N; -82°58'53.532"W, Triggers Lift Station 37°20'24.115"N; -82°58'52.458"W, College Lift Station 37°20'4.28"N; -82°58'36.639"W, Bob Pigman Lift Station 37°20'5.226"N; -82°58'25.047"W, Knott County Central Lift Station 37°19'22.236"N; -82°58'5.228"W.

The Kentucky River Area Development District has been asked to undertake an environmental review of this project to ascertain the impact of the proposed activities. I would appreciate your office reviewing this project in relation to its potential impact(s) on any historic properties in the project area that may have religious and cultural significance to your tribe. I have enclosed a project location map and project description for your reference.

Your comments may address beneficial or adverse impacts or, both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: shannonr@kradd.org. Thank you for your time and assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannon Ritchie". The signature is fluid and cursive, with the first name being more prominent.

Shannon Ritchie
Community and Economic Development Specialist

Exhibit 15

USACOE

From: Branham, Justin L CIV USARMY CELRL (USA) <Justin.L.Branham@usace.army.mil>
Sent: Thursday, December 10, 2020 11:46 AM
To: shannonr@kradd.org
Subject: LRL-2020-1056 - Hindman Lift Station Project

Ms. Ritchie;

This email will serve as our official response to the above referenced request. A hard copy will not be mailed unless one is requested. Based on the information submitted, it does NOT appear that a permit would be required for the above referenced project as no discharge of fill or dredged material is proposed within aquatic resources. The information submitted by the applicant, consultant or agent indicated that the project does not involve the discharge of dredged or fill material into "waters of the U.S." and is therefore not a regulated activity. If the scope of the project changes and the project would necessitate the discharge of fill material into any aquatic resource, please contact our office to determine permit requirements. If you have any questions, please do not hesitate to contact me. Thank you for your awareness of our regulatory program

Thank you,

Justin Branham
Team Leader / Regulatory Specialist
U.S. Army Corps of Engineers - Louisville District Eastern Kentucky Regulatory Office
845 Sassafras Creek Road
Sassafras, KY 41759
Phone: 606-642-3208
Email: Justin.L.Branham@usace.army.mil
Comments on our Regulatory Services are invited:
http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey



Kentucky River

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October 20, 2020

Justin Branham
Team Leader / Regulatory Specialist
US Army Corps of Engineers – Louisville District Eastern Kentucky
Regulatory Office
845 Sassafras Creek Road
Sassafras, KY 41759

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RE: Hindman Lift Station Repair Project

Dear Mr. Branham:

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The Kentucky River Area Development District has been asked to undertake an environmental review of this project to ascertain the impact of the proposed activities. I would appreciate your office reviewing this project in relation to its potential impact(s) on any wetlands or permit issues under your jurisdiction. I have enclosed a project location map and

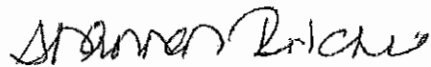
Executive Director
Michelle Allen

E-Mail: michelle@kradd.org
FAX NUMBER 606-436-2144
TDD NUMBER 1-800-247-2510
(Hearing Impaired)

project description for your reference.

Your comments may address beneficial or adverse impacts or, both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: shannonr@kradd.org. Thank you for your time and assistance.

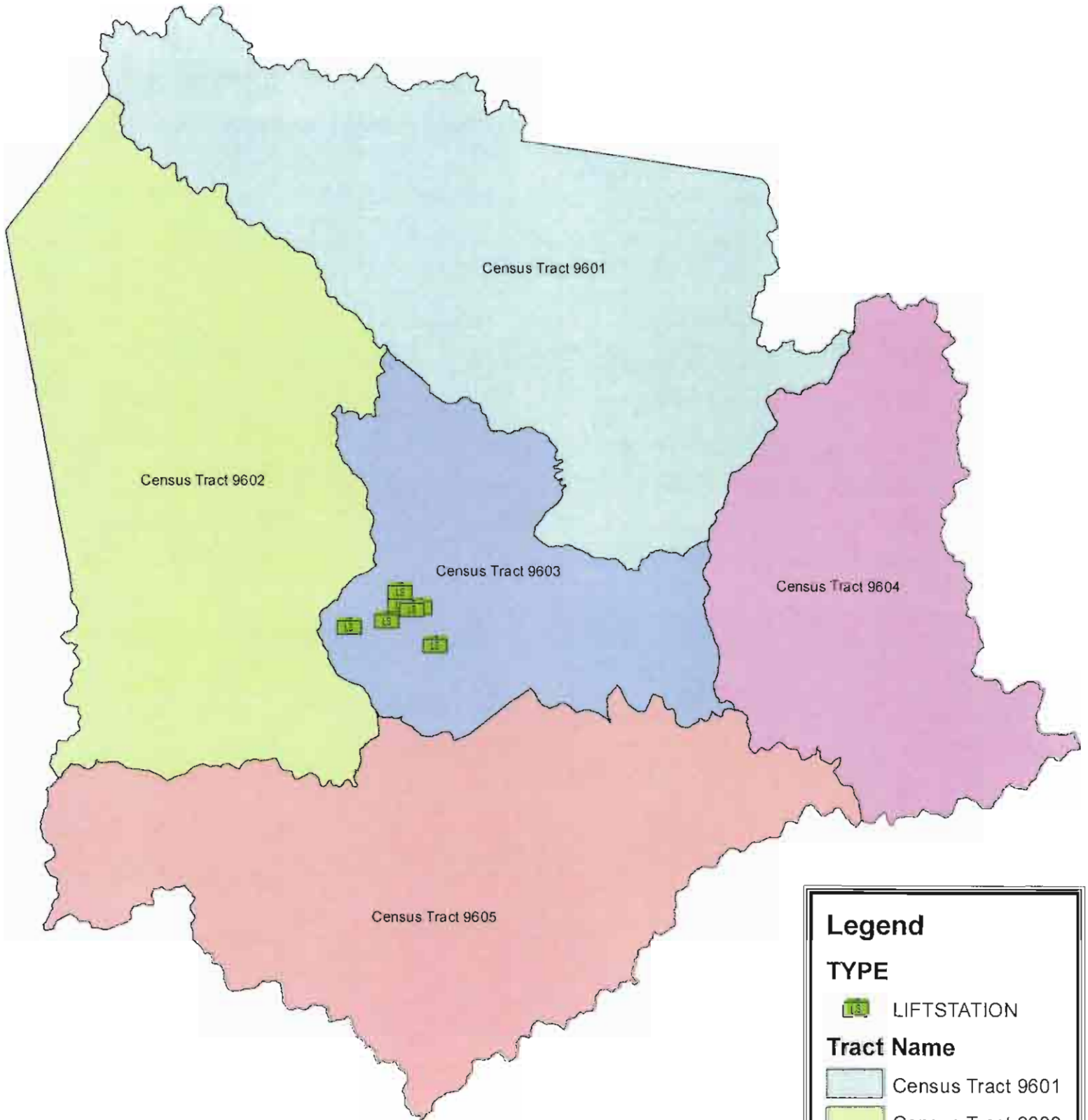
Sincerely,

A handwritten signature in cursive script that reads "Shannon Ritchie".

Shannon Ritchie
Community and Economic Development Specialist


Exhibit 16
Project Maps

CITY OF HINDMAN LIFT STATION REPAIR CENSUS TRACT MAP








Legend

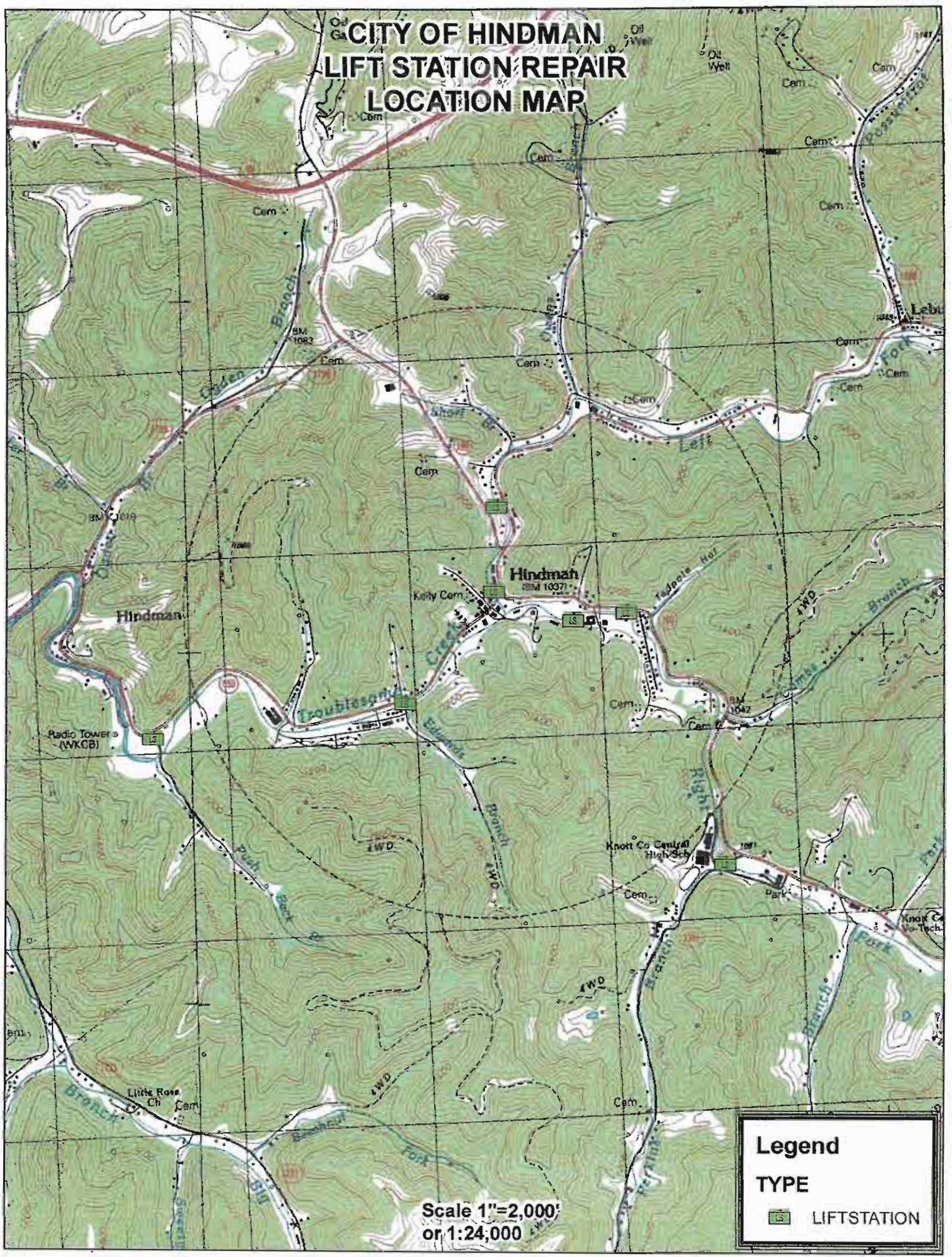
TYPE

-  LIFTSTATION

Tract Name

-  Census Tract 9601
-  Census Tract 9602
-  Census Tract 9603
-  Census Tract 9604
-  Census Tract 9605

CITY OF HINDMAN LIFT STATION REPAIR LOCATION MAP



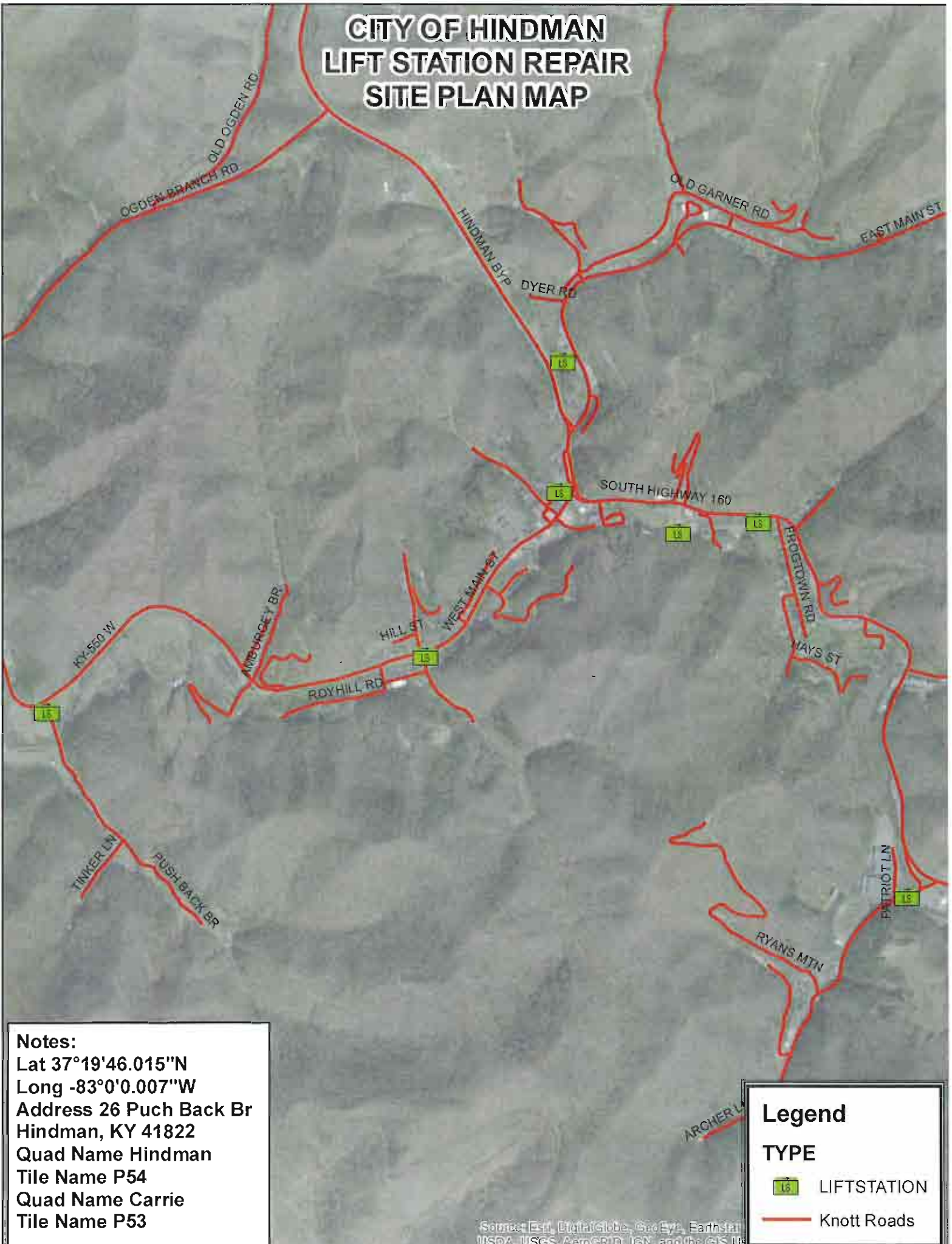
Scale 1"=2,000'
or 1:24,000

Legend

TYPE

 LIFTSTATION

CITY OF HINDMAN LIFT STATION REPAIR SITE PLAN MAP



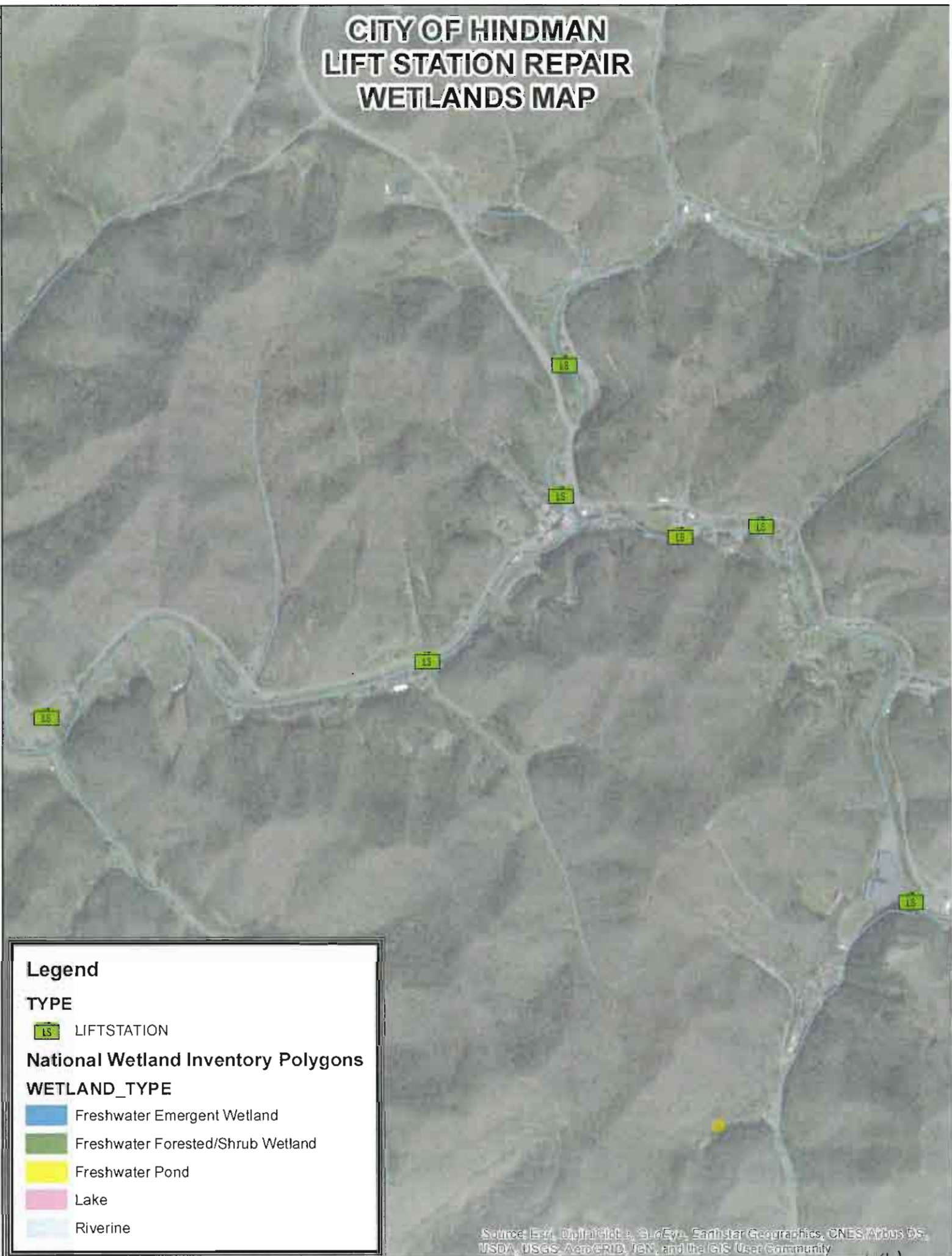
Notes:
 Lat 37°19'46.015"N
 Long -83°0'0.007"W
 Address 26 Puch Back Br
 Hindman, KY 41822
 Quad Name Hindman
 Tile Name P54
 Quad Name Carrie
 Tile Name P53

Legend	
TYPE	
	LIFTSTATION
	Knott Roads

Source: Esri, DigitalGlobe, GeoEye, Earthstar, USDA, USGS, AeroGRID, IGN, and the GIS User

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CITY OF HINDMAN LIFT STATION REPAIR WETLANDS MAP








Legend

TYPE

 LIFTSTATION

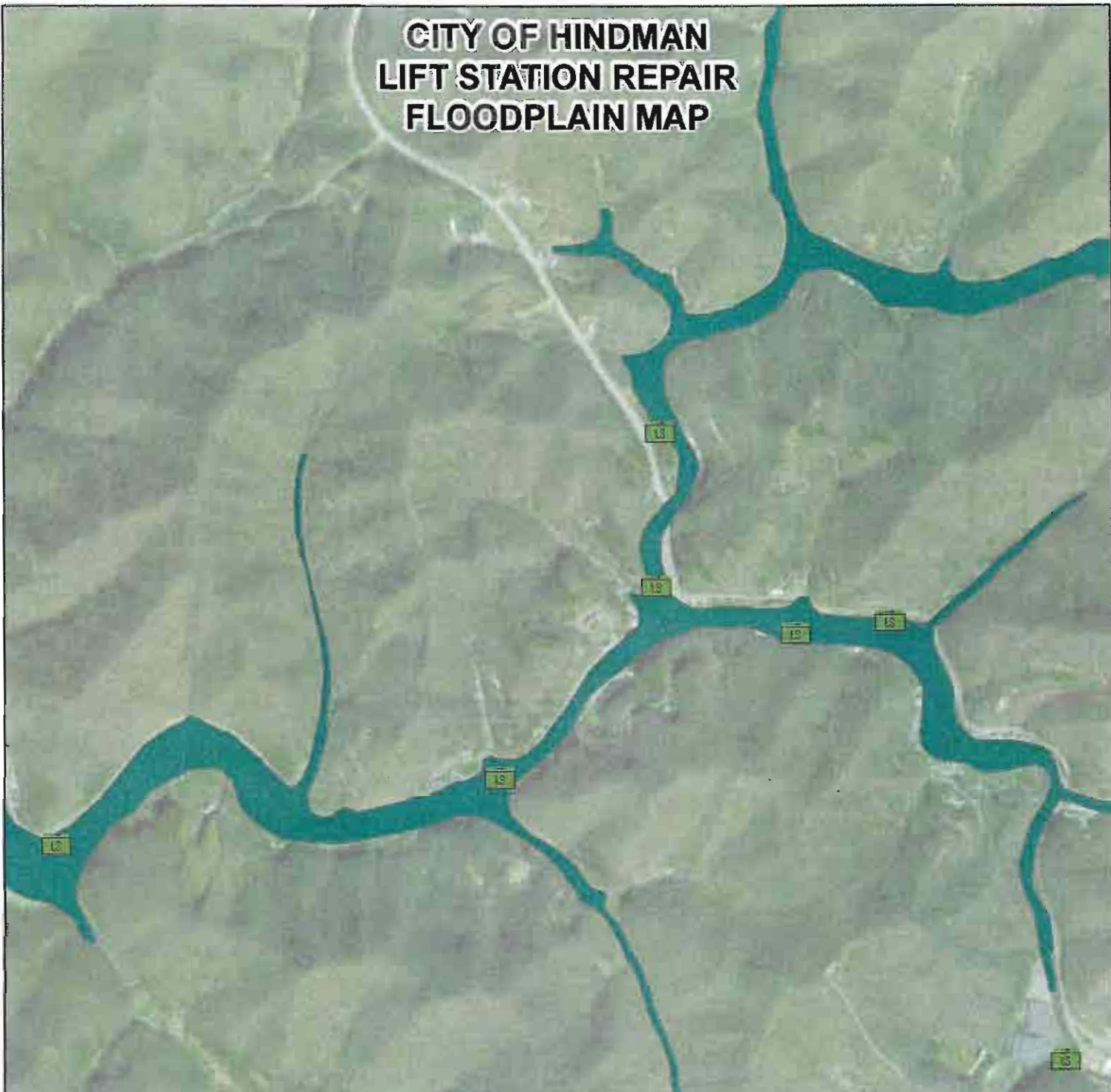
National Wetland Inventory Polygons

WETLAND_TYPE

-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond
-  Lake
-  Riverine

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CITY OF HINDMAN LIFT STATION REPAIR FLOODPLAIN MAP



Legend

TYPE


 LIFTSTATION

FLOODWAY

 FLOODWAY

FEMA DFIRM - Floodplain

FLD_ZONE

 0.2 PCT ANNUAL CHANCE FLOOD HAZARD

 A

 AE

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Exhibit 17

Notice to Public of Request for Release of Funds and Tear Sheet

COMBINED NOTICE
NOTICE TO PUBLIC OF NO SIGNIFICANT IMPACT ON THE ENVIRONMENT
AND NOTICE TO PUBLIC OF REQUEST FOR RELEASE OF FUNDS

Date 1/21/2021

City of Hindman

(Name of Applicant)

P.O. Box 496 Hindman, KY 41822

(Street, City, Zip Code)

(606) 785-5544

(Telephone #)

These notices shall satisfy two separate but related procedural requirements for the activities to be undertaken by the City of Hindman.

TO ALL INTERESTED AGENCIES, GROUPS, AND PERSONS:

Request for Release of Funds

On or about February 5, 2021 the City of Hindman will submit a request to the Department for Local Government for the release of the Appalachian Regional Commission (ARC) funds under Title 1 of the Housing and Community Development Act of 1974 (PI 93-383) to undertake the following project:

Hindman Sewer Rehab and WWTP Rehab Project/Hindman Lift Station Repair Project

(Project Title or Name)

This project will repair 5 lift stations in the City of Hindman Sewer Systems. The lift stations include the Cowtown Lift Station, Bob Pigman Lift Station, WWTP Lift Station, Knott County Central Lift Station, and the Post Office Lift Station. The pumps will be replaced with the same pump size, wetwell rails will be installed, the piping will be replaced, the valve vault will be rehabbed and the valves replaced, and control panels with a local disconnect added to each. If funding allows the Trigger Lift Station and the College Lift Station will also be rehabbed.

(Purpose or Nature of the Project)

Hindman, Knott, Kentucky

(Location – City, County, State – of Project

901, 9602, 9603, 9604, 9605

(Census Tract(s))

Finding of No Significant Impact

The City of Hindman has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) (PL-91-190) is not required. An Environmental Review Record (ERR) respecting the within project has been made by the City of Hindman which documents the environmental review of the

project and more fully sets forth the reasons why such Statements is not required. This Environmental Review Record is on file at the City of Hindman and is available at www.kradd.org for public examination and copying, or upon request at the office between the hours of 8:00 AM and 4:00 PM. No further environmental review of such project is proposed to be conducted.

Public Comments

All interested agencies, groups and persons disagreeing with the ERR decision are invited to submit written comments for consideration by the City of Hindman's office. Such written comments should be received at P.O. Box 496 Hindman, KY 41822 or angelia@kradd.org on or before February 5, 2021. All such comments so received will be considered prior to authorizing submission of a request for a release of funds or taking any administrative action on the within project prior to the date specified on the proceeding sentence. Comments should specify which Notice they are addressing.

Environmental Certification

The City of Hindman will undertake the project described above with Appalachian Regional Commission funds from the Department for Local Government under Title I of the Housing and Community Development Act of 1974. The City of Hindman is certifying to the state that the City of Hindman and Tracy Niece, in his official capacity as Mayor consent to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision making and action; and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval the City of Hindman may use the Appalachian Regional Commission funds and the state and HUD will have satisfied their responsibilities under the National Environmental Policy Act of 1969 and related laws and authorities.

Objection to Release of Funds

The state will accept objections to its release of funds and the City of Hindman certification for a period of fifteen days following the anticipated submission dates or it's actual receipt for the request (whichever is the later) only if they are on one of the following bases:

- (a) The certification was not in fact executed by the City of Hindman Certifying Officer.
- (b) The City of Hindman has failed to make one of the two findings pursuant to S58.41 or to make the written determination decision required by SS578.57, 58.53 or 58.64 for the project, as applicable.
- (c) The City of Hindman has omitted one or more of the steps set forth at Subparts F and G for the preparation and completion of an EA.
- (d) No opportunity was given to the Advisory Council on Historic

Preservation or its Executive Director to review the effect of the project on a property listed on the National Register of Historic Places, or found to be eligible for such listing by the Secretary of the Interior, in accordance with 36 CFR Part 800.

- (e) The recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR part 58 before approval of the release of funds and approval of the Environmental Certification by HUD or the State.
- (f) Another Federal Agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the Department for Local Government, Office of Federal Grants, 100 Airport Drive, 3rd Floor Frankfort, Kentucky 40601.

Objections to the release of funds on bases other than those stated above will not be considered by the state. No objection received after February 26, 2021 will be considered by the state. Potential objectors should contact the Department for Local Government to verify the actual last day of the state Comment period.

Tracy Niece, Mayor
(Name of Certifying Officer of
Applicant/Title)
P.O. Box 496
(Address)
Hindman, KY 41822