# REQUEST FOR APPROVAL OF EVIDENTIARY MATERIALS AND RELEASE OF FUNDS

<table>
<thead>
<tr>
<th>Evidentiary Material</th>
<th>Items Included</th>
<th>State Use Only</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Environmental Review</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>2. Historic Properties</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>3. Tribal Consultation</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>4. Other Fund Commitments</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>5. Legally Binding Commitments</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>8. Other</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**Typed Name and Title of City/County Official:**

Tracy Nixon, Mayor

**Signature of City/County Official:**

[Signature]

**Date:** 1-21-2021

**Action Taken:**

**Individual Authorizing Action:**

**Date:**

*Items Included Code:  NA = 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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**ENVIRONMENTAL ASSESSMENT DETERMINATION AND COMPLIANCE**

**FINDINGS FOR HUD-ASSISTED PROJECTS 24 CFR PART 58**

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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

<table>
<thead>
<tr>
<th>Grant Number</th>
<th>HUD Program</th>
<th>Funding Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>18A - 015</td>
<td>ARC</td>
<td>594,000</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</th>
<th>Are formal compliance steps or mitigation</th>
<th>Compliance determinations</th>
</tr>
</thead>
<tbody>
<tr>
<td>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Airport Hazards</strong></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>24 CFR Part 51 Subpart D</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><img src="image1" alt="image" /></td>
</tr>
<tr>
<td></td>
<td><img src="image2" alt="image" /></td>
<td></td>
</tr>
<tr>
<td>There are no airports on or near any of the proposed project area. No impact.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Coastal Barrier Resources</strong></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</td>
<td></td>
<td><img src="image3" alt="image" /></td>
</tr>
<tr>
<td></td>
<td></td>
<td><img src="image4" alt="image" /></td>
</tr>
<tr>
<td>Hindman, KY does not have Coastal areas.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Flood Insurance</strong></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</td>
<td></td>
<td><img src="image5" alt="image" /></td>
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<tr>
<td></td>
<td></td>
<td><img src="image6" alt="image" /></td>
</tr>
<tr>
<td>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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Clean Air</strong></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</td>
<td></td>
<td><img src="image7" alt="image" /></td>
</tr>
<tr>
<td></td>
<td></td>
<td><img src="image8" alt="image" /></td>
</tr>
<tr>
<td>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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------------------</td>
<td>-----</td>
<td>--------</td>
</tr>
<tr>
<td>Coastal Zone Management Act, sections 307(c) &amp; (d)</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Contamination and Toxic Substances</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Explosive and Flammable Hazards</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>24 CFR Part 51 Subpart C</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Farmlands Protection</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td><strong>Floodplain Management</strong></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----</td>
<td>----</td>
</tr>
<tr>
<td>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</td>
<td>■</td>
<td>□</td>
</tr>
<tr>
<td>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.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Historic Preservation</strong></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</td>
<td>□</td>
<td>■</td>
</tr>
<tr>
<td>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.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Noise Abatement and Control</strong></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</td>
<td>□</td>
<td>■</td>
</tr>
<tr>
<td>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.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Sole Source Aquifers</strong></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</td>
<td>□</td>
<td>■</td>
</tr>
<tr>
<td>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.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Wetlands Protection</strong></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Order 11990, particularly sections 2 and 5</td>
<td>□</td>
<td>■</td>
</tr>
<tr>
<td>No wetlands. No impact.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Wild and Scenic Rivers</strong></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</td>
<td>□</td>
<td>■</td>
</tr>
<tr>
<td>No impact. There are no wild and scenic rivers located in the project area or in Hindman, Kentucky.</td>
<td></td>
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</tr>
</tbody>
</table>

| **ENVIRONMENTAL JUSTICE** |
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

<table>
<thead>
<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAND DEVELOPMENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conformance with Plans/Compatible Land Use and Zoning / Scale and Urban Design</td>
<td>1</td>
<td>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.</td>
</tr>
<tr>
<td>Soil Suitability/ Slope/Erosion/ Drainage/ Storm Water Runoff</td>
<td>2</td>
<td>The project has some areas of moderate to steep slope. Appropriate erosion control measures and silt barriers will be utilized to minimize potential impacts.</td>
</tr>
<tr>
<td>Hazards and Nuisances including Site Safety and Noise</td>
<td>3</td>
<td>Any construction along state and county road right-of-way must have adequate safety measures in place to protect motorists and construction workers</td>
</tr>
<tr>
<td>Energy Consumption</td>
<td>2</td>
<td>This project is located in rural areas throughout the county. No impact. The contractor must use EPA compliant equipment during construction activities.</td>
</tr>
<tr>
<td>Environmental Assessment Factor</td>
<td>Impact Code</td>
<td>Impact Evaluation</td>
</tr>
<tr>
<td>--------------------------------------------------------</td>
<td>-------------</td>
<td>-----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Socioeconomic</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment and Income Patterns</td>
<td>2</td>
<td>The project will be upgrading existing pump stations improving sewer service to business and residents.</td>
</tr>
<tr>
<td>Demographic Character Changes, Displacement</td>
<td>2</td>
<td>No impact. The project will not displace any families, nor will it require residents to relocate.</td>
</tr>
<tr>
<td><strong>Community Facilities and Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Educational and Cultural Facilities</td>
<td>2</td>
<td>No impact. The project will be upgrading existing pump stations.</td>
</tr>
<tr>
<td>Commercial Facilities</td>
<td>2</td>
<td>There are no commercial properties located within the project area. No impact.</td>
</tr>
<tr>
<td>Health Care and Social Services</td>
<td>2</td>
<td>No impact. This project will be upgrading existing pump stations in the area.</td>
</tr>
<tr>
<td>Solid Waste Disposal / Recycling</td>
<td>2</td>
<td>All federal and state regulations will be followed in the disposal of any generated solid waste. Minor impact.</td>
</tr>
<tr>
<td>Waste Water / Sanitary Sewers</td>
<td>1</td>
<td>This project will improve existing waste water systems in the City of Hindman by rehabilitating existing lift stations.</td>
</tr>
<tr>
<td>Water Supply</td>
<td>2</td>
<td>No impact. This is a sewer project.</td>
</tr>
<tr>
<td>Public Safety - Police, Fire and Emergency Medical</td>
<td>2</td>
<td>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.</td>
</tr>
<tr>
<td>Parks, Open Space and Recreation</td>
<td>2</td>
<td>This project will have no impact on parks, open spaces, and recreation to area residents.</td>
</tr>
<tr>
<td>Transportation and Accessibility</td>
<td>3</td>
<td>The contractor(s) must comply with all safety regulations and assure adequate measures for traffic and workers.</td>
</tr>
<tr>
<td><strong>Natural Features</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unique Natural Features, Water Resources</td>
<td>1</td>
<td>There are no unique features located at the project site or within close proximity to the project site.</td>
</tr>
<tr>
<td>Vegetation, Wildlife</td>
<td>2</td>
<td>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.</td>
</tr>
<tr>
<td>---------------------</td>
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<td>-----------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Other Factors</td>
<td>2</td>
<td>No other factors have been identified.</td>
</tr>
</tbody>
</table>

**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.

<table>
<thead>
<tr>
<th>Law, Authority, or Factor</th>
<th>Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kentucky Nature Preserves</td>
<td>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 sodalis, 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.</td>
</tr>
<tr>
<td>Kentucky Fish and Wildlife</td>
<td>Erosion control measures will be developed and implemented.</td>
</tr>
<tr>
<td>Energy and Environment Cabinet Water Quality Branch</td>
<td>Best management practices should be utilized to reduce runoff from project construction activities into nearby waters.</td>
</tr>
</tbody>
</table>
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: [Signature] Date: 1/21/2021
Name/Title/Organization: Angelia Hall /CEDS Associate Director/Kentucky River Area Development District

Certifying Officer Signature: [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
ENVIROMENTAL 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 the 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) 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 are indicated below; that all such dates which are applicable to this proposed 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:

<table>
<thead>
<tr>
<th>Item</th>
<th>Publication MO/DAY/YR</th>
<th>Commence MO/DAY/YR</th>
<th>Expire MO/DAY/YR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notice of Finding of No Significant Impact (FONSI): Publication Date</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Same: Comment Period</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notice of Intent to Request Release of Funds (NOI/RROF): Publication Date</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Concurrent Notice (FONSI &amp; NOI/RROF): Publication Date</td>
<td>1/21/2021</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Same: Local Comment Period</td>
<td>1/22/2021</td>
<td>2/05/2021</td>
<td></td>
</tr>
<tr>
<td>State Decision Period</td>
<td>2/11/2021</td>
<td>2/25/2021</td>
<td></td>
</tr>
<tr>
<td>Notice of Intent to Prepare EIS: Publication</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Draft EIS: Comment Period</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Same: 30-day period (NEPA Regs)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Final EIS: 30-day period (NEPA Regs)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other (Specify) Early Floodplain Notice</td>
<td>11/6/2020</td>
<td>11/16/2020</td>
<td>11/21/2020</td>
</tr>
<tr>
<td>Other (Specify) Notice of Expiration</td>
<td>1/26/2020</td>
<td>1/27/2020</td>
<td>1/28/2020</td>
</tr>
</tbody>
</table>

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 (as far 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 cooperating agency responsibilities 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
[Signature]

Certifying Officer of Applicant

Name, Environmental Certifying Officer
P.O. Box 490
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.
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

KY DLG 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
October 22, 2020

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

RE: Hindman Lift Station Repair Project  
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 rail 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 Dial, Municipal Planning Section, (502) 782-6937, Lori.Dial@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 Tina 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 AID: 52618
LONGITUDE: -82.9805
LATITUDE: 37.335401
Jay Mua Quick Mart
MASTER AID: 60254
LONGITUDE: -82.980066
LATITUDE: 37.339318
Closed Sites:
Hindman Car Wash
MASTER AID: 2519
LONGITUDE: -82.27914088
LATITUDE: 37.34275642
Rogers Auto Mart
MASTER AID: 60231
LONGITUDE: -82.97000527
LATITUDE: 37.3316244
Hayes Gulf
MASTER AID: 60259
LONGITUDE: -82.981111
LATITUDE: 37.34
Town Market
MASTER AID: 63680
LONGITUDE: -82.9361111
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 AID: 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 AID: 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 Liquefied 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: 37.33240699999996
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.Harrold@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 Singleton

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 Michael.R.Jones2@ky.gov or hard copy to Michael Jones, Office of Local Programs, KY Transportation Cabinet, 200 Meri 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
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
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 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

copy: City of Hindman 
external: enclosures
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 500 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 2: APPLICANT INFORMATION

Project Sponsor or Applicant: City of Hindman

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

Telephone: (606) 436-3156 E-mail: angelia@kradd.org

Project Title: Hindman Lift Station Repair Project

Funding/Permitting Agency: Appalciachian 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 (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 impact 5 lift stations in the City of Hindman sewer system. The lift stations include the Cowley Lift Station, Bob Pingen 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, while new valves will be installed. The piping will be replaced, the valves will be replaced, and the control panels with a local disconnect will be replaced. If funding allows the Tigger Lift Station and the College Lift Station will also be rehabilitated.

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.

KHC 106 Cover Sheet 6-3-13
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.
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-osd@lsv.uky.edu.
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
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
DISTRCT NAME
HINDMAN HISTORIC DISTRICT

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**

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

*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.*
<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Est. Construction</th>
<th>Architectural Style</th>
<th>NR Status</th>
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<tr>
<td>MARTIN BLDG</td>
<td>41-43 W MAIN ST HINDMAN KY</td>
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<tr>
<td>FRANCIS BLDG</td>
<td>47 W MAIN ST HINDMAN KY</td>
<td>1925-1949</td>
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<td>N/R DISTRICT CONTRI. SITE</td>
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<tr>
<td>JOHN W COMBS HOUSE SITE (DEMOLISHED)</td>
<td>MAIN</td>
<td>1900-1924</td>
<td></td>
<td>DEMOLISHED</td>
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<tr>
<td>BANK</td>
<td>KY 80</td>
<td>1925-1949</td>
<td></td>
<td>UNDETERMINED</td>
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<tr>
<td>YOUNG'S DEPT STORE &amp; HOTEL</td>
<td>18 W MAIN ST HINDMAN KY</td>
<td>1925-1949</td>
<td></td>
<td>N/R DISTRICT CONTRI. SITE</td>
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<tr>
<td>ELIZABETH WATTS SCHOOL BUILDING (DEMOLISHED)</td>
<td>KY 160 .3 M E OF JUNCT W/KY 80</td>
<td>1900-1924</td>
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<tr>
<td>KNOTT COUNTY COURTHOUSE</td>
<td>54 W MAIN ST HINDMAN KY</td>
<td>1925-1949</td>
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<tr>
<td>KENTUCKY SCHOOL OF CRAFT/ OLD KNOTT CO BOARD OF ED</td>
<td>56 EDUCATION LN HINDMAN KY</td>
<td>1925-1949</td>
<td></td>
<td>N/R DISTRICT CONTRI. SITE</td>
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<tr>
<td>HINDMAN BEN FRANKLIN STORE (CONTRIB-</td>
<td>16 W MAIN ST HINDMAN KY</td>
<td>1900-1924</td>
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<td>NATIONAL REGISTER</td>
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<th>Architectural Style</th>
<th>NR Status</th>
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<td>254 S HWY 160 HINDMAN KY</td>
<td>1925-1949</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JAMES STILL LEARNING CENTER</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LOGAN RISNER/ROBERT YOUNG HOUSE</td>
<td>1 M 5E OF HINDMAN</td>
<td>1900-1924</td>
<td></td>
<td>UNDETERMINED</td>
</tr>
<tr>
<td>BECKHAM COMBS HOUSE</td>
<td>45 EDUCATION LN HINDMAN KY</td>
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<td></td>
</tr>
<tr>
<td>MORGAN'S RAID PLAQUE</td>
<td>HINDMAN; E OF ELEMENTARY SCHOOL</td>
<td>1950-1974</td>
<td></td>
<td></td>
</tr>
<tr>
<td>VACANT LOT #EL#</td>
<td>58 PROFESSOR CLARKE CIR HINDMAN KY</td>
<td>1950-1974</td>
<td>N/R DISTRICT NON-CONTRIB.</td>
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<tr>
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<td></td>
<td>N/R DISTRICT CONTRI. SITE</td>
</tr>
<tr>
<td>COMMERCIAL BLDG #EL#</td>
<td>30 BAILEY ST HINDMAN KY</td>
<td>1925-1949</td>
<td></td>
<td>N/R DISTRICT CONTRI. SITE</td>
</tr>
<tr>
<td>BRIDGE</td>
<td>SARAH EVERAGE BR OVER TROUBLESOME CK</td>
<td>1975-2000</td>
<td>MEETS N/R CRITERIA</td>
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<tr>
<td>HOUSE</td>
<td>8 COWTOWN RD</td>
<td>1925-1949</td>
<td></td>
<td>MEETS N/R CRITERIA</td>
</tr>
</tbody>
</table>

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.
27 East Main Street Hindman, KY.
Where the Elizabeth Watts School Building used to set – Demolished – Front View

Side View where Elizabeth Watts School Building used to set
4 West Main Street Hindman, KY.

Rear view of the Court House
254 South HWY 160 Hindman, KY. – Front View

Logan Risner/Robert Young House (Demolished – Vacant Lot)
Morgan's Raid Plaque

On Sunday, May Kentucky raid, CSA Gen. John H. Morgan with 60 men entered at a time, June 16. 1864, rode through here. CSA Gen. Morgan was defeated at Shiloh, June 6. 1862. The next day, June 7. 1862, Morgan retreated to Columbus, Georgia. Morgan died on Jan. 23. 1869 and was buried in Hindman. Ky. 1869.

58 Professor Clark Circle Hindman, KY.
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 alternate. 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 Pigmans 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 shannanr@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 & Explanation

For: Kentucky River Area Development Dist.

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

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

My commission expires October 23, 2028
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 5/4

Date Page Column

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

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/?p=regulatory_survey
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

RE: Hindman Lift Station Repair Project

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
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: shannon@kraudd.org. Thank you for your time and assistance.

Sincerely,

[Signature]

Shannon Ritchie
Community and Economic Development Specialist
Exhibit 4
Natural Resource Conservation Service
Correspondence
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,

[Signature]

Perri Pedley  
Soil Scientist  
Perri. Pedley@usda.gov
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 Figgman 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°07'9.89"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 Figgman 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.
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: skritchie@kradd.com. Thank you for your time and assistance.

Sincerely,

[Signature]

Shannon Ritchie
Community and Economic Development Specialist
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 5:066 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: -82.9811111
LATITUDE: 37.34

Town Market
MASTER AI ID: 63680
LONGITUDE: -82.98361111
LATITUDE: 37.3341667

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: 37.33240999999996

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
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](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://eeec.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
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"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.Ritchie@ Brooklin.org.

Thank you for your time and assistance.

Sincerely,

Shannon Ritchie
Community and Economic Development Specialist
December 17, 2020

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

Project: Hindman LIt 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
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

<table>
<thead>
<tr>
<th>Species</th>
<th>Common Name</th>
<th>County</th>
<th>Location</th>
<th>Date</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>E. neotoma appendens</td>
<td>Kentucky Arrow Darter</td>
<td>02/03</td>
<td>LT</td>
<td>Y</td>
<td>1501-06-01 / 82.8816 Left Troublesome Creek below Minburn Bridge (just above mouth)</td>
</tr>
<tr>
<td>M. squamosus</td>
<td>Indiana Bat</td>
<td>02/52</td>
<td>LE</td>
<td>Y</td>
<td>2011-05-20 / 82.8569 Near Brinkley, as 2/100 m S of North 4th-Vio-Tech School across Right Tree</td>
</tr>
<tr>
<td>P. mexicanus</td>
<td>Tri-colored Bat</td>
<td>02/54</td>
<td>S</td>
<td></td>
<td>2011-06-20 / 82.9177 W of Gus Hays Path along creek</td>
</tr>
</tbody>
</table>

### Bat Habitats within 1 Miles of Project Area

<table>
<thead>
<tr>
<th>Species</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>M. septentrionalis</td>
<td>Contact USFWS at (502) 695-0468 or <a href="mailto:KentuckyES@fws.gov">KentuckyES@fws.gov</a></td>
</tr>
</tbody>
</table>

*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.*
Exhibit 5

US Fish and Wildlife Correspondence
October 20, 2020

Mr. Lee Andrews
Field Supervisor
US Fish and Wildlife Service
Kentucky Ecological Services
For
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 griseescens) – endangered, the Indiana Bat (Myotis sodalis) – endangered, the Northern Long-eared Bat (Myotis septentrinalis) – threatened, and the Kentucky Arrow Darter (Etheostoma spilotum) - endangered. No critical habitats
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.ritchie@kadd.org. Thank you for your time and assistance.

Sincerely,

Shannon Ritchie
Community and Economic Development Specialist
October 20, 2020

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: 04EKL1000-2021-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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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.ritchie@krydd.org. Thank you for your time and assistance.

Sincerely,

[Signature]

Shannon Ritchie
Community and Economic Development Specialist
Exhibit 6
Kentucky Fish and Wildlife
Correspondence
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
October 20, 2020

Kentucky Department of Fish and Wildlife
#1 Sportsman’s Lane
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, 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.

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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: shannonritchie@krd.org. Thank you for your time and assistance.

Sincerely,

Shannon Ritchie
Community and Economic Development Specialist
Exhibit 7

Wild and Scenic River Data
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.
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.
Exhibit 8

Air Quality Data
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: Gas Pipelines
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: 37.33240999999996

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
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://eece.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,

[Signature]

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

<table>
<thead>
<tr>
<th>EO ID</th>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Date</th>
<th>Latitude</th>
<th>Longitude</th>
<th>Status</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>13046</td>
<td>Ethostoma gluhoffi</td>
<td>Kentucky Arrow Darter</td>
<td>1890-09-26</td>
<td>37.13777</td>
<td>-82.9916</td>
<td>M</td>
<td>H</td>
</tr>
<tr>
<td>1026</td>
<td>Perimyotis subflavus</td>
<td>Tri-colored Bat</td>
<td>2011-06-23</td>
<td>37.3177</td>
<td>-82.9569</td>
<td>S</td>
<td>E</td>
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</tbody>
</table>

Bat Habitats within 1 Mile of Project Area

<table>
<thead>
<tr>
<th>Habitat</th>
<th>USFWS</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUMMER</td>
<td>M. septentrionalis</td>
<td>Contact USFWS at (502) 895-0468 or <a href="mailto:KentuckyES@fsa.gov">KentuckyES@fsa.gov</a></td>
</tr>
</tbody>
</table>

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.
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; -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 Plgman 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.ritchie@alliance.

Thank you for your time and assistance.

Sincerely,

Shannon Ritchie
Community and Economic Development Specialist
Exhibit 9

Division of Water Correspondence
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 #K202009251163) 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, and piping will be replaced, the valve vaults 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 5:06 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 Dialis, Municipal Planning Section, (502) 782-6937, Lori.Dialis@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: -82.98111
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: -82.980708999999999
LATITUDE: 37.335269
Ni-Source Mercury Meter Stations - Knott Co
MASTER AI ID: 70509
SUBJECT ITEM DESIGNATION:
CLOSURE OPTION DESC: Gas Pipelines
CLOSURE DATE: 08/11/1991
LAT LONG SOURCE: SI
LONGITUDE: -82.9642679999999
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: -82.978749999999999
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.Harrold@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.
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
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**

<table>
<thead>
<tr>
<th>Species</th>
<th>Scientific Name</th>
<th>Elevation (ft)</th>
<th>LKN</th>
<th>MGN</th>
<th>Occurrence</th>
<th>KNP Code</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>13046</td>
<td>Chelostoma nitidum</td>
<td>Horseshoe Bat</td>
<td>330</td>
<td>T</td>
<td>Y</td>
<td>1699-09-29</td>
<td>59.3687 / 82.4611</td>
</tr>
<tr>
<td>13026</td>
<td>Myotis sodalis</td>
<td>Indiana Bat</td>
<td>250</td>
<td>R</td>
<td>L</td>
<td>2211-06-02</td>
<td>37.5176 / 82.9008</td>
</tr>
<tr>
<td>13346</td>
<td>Pleurotus auriculus</td>
<td>Townsend's Big-eared Bat</td>
<td>400</td>
<td>T</td>
<td>Y</td>
<td>2211-06-20</td>
<td>37.5177 / 82.9999</td>
</tr>
</tbody>
</table>

- **Notes:**
  - Chelostoma nitidum: Horseshoe Bat occurs primarily in watersheds, caves, and other wet areas.喀喇喀拉克 (Karsar) is in a dry climate, but wetter conditions are found in springs and other wet areas.
  - Myotis sodalis: Indiana Bat is widespread in Indiana, with some populations occurring in Kentucky. It prefers wooded areas and cavities in trees.
  - Pleurotus auriculus: Townsend's Big-eared Bat is primarily found in western North America, where it prefers moist, forested areas.

### Bat Habitats within 1 Miles of Project Area

**SUMMER 1**  
(Compiled by USFWS and Kentucky Department of Fish & Wildlife Resources)

- **Notes:**
  - Usual habitat: swamps, wetlands, and riparian areas.
  - Habitat preferences: wooded areas, particularly near water bodies.

---

**THIS DATA ARE VALID ONLY ON THE DATE ON WHICH THE REPORT WAS GENERATED.**
**THESE DATA MAY ONLY BE USED FOR THE PROJECT NAMED ABOVE.**
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°19’51.092”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 Pilgrim 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: shannonr@kridd.org.

Thank you for your time and assistance.

Sincerely,

Shannon Ritchie
Community and Economic Development Specialist
Exhibit 10

Site Contamination Data
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
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://egc.ky.gov/Environmental-Protection/Air/Documents/Fugitive%20Dust%20Fact%20Sheet.pdf](https://egc.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,

[Signature]

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

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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: Shannon Ritchie

Thank you for your time and assistance.

Sincerely,

Shannon Ritchie
Community and Economic Development Specialist
Exhibit 11

Sole Source Aquifer Data
Exhibit 12

Division of Waste Management

Correspondence
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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LATITUDE: 37.34275642

Rogers Auto Mart
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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:

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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

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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: -82.9807089999999
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

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MASTER AI ID: 127705
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CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/07/1993
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LONGITUDE: -82.97106
LATITUDE: 37.331752

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SUBJECT ITEM DESIGNATION: 13922
CLOSURE OPTION DESC: Option C Restored
CLOSURE DATE: 03/11/2001
LAT LONG SOURCE: SI
LONGITUDE: -82.97874999999999
LATITUDE: 37.33240999999996

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CLOSURE OPTION DESC: Option A No Action Necessary
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**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](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.
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Sincerely,

[Signature]

Louanna Aldridge
Staff Assistant
Office of the Commissioner
Department for Environmental Protection
Energy and Environment Cabinet
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 Pilgan 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@krudl.org.

Thank you for your time and assistance.

Sincerely,

Shannon Ritchie
Community and Economic Development Specialist
Exhibit 13

FEMA Correspondence
October 20, 2020

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

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 farms 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.
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@knal.org.

Thank you for your time and assistance.

Sincerely,

Shannon Ritchie
Community and Economic Development Specialist
Exhibit 14

Tribal Consultation
October 20, 2020

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.rtaa.gov. Thank you for your time and assistance.

Sincerely,

[Signature]

Shannon Ritchie
Community and Economic Development Specialist
Exhibit 15

USACOE
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
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

RE: Hindman Lift Station Repair Project

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
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: shannon@knud.org. Thank you for your time and assistance.

Sincerely,

Shannon Ritchie
Community and Economic Development Specialist
Exhibit 16
Project Maps
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 (606) 785-5544
(Street, City, Zip Code) (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 (Pl 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 its 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 SS58.41 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