

Appalachian Regional Commission Preliminary Grant Application

FINANCING

Include all funding amounts and sources. Please complete all appropriate columns and specify whether funds are Approved, Pending, or currently under Negotiation.

Source	Planning & Operations	Construction & Renovation	Equipment	Total	Percent	Status of Funds
ARC	\$40,000	960,000		\$1,000,000	100%	Pending
State						
Local						
In-Kind						
Other Federal Funds:						
Other Funds:						
TOTAL	\$40,000	\$960,000		\$1,000,000	100%	Pending

FEDERAL AGENCY TO ADMINISTER THE ARC GRANT (list agency and status of application)

Kentucky Department for Local Government

NAME AND SIGNATURE OF AUTHORIZED REPRESENTATIVE.



Signature, Chief Executive Officer

Todd DePriest

Name Typed

Mayor

Title

08/19/2019

Date

Kentucky Office of State Archaeology
University of Kentucky, 1020A Export Street, Lexington, KY 40506
Phone:(859)257-1944 Fax: (859)323-1968 Email: ky-osa@uky.edu
Confidential Information; Not for Public Release

P234140

Title: City of Jenkins Waterline Replacement Phase 5

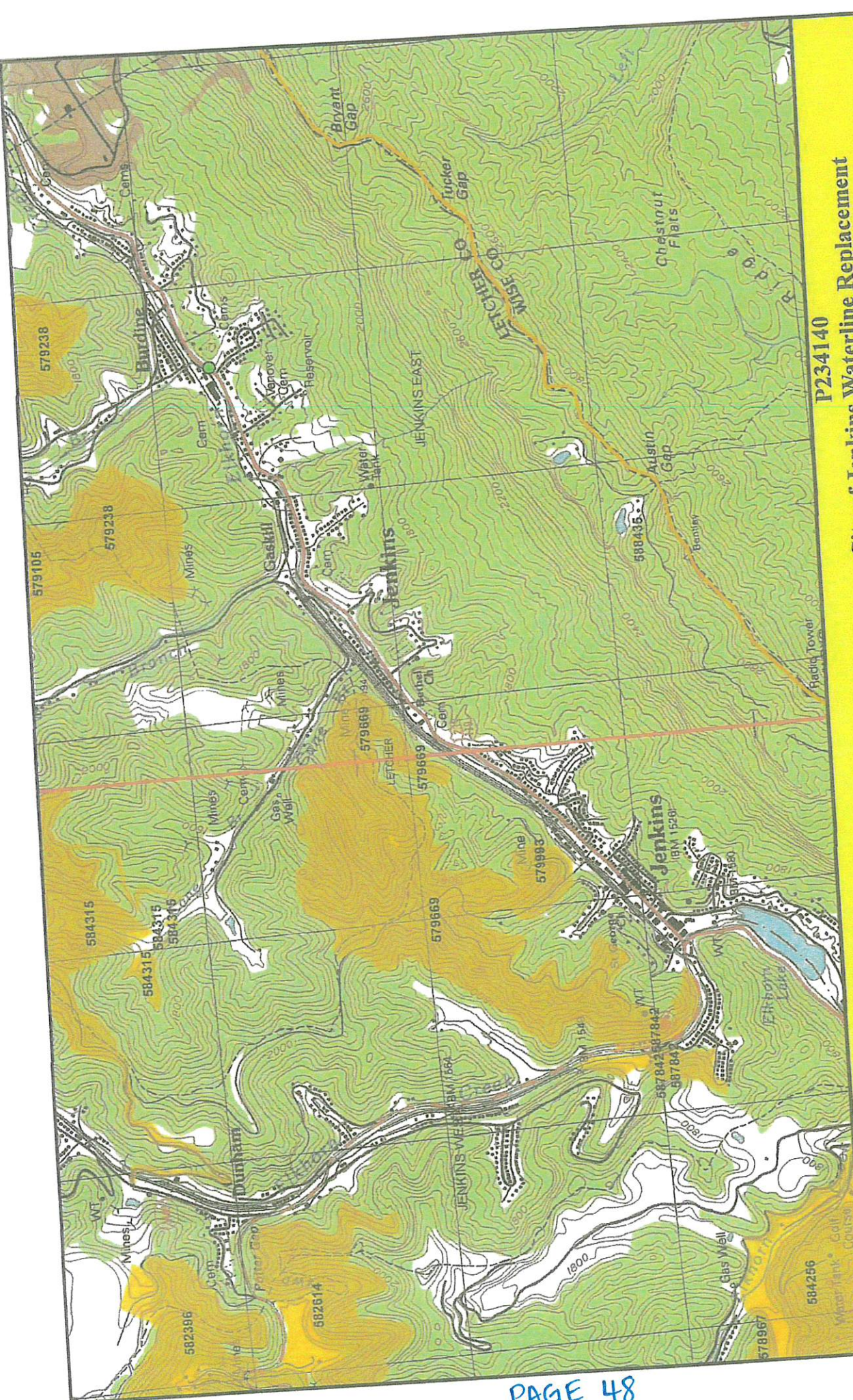
This report includes only previously recorded archaeological resources within your project area and its immediate vicinity and may not be exhaustive of all archaeological resources actually present. This information does not constitute Section 106 consultation or 'clearance' from the KHC/SHPO.

Date Request Filled: 10/15/19

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

067-166 587842 2015 J. David McBride, Ann Shouse Wilkinson and Dona Daugherty

Phase I Archaeological Survey for the Proposed Realignment of KY805, Letcher County, Kentucky. KYTC Item # 12-8702.00



P234140

**City of Jenkins Waterline Replacement
Phase 5**

Kentucky Office of State Archaeology
University of Kentucky, 1020A Export Street, Lexington, KY 40506
phone: 859-257-8207 email: ky-osa@uky.edu

Confidential Information: Not for Public Release



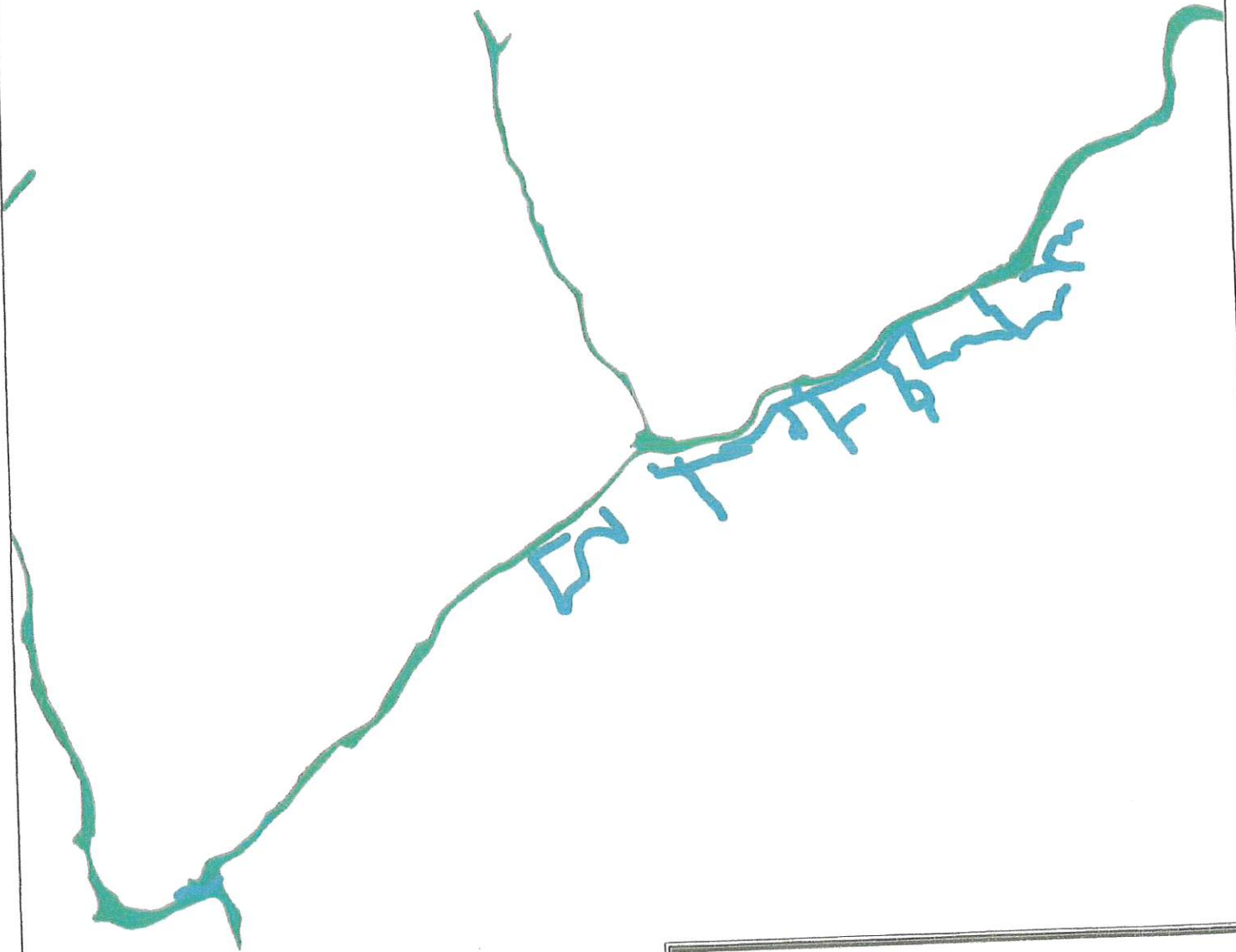
- Project Coordinates Submitted to OSA
- Previous Archaeological Survey Boundaries
- ▨ Phase 2 & 3 Archaeological Surveys

Note: Archaeological Site Locations NOT Shown




Exhibit 3
Floodplains and Wetlands Maps/Data

CITY OF JENKINS
WATERLINE REPLACEMENT PH. 5
FLOODPLAINS MAP



Legend

 Proposed Waterlines

FLOODWAY

 FLOODWAY

FEMA DFIRM - Floodplain

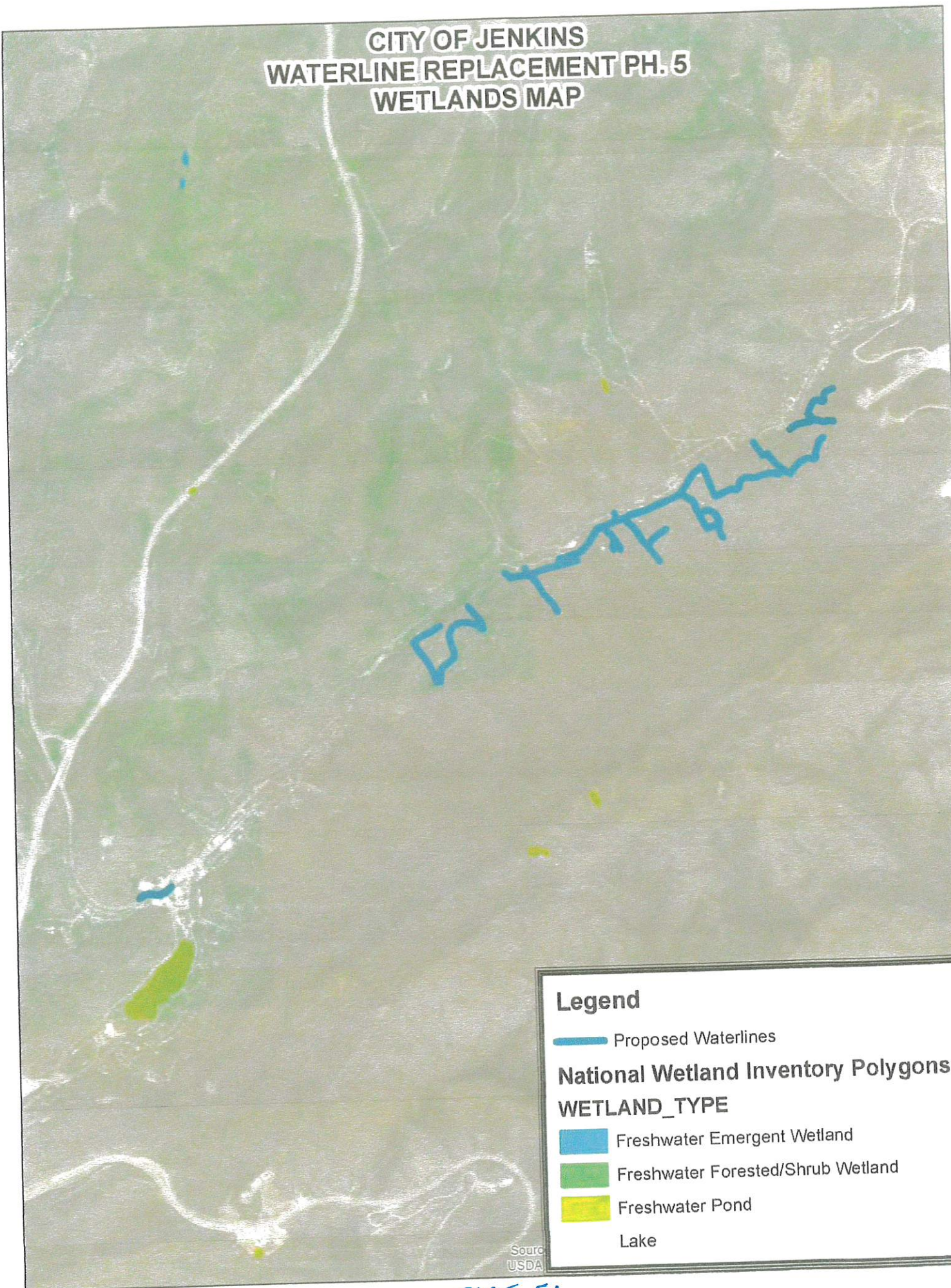
FLD_ZONE

 0.2 PCT ANNUAL CHANCE FLOOD HAZARD


 A

 AE

**CITY OF JENKINS
WATERLINE REPLACEMENT PH. 5
WETLANDS MAP**





Legend

 Proposed Waterlines

National Wetland Inventory Polygons

WETLAND_TYPE

 Freshwater Emergent Wetland

 Freshwater Forested/Shrub Wetland

 Freshwater Pond

Lake

Source
USDA

Exhibit 44
Natural Resource Conservation Service
Correspondence



United States Department of Agriculture

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

October 21, 2019

Shana Agee
Kentucky River Area Development District
941 N. Main Street
Hazard, KY 41701

RE: CITY OF JENKINS WATERLINE REPLACEMENT PHASE V

Dear Shana:

In response to your letter dated 10/7/2019 regarding the Waterline Replacement Project in Jenkins, 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 monies.

Based on the information contained in your cover letter and accompanying maps, no conversion of agricultural lands (*prime, unique, or farmland of local or statewide importance*) will occur or be negatively impacted by the proposed undertaking. Therefore, this office has no additional concerns at this time.

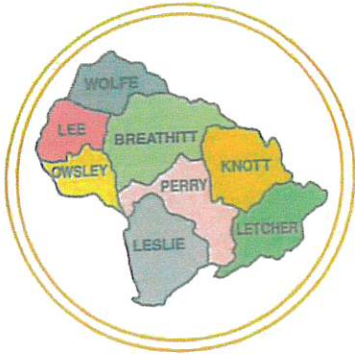
Best Wishes with the success of your project, and if we may be of additional assistance please do not hesitate to contact us.

Sincerely,

Perri Pedley
Soil Scientist
Perri.Pedley@usda.gov

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

An Equal Opportunity Provider and Employer



Kentucky River

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

October 7th, 2019

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Executive Director
Michelle Allen

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

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

RE: Waterline Replacement Phase V (KY 805 Crossing and Side Roads in Burdine) Project

Dear Perri:

The City of Jenkins has been approved for an Appalachian Regional Commission Grant for the above referenced project. This project will replace aging waterlines in the area. The waterlines in the project area are over 60 years old. The City of Jenkins experiences a lot of water outages and line breaks due to the age of the lines. This results in extensive repair costs due to line breaks. The project will provide 159 residents, within the Burdine area, with improved water services. This will be a dig and replace project, the land has previously been disturbed.

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: shana@kradd.org

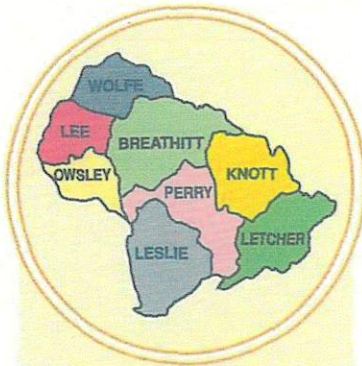
Thank you, for your time and assistance.

Sincerely,

Shana Agee
Public Administration Specialist

Enclosures

Exhibit 5
U.S. Fish and Wildlife Service
Correspondence



Kentucky River

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Executive Director
Michelle Allen

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

May 15, 2020

Santiago Martin
US Fish and Wildlife Service
JC Watts Federal Building
330 West Broadway, Suite 265
Frankfort, Kentucky 40601

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

JENNIFER GARLAND Digitally signed by JENNIFER GARLAND
Date: 2020.05.26 10:00:45 -04'00'

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

RE: Waterline Replacement Phase V (KY 805 Crossing and Side Roads in Burdine)

The City of Jenkins has been approved for an Appalachian Regional Commission grant for the above referenced project. This project will replace aging waterlines in the area. The waterlines in the project area are over 60 years old. This project will provide 159 residents within the Burdine area with improved water services. This will be a dig and replace project, the land has previously been disturbed. Directional drilling will be utilized for any creek crossings, as well as, best practice measures within the entire project scope.

The Kentucky River Area Development District has been asked to undertake the 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 (ie., disruption or alteration of habitat); and potential impact upon endangered or threatened species. I have enclosed a project location map and project description for your reference.

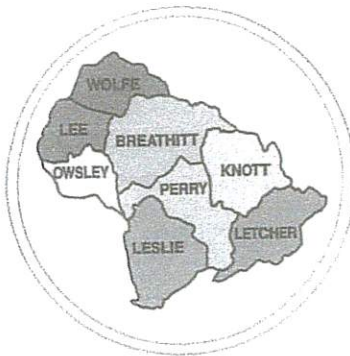
Your comments may address beneficial or adverse impact, or both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project,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

If you have any questions about the information enclosed, or need any additional information, please feel free to contact me.

Thank you so much for your assistance, and have a wonderful day!

Sincerely,

Shana Agee
Public Administration Specialist



Kentucky River

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October 7th, 2019

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US Fish and Wildlife Service
Frankfort Field Office
JC Watts Federal Building
330 West Broadway, Suite 265
Frankfort KY 40601

RE: Waterline Replacement Phase V (KY 805 Crossing and Side Roads in Burdine) Project

Dear Sir or Madam:

The City of Jenkins has been approved for an Appalachian Regional Commission Grant for the above referenced project. This project will replace aging waterlines in the area. The waterlines in the project area are over 60 years old. The City of Jenkins experiences a lot of water outages and line breaks due to the age of the lines. This results in extensive repair costs due to line breaks. The project will provide 159 residents, within the Burdine area, with improved water services. This will be a dig and replace project, the land has previously been disturbed.

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 (ie., disruption or alteration of habitat); and potential impact upon endangered or threatened species. 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: shana@kradd.org.

Thank you, for your time and assistance.

Sincerely,

Shana Agee
Public Administration Specialist

Enclosures

Exhibit 6
Kentucky Fish and Wildlife
Correspondence



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

Matthew G. Bevin
Governor

Don Parkinson
Secretary

#1 Sportsman's Lane
Frankfort, Kentucky 40601
Phone (502) 564-3400
1-800-858-1549
Fax (502) 564-0506
fw.ky.gov

Regina Stivers
Deputy Secretary

Rich Storm
Commissioner

14 October 2019

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

RE: Waterline Replacement Phase V (KY 85 Crossing and Side Roads in Burdine) Project

Dear Ms. Agee:

The Kentucky Department of Fish and Wildlife Resources (KDFWR) has received your request for information pertaining to the subject project. Due to the location and nature of the project, the KDFWR does not anticipate impacts to federally or state-listed species or any associated critical habitat. There are no unique habitats within one mile of the project site. Please be aware our database system is a dynamic one that only represents our current knowledge of various species distributions.

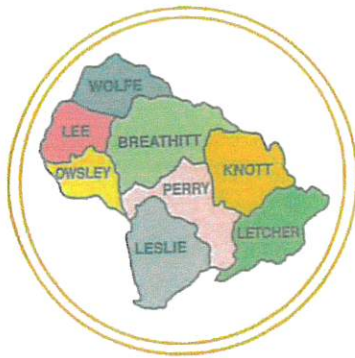
To minimize indirect impacts to the aquatic environment, the KDFWR recommends that erosion control measures be developed and implemented prior to construction to reduce siltation into waterways located within the project area. Such erosion control measures may include, but are not limited to silt fences, staked straw bales, brush barriers, sediment basins, and diversion ditches. Erosion control measures will need to be installed prior to construction and should be inspected and repaired regularly as needed.

I hope this information is helpful to you, and if you have questions or require additional information, please call me at 502-892-4453.

Sincerely,

Dan Stoelb
Environmental Scientist

Cc: Environmental Section File



Kentucky River

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

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

October 7th, 2019

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

RE: Waterline Replacement Phase V (KY 805 Crossing and Side Roads in Burdine) Project

Dear Sir or Madam:

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The Kentucky River Area Development District has been asked to undertake an environmental review of this project to ascertain the impact of the proposed activities. I would appreciate your office reviewing this project in relation to its potential impact(s) on any wetlands, vegetation and animal life and 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 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: shana@kradd.org.

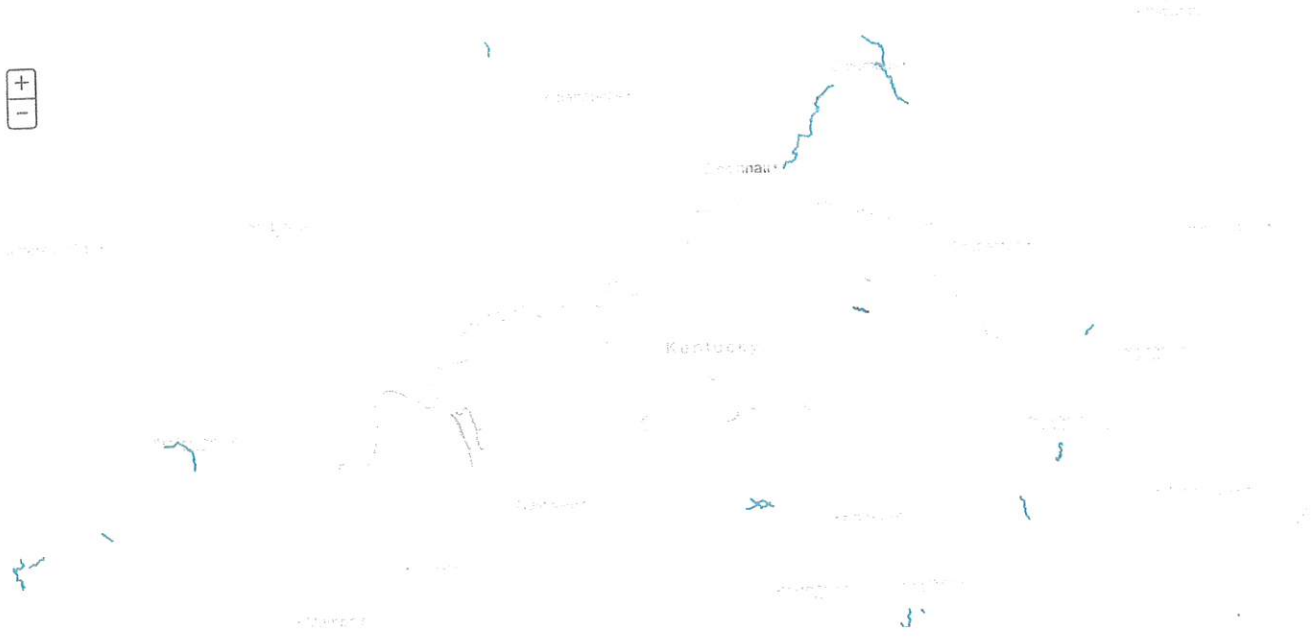
Thank you, for your time and assistance.

Sincerely,

Shana Agee
Public Administration Specialist

Enclosures

Exhibit 7
Wild and Scenic River Data



Legend ↗

Exhibit 8
Air Quality Data



MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

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

ANTHONY R. HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

December 11, 2019

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

Re: Waterline Replacement Phase V (KY 805 Crossing and Side Roads in Burdine) Project--
SERO 2019-36

Dear Ms. Agee,

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 correspondence dated October 7, 2019. Your letter requested an environmental review for this project. We have reviewed the document and provided comments below.

Division of Water

Water Infrastructure Branch:

There are no objections to the proposed project. Plans and specifications along with hydraulic analysis of the proposed project must be submitted to the DOW's Water Infrastructure Branch by a registered professional engineer in Kentucky. The applicant must receive a written approval from the DOW prior to the beginning of the construction. Questions should be directed to Abbas Pourghasemi, Engineering Section, (502) 782-7041, Abbas.Pourghasemi@ky.gov.

The system was lacking technical, managerial, and financial capacity as of the most recent Sanitary Survey (April 2018). This project will likely help increase system capacity. However, the non-significant deficiency noted as a result of the aforementioned survey should have been sufficiently addressed as of September 16, 2018. There is no response in the DOW's database. This deficiency must be addressed immediately. Additionally, recommendations listed within the Sanitary Survey results letter (dated July 16, 2018), which have not already been implemented, are still highly advised. Questions should be directed to Jennifer Taimi, Municipal Planning Section, (502) 782-7087, Jennifer.Taimi@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:

For pipeline stream crossings that are not covered under 401 KAR 4:050, a Kentucky DOW Application for Permit to Construct Across or Along a Stream must be submitted. The Freedom Lane section, the section of KY 805 200 feet west of the 805/East Jenkins Hill Lane, the section of KY 805 crossing Little Potter Branch adjacent to the 805/Rocky Hollow intersection, and the sections adjacent to the intersection of Store Hill Road and Tin Can Hollow of the proposed project will require a Kentucky DOW Application for Permit to Construct Across or Along a Stream. Questions should be directed to Ron Dutta, Floodplain Management Section, (502) 782-6941, Ramendra.Dutta@ky.gov.

Watershed Management:

The Water Supply Section strongly supports this project that prioritizes water loss, which is reportedly 33% for the Jenkins Water System. 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, 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 Kurtis Spears, Groundwater Section, (502) 782-7119, Kurtis.Spears@ky.gov or David Jackson, Groundwater Section, (502) 782-6986, DavidA.Jackson@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:

Closed:

Mountain Side Gas & Mini Mart
MASTER AI ID: 59868
LONGITUDE: -82.594946

LATITUDE: 37.19360899999995

Bill Potter Garage

MASTER AID: 59952

LONGITUDE: -82.609624

LATITUDE: 37.185579

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 no superfund site issue identified within the project impact area. Any superfund issues or questions should be directed to the Superfund Branch.

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

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

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

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

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

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

Division for Air Quality

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

401 KAR 63:005 states that open burning shall be prohibited except as specifically provided. Open Burning is defined as the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Brochure located at <https://eec.ky.gov/Environmental-Protection/Air/Pages/Open-Burning.aspx>

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

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

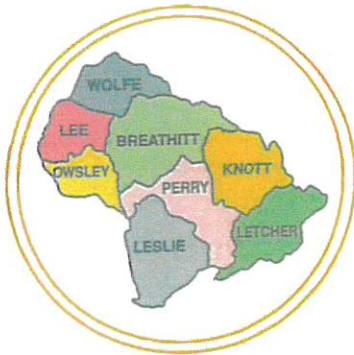
The Division also suggests an investigation into compliance with applicable local government regulations.

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.

Sincerely,



Louanna Aldridge



Kentucky River

AREA
DEVELOPMENT
DISTRICT

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

October 7th, 2019

Department for Environmental Protection
Division for Air Quality
300 Sower Blvd, 2nd Floor
Frankfort, KY 40601

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Shirley Halcomb

Executive Director
Michelle Allen

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

RE: Waterline Replacement Phase V (KY 805 Crossing and Side Roads in Burdine) Project

Dear Sir or Madam:

The City of Jenkins has been approved for an Appalachian Regional Commission Grant for the above referenced project. This project will replace aging waterlines in the area. The waterlines in the project area are over 60 years old. The City of Jenkins experiences a lot of water outages and line breaks due to the age of the lines. This results in extensive repair costs due to line breaks. The project will provide 159 residents, within the Burdine area, with improved water services. This will be a dig and replace project, the land has previously been disturbed.

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 on air quality for the county. Further, please identify any permits the project will require or emission control regulations which the project must meet. I have enclosed project location maps 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: shana@kradd.org.

Thank you, for your time and assistance.

Sincerely,

Shana Agee
Public Administration Specialist

Enclosures

Exhibit 9
Division of Water
Correspondence



MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

ANTHONY R. HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

December 11, 2019

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

Re: Waterline Replacement Phase V (KY 805 Crossing and Side Roads in Burdine) Project--
SERO 2019-36

Dear Ms. Agee,

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 correspondence dated October 7, 2019. Your letter requested an environmental review for this project. We have reviewed the document and provided comments below.

Division of Water

Water Infrastructure Branch:

There are no objections to the proposed project. Plans and specifications along with hydraulic analysis of the proposed project must be submitted to the DOW's Water Infrastructure Branch by a registered professional engineer in Kentucky. The applicant must receive a written approval from the DOW prior to the beginning of the construction. Questions should be directed to Abbas Pourghasemi, Engineering Section, (502) 782-7041, Abbas.Pourghasemi@ky.gov.

The system was lacking technical, managerial, and financial capacity as of the most recent Sanitary Survey (April 2018). This project will likely help increase system capacity. However, the non-significant deficiency noted as a result of the aforementioned survey should have been sufficiently addressed as of September 16, 2018. There is no response in the DOW's database. This deficiency must be addressed immediately. Additionally, recommendations listed within the Sanitary Survey results letter (dated July 16, 2018), which have not already been implemented, are still highly advised. Questions should be directed to Jennifer Taimi, Municipal Planning Section, (502) 782-7087, Jennifer.Taimi@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:

For pipeline stream crossings that are not covered under 401 KAR 4:050, a Kentucky DOW Application for Permit to Construct Across or Along a Stream must be submitted. The Freedom Lane section, the section of KY 805 200 feet west of the 805/East Jenkins Hill Lane, the section of KY 805 crossing Little Potter Branch adjacent to the 805/Rocky Hollow Intersection, and the sections adjacent to the intersection of Store Hill Road and Tin Can Hollow of the proposed project will require a Kentucky DOW Application for Permit to Construct Across or Along a Stream. Questions should be directed to Ron Dutta, Floodplain Management Section, (502) 782-6941, Ramendra.Dutta@ky.gov.

Watershed Management:

The Water Supply Section strongly supports this project that prioritizes water loss, which is reportedly 33% for the Jenkins Water System. 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, 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 Kurtis Spears, Groundwater Section, (502) 782-7119, Kurtis.Spears@ky.gov or David Jackson, Groundwater Section, (502) 782-6986, DavidA.Jackson@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:

Closed:

Mountain Side Gas & Mini Mart
MASTER AI ID: 59868
LONGITUDE: -82.594946

LATITUDE: 37.19360899999995

Bill Potter Garage

MASTER AID: 59952

LONGITUDE: -82.609624

LATITUDE: 37.185579

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 no superfund site issue identified within the project impact area. Any superfund issues or questions should be directed to the Superfund Branch.

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

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

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

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

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

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

Division for Air Quality

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

401 KAR 63:005 states that open burning shall be prohibited except as specifically provided. Open Burning is defined as the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Brochure located at <https://eec.ky.gov/Environmental-Protection/Air/Pages/Open-Burning.aspx>

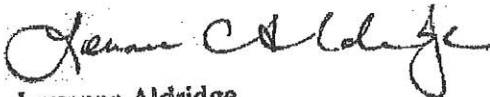
The Division would like to offer the following suggestions on how this project can help us stay in compliance with the NAAQS. These air quality control strategies are beneficial to the health of citizens of Kentucky.

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

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

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.

Sincerely,



Louanna Aldridge

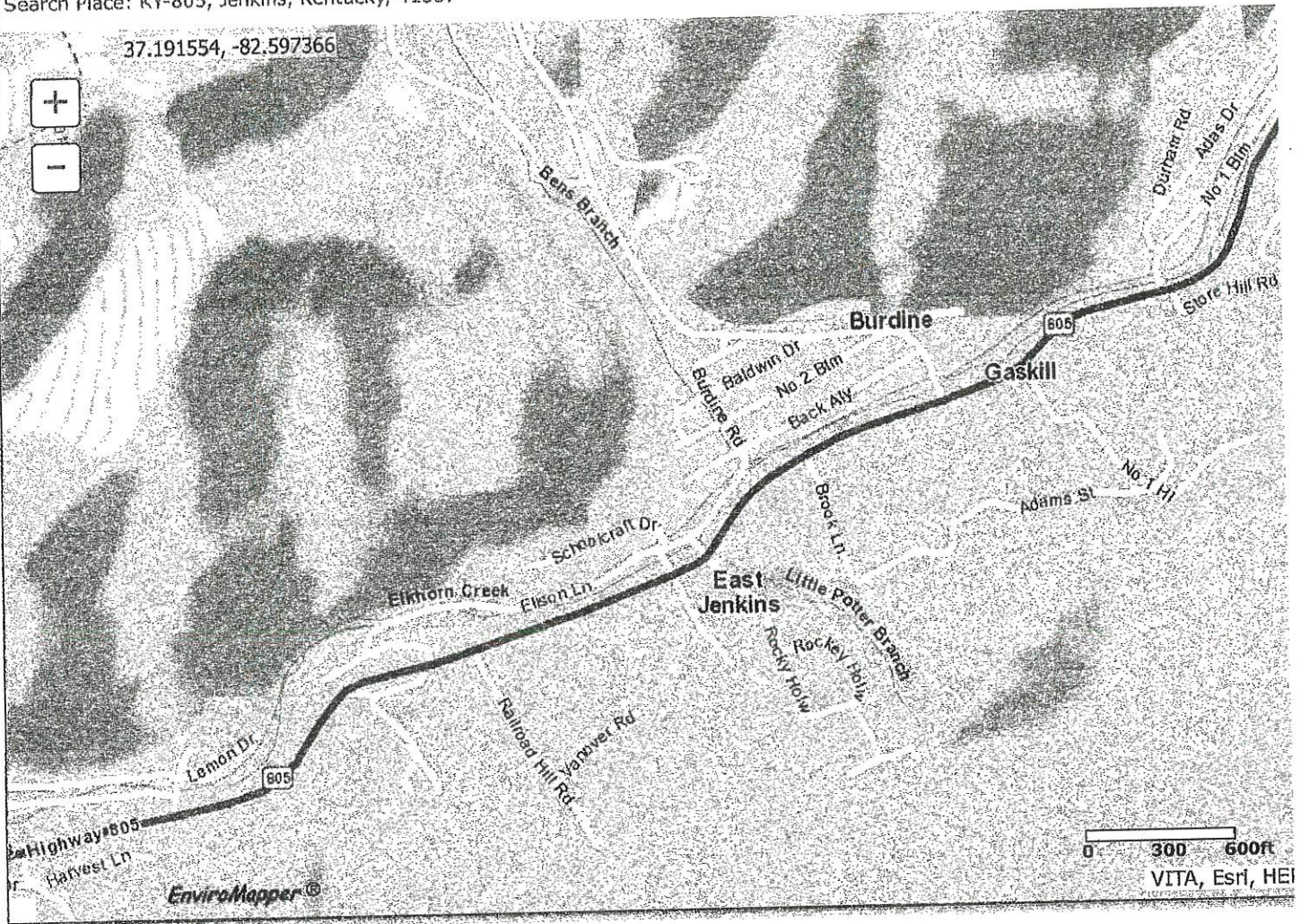
EnviroMapper

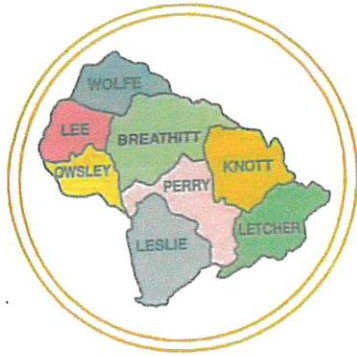
Search Place: KY-805, Jenkins, Kentucky, 41537

Basemap

Tools

37.191554, -82.597366





Kentucky River

AREA
DEVELOPMENT
DISTRICT

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

October 7th, 2019

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Department for Environmental Protection
Division of Water
300 Sower Blvd., 3rd Floor
Frankfort, KY 40601

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The Kentucky River Area Development District has been asked to undertake an environmental review of this project to ascertain the impact of the proposed activities. I would appreciate your office reviewing this project in relation to its potential impact(s) on any issues under your jurisdiction. Please identify any permits the project will require. 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: shana@kradd.org.

Thank you, for your time and assistance.

Sincerely,

Shana Agee
Public Administration Specialist

Enclosures

Shana Agee

From: Bishop, Ross (EEC) <Ross.Bishop@ky.gov>
Sent: Tuesday, October 15, 2019 12:48 PM
To: shana@kradd.org; Harrod, Elizabeth M (EEC)
Cc: Dutta, Ramendra (EEC); Bishop, Ross (EEC)
Subject: Waterline Replacement Phase V (KY 805 Crossing and Side Roads in Burdine
Attachments: application.doc; PN_instructions example.doc

Kentucky River Area Development District request for comment

Kentucky Division of Water (KDOW) has received your request on October 9, 2019 for 'floodplain determination' involving a "Waterline Replacement Phase V (KY 805 Crossing and Side Roads in Burdine) Project". According to the FEMA flood maps (*panels are available at www.watermaps.ky.gov*) the proposed plans may be affected by the 100 year floodplain. The plans contain line extensions with possible stream crossings that require additional information. A copy of the "Application For Permit To Construct Across Or Along A Stream And/Or Water Quality Certification" has been attached for your convenience.

A floodplain permit will be required as of this review. Additional forms and information may be reviewed at www.water.ky.gov (Should any wetlands be encountered, additional review by the Water Quality Section may be required.)

Please retain this e-mail for your records

Feel free to call if you need any assistance

Sincerely,

Ross Bishop, P.E.

Floodplain Section

Surface Water Permit Branch

Division of Water

(502)782-6891

ross.bishop@ky.gov

ANDY BESHEAR
GOVERNOR



REBECCA W. GOODMAN
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

ANTHONY R. HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

STREAM CONSTRUCTION PERMIT
For Construction In Or Along A Stream

Issued to: **City of Jenkins**
Address: **9409 KY 805**
Jenkins, KY 41537

Permit expires on
February 11, 2021

Permit No. **29640**

AI: **2680**

In accordance with KRS 151.250 and KRS 151.260, the Energy and Environment Cabinet approves the application dated **January 13, 2020** for **extension of existing water lines including thirty (30) subfluvial pipeline crossings in the floodplain of Elkhorn Creek and tributaries, with general coordinates 37.185001, -82.614518, in the City of Jenkins, Letcher County.**

There shall be no deviation from the plans and specifications submitted and hereby approved unless the proposed change shall first have been submitted to and approved in writing by the Cabinet. This approval is subject to the attached limitations. **Please read these limitations carefully!** If you are unable to adhere to these limitations for any reason, please contact this office prior to construction.

This permit is valid from the standpoint of stream obstruction only. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal and local agencies. Specifically if the project involves work in a stream, such as bank stabilization, dredging, relocation, or in designated wetlands, a 401 Water Quality Certification from the Division of Water will be required.

This permit is nontransferable and is not valid unless actual construction of this authorized work is begun prior to the expiration date noted above. Any violation of the Water Resources Act of 1966 as amended is subject to penalties as set forth in KRS 151.990.

If you have any questions regarding this permit, please call Mr. Ross Bishop at 502-782-6891.

Issued February 10, 2020.

Sincerely,

Ross Bishop, P.E.
Division of Water

pc: Hazard Regional Office
Todd Depriest, City of Jenkins Floodplain Coordinator
James Sparks, P.E., Nesbitt Engineering
File

Stream Construction Permit

Jenkins Water System

Facility Requirements

Permit Number: 29640

Activity ID No.: APE20200001

STRC000000004 (AI: 2680 - Waterlines) extension of existing water lines including thirty (30) subfluvial pipeline crossings in the floodplain of Elkhorn Creek and tributaries, with general coordinates 37.185001, -82.614518, in the City of Jenkins, Letcher County:

Submittal/Action Requirements:

Condition No.	Condition
S-1	The City of Jenkins must submit final construction report within 90 days after completion of construction. The City of Jenkins must certify, in writing, that the project has been completed in accordance with the approved plans and specifications. A Final Construction Report Form is enclosed. [401 KAR 4:060 Section 6]

Narrative Requirements:

Condition No.	Condition
T-1	The issuance of this permit by the cabinet does not convey any property rights of any kind or any exclusive privilege. [KRS 151.250 & 401 KAR 4:060]
T-2	This permit is issued from the standpoint of stream obstruction only and does not constitute certification of any other aspect of the proposed construction. The applicant is liable for any damage resulting from the construction, operation, or maintenance of this project. This permit has been issued under the provisions of KRS Chapter 151.250 and regulations promulgated pursuant thereto. Issuance of this permit does not relieve the permittees from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal and local agencies. [KRS 151.250]
T-3	A copy of this permit must be available at the construction site. [KRS 151.250]
T-4	Any work performed by or for the City of Jenkins that does not fully conform to the submitted application or drawings and the limitations set forth in this permit, is subject to partial or total removal and enforcement actions pursuant to KRS 151.280 as directed by the Kentucky Department for Environmental Protection. [KRS 151.280]
T-5	Any design changes or amendments to the approved plans must be submitted to the Division of Water and approved in writing prior to implementation. [KRS 151.250]
T-6	Since City of Jenkins participates in the National Flood Insurance Program, a local floodplain permit must be obtained prior to beginning of construction. Upon completion of construction City of Jenkins must contact the local permitting agency for final approval of the construction for compliance with the requirements of the local floodplain ordinance. [401 KAR 4:060 Section 9(c)]
T-7	Areas disturbed by the boring equipment in the regulatory floodplain, on both banks shall be restored to its approximate original ground surface level. [401 KAR 4:060]

Stream Construction Permit

Jenkins Water System

Facility Requirements

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Narrative Requirements:

Condition No.	Condition
T-8	To prevent collapse of the stream bed, sufficient cover shall be maintained between the channel bottom and the bore hole tunnel. [401 KAR 4:060]
T-9	The permittee must obtain a Water Quality Certification (or a determination that none is required) through the Division of Water, Water Quality Branch before beginning construction. Contact the Water Quality Certification Supervisor at (502) 564-3410. [KRS 224.16-050 & Clean Water Act Section 401]
T-10	Erosion prevention measures, sediment control measures, and other site management practices shall be designed, installed, and maintained in an effective operating condition to prevent migration of sediment off site. [KRS 224.70-110]
T-11	To avoid secondary adverse impacts, all materials used shall be stable and inert, free from pollutants and floatable objects, and shall meet all appropriate engineering standards. (Inert here means materials that are not chemically reactive and that will not rot or decompose, such as soil, rock, broken concrete or similar materials.) [401 KAR 4:060 Section 7]
T-12	All areas disturbed for stream crossings and all areas disturbed for pipeline installation within the base floodplain shall be restored as closely as possible to their original ground surface elevations. [401 KAR 4:060]
T-13	All debris and excess material shall be removed for disposal outside of the base floodplain. [401 KAR 4:060]
T-14	Upon completion of construction all disturbed areas shall be seeded and mulched or otherwise stabilized to prevent erosion. [401 KAR 4:060]
T-15	The entry of mobile equipment into the stream channel shall be limited as much as reasonably possible to minimize degradation of the waters of the Commonwealth. [401 KAR 4:060]
T-16	Construction other than as authorized by this permit shall require written approval from the Division of Water. [401 KAR 4:060]
T-17	The existing stream flow shall be maintained at all times during construction using standard flow diversion or pump around methods. Cofferdams or other structures placed in the stream shall be removed immediately if adverse flooding conditions result or if a flooding event is imminent. [401 KAR 4:060 Section 4]

Stream Construction Permit

Jenkins Water System

Facility Requirements

Permit Number: 29640

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Narrative Requirements:

Condition No.	Condition
T-18	The Sub-fluvial crossings must meet the following criteria whichever is applicable: (1) During the construction of the crossing, no material may be placed in the stream or in the flood plain of the stream to form construction pads, coffer dams, access roads, etc., unless prior approval has been obtained from the cabinet. (2) The trench shall be backfilled as closely as possible to the original contour. All excess material from construction of the trench shall be disposed of outside of the flood plain unless the applicant has received prior approval from the cabinet to fill within the flood plain. (3) For subfluvial crossings of erodible channels, there shall be at least thirty (30) inches clear to the top of the pipe or conduit at all points. (4) For subfluvial crossings of nonerodible channels, there shall be at least six (6) inches of clear cover above the top of the pipe or conduit at all points, and the pipe or conduit shall be encased on all sides by at least six (6) inches of concrete. (5) The weight of a pipe and its contents during normal operating conditions at all points must exceed that of an equal volume of water, or the applicant must provide the division with sufficient information to show that the pipe and joints have sufficient strength. [401 KAR 4:050 Section 2]

Exhibit 10
Site Contamination Data

EnviroMapper

Search Place: KY-805, Jenkins, Kentucky, 41537

Basemap

Tools

37.191554, -82.597366

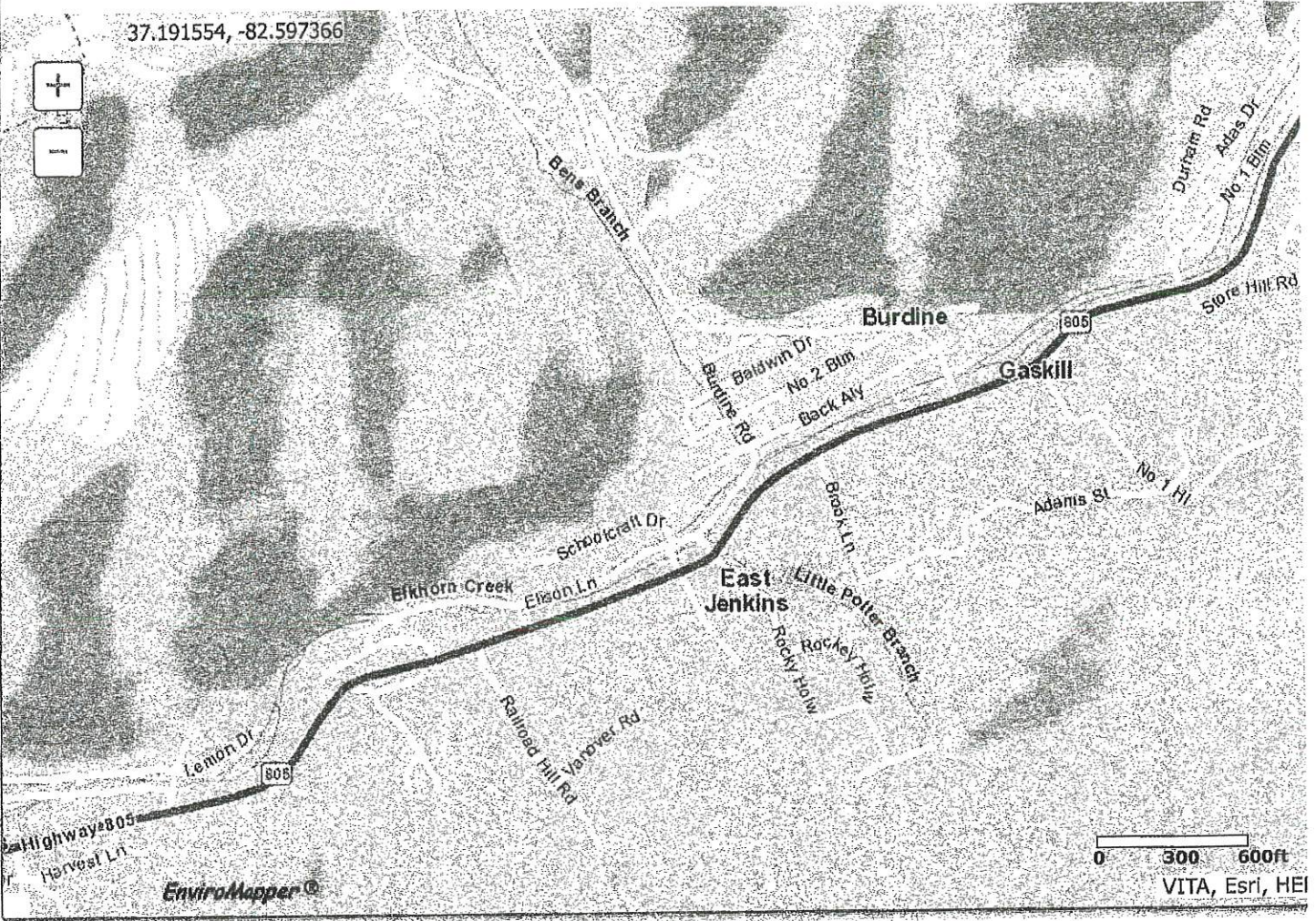


Exhibit 11
Sole Source Aquifer Data

Sole Source Aquifers

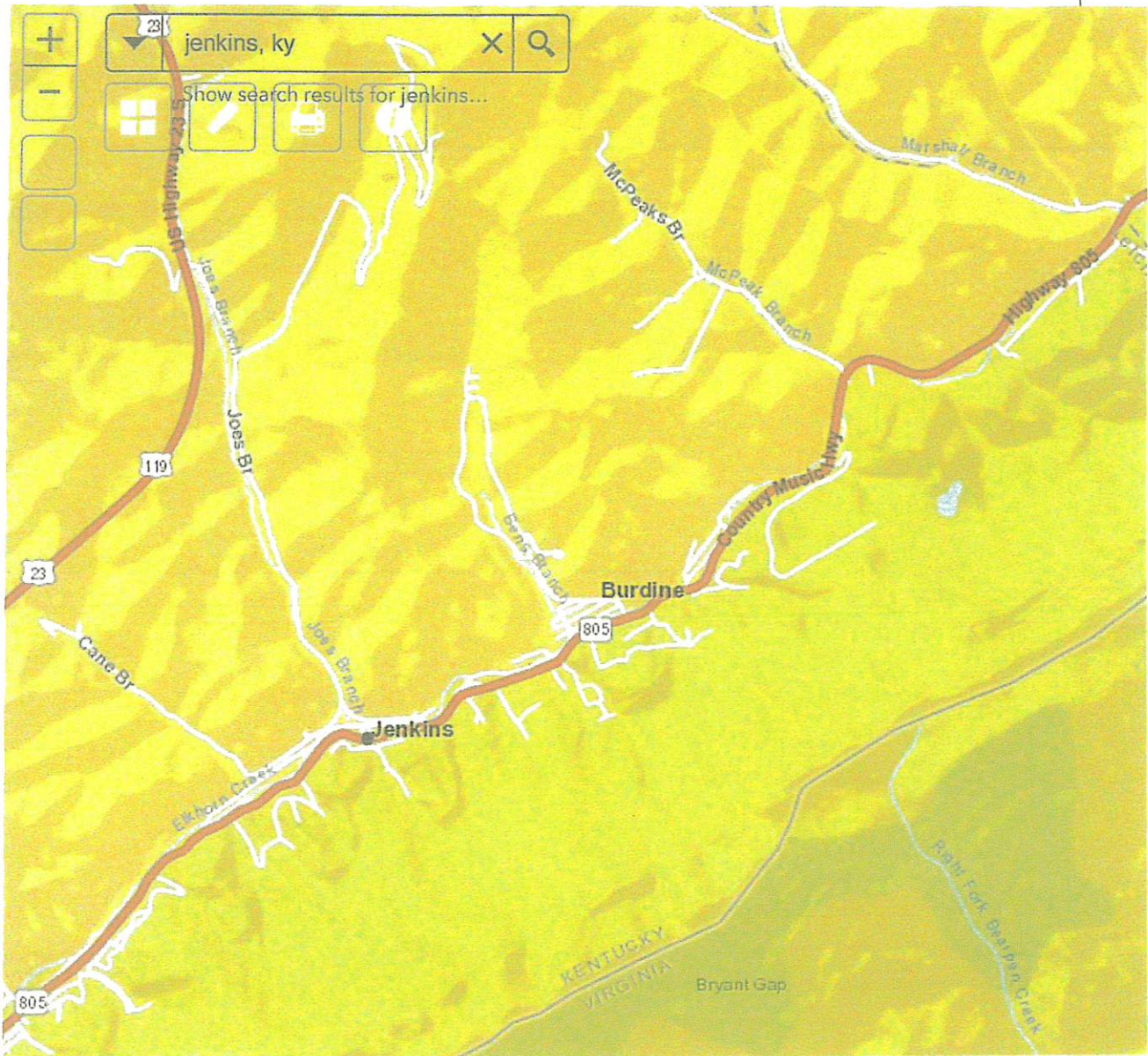


Exhibit 12
Division of Waste Management
Correspondence



MATTHEW G. BEVIN
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ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

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300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

December 11, 2019

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