Appendix A 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.

<table>
<thead>
<tr>
<th>Source</th>
<th>Planning &amp; Operations</th>
<th>Construction &amp; Renovation</th>
<th>Equipment</th>
<th>Total</th>
<th>Percent</th>
<th>Status of Funds</th>
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<td>960,000</td>
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<td>Pending</td>
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<td>Other Federal Funds:</td>
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<td>$40,000</td>
<td>$960,000</td>
<td></td>
<td>$1,000,000</td>
<td>100%</td>
<td>Pending</td>
</tr>
</tbody>
</table>

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]
Title: Chief Executive Officer

Todd DePriest

[Signature]
Title: Mayor

Date: 08/19/2019
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  567842  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
Exhibit 3

Floodplains and Wetlands Maps/Data
Exhibit 44

Natural Resource Conservation Service

Correspondence
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
October 7th, 2019

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
May 15, 2020

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

FOR
KENTUCKY FIELD SUPERVISOR
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

JENNIFER GARLAND
Digitally signed by JENNIFER GARLAND
Date: 2020.05.26 16:00:45 -04'00

PAGE 56
October 7th, 2019

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
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
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:

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 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
Exhibit 8

Air Quality Data
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:

KentuckyUnbridledSpirit.com

An Equal Opportunity Employer M/F/D
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, David.A.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 A1 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://sec.ky.gov/Environmental-Protection/Air/Documents/Fugitive%20Dust%20Fact%20Sheet.pdf](https://sec.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://eep.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,

[Signature]
Louanna Aldridge
October 7th, 2019

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

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Division for Air Quality

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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://ecy.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
October 7th, 2019

Department for Environmental Protection
Division of Water
300 Sower Blvd., 3rd Floor
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 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
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
STREAM CONSTRUCTION PERMIT
For Construction In Or Along A Stream

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

Permit No. 29640

Permit expires on February 11, 2021
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.


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

STRC00000000004 (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:

<table>
<thead>
<tr>
<th>Condition No.</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>S-1</td>
<td>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]</td>
</tr>
</tbody>
</table>

Narrative Requirements:

<table>
<thead>
<tr>
<th>Condition No.</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>T-1</td>
<td>The issuance of this permit by the cabinet does not convey any property rights of any kind or any exclusive privilege. [KRS 151.250 &amp; 401 KAR 4:060]</td>
</tr>
<tr>
<td>T-2</td>
<td>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 permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal, and local agencies. [KRS 151.250]</td>
</tr>
<tr>
<td>T-3</td>
<td>A copy of this permit must be available at the construction site. [KRS 151.250]</td>
</tr>
<tr>
<td>T-4</td>
<td>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]</td>
</tr>
<tr>
<td>T-5</td>
<td>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]</td>
</tr>
<tr>
<td>T-6</td>
<td>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)]</td>
</tr>
<tr>
<td>T-7</td>
<td>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]</td>
</tr>
</tbody>
</table>
Stream Construction Permit
Jenkins Water System
Facility Requirements
Permit Number: 29640
Activity ID No.: APE20200001

STRC0000000004 (A1: 2680 - Watertines) 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:

Narrative Requirements:

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<tr>
<td>T-8</td>
<td>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]</td>
</tr>
<tr>
<td>T-9</td>
<td>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 &amp; Clean Water Act Section 401]</td>
</tr>
<tr>
<td>T-10</td>
<td>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]</td>
</tr>
<tr>
<td>T-11</td>
<td>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]</td>
</tr>
<tr>
<td>T-12</td>
<td>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]</td>
</tr>
<tr>
<td>T-13</td>
<td>All debris and excess material shall be removed for disposal outside of the base floodplain. [401 KAR 4:060]</td>
</tr>
<tr>
<td>T-14</td>
<td>Upon completion of construction all disturbed areas shall be seeded and mulched or otherwise stabilized to prevent erosion. [401 KAR 4:060]</td>
</tr>
<tr>
<td>T-15</td>
<td>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]</td>
</tr>
<tr>
<td>T-16</td>
<td>Construction other than as authorized by this permit shall require written approval from the Division of Water. [401 KAR 4:060]</td>
</tr>
<tr>
<td>T-17</td>
<td>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]</td>
</tr>
</tbody>
</table>
Stream Construction Permit
Jenkins Water System
Facility Requirements
Permit Number: 29640
Activity ID No.: APE20200001

STRC0000000004 (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:

**Narrative Requirements:**

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<td>T-18</td>
<td>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]</td>
</tr>
</tbody>
</table>

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Exhibit 10

Site Contamination Data
Exhibit 11

Sole Source Aquifer Data
Exhibit 12
Division of Waste Management
Correspondence
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 Bardine) 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: