Exhibit 5

US Fish and Wildlife Correspondence
September 23, 2020

Mr. Lee Andrews
Field Supervisor
US Fish and Wildlife Service
JC Watts Federal Building
330 West Broadway, Suite 265
Frankfort KY 40601

RE: Breathitt County Water District – Breathitt Waterline Extension Phase 2 Project (WX21025033); IPaC Consultation Code: 04EK1000-2020-TA-1838

Dear Sir or Madam:

The Breathitt County Water District has received funding through the Appalachian Regional Commission for the above referenced project. This project will extend waterlines to four areas in Breathitt County: Creekside Road, War Creek Road, Joe Ward Fork, and Mann Road. This project will construct approximately 17,967 Linear Feet (LF) of 4” PVC and 930 LF of 2” PVC waterline throughout the service areas; serving approximately 28 households. Additionally, two pump stations within the Breathitt water system will be rebuilt or replace; one on 30 West and one on 30 East. The valves and piping will be replaced at the KY 541, River Caney, and KY 28 pressure reducing vaults.

This project is located throughout Breathitt County, Kentucky. This project will serve approximately 28 households in Breathitt County. Due to the scope of the project there will be ground disturbance in previously disturbed highway right-of-way or existing easements. There will be no tree removal.

The IPaC species list, dated September 23, 2020, identifies eleven federally listed endangered or threatened species. The area was defined as the entire county due mostly impact to the distance between the service areas. A complete list of species is attached.

Direct effects – The project will utilize best management practices and will observe local sedimentation and erosion control ordinances, therefore
very little minimal surface disturbance should occur during construction causing minimal effects
to the surrounding environment.

Indirect effects – With the extension of waterlines into the four currently unserved roads, there is
a possibility for new home construction or remodeling of existing structures in the future.

Cumulative effects – The four roads could see a small increase in housing due to the addition of
potable water.

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 (i.e. disruption or alteration of habitat); and potential impact upon endangered or
threatened species. I have enclosed a project location, 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:
jennifer@kradd.org. Thank you, for your time and assistance.

Sincerely,

Jennifer McIntosh
Water & Wastewater Planner
The USFWS has determined that significant impacts to federally listed species are not likely to result from this project as currently proposed. Please see attached.

Thank you for your coordination with our office.

U.S Fish and Wildlife Service  
KY Ecological Services Field Office  
330 W. Broadway, Room 265  
Frankfort, KY 40601  
502.695.0468 (office)  
502.695.1024 (fax)  
**Check us out at https://www.fws.gov/frankfort/**

Kentucky Ecological Services Field Office  
Home page of the Region 4 U.S. Fish and Wildlife Service, representing Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Tennessee, the US Virgin Island, and Puerto Rico, a bureau in the Department of Interior. Our mission is, working with others, to conserve, protect and enhance fish, wildlife, and plants and their habitats for the continuing benefit of ...  
www.fws.gov
September 23, 2020

Mr. Lee Andrews  
Field Supervisor  
US Fish and Wildlife Service  
JC Watts Federal Building  
330 West Broadway, Suite 265  
Frankfort KY 40601

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Sincerely,

Jennifer McIntosh
Water & Wastewater Planner
BREATHITT COUNTY
WATERLINE EXTENSIONS PHASE 2
JOE WARD FRK RD WETLANDS MAP

Legend
Proposed Points
TYPE

- OTHER
- PUMP STATION
- VALVE

- Proposed Waterlines
- Breathitt Roads

National Wetland Inventory Polygons
WETLAND_TYPE

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

Proposed Points

TYPE

- OTHER
- PUMP STATION
- VALVE

Proposed Waterlines

Breathitt Roads

JESSE BR RD

KY 316

J.S. DEATON CEMETERY RD

Source: T.D. Delin/Ohio State, USDA, USGS Data Grid, ON aid

BREATHITT COUNTY
WATERLINE EXTENSIONS PHASE 2
KY 28 PRESSURE RELIEF VALVE
SITE PLAN MAP
Proposed Points

TYPE

* OTHER

~ PUMP STATION

VALVE

Proposed Waterlines

Breathitt Roads

National Wetland Inventory Polygons

WETLAND_TYPE

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
BREATHITT COUNTY
WATERLINE EXTENSIONS PHASE 2
KY 541 PRESSURE REDUCING VALVE
SITE PLAN MAP

Legend
Proposed Points
TYPE

Legend
Proposed Points
TYPE

• OTHER
• PUMP STATION
• VALVE

Source: Esri, DigitalGlobe, GeoEye, USDA Forest Service, USGS, Aerogrid, IGN, IGP, and the GIS User Community

Proposed Waterlines
Breathitt Roads
BREATHITT COUNTY
WATERLINE EXTENSIONS PHASE 2
KY 541 PRESSURE REDUCING VALVE
WETLANDS MAP

Legend
Proposed Points
TYPE
• OTHER
• PUMP STATION
• VALVE

Proposed Waterlines
Breathitt Roads

National Wetland Inventory Polygons
WETLAND_TYPE
• Freshwater Emergent Wetland
• Freshwater Forested/Shrub Wetland
• Freshwater Pond
• Lake
Proposed Points

Legend

Proposed Points

TYPE

- OTHER
- PUMP STATION
- VALVE

SCALE 1" = 2,000'
OR 1:24,000
BREATHITT COUNTY
WATERLINE EXTENSIONS PHASE 2
MANN'S RD., KY 30 E PUMP STATION
& EXCAVATOR SITE PLAN MAP

Legend

Proposed Points

TYPE

★ EXCAVATOR

黄色 PUMP STATION

黑色 VALVE

蓝色 Proposed Waterlines

棕色 Breathitt Roads

Source: ESRI, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community

233
BREATHITT COUNTY
WATERLINE EXTENSIONS PHASE 2
RIVER CANEY PRESSURE RELIEF VALVE
SITE PLAN MAP

Legend
Proposed Points
TYPE

- OTHER
- PUMP STATION
- VALVE

- Proposed Waterlines
- Breathitt Roads
Exhibit 6

Kentucky Fish and Wildlife

Correspondence
Kentucky River Area Development District
Attn: Jennifer McIntosh
941 N. Main Street
Hazard, KY 41701

RE: Breathitt County Water District
Breathitt Waterline Extension Phase 2 Project
WX21025033

Dear Ms. McIntosh:

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.

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, if you have questions or require additional information, please call me at 502-892-4472.

Sincerely,

Doug Dawson

Doug Dawson
Environmental Section Chief
September 23, 2020

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

RE: Breathitt County Water District – Breathitt Waterline Extension
Phase 2 Project (WX21025033; IPaC Consultation Code: 04EK1000-2020-TA-1838)

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Sincerely,

[Signature]

Jennifer McIntosh
Water & Wastewater Planner
Legend

Proposed Points

TYPE

- OTHER
- PUMP STATION
- VALVE

Proposed Waterlines
Breathitt Roads

National Wetland Inventory Polygons

WETLAND_TYPE

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
BREATHITT COUNTY
WATERLINE EXTENSIONS PHASE 2
JOE WARD FRK RD LOCATION MAP

Legend
Proposed Points
TYPE
• OTHER
• PUMP STATION
○ VALVE
--- Proposed Waterlines

Scale 1″=2,000'
OR 1:24,000
Legend

Proposed Points
TYPE

- OTHER
- PUMP STATION
- VALVE

Proposed Waterlines

SCALE 1" = 2,000'
OR 1:24,000
BREATHITT COUNTY
WATERLINE EXTENSIONS PHASE 2
KY 541 PRESSURE REDUCING VALVE
FLOODPLAIN MAP
BREATHITT COUNTY
WATERLINE EXTENSIONS PHASE 2
KY 541 PRESSURE REDUCING VALVE
WETLANDS MAP

Proposed Points
TYPE
OTHER
PUMP STATION
VALVE

Proposed Waterlines
Breathitt Roads

National Wetland Inventory Polygons
WETLAND_TYPE

Legend

Freshwater Emergent Wetland
Freshwater Forested/Shrub Wetland
Freshwater Pond
Lake
BREATHITT COUNTY
WATERLINE EXTENSIONS PHASE 2
MANNS RD, KY 30 E PUMP STATION
& EXCAVATOR SITE PLAN MAP

Legend
Proposed Points
TYPE
EXCAVATOR
PUMP STATION
VALVE
Proposed Waterlines
Breathitt Roads
BREATHITT COUNTY
WATERLINE EXTENSIONS PHASE 2
MANN'S RD, KY 30 E PUMP STATION & EXCAVATOR WETLANDS MAP

Legend

Proposed Points

TYPE

🌟 EXCAVATOR

建设用地

 Valerie

Proposed Waterlines

Breathitt Roads

National Wetland Inventory Polygons

WETLAND_TYPE

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

Source: GeoEye, GeoEye, Esri, HERE, Garmin, Map My Tracks, NHGIS, USGS, AEG, AGT, ON, and the GIS User Community
BREATHITT COUNTY
WATERLINE EXTENSIONS PHASE 2
RIVER CANEY PRESSURE RELIEF VALVE
SITE PLAN MAP

Legend

Proposed Points

TYPE

- OTHER
- PUMP STATION
- VALVE

Proposed Waterlines

Breathitt Roads
BREATHITT COUNTY
WATERLINE EXTENSIONS PHASE 2
RIVER CANEY PRESSURE RELIEF VALVE
FLOODPLAIN MAP

Legend
Proposed Points
TYPE
❖ OTHER
❖ PUMP STATION
❖ VALVE
Proposed Waterlines
Breathitt Roads
FLOODWAY
FLOODWAY
FEMA DFIRM - Floodplain
FLD_ZONE
❖ 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
❖ A
❖ AE
BREATHITT COUNTY WATERLINE EXTENSIONS PHASE 2 WAR CREEK RD FLOODPLAIN MAP

Legend
Proposed Points
TYPE
★ OTHER
▼ PUMP STATION
● VALVE
Proposed Waterlines
Breathitt Roads
FLOODWAY
FLOODWAY
FEMA DFIRM - Floodplain
FLD_ZONE
0.2 PCT ANNUAL CHANCE FLOOD HAZARD
A
AE