



Kentucky River

AREA
DEVELOPMENT
DISTRICT

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

CHAIRMAN

Pam Pilgrim

VICE-CHAIRMAN

Tracy Neice

Mayor

TREASURER

Terry Adams

Judge/Executive

SECRETARY

Gregory Whitson

PARLIAMENTARIAN

Laura Thomas Mayor

BOARD OF DIRECTORS

County Judge Executives

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

Mayors

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

Citizen Members

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

Executive Director

Michelle Allen

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

May 22, 2020

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

RE: Perry County Fiscal Court- KY RT 80/KY RT 476 Interconnect Project

Dear Louanna:

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

- Division of Water
- Division of Water – Floodplain Management
- Division of Waste Management

There will be ground disturbance on previously disturbed highway right-of-way and existing easements during this project. I would appreciate your office reviewing this project and its potential impact(s) on any environmental areas within your jurisdiction. I have enclosed a project location map and project description for your reference.

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: kasey@kradd.org.

Thank you, for your time and assistance.

Sincerely,

Kasey Malone

Kasey Malone
Community and Economic Development Specialist

Exhibit 13
FEMA Correspondence



Kentucky River

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February 21, 2020

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Michelle Allen

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

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

RE: KY RT 80/KY RT 476 Interconnect Project (WX21193040)

Dear Sir or Madam:

The Perry County Fiscal Court has received funding through the Abandoned Mine Lands Pilot Program and the Appalachian Regional Commission for the above referenced project. This project will establish three interconnections between the Knott County Water & Sewer District and the City of Hazard water system. These interconnections will be located at the intersection of RT 80 and RT 476 on the Knott and Perry County line, West Highway 550, and the junction of Ball Fork and RT 80.

The scope of this project consists of the construction of approximately 6,400 linear feet of 8" waterline and 2,500 linear feet of 6" waterline, a water storage tank, and two new pressure booster pump stations. Additionally, this project will upgrade two existing pressure booster pump stations and install three master meter tie-ins between the Knott County Water & Sewer District's system and the City of Hazard Water System.

This project is primarily located along KY HWY 80 East and KY 476 in Perry County, Kentucky with upgrades being performed at the Montgomery Creek and Irishman Creek pump stations. This project will serve approximately 1,500 customers in Northern Perry 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 also be approximately a quarter acre of tree and vegetation removal on the water storage tank construction site, an abandoned mining site that is privately owned by Kentucky River Properties. An easement will be obtained for this property.

The Kentucky River Area Development District has been asked to undertake an environmental review of this project to ascertain the impact

of the proposed activities. I would appreciate your office reviewing this project in relation to its potential impact(s) on any issues under your jurisdiction for Perry County or the Commonwealth of Kentucky. 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: angelia@kradd.org.

Thank you, for your time and assistance.

Sincerely,



Angelia Hall
Associate Director, CED

Exhibit 14
HUD Correspondence

Exhibit 15

TRIBAL CONSULTATION



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Michelle Allen

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

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

RE: KY RT 80/KY RT 476 Interconnect Project (WX21193040)

Dear Russ:

The Perry County Fiscal Court has received funding through the Abandoned Mine Lands Pilot Program and the Appalachian Regional Commission for the above referenced project. This project will establish three interconnections between the Knott County Water & Sewer District and the City of Hazard water system. These interconnections will be located at the intersection of RT 80 and RT 476 on the Knott and Perry County line, West Highway 550, and the junction of Ball Fork and RT 80.

The scope of this project consists of the construction of approximately 6,400 linear feet of 8" waterline and 2,500 linear feet of 6" waterline, a water storage tank, and two new pressure booster pump stations. Additionally, this project will upgrade two existing pressure booster pump stations and install three master meter tie-ins between the Knott County Water & Sewer District's system and the City of Hazard Water System.

This project is primarily located along KY HWY 80 East and KY 476 in Perry County, Kentucky with upgrades being performed at the Montgomery Creek and Irishman Creek pump stations. This project will serve approximately 1,500 customers in Northern Perry 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 also be approximately a quarter acre of tree and vegetation removal on the water storage tank construction site, an abandoned mining site that is privately owned by Kentucky River Properties. An easement will be obtained for this property.

The Kentucky River Area Development District has been asked to

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

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

Sincerely,

Angelia Hall
Associate Director, CED

Exhibit 16

USACOE

Kasey Malone

From: Branham, Justin L CIV USARMY CELRL (USA) <Justin.L.Branham@usace.army.mil>
Sent: Monday, May 11, 2020 11:09 AM
To: angelia@kradd.org
Subject: LRL-2020-405 - KY Rt 80 - KY Rt 476 Interconnect Project (WX21193040)

Angelia,

Please accept this email as our official response to the above referenced project. A hard copy will not be mailed unless one is requested. Your letter indicated that the proposed project would not involve the discharge of fill or dredged material into "waters of the U.S." (WOUS). Likewise, if any stream crossings are required, the crossing would be constructed utilizing directional bore methodology. Please note that streams and adjacent wetlands are considered waters of the United States pursuant to Section 404 of the Clean Water Act (CWA).

We encourage a construction plan that will avoid wetland and/or stream impacts if possible. If wetland or stream impacts are unavoidable, a DA permit application should be submitted to this office before any work is done. Based on the information included in your submittal and the review of available maps, it does NOT appear that a DA permit would be required for this proposal.

The Louisville District is available to participate in any onsite inspections of the proposed site and/or attend pre-application meetings to discuss aquatic resource impact avoidance and minimization. If we can be of further assistance or if you have any questions regarding DA permit requirements, please contact Justin Branham at the above address, telephone 606-634-5858.

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



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

Justin Branham

Team Leader / Regulatory Specialist

U.S. Army Corps of Engineers - Louisville District Eastern Kentucky

Regulatory Office

845 Sassafras Creek Road

Sassafras, KY 41759

RE: KY RT 80/KY RT 476 Interconnect Project (WX21193040)

Dear Mr. Branham:

The Perry County Fiscal Court has received funding through the Abandoned Mine Lands Pilot Program and the Appalachian Regional Commission for the above referenced project. This project will establish three interconnections between the Knott County Water & Sewer District and the City of Hazard water system. These interconnections will be located at the intersection of RT 80 and RT 476 on the Knott and Perry County line, West Highway 550, and the junction of Ball Fork and RT 80.

The scope of this project consists of the construction of approximately 6,400 linear feet of 8" waterline and 2,500 of 6" waterline, a water storage tank, and two new pressure booster pump stations. Additionally, this project will upgrade two existing pressure booster pump stations and install three master meter tie-ins between the Knott County Water & Sewer District's system and the City of Hazard Water System.

This project is primarily located along KY HWY 80 East and KY 476 in Perry County, Kentucky with upgrades being performed at the Montgomery Creek and Irishman Creek pump stations. This project will serve approximately 1,500 customers in Northern Perry 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 also be approximately a quarter acre of tree and vegetation removal on the water storage tank construction site, an abandoned mining site that is privately owned by Kentucky River Properties. An easement will be obtained for this property. The project will require a stream crossing which will all be done by sub fluvial horizontal directional drilling.

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

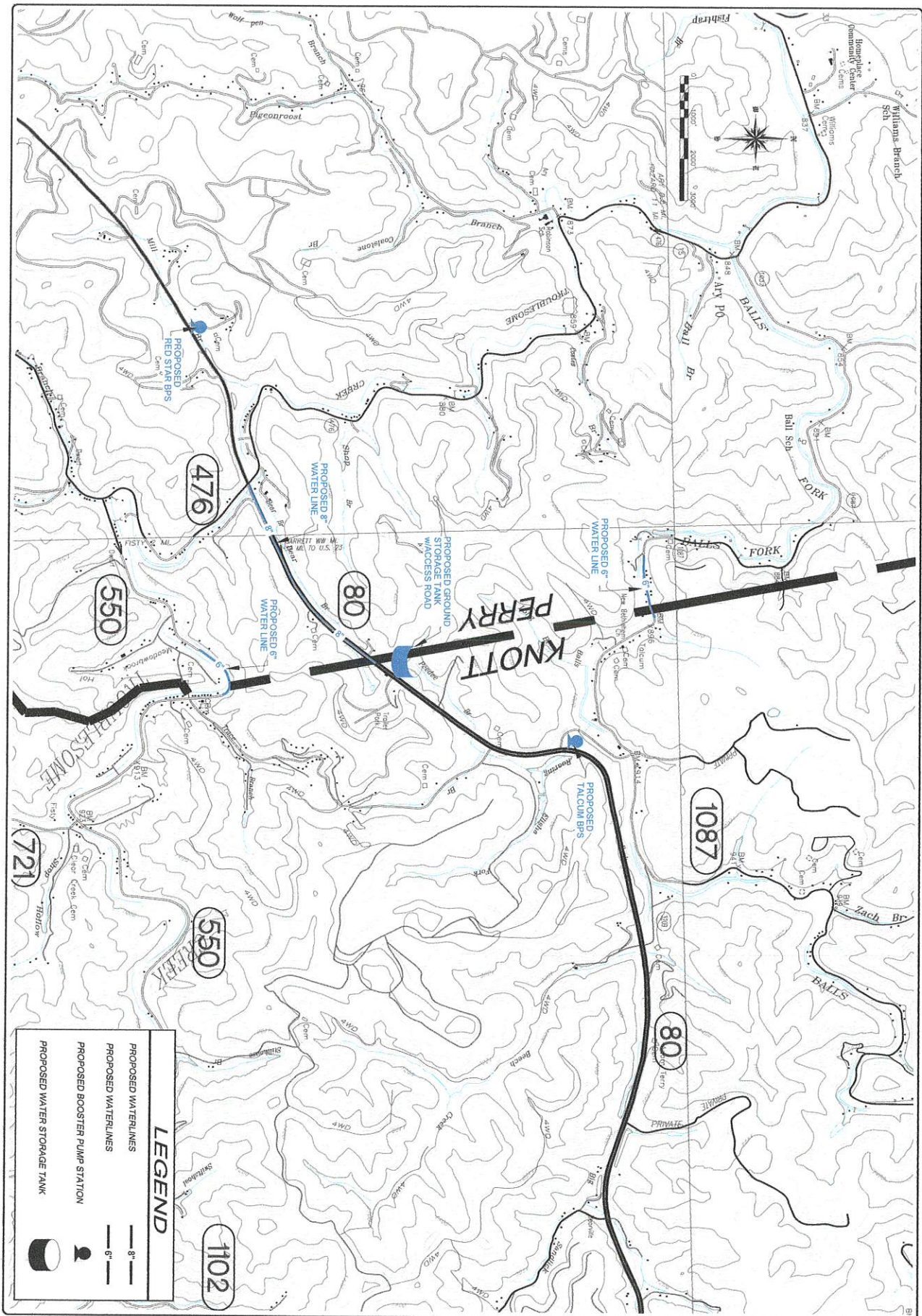
Your comments may address beneficial or adverse impacts or, both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project,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

Sincerely,

A handwritten signature in cursive script that reads "Angelia Hall".

Angelia Hall
Associate Director, CED

Exhibit 17
Project Maps



LEGEND

- PROPOSED WATERLINES (8")
- PROPOSED WATERLINES (6")
- PROPOSED BOOSTER PUMP STATION
- PROPOSED WATER STORAGE TANK

SHEET C-1	SCALE: 1" = 1000'	REVISIONS
	JOB No:	
	DESIGNED BY:	
	DETAILED BY: HA	
	CHECKED BY: RMJ	
DATE: 01/16/2020		
COPYRIGHT © 2017 R.M. JOHNSON ENGINEERING, INC.		

KNOTT COUNTY WATER SEWER DISTRICT
 KNOTT/PERRT COUNTIES, KY 476 & 80 INTERCONNECT AML PILOT
 7777 BIG BRANCH ROAD
 VEICO, KY 41773

ENVIRONMENTAL IMPACT MAP

RMJE
 R.M. JOHNSON ENGINEERING, INC.

3376 Hwy 500E
 P.O. Box 444
 Hindman, KY 41822
 (606) 765-0926

3213 Summit Square Place
 SUITE 100
 Lexington, KY 40509
 (606)543-1256

PROJECT MAP

KY-1087 Meter
Interconnect Supply
Lat 37°22'24.387"
Long -83°7'7.529"

KY-80
Pump Sta New
Lat 37°22'4.21"
Long -83°6'26.301"

Montgomery Creek
Pump Sta Upgrade
Lat 37°21'11.832"
Long -83°2'19.632"

KY-80
Master Meter
Lat 37°21'22.227"
Long -83°6'48.81"




KY-80 New Tank
Interconnect Supply
Lat 37°21'22.931"
Long -83°6'49.754"

KY-550
Master Meter
Lat 37°20'34.948"
Long -83°6'57.35"

KY-80
Pump Station
Lat 37°20'35.981"
Long -83°8'33.444"

Irishman Creek
Pump Sta Upgrade
Lat 37°16'30.439"
Long -82°59'49.8"

Legend

-  Points
-  Lines
-  State Hwy

NOTES:
Please see attached Site Maps
for 1:2000 scale of individual
areas of the project.

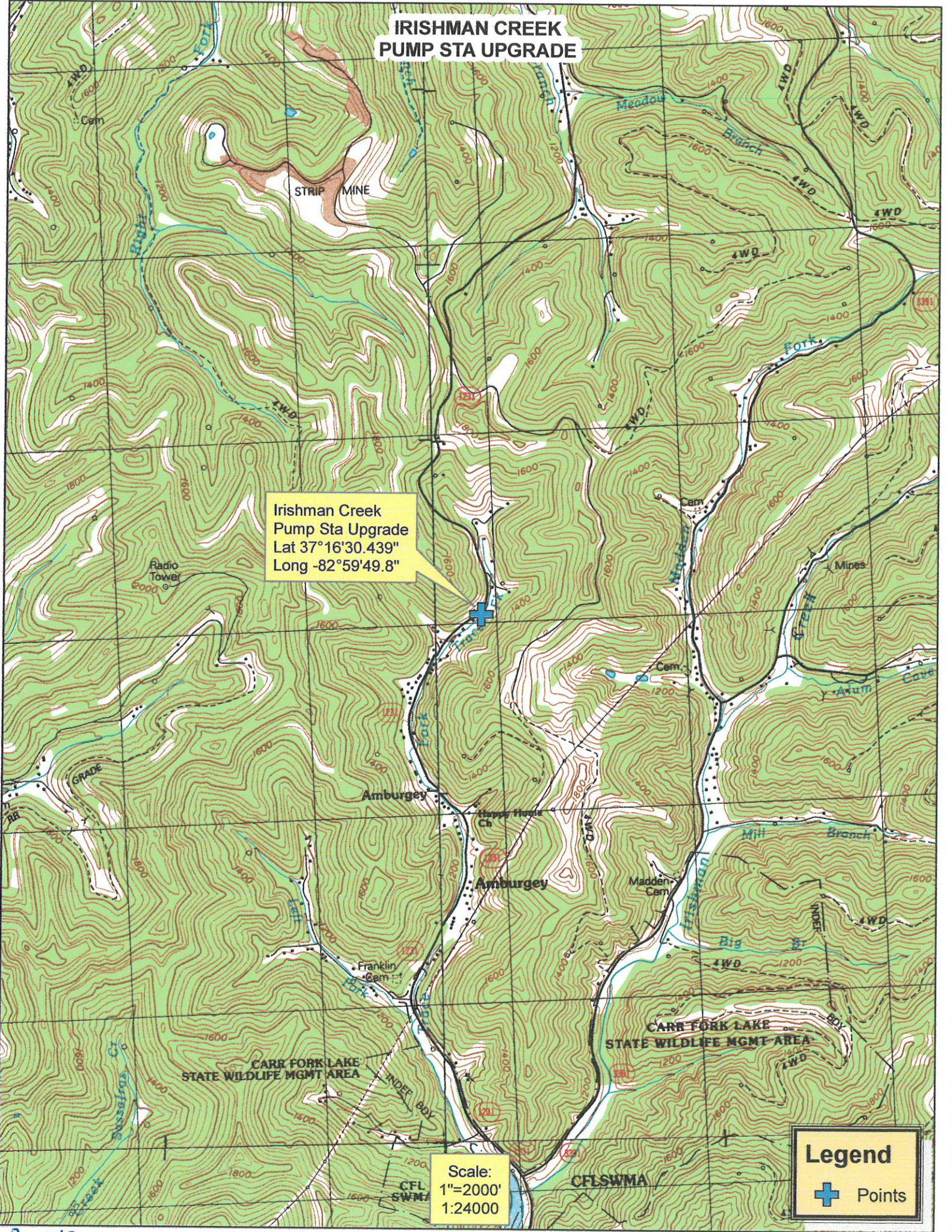
IRISHMAN CREEK PUMP STA UPGRADE

Irishman Creek
Pump Sta Upgrade
Lat 37°16'30.439"
Long -82°59'49.8"

Scale:
1"=2000'
1:24000

Legend

 Points



MONTGOMERY CREEK PUMP STA UPGRADE

Montgomery Creek
Pump Sta Upgrade
Lat 37°21'11.832"
Long -83°2'19.632"

Scale:
1"=2000'
1:24000

Legend

 Points

**KY-80 NEW TANK
NEW PUMP STA
MASTER METER**

KY-80 Meter
Interconnect Supply
Lat 37°22'24.387"
Long -83°7'7.529"

KY-80 New Tank
Interconnect Supply
Lat 37°21'22.931"
Long -83°6'49.754"



KY-80
Pump Sta New
Lat 37°21'37.128"
Long -83°6'34.896"

KY-80
Master Meter
Lat 37°21'22.227"
Long -83°6'48.81"

KY-80
Pump Station
Lat 37°20'35.981"
Long -83°8'33.444"

KY-550
Master Meter
Lat 37°20'34.948"
Long -83°6'57.35"

Legend

-  Points
-  Lines
-  State Hwy

Scale:
1"=2000'
1:24000

**KY-80/476 INTERCONNECT
 KY-80 NEW TANK
 NEW PUMP STA
 MASTER METER
 FLOODPLAIN MAP**

KY-1087
 Master Meter

KY-80
 Pump Sta New



KY-80 New Tank
 Interconnect Supply

KY-80
 Master Meter


KY-550
 Master Meter

Notes:
 The items shown are the only ones in any
 proximity of any streams or rivers that
 could be in potential floodplain areas.

Legend




-  Points
-  Lines

FLOODWAY

-  FLOODWAY

FEMA DFIRM - Floodplain

FLD_ZONE

-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD
-  A
-  AE

**KY-80/476 INTERCONNECT
 KY-80 NEW TANK
 NEW PUMP STA
 MASTER METER
 WETLANDS MAP**

KY-1087
 Pump Sta New

KY-80 New Tank
 Interconnect Supply

KY-80
 Pump Sta New

KY-80
 Master Meter


Montgomery Creek
 Pump Sta Upgrade

KY-80
 Pump Sta New

KY-550
 Master Meter

Irshman Creek
 Pump Sta Upgrade


Legend


 Points


 Lines

National Wetland Inventory Polygons

WETLAND_TYPE

 Freshwater Emergent Wetland

 Freshwater Forested/Shrub Wetland

 Freshwater Pond

 Lake

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

Exhibit 18

Notice to Public of Request for Release of Funds

And Tear Sheet

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

Date July 2, 2020

Perry County Fiscal Court

(Name of Applicant)

481 Main Street, 1st Floor, Hazard, KY 41701

(Street, City, Zip Code)

(606) 439-1816

(Telephone #)

These notices shall satisfy two separate but related procedural requirements for the activities to be undertaken by the Perry County Fiscal Court.

TO ALL INTERESTED AGENCIES, GROUPS, AND PERSONS:

Request for Release of Funds

On or about July 20, 2020, the Perry County Fiscal Court will submit a request to the Department for Local Government for the release of the Appalachian Regional Commission (ARC) funds:

KY RT 80/KY RT 476 Interconnection Project

(Project Title or Name)

Establish an interconnection between Perry County and the Knott County Water and Sewer District.

(Purpose or Nature of the Project)

Hazard, Perry County, Kentucky/Hindman, Knott County, Kentucky

(Location – City, County, State – of Project)

9602, 9605, 9703, and 9704

(Census Tract(s))

Finding of No Significant Impact

The Perry County Fiscal Court has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) (PL-91-190) is not required. An Environmental Review Record (ERR) respecting the within project has been made by the Perry County Fiscal Court which documents the environmental review of the project and more fully sets forth the reasons why such Statements is not required. This Environmental Review Record is on file at the Fiscal Court's office at 481 Main Street, 1st Floor, Hazard, Kentucky 41701 and is available at www.kradd.org and www.perrycounty.ky.gov for public examination and copying, or upon request at the Fiscal Court's office between the hours of 8:00 AM and 4:00 PM. No further environmental review of such project is proposed to be conducted.

Public Comments

All interested agencies, groups and persons disagreeing with the ERR decision are invited to submit written comments for consideration by the Perry County Fiscal Court to the Fiscal Court's office. Such written comments should be received at P.O. Drawer 210, Hazard, KY 41702 or angelia@kradd.org on or before July 17, 2020. All such comments so received will be considered prior to authorizing submission of a request for a release of funds or taking any administrative action on the within project prior to the date specified on the proceeding sentence. Comments should specify which Notice they are addressing.

Environmental Certification

The Perry County Fiscal Court will undertake the project described above with Appalachian Regional Commission funds from the Department for Local Government. The Perry County Fiscal Court is certifying to the state that the Perry County Fiscal Court and Scott Alexander, in his official capacity as Judge Executive consent to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision making and action; and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval the Perry County Fiscal Court may use the Appalachian Regional Commission funds and the state will have satisfied their responsibilities under the National Environmental Policy Act of 1969 and related laws and authorities.

Objection to Release of Funds

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

- (a) The certification was not in fact executed by the Perry County Fiscal Court's Certifying Officer.
- (b) The Perry County Fiscal Court has failed to make one of the two findings pursuant to S58.41 or to make the written determination decision required by SS578.57, 58.53 or 58.64 for the project, as applicable.
- (c) The Perry County Fiscal Court has omitted one or more of the steps set forth at Subparts F and G for the preparation and completion of an EA.
- (d) No opportunity was given to the Advisory Council on Historic Preservation or its Executive Director to review the effect of the project on a property listed on the National Register of Historic Places, or found to be eligible for such listing by the Secretary of the Interior, in accordance with 36 CFR Part 800.

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

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

Objections to the release of funds on bases other than those stated above will not be considered by the state. No objection received after August 11, 2020 will be considered by the state. Potential objectors should contact the Department for Local Government to verify the actual last day of the state Comment period.

Scott Alexander
(Name of Certifying Officer of Applicant/Title)

481 Main Street, 1st Floor
(Address)

Hazard, KY 41701