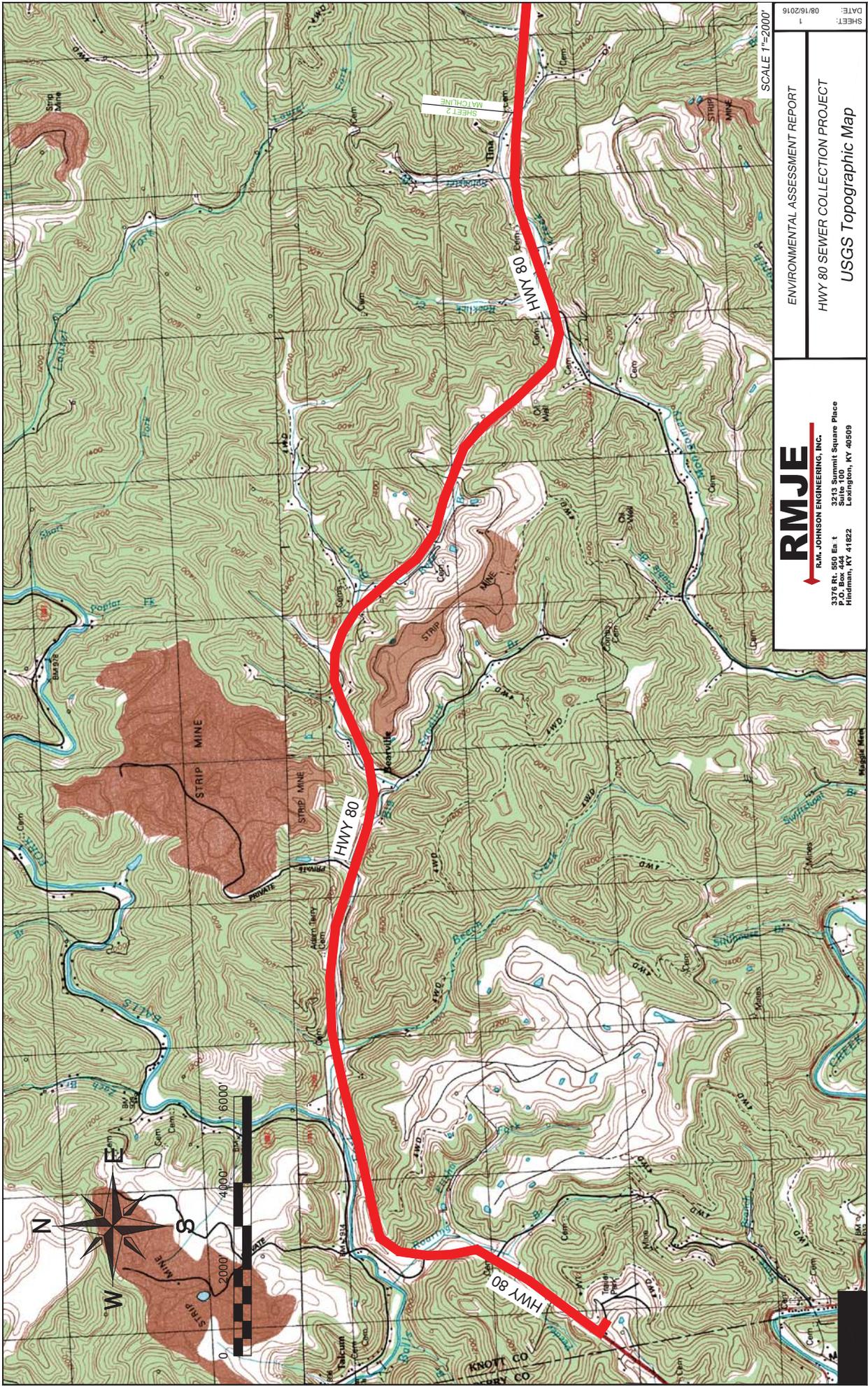


Appendix A
Exhibits



SCALE 1"=2000'

SHEET: 1
DATE: 08/16/2016

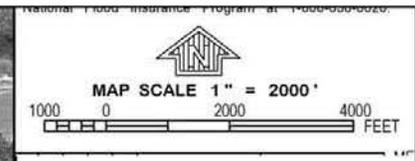
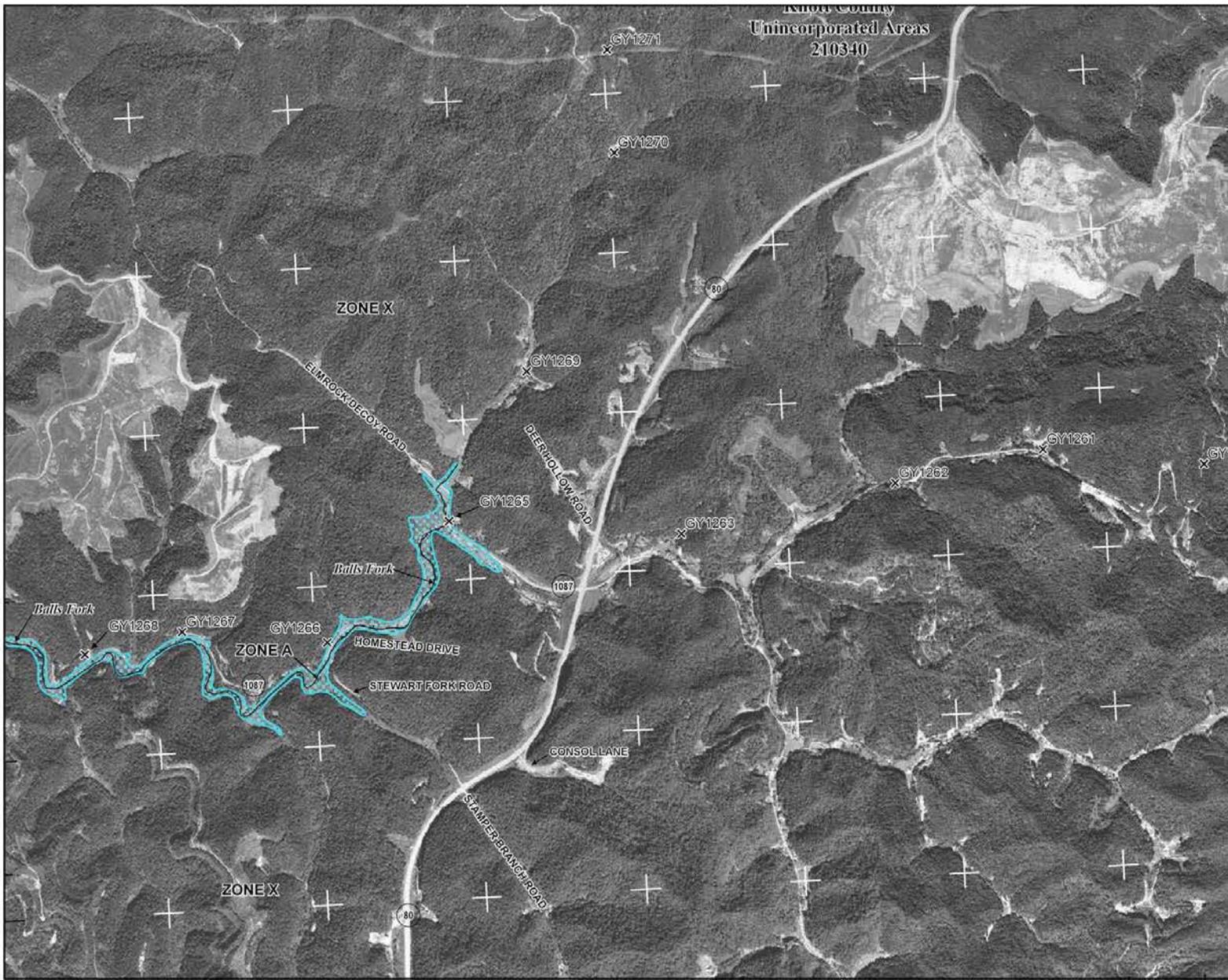
ENVIRONMENTAL ASSESSMENT REPORT
 HWY 80 SEWER COLLECTION PROJECT
 USGS Topographic Map

RMJE
 R.M. JOHNSON ENGINEERING, INC.
 3376 Rt. 550 Eas 1
 P.O. Box 444
 Hindman, KY 41822

3213 Summit Square Place
 Suite 100
 Lexington, KY 40509



KNOTT CO
 GERRY CO



Unincorporated Areas
210340

NFIP PANEL 0125C

FIRM
FLOOD INSURANCE RATE MAP
KNOTT COUNTY,
KENTUCKY
AND INCORPORATED AREAS

PANEL 125 OF 375
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

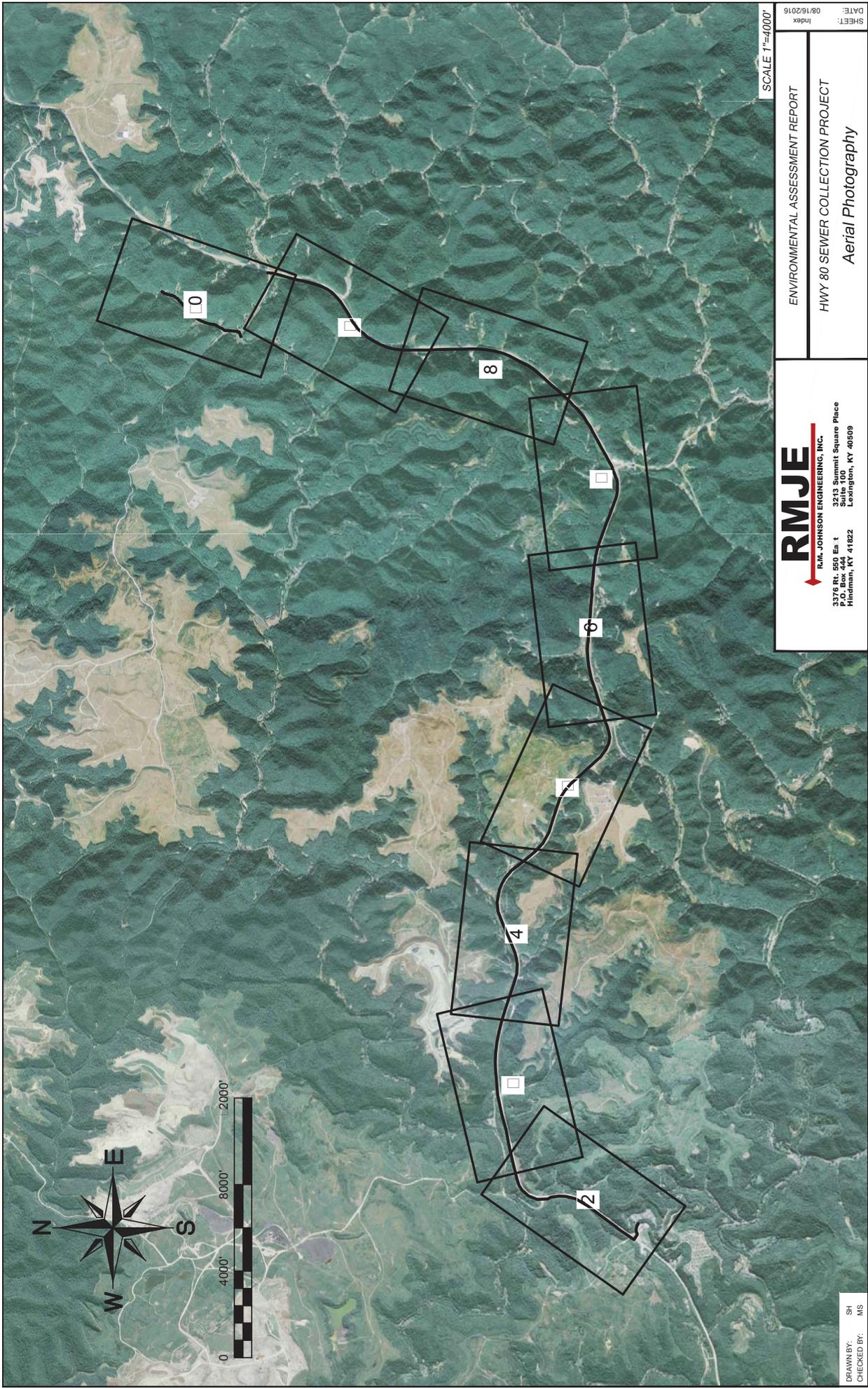
COMMUNITY	NUMBER	PANEL	SUFFIX
KNOTT COUNTY	210340	0125	C

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
21119C0125C
EFFECTIVE DATE
SEPTEMBER 28, 2007

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



SCALE 1"=4000'

<p>ENVIRONMENTAL ASSESSMENT REPORT</p> <p>HWY 80 SEWER COLLECTION PROJECT</p> <p><i>Aerial Photography</i></p>	<p>RMJE</p> <p><small>R.M. JOHNSON ENGINEERING, INC.</small></p> <p><small>3376 Rt. 650 Es 1 P.O. Box 444 Hindman, KY 41822</small></p> <p><small>3213 Summit Square Place Suite 100 Lexington, KY 40509</small></p>
--	---

DATE: 08/16/2016
SHEET: Index

DRAWN BY: SH
CHECKED BY: MS

Appendix B
Agency Correspondence



Kentucky River

AREA
DEVELOPMENT
DISTRICT

917 PERRY PARK ROAD • HAZARD, KENTUCKY 41701 • PHONE 606/436-3158

July 9, 2015

CHAIRMAN
Jim Ward
Judge/Executive
VICE-CHAIRMAN
Dale Bishop
TREASURER
Scott Cornett
Mayor
SECRETARY
Dennis Brooks
Judge/Executive
PARLIAMENTARIAN
G.C. Kincer
Mayor

BOARD OF DIRECTORS

County Judge Executives
Harvey J. Richardson - Breathitt Co.
Zach Weinberg - Knott Co.
Steve Mays - Lee Co.
Jimmy Sizemore - Leslie Co.
Jim Ward - Letcher Co.
Ronnie DeBord - Owsley Co.
Denny Ray Noble - Perry Co.
Dennis Brooks - Wolfe Co.

Mayors
Rose Wolfe - Jackson
Janice Jarrell - Hindman
Scott Cornett - Pippa Passes
John S. Smith - Beattyville
Lonnie Hendrix - Hyden
Susan Polis - Fleming-Neon
James W. Craft - Whitesburg
G.C. Kincer - Jenkins
Charles Long - Booneville
Johnny Cummings - Vlcco
Nan Gorman - Hazard
Pat Wooten - Buckhorn
Gay Campbell - Campton

Citizen Members
Ellis Tincher
Gary Campbell
Ray D. Moore
Larry Parke
James O. Childers
Harold Craft
Floyd Johns
Chuck Caudill, Jr.
Hiram Cornett
Eugene Stewart
James McDannel
Jack Burkich
Dale Bishop
Derrick Bowling
Freddie Combs
Reverend John Pray
Meriwether Wash Hall
Judy H. Caldwell
Roger Milligan

Executive Director
Mike D. Miller

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

Russell Townsend
Tribal Historic Preservation Specialist
Qualla Boundary Reservation
PO Box 455
Cherokee, NC 28719

RE: Ball Creek Phase II -- Yellow Mountain and Highway 80 Sewer Collection Project

Dear Mr. Townsend:

The Troublesome Creek Environmental Authority is in the process of conducting an environmental review pursuant to the State Environmental Review Process for the Community Development Block Grant (CDBG), a federally funded program compliant with U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the Authority has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

TEA proposes to expand the sanitary collection system to include Yellow Mountain Road located off of HWY 1098 and also an area along KY 80 from SoftShell, KY at the intersection of KY 1098/1087 and KY 80 to the Jamestown Village and the Phoenix Place subdivisions at the Knott and Perry County line. The collection line expansion will involve 237 potential customers along KY 80 and the above mentioned subdivisions. The Jamestown and Phoenix Place developments are currently served by an extended air package plant and the Phoenix Place Home Owners Association (PPHOA) has requested TEA to develop their system to tie in to their collection system (which will require improvements) and eliminate PPHOA's operation of the package plant. There are numerous residents along KY 80 that can be served from the proposed collection line which

currently have straight pipe sanitary discharge or failing/nonfunctioning septic systems. There are also a couple of newly developed subdivisions along KY 80, The Meadows (23 residents) and Hunter Forest (6 residents), that can developed by their owners to tie in to the proposed collection system if they so desire. The system will include 62,000 LF of 6" sewer force main with several lift stations designed to accommodate a low pressure main line to maximize residential grinder pump life cycle. The collection line and sewer lift stations will be constructed within the KY HWY 80 DOT ROW corridor which has been previously environmentally impacted with the construction of the road. A map of the project is enclosed.

We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. IF the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

We would appreciate a response within 30 days, if possible. If you need any further information or wish to discuss the project, please feel free to contact me at (606) 436-3158 or by email at jennifer@kradd.org. Please mail responses to Jennifer McIntosh, KY River ADD, PO Box 239 Hazard, KY 41702.

Sincerely,



Jennifer McIntosh
Community Resources Planner

enclosures

Annette Napier

From: Yolanda Saunooke <yolasaun@nc-chokee.com>
Sent: Wednesday, August 19, 2015 1:26 PM
To: KY Webmanager (ky_webmanager@hud.gov)
Cc: 'Annette Napier'
Subject: RE: Ball Creek Phase II-Yellow Mtn and Hwy 80 sewer collection project

Hello,

PROJECT(s): Comments regarding Ball Creek Phase II-Yellow Mtn. and Hwy 80 Sewer collection.

The Tribal Historic Preservation Office of the Eastern Band of Cherokee Indians would like to thank you for the opportunity to comment on this proposed section 106 activity under §36 C.F.R. 800.

After further review, it is the opinion of the EBCI THPO that the proposed undertaking will not result in any new ground disturbing activities which might adversely affect any sites eligible for inclusion on the National Register of Historic Places. As such, the EBCI THPO believes that the proposed project may proceed as planned. In the event that project plans change, or cultural resources or human remains are discovered, all work should cease, and this office should be contacted to continue government to government consultation as defined under Section 106 of the National Historic Preservation Act of 1966, as amended.

If we can be of further service, or if you have any comments or questions, please feel free to contact me at (828) 359-6854.

Sincerely,

Yolanda Saunooke

Yolanda Saunooke
Eastern Band of the Cherokee Indians
Tribal Historic Preservation Office
Office: 828-359-6854
FAX: 828-488-2462





P. O. Box 444
Hindman, Kentucky 41822
Telephone: (606) 785-5926
Fax: (606) 785-0244
E-mail: info@rmje.net

3213 Summit Square Place
Suite 100
Lexington, Kentucky 40509
Telephone: (859) 543-1256
Fax: (859) 543-9873

April 3, 2014

Mr. Wayne Davis
Kentucky Department of Fish and Wildlife Resources
Arnold Mitchell Bldg.
Frankfort, KY 40601

RE: Yellow Mountain & HWY 80 Sewer Collection Project

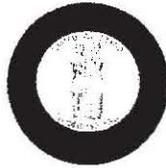
Dear Mr. Davis,

The Troublesome Creek Environmental Authority (TEA) is in the process of acquiring funding for the design and construction of sanitary sewer collection line in Knott County, Kentucky. This project consists of constructing a new sanitary sewer extension line that will connect to the existing Ball Creek Waste Water Treatment Plant. The sewer line will be constructed along HYW 80 from Softshell to Jamestown Village. The proposed line consists of 62,000 linear feet of 6 inch force main and will be constructed along the existing right of way of HYW 80. There is also a portion of the project consisting of 4,500 linear feet of 6 inch force main along Yellow Mountain Road. The attached map shows the location of the proposed project.

R. M. Johnson Engineering is preparing an Environmental Assessment for this project. We are seeking pertinent information the KDFWR may have regarding the impact this project could have on threatened and endangered species that may be present within the project area. Please review and let us know if you have any questions. Also could you provide information on any other species or habitat that may be affected by this project? Thank you for your time. We would appreciate a response within 30 days if possible. Feel free to contact me at (859) 543-1256 extension 267 or by email at msscott@rmje.net. We appreciate the opportunity to work with you and look forward to your response.

Sincerely,
R.M. Johnson Engineering, Inc.

Michael Scott, EIT
Project Engineer



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

Steven L. Beshear
Governor

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

Bob Stewart
Secretary

11 April 2014

Michael Scott, EIT
Project Engineer
R.M. Johnson Engineering, Inc.
3213 Summit Square Place
Suite 100
Lexington, KY 40509

RE: Yellow Mountain & HWY 80 Sewer Collection Project

Dear Mr. Scott:

The Kentucky Department of Fish and Wildlife Resources (KDFWR) has received your request for information pertaining to the subject project. The Kentucky Fish and Wildlife Information System indicates that the federally-listed Gray bat (*Myotis grisescens*) and Kentucky Arrow Darter (*Etheostoma spilotum*), a candidate species for federal-listing, are known to occur within close proximity of the proposed project. The state-listed Common Raven (*Corvus corax*) and Elktoe (*Alasmidonta marginata*) are known to occur within close proximity of the project area. This project does not occur within known areas of Indiana bat (*Myotis sodalis*) habitat. No additional critical habitat, karst features, or any unique natural areas are known to occur within the project area. Please be aware that our database system is a dynamic one that only represents our current knowledge of various species distributions.

KDFWR recommends that you contact the appropriate US Army Corps of Engineers office and the Kentucky Division of Water prior to any work within the waterways or wetland habitats of Kentucky. Impacts to streams will require permits from USACE and KDOW, as well as a mitigation plan tied to those permits. Additionally, KDFWR recommends the following for the portions of the project that impact streams:

- Channel changes located within the project area should incorporate natural stream channel design.
- If culverts are used, the culvert should be designed to allow the passage of aquatic organisms.
- Culverts should be designed so that degradation upstream and downstream of the culvert does not occur.
- Development/excavation during low flow period to minimize disturbances.

- Proper placement of erosion control structures below highly disturbed areas to minimize entry of silt into area streams.
- Replanting of disturbed areas after construction, including stream banks, with native vegetation for soil stabilization and enhancement of fish and wildlife populations. We recommend a 100 foot forested buffer along each stream bank.
- Return all disturbed instream habitat to a stable condition upon completion of construction in the area.
- Preservation of any tree canopy overhanging any streams within the project area.

To minimize impacts to the aquatic environment the Kentucky Dept. of Fish & Wildlife Resources 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) 564-7109 extension 4453.

Sincerely,



Dan Stoelb
Wildlife Biologist

Cc: Environmental Section File



P. O. Box 444
Hindman, Kentucky 41822
Telephone: (606) 785-5926
Fax: (606) 785-0244
E-mail: info@rmje.net

3213 Summit Square Place
Suite 100
Lexington, Kentucky 40509
Telephone: (859) 543-1256
Fax: (859) 543-9873

April 3, 2014

Mr. Lee Andrews
Field Office Supervisor
U.S. Fish and Wildlife Service
3761 Georgetown Road
Frankfort, KY 40601

RE: Yellow Mountain & HWY 80 Sewer Collection Project

Dear Mr. Andrews,

The Troublesome Creek Environmental Authority (TEA) is in the process of acquiring funding for the design and construction of sanitary sewer collection line in Knott County, Kentucky. This project consists of constructing a new sanitary sewer extension line that will connect to the existing Ball Creek Waste Water Treatment Plant. The sewer line will be constructed along HYW 80 from Softshell to Jamestown Village. The proposed line consists of 62,000 linear feet of 6 inch force main and will be constructed along the existing right of way of HYW 80. There is also a portion of the project consisting of 4,500 linear feet of 6 inch force main along Yellow Mountain Road. The attached map shows the location of the proposed project.

R. M. Johnson Engineering is preparing an Environmental Assessment for this project. We are seeking pertinent information the USFWS may have regarding the impact this project could have on threatened and endangered species that may be present within the project area. Please review and let us know if you have any questions. Also could you provide information on any other species or habitat that may be affected by this project? Thank you for your time. We would appreciate a response within 30 days if possible. Feel free to contact me at (859) 543-1256 extension 267 or by email at msscott@rmje.net. We appreciate the opportunity to work with you and look forward to your response.

Sincerely,
R.M. Johnson Engineering, Inc.

Michael Scott, EIT
Project Engineer



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Kentucky Ecological Services Field Office
330 West Broadway, Suite 265
Frankfort, Kentucky 40601
(502) 695-0468

May 19, 2014

Mr. Michael Scott
R.M. Johnson Engineering, Inc.
3213 Summit Square Place, Suite 100
Lexington, KY 40509

Re: FWS 2014-B-0475; Troublesome Creek Environmental Authority; Yellow Mountain & HWY 80 Sewer Collection Project; located in Knott County, Kentucky

Dear Mr. Scott:

Thank you for the opportunity to provide comments on the above-referenced project. The U.S. Fish and Wildlife Service (Service) has reviewed this proposed project and offers the following comments in accordance with the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*). This is not a concurrence letter. Please read carefully, as further consultation with the Service may be required.

In accordance with the provisions of the Fish and Wildlife Coordination Act, the Service has reviewed the project with regards to the effects the proposed actions may have on wetlands and/or other jurisdictional waters. We recommend that project plans be developed to avoid impacting wetland areas and/or streams, and reserve the right to review any required federal or state permits at the time of public notice issuance. The U.S. Army Corps of Engineers should be contacted to assist you in determining if wetlands or other jurisdictional waters are present or if a permit is required.

In accordance to section 7 of the ESA, the Service must also consider the effects of actions interrelated and interdependent to the proposed project. "Interrelated actions" are those that are part of a larger action and depend on the larger action for their justification and "interdependent actions" are those that have no independent utility apart from the action under consideration. Please inform us of any future actions and/or projects (*i.e.*; water treatment plants, subdivisions, commercial development) that would reasonably occur as a result of the proposed project so that we may adequately analyze those effects.

In order to assist you in determining if the proposed project has the potential to impact protected species we have searched our records for occurrences of listed species within the vicinity of the proposed project. Based upon the information provided to us and according to our databases, we believe that the following federally listed species have the potential to occur within the project vicinity:

Group	Species	Common name	Legal Status
Mammals	<i>Myotis sodalis</i>	Indiana bat	E
	<i>Myotis septentrionalis</i>	Northern long-eared bat	P
Fishes	<i>Etheostoma spilotum</i>	Kentucky arrow darter	C

* Key to notations: E - Endangered, T - Threatened, P - Proposed, C - Candidate, CH = Critical Habitat

We must advise you that collection records available to the Service may not be all-inclusive. Our database is a compilation of collection records made available by various individuals and resource agencies. This information is seldom based on comprehensive surveys of all potential habitats and thus does not necessarily provide conclusive evidence that protected species are present or absent at a specific locality.

Indiana bat

The proposed project is located in Indiana bat "potential habitat," therefore we believe that: (1) caves, rockshelters, and abandoned underground mines in the vicinity of and in the project area may potentially provide suitable wintering habitat for the Indiana bat; and (2) forested areas in the vicinity of and in the project area may potentially provide suitable summer roosting and foraging habitat for the Indiana bat. In order to address the concerns and be in compliance with the ESA, we have the following recommendations relative to potential direct and/or indirect effects as a result of impacts to the habitats listed above:

- (1) During hibernation, the Indiana bat prefers limestone caves, sandstone rockshelters, and abandoned underground mines with stable temperatures of 39 to 46 degrees F and humidity above 74 percent but below saturation. Prior to hibernation, Indiana bats utilize the forest habitat up to five miles from the hibernacula to feed and roost until temperatures drop to a point that forces them into hibernation. This "swarming" period is dependent upon weather conditions and lasts from about September 15 to about November 15. This is a critical time for Indiana bats, since they are acquiring additional fat reserves and mating prior to hibernation.

Based on the presence of numerous caves, rock shelters, and underground mines in Kentucky, we believe that it is reasonable to assume that other caves, rock shelters, and/or abandoned underground mines may occur within the project area, and, if they occur, they could provide winter habitat for Indiana bats. Therefore, we recommend that the project proponent survey the project area for caves, rock shelters, and underground mines, identify any such habitats that may exist on-site, and avoid impacts to those sites pending an analysis of their suitability as Indiana bat habitat by this office.

- (2) The Indiana bat utilizes a wide array of forested habitats, including riparian forests, bottomlands, and uplands for both summer foraging and roosting habitat. Indiana bats typically roost under exfoliating bark, in cavities of dead and live trees, and in snags (*i.e.*, dead trees or dead portions of live trees). Trees in excess of 16 inches diameter at breast height (DBH) are considered optimal for maternity colony roosts, but trees in excess of 9 inches DBH appear to provide suitable maternity roosting habitat. Male Indiana bats have been observed roosting in trees as small as 5 inches DBH.

To address potential impacts to Indiana bat summer roosting and foraging habitat we recommend that the project proponent survey the project site to determine the presence or likely absence of Indiana bats within the project area in an effort to determine if potential effects are likely. A qualified biologist who holds the appropriate collection permits for the Indiana bat must undertake such surveys in accordance with our most current survey guidance. If any Indiana bats are identified, we would request written notification of such occurrence(s) and further coordination and consultation.

As an alternative to surveying, the following options are also available:

- The project proponent can modify the proposed project to eliminate or reduce impacts to suitable Indiana bat habitat, thus avoiding impacts. A habitat assessment may be useful in determining if suitable Indiana bat summer roosting or foraging habitat is present in the action area of the proposed project.
- The project proponent can request formal section 7 consultation through the lead federal action agency associated with the proposed project. To request formal consultation, the project proponent would need to submit a Biological Assessment that describes the action and evaluates the effects of the action on the listed species in the project area. After formal consultation is initiated, the Service has 135 days to prepare a Biological Opinion that analyzes the effects of the action on the listed species and recommends strategies to minimize those effects.
- The project proponent may provide the Service with additional information through the informal consultation process, prepared by a qualified biologist, that includes site-specific habitat information and a thorough effects analysis (direct, indirect, and cumulative) to support a "not likely to adversely affect" determination. The Service will review this and decide if there is enough supporting information to concur with the determination.
- The project proponent may choose to assume presence of the species in the project area and enter into a Conservation Memorandum of Agreement (MOA) with the Service to account for the incidental take of Indiana bats. By entering into a Conservation MOA with the Service, Cooperators gain flexibility with regard to the removal of suitable Indiana bat habitat. In exchange for this flexibility, the Cooperator provides recovery-focused conservation benefits to the Indiana bat through the implementation of minimization and mitigation measures that are described in the Indiana Bat Mitigation Guidance for the Commonwealth of Kentucky. For additional information about this option, please notify our office.

Northern long-eared bat

The Northern long-eared bat is currently proposed for federal listing under the ESA, and may be listed as early as October 2014. The entire state of Kentucky is considered potential habitat for the northern long-eared bat. During the summer, Northern long-eared bats typically roost singly or in colonies in a wide-variety of forested habitats, where they seek shelter during daylight hours underneath bark or in cavities/crevices of both live trees and snags, including relatively small trees and snags that are less than 5 inches in diameter at breast height (DBH). Northern long-eared bats have also been documented roosting in man-made structures (i.e., buildings, barns, etc.) during the summer. According to current winter occurrence data, Northern long-eared bats predominately winter in hibernacula that include caves, tunnels, and underground mine passages.

Your agency is required to confer with the Service if you determine that the proposed federal action is likely to jeopardize the continued existence of the Northern long-eared bat (50 CFR 402.10(a)). You may also voluntarily confer with the Service if the proposed action may affect a proposed species, like the Northern long-eared bat. At this time, no designated critical habitat has been proposed for the Northern long-eared bat. Although species proposed for listing are not afforded protection under the ESA, when a species is listed, the prohibitions against jeopardizing its continued existence and unauthorized take are effective immediately, **regardless of an action's stage of completion**. Therefore, to avoid significant project delays, we recommend that you contact our office to identify and resolve potential conflicts regarding the Northern long-eared bat in your project area.

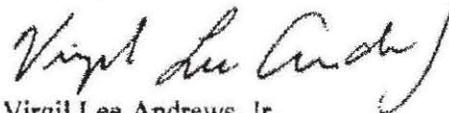
Kentucky Arrow Darter

The Kentucky arrow darter is a rather large, brightly colored darter that is restricted to the upper Kentucky River basin in eastern Kentucky. The species' preferred habitat consists of pools or transitional areas between riffles and pools (runs and glides) in moderate to high gradient streams with bedrock, boulder, and cobble substrates. The species' habitat and range have been severely degraded and limited by water pollution from surface coal mining and gas-exploration activities; removal of riparian vegetation; stream channelization; increased siltation associated with poor mining, logging, and agricultural practices; and deforestation of watersheds. A habitat assessment and/or survey could be conducted to determine if impacts to these species are likely as a result of the proposed project.

Kentucky arrow darter is a federal candidate species, which means the Service has sufficient information on its biological status and threats to propose Kentucky arrow darter as endangered or threatened under the ESA, but for which development of a proposed listing regulation is precluded by other higher priority listing activities. Candidate species receive no statutory protection under the ESA. The Service encourages cooperative conservation efforts for these species because they are, by definition, species that may warrant future protection under the ESA.

Thank you again for your request. Your concern for the protection of endangered and threatened species is greatly appreciated. If you have any questions regarding the information that we have provided, please contact Jessi Miller at (502) 695-0468 extension 104.

Sincerely,



Virgil Lee Andrews, Jr.
Field Supervisor

**KENTUCKY HERITAGE COUNCIL COVER SHEET
FOR SECTION 106 REVIEW AND COMPLIANCE**

When federal (and some state) funds, permits or approvals are needed for a project, regulations such as 36 CFR Part 800 require agencies or their delegates to consult with the Kentucky Heritage Council/State Historic Preservation Office regarding the project's potential effects on historic properties. To facilitate our review, please provide the following information and applicable attachments. Our office will generate a response within 30 days of receipt. Incomplete submissions may result in review delays.

SECTION 1: APPLICANT INFORMATION

Project Sponsor or Applicant: Troublesome Creek Environmental Authority

Contact Person (name & position): Don Gibson

Telephone: (606) 793-0352 **E-mail:** DGibson@pinebranchminingl.com

Project Title: HYW 80/Yellow Mountain Sanitary Sewer Extension Lines

SECTION 2: AGENCY INFORMATION

Funding/Permitting Agency: U.S. Army Corps of Engineers

Agency Contact Person (name & position): Dan Bailey

Telephone: (304) 399-5824 **E-mail:** Daniel.S.Bailey@usace.army.mil

SECTION 3: PROJECT LOCATION

E911 Street Address (or other description):

City/Township: Softshell, Jamestown Village **County:** Knott

Latitude: 37° 23' 55" **Longitude:** 82° 57' 28"

SECTION 4: PROJECT TYPE (please check all that apply)

Proposed Activity: Demolition Rehabilitation Structural Relocation Trails

New Construction Land and/or Building Acquisition Sewer/Water Lines Roads/Bridges

Non-Construction Planning/Refinancing Other (describe):

SECTION 5: IDENTIFICATION OF KNOWN HISTORIC PROPERTIES

KHC Preliminary Site Check #: **OSA Preliminary Site Check #:**

If your project involves ground disturbance, has the site been previously disturbed?

Yes (describe in detail below) No

A majority of the project is on state right-of-way along HYW 80 that has been cleared and disturbed during road construction.

Is there anything over 50 years of age in or visible from the project location? Yes No

SECTION 6: ATTACHMENTS

Please attach the following documentation as applicable. All documentation should be labeled with the project name or site address.

Clear, current photographs of the project site and anything over 50 years of age in or visible from it.

Site map/plan indicating the exact location and boundaries of the project area.

Detailed description of the project (may include plans, scope of work, and other available information.)

Documentation of prior ground disturbance (e.g. maps, photographs, underground utility plans, etc.)

Any known information about the history/use of the property and local significance.

We are unable to accept electronic submissions at this time. Please submit all information to Craig Potts, Executive Director/SHPO, Kentucky Heritage Council, 300 Washington St., Frankfort, KY 40601.

HYW 80/Yellow Mountain Rd Sanitary Sewer Extension Lines Project

Project Description: The Troublesome Creek Environmental Authority (TEA) is in the process of acquiring funding for the design and construction of sanitary sewer collection line in Knott County, Kentucky. This project consists of constructing new sanitary sewer extension lines that will connect to the existing Ball Creek Waste Water Treatment Plant. The sewer lines will be constructed along HYW 80 from Softshell to Jamestown Village. The proposed line consists of 62,000 linear feet of 6 inch force main and will be constructed within the existing right of way of HYW 80. There is also a portion of the project consisting of 4,500 linear feet of 6 inch force main along Yellow Mountain Road. The attached map shows the location of the proposed project.

The coordinates for the northeastern extents of the line along HYW 80 are N 37° 23' 55.16", W 82° 57' 27.99". The coordinates for the southwestern extents of the line along HYW 80 are N 37° 21' 21.86" W 83° 06' 47.37". The coordinates for northeastern extents of the line along Yellow Mountain Rd are N 37° 24' 45.79" W 82° 57' 36.57". The coordinates for southwestern extents of the line along Yellow Mountain Rd are N 37° 24' 09.04" W 82° 58' 02.66".

The portion along HYW 80 will be constructed in previously disturbed areas. The previous disturbance was the construction of HYW 80. The sewer line will remain in state right-of-way along the highway. Two plan sheets from the HYW 80 plan set have been included as documentation of previous disturbance. If additional plan sheets are needed please inform R. M. Johnson Engineering and they will be provided. Also, photographs of the road have been provided as documentation of previous disturbance.

The portion along Yellow Mountain Rd will not be on state right-of-way. The sewer line will still be along the road corridor which has been previously disturbed during road construction. Photos of the constructed road have been provided as documentation of disturbance.

At this stage a detailed design has not been completed and plans for sewer line cannot be provided. The exact location of lift stations and the location of the lines are not known. All lift stations will be located on the state right of way for HYW 80. The Yellow Mountain Rd portion will not require any lift stations.



STEVEN L. BESHEAR
GOVERNOR

**TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL**

BOB STEWART
SECRETARY

THE STATE HISTORIC PRESERVATION OFFICE
300 WASHINGTON STREET
FRANKFORT, KENTUCKY 40601
PHONE (502) 564-7005
FAX (502) 564-5820
www.heritage.ky.gov

CRAIG A. POTTS
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

October 29, 2014

Mr. Michael Scott
RMJE, Inc.
P.O. Box 444
Hindman, KY 41822

Re: HYW 80/Yellow Mountain Road Sanitary Sewer Extension Line Project

Dear Mr. Scott:

Thank you for your correspondence concerning the above referenced project. Our review indicates that the proposed project will not impact any National Register properties or sites. In accordance with 36 CFR Part 800.4(d) of the Advisory Council's revised regulations our finding is that there will be **No Historic Properties Affected** within the undertaking's area of potential impact.

However, should the project plans change, or should additional information become available regarding cultural resources or citizens' concerns regarding impacts to cultural resources, please submit that information to our office as additional consultation may be warranted. In the event that human remains are encountered during project activities, all work should be immediately stopped in the area and the area cordoned off, and in accordance with KRS 72.020 the county coroner and local law enforcement must be contacted immediately. Upon confirmation that the human remains are not of forensic interest, the unanticipated discovery must be reported to the Kentucky Heritage Council and the Kentucky Office of State Archaeology in the Anthropology Department at the University of Kentucky.

Should you have any questions, feel free to contact Yvonne Sherrick of my staff at 564-7005, ext. 113.

Sincerely,

Craig A. Potts
Executive Director and
State Historic Preservation Officer

CP:42790



P. O. Box 444
Hindman, Kentucky 41822
Telephone: (606) 785-5926
Fax: (606) 785-0244
E-mail: info@rmje.net

3213 Summit Square Place
Suite 100
Lexington, Kentucky 40509
Telephone: (859) 543-1256
Fax: (859) 543-9873

April 11, 2014

Mr. Dave Edwards
Natural Soil Conservation Office
63 Dukes Branch Rd
Hindman, KY 41822

RE: Yellow Mountain & HWY 80 Sewer Collection Project

Dear Mr. Edwards,

The Troublesome Creek Environmental Authority (TEA) is in the process of acquiring funding for the design and construction of sanitary sewer collection line in Knott County, Kentucky. This project consists of constructing new sanitary sewer extension lines that will connect to the existing Ball Creek Waste Water Treatment Plant. The sewer lines will be constructed along HYW 80 from Softshell to Jamestown Village.

The proposed line consists of 62,000 linear feet of 6 inch force main and will be constructed within the existing right of way of HYW 80. There is also a portion of the project consisting of 4,500 linear feet of 6 inch force main along Yellow Mountain Road. The attached map shows the location of the proposed project.

R. M. Johnson Engineering is preparing an Environmental Assessment for this project. We are seeking information the Natural Soil Conservation Office has that will help us determine the impact this project will have on prime and unique farmland. Please review and let us know if you have any questions. We would appreciate a response within 30 days if possible. Feel free to contact me at (859) 543-1256 extension 267 or by email at mscott@rmje.net. We appreciate the opportunity to work with you and look forward to your response.

Sincerely,
R.M. Johnson Engineering, Inc.

Michael Scott, EIT
Project Engineer



P. O. Box 444
Hindman, Kentucky 41822
Telephone: (606) 785-5926
Fax: (606) 785-0244
E-mail: info@rmje.net

3213 Summit Square Place
Suite 100
Lexington, Kentucky 40509
Telephone: (859) 543-1256
Fax: (859) 543-9873

April 3, 2014

Mr. Dan Bailey
U.S. Army Corps of Engineers
502 Eighth Street
Huntington, WV 25701-2070

RE: Yellow Mountain & HWY 80 Sewer Collection Project

Dear Mr. Bailey,

The Troublesome Creek Environmental Authority (TEA) is in the process of acquiring funding for the design and construction of sanitary sewer collection line in Knott County, Kentucky. This project consists of constructing new sanitary sewer extension lines that will connect to the existing Ball Creek Waste Water Treatment Plant. The sewer line will be constructed along HYW 80 from Softshell to Jamestown Village. The proposed line consists of 62,000 linear feet of 6 inch force main and will be constructed along the existing right of way of HYW 80. There is also a portion of the project consisting of 4,500 linear feet of 6 inch force main along Yellow Mountain Road. The attached map shows the location of the proposed project.

R. M. Johnson Engineering is preparing an Environmental Assessment for this project. We are seeking pertinent information the USACE may have regarding the impact this project could have on streams and wetlands that may be present within the project area. Please review and let us know if you have any questions. Thank you for your time. We would appreciate a response within 30 days if possible. Feel free to contact me at (859) 543-1256 extension 267 or by email at msscott@rmje.net. We appreciate the opportunity to work with you and look forward to your response.

Sincerely,
R.M. Johnson Engineering, Inc.

Michael Scott, EIT
Project Engineer

From: "Baldrige, David E LRL" <David.E.Baldrige@usace.army.mil>
Date: August 15, 2016 at 2:28:44 PM EDT
To: Ron Johnson <rjohnson@rmje.net>
Cc: Fred Pennington <fdpenn@rmje.net>
Subject: RE: HWY 80 Sewer Floodplain Ap & Permit

Ron,

A 404 permit will not be needed from the Corps since the stream will be bored under and no fill will be placed in the stream. If you need anything else let me know.

Thanks.

David Baldrige
Chief, South Section
Regulatory Branch
Louisville District
U.S. Army Corps of Engineers

Phone: 502-315-6675

Mailing Address:
CELRL-OPF-S
P.O. Box 59 Room 752
Louisville, KY 40201

Please comment on our service. Our National Customer Service Survey is located at
<http://per2.nwp.usace.army.mil/survey.html>

-----Original Message-----

From: Ron Johnson [<mailto:rjohnson@rmje.net>]
Sent: Monday, August 15, 2016 2:18 PM
To: Baldrige, David E LRL <David.E.Baldrige@usace.army.mil>
Cc: Fred Pennington <fdpenn@rmje.net>
Subject: [EXTERNAL] Re: HWY 80 Sewer Floodplain Ap & Permit

David,

Pursuant the October 13, 2015 Yellow Mt Road Stream Crossing Floodplain app and issued permit we forwarded you this morning that includes one stream crossing which will be done by directional bore. Is there anything we need to do further to comply with the Corp of Engineers 404 requirements for this project?

Thanks,
Ron

Sent from my iPad

Ronald M. Johnson, PE
R. M. Johnson Engineering, Inc

Lexington Office
3213 Summit Square Place
Suite 100
Lexington, KY 40509
859.543.1256 Ext 255

Hindman Office
PO Box 444
Hindman, KY 41822
606.785.5926 Ext 23

C 859.967.4918

On Aug 15, 2016, at 10:16 AM, Ron Johnson <rjohnson@rmje.net <<mailto:rjohnson@rmje.net>>>
> wrote:

David,

Can you take a look at the attached Floodplain permit and discuss with me today if you have time? Trying to satisfy the Corp and get an environmental FONSI so they'll release funds so we can award a contract. Thx

Thanks,

Ron

Ronald M. Johnson, PE

R. M. Johnson Engineering, Inc

Lexington Office

3213 Summit Square Place

Lexington, KY 40509

859.543.1256 ext 255

C 859.967.4918



United States Department of Agriculture

To: Richard Daye
R.M. Johnson Engineering, Inc.
3213 Summit Square Place
Suite 100
Lexington, KY 40509
e-mail: rdaye@rmjic.net

August 10, 2016

Re: Troublesome Creek Environmental Authority
HWY 80 Sewer Extension Project

Mr. Daye,

NRCS does not officially do environmental assessments for these types of projects, but rather provides information on the soils and/or impact to farmland according to the criteria set forth in 1985 National Food Security Act Manual.

Information about the project in your request and on the map provided, state or show that all areas of disturbance for this project will be on existing right-of-ways or to existing facilities. These are areas already considered as non-agricultural lands. There will be no impact to any additional areas of prime farmland or statewide important farmlands for this project. This office has no additional concerns at this time.

Additional information about the soils of Knott County, KY is available on-line at USDA's Web Soil Survey for Knott County, KY.

If this office may be of additional assistance, please do not hesitate to contact my office in Maysville, KY or the NRCS office in Paintsville, KY at 606-789-5263.

Steve Jacobs
Area 3 Resource Soil Scientist, NRCS, Maysville, KY.
e-mail: steve.jacobs@ky.usda.gov

cc: Bob Blanton NRCS Supervisory Natural Resource Manager, Paintsville, KY
e-mail: bob.blanton@ky.usda.gov



3376 HWY 550 E
P. O. Box 444
Hindman, Kentucky 41822
Telephone: (606) 785-5928
Fax: (606) 785-0244

3213 Summit Square Place
Suite 100
Lexington, Kentucky 40509
Telephone: (859) 543-1256
Fax: (859) 543-9873

August 9, 2016

Mr. Steve Jacobs
US Natural Resource Conservation Service
1925 Old Main Street, Suite 2
Maysville, KY 41056

RE: Troublesome Creek Environmental Authority
HWY 80 Sewer Extension Project

Greetings:

We are seeking information to aid in the preparation of an Environmental Site Assessment for the construction of sewer facilities in Knott County, Kentucky. This project is for the Troublesome Creek Environmental Authority. Public funds will be involved.

The project is for an extension to ~~an~~ existing sewer collection system.

All proposed disturbances will be in the right of way of existing roads.

The proposed HWY 80 Sewer Extension begins at 37°23'55.16"N, 82°57'27.99W and ends at 37°21'21.86"N, 83°06'47.3710W. Another sewer extension begins at 37°24'09.04"N, 82°58'02.66 W and ends at 37°24'45.79"N, 82°57'36.1 W. We have attached a 7.5 Min USGS topographic map to locate the planned projects and demonstrate current land use and conditions.

We would appreciate any information that you could provide about existing environmental factors and any concerns relative to your jurisdiction so that appropriate plans and designs can be made to ensure that the project will not produce unanticipated and unfortunate consequences. We would greatly appreciate a response to this letter at your earliest convenience in order to maintain our project schedule. Should you need any additional information concerning this project, please feel free to contact Richard Daye at our Lexington office. Thank you for your attention to this matter.

Sincerely,

Richard Daye
rdaye@rmje.net
RMJE Lexington Office
3213 Summit Square Place
Suite 100
Lexington, Kentucky 40509
Telephone: (859) 543-1256

Appendix C
Mailing List

**Section 531 Highway 80 and Yellow Mountain Road
Sewer Collection Project
Knott County, Kentucky
Draft Environmental Assessment
Mailing List**

Federal Agencies and Officials

The Honorable Mitch McConnell
United States Senate
601 W. Broadway, Room 630
Louisville, Kentucky 40202

The Honorable Rand Paul
United States Senate
1029 State Street
Bowling Green, Kentucky 42101

The Honorable Harold Rogers
United States House of Representatives
110 Resource Court, Suite A
Prestonsburg, Kentucky 41653

Mr. Steve Jacobs
USDA Natural Resources Conservation
Service
1925 Old Main Street
Maysville, Kentucky 40503

Ms. Jessi Miller
United States Fish and Wildlife Service
Kentucky Field Office
330 West Broadway, Suite 265
Frankfort, Kentucky 40601

U.S. Environmental Protection Agency
Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

State Agencies and Officials

The Honorable Matt Bevin
Governor of Kentucky
700 Capitol Avenue, Suite 100
Frankfort, Kentucky 40601

Dan Stoelb
Kentucky Department of Fish and Wildlife
Resources
#1 Sportsmen's Lane
Frankfort, Kentucky 40601

Mr. Craig Potts
Kentucky Heritage Council
300 Washington Street
Frankfort, Kentucky 40601

Kentucky Department for Environmental
Protection
200 Fair Oaks Lane
Frankfort, Kentucky 40601

County Agencies and Officials

Knott County Public Library
238 Hwy 160 South
Hindman, Kentucky 41822

Jo Short
Floodplain Coordinator
401 Court Square Suite 101
Barbourville, Kentucky 40906