



**COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET**
Frankfort, Kentucky 40622
www.transportation.ky.gov/

Matthew G. Bevin
Governor

Greg Thomas
Secretary

November 29, 2017

CALL NO. 101
CONTRACT ID NO. 171258
ADDENDUM # 1

Subject: Pike County, NHPP 0806 (48)
Letting December 8, 2017

- (1) Revised - Plans - R2H
- (2) Revised - Special Note - Page 22 of 163
- (3) Added - Permits - Pages 1-68 of 68

Proposal revisions are available at <http://transportation.ky.gov/Construction-Procurement/>.

Plan revisions are available at <http://www.lynnimaging.com/kytransportation/>.

If you have any questions, please contact us at 502-564-3500.

Sincerely,

A handwritten signature in cursive script that reads "Rachel Mills".

Rachel Mills, P.E.
Director
Division of Construction Procurement

RM:ks
Enclosures



An Equal Opportunity Employer M/F/D

COUNTY OF	ITEM NO.	SHEET NO.
PIKE	12-263.74	R2H

GENERAL NOTES, SPECIAL NOTES, AND SPECIAL PROVISIONS

BEFORE YOU DIG

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DEPARTMENT OF THE ARMY PERMIT AND WATER QUALITY CERTIFICATION APPROVALS

A DEPARTMENT OF THE ARMY (DA) PERMIT, WHICH MAY REQUIRE APPROVAL OF A STATE WATER QUALITY CERTIFICATION FROM THE KENTUCKY DIVISION OF WATER, REGULATES THIS PROJECT AT ONE OR MORE LOCATIONS. PERFORM ALL APPLICABLE WORK IN COMPLIANCE WITH THE CONDITIONS STATED IN THE DA PERMIT AND THE APPROVED WATER QUALITY CERTIFICATION. POST A COPY OF THE DA PERMIT AND THE WATER QUALITY CERTIFICATION IN A CONSPICUOUS PLACE AT THE PROJECT SITE. IF A DA PERMIT OR WATER QUALITY CERTIFICATION APPROVAL IS PENDING, DO NOT WORK IN OR DISTURB THE DESIGNATED AREA(S) UNTIL OBTAINING THE APPROPRIATE APPROVAL(S). REFER TO NOTICE(S) CONTAINED IN THE CONTRACT BID PROPOSAL FOR DESIGNATED AREA(S) WHERE WORK IS PROHIBITED BY THE ABSENCE OF APPROVAL.

STANDARD DRAWINGS

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UTILITIES (HAZARDOUS OR FLAMMABLE MATERIALS)

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EDGE KEY

THIS WORK INCLUDES CUTTING OUT THE EXISTING ASPHALT SURFACE TO A MINIMUM DEPTH AND WIDTH AS DETAILED ELSEWHERE IN THE PLANS SO THAT THE NEW SURFACE MAY HEEL INTO THE EXISTING SURFACE. THE CONTRACT UNIT PRICE BID LINEAR FOOT FOR "EDGE KEY" INCLUDES ALL NECESSARY MATERIALS, LABOR AND EQUIPMENT NECESSARY TO PERFORM THE WORK AND DISPOSE OF THE REMOVED ASPHALT MATERIAL.

COMPACTION OF ASPHALT MIXTURES

WILL ACCEPT THE COMPACTION OF ASPHALT MIXTURES FURNISHED FOR DRIVING LANES AND RAMPS AT ONE INCH OR GREATER ON THIS PROJECT BY OPTION A ACCORDING TO SUBSECTIONS 402 AND 403 OF THE CURRENT STANDARD SPECIFICATIONS. USE JOINT CORES AS DESCRIBED IN SUBSECTION 402.03.02 FOR SURFACE MIXTURES ONLY. WILL ACCEPT THE COMPACTION OF ALL OTHER ASPHALT MIXTURES BY OPTION B.

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THE JOHN MOORE BRANCH EXCESS MATERIAL SITE WILL BE USED FOR BOTH THIS PROJECT AND THE ADJOINING US 460 BRIDGE PROJECT. PLACEMENT OF MATERIAL FOR THIS PROJECT SHALL BEGIN AT STA. 63+00. MATERIAL PLACED BETWEEN STA. 50+00 AND 63+00 MAY NOT BE PLACED UNTIL WORK BY THE ADJOINING CONTRACTOR IS COMPLETE.

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GENERAL & SPECIAL NOTES

FILE NAME: G:\PWORK\GARY.WALTERS\00326267\0020H0N - JMJ.DGN

USER: Johnm.johnson
DATE PLOTTED: November 28, 2017

E-SHEET NAME:

MicroStation v8.11.9.832

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~~TREE REMOVAL: NO CLEARING OF TREES 5 INCHES (DIAMETER AT BREAST HEIGHT) OR GREATER FROM JUNE 1ST TO JULY 31ST.~~

SPECIAL NOTE

For Tree Removal

**Pike County
US 460 Reconstruction—Section 7A2 Ramp at Beaver Creek
Item No. 12-263.74**

**NO CLEARING OF TREES 5 INCHES OR GREATER
(DIAMETER BREAST HEIGHT) FROM
APRIL 1- OCTOBER 14**

**If there are any questions regarding this note, please contact David Waldner,
Director, Division of Environmental Analysis, 200 Mero Street, Frankfort, KY
40601, Phone: (502) 564-7250.**



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, LOUISVILLE
CORPS OF ENGINEERS
P.O. BOX 59
LOUISVILLE KY 40201-0059
FAX: (502) 315-6677
<http://www.lrl.usace.army.mil/>
December 20, 2011

12-263.65

Section 6 LOP

expires 12/31/2017

Operations Division
Regulatory Branch (South)
ID No. LRL-2011-934

Mr. David Waldner
Director
Kentucky Transportation Cabinet
Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

21,101.92 EIU5
21,101.92 EIU5

Dear Mr. Waldner:

This is in regard to your application for a Department of the Army (DA) permit dated October 25, 2011, concerning a plan to realign Section 6 of U.S. 460 (KYTC Item 12-263.65) near Elkhorn City, in Pike County, Kentucky. We have reviewed your application and submitted information, and have made the following determinations: the work is minor in nature, will not have a significant impact on the environment, and should encounter no opposition.

Based on these determinations, your proposed work satisfies the Letter of Permission (LOP) criteria, as specified in our regulations and the procedures outlined in the LOP No. 200600259-pgj, issued on October 3, 2007. Therefore, you are authorized, in accordance with Section 404 of the Clean Water Act (CWA), to fill a total of 35,693 linear feet of stream and 0.411 acre of wetland. The impacts associated with the roadway construction include 947 linear feet of ephemeral stream, 9,208 linear feet intermittent stream and 9,290 linear feet of perennial stream impacts. The impacts associated with the excess material site include 0.411 acre of wetland, 4,180 linear feet of ephemeral stream, 9,884 linear feet intermittent stream and 2,184 linear feet of perennial stream impacts. Impacts would occur within Laurel Branch and unnamed tributaries, Pond Creek and unnamed tributaries, Jessie Branch and unnamed tributaries, Dunleary Hollow and unnamed tributaries, and an unnamed tributary of Russell Fork in the Upper Levisa Watershed. This permission is granted with the following conditions:

- 1) The project shall be constructed in accordance with plans included in the October 25, 2011 application for Kentucky Transportation Cabinet, Item No. 12-0263.65 for Department of the Army Permit.
- 2) You shall install and maintain adequate erosion/sedimentation controls around all disturbed earthen areas until such time as those areas have been stabilized and revegetated.

- 3) You shall provide receipt from the Kentucky Department of Fish and Wildlife Resources Stream and Wetland Mitigation Program for the purchase (21,101.92) Ecological Integrity Units (EIUs) or (\$8,356,363.49). Credits must be purchased prior to the discharge of fill into "waters of the United States".
- 4) You shall provide receipt from the Kentucky Department of Fish and Wildlife Resources Stream and Wetland Mitigation Program for the purchase 0.99 acres Adjusted Mitigation Unit (AMUs) or (\$29,592.00). Credits must be purchased prior to the discharge of fill into "waters of the United States".
- 5) The time limit for completing the work authorized ends on December 31, 2017. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
- 6) Upon completion of construction you are to notify the District Engineer. The enclosed Completion Report form must be completed and returned to this office.
- 7) You must agree to comply with the enclosed General Conditions.

This authorization will be effective as soon as we receive your signed acceptance of these conditions. Please sign and date the duplicate copy of this letter in the space provided and return the signed copy in the enclosed envelope. Note that we also perform periodic inspections to ensure compliance with our permit conditions and appropriate Federal laws.

This letter contains a proffered permit for your proposed project. If you object to these decisions, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this decision you must submit a completed RFA form to the Lakes and Rivers Division Office at the following address.

Ms. Pauline Thorndike
Great Lakes and Ohio River Division
CELRD-CM-O
PO Box 1159
Cincinnati, OH 45201-1159
(513) 684-6212

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division

Office within **60 days** of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **February 20, 2012**.

It is not necessary to submit an RFA form to the Division office if you do not object to the decision in this letter.

Copies of this letter will be sent to the appropriate coordinating agencies (see enclosure for addresses).

FOR THE DISTRICT ENGINEER:



Todd Hagman
Project Manager
Regulatory Branch

Enclosures

(I accept the conditions of this authorization):



Kentucky Transportation Cabinet

1/3/12

Date

GENERAL CONDITIONS:

1. Discharges of dredged or fill material into "waters of the U.S." must be minimized or avoided to the maximum extent practicable at the project site (i.e. on-site). In determining the minimal impact threshold, the

Districts will consider the direct, secondary, and cumulative impacts of the fill or work and any mitigation measures.

2. The permittee shall provide a mitigation/monitoring plan for impacts resulting from the placement of fill into "waters of the U.S." in excess of 300 linear feet of intermittent or perennial stream; the filling of greater than 0.10 acre (4,356 sq. feet) of waters of the U.S; or work causing more than minimal effects, to compensate for impacts to the "waters of the U.S." These impact thresholds are applied for each crossing. When mitigation is required, the permittee will develop the mitigation site concurrently with, or in advance of, the site construction unless the Corps determines on a project specific basis that it is not practical to do so. This will ensure that aquatic functions are not lost for long periods of time (e.g. temporal loss) which could adversely affect water quality and wildlife. The requirement for conservation easements or deed restrictions will be determined on a project specific basis.

3. The permittee shall ensure that sedimentation and soil erosion control measures are in place prior to commencement of construction activities. These measures will remain in place and be properly maintained throughout construction. Sedimentation and soil control measures shall include the installation of straw bale barriers, silt fencing and/or other approved methods to control sedimentation and erosion. Sedimentation and erosion controls will not be placed in "waters of the U.S." except if specifically approved by the District.

4. The permittee shall ensure that areas disturbed by any construction activity, including channel and stream banks, are immediately stabilized and revegetated with a combination of non-invasive plants (grasses, legumes and shrubs) which are compatible with the affected area and will not compete with native vegetation.

5. The permittee shall ensure that no in-stream construction activity is performed during periods of high stream flow or during the fish spawning season (April 1 through June 30) without first contacting the Kentucky Department of Fish and Wildlife Resources (KDFWR) for their expertise on impacts to the fishery resource. Additionally, the discharge of dredged and/or fill material in known waterfowl breeding and wintering areas must be avoided to the maximum extent practicable.

6. The permittee will ensure that the activity authorized will not disrupt movement of those aquatic species indigenous to the waterbody, including those species which normally migrate through the area, unless the activity's specific purpose is to impound water.

7. The permittee shall ensure that all construction equipment is refueled and maintained on an upland site away from existing streams, drainageways and wetland areas. Heavy equipment working in wetlands must be placed on mats or other measures must be taken to minimize soil disturbance.

8. The permittee must comply with any case specific special conditions added by the Corps or by the State Section 401 Water Quality Certification (WQC). The conditions imposed in the State Section 401 WQC are also conditions of this LOP.

9. The permittee shall ensure that no activity authorized by the LOP may cause more than a minimal adverse effect on navigation.

10. The permittee shall ensure proper maintenance of any structure or fill authorized by the LOP, in good condition and in conformance with the terms and conditions of the LOP, including maintenance to ensure public safety. The permittee is not relieved of this requirement if the permitted activity is abandoned, although the permittee may make a good faith transfer to a third party. Should the permittee wish to cease to maintain the authorized activity or desire to abandon it without a good faith transfer, the permittee must obtain a modification to the LOP from the Corps, which may require restoration of the area.

11. The permittee shall not perform any work within any Wild and Scenic Rivers or in any river officially designated as a "study river" for possible inclusion in the system, unless the appropriate Federal agency, with direct management responsibility for such river, has determined in writing that the proposed activity authorized by the LOP will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal Land Management agency in the area (e.g. U.S. Forest Service, Bureau of Land Management, the National Parks Service, or the U.S. Fish and Wildlife Service).

12. The permittee shall not perform any work under the LOP which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act, or which is likely to destroy or adversely modify the critical habitat of such

species. The permittee shall notify the Corps and coordinate the proposed action with the USFWS to determine if any listed species or critical habitat might be affected and/or adversely modified by the proposed work. No activity is authorized under the LOP which "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed. At the direction of the Corps, the permittee shall complete the necessary consultation with the USFWS, satisfying the requirements of Section 7(a)(2) of the Endangered Species Act. The permittee shall not begin work until notified by the District Engineer that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized. Authorization of an activity under the LOP does not authorize the "take" of a threatened or endangered species as defined under the Federal Endangered Species Act. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the U.S. Fish and Wildlife Service, both lethal and non-lethal "takes" of protected species are in violation of the Endangered Species Act.

Obligations under Section 7 of the Act must be reconsidered by the Corps Districts if (1) new information reveals impacts of the proposed action may affect listed species or critical habitat in a manner not previously considered, (2) the proposed action is subsequently modified to include activities which were not considered during consultation, or (3) new species are listed or critical habitat designated that might be affected by the proposed action.

13. The permittee shall not perform any activity under the LOP which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places until the District Engineer has complied with the provisions of 33 CFR Part 325, Appendix C. The permittee must notify the District Engineer if the activity authorized by the LOP may affect any historic properties listed, determined to be eligible or which the permittee has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin construction until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the Kentucky Heritage Council.

If the permittee discovers any previously unknown historic or archaeological remains while accomplishing the activity authorized by the LOP, work must be immediately stopped and this office immediately notified regarding the discovery. The District will initiate the Federal, Tribal and State coordination required to determine if the

remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

14. The permittee shall not perform any work under the LOP where the discharge of dredged and/or fill material will occur in the proximity of a public water supply intake.

15. No activity, including structures or work in "waters of the U.S." or discharges of dredged or fill material may consist of unsuitable materials (e.g. trash, debris, car bodies, asphalt, etc.) and that materials used for construction or discharge must be free from toxic pollutants in toxic amounts.

16. The permittee shall, to the maximum extent practicable, design the project to maintain pre-construction downstream flow conditions. Furthermore, the work must not permanently restrict or impede the passage of normal or expected high flows and the structure or discharge of fill must withstand expected high flows. The project must provide, to the maximum extent practicable, for retaining excess flows from the site and for establishing flow rates from the site similar to pre-construction conditions.

17. The permittee shall ensure that all temporary fills, authorized under the LOP, be removed in their entirety and the affected areas returned to pre-construction elevation.

18. Representatives from the Corps of Engineers and/or the State of Kentucky may inspect any authorized activity or mitigation site at any time deemed necessary to ensure compliance with the terms and conditions of the LOP, Section 401 WQC, and applicable laws.

19. All work authorized by this LOP must be completed within five years after the date of the Corps authorization letter. If you find you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least three months before the expiration date.

20. The permittee, after completion of work under the LOP, shall submit a signed certification letter regarding the completed work and required mitigation, if applicable. The certification letter will include a statement that the work was done in accordance with the LOP authorization including compliance with all general and special conditions and completion of mitigation work.

21. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished with the terms and conditions of the

LOP.

22. For Section 10 waters, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

US ARMY CORPS OF ENGINEERS
LOUISVILLE DISTRICT
REGULATORY BRANCH
P. O. BOX 59
LOUISVILLE, KY 40201-0059
(502) 315-6733

COMPLETION REPORT

COE ID No. _____	Date. _____
Permittee Name: _____ Corporate Name: _____ Address: _____ _____ _____ _____	
Telephone No. _____	City _____ State _____ Zip Code _____
Agent Name: _____ Corporate Name: _____ Address: _____ _____ _____ _____	
Telephone No. _____	City _____ State _____ Zip Code _____
Location Description: _____ _____ _____	
County _____ State _____	
Linear Feet of Stream Impact: _____ Acres of Wetland Impact: _____	
Has all the work on this project been completed according to plans, specifications, and conditions of the permit? Yes _____ No _____	
If not, explain: _____ _____ _____ _____ _____ _____	
_____ Permittee Signature	

Addresses for Coordinating Agencies

Ms. Stephanie Fulton, Ecologist
USEPA, Region IV
Water Protection Division Wetlands
& Marine Regulatory Section
Sam Nunn Atlanta Federal Center Mail Code 9T25
61 Forsyth Street, SW
Atlanta, GA 30303

Mr. Virgil Lee Andrews, Field Supervisor
U.S. Fish & Wildlife Service
J.C. Watts Federal Building, Room 265
330 West Broadway
Frankfort, KY 40601

Ms. Sandra Gruzesky, Director
Kentucky Energy & Environment Cabinet
Division of Water
200 Fair Oaks, 4th Floor
Frankfort, KY 40601

Dr. Jon Gassett, Commissioner
Ky. Dept. of Fish and Wildlife Resources
#1 Game Farm Road
Frankfort, KY 40601

Mr. Mark Dennen
Executive Director
State Historic Preservation Officer
Kentucky Heritage Council
300 Washington Street
Frankfort, KY 40601

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: Kentucky Transportation Cabinet		File Number: LRL-2011-934	Date: 12/20/2011
Attached is:			See Section below
X	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
	APPROVED JURISDICTIONAL DETERMINATION	D	
	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

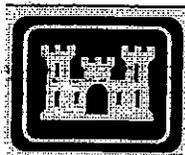
Todd Hagman
US Army Corps of Engineers – Louisville District
PO Box 59
Louisville, KY 40201-0059
(502) 315-6683

If you only have questions regarding the appeal process you may also contact:

Ms. Pauline Thorndike
US Army Corps of Engineers – Great Lakes and Ohio River Div
CELRD-PDS-O
550 Main Street, Rm 10032
Cincinnati, OH 45201-3222
(513) 684-6212

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

<p>_____ Signature of appellant or agent.</p>	<p>Date:</p>	<p>Telephone number:</p>
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**U S Army USACE
of Engineers
Huntington District**

Public Notice

In reply refer to Public Notice No. 2004000681 Issuance Date: March 28, 2005

Stream: Beaver Creek

Closing Date: April 26, 2005

Please address all comments and inquiries to:

U.S. Army USACE of Engineers, Huntington District

ATTN: CELRH-OR-F Public Notice No. (reference above)

502 Eighth Street

Huntington, West Virginia 25701-2070

Phone: (304) 399-5710

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

SECTION 10: The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States (U.S.). The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404: The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Kentucky Division of Water and the Virginia Division of Environmental Quality to act on Section 401 Water Quality Certification for the following application.

APPLICANT: Kentucky Transportation Cabinet
Department of Highways
State Office Building, 10th Floor
Frankfort, Kentucky 40622

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LOCATION: The project is located in Beaver Creek, Russell Fork, Stonecoal Fork, Mud Lick Creek, House Log Fork, Wolfpen Branch, School House Branch, Grassy Creek and their unnamed tributaries, near Beaver Creek Bottom, Pike County Kentucky to Buchanan and Dickenson County Line in Virginia.

DESCRIPTION: The portion of the project located in Kentucky, would involve the discharge of dredged or fill material into waters of the United States in conjunction with the reconstruction of US-460. The project would include the placement of approximately 19 culverts, three bridges and the construction of four waste sites. The culverts would impact 5,018 linear feet of ephemeral streams and 1,813 linear feet of intermittent streams. Stream fills and relocations would impact 347 linear feet of perennial, 7,066 linear feet of intermittent and 3,128 linear feet of ephemeral stream. The four waste sites would cover 14,265 feet of intermittent and 4,998 linear feet of ephemeral stream. Detailed descriptions of proposed impacts are listed in Attachment A.

In order to compensate for adverse impact to waters of the U. S. the applicant has proposed to pay \$5,581,252.34 as an in-lieu fee contribution to the Kentucky Department of Fish and Wildlife Stream Restoration Fund. This payment amount was calculated based on an assessment of project impacts in accordance with the Eastern Kentucky Stream Protocol. The applicant has indicated that upon or near project completion, on-site mitigation opportunities may become available based on the final location and configuration of proposed spoil sites. In the event such mitigation opportunities are identified, the applicant would re-evaluate the overall mitigation requirements and would suggest the in-lieu fee payment be reduced to reflect the outstanding mitigation debt not offset by on-site compensation. Because the details associated with the potential for on-site mitigation projects are not yet available, the applicant has proposed to defer the in-lieu fee contribution until the end of project construction.

The proposed project extends into Virginia. The Norfolk and Huntington Corps Districts have coordinated and the Huntington District has assumed jurisdiction for this section of the project. The portion of the project located in Virginia, would involve the discharge of dredged or fill material into 729 linear feet of ephemeral stream and 839 linear feet of perennial stream. Approximately 0.30 acre of waters of the U.S. would be impacted by the project in Virginia. Plans of the proposed work are attached to this notice. A compensatory mitigation plan is currently being developed to offset adverse impacts to waters of the U.S in Virginia.

WATER QUALITY CERTIFICATION: A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain certifications from the Kentucky Division of Water and the Virginia Division of Environmental Quality.

HISTORIC AND CULTURAL RESOURCES: The National Register of Historic Places has been consulted and it has been determined there are no properties currently listed on the register in the area affected by the proposed project. A copy of this public notice will be sent to the State Historic Preservation Offices for their review. Comments concerning archeological sensitivity of a project area should be based upon collected data.

-3-

ENDANGERED AND THREATENED SPECIES: The Huntington District has consulted the most recently available information and has determined the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST REVIEW AND COMMENT: This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404(b)(1) of the CWA. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act.

Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

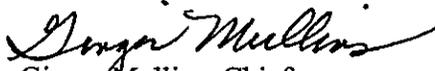
SOLICITATION OF COMMENTS: The public notice is being distributed to all known interested persons in order to assist in developing fact upon which a decision by the District Engineer may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. Any person who has an interest that may be

adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to

U.S. Army Corps of Engineers
ATTN: CELRH-OR-F Public Notice No. 200400681
502 Eighth Street
Huntington, West Virginia 25701-2070

If you have any questions concerning this public notice, please call Mrs. Sarah M. Workman of the South Regulatory Section at 304-399-5710.


Ginger Mullins, Chief
Regulatory Branch

(K, VA)

SUMMARY OF SECTION 404 IMPACTS

US 460, Sections 7, 8, and 9V

Pike County, Kentucky

The *Eastern Kentucky Stream Assessment Protocol* was used to assess stream impacts that will result from the project. The following is a summary of stream impacts for Sections 7 and 8 of the proposed project. A footprint of Section 9V showing the proposed beginning and end of the project is included. The design of Section 9V is in the preliminary stages and performing a detailed stream assessment to determine stream impacts is not possible.

The opportunity for on-site mitigation for this project is very limited due mainly to the very steep terrain throughout the project. Therefore, mitigation for the impacts on Sections 7 and 8 will be in the form of an in-lieu fee payment to the Kentucky Division of Fish and Wildlife Resources. The Stream Assessment Report for the project includes calculations of the proposed in-lieu fee based on the *In-Lieu Fee Compensatory Mitigation Calculator (version 2002.8)*.

Bridges and Culverts:

1. KY 80, Sta. 59+00 – Construct a 9 ft. (2.7 m) by 4 ft. (1.2 m) RCBC, 61 ft. (18.6 m) in length with 20 ft. (6.1 m) of inlet channel improvements and 18 ft. (5.5 m) of outlet channel improvements. (**Sheet 1 and 2**). The watershed is 132.7 acres (53.7 ha). This impacts 221 ft. (67.4 m) of existing stream. Field investigations indicate this is an intermittent stream and is an unnamed tributary of Russell Fork. Impact to waters of the U.S. is 0.02 acres (0.008 ha).
2. KY 80, Sta. 77+50 – Construct a 10 ft. (3.0 m) by 4 ft. (1.2 m) RCBC, 73 ft. (22.2 m) in length with 10 ft. (3.0 m) of inlet channel improvements and 145 ft. (44.2 m) of outlet channel improvements. (**Sheet 3 and 4**). The watershed is 106.4 acres (43 ha). This impacts 470 ft. (143.3 m) of existing stream. Field investigations indicate this is an ephemeral stream and is an unnamed tributary of Russell Fork. Impact to waters of the U.S. is 0.05 acres (0.02 ha).
3. Ramp 1, Sta. 205+25 – Construct a 8 ft. (2.4 m) by 4 ft. (1.2 m) RCBC, 76 ft. (23.2 m) in length with 30 ft. (9.1 m) of inlet channel improvements and 20 ft. (6.1 m) of outlet channel improvements. (**Sheet 3 and 5**). The watershed is 100.5 acres (40.7 ha). This impacts 229 ft. (69.8 m) of existing stream. Field investigations indicate this is ephemeral stream and is an unnamed tributary of Russell Fork. Impact to waters of the U.S. is 0.02 acres (0.009 ha).
4. KY 80, Sta. 88+35 to Sta. 89+20 – Construct a single-span bridge, 85 ft. (25.9 m) in length over Beaver Creek (**Sheet 6 and 7**). The drainage area at the bridge is 6.23 mi² (1614 ha). No channel work is proposed on the stream. There is no fill below ordinary high water and no permanent impacts to water are expected. If a temporary crossing is needed during construction, it will be the responsibility of the contractor to apply for approval.
5. Ramp 2, Sta. 310+72.50 to Sta. 314+50 – Construct a three-span bridge, 377.5 ft. (115 m) in length with two piers over Beaver Creek (**Sheet 8 and 9**). The drainage area at the bridge is 6.12 mi² (1585 ha). No channel work is proposed on the stream. Pier 1 is in the floodplain but not within the floodway and neither piers are below normal pool height. There is no fill below ordinary high water and no permanent impacts to water are expected. If a temporary crossing is needed during construction, it will be the responsibility of the contractor to apply for approval.
6. Sta. 769+00 – Construct a 36 in. (900 mm) pipe culvert 148 ft. (45.1 m) in length with 75 ft. (22.9 m) of outlet channel improvements (**Sheet 10 and 11**). This impacts 407 ft. (124.1 m) of existing stream and has a watershed of 11.13 acres (4.5 ha). Field investigations indicate this drainage is ephemeral in nature and is an unnamed tributary of Beaver Creek. The impact to waters of the U.S. is 0.015 acres (0.006 ha).

7. Sta. 788+50 – Construct a 36 in. (900 mm) pipe culvert 153 ft. (46.6 m) in length with 50 ft. (15.2 m) of outlet channel improvements (**Sheet 12 and 13**). This impacts 300 ft. (91.4 m) of existing stream and has a watershed of 12.2 acres (4.9 ha). Field investigations indicate this drainage is ephemeral in nature and is an unnamed tributary of Beaver Creek. The impact to waters U.S. is 0.014 acres (0.006 ha).
8. Sta. 807+33 – Construct a 8 ft. (2.4 m) by 4 ft. (1.2 m) RCBC, 200 ft. (61 m) in length with 154 ft. (46.9 m) of inlet channel improvements and 125 ft. (38.1 m) of outlet channel improvements (**Sheet 14 and 15**). The watershed is 95.3 acres (38.6 ha). This impacts 587 ft. (178.9 m) of existing stream. Field investigations indicate this is an intermittent stream and is an unnamed tributary of Beaver Creek. Impact to waters of the U.S. is 0.09 acres (0.04 ha).
9. Sta. 820+20 – Construct a 10 ft. (3.0 m) by 4 ft. (1.2 m) RCBC, 109 ft. (33.2 m) in length with 167 ft. (50.9 m) of inlet channel improvements and 170 ft. (51.8 m) of outlet channel improvements (**Sheet 16, 17, and 18**). The watershed is 148.9 acres (60.3 ha). This impacts 153 ft. (46.6 m) of existing stream. Field investigations indicate this is an intermittent stream and is an unnamed tributary of Beaver Creek. Impact to waters of the U.S. is 0.1 acres (0.04 ha).
10. Sta. 820+84.44, KY 1373 – Construct a 10 ft. (3.0 m) by 4 ft. (1.2 m) RCBC, 37 ft. (11.3 m) in length with 170 ft. (51.8 m) of inlet channel improvements and 74 ft. (22.6 m) of outlet channel improvements (**Sheet 16 and 19**). The inlet channel improvements are also the outlet channel improvements at Sta. 820+20. The watershed is 169.8 acres (68.7 ha). This impacts 153 ft. (46.6 m) of existing stream. Field investigations indicate this is an intermittent stream and is an unnamed tributary of Beaver Creek. Impact to waters of the U.S. is 0.06 acres (0.03 ha).
11. Sta. 49+00 to 52+25 (Beaver Creek Channel Change Stations) – Relocate 347 ft. (106 m) of Beaver Creek, which is a perennial stream (**Sheet 20**). The proposed channel will be 325 ft. (99 m) in length and impact to waters of the U.S. is 0.10 acres (0.04 ha).
12. Sta. 834+86 to 845+76 – Construct a ten-span bridge, 1090 ft (332 m) in length with nine piers that span Beaver Creek for traffic flowing eastbound on US 460 (**Sheet 20, 21, and 22**). The drainage area at the bridge is 4.82 mi² (1,248 ha). During construction 347 ft. (106 m) of existing Beaver Creek will be realigned. The relocation of Beaver Creek will have some negative short-term affects such as increased sediment during construction and possible disruption of normal flow. However, no disruptive, long-term affects on aquatic habitat are anticipated on Beaver Creek. There is no fill below ordinary high water and no piers are below normal pool height. Piers 3, 4, and 5 are within the 100-year floodplain but outside of the proposed 100-year floodway.
13. Sta. 835+45 to 846+85 – Construct a nine-span bridge, 1140 ft (347 m) in length with nine piers that span Beaver Creek for traffic flowing westbound on US 460 (**Sheet 20, 21, and 22**). The drainage area at the bridge is 4.82 mi² (1,248 ha). During construction 347 ft. (106 m) of existing Beaver Creek will be realigned. The relocation of Beaver Creek will have some negative short-term affects such as increased sediment during construction and possible disruption of normal flow. However, no disruptive, long-term affects on aquatic habitat are anticipated on Beaver Creek. There is no fill below ordinary high water and no piers are below normal pool height. Piers 3, 4, and 5 are within the 100-year floodplain but outside of the proposed 100-year floodway.
14. Sta. 500+80 Stonecoal Fork Road – Construct a 30 in. (750 mm) pipe culvert 68.8 ft. (21.0 m) in length (**Sheet 24, 25, and 26**). This impacts 68.8 ft. (21.0 m) of existing stream. Field investigations indicate that Stonecoal Fork is an intermittent stream and is a tributary of Beaver Creek. Stonecoal Fork has a watershed of 321.4 acres (130.1 ha). The impact to waters of the U.S. is 0.005 acres (0.002 ha).
15. Sta. 509+50 Stonecoal Fork Road – Construct a 66 in. (1700 mm) pipe culvert 81.9 ft. (25.0 m) in length (**Sheet 24, 27, and 28**). This impacts 81.9 ft. (25.0 m) of existing stream. Field investigations indicate that Stonecoal Fork is an intermittent stream and a tributary of Beaver Creek. Stonecoal

Fork has a watershed of 321.4 acres (130.1 ha). The impact to waters of the U.S. is 0.01 acres (0.004 ha).

16. Sta. 841+60, KY 1373 Sta. 3+27.38 – Construct a double 8 ft. (2.4 m) by 4 ft. (1.2 m) RCBC, 32 ft. (9.8 m) in length with 49 ft. (14.9 m) of outlet channel improvements. (**Sheet 21, 23, and 24**). A 24'X7'X4.5' (7.3X2.1X1.4 m³) stilling basin is located at the inlet of the double box culvert. The watershed is 321.4 acres (130.1 ha). Field investigations indicate Stonecoal Fork is an intermittent stream and a tributary of Beaver Creek. Impact to waters is 0.01 acres (0.0006 ha).
17. Sta. 859+50 – Construct a 60 in. (1500 mm) pipe culvert 148 ft. (45.1 m) in length (**Sheet 29 and 30**). This impacts 452 ft. (137.8 m) of existing stream. Field investigations indicate this is ephemeral in nature and is an unnamed tributary of Beaver Creek, with a watershed of 31.7 acres (12.8 ha). The impact to waters of the U.S. is 0.02 acres (0.007 ha).
18. Sta. 877+00 to 890+00 – Flow from an unnamed tributary of the Right Fork of Beaver Creek consisting of 557 ft. (169.8 m) of intermittent stream and 247 ft. (75.3 m) of ephemeral streams will be filled in with the flow diverted into flat bottom ditches (**Sheet 31**). Impact to waters of the U.S. is 0.07 acres (0.03 ha).
19. Sta. 882+00 – Construct a 72 in. (1800 mm) pipe culvert 260 ft. (79.2 m) in length with 180 ft. (54.9 m) of outlet channel design (**Sheet 31 and 32**). This impacts 852 ft. (259.7 m) of existing stream. Field investigations indicate this is an intermittent stream and an unnamed tributary of Right Fork of Beaver Creek, with a watershed of 61.9 acres (25.1 ha). The impact to waters of the U.S. is 0.06 acres (0.02 ha).
20. Sta. 906+00 to Sta. 936+00 – A tributary to Wolfpen Branch consisting of 3651 ft. (1112.8 m) of intermittent stream and 1649 ft. (502.6 m) of ephemeral will be filled in with the flow diverted into flat bottom ditches (**Sheet 33**). Impact to waters of the U.S. is 0.45 acres (0.18 ha).
21. Sta. 927+50 – Construct a 60 in. (1500 mm) pipe culvert 528 ft. (160.9 m) in length (**Sheet 33, 34, and 35**). This impacts 969 ft. (295.4 m) of existing stream. Field investigations indicate this is ephemeral in nature and is an unnamed tributary of Wolfpen Branch, with a watershed of 63.7 acres (25.8 ha). The impact to waters of the U.S. is 0.06 acres (0.02 ha).
22. Sta. 950+00, Haul Road Sta. 188+50 – Construct a 54 in. (1400 mm) pipe culvert, 68 ft. (20.7 m) in length (**Sheet 36, 37, and 38**). This impacts 68 ft. (20.7 m) of existing stream. Field investigations indicate Wolfpen Branch is an intermittent stream and a tributary to Grassy Creek, with a watershed of 52.0 acres (21.0 ha). The impact to waters of the U.S. is 0.007 acres (0.003 ha).
23. Sta. 950+00, Haul Road Sta. 192+50 – Construct a 30 in. (750 mm) pipe culvert, 96 ft. (29.3 m) in length (**Sheet 36, 39, and 40**). This impacts 96 ft. (29.3 m) of existing stream. Field investigations indicate Wolfpen Branch is an intermittent stream and a tributary to Grassy Creek, with a watershed of 10.2 acres (4.1 ha). The impact to waters of the U.S. is 0.006 acres (0.002 ha).
24. Sta. 950+00, Haul Road Sta. 198+50 – Construct a 42 in. (1050 mm) pipe culvert, 184 ft. (56.1 m) in length (**Sheet 36, 41, and 42**). This impacts 184 ft. (56.1 m) of existing stream. Field investigations indicate Wolfpen Branch is an intermittent stream and a tributary to Grassy Creek, with a watershed of 13.6 acres (5.5 ha). The impact to waters of the U.S. is 0.01 acres (0.006 ha).
25. Sta. 952+50 – Construct a 8 ft. (2.4 m) by 6 ft. (1.8 m) RCBC, 300 ft. (91.4 m) in length (**Sheet 43 and 44**). The watershed is 224.8 acres (91 ha). This impacts 300 ft. (91.4 m) of existing stream. Field investigations indicate Wolfpen Branch is an intermittent stream and a tributary to Grassy Creek. Impact to waters is 0.06 acres (0.02 ha).

26. Sta. 967+50 to 991+00 – School House Branch, which consists of 2857 ft. (871 m) of intermittent stream and 1082 ft. (329.8 m) of ephemeral stream, will be filled in with the flow diverted into flat bottom ditches (Sheet 45). Impact to waters of the U.S. is 0.26 acres (0.11 ha).
27. Sta. 988+00 – Construct a 60 in. (1500 mm) pipe culvert 400 ft. (121.9 m) in length with 183 ft. (55.8 m) of outlet channel design (Sheet 46 and 47). This impacts 2191 ft. (667.8 m) of existing stream. Field investigations indicate this drainage is ephemeral in nature and a tributary of Grassy Creek, with a watershed of 42.7 acres (17.3 ha). The impact to waters of the U.S. is 0.07 acres (0.03 ha).
28. Sta. 991+00 to 1020+00 – Footprint of Section 9V (Sheet 48).

Waste Site:

1. Sta. 807+00 – the valley of an unnamed tributary of Mud Lick will be filled in with waste materials (rock and soil) generated by the construction of US 460 (Sheet 14A). This will result in the filling of 2792 ft. (851 m) of intermittent stream and 242 ft. (74 m) of ephemeral streams. Total volume of excess materials is 820 thousand CY. The impact to waters is 0.43 acres (0.17 ha). These impacts are subject to change upon construction but represent the maximum possible impact to waters of the U.S.
2. Sta. 821+50 – the valley of an unnamed tributary of House Log Fork will be filled in with waste materials (rock and soil) generated by the construction of US 460 (Sheet 14A). This will result in the filling of 2602 ft. (793 m) of intermittent stream and 306 ft. (93 m) of ephemeral streams. Total volume of excess materials is 1.7 million CY. The impact to waters is 0.38 acres (0.15 ha).
3. Sta. 837+00 – the valley of an unnamed tributary of Stone Coal Fork will be filled in with waste materials (rock and soil) generated by the construction of US 460 (Sheet 20 and 20A). This will result in the filling of 4792 ft. (1460.6 m) of intermittent stream and 1866 ft. (568.8 m) of ephemeral streams. The impact to waters is 0.66 acres (0.27 ha).
4. Sta. 950+00 – the valley of the Wolfpen Branch will be filled with waste materials (rock and soil) generated by the construction of US 460 (Sheet 36 and 36 A). This will result in the filling of 3472 ft. (1058.3 m) of intermittent stream, and 2584 ft. (787.6 m) of ephemeral stream. The impact to waters is 0.8 acres (0.32 ha).

SUMMARY OF STREAM IMPACTS

STRUCTURE	LENGTH		WATERSHED		IMPACT TO WATERS OF THE U.S.	
	Feet	Meters	Acres	Hectares	Acres	Hectares
Sta. 59+00, Culvert, inlet and outlet channel improvements	99	30.2	132.7	53.7	0.02	0.008
Sta. 77+50, RCBC, inlet and outlet channel improvements	228	69.5	106.4	43	0.05	0.02
Ramp 1, Sta. 205+25, RCBC, inlet and outlet channel improvements	126	38.4	100.5	40.7	0.02	0.009
Sta. 88+35, KY 80 Bridge	85	25.9	3987	1614	–	–

Ramp 2, Sta. 310+72.50, Bridge	377.5	115.1	3917	1585	--	--
Sta. 769+00, Culvert and outlet channel improvements	223	68.0	11.13	4.5	0.015	0.006
Sta. 788+50, Culvert and outlet channel improvements	203	61.9	12.2	4.9	0.014	0.006
Sta. 807+33, RCBC, inlet and outlet channel improvements	479	146	95.3	38.6	0.09	0.04
Sta. 820+20, RCBC, inlet and outlet channel improvements	446	135.9	148.9	60.3	0.1	0.04
Sta. 820+84.44, KY 1373, RCBC, inlet and outlet channel improvements	281	85.6	169.8	68.7	0.06	0.03
Sta. 834+86 and Sta. 835+45 Beaver Creek Bridge	EB-1090 WB-1140	EB-332.2 WB-347.5	3085	1248	--	--
Sta. 49+00 to 52+25, Channel change	347	106	3085	1248	0.10	0.04
Sta. 500+80 Stone Coal Fork Rd, Culvert	68.8	21.0	321.4	130.1	0.005	0.002
Sta. 509+50 Stone Coal Fork Rd. Culvert	81.9	25.0	321.4	130.1	0.01	0.004
Sta. 841+60, KY 1373 Sta. 3+27.38 Double RCBC with outlet channel improvements and stilling basin	81 7	24.7 2.1	321.4	130.1	0.01	0.0006
Sta. 859+50, Culvert	148	45.1	31.7	12.8	0.02	0.007
Sta. 877+00 to 890+00 Diversion of Tributary to Right Fork of Beaver	Int-557 Eph-247	Int-169.8 Eph-75.3	77.2	31.2	0.07	0.03
Sta. 882+00, Culvert and outlet channel improvements	440	134.1	61.9	25.1	0.06	0.02
Sta. 906+00 to 936+00 Diversion of Tributary to Wolfpen Branch	Int-3651 Eph-1649	Int-1112.8 Eph-502.6	≈140	≈57	0.45	0.18
Sta. 927+50, Culvert	528	160.9	63.7	25.8	0.06	0.02
Sta. 950+00, Haul Rd. Sta. 188+50 Culvert	68	20.7	52	21	0.007	0.003
Sta. 950+00, Haul Rd. Sta. 192+50 Culvert	96	29.3	10.2	4.1	0.006	0.002
Sta. 950+00, Haul Rd. Sta. 198+50 Culvert	184	56.1	13.6	5.5	0.01	0.006
Sta. 952+50, Culvert	300	91.4	224.8	91	0.06	0.02
Sta. 967+50 to 991+00, Diversion of School House Branch	Int-2857 Eph-1082	Int-871 Eph-329.8	130	53	0.26	0.11
Sta. 988+00, Culvert and outlet channel improvements	583	177.7	47	19	0.07	0.03

Sta. 807+00, Excess Material Site Mud Lick Creek	Int-2792 Eph-242	Int-851 Eph-74	--	--	0.43	0.17
821+50, Excess Material Site House Log Fork	Int-2602 Eph-793	Int-306 Eph-93	--	--	0.38	0.15
Sta. 837+00, Excess Material Site Stone Coal Fork	Int-4792 Eph-1866	Int-1460.6 Eph-568.8	321.4	130.1	0.66	0.27
Sta. 950+00, Excess Material Site Wolfpen Branch	Int-3472 Eph-2584	Int-1058.3 Eph-787.6	224.8	91	0.8	0.32

LEGEND:
 * Ephemeral - † Intermittent - V Perennial

US 460 Sections 7, 8 and 9V Permit Application

Calculation of Impact to Waters and Fish below ordinary High Water

Roadway Station, Impact Type, Stream	Name	Length (ft)	Width (ft)	Area (ft ²)	Area (acres)	DEPTH	Volume (ft ³)	Volume (CY)
Sta 69+00 - RCBC, Trib of Russell Fork	T-1	221	11	2431	0.06	3	270	10
Sta 77+50 - RCBC, Trib of Russell Fork	E-1	470	4.5	2115	0.05	1	216	8
Ramp 1, Sta 205+25, RCBC, Trib of Russell Fork	E-1	229	4.5	1031	0.02	1	1031	38
Sta 769+00, Culvert, Beaver Creek	E-5	407	3.5	1425	0.03	1	1425	53
Sta 788+50, Culvert, Beaver Creek	E-4	300	5.5	1650	0.04	1	1650	61
Sta 807+33, RCBC, Beaver Creek	T-3	587	5.5	3229	0.07	2	6457	239
Sta 820+20, RCBC, Beaver Creek	T-1	153	6.5	840	0.02	4	3360	124
Sta 832+50, Filled, Beaver Creek	E-3	150	3.5	525	0.01	1	525	19
Sta 49+00 to 52+25 - Beaver Creek channel change	V-Sec 2	347	12	4184	0.10	3	12482	463
Sta 859+50, Culvert, Beaver Creek	E-2	452	4.5	1582	0.04	1	8327	297
Sta 882+00, Culvert, Trib to Rgt Beaver Creek	T-2a	852	4.5	3833	0.09	3	11499	426
Sta 877+00 to 890+00, Filled	T-2b	557	4.5	2508	0.06	3	7525	279
Tributary to Rgt Beaver Creek	E-1	247	1.5	370	0.01	1	370	14
Sta 906 to 936, Filled	E-2	684	2.5	1709	0.04	1	1709	63
Tributary to Wolfpen Branch	E-3	241	2	482	0.01	1	482	18
	E-4	386	2	772	0.02	1	772	29
	E-6	226	1.5	339	0.01	1	339	13
	E-7	112	2.5	280	0.01	1	280	10
	T-1a	2033	4.5	9148	0.21	3	27445	1016
	T-1b	1618	4	6473	0.15	4	19420	719
Sta 927+50, Culvert, Tributary to Wolfpen Branch	E-1	234	1.5	351	0.01	1	351	13
	E-5	735	3.5	2572	0.06	1	2572	95
Sta 967+50 to 991+00, Filled	T-Sec 1	1843	3.5	6452	0.15	2	12904	478
School House Branch	T-Sec 2	1014	3	3042	0.07	2	6084	225
	E-1	805	1.5	1208	0.03	1	1208	45
	E-5	277	2	554	0.01	1	554	21
Sta 988+00, Culvert, School House Branch	E-2	681	1	681	0.02	1	681	25
	E-3	350	1.5	525	0.01	1	525	19
	E-4	1160	1.5	1740	0.04	1	1740	64
Sta 807+00, Mud Lick Creek	T-Sec 2	450	5.5	2475	0.06	2	4950	183
Excess Material Site	T-Sec 3	659	5	3295	0.08	2	6590	244
	T-Sec 4	1683	5.5	9257	0.21	2	18513	686
	E-1	242	1	242	0.01	1	242	9
Sta 821+50, House Log Fork	T-Sec 1	1368	5.5	7524	0.17	2	15048	557
Excess Material Site	T-Sec 1A	223	3	669	0.02	2	1338	50
	T-Sec 2	1012	7	7084	0.16	2.5	17710	656
	E-1	142	4	568	0.01	4	2272	84
	E-2	164	3.5	574	0.01	4	2009	74
Sta 837+00, Stonecoal Fork	E-1	787	2.5	1968	0.05	1	1968	73
Excess Material Site	E-2	1079	2	2158	0.05	1	2158	80
	T-Sec 1	3333	5	16665	0.38	3	49995	1852
	T-Sec 2	1459	6.5	8027	0.18	3	24080	892
Sta 950+00, Haul Rd, Wolfpen Branch	T-Sec 1	940	10	9400	0.22	3	28200	1044
Excess Material Site	T-Sec 2	515	5.5	2831	0.06	3	8494	315
	T-Sec 3	835	6.5	5424	0.12	3	16273	603
	T-Sec 4	1182	5	5910	0.14	2	11820	438
	E-8	487	5	2433	0.06	1	2433	90
	E-9	653	3	1960	0.05	1	1960	73
	E-10	807	3.5	2825	0.06	1	2825	105
	E-11	443	1.5	664	0.02	1	664	25
	E-12	194	1.5	291	0.01	1	291	11
	T-2	606	4	2424	0.06	2	4848	180

TOTAL IMPACTS		Intermittent			Ephemeral			Perennial			Total	
	Length	Acres	CY	Length	Acres	CY	Length	Acres	CY	Total Acres	Total CY	
Culverts	1813	0.24	799	5078	0.31	745	NA	NA	NA	NA	1545	
Fill	7066	0.63	2718	3128	0.14	231	NA	0.10	NA	463	3411	
Excess Material Sites	14285	1.86	7698	4998	0.31	623	NA	NA	NA	NA	8322	

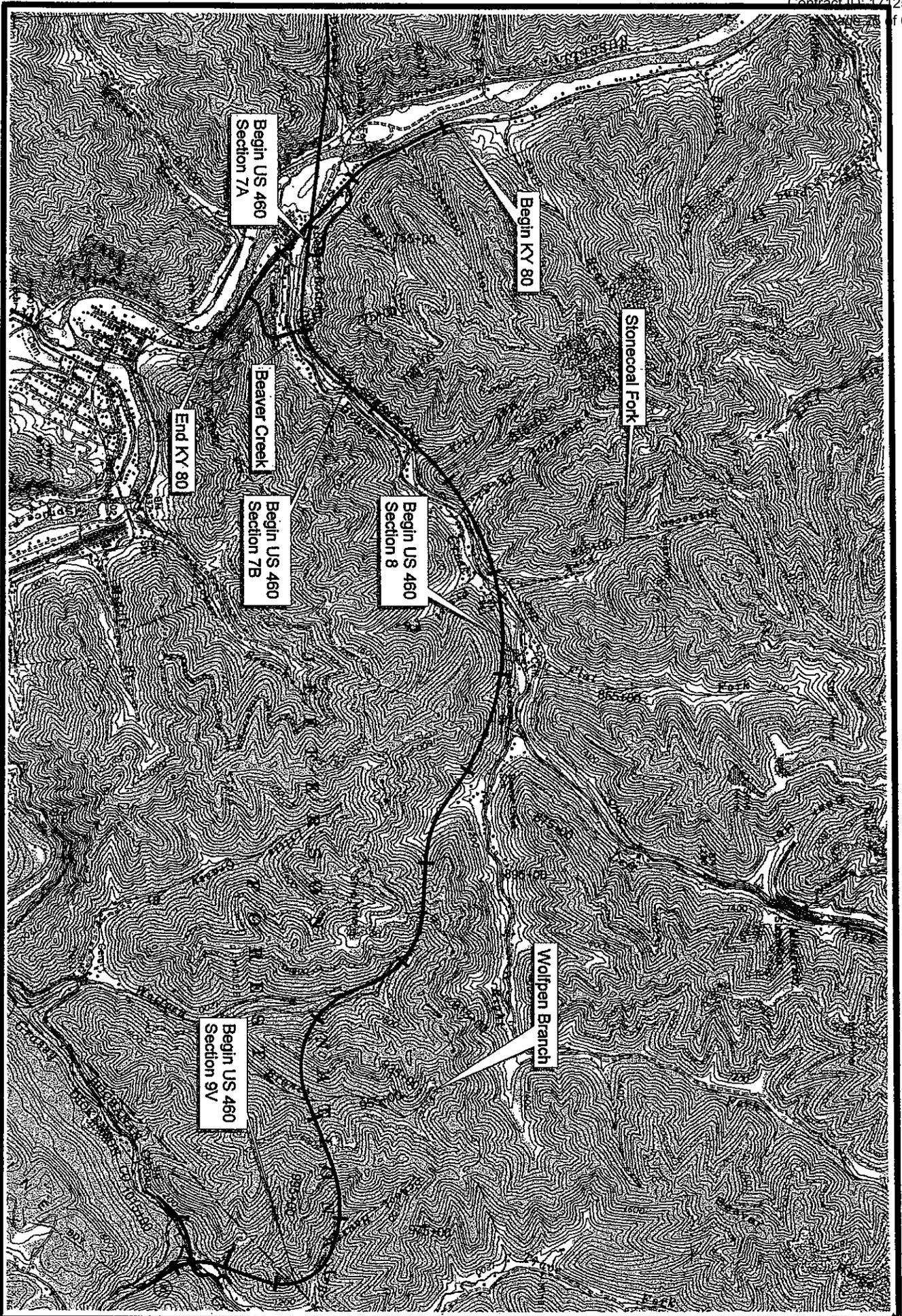
A depth of 1 ft. was used for most ephemeral streams. For the sections of intermittent streams before a pipe culvert, the depth of the pipe culvert was used. Otherwise, the depths were verified from photos.

SUMMARY OF SECTION 404 IMPACTS

1. Sta. 998+10 – A tributary to Grassy Creek consisting of 126 ft. (38.4 m) of ephemeral stream will be filled (Sheet 48a). Impacts to waters of the U.S. is 0.01 acres (0.004 ha).
2. Sta. 1005+00 – Construct a 48 in. (1200 mm) entrance pipe, 52 ft. (15.8 m) in length (Sheet 48a). The watershed is 16.9 acres (6.8 ha). This impacts 603 ft. (183.8 m) of existing stream. Field investigations indicate this is an ephemeral stream and is an unnamed tributary of Grassy Creek. Impact to waters of the U.S. is 0.01 acres (0.004 ha).
3. Sta. 1007+12 – Construct a double 12 ft. (3.7 m) by 12 ft. (3.7 m) RCBC, 715 ft. (217.9 m) in length (Sheet 48a and 48b). The watershed is 4205 acres (1702 ha). This impacts 749 ft. (228.3 m) of existing Grassy Creek, a perennial stream. Impact to waters of the U.S. is 0.26 acres (0.11 ha).
4. VA 80, Sta. 59+34.57 – Construct a 9.46 ft. (2.9 m) by 10 ft. (3.0 m) RCBC, 83 ft. (25.3 m) in length (Sheet 48a and 48c). The watershed is 4288 acres (1735 ha). This impacts 90 ft. (27.4 m) of existing Grassy Creek, a perennial stream. Impact to waters of the U.S. is 0.02 acres (0.008 ha).

STRUCTURE	LENGTH		WATERSHED		IMPACT TO WATERS OF THE U.S.	
	Feet	Meters	Acres	Hectares	Acres	Hectares
Sta. 998+10, Fill	126	38.4	NA	NA	0.01	0.004
Sta. 1005+00, Entrance Pipe	603	183.8	16.9	6.8	0.01	0.004
Sta. 1007+12, RCBC	749	228.3	4205	1702	0.26	0.11
VA 80, Sta. 59+34.57, RCBC	90	27.4	4288	1735	0.02	0.008

In-lieu fees calculations were completed using the *In-Lieu Fee Compensatory Mitigation Calculator (version 2002.8)* and are explained in the Stream Mitigation Report US 460, Section 9. The in-lieu fee for the 839 feet of perennial stream impacts is \$233,969.40. The in-lieu fee for 729 feet of ephemeral stream impacts is \$45,592.50 (\$9,442.50 and \$36,150.00, respectively).

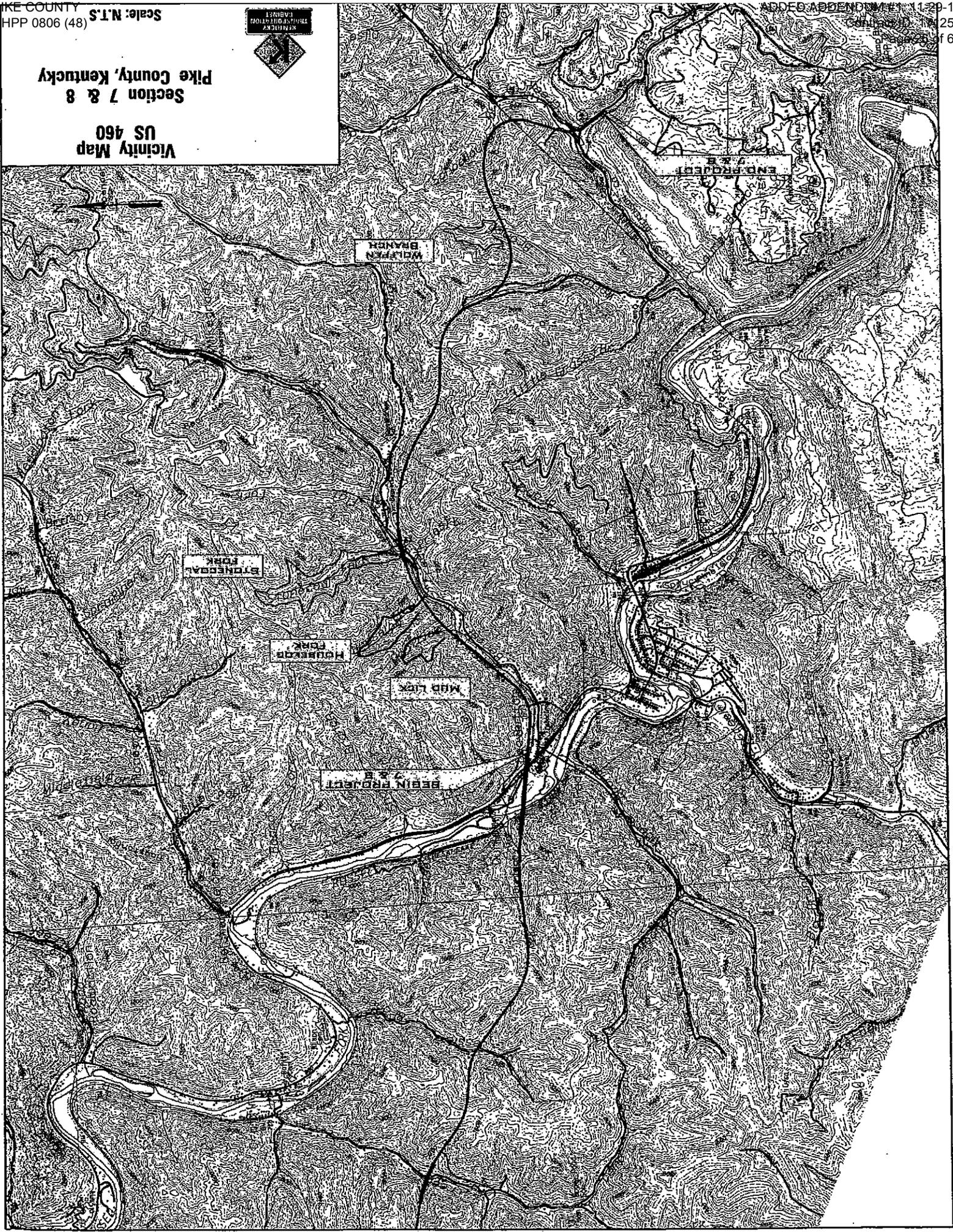


Project Location Map

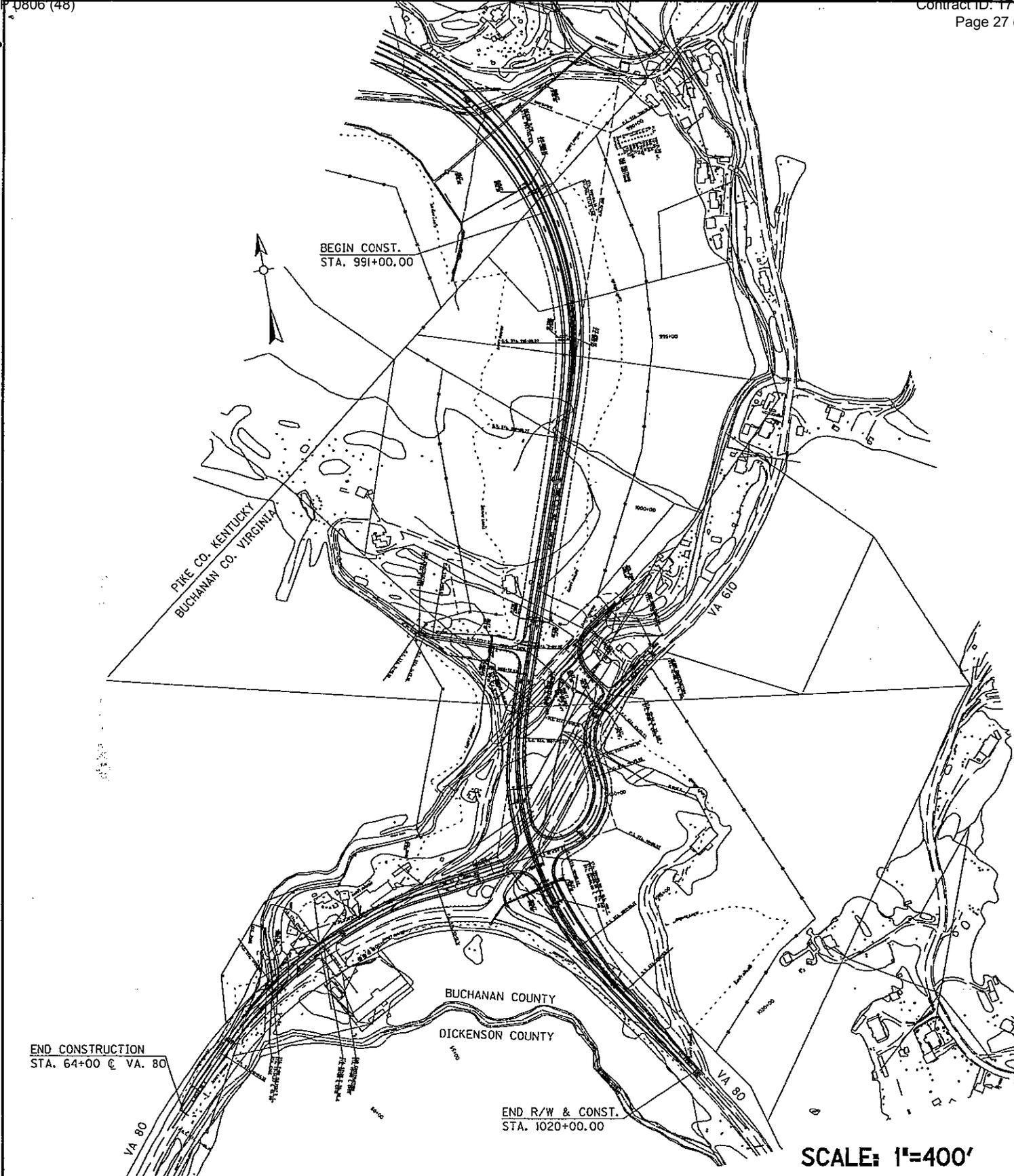
Sections 7A, 7B, 8 & 9V
 Permit Application
 Pike County, Kentucky
 Buchanan County, Virginia



Vicinity Map
US 460
Section 7 & 8
Pike County, Kentucky



END APPENDIX

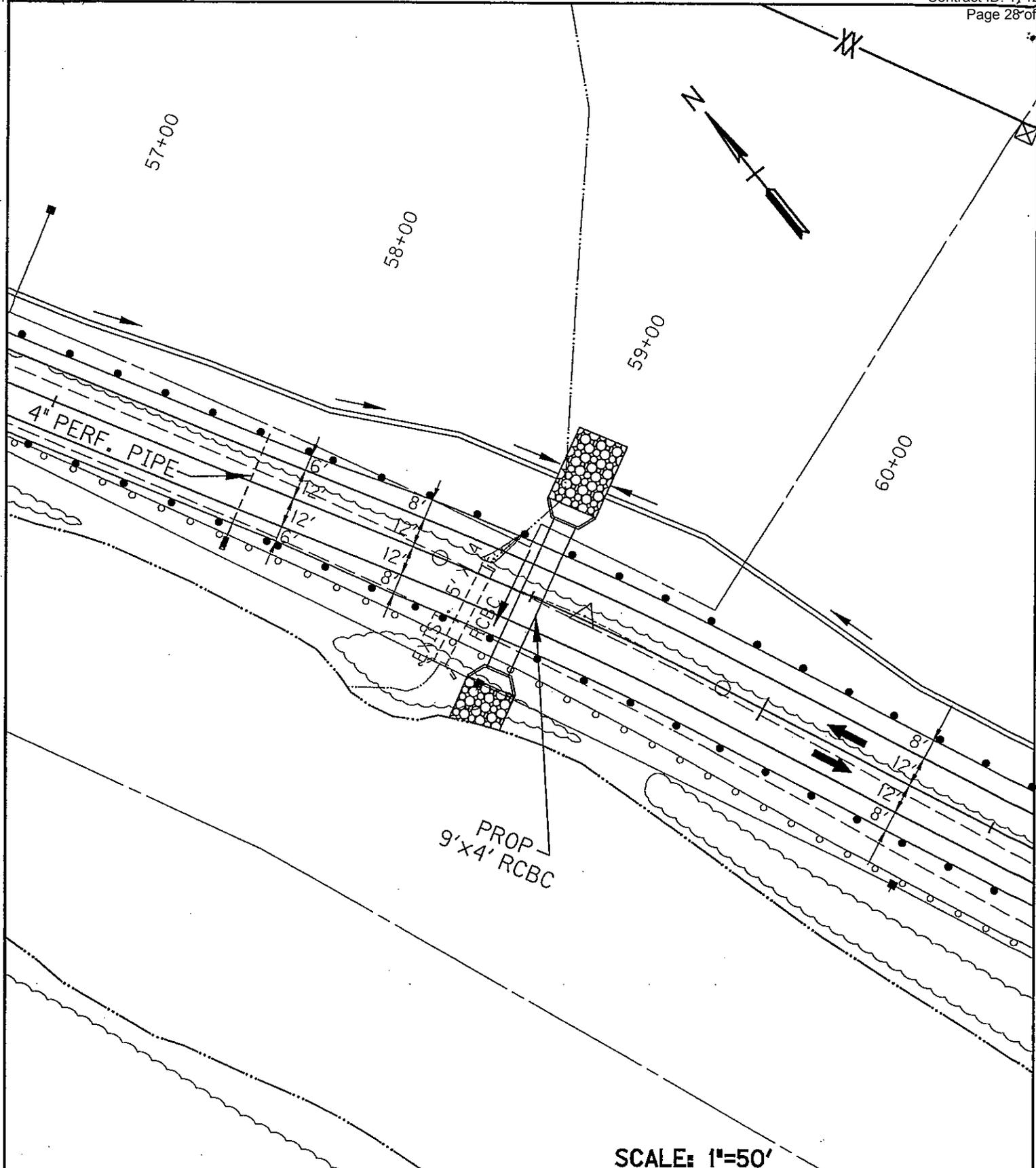


~NOTES~

APPLICATION BY
KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS

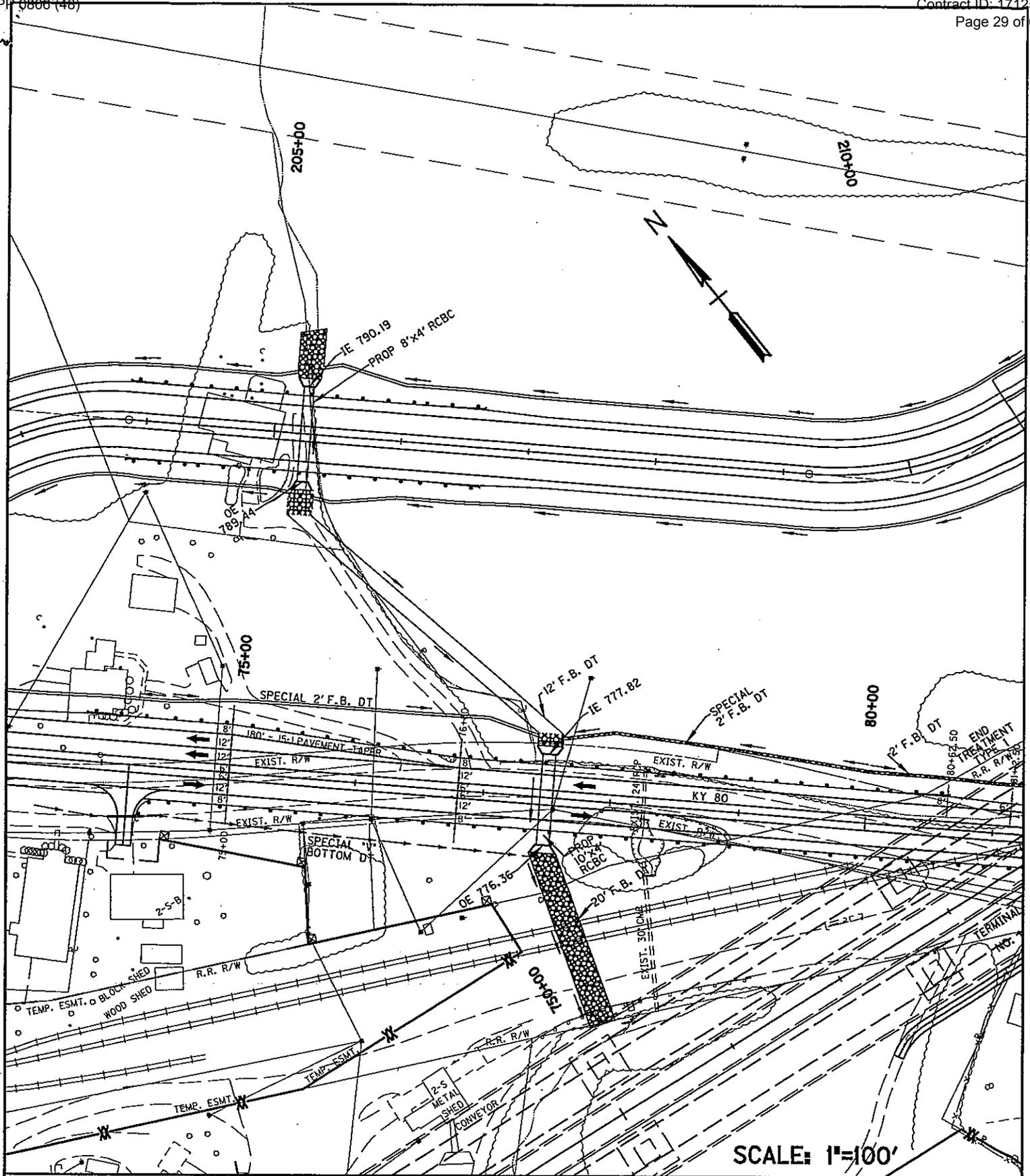
Footprint - US 460 Section 9V	
PROPOSED ACTIVITIES:	
STREAM NAME:	AT OR NEAR:
Buchanan	VIRGINIA
COUNTY OF:	STATE OF:
MILE POINT:	12-263.90
ITEM NO.:	48 OF 48
	SHEET NO.

DATE: mo. /yr.



SCALE: 1"=50'

<p align="center">~NOTES~</p>	<p align="center">APPLICATION BY</p> <p align="center">KENTUCKY TRANSPORTATION CABINET DEPARTMENT OF HIGHWAYS DIVISION OF ENVIRONMENTAL ANALYSIS</p>	<p>PROPOSED ACTIVITIES: KY 80, Sta. 59+00 - 9' x 4' RCBC Const.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Tributary to Russell Fork</td> <td style="width: 30%;">AT OR NEAR:</td> </tr> <tr> <td>STREAM NAME:</td> <td></td> </tr> <tr> <td>Pike</td> <td align="center">KENTUCKY</td> </tr> <tr> <td>COUNTY OF:</td> <td>STATE OF:</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 60%;">MILE POINT:</td> <td style="width: 20%;">DATE: 12-26-72</td> <td style="width: 20%;">1 OF 48</td> </tr> <tr> <td></td> <td>ITEM NO.:</td> <td>SHEET NO.</td> </tr> </table>	Tributary to Russell Fork	AT OR NEAR:	STREAM NAME:		Pike	KENTUCKY	COUNTY OF:	STATE OF:	MILE POINT:	DATE: 12-26-72	1 OF 48		ITEM NO.:	SHEET NO.
Tributary to Russell Fork	AT OR NEAR:															
STREAM NAME:																
Pike	KENTUCKY															
COUNTY OF:	STATE OF:															
MILE POINT:	DATE: 12-26-72	1 OF 48														
	ITEM NO.:	SHEET NO.														



SCALE: 1"=100'

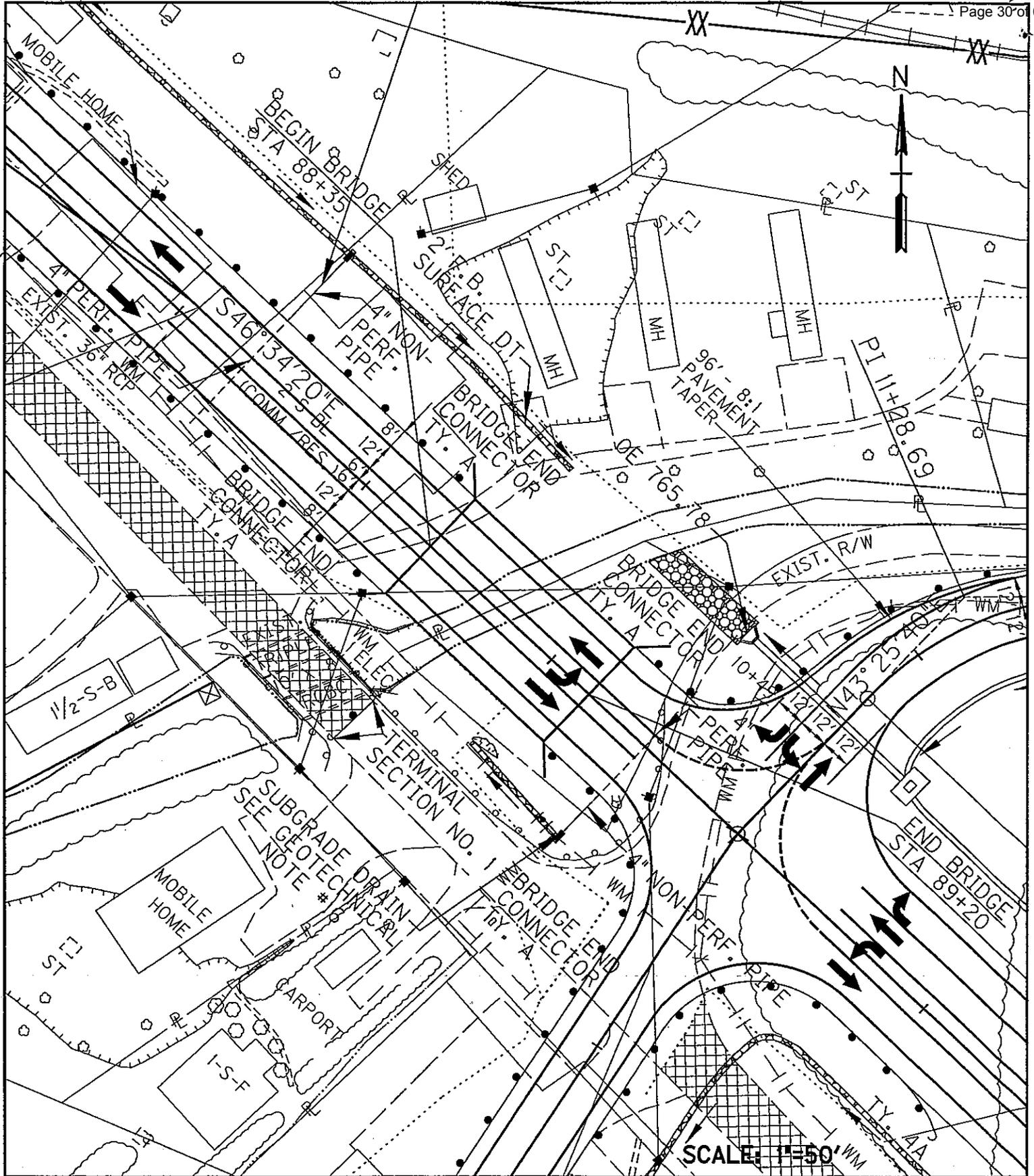
~NOTES~

APPLICATION BY

KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS

KY 80, Sta. 77+50 - 10' x 4' RCBC Const.
Ramp 1, Sta. 205+25 - 8' x 4' RCBC Const.
PROPOSED ACTIVITIES:

Tributary to Russell Fork	
STREAM NAME:	AT OR NEAR:
Pike	KENTUCKY
COUNTY OF:	STATE OF:
MILE POINT:	12-263.72
ITEM NO.:	3 OF 48
DATE: mo. /yr.	SHEET NO.



~NOTES~

APPLICATION BY

KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS

KY 80 Bridge @ 88+35 over Beaver Creek

PROPOSED ACTIVITIES:

Beaver Creek

STREAM NAME:

AT OR NEAR:

Pike

COUNTY OF:

KENTUCKY

STATE OF:

MILE POINT:

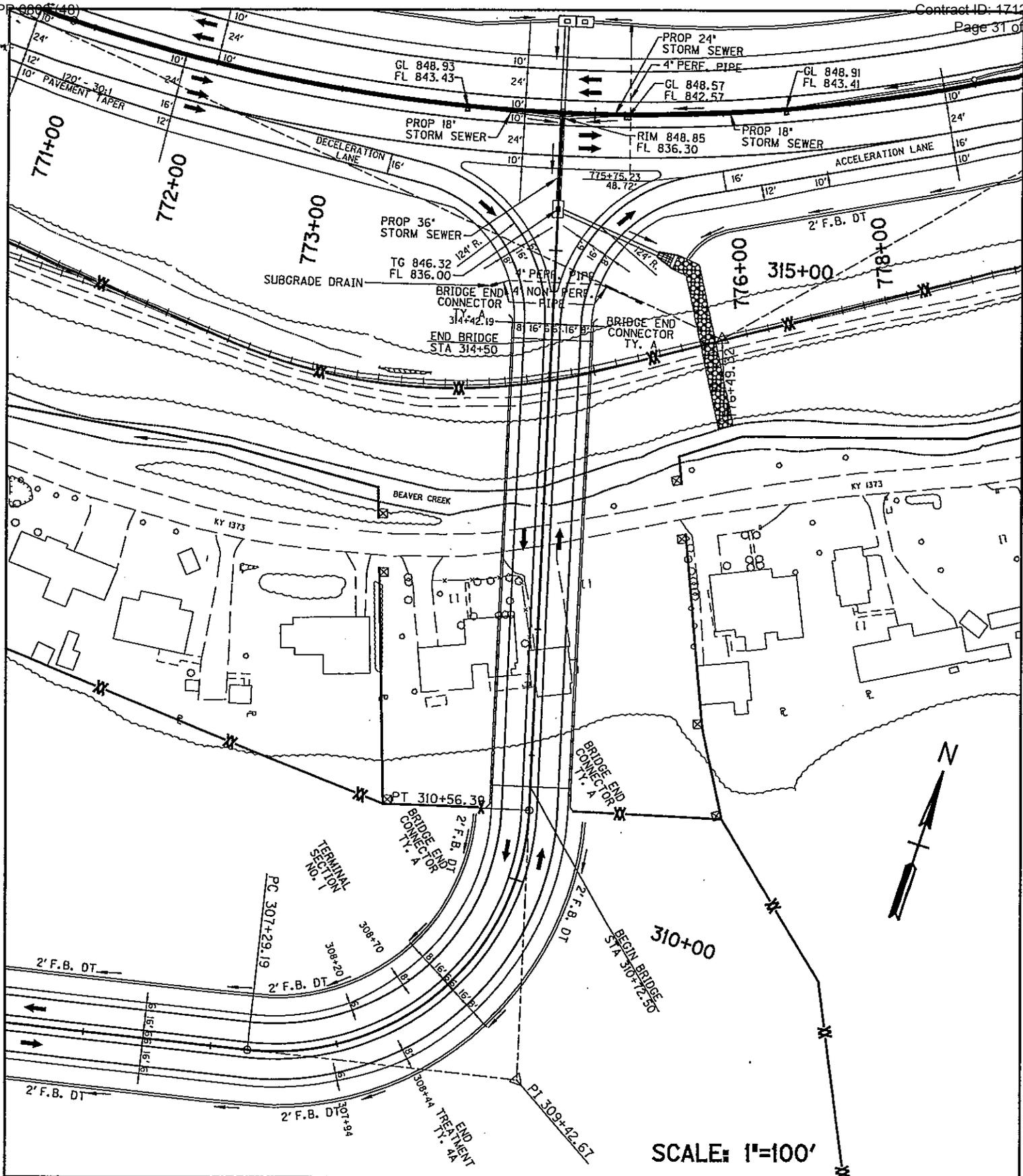
12-263.72

ITEM NO.:

6 OF 48

SHEET NO.

DATE: mo. /yr



~NOTES~

APPLICATION BY

KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS

Ramp 2 Bridge @ Sta. 310+72.50 over Beaver Creek

PROPOSED ACTIVITIES:

Beaver Creek

STREAM NAME:

AT OR NEAR:

Pike

COUNTY OF:

KENTUCKY

STATE OF:

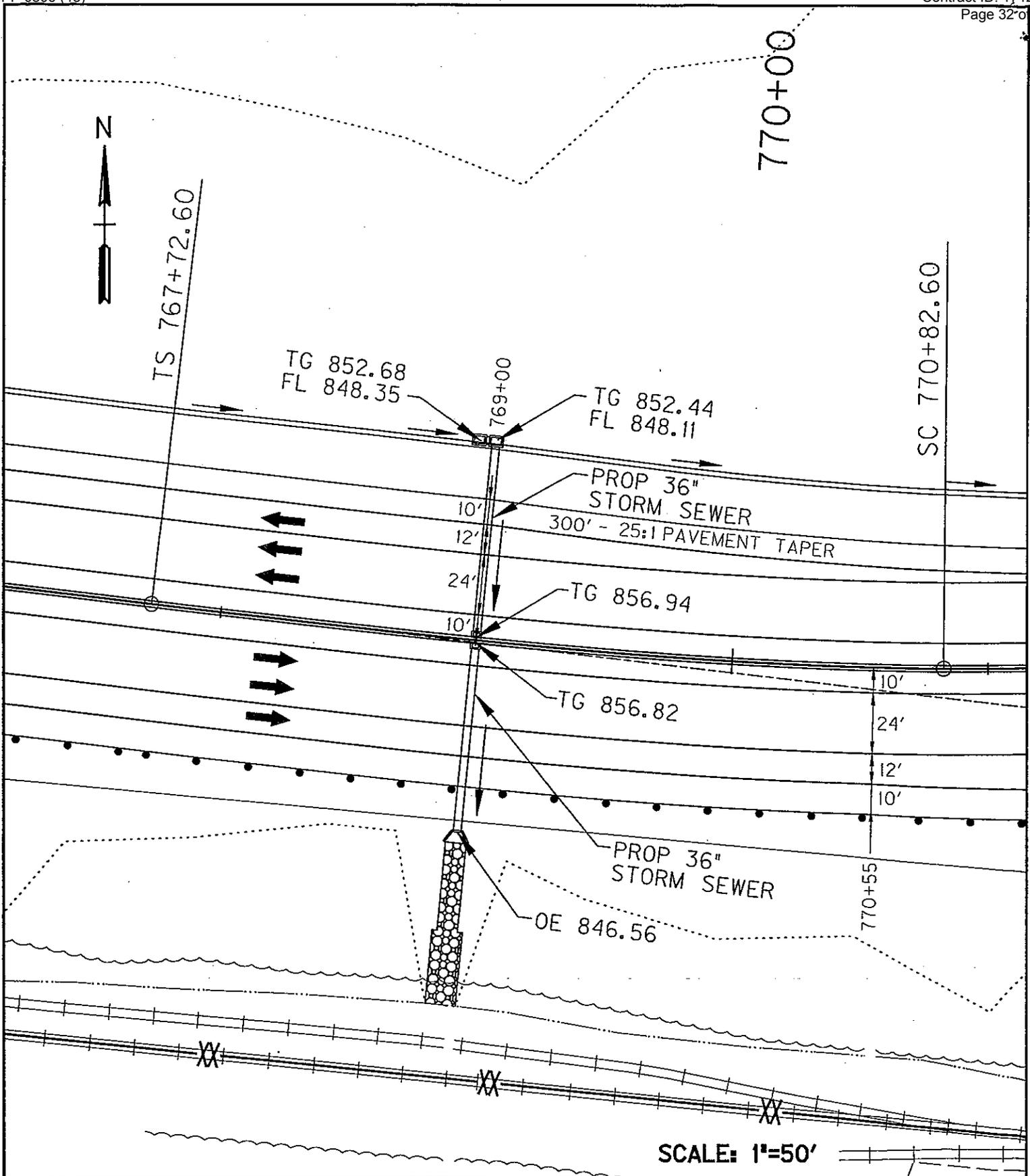
MILE POINT:

12-263.72
ITEM NO.:

8 OF 48
SHEET NO.

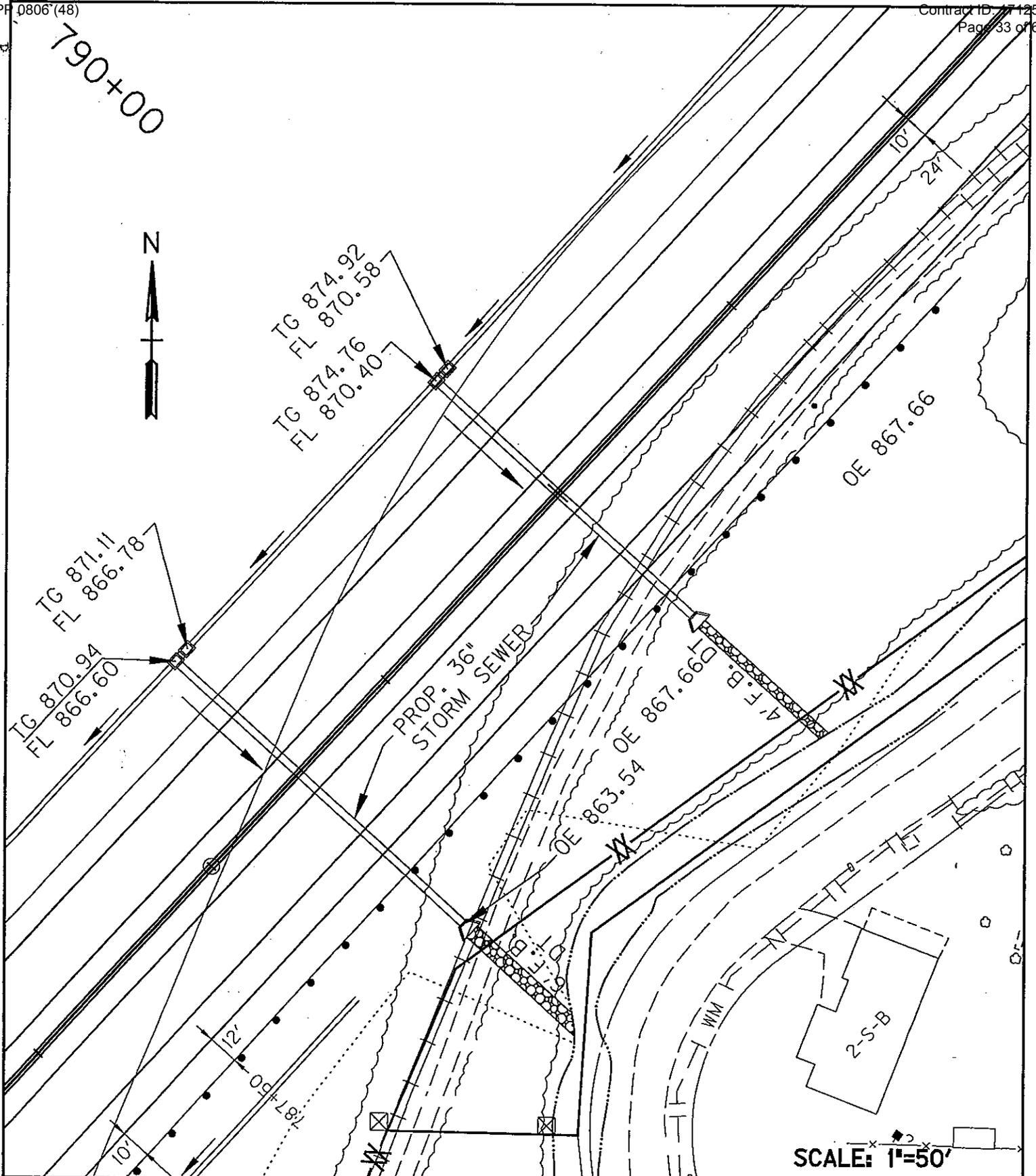
DATE: mo. /yr.

SCALE: 1"=100'



SCALE: 1"=50'

<p>~NOTES~</p>	<p>APPLICATION BY</p> <p>KENTUCKY TRANSPORTATION CABINET DEPARTMENT OF HIGHWAYS DIVISION OF ENVIRONMENTAL ANALYSIS</p>		<p>Sta. 769+00 - 36" Storm Sewer Const.</p>	
			<p>PROPOSED ACTIVITIES:</p>	
			<p>Tributary to Beaver Creek</p>	<p>AT OR NEAR:</p>
			<p>PIKE COUNTY OF:</p>	<p>KENTUCKY STATE OF:</p>
		<p>MILE POINT:</p>	<p>12-263.72 ITEM NO.:</p>	<p>10 OF 48 SHEET NO.</p>



SCALE: 1"=50'

~NOTES~

APPLICATION BY

KENTUCKY TRANSPORTATION CABINET
 DEPARTMENT OF HIGHWAYS
 DIVISION OF
 ENVIRONMENTAL ANALYSIS

Sta. 788+50 - 36" Storm Sewer Const.

PROPOSED ACTIVITIES:

Tributary to Beaver Creek

STREAM NAME:

AT OR NEAR:

Pike

COUNTY OF:

KENTUCKY

STATE OF:

MILE POINT:

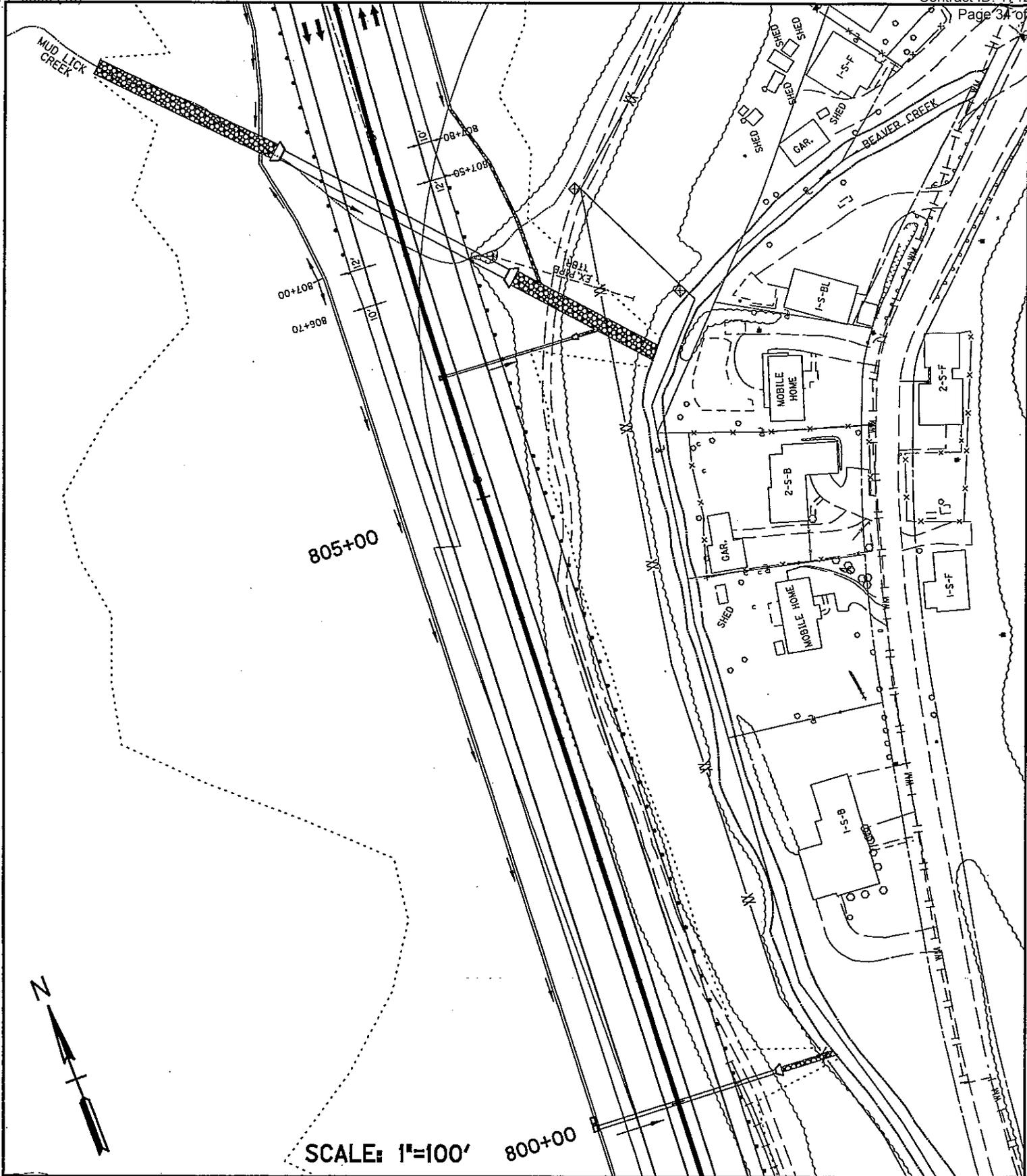
12-263.72

ITEM NO.:

12 OF 48

SHEET NO.

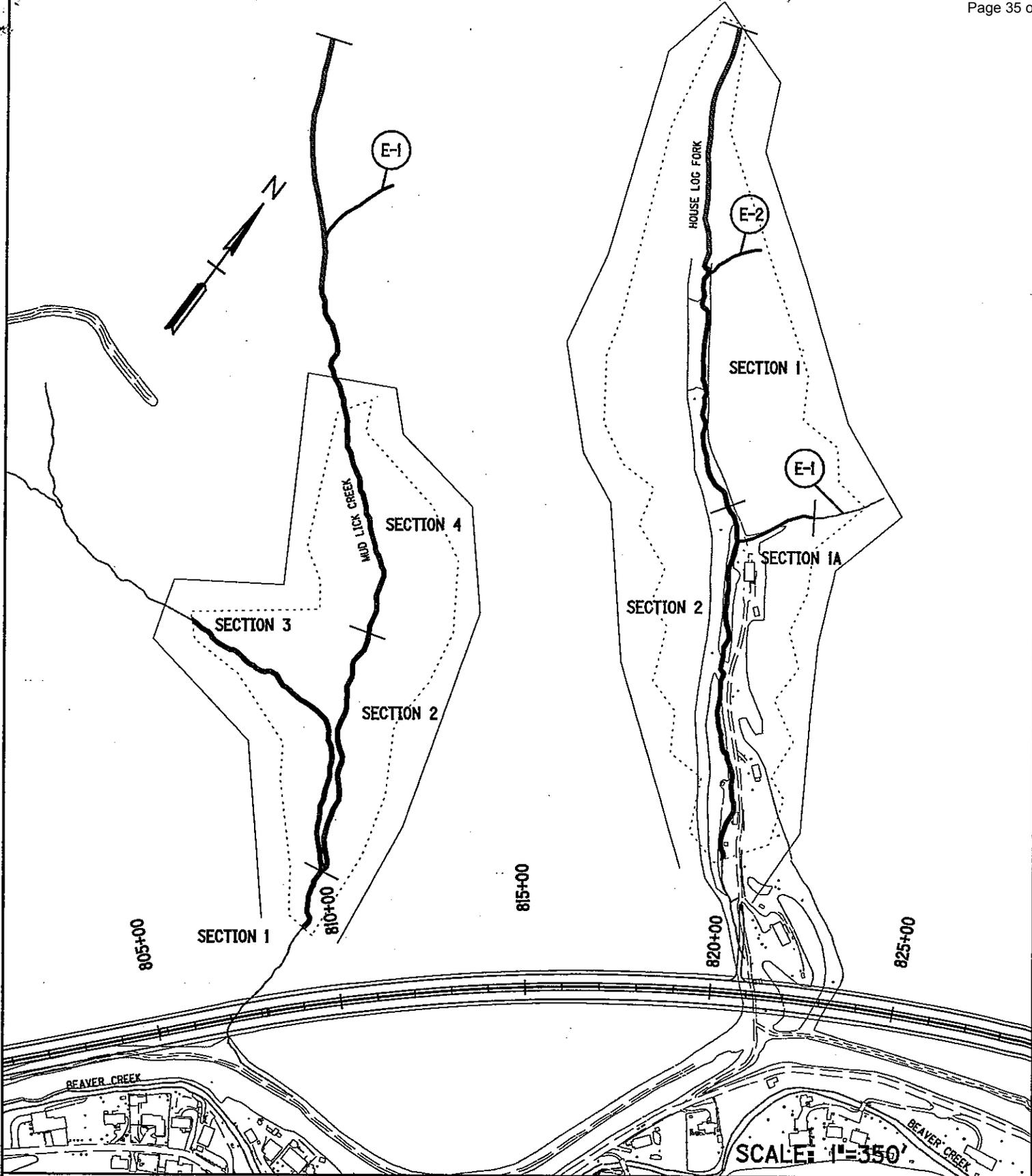
DATE: mo. /yr.



~NOTES~

APPLICATION BY
 KENTUCKY TRANSPORTATION CABINET
 DEPARTMENT OF HIGHWAYS
 DIVISION OF
 ENVIRONMENTAL ANALYSIS

Sta. 807+33 - 8' x 4' RCBC Const.		
PROPOSED ACTIVITIES:		
Tributary to Beaver Creek		
STREAM NAME:	AT OR NEAR:	
Pike	KENTUCKY	
COUNTY OF:	STATE OF:	
MILE POINT:	12-263.72	14 OF 48
ITEM NO.:	SHEET NO.	



~NOTES~

APPLICATION BY

KENTUCKY TRANSPORTATION CABINET
 DEPARTMENT OF HIGHWAYS
 DIVISION OF
 ENVIRONMENTAL ANALYSIS

Sta. 807+00 Mud Lick Excess Material Site.
 Sta. 821+50 House Log Excess Material Site.

PROPOSED ACTIVITIES:

Mud Lick Creek
 House Log Fork

STREAM NAME:

AT OR NEAR:

Pike

COUNTY OF:

KENTUCKY

STATE OF:

MILE POINT:

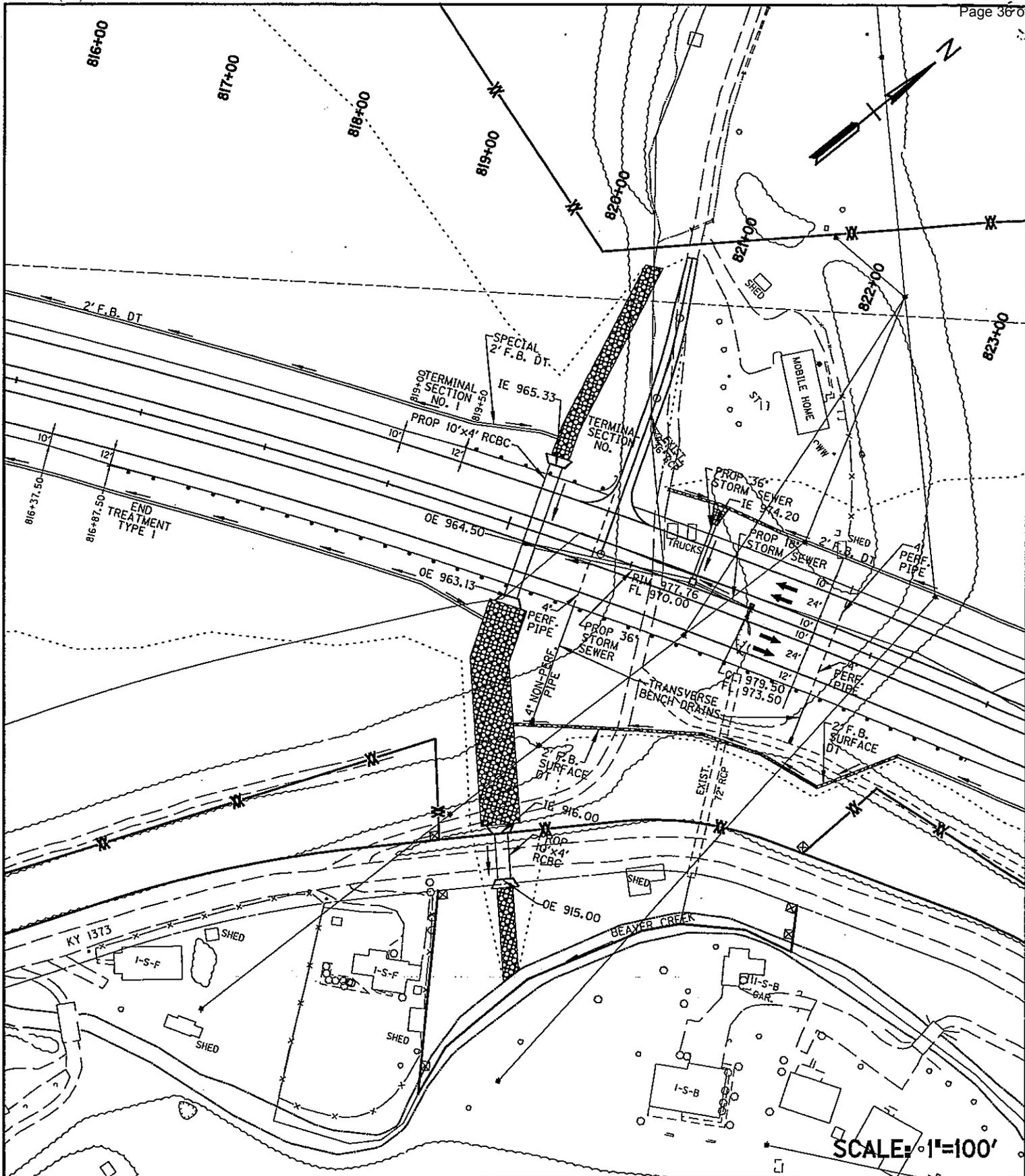
12-263.72

ITEM NO.:

14A OF 44

SHEET NO.

DATE: mo. /yr.



SCALE: 1"=100'

~NOTES~

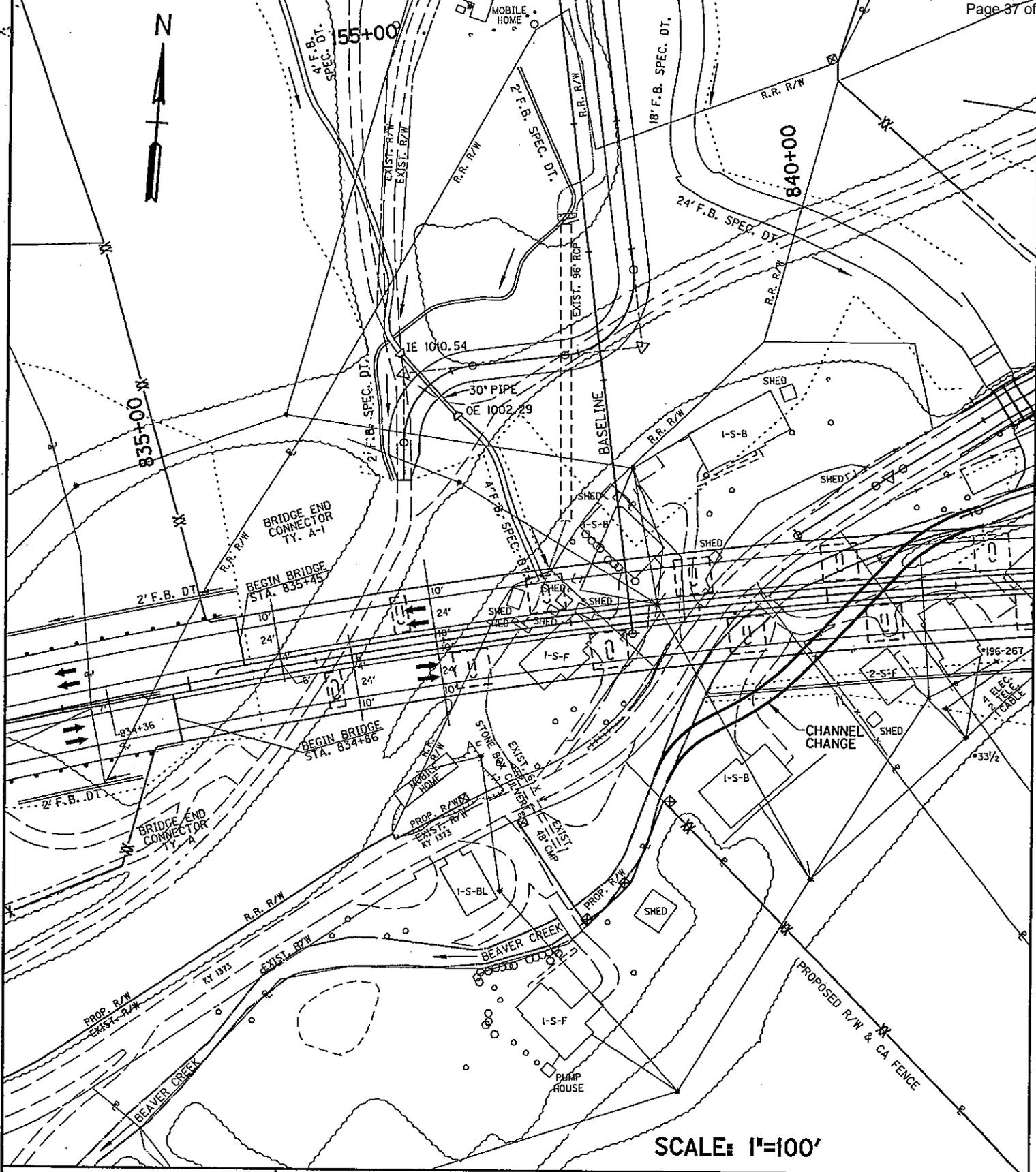
APPLICATION BY

KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF ENVIRONMENTAL ANALYSIS

Sta. 820+20 - 10' x 4' RCBC Const.
Rt. Sta. 820+84.44 - 10' x 4' RCBC Const., KY1373

PROPOSED ACTIVITIES:

Tributary to Beaver Creek	
STREAM NAME:	AT OR NEAR:
Pike	KENTUCKY
COUNTY OF:	STATE OF:
MILE POINT:	12-263.75
ITEM NO.:	16 OF 48
	SHEET NO.



SCALE: 1"=100'

~NOTES~

APPLICATION BY

KENTUCKY TRANSPORTATION CABINET
 DEPARTMENT OF HIGHWAYS
 DIVISION OF
 ENVIRONMENTAL ANALYSIS

US 460 Bridge @ Sta. 834+86 over Beaver Creek

PROPOSED ACTIVITIES:

Beaver Creek

STREAM NAME:

AT OR NEAR:

Pike

COUNTY OF:

KENTUCKY

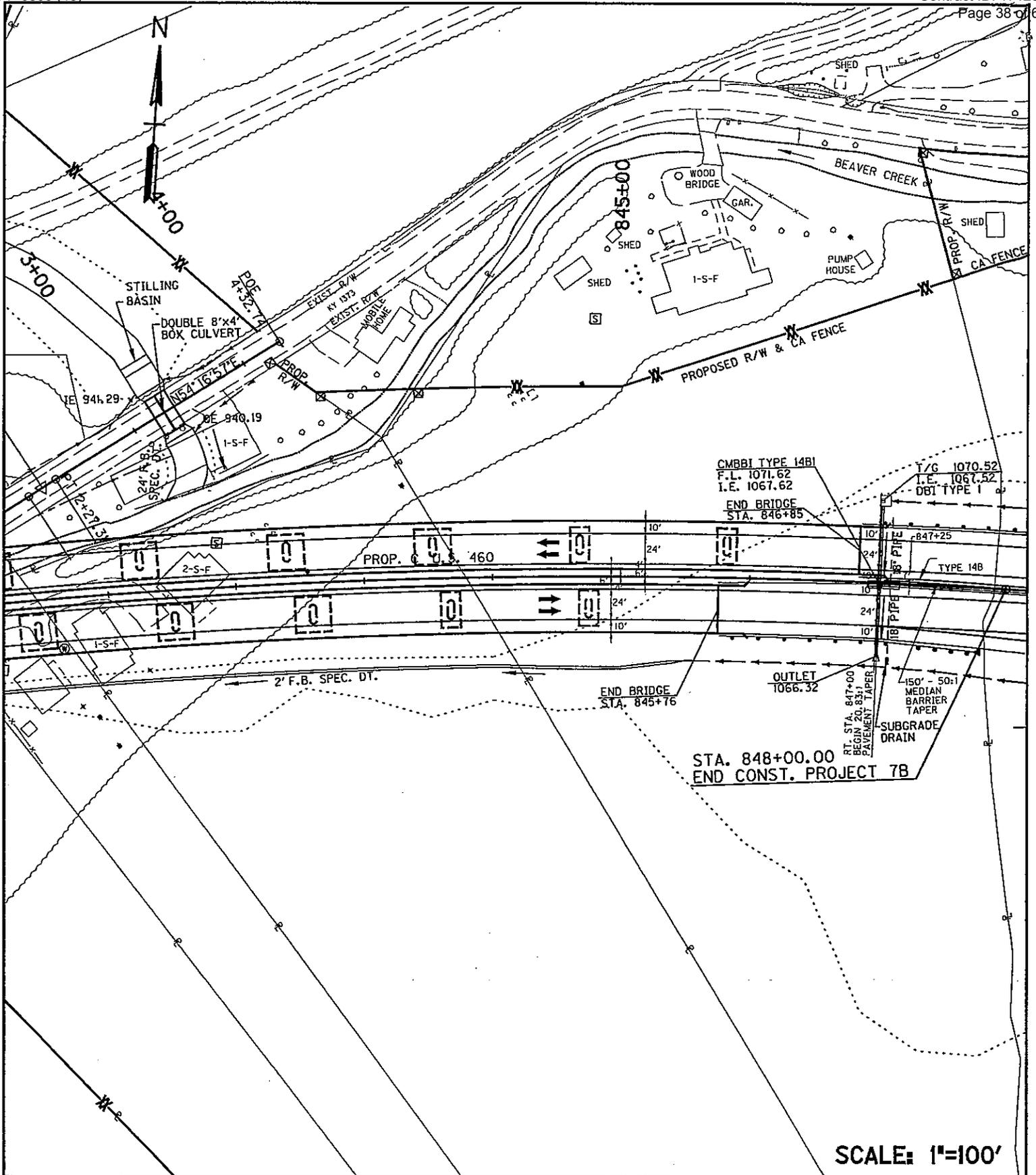
STATE OF:

MILE POINT:

12-263.75
 ITEM NO.:

20 OF 48
 SHEET NO.

DATE: mo. /yr.



SCALE: 1"=100'

~NOTES~

APPLICATION BY
**KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS**

US 460 Bridge @ Sta. 834+86 over Beaver Creek
Sta. 841+60, KY 1373 Sta. 3+27.38 Double 8'x4' RCBC
PROPOSED ACTIVITIES:

Beaver Creek	AT OR NEAR:
STREAM NAME:	
Pike	KENTUCKY
COUNTY OF:	STATE OF:
MILE POINT:	21 OF 48
12-263.75	SHEET NO.
ITEM NO.:	

DATE: mo. /yr.

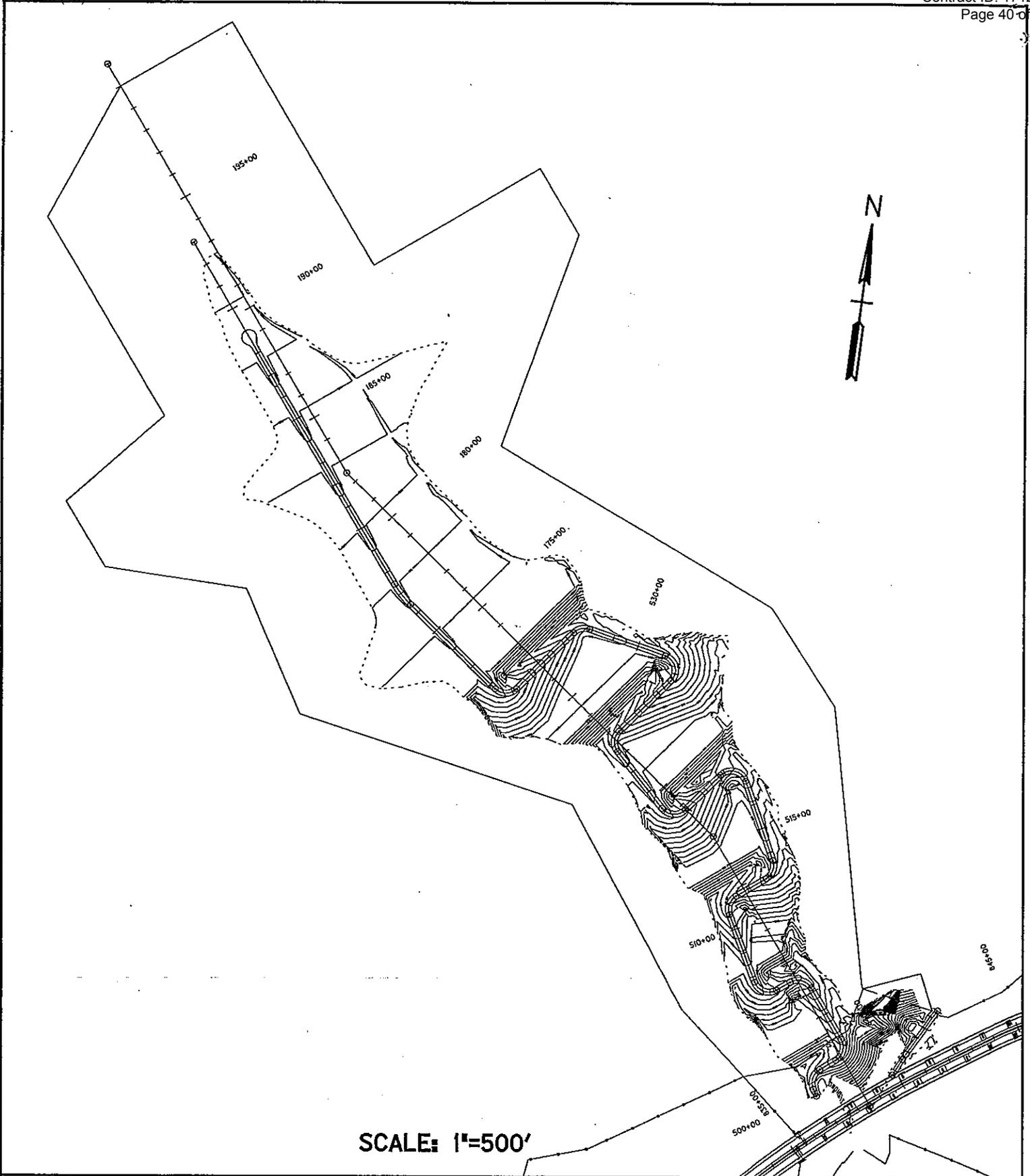


SCALE: 1"=500'

~NOTES~

APPLICATION BY
**KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS**

Sta. 837+00 Excess Material Site, Stonecoal Fork		
PROPOSED ACTIVITIES:		
Stonecoal Fork		
STREAM NAME:		AT OR NEAR:
Pike		KENTUCKY
COUNTY OF:		STATE OF:
	12-263.75	24 OF 48
MILE POINT:	ITEM NO.:	SHEET NO.
		DATE: mo. /yr.



SCALE: 1"=500'

~NOTES~

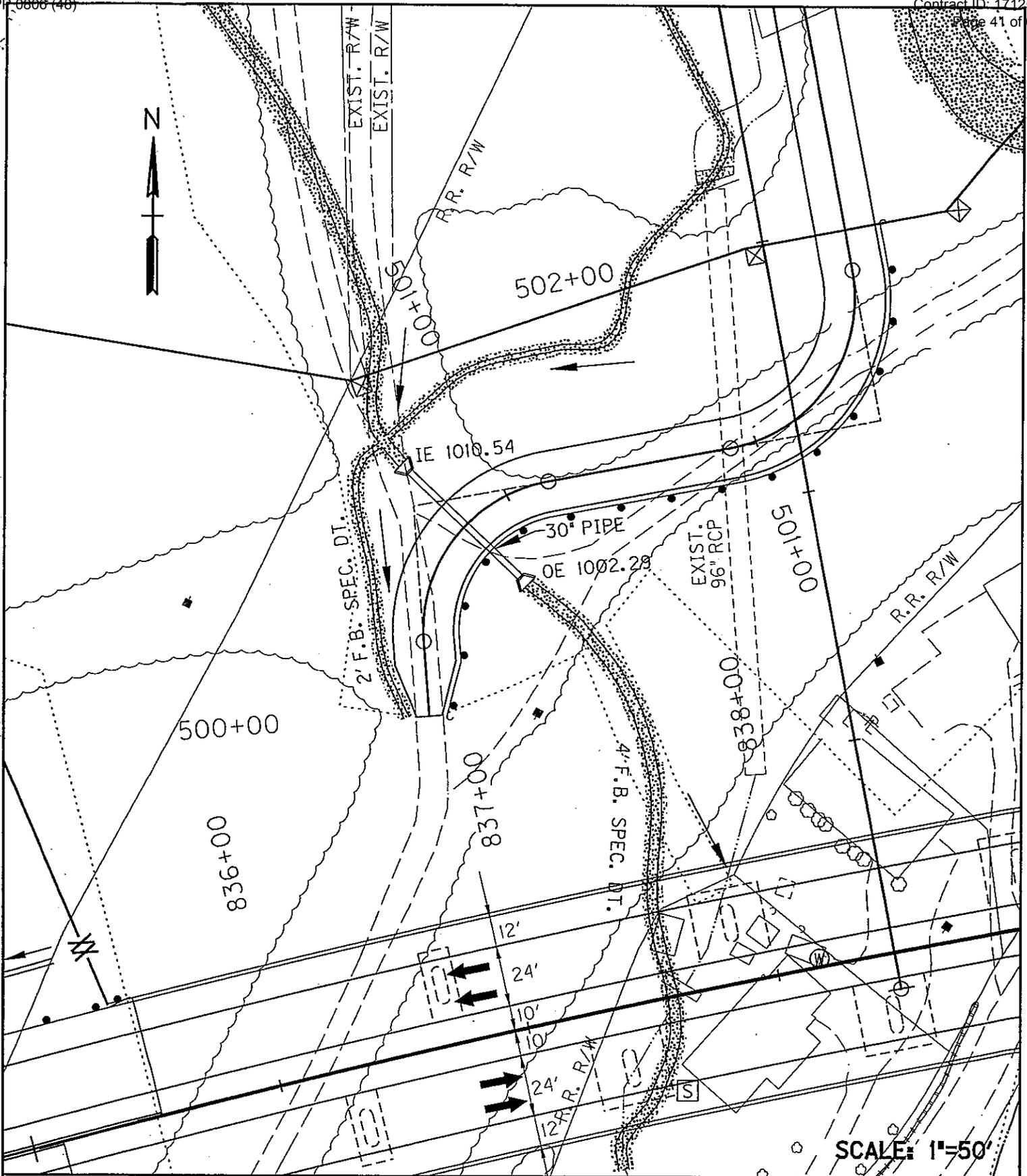
APPLICATION BY
**KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS**

Sta. 837+00 Excess Material Site Stonecoal Fork.
Proposed Contours
PROPOSED ACTIVITIES:

Stonecoal Fork	AT OR NEAR:
STREAM NAME:	
Pike	KENTUCKY
COUNTY OF:	STATE OF:

MILE POINT:	12-263.75	24A OF 48
ITEM NO.:		SHEET NO.

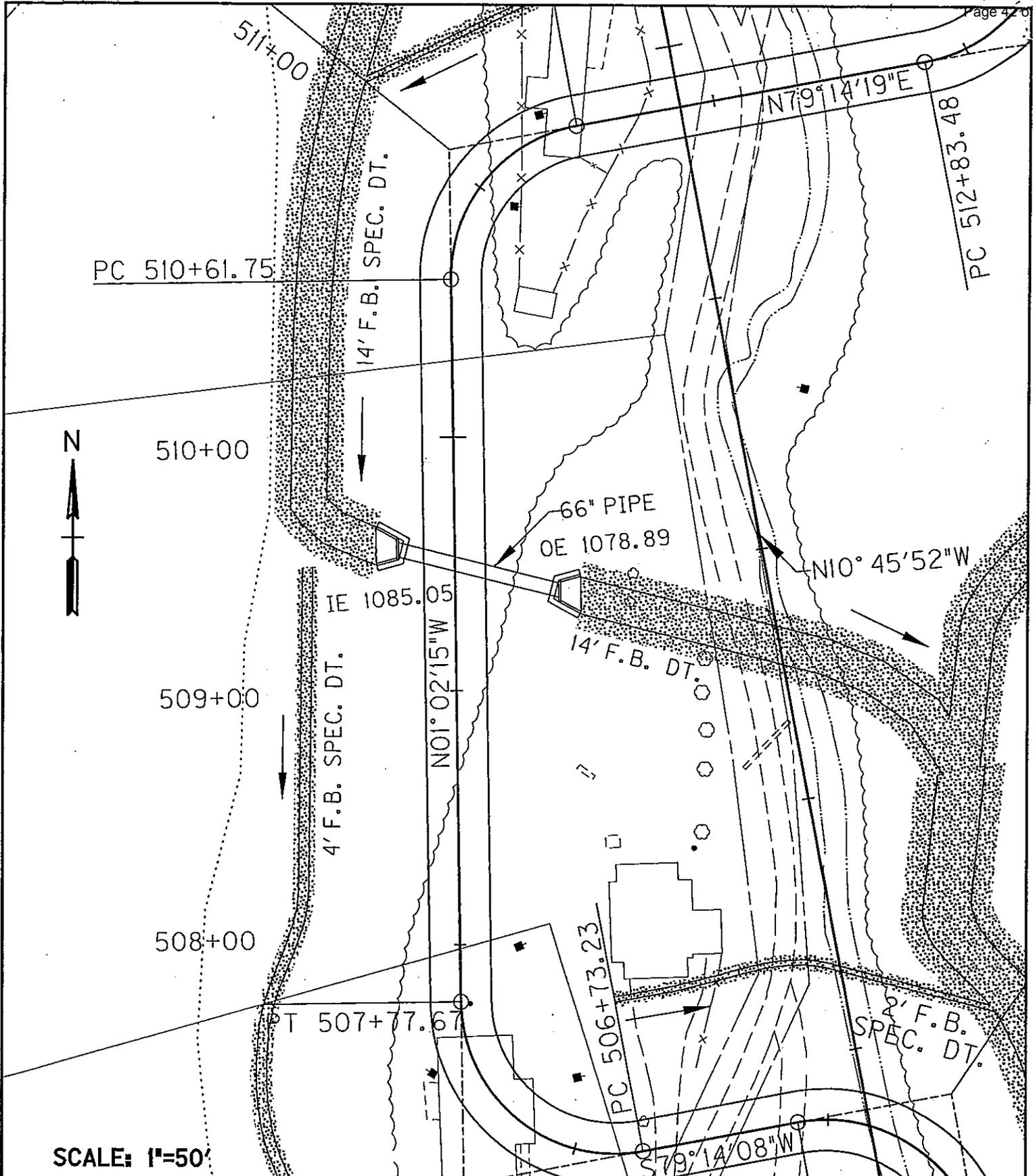
DATE: mo. /yr.



~NOTES~

APPLICATION BY
 KENTUCKY TRANSPORTATION CABINET
 DEPARTMENT OF HIGHWAYS
 DIVISION OF
 ENVIRONMENTAL ANALYSIS

Stonecoal Fork Road Sta. 500+80 - 30" Pipe Const.	
PROPOSED ACTIVITIES:	
Stonecoal Fork	AT OR NEAR:
STREAM NAME:	PIKE COUNTY
COUNTY OF:	STATE OF: KENTUCKY
MILE POINT:	DATE: mo. /yr.
12-263.75	25 OF 48
ITEM NO.:	SHEET NO.

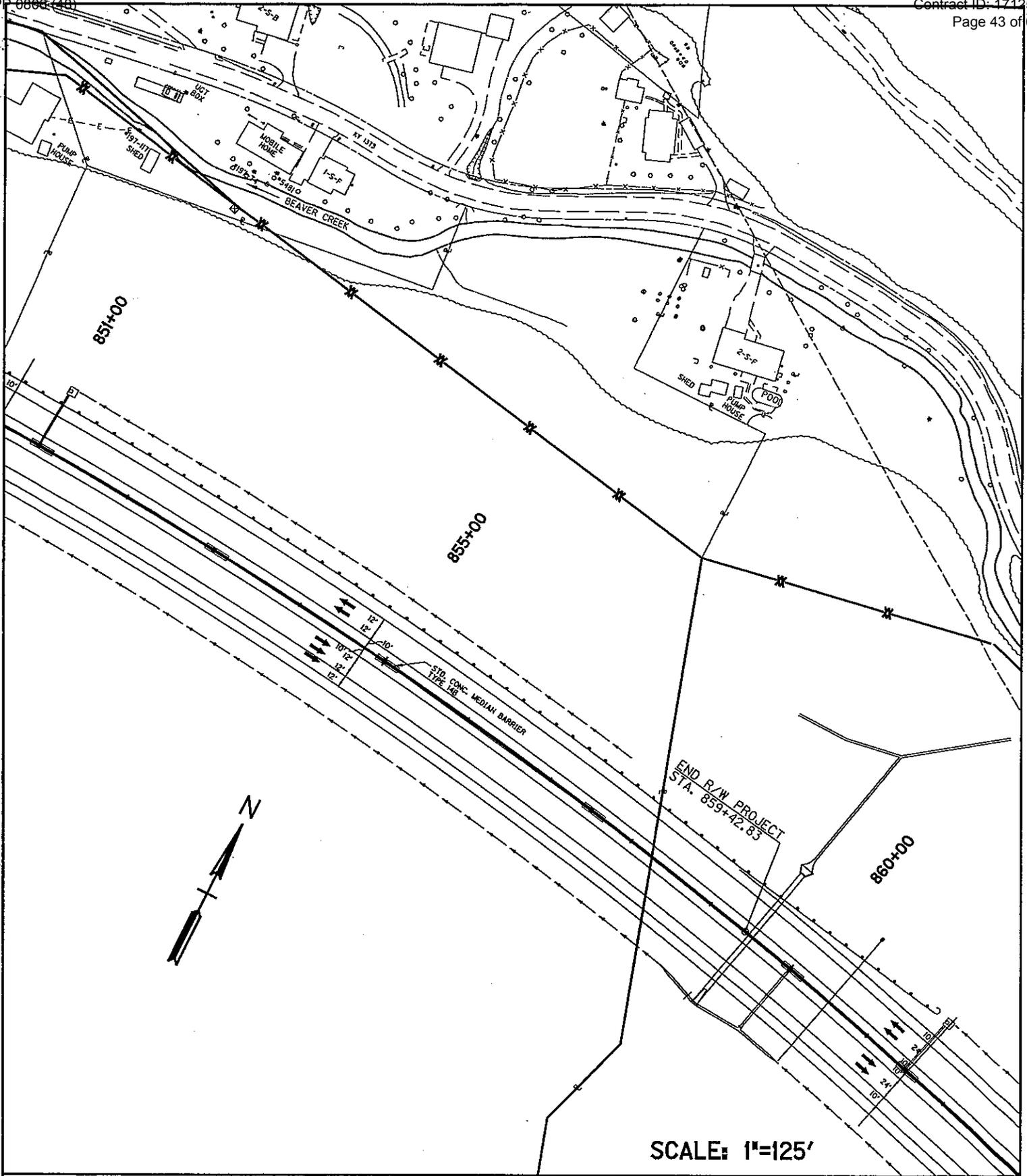


SCALE: 1"=50'

~NOTES~

APPLICATION BY
**KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS**

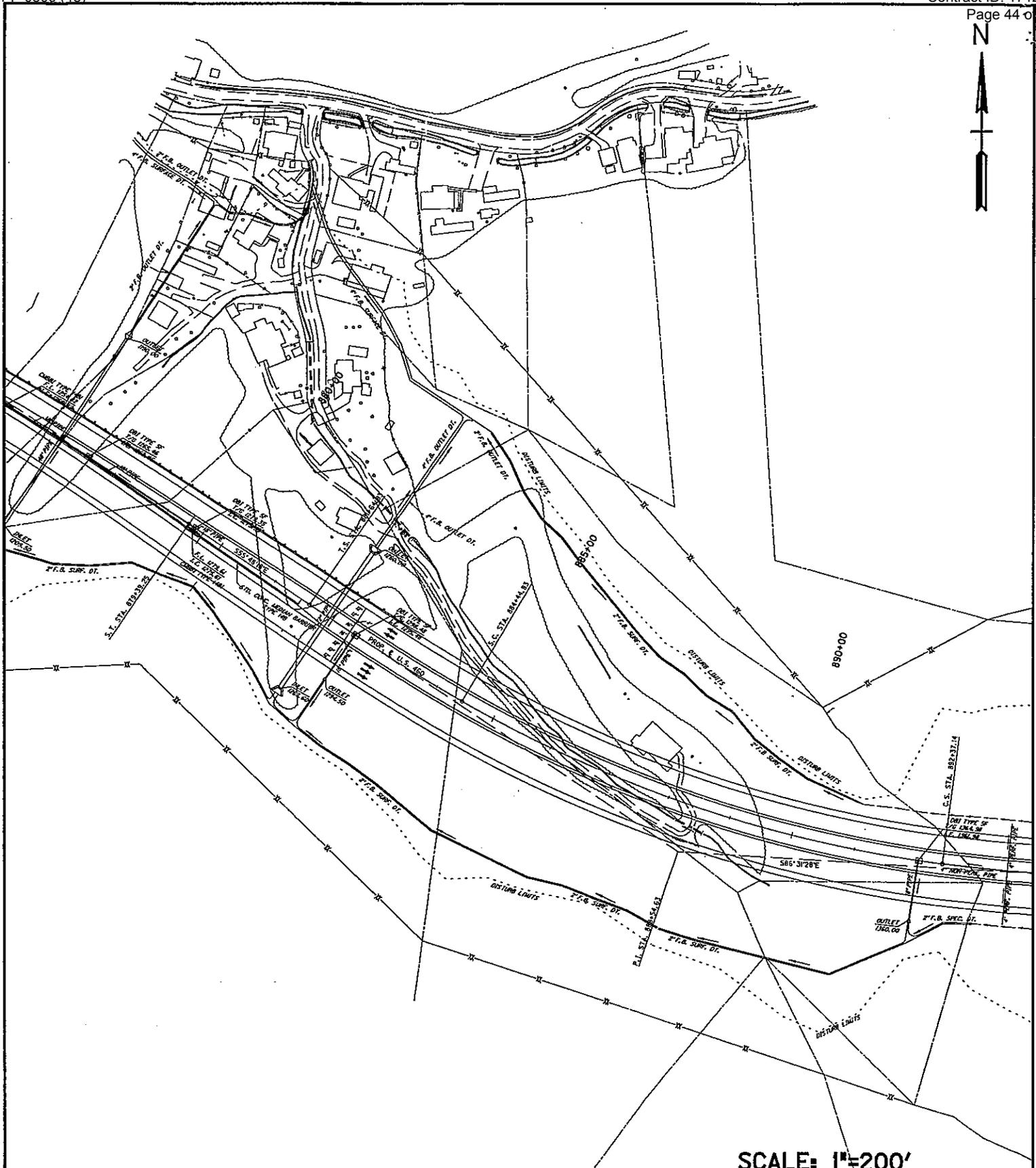
Stonecoal Fork Road Sta. 509+50 - 66' Pipe Const.	
PROPOSED ACTIVITIES:	
Stonecoal Fork	
STREAM NAME:	AT OR NEAR:
Pike	KENTUCKY
COUNTY OF:	STATE OF:
MILE POINT:	27 OF 48
ITEM NO.:	SHEET NO.



~NOTES~

APPLICATION BY
KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS

Sta. 859+50 - 60" Pipe Const., Section 1 Perennial Impact	
PROPOSED ACTIVITIES:	
Tributary to Beaver Creek	
STREAM NAME:	AT OR NEAR:
Pike	KENTUCKY
COUNTY OF:	STATE OF:
MILE POINT:	DATE: mo. /yr.
12-263.80	29 OF 48
ITEM NO.:	SHEET NO.



SCALE: 1"=200'

~NOTES~

APPLICATION BY

KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS

Sta. 882+00 - 72" Pipe Const., Diversion of Tributary to
Right Fork of Beaver Creek
PROPOSED ACTIVITIES:

Tributary to Right Fork
of Beaver Creek

STREAM NAME:

AT OR NEAR:

Pike
COUNTY OF:

KENTUCKY
STATE OF:

MILE POINT:

12-263.80
ITEM NO.:

31 OF 48
SHEET NO.

DATE: mo. /yr.



SCALE: 1"=300'

~NOTES~

APPLICATION BY

KENTUCKY TRANSPORTATION CABINET
 DEPARTMENT OF HIGHWAYS
 DIVISION OF
 ENVIRONMENTAL ANALYSIS

Diversion of tributary to Wolfpen Branch

PROPOSED ACTIVITIES:

Tributary to Wolfpen Branch

STREAM NAME:

AT OR NEAR:

Pike

KENTUCKY

COUNTY OF:

STATE OF:

MILE POINT:

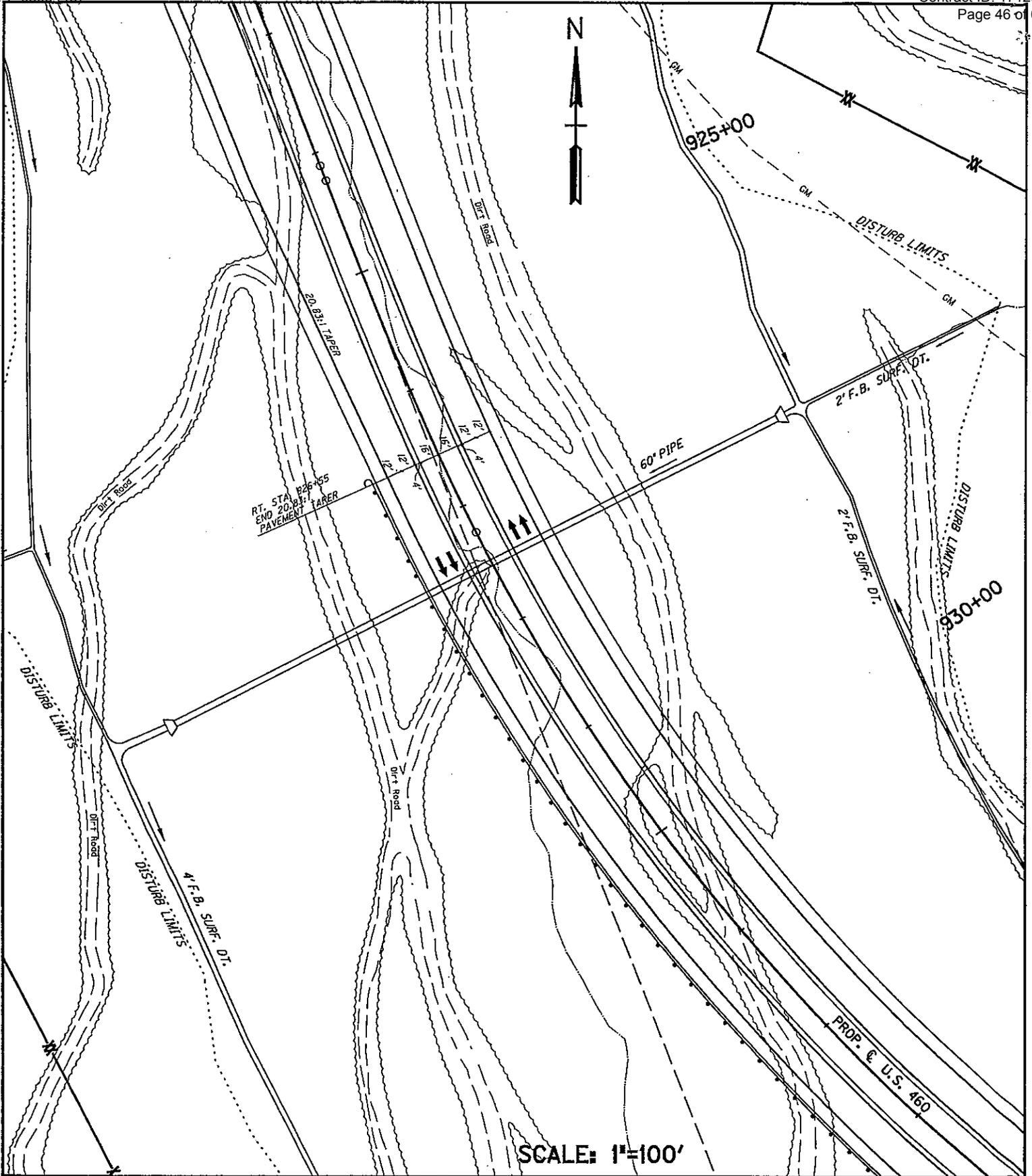
12-263.80

ITEM NO.:

33 OF 48

SHEET NO.

DATE: mo. /yr.

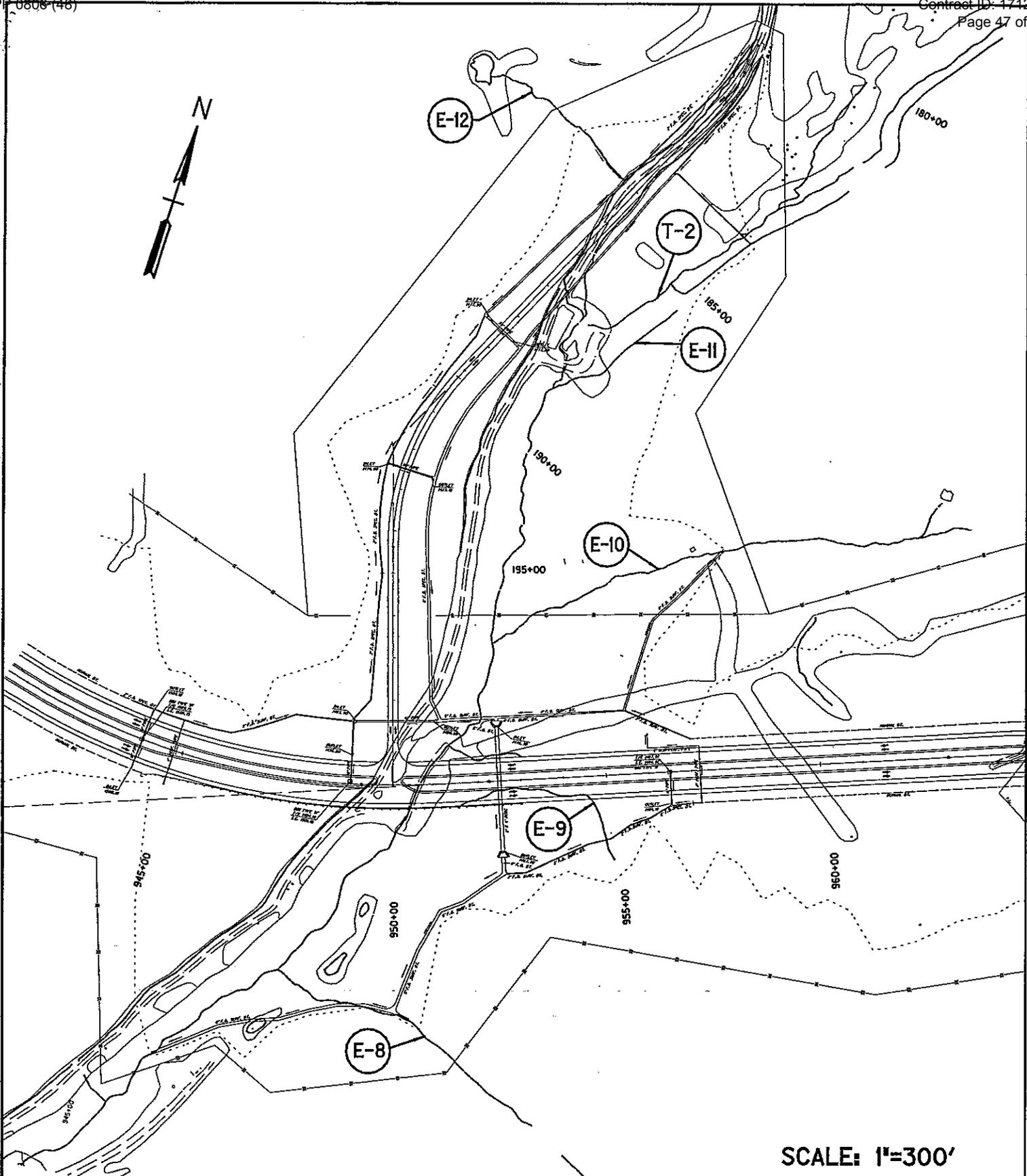


SCALE: 1"=100'

~NOTES~

APPLICATION BY
**KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS**

Sta. 927+50 - 60" Pipe Const.		
PROPOSED ACTIVITIES:		
Tributary to Wolfpen Branch		
STREAM NAME:	AT OR NEAR:	
Pike	KENTUCKY	
COUNTY OF:	STATE OF:	
	12-263.80	34 OF 48
MILE POINT:	ITEM NO.:	SHEET NO.



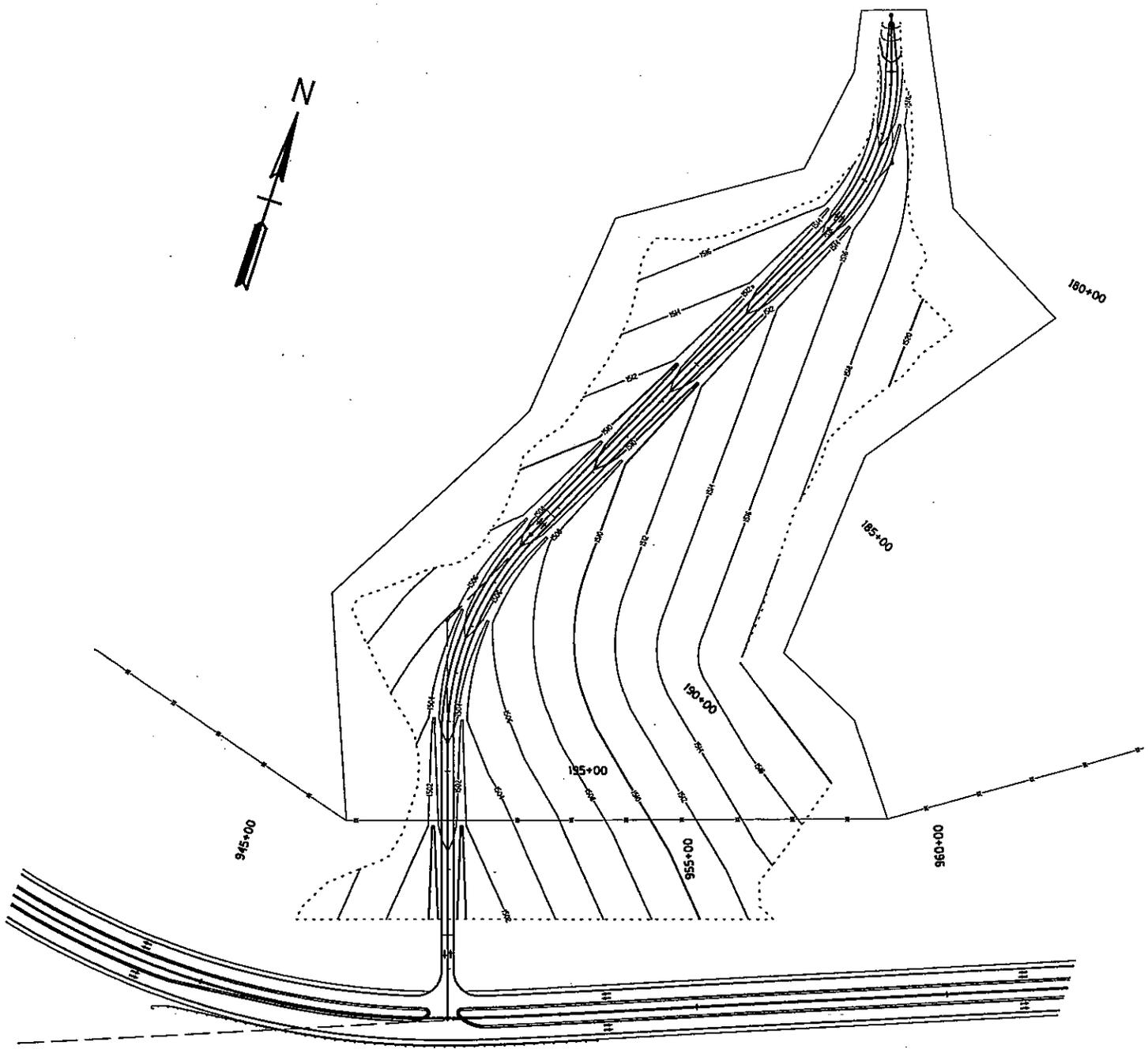
SCALE: 1"=300'

~NOTES~

APPLICATION BY

KENTUCKY TRANSPORTATION CABINET
 DEPARTMENT OF HIGHWAYS
 DIVISION OF ENVIRONMENTAL ANALYSIS

Sta. 950+00 Excess Material Site. Diversion of Wolfpen Branch	
PROPOSED ACTIVITIES:	
Wolfpen Branch	AT OR NEAR:
STREAM NAME:	KENTUCKY
Pike	STATE OF:
COUNTY OF:	
MILE POINT:	12-263.80
ITEM NO.:	36 OF 48
DATE: mo. /yr.	SHEET NO.

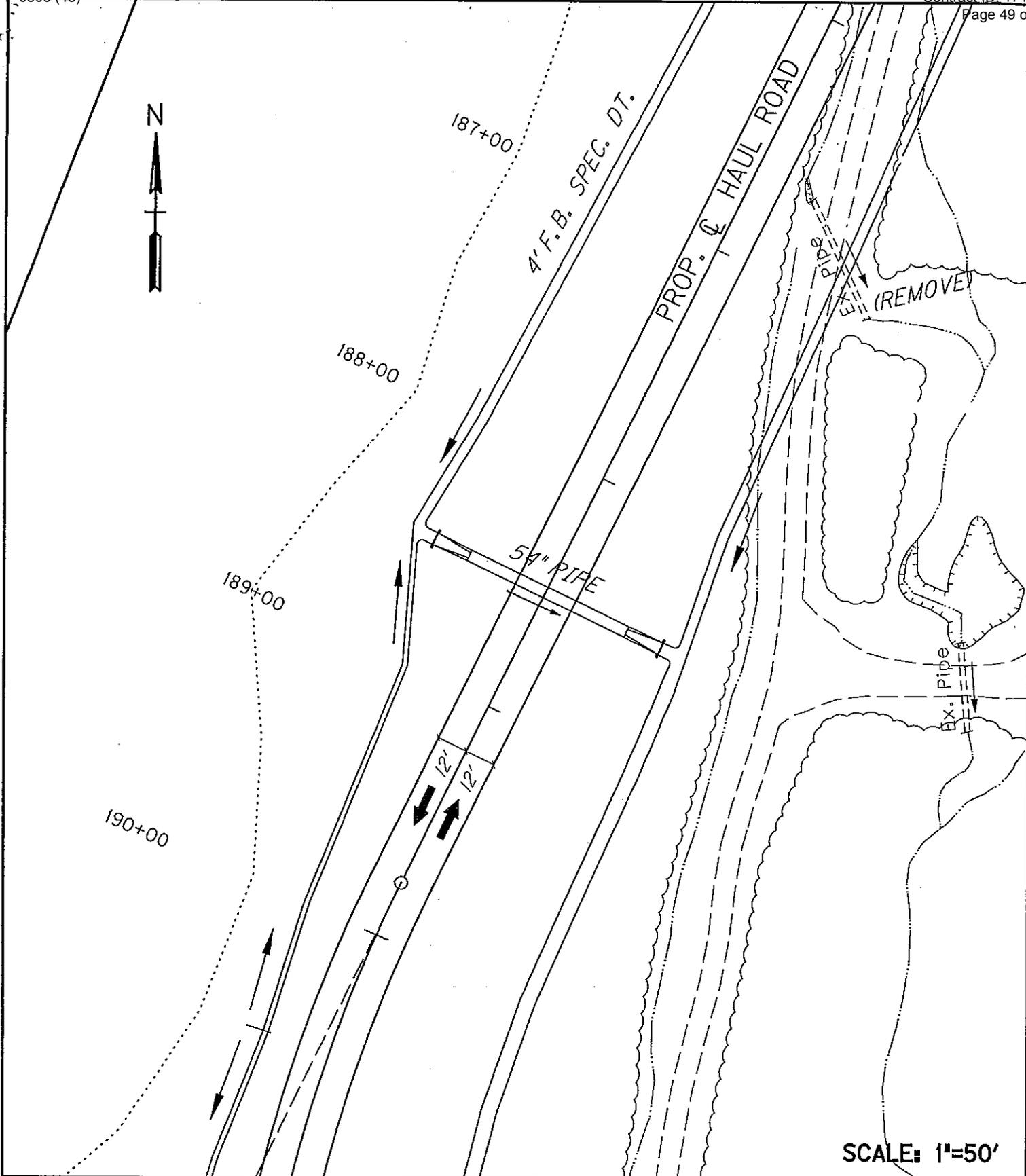


SCALE: 1"=300'

~NOTES~

APPLICATION BY
**KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS**

Diversion of Wolfpen Branch, Proposed Contours PROPOSED ACTIVITIES:		
Wolfpen Branch STREAM NAME:	AT OR NEAR:	
Pike COUNTY OF:	KENTUCKY STATE OF:	
MILE POINT:	12-263.80 ITEM NO.:	36A OF 48 SHEET NO. DATE: mo. /yr.



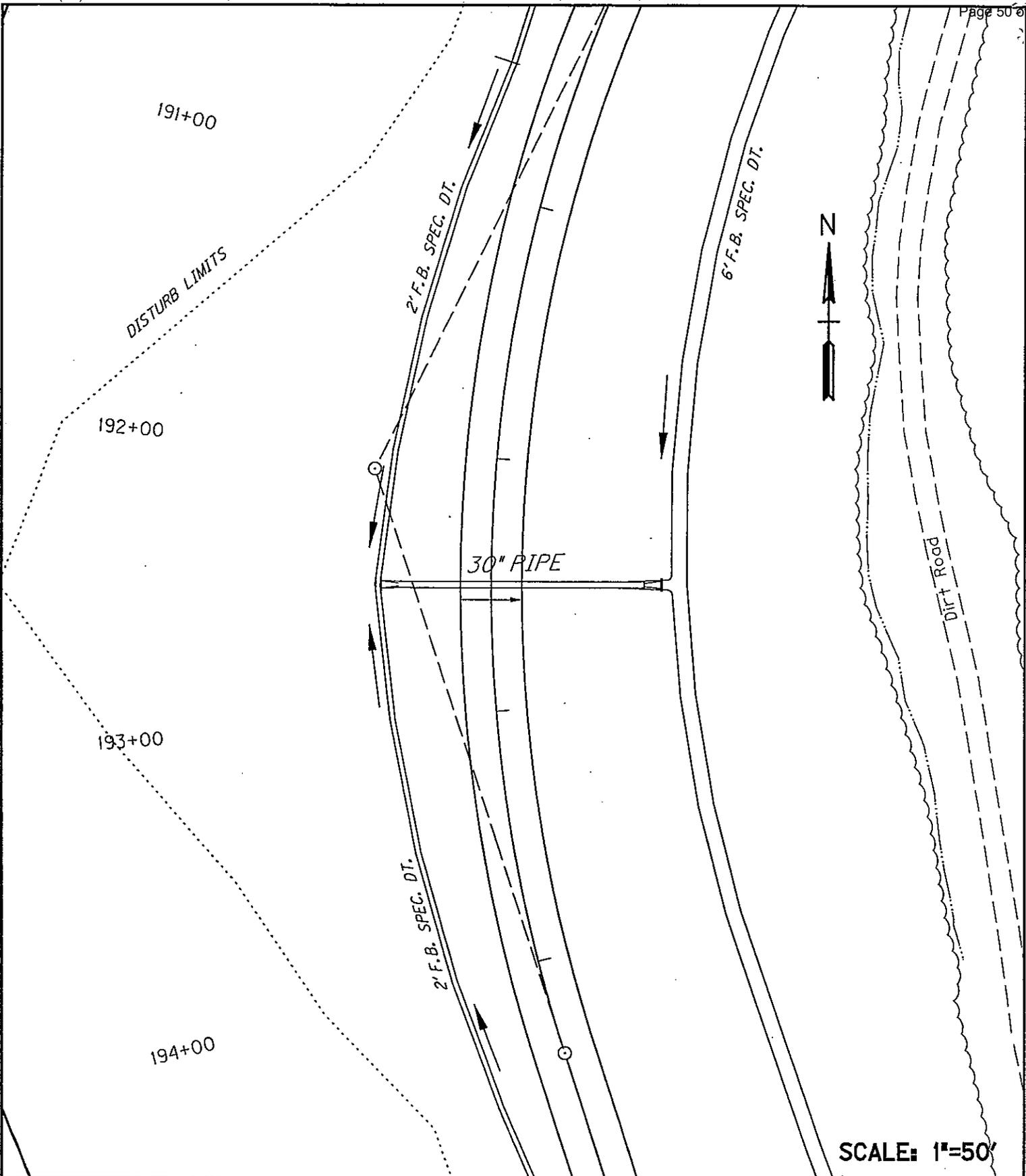
SCALE: 1"=50'

~NOTES~

APPLICATION BY
**KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS**

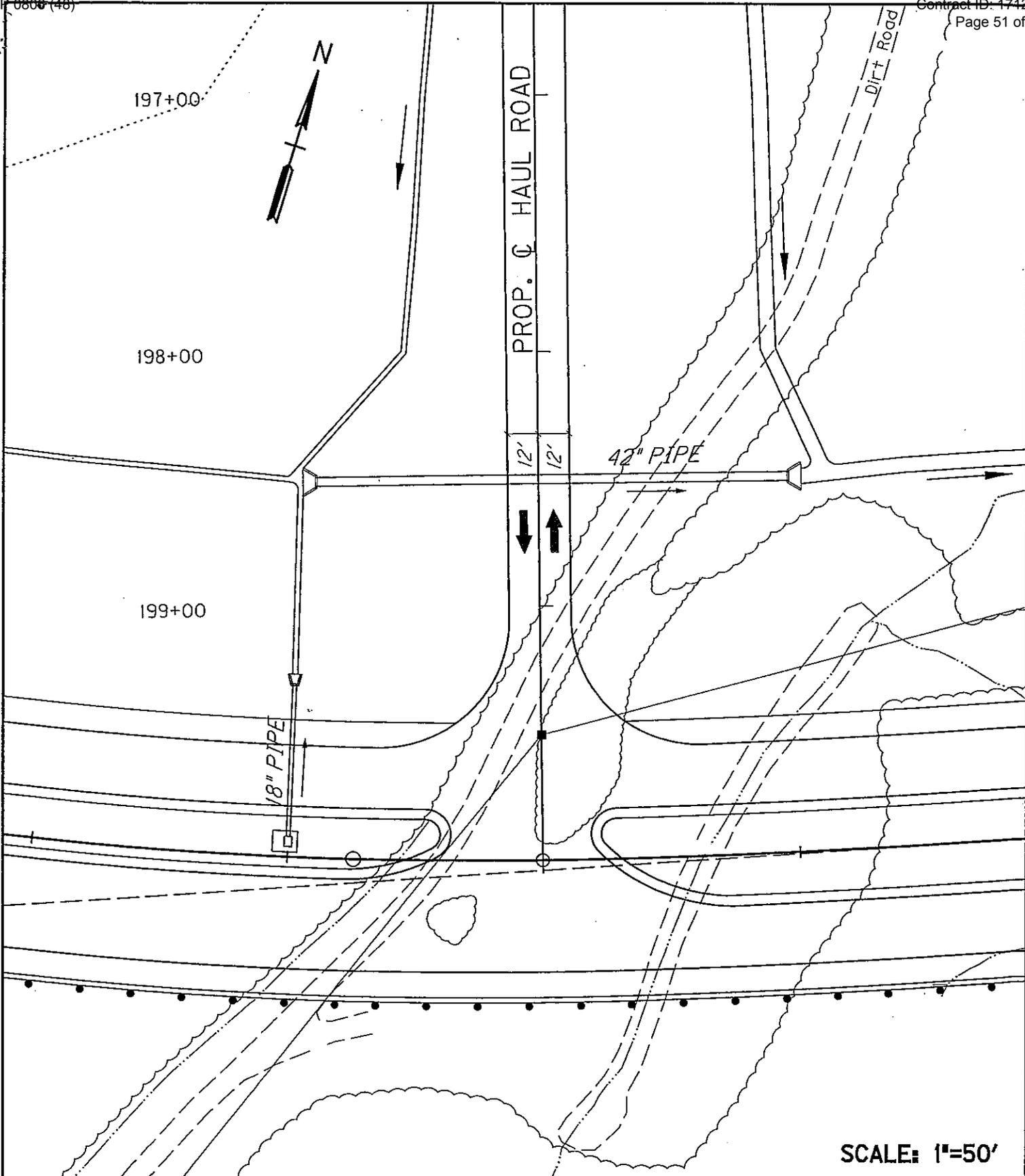
Mainline Sta. 950+00, Haul Rd. Sta. 188+50 - 54" Pipe Const.	
PROPOSED ACTIVITIES:	
Wolfpen Branch	
STREAM NAME:	AT OR NEAR:
Pike	KENTUCKY
COUNTY OF:	STATE OF:
	12-263.80
MILE POINT:	ITEM NO.:
	37 OF 48
	SHEET NO.

DATE: mo. /yr.



SCALE: 1"=50'

~NOTES~	APPLICATION BY		Mainline Sta. 950+00, Haul Rd. Sta. 192+50 - 30" Pipe Const.	
	KENTUCKY TRANSPORTATION CABINET DEPARTMENT OF HIGHWAYS DIVISION OF ENVIRONMENTAL ANALYSIS		PROPOSED ACTIVITIES:	
			Wolfpen Branch	
			STREAM NAME:	AT OR NEAR:
		Pike	KENTUCKY	
		COUNTY OF:	STATE OF:	
		MILE POINT:	12-263.80	39 OF 48
		ITEM NO.:		SHEET NO.



SCALE: 1"=50'

~NOTES~

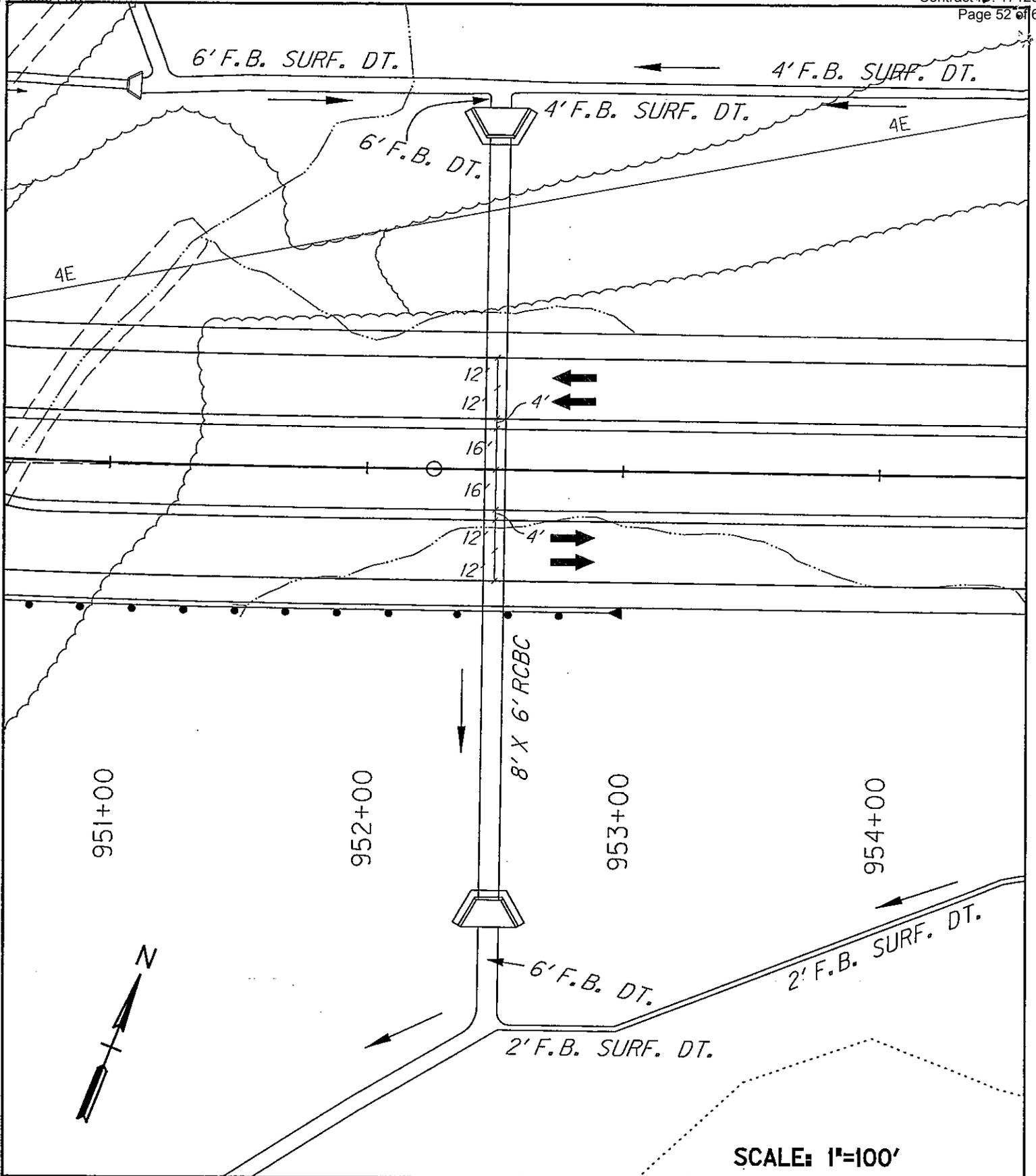
APPLICATION BY

KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS

Mainline Sta. 950+00, Haul Rd. Sta. 198+50 - 42" Pipe Const.

PROPOSED ACTIVITIES:	
Wolfpen Branch	
STREAM NAME:	AT OR NEAR:
Pike	KENTUCKY
COUNTY OF:	STATE OF:
MILE POINT:	12-263.80
ITEM NO.:	41 OF 48
	SHEET NO.

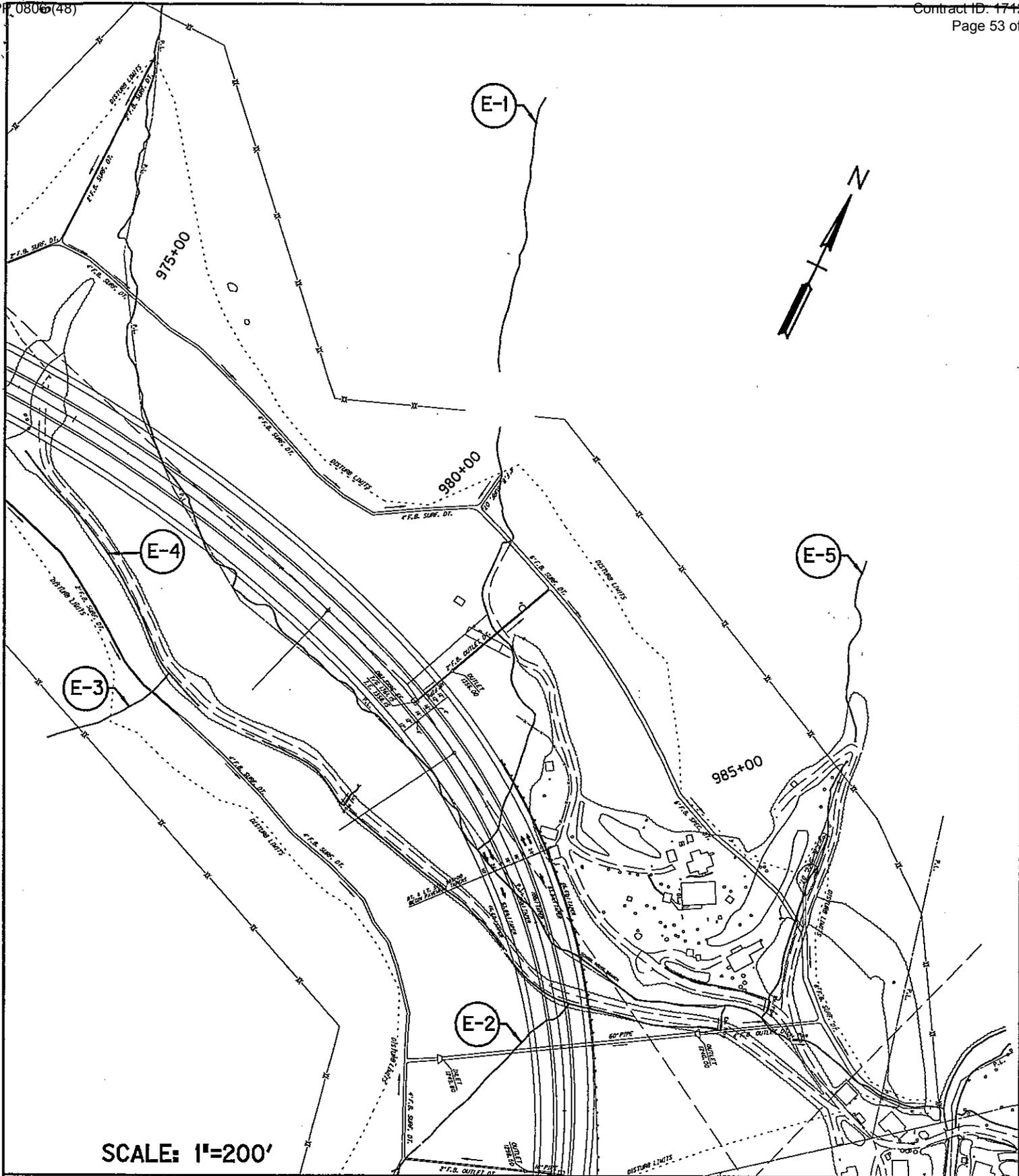
DATE: mo. /yr.



~NOTES~

APPLICATION BY
KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS

Sta. 952+50 - 8 x 6' RCBC Const.	
PROPOSED ACTIVITIES:	
Wolfpen Branch	AT OR NEAR:
STREAM NAME:	
Pike	KENTUCKY
COUNTY OF:	STATE OF:
MILE POINT:	DATE: mo / yr
12-263.80	43 OF 48
ITEM NO.:	SHEET NO.



SCALE: 1"=200'

~NOTES~

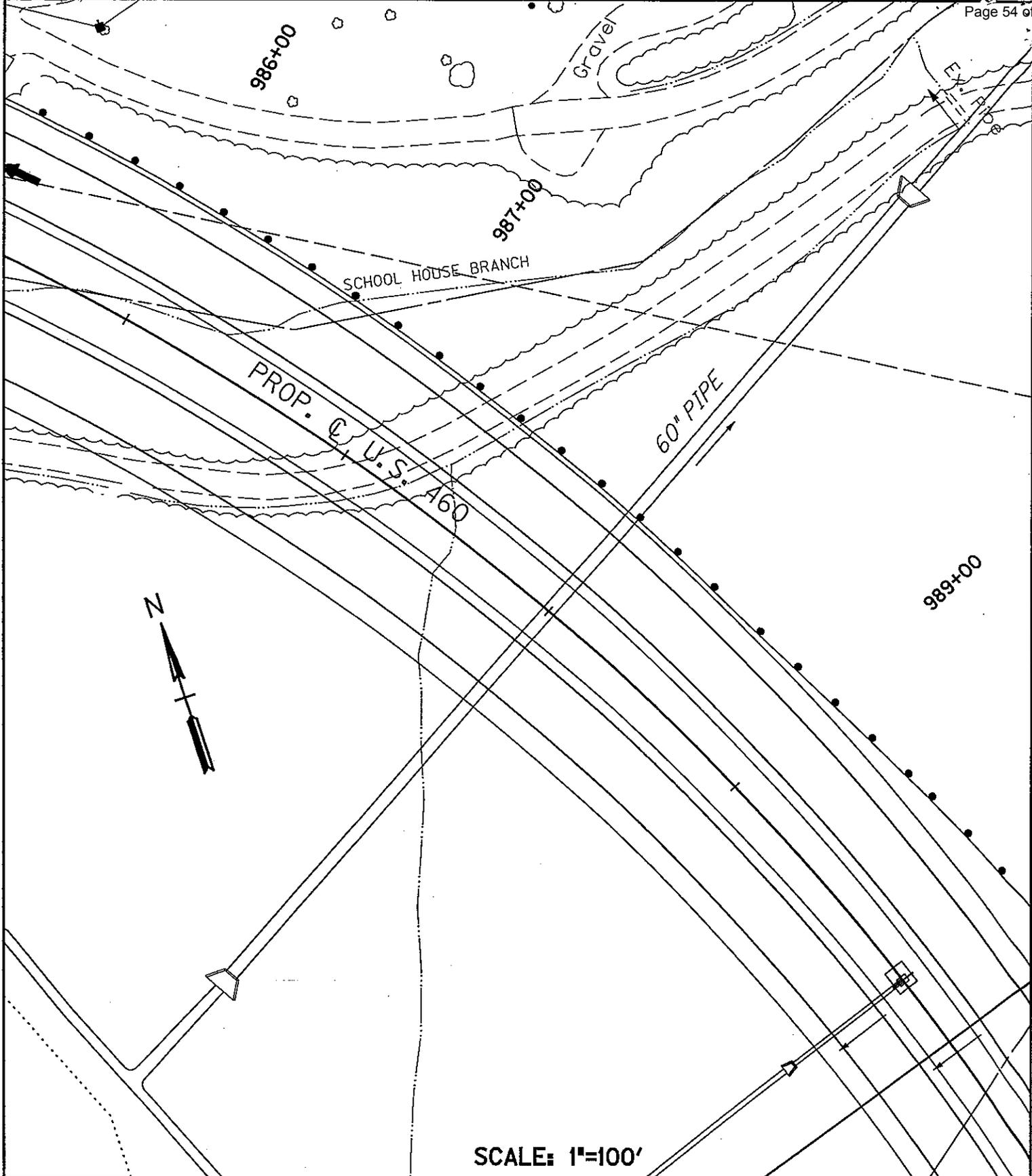
APPLICATION BY

KENTUCKY TRANSPORTATION CABINET
 DEPARTMENT OF HIGHWAYS
 DIVISION OF
 ENVIRONMENTAL ANALYSIS

Diversion of School House Branch

PROPOSED ACTIVITIES:	
School House Branch	
STREAM NAME:	AT OR NEAR:
Pike	KENTUCKY
COUNTY OF:	STATE OF:
MILE POINT:	12-263.80
ITEM NO.:	45 OF 48
SHEET NO.	

DATE: mo. /yr.

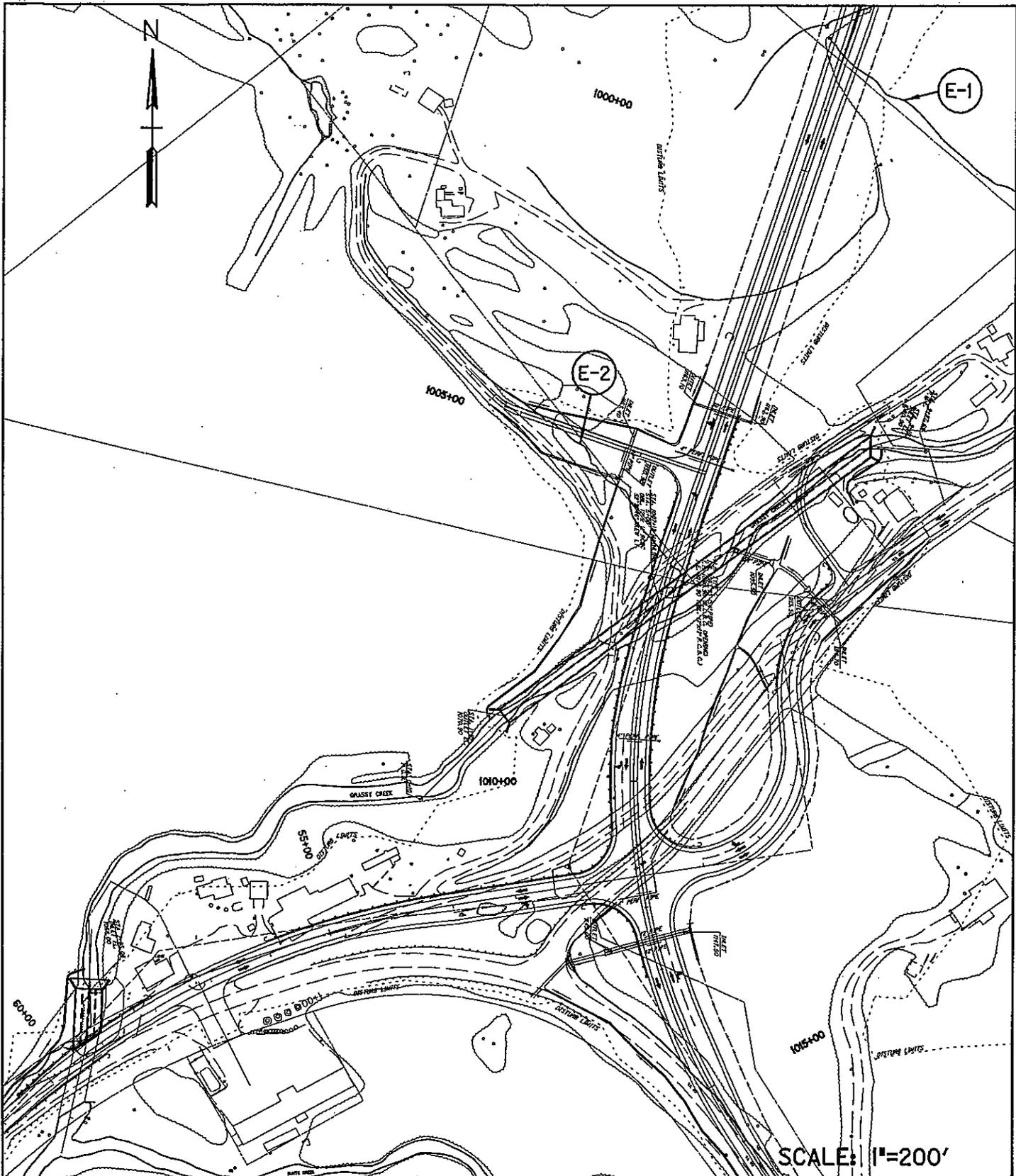


SCALE: 1"=100'

~NOTES~

APPLICATION BY
**KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS**

Sta. 988+00 - 60" Pipe Const.		
PROPOSED ACTIVITIES:		
School House Branch		
STREAM NAME:	AT OR NEAR:	
Pike	KENTUCKY	
COUNTY OF:	STATE OF:	
	12-263.80	46 OF 48
MILE POINT:	ITEM NO.:	SHEET NO.



SCALE: 1"=200'

~NOTES~

APPLICATION BY

KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DIVISION OF
ENVIRONMENTAL ANALYSIS

Sta. 998+10, fill; Sta. 1005+00, entrance pipe; Sta. 1007+12, RCBC; VA 80 Sta. 59+34.57, RCBC		
PROPOSED ACTIVITIES:		
Grassy Creek		
STREAM NAME:		AT OR NEAR:
Pike, KY / Buchanan, VA		KENTUCKY/VIRGINIA
COUNTY OF:		STATE OF:
	12-263.90	48 OF 48
MILE POINT:	ITEM NO.:	SHEET NO.

DATE: mo. /yr.



ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Ernie Fletcher
Governor

Division of Water
14 Reilly Road
Frankfort, Kentucky 40601-1190
www.kentucky.gov

NOV 28 AM 10:40
Juana S. Wilcher
Secretary

November 22, 2005

Mr. David Waldner
Transportation Cabinet
200 Mero Street
Frankfort, Kentucky 40601

Re: Water Quality Certification # 2005-0038-1
USACE Public Notice No. 2004000681
AI No.: 34826,
KTC Item # 12-263.70, Sections 7, 8, & 9V
Activity ID: APE20050001,
US-460 Russell Fork, Beaver Creek and tributaries,
Pike County, Kentucky

Dear Mr. Walden:

Pursuant to Section 401 of the Clean Water Act (CWA), the Commonwealth of Kentucky certifies it has reasonable assurances that applicable water quality standards under Kentucky Administrative Regulations Title 401, Chapter 5, established pursuant to Sections 301, 302, 303, 304, 306, and 307 of the CWA, will not be violated by the above referenced project provided that the U.S. Army Corps of Engineers authorizes the activity under 33 CFR part 330, and the following conditions are met:

The work approved by this certification shall be limited to:

- Station (Sta) 49+00 to 52+25 Relocation of 347' feet of Beaver Creek for the placement of a bridge.
- Station 1007+12 Placement of a RCBC resulting in 749' of stream loss.
- The Kentucky Division of Water (KDOW) requires mitigation for the above listed losses. KTC has chosen to pay the Kentucky Department for Fish and Wildlife Resources Stream Restoration Fund for all required mitigation. The US Army Corps of Engineers shall determine the amount of this payment.
- Sta 59+00 Placement of a box culvert into an Unnamed Tributary (UT) to Russell Fork resulting in 221' of stream loss.
- Sta 77+50 Placement of a RCBC within an UT to Russell Fork resulting in 470' of stream loss.
- Sta 205+25 Placement of a RCBC within an UT to Russell Fork resulting in 229' of stream loss.
- Sta 769+00 Placement of a pipe culvert within an UT of Beaver Creek resulting in 407' of stream loss.



Mr. Walden
Page Two

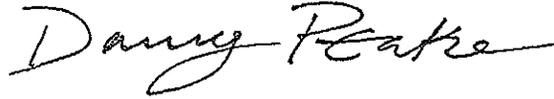
- Sta 788+50 Placement of a pipe culvert within an UT to Beaver Creek resulting in 300' of stream loss.
 - Sta 807+33 Placement of a pipe culvert within an UT to Beaver Creek resulting in 587' of stream loss.
 - Sta 859+50 Placement of a 452' RCBC within an UT Beaver Creek.
 - Sta 205+25 Placement of a RCBC within an UT to Russell Fork resulting in 229' of stream loss.
 - Sta 877+00 to 890+00 Converting 804' of a UT to Right Fork Beaver Creek to a flat bottom ditch.
 - Sta 882+00 Placement of an 852' culvert within an UT Right Fork Beaver Creek.
 - Sta 906+00 Converting 5300' of an UT to Wolfpen Branch to a flat bottom ditch.
 - Sta 927+50 Placement of a 969' culvert within an UT to Wolfpen Branch.
 - Sta 952+50 Placement of 300' box culvert within Wolfpen Branch; the KDOW shall not require mitigation for this impact.
 - Sta 967+50 to 991+00 Converting 3939' of School House Branch to a flat bottom ditch.
 - Sta 988+00 Placement of 2191' of culverts into an UT to Grassy Creek.
 - Sta 807+00 Placement of fill within an UT to Mud Lick resulting in 3939' of stream loss.
 - Sta 821+50 Placement of fill within an UT to House Log Fork resulting in 2602' of stream loss.
 - Sta 837+00 Placement of fill within an UT to Stone Coal Fork resulting in 4792' of stream loss.
 - Sta 950+00 Placement of fill within Wolfpen Branch resulting in 3472' of stream loss.
 - Sta 1005+00 Placement of a culvert within Grassy Creek resulting in 603' of stream loss.
- The KDOW does not require mitigation for the above listed impacts due to the size of the watershed (less than 250 acres) and/or length of impact:
 - KTC shall receive a CWA Section 404 permit from the Army Corps of Engineers prior to beginning this work, and shall comply with all terms and conditions of that 404 permit.

Other permits may be required from the Division of Water for this project. If this project takes place within the floodplain, a permit may be required from the Water Resources Branch. The contact person is Ali Daneshmand. If this project will disturb one acre or more of land, a KPDES general storm water permit will be required from the KPDES Branch. The contact person is Ronnie Thompson. Both can be reached at (502) 564-3410.

Mr. Walden
Page Three

All future correspondence on this project must reference AI No. 34826 shown at the top of this letter. If you should have any questions concerning the conditions of this water quality certification, please contact Mr. Danny Peake of my staff by calling (502) 564-3410.

Sincerely,



for **Jennifer Garland, Supervisor**
Water Quality Certification Section
Division of Water

JG:DP:cw
Attachment

- c: Ginger Mullins, USACE; Huntington District
- Stephanie Fulton, USEPA; Atlanta
- Roger Martin, KDOW; Hazard Regional Office
- Ted Withrow, KDOW; Morehead Regional Office

Water Quality Certification
US 460 - Pike Co
Facility Requirements

Activity ID No.: APE20050001

Narrative Requirements:

Condition No.	Condition
T-1	The work approved under this certification shall be limited to: PLEASE REFER TO COVER LETTER.
T-2	. [Clean Water Act]
T-3	All work performed under this certification shall adhere to the design and specifications set forth in the application received March 9, 2004. [Clean Water Act]
T-4	The DOW shall be notified of the date of any pre-construction meetings with the contractor selected for this project. [Clean Water Act]
T-5	The DOW shall be notified when work begins on the stream relocation portion of this project. [Clean Water Act]
T-6	The person responsible for the design of this stream relocation project shall inspect the progress of this project to assure its correct construction. [Clean Water Act]
T-7	If site conditions prevent the construction of this stream relocation project as approved, construction on the stream relocation must cease and the DOW must be contacted. [Clean Water Act]
T-8	No changes may be made in the approved stream relocation design without prior approval by DOW. [Clean Water Act]
T-9	Once the stream relocation project has begun, KTC shall submit a weekly report to DOW showing photographic evidence of the status of the project. E-mail transmittal of this report is satisfactory. [Clean Water Act]
T-10	DOW shall perform a final inspection of the stream relocation project prior to the completion of the highway project. The intent of this stream relocation project is to create a naturally stable stream channel in a new location. Should this final inspection show that this was not accomplished, KTC will be responsible for further compensatory mitigation to be determined by DOW. [Clean Water Act]
T-11	During site construction, sediment control structures shall not be placed within the channels of intermittent or perennial streams. [Clean Water Act]
T-12	During construction, heavy equipment must not enter any stream channel except over approved low water crossing structures. [Clean Water Act]

Water Quality Certification
US 460 - Pike Co
Facility Requirements

Activity ID No.: APE20050001

Narrative Requirements:

Condition No.	Condition
T-12	Existing vegetation shall be retained on site as long as possible and permanent seeding of finished areas will take place as soon as possible. [Clean Water Act]
T-13	The applicant is responsible for preventing degradation of waters of the Commonwealth from soil erosion. An erosion and sedimentation control plan must be designed, implemented and maintained in effective operating condition at all times during construction. [Clean Water Act]
T-14	The Division of Water reserves the right to modify or revoke this certification should it be determined that the activity is in noncompliance with any condition set forth in this certification. [Clean Water Act]
T-15	If construction does not commence within one year of the date of this letter, this certification will become void. A letter requesting a renewal should be submitted. [Clean Water Act]
T-16	Attached with this letter is a listing of General Conditions for Water Quality Certification that apply to this project. [Clean Water Act]
T-17	Other permits may be required from the Division of Water for this project. If this project will disturb 1 acre or more of land, a KPDES general storm water permit will be required from the KPDES Branch. The contact person is Ronnie Thompson. He can be reached at 502/564-3410. [Clean Water Act]



ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Ernie Fletcher
Governor

Division of Water
14 Reilly Road
Frankfort, Kentucky 40601-1190
www.kentucky.gov

LaJuana S. Wilcher
Secretary

ATTENTION APPLICANT

If your project involves one or more of the following activities, you may need more than one permit from the Kentucky Division of Water.

***building in a floodplain *road culvert in a stream**

***streambank stabilization *stream cleanout**

***utility line crossing a stream**

***construction sites greater than 1 acre**

- **Construction sites greater than 1 acre will require the filing of a Notice of Intent to be covered under the KPDES General Stormwater Permit. This permit requires the creation of an erosion control plan.
Contact: Ronnie Thompson**
- **Projects that involve filling in the floodplain will require a floodplain construction permit from the Water Resources Branch.
Contact: Ali Daneshmand**
- **Projects that involve work IN a stream, such as bank stabilization, road culverts, utility line crossings, and stream alteration will require a floodplain permit and a Water Quality Certification from the Division of Water.
Contact: Jenni Garland**

All three contacts listed above can be reached at 502/564-3410. A complete listing of environmental programs administered by the Kentucky Department for Environmental Protection is available from Pete Goodmann by calling 502/564-3410.

GENERAL CONDITIONS FOR WATER QUALITY CERTIFICATION

1. Measures shall be taken to prevent or control spills of fuels, lubricants, or other toxic materials used in construction from entering the watercourse.
2. All dredged material shall be removed to an upland location and/or graded on adjacent areas (so long as such areas are not regulated wetlands), to obtain original streamside elevations, i.e. overbank flooding shall not be artificially obstructed.
3. In areas not riprapped or other wise stabilized, revegetation of stream banks and riparian zones shall occur concurrently with project progression. At a minimum, revegetation will approximate pre-disturbance conditions.
4. To the maximum extent practicable, all instream work under this certification shall be performed during low flow.
5. Heavy equipment, e.g. bulldozers, backhoes, draglines, etc., if required for this project, should not be used or operated within the stream channel. In those instances where such instream work is unavoidable, then it shall be performed in such a manner and duration as to minimize resuspension of sediments and disturbance to substrates and bank or riparian vegetation.
6. Any fill or riprap including refuse fill, shall be of such composition that it will not adversely affect the biological, chemical, or physical properties of the receiving waters and/or cause violations of water quality standards. If riprap is utilized, it is to be of such weight and size that bank stress or slump conditions will not be created because of its placement.
7. If there are water supply intakes located downstream that may be affected by increased turbidity and suspended solids, the permittee shall notify the operator when work will be done.
8. Removal of existing riparian vegetation should be restricted to the minimum necessary for project construction.
9. Should evidence of stream pollution or jurisdictional wetland impairment and/or violations of water quality standards occur as a result of this activity (either from a spill or other forms of water pollution), the Kentucky Division of Water shall be notified immediately by calling 800/564-2380.

N O T I C E

KY DIVISION OF WATER

WATER QUALITY CERTIFICATION

WQC #2011-052-1
AI # APE20090002

PROJECT: Pike County (US-460), Item No. 12-0263.61
Relocation

The Kentucky Division of Water has previously approved the Section 401 activities for this project by issuance of a Water Quality Certification. In order for this authorization to be valid, the attached conditions must be followed. The contractor shall post a copy of this Water Quality Certification in a conspicuous location at the project site for the duration of construction and comply with the general conditions as required.

To more readily expedite construction, the contractor may elect to alter the design or perform the work in a manner different from what was originally proposed and specified. Prior to commencing such alternative work, the contractor shall obtain **written** permission from the Division of Construction and the appropriate permit agency. A copy of any request to alter this proposal and subsequent responses shall be forwarded to the Division of Environmental Analysis, DA Permit Coordinator, for office records and for informational purposes.



STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
200 FAIR OAKS LANE, 4TH FLOOR
FRANKFORT, KENTUCKY 40601
www.kentucky.gov

August 10, 2011

Mr. David Waldner, Director
KYTC, Division of Environmental Analysis
200 Mero Street, 5th Floor
Frankfort, KY 40622

Re: Water Quality Certification #2011-052-1
US 460 - Pike Co
KYTC Item No. 12-0263.60
AI No.: 34826
Activity ID: APE20090002
Pike County, Kentucky

Dear Mr. Waldner:

Pursuant to Section 401 of the Clean Water Act (CWA), the Commonwealth of Kentucky certifies it has reasonable assurances that applicable water quality standards under Kentucky Administrative Regulations Title 401, Chapter 10, established pursuant to Sections 301, 302, 303, 304, 306, and 307 of the CWA, will not be violated by the above referenced project provided that the U.S. Army Corps of Engineers authorizes the activity under 33 CFR part 330, and the attached conditions are met.

All future correspondence on this project must reference **AI No. 34826**. **The attached document is your official Water Quality Certification; please read it carefully.** If you should have any questions concerning the conditions of this water quality certification, please contact Adam Jackson of my staff by calling (502) 564-3410.

Sincerely,

Alan Grant, Supervisor
Water Quality Certification Section
Kentucky Division of Water

AG:AJ:aj
Attachment

cc: Todd Hagman, USACE: Louisville District
Lee Andrews, USFWS: Frankfort
Ronald Rigney II, KYTC DEA

Water Quality Certification

US 460 - Pike Co
Facility Requirements
Permit Number: WQC# 2011-052-1
Activity ID No.: APE20090002

Page 1 of 2

AAZZ0000000001 (KYTC Item No. 12-1263.60) US 460 Pike County:

Submittal/Action Requirements:

Condition No.	Condition
S-1	The Kentucky Transportation Cabinet shall submit notification: Due prior to construction commencement to the Kentucky Division of Water, Water Quality Certification Section. Notification shall confirm the purchase of 17,710.98 Ecological Integrity Units (EIUs) due to the permanent, temporal, and cumulative intermittent and perennial stream impacts (listed within this certification) and 0.9864 Wetland Credits due to the permanent, temporal, and cumulative wetland impacts from the Kentucky Department of Fish and Wildlife Resources Stream and Wetland Restoration Fund. The USACE may require a different amount. [Clean Water Act]

Narrative Requirements:

Condition No.	Condition
T-1	The work approved by this certification shall be limited to: <ul style="list-style-type: none"> - the loss of 17457 linear feet of intermittent and perennial streams within the Laurel Branch Watershed (HUC 14 #05070202030470) (Stations 546+24-590+45, 551+00, 567+11, 588+45; as well as the Laurel Branch West, South, and East Fill Areas (intermittent impacts)). - the loss of 8266 linear feet of intermittent and perennial streams within the Jessie Branch Watershed (HUC 14 #05070202030210) (Stations 645+00-658+50 (intermittent impacts), 658+50-660+70, 660+00-681+75; as well as the Jessie Branch Fill Area (intermittent and perennial impacts)). - the loss of 7246 linear feet of intermittent and perennial streams within the Dunleary Hollow Watershed (HUC 14 #05070202030160) (Stations 699+50-736+45 (perennial impact), 658+50-660+70; as well as the Dunleary Hollow Fill Area (intermittent impacts)). - the loss of 0.411 acre of wetland within the Jessie Branch Watershed (Jessie Branch Fill Area). [Clean Water Act]
T-2	The Kentucky Division of Water (KDOW) requires mitigation for the intermittent and perennial stream impacts listed within this certification for the Laurel Branch, Dunleary Hollow, and Jessie Branch Watershed areas, as well as wetland impacts listed for the Jessie Branch Fill Area. The Kentucky Transportation Cabinet (KYTC) has proposed to make an in-lieu-fee payment to the Kentucky Department of Fish and Wildlife Resources (KDFWR) to mitigate for the stream and wetland impacts associated with this project. Using the Eastern Kentucky Stream Assessment Protocol (EKSAP), the KDOW requires that the KYTC purchase 17,710.98 Ecological Integrity Units (EIUs) from the KDFWR to address the permanent, temporal, and cumulative stream impacts, as well as 0.9864 wetland credits for the permanent, temporal, and cumulative wetland impacts associated with this project. The USACE may require a different amount. [Clean Water Act]
T-3	All work performed under this certification shall adhere to the design and specifications set forth in the Water Quality Certification Application package received by the Kentucky Division of Water on November 9, 2009, as well as the revised Summary of Impacts Table submitted to the Kentucky Division of Water on June 7, 2011. [Clean Water Act]

Water Quality Certification

US 460 - Pike Co
Facility Requirements
Permit Number: WQC# 2011-052-1
Activity ID No.: APE20090002

AAZZ0000000001 (continued):

Narrative Requirements:

Condition No.	Condition
T-4	The Kentucky Transportation Cabinet shall notify the Kentucky Division of Water, Water Quality Certification Section prior to the start of project construction. [Clean Water Act]
T-5	The Kentucky Transportation Cabinet shall notify the Kentucky Division of Water, Water Quality Certification Section once project construction is complete. [Clean Water Act]
T-6	The Kentucky Transportation Cabinet is responsible for preventing degradation of waters of the Commonwealth from soil erosion. An erosion and sedimentation control plan must be designed, implemented, and maintained in effective operating condition at all times during construction. [Clean Water Act]
T-7	The Division of Water reserves the right to modify or revoke this certification should it be determined that the activity is in noncompliance with any condition set forth in this certification. [Clean Water Act]
T-8	If construction does not commence within two years of the date of this letter, this certification will become void. A letter requesting a renewal should be submitted. [Clean Water Act]
T-9	Other permits may be required from the Division of Water for this project. If this project takes place within the floodplain, a permit may be required from the Surface Water Permits Branch. The contact person is Todd Powers. If this project will disturb one acre or more of land, a KPDES general storm water permit will be required from the Surface Water Permits Branch. The contact person is Allen Ingram. Both can be reached at 502-564-3410. [Clean Water Act]



STEPHEN L.
BESHEAR
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LEONARD K. PETERS
SECRETARY

ATTENTION APPLICANT

If your project involves one or more of the following activities, you may need more than one permit from the Kentucky Division of Water.

- *building in a floodplain**
- *road culvert in a stream**
- *streambank stabilization**
- *stream cleanout**
- *utility line crossing a stream**
- *construction sites an acre or more**

- **If the project will disturb one acre or more of land, or is part of a larger common plan of development or sale that will ultimately disturb one acre or more of land, a Kentucky Pollution Discharge Elimination System (KPDES) NOI-SWCA stormwater permit shall be required from the Operational Permits Section. This permit requires the creation of an erosion control plan.
Contact Allen Ingram.**
- **Projects that involve filling in the floodplain will require a stream construction permit from the Floodplain Management Section.
Contact Todd Powers.**
- **Projects that involve work IN a stream, such as bank stabilization, road culverts, utility line crossings, and stream alteration will require a stream construction permit and a Water Quality Certification from the Water Quality Certification Section.
Contact Alan Grant.**

All three contacts listed above can be reached at 502/564-3410. A complete listing of environmental programs administered by the Kentucky Department for Environmental Protection is available from Pete Goodman by calling 502/564-3410.

GENERAL CONDITIONS FOR WATER QUALITY CERTIFICATION

1. Measures shall be taken to prevent or control spills of fuels, lubricants, or other toxic materials used in construction from entering the watercourse.
2. All dredged material shall be removed to an upland location and/or graded on adjacent areas (so long as such areas are not regulated wetlands), to obtain original streamside elevations, i.e. overbank flooding shall not be artificially obstructed.
3. In areas not riprapped or other wise stabilized, revegetation of stream banks and riparian zones shall occur concurrently with project progression. At a minimum, revegetation will approximate pre-disturbance conditions.
4. To the maximum extent practicable, all instream work under this certification shall be performed during low flow.
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