

**Appendix C (continued)**

**Second Round of Agency Comments  
re: Level-1 Alternatives**

**December 10, 2003**

David Smith



Commonwealth of Kentucky  
**Transportation Cabinet**  
Frankfort, Kentucky 40622

Maxwell C. Bailey  
~~James C. Goddard III~~  
Secretary of Transportation

Ernie Fletcher  
~~Paul Patton~~  
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~~XXXXXXXXXXXX~~  
~~XXXXXXXXXXXX~~

December 10, 2003

(See Attached List)  
«Mailing\_Title» «First\_Name» «Last\_Name»«Suffix»  
«Title»  
«Organization»  
«Address1»  
«Address2»  
«City», «State» «Zip»

Dear «Letter\_Title» «Last\_Name»:

SUBJECT: Planning Study  
Harlan, Leslie, and Perry Counties  
New or Improved Highway Between Harlan and Hazard  
Item No. 11-137.00

Several months ago, we advised you that the Kentucky Transportation Cabinet had assembled a study team to evaluate the proposed construction of a new, and/or relocation and reconstruction of an existing, highway between Harlan and Hazard.

The study has now reached the stage where several preliminary alternative corridors have been identified and are now being analyzed. Enclosed are several items that define the locations of these various alternative corridors. Please note that the term "vpd" used therein refers to "vehicles per day" or the average daily vehicular traffic either currently counted or projected for the year 2030. We now ask that you review these corridors and advise us of any specific concerns about, or preferences among, any of these corridors from your agency's perspective. We believe that early identification of issues or concerns can help us develop highway project alternatives to avoid or minimize negative impacts. We respectfully ask that you provide us with your comments by January 22, 2004 to ensure timely progress in this planning effort.



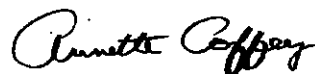
«Mailing\_Title» «First\_Name» «Last\_Name»

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December 10, 2003

We appreciate any input you can provide concerning this project. Please direct any comments, questions, or requests for additional information to Bruce Siria of the Division of Planning at 502/564-7183 or at [bruce.siria@ky.gov](mailto:bruce.siria@ky.gov). Please address all written correspondence to Annette Coffey, P.E., Director, Division of Planning, Kentucky Transportation Cabinet, 125 Holmes Street, Frankfort, KY 40622.

Sincerely,



Annette Coffey, P.E.  
Director  
Division of Planning

AC: BS:RC

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## United States Department of the Interior

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DIV OF PLANNING

2004 FEB 20 A 10:20

February 2, 2004

Ms. Annette Coffey  
Kentucky Transportation Cabinet  
125 Holmes Street  
Frankfort, Kentucky 40622

Subject: FWS #04-0423; New or improved highway between Harlan and Hazard,  
Kentucky  
KTC Item No. 11-137.00

Dear Ms. Coffey:

Thank you for your correspondence of December 8, 2003, regarding the Kentucky Transportation Cabinet's (KTC) proposed new or improved highway between Harlan and Hazard in Harlan, Leslie, and Perry Counties, Kentucky. Fish and Wildlife Service (Service) personnel have reviewed the information submitted and the following comments are provided in accordance with the provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

In general, we are concerned that highway projects frequently accelerate erosion and sedimentation in streams, resulting in adverse effects to the aquatic environment. The use of heavy equipment to move earth and existing vegetation disrupts natural drainage patterns and exposes large areas of disturbed soil to erosion. Excessive sedimentation can clog stream channels and contribute to increased flooding. It can also increase water temperatures and cause oxygen demands which can damage or destroy fish and invertebrate populations. Deposition of sediment on the channel bottom also degrades aquatic habitat by filling in substrate cavities, burying demersal eggs, and smothering bottom organisms. In addition, turbidity, as induced by accelerated erosion and sedimentation, results in further damage to aquatic systems. Increased particulate matter suspended in the water column may drive fish from the polluted area by irritating the gills, concealing forage, and/or destroying vegetation that may be essential for spawning and cover habitat for particular species. Turbidity also degrades water quality by reducing light penetration, pH and oxygen levels, and the buffering capacity of the water. Degraded water quality may continue far downstream from the point where the erosion occurs.

Prevention of excessive sedimentation can occur only through application of Best Management Practices during daily construction activities. Rigid application of your agency's construction erosion control standards can preclude most sedimentation problems. In some cases, however,

additional measures will need to be taken by on-site inspectors and construction representatives that are trained in erosion and sediment control methods. We request that you consider having an inspector on-site during all construction activities to ensure that work areas are stabilized on a daily or regular basis.

Upon review of the proposed projects, we find that the information provided is insufficient to determine if the proposed actions will require U.S. Army Corps of Engineers' permits. Since permit applications could more thoroughly reveal the extent of construction activities affecting aquatic resources, we will provide additional comments during the 404 review process should the project necessitate Corps' permits. However, we would likely have no objection to the issuance of permits if any necessary stream channel work is held to a minimum and Best Management Practices are utilized and enforced, effectively controlling erosion, sedimentation, and other potential hazards. The following conditions are specifically recommended:

1. Erosion and sediment control measures, including but not limited to the following, should be implemented on all vegetatively denuded areas:
  - a. Preventive planning: A well-developed erosion control plan which entails a preliminary investigation, detailed contract plans and specifications, and final erosion and sediment control contingency measures should be formulated and made a part of the contract.
  - b. Diversion channels: Channels should be constructed around the construction site to keep the work site free of flow-through water.
  - c. Silt barriers: Appropriate use should be made of silt fences, hay bale and brush barriers, and silt basins in areas susceptible to erosion.
  - d. Temporary seeding and mulching: All cuts and fill slopes, including those in waste sites and borrow pits, should be seeded as soon as possible.
  - e. Limitation of in-stream activities: In-stream activities, including temporary fills and equipment crossings, should be limited to those absolutely necessary.
2. Channel excavations required for pier placement should be restricted to the minimum necessary for that purpose. Overflow channel excavations should be confined to one side of the channel, leaving the opposite bank and its riparian vegetation intact.
3. All fill should be stabilized immediately upon placement.
4. Streambanks should be stabilized with riprap or other accepted bioengineering technique(s).
5. Existing transportation corridors should be used in lieu of temporary crossings where possible.

6. Good water quality should be maintained during construction.

Efficient management practices can minimize adverse impacts associated with construction. It is important that these and other measures be monitored and stringently enforced. This will aid in preserving the quality of the natural environment.

According to our records, three federally endangered species may occur within the project area. They are listed below:

<u>Common Name</u>	<u>Scientific Name</u>	<u>Federal Status</u>
blackside dace	<i>Phoxinus cumberlandensis</i>	threatened
Indiana bat	<i>Myotis sodalis</i>	endangered
gray bat	<i>Myotis grisescens</i>	endangered

According to our information, several records for the federally threatened blackside dace exist within the Cumberland River watershed in Harlan County. Blackside dace inhabit small, cool, upland streams in forested areas. Dace are normally found in pools near undercut banks or other cover such as brush or large rocks. KTC should survey the project areas within the Cumberland Watershed in Harlan County to determine the presence or absence of this species within the project area in an effort to determine if potential impacts to this species are likely. A qualified biologist, and preferably one who holds the appropriate collection permits for this species, must undertake such surveys, and we would appreciate the opportunity to approve the biologist's survey plan prior to the survey being undertaken and to review all survey results, both positive and negative. If this species is identified, we request written notification of such occurrence(s) and further coordination and consultation with you.

According to our records, summer roost habitat and/or winter hibernacula for the endangered Indiana bat (*Myotis sodalis*) and gray bat (*Myotis grisescens*) may exist within the proposed project site. Based on this information, we believe that: (1) forested areas in the vicinity of and on the project area may provide potentially suitable summer roosting and foraging habitat for the Indiana bat and potentially suitable foraging habitat for the gray bat (if suitable roosting sites are present); and (2) caves, rockshelters, and abandoned underground mines in the vicinity of and on the project area may provide potentially suitable winter hibernacula habitat for the Indiana bat and/or potentially suitable summer roosting and winter hibernacula habitat for the gray bat. Our belief that potentially suitable habitat may be present, and possibly occupied by one or both of these species, is based on the information provided in your correspondence, the fact that much of the project site and surrounding areas contain forested habitats that are within the natural ranges of these species, and our knowledge of the life history characteristics of these species.

The Indiana bat utilizes a wide array of forested habitats, including riparian forests, bottomlands, and uplands for both summer foraging and roosting habitat. Indiana bats typically roost under exfoliating bark, in cavities of dead and live trees, and in snags (i.e., dead trees or dead portions of live trees). Trees in excess of 16 inches diameter at breast height (DBH) are considered optimal for maternity colony roosts, but trees in excess of 9 inches DBH appear to provide suitable maternity roosting habitat. Male Indiana bats have been observed roosting in trees as small as 3 inches DBH.

Prior to hibernation, Indiana bats utilize the forest habitat around the hibernacula, where they feed and roost until temperatures drop to a point that forces them into hibernation. This "swarming" period lasts, depending on weather conditions in a particular year, from about September 15 to about November 15. This is a critical time for Indiana bats, since they are acquiring additional fat reserves and mating prior to hibernation. Research has shown that bats exhibiting this "swarming" behavior will range up to five miles from chosen hibernacula during this time. For hibernation, the Indiana bat prefers limestone caves, sandstone rockshelters, and abandoned underground mines with stable temperatures of 39 to 46 degrees F and humidity above 74 percent but below saturation.

Gray bats roost, breed, rear young, and hibernate in caves year round. They migrate between summer and winter caves and will use transient or stopover caves along the way. For hibernation, the roost site must have an average temperature of 42 to 52 degrees F. Most of the caves used by gray bats for hibernation have deep vertical passages with large rooms that function as cold air traps. Summer caves must be warm, between 57 and 77 degrees F, or have small rooms or domes that can trap the body heat of roosting bats. Summer caves are normally located close to rivers or lakes where the bats feed. Gray bats have been known to fly as far as 12 miles from their colony to feed.

Because we have concerns relating to these species on this project and due to the lack of occurrence information available on these species relative to the proposed project area, we have the following recommendations relative to Indiana bats and gray bats.

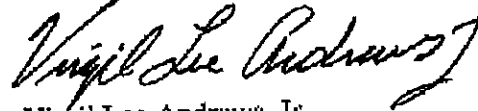
- 1) Since a number of caves containing Indiana bats and/or gray bats are known to occur in eastern Kentucky, we believe that it is reasonable to assume that other caves, rockshelters, and/or abandoned underground mines may occur within the project area, and, if they occur, they could provide winter habitat for Indiana bats and/or summer and winter habitat for the gray bat. Therefore, we recommend that the KTC survey the project area for caves, rockshelters, and underground mines, identify any such habitats that may exist on-site, and avoid impacts to those sites pending an analysis of their suitability as Indiana bat and/or gray bat habitat by this office.
- 2) Since known hibernacula exists less than 10 miles from the proposed project corridors, we recommend the KTC only remove trees between November 15 and March 31 in order to avoid impacting Indiana bat "swarming" behavior.

If these recommendations cannot be accomplished, the KTC should survey the project area to determine the presence or absence of the species within the project area in an effort to determine if potential impacts to these species are likely. A qualified biologist who holds the appropriate collection permits for these species must undertake such surveys, and we would appreciate the opportunity to approve the biologist's survey plan prior to the survey being undertaken and to review all survey results, both positive and negative. If any Indiana bats and/or gray bats are identified, we request written notification of such occurrence(s) and further coordination and consultation with the KTC. Surveys would not be necessary if sufficient site-specific

information was available that showed: (1) that there is no potentially suitable habitat within the project area or its vicinity or (2) that the species would not be present within the project area or its vicinity due to site-specific factors.

Thank you for the opportunity to comment on this proposed action. If you have any questions regarding the information which we have provided, please contact Mindi Brady at (502)695-0468 (ext.229).

Sincerely,



Virgil Lee Andrews, Jr.  
Field Supervisor



DEPARTMENT OF THE ARMY  
NASHVILLE DISTRICT, CORPS OF ENGINEERS  
3701 Bell Road  
NASHVILLE, TENNESSEE 37214

DIV OF PLANNING

2004 JAN 14 P 3:55

REPLY TO  
ATTENTION OF:

January 7, 2004

Regulatory Branch

SUBJECT: File No. 200400012; Proposed New Highway and Highway Improvements between Harland and Hazard, Harlan, Leslie, and Perry Counties, Kentucky

Commonwealth of Kentucky  
Transportation Cabinet  
Attn: Annette Coffey, PE  
Director, Division of Planning  
125 Holmes Street  
Frankfort, Kentucky 40622

Dear Ms Coffey:

This is in response to the December 8, 2003 memorandum from your office requesting our comments on the proposed subject project. Please refer to File No. 200400012 in future correspondence with us concerning this project.

As you are aware, our particular concerns center around potential construction activities in waters of the United States, including wetlands. Discharges of dredged or fill material into waters of the US are subject to Department of the Army (DA) permitting authority under Section 404. The potential work areas should be surveyed for the presence of waters of the United States and federally regulated wetlands. Impacts to these areas should be identified.

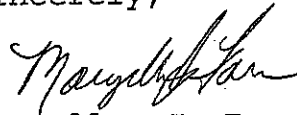
Our permitting requirements would depend on the specific plans and stream impacts occurring from the project. Activities that avoid the discharge of dredged or fill material into waters of the United States altogether would not require a Section 404 permit. Stream crossing activities that would not involve major stream alterations or fills could possibly meet the scope of work already authorized under our Nationwide Permit (NWP) program.

Impacts to waters of the United States as well as methods to minimize such impacts need to be addressed in the EA document. The design for the highway construction and improvements must avoid impacts or adverse modification to the waters of the United States to the extent practicable. The construction of bridges that span creeks and streams (rather than culverts), limiting approach fills to areas above the ordinary high water mark, and avoiding stream relocations and wetland fills whenever practicable are ways that must be considered and addressed.

If the potential project includes work requiring a DA permit, please submit DA permit applications, plans, proposed mitigation plans, and supporting environmental documentation to this office in a timely manner. Our permit application review includes application of the Section 404(b)(1) Guidelines, which restrict discharges into aquatic areas where less environmentally damaging practicable alternatives exist. Our permit evaluations include a sequential process for mitigation or impacts - avoidance, minimization, and compensatory mitigation. Therefore, we encourage a construction plan that would avoid aquatic resource impacts.

If you have any question regarding this matter, please contact me at the above address, telephone (615)369-7517.

Sincerely,



Maryellen J. Farmer  
Regulatory Specialist  
Operations Division





85 South Laurel Road  
Suite 3  
London, KY 40744-8300  
606-864-2180 extension 3

---

Ms. Annette Coffey, P.E.  
Director, Division of Planning  
Kentucky Transportation Cabinet  
125 Holmes Street  
Frankfort, KY 40622

Dear Ms. Coffey:

In regards to your request for information on the planning study for Harlan, Leslie, and Perry Counties in constructing a new or improved highway between Harlan and Hazard, item no. 11-137.00.

NRCS would prefer to use the route that would least disturb prime farmland, wetlands, or any type of cultural resources. For this office to make an informed decision I will need larger maps and more detailed information on your alternative routes.

Sincerely

A handwritten signature in black ink, appearing to read "Jeff Moore", is written over the word "Sincerely".

Jeff Moore  
District Conservationist

---

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment. AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER.

DIV OF PLANNING  
2004 JAN 21 A 10: 01



APPALACHIAN  
REGIONAL  
COMMISSION

*A Proud Past,  
A New Vision*

DIV OF PLANNING

2003 DEC 22 A 10:34

December 19, 2003

Ms. Annette Coffey, P.E.  
Director  
Division of Planning  
Kentucky Transportation Cabinet  
125 Holmes Street  
Frankfort, KY 40622

Dear Ms. Coffey:

Thank you for your December 8, 2003 letter offering the Appalachian Regional Commission (ARC) an opportunity to comment on the preliminary alternatives that have been identified for a new or improved highway between Harlan and Hazard. (Harland, Leslie, and Perry Counties)


As we noted in our August 8, 2003 letter the proposed project connects two Appalachian Development Highway System (ADHS) corridors, Corridor F (US 119) near Harlan and Corridor I near Hazard. The proposed project will enhance the potential for economic and social development in this area of Kentucky as well as the Appalachian Region.

Based upon the information provided in your submission and since Alternate 7 provides a direct connection between the termini as well as to Corridor B (US 23) via SR 80, it appears that Alternate 7 would provide the greatest potential for economic and social development. However, we would encourage you to evaluate the economic and social development of each alternate as part of the corridor selection process.

The ARC would like to continue to be involved in this project throughout the project development process.

Should you have any questions please do not hesitate to contact me at (202) 884 7706.

Sincerely:

  
Edward A. Terry, Jr.  
Senior Transportation Advisor

Cc:

Mr. Jose M. Sepulveda - FHWA

Mr. Ewell Balltrip - KAC

Ms. Peggy Satterly - KY ARC

BILLY RAY SMITH  
COMMISSIONER



OFFICE TELEPHONE  
(502) 564-4696  
FAX: (502) 564-2133  
TTY: (502) 564-2075

COMMONWEALTH OF KENTUCKY  
DEPARTMENT OF AGRICULTURE  
500 MERO STREET, 7TH FLOOR  
FRANKFORT, KY 40601

December 15, 2003

Ms. Annette Coffey, P.E.  
Director  
Division of Planning  
Kentucky Transportation Cabinet  
125 Holmes Street  
Frankfort, KY 40622

SUBJECT: Planning Study  
Harlan, Leslie, and Perry Counties  
New or Improved Highway Between Harlan and Hazard

Ms. Coffey:

In response to the planning study in Harlan, Leslie and Perry Counties, the Department of Agriculture is interested in the impact that the proposed highway project will have on agriculture in the area. The agricultural industry is important to all of Kentucky, especially the rural areas such as Harlan, Leslie and Perry Counties.

Changes in agriculture not only affect farmers directly, but they also trickle throughout the entire economy making impacts on many other businesses. This fact makes it sensible to give land that is considered prime and statewide unique special consideration. Alternatives that disrupt the least amount of farmland should be seriously considered since agriculture is vital to the overall well-being of rural Kentucky and its citizens.

Feel free to contact me for any additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ira Linville".

Ira Linville  
Executive Director  
Office of Environmental Services



An Equal Opportunity Employer M/F/D

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[www.kyagr.com](http://www.kyagr.com)

DIV OF PLANNING  
2003 DEC 17 A 8:39



UNIVERSITY OF KENTUCKY

**Kentucky Geological Survey**

*Research and Graduate Studies  
228 Mining and Mineral Resources Building  
Lexington, KY 40506-0107  
Phone: (859) 257-5500  
Fax: (859) 257-1147  
[www.uky.edu/kgs](http://www.uky.edu/kgs)*

December 24, 2003

Annette Coffey, P.E.  
Director  
Division of Planning  
Kentucky Transportation Cabinet  
125 Holmes Street  
Frankfort, Kentucky 40622

Dear Ms. Coffey:

This letter is to summarize any geologic concerns for the planning study:

Harlan, Leslie, and Perry Counties  
New and improved highways between Harlan and Hazard.  
Item No. 11-137.00

Upon reviewing the alternate routes proposed within this planning study, I find that there are no new geologic concerns other than the ones that were brought up in the August 26, 2003, letter.

A copy of this letter is included.

Sincerely,

A handwritten signature in black ink that reads "Richard A. Smath".

Richard A. Smath  
Geologist

cc: Richard Wilson





UNIVERSITY OF KENTUCKY

**Kentucky Geological Survey**

Research and Graduate Studies  
228 Mining and Mineral Resources Building  
Lexington, KY 40506-0107  
Phone: (859) 257-5500  
Fax: (859) 257-1147  
[www.uky.edu/kgs](http://www.uky.edu/kgs)

August 26, 2003

Annette Coffey, P.E.  
Director  
Division of Planning  
Kentucky Transportation Cabinet  
125 Holmes Street  
Frankfort, Kentucky 40622

Dear Ms. Coffey:

This letter is to summarize any geologic concerns for the planning study:

Harlan, Leslie, and Perry Counties  
New and improved highways between Harlan and Hazard.  
Item No. 11-137.00

**Physiographic Region**

The planning study area is in the Eastern Kentucky Coal Field, which is underlain by sandstone, shale, silty shale, siltstone, coal, and underclay. The southern boundary of the planning study parallels the east-west axis of Pine Mountain, which has limestone in addition to sandstone, shale, silty shale, siltstone, coal, and underclay.

**Karst Potential**

The planning study might encounter karst features, such as sinkholes and caves, in a narrow zone along the south side of Pine Mountain.

**Landslide Potential**

The planning study would encounter pre- or post-landslide hazards, especially along the southern flank of Pine Mountain in the south-dipping beds of sandstone and shale. Where slopes have formed on relatively competent beds of sandstone, they would likely remain stable unless undercut. Any new construction should be planned to avoid disturbing the natural conditions of equilibrium. North of Pine Mountain, pre- or post landslide hazards would be likely in the large marine shale zones, especially when they become wet.

**Unconsolidated Sediments**

The planning study would encounter unconsolidated sediments at or near stream drainage, such as gravel, sand, and silt.



**Resource Conflicts**

The planning study might encounter some resource conflicts such as prior ownership of property for coal.

**Materials Suitability**

The planning study would probably not encounter any material suitable for construction stone because the gravel would have coal and clay intermixed.

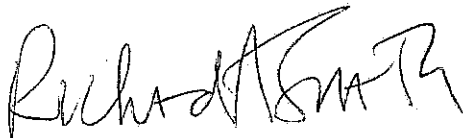
**Fault Potential**

The planning study would encounter a fault north of the town of Baxter across Ky. 119.

**Earthquake Zone**

The planning study area has a probable peak ground acceleration (PGA) due to earthquake ground motion of 0.09g, except in Harlan County, where the PGA would be 0.15g. There would be a very low potential for liquefaction or slope failure in the unconsolidated sediments at or near streams caused by earthquake bedrock ground motion, except in Harlan County, where the potential for failure would be slightly greater.

Sincerely,



Richard A Smath  
Geologist

cc: Richard Wilson



**ENVIRONMENTAL AND PUBLIC PROTECTION CABINET**  
**DEPARTMENT FOR NATURAL RESOURCES**  
DIVISION OF FORESTRY  
LEAH W. MACSWORDS, DIRECTOR  
627 COMANCHE TRAIL  
FRANKFORT, KENTUCKY 40601

January 20, 2004

Annette Coffey, P.E.  
Director  
Division of Planning  
Kentucky Transportation Cabinet  
125 Holmes Street  
Frankfort, Kentucky 40622

Dear Ms. Coffey:

Re: Planning Study -- Harlan, Leslie, and Perry Counties  
New or Improved Highway Between Harlan and Hazard  
Item No. 11-117.00

After reviewing the Planning Study for the proposed highway project from Harlan to Hazard, it appears from the maps supplied with the study that Alternatives 4, 5, 6, and 7 would require the construction of a new crossing over Pine Mountain through Kentenia State Forest. Although we recognize the need for road improvement in the area, we believe an alternative with the least amount of damage to the unique natural areas found on Pine Mountain and within Kentenia State Forest would be in the best interest of Kentenia State Forest and the Commonwealth.

If we can be of further assistance please contact us.

Sincerely,

  
Leah W. MacSwords  
Director

LWM:fap

DIV OF PLANNING  
2004 JAN 21 P 1:45





COMMONWEALTH OF KENTUCKY  
**ENVIRONMENTAL AND PUBLIC PROTECTION CABINET**  
DEPARTMENT FOR SURFACE MINING RECLAMATION & ENFORCEMENT  
FRANKFORT, KENTUCKY 40601  
**ALLEN LUTTRELL**  
COMMISSIONER

January 12, 2004

Annette Coffey, P.E., Director  
Division of Planning  
125 Holmes Street  
Frankfort, KY 40601

RE: Planning Study  
Harlan, Leslie, and Perry Counties  
New or Improved Highway between Harlan and Hazard  
Item Number 11-137.00

Dear Ms. Coffey:

Thank you for the opportunity to review and comment on the above referenced proposed highway construction project.

Personnel from our department's field offices have conducted a review of the information provided and have identified two active rock quarries in this area. One quarry is located on US 421 in Harlan County (Latitude 36 Degrees 54' 00" and Longitude 83 degrees 19' 48"). This quarry is permitted by Nally & Haydon (Permit Number 048-9400). The other quarry is located in Letcher County on KY 160 (Latitude 36 degrees 59' 09" and Longitude 83 degrees 01' 26"). This quarry is permitted by Nally & Haydon (Permit Number 067-9401). These two quarries generate a substantial amount of traffic in these areas.

If I, or my staff can be of any further assistance in this or any matter, please don't hesitate to contact me at (502) 564-6940.

Sincerely,

A handwritten signature in black ink that reads "Allen Luttrell".

Allen Luttrell  
Commissioner

AL/JM/aw

2004 JAN 14 P 3:47  
DIV OF PLANNING



COMMONWEALTH OF KENTUCKY  
**ENVIRONMENTAL AND PUBLIC PROTECTION CABINET**  
DEPARTMENT FOR SURFACE MINING RECLAMATION & ENFORCEMENT  
FRANKFORT, KENTUCKY 40601  
ALLEN LUTTRELL  
COMMISSIONER

# Memorandum

**To:** Annette Coffey, P.E.  
**From:** Chet Edwards, Environmental Control Supervisor *CE*  
**Date:** 1/21/2004  
**Re:** Requested information on improved highway project between Harlan and Hazard

---

I received the information requesting our comments on the planning study for the improved or new highway between Harlan and Hazard item No. 11-137.00. Thank-you for your consideration in this matter. Presently, the London Regional Office has several sites that could potentially be affected. The information I received was difficult to follow because the map scale and the number of suggested routes tended to make the map "busy". I have asked our GIS folks to furnish us a map with our latest permit activity in these areas. I received the map last Wednesday. They took the footprint you supplied us and enlarged it. Our sites are designated with a "bullet" followed by a series of seven (7) numbers. The sites range from active mining, to reclaimed but no final bond release. The numbers do not differentiate the "status" of each site. We can make that distinction for any inquiry.

I'm sure the map scales do not match, but I don't think it will be too much trouble to overlay your routes on the map. If you would be able to accomplish that we can narrow our potentially affected inventory considerably.

I apologize for the delay. The new administration has caused differences in the way we are doing things now and it has taken time to adjust. I hope this has not caused you any undo delays. I will place the map in the mail today and also attach a hard copy of this memo for your records.

Again, thank-you for your consideration in this project and let me know if we can be of any further assistance.





COMMONWEALTH OF KENTUCKY  
**NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET**  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION  
DIVISION FOR AIR QUALITY  
803 SCHENKEL LN  
FRANKFORT KY 40601-1403

December 22, 2003

Ms. Annette Coffey, P.E.  
Director, Division of Planning  
Kentucky Transportation Cabinet  
125 Holmes Street  
Frankfort, Kentucky 40622

Dear Ms. Coffey,

The Division has reviewed the more advanced Planning Study for the new or improved highway between Harlan and Hazard in Harlan, Leslie, and Perry Counties, Item Number 11-137.00. The Division previously addressed this Planning Study in a letter dated July 23, 2003. The following Kentucky Administrative Regulations still apply to this proposed project:

Kentucky Division for Air Quality Regulation **401 KAR 63:010** Fugitive Emissions states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth moving equipment to be deposited onto a paved street or roadway. Please note the Fugitive Emissions Fact Sheet located at [http://www.air.ky.gov/e\\_clearinghouse.html](http://www.air.ky.gov/e_clearinghouse.html).

Kentucky Division for Air Quality Regulation **401 KAR 63:005** states that open burning is prohibited. Open Burning is defined as the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Fact Sheet incorporated by reference in 401 KAR 63:005 Section 3, Prohibition of Open Burning. The Fact Sheet is located at [http://www.air.ky.gov/e\\_clearinghouse.html](http://www.air.ky.gov/e_clearinghouse.html).

Finally, the projects listed in this document must meet the conformity requirements of the Clean Air Act as amended and the transportation planning provisions of Title 23 and Title 49 of United States Code.



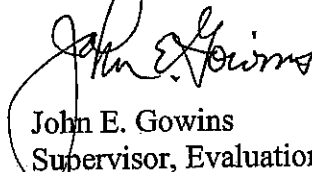
Ms. Annette Coffey Letter

December 22, 2003

Page 2

Every effort should be made to maintain compliance with the preceding regulations and requirements. The Division also suggests an investigation into compliance with applicable regulations in the local governments. If there are any questions relating to this matter, please contact me at (502) 573-3382 extension 347.

Sincerely,

A handwritten signature in black ink that reads "John E. Gowins". The signature is written in a cursive style with a large, looping initial "J".

John E. Gowins  
Supervisor, Evaluation Section  
Program Planning & Administration Branch

JEG/jmf

**Siria, Bruce (KYTC)**

---

**From:** Nicholson, Melvin (KSP)  
**Sent:** Tuesday, December 23, 2003 3:07 PM  
**To:** Siria, Bruce (KYTC)  
**Subject:** Road Construction

Mr. Siria

I have reviewed the correspondence from Ms. Annette Coffey reference the planning study on the proposed construction of a new highway between Harlan and Hazard.

I have nothing to add to the plans, but if we can be of assistance to you on this project, please don't hesitate to contact me at the numbers listed below.

**Captain Melvin D. Nicholson**  
**Post Commander**  
**Kentucky State Police Post 10 Harlan**  
**3319 South U.S 421**  
**Harlan, Kentucky 40831**  
Melvin.Nicholson@mail.state.ky.us  
**Fax: (502) 564-3566**  
**Post 10: (502) 564-3526**

- **Life's most persistent and urgent question is: What are you doing for others?**

**(Dr. Martin Luther King Jr.)**



DIV OF PLANNING

2004 JAN 30 A 11: 28

COMMONWEALTH OF KENTUCKY  
KENTUCKY STATE POLICE

919 VERSAILLES ROAD  
FRANKFORT 40601

ERNIE FLETCHER  
GOVERNOR

STEPHEN B. PENCE  
LT. GOVERNOR  
ACTING COMMISSIONER

100 Justice Drive  
Hazard, Ky. 41701

January 28, 2004

Ms. Annette Coffey, P.E.  
Director, Division of Planning  
Ky. Transportation Cabinet  
125 Holmes Street  
Frankfort, Ky. 40622

Ms. Coffey,

After review by myself and the Post 13 Supervisory Staff, we feel that alternative corridors, #7 and #1, will best suit the Harlan and Hazard highway reconstruction project.

Capt. Earl M. Luttrell  
Captain Earl M. Luttrell, Unit 12

EML:dl  
cod10002

... and the Post 13 Supervisory Staff, we feel that alternative corridors, #7 and #1, will best suit the Harlan and Hazard highway reconstruction project.



AN EQUAL OPPORTUNITY EMPLOYER M/F/D

**Siria, Bruce (KYTC)**

---

**From:** Palmer-Ball, Brainard (EPPC, KSNPC)  
**Sent:** Friday, January 23, 2004 11:10 AM  
**To:** Siria, Bruce (KYTC)  
**Subject:** KSNPC response to planning study

TO: Bruce Siria/Annette Coffey, KTC/Division of Planning

FROM: Brainard Palmer-Ball, Jr., KSNPC

DATE: January 24, 2004

RE: Planning Study for Harlan to Hazard road improvement in Harlan, Leslie and Perry counties

---

KSNPC has reviewed the Planning Study summary. A review of our natural heritage database revealed the presence of several KSNPC-listed species and at least one unique natural area that we believe could be impacted by implementation of the project. Some preliminary issues of concern relative to these natural resources include 1) an environmentally friendly crossing (or tunneling) of Pine Mountain, 2) minimizing impact to the existing Blanton Forest State Nature Preserve, and 3) prioritization for the use of as much of the existing US 421 corridor as is possible to preclude unnecessary environmental degradation to less developed corridor alternatives. Moreover, the Commission urges the Kentucky Transportation Cabinet to carefully assess the true need and justification for this highway improvement project. The environmental degradation that it will create would be a very unfortunate occurrence if the need for this transportation project is not substantial.



**FISH & WILDLIFE COMMISSION**

Mike Boatwright, Paducah  
Tom Baker, Bowling Green  
Allen K. Gailor, Louisville  
Ron Southall, Elizabethtown  
Dr. James R. Rich, Taylor Mill, Chairman  
Ben Frank Brown, Richmond  
Doug Hensley, Hazard  
Dr. Robert C. Webb, Grayson  
David H. Godby, Somerset



COMMONWEALTH OF KENTUCKY  
DEPARTMENT OF FISH AND WILDLIFE RESOURCES  
C. THOMAS BENNETT, COMMISSIONER

December 19, 2003

Annette Coffey, P.E.  
Director, Division of Planning  
KY Transportation Cabinet  
125 Holmes Street  
Frankfort, KY 40602

RE: Threatened/endangered species, critical habitat review, and potential environmental impacts for the improved highway between Harlan and Hazard- alternate routes, Harlan, Leslie, and Perry Counties, Kentucky.

Dear Ms. Coffey:

The Kentucky Department of Fish and Wildlife Resources (KDFWR) has received your request for the above-referenced information. The Kentucky Fish and Wildlife Information System indicates that the federally endangered Indiana bat and blackside dace are known to occur in the Louellen, Nolansburg, Wallins Creek, Bledsoe, and Leatherwood 7.5 minute USGS quadrangle (see attachment). It should be noted that numerous other 7.5 minute quadrangles within the project area have habitat similar to the quadrangles where listed species are known to exist. Sampling of suitable habitat may be required. Please be aware that our database system is a dynamic one that only represents our current knowledge of the various species distributions.

The Kentucky Fish and Wildlife Information System (KFWIS) indicates that state threatened or endangered (T&E) species are known to occur in the project area (see attached list). Please use necessary precautions to minimize any impact this project may have on these species.

Based on this information, KDFWR makes the following recommendations.

In quadrangles in which Indiana bats are known to occur, any wooded areas that may be impacted by the proposed project should be examined for potential Indiana bat habitat. Indiana bats form maternity colonies and roost under the bark of trees in both riparian and upland areas. Therefore, disturbance of trees with exfoliating bark, dead limbs or cavities should be avoided when bat activity may occur. If a bat survey is necessary, please contact this office at (502) 564-7109 or the US Fish and Wildlife Service office at (502) 695-0468 for information on how to proceed.



Page Two  
Ms. Coffey  
December 19, 2003

The KDFWR recommends that you contact the appropriate US Corps of Engineers office (Louisville COE (502) 582-5452) and the Kentucky Natural Resources and Environmental Protection Cabinet, Division of Water (502) 564-3410 prior to any excavation within the waterways of Kentucky. Additionally, KDFWR recommends the following for the portions of the project that cross intermittent or perennial streams:

1. Development/excavation during a low flow period to minimize disturbance;
2. Proper placement of erosion control structures below highly disturbed areas to minimize entry of silt to the stream;
3. Replanting of disturbed areas after construction, including stream banks and right-of-ways, with native vegetation for soil stabilization and enhancement of fish and wildlife populations;
4. Return all disturbed instream habitat to its original condition upon completion of construction in the area;
5. Preservation of any tree canopy overhanging the stream;
6. Return all right-of-ways to original elevation.

I hope this information proves useful to you. If you have any questions or require additional comment, please call me at the above listed number, extension 366.

Sincerely,



Brad Pendley  
Wildlife Biologist II  
cc: Environmental Section File

Species

Fed Species

ScientificName	CommonName	QuadName	County Name	FederalStatus	KSNPCStatus
<i>Myotis sodalis</i>	INDIANA BAT	LOUELLEN	LETCHER	LE	E
<i>Myotis sodalis</i>	INDIANA BAT	NOLANSBURG	HARLAN	LE	E
<i>Myotis sodalis</i>	INDIANA BAT	LOUELLEN	HARLAN	LE	E
<i>Myotis sodalis</i>	INDIANA BAT	LEATHERWOOD	PERRY	LE	E
<i>Phoxinusumberlandensis</i>	BLACKSIDE DACE	WALLINS CREEK	HARLAN	LT	T
<i>Phoxinusumberlandensis</i>	BLACKSIDE DACE	LOUELLEN	HARLAN	LT	T
<i>Phoxinusumberlandensis</i>	BLACKSIDE DACE	LOUELLEN	HARLAN	LT	T
<i>Myotis sodalis</i>	INDIANA BAT	LOUELLEN	LETCHER	LE	E
<i>Myotis sodalis</i>	INDIANA BAT	NOLANSBURG	HARLAN	LE	E
<i>Phoxinusumberlandensis</i>	BLACKSIDE DACE	WALLINS CREEK	HARLAN	LT	T
<i>Phoxinusumberlandensis</i>	BLACKSIDE DACE	NOLANSBURG	HARLAN	LT	T
<i>Myotis sodalis</i>	INDIANA BAT	LOUELLEN	HARLAN	LE	E
<i>Myotis sodalis</i>	INDIANA BAT	LOUELLEN	HARLAN	LE	E
<i>Myotis sodalis</i>	INDIANA BAT	BLEDSOE	HARLAN	LE	E
<i>Phoxinusumberlandensis</i>	BLACKSIDE DACE	LOUELLEN	HARLAN	LT	T
<i>Phoxinusumberlandensis</i>	BLACKSIDE DACE	LOUELLEN	HARLAN	LT	T
<i>Phoxinusumberlandensis</i>	BLACKSIDE DACE	LOUELLEN	HARLAN	LT	T
<i>Myotis sodalis</i>	INDIANA BAT	NOLANSBURG	HARLAN	LE	E
<i>Myotis sodalis</i>	INDIANA BAT	LEATHERWOOD	HARLAN	LE	E





<i>Ichthyomyzon fossor</i>	NORTHERN BROOK LAMPREY	BLED SOE	LESLIE	N	T
<i>Plethodon wehrlei</i>	WEHRLE'S SALAMANDER	ROXANA	LETCHER	N	E
<i>Etheostoma maculatum</i>	SPOTTED DARTER	CUTSHIN	LESLIE	N	T
<i>Corynorhinus rafinesquii</i>	RAFINESQUE'S BIG-EARED BAT	LOUELLEN	HARLAN	N	S
<i>Sorex dispar blitchi</i>	LONG-TAILED OR ROCK SHREW	BLED SOE	HARLAN	N	E
<i>Ursus americanus</i>	AMERICAN BLACK BEAR	NOLANSBURG	HARLAN	N	S
<i>Myotis sodalis</i>	INDIANA BAT	LOUELLEN	LETCHER	LE	E
<i>Myotis sodalis</i>	INDIANA BAT	NOLANSBURG	HARLAN	LE	E
<i>Clethrionomys gapperi maurus</i>	KENTUCKY RED-BACKED VOLE	HARLAN	HARLAN	N	S
<i>Epioblasma triquetra</i>	SNUFFBOX	HYDEN E.	LESLIE	N	S
<i>Clethrionomys gapperi maurus</i>	KENTUCKY RED-BACKED VOLE	NOLANSBURG	HARLAN	N	S
<i>Phoxinusumberlandensis</i>	BLACKSIDE DACE	WALLINS CREEK	HARLAN	LT	T
<i>Myotis leibii</i>	EASTERN SMALL-FOOTED MYOTIS	BLED SOE	HARLAN	N	T
<i>Epioblasma triquetra</i>	SNUFFBOX	HYDEN E.	LESLIE	N	S
<i>Phoxinusumberlandensis</i>	BLACKSIDE DACE	NOLANSBURG	HARLAN	LT	T
<i>Ursus americanus</i>	AMERICAN BLACK BEAR	BLED SOE	HARLAN	N	S
<i>Epioblasma triquetra</i>	SNUFFBOX	CUTSHIN	LESLIE	N	S
<i>Corvus corax</i>	COMMON RAVEN	BLED SOE	HARLAN	N	S
<i>Accipiter striatus</i>	SHARP-SHINNED HAWK	LOUELLEN	HARLAN	N	S
<i>Spilogale putorius</i>	EASTERN SPOTTED SKUNK	CUTSHIN	LESLIE	N	S
<i>Sorex cinereus</i>	CINEREUS SHREW	NOLANSBURG	HARLAN	N	S
<i>Vermivora chrysoptera</i>	GOLDEN-WINGED WARBLER	LOUELLEN	HARLAN	N	S
<i>Myotis sodalis</i>	INDIANA BAT	LOUELLEN	HARLAN	LE	S
<i>Sorex cinereus</i>	CINEREUS SHREW	HARLAN	HARLAN	N	S
<i>Sorex cinereus</i>	CINEREUS SHREW	NOLANSBURG	HARLAN	N	S
<i>Villosa ilenosa</i>	LITTLE SPECTACLECASE	HYDEN E.	LESLIE	N	S
<i>Myotis leibii</i>	EASTERN SMALL-FOOTED MYOTIS	NOLANSBURG	HARLAN	N	T
<i>Phœucticus ludovicianus</i>	ROSE-BREADED GROSBEAK	LOUELLEN	HARLAN	N	T
<i>Myotis leibii</i>	EASTERN SMALL-FOOTED MYOTIS	HYDEN W.	LESLIE	N	T
<i>Myotis sodalis</i>	INDIANA BAT	LOUELLEN	HARLAN	LE	E
<i>Myotis sodalis</i>	INDIANA BAT	BLED SOE	HARLAN	LE	E
<i>Corvus corax</i>	COMMON RAVEN	NOLANSBURG	HARLAN	N	E
<i>Phoxinusumberlandensis</i>	BLACKSIDE DACE	LOUELLEN	HARLAN	LT	T
<i>Myotis leibii</i>	EASTERN SMALL-FOOTED MYOTIS	LOUELLEN	LETCHER	N	T
<i>Phoxinusumberlandensis</i>	BLACKSIDE DACE	LOUELLEN	HARLAN	LT	T
<i>Clethrionomys gapperi maurus</i>	KENTUCKY RED-BACKED VOLE	NOLANSBURG	HARLAN	N	S
<i>Clethrionomys gapperi maurus</i>	KENTUCKY RED-BACKED VOLE	BLED SOE	HARLAN	N	S

Etheostoma maculatum	SPOTTED DARTER	CUTSHIN	LESLIE	N	T
Phoxinus cumberlandensis	BLACKSIDE DACE	LOUELLEN	HARLAN	LT	T
Myotis sodalis	INDIANA BAT	NOLANSBURG	HARLAN	LE	E
Epioblasma triquetra	SNUFFBOX	HYDEN W.	LESLIE	N	S
Junco hyemalis	DARK-EYED JUNCO	LOUELLEN	HARLAN	N	S
Sorex cinereus	CINEREUS SHREW	NOLANSBURG	HARLAN	N	S
Sorex cinereus	CINEREUS SHREW	BLED SOE	HARLAN	N	S
Myotis leibii	EASTERN SMALL-FOOTED MYOTIS	LOUELLEN	HARLAN	N	T
Myotis sodalis	INDIANA BAT	LEATHERWOOD	HARLAN	LE	E
Sorex dispar blitchi	LONG-TAILED OR ROCK SHREW	NOLANSBURG	HARLAN	N	E
Ursus americanus	AMERICAN BLACK BEAR	LOUELLEN	HARLAN	N	S
Myotis leibii	EASTERN SMALL-FOOTED MYOTIS	LOUELLEN	HARLAN	N	T
Myotis leibii	EASTERN SMALL-FOOTED MYOTIS	LOUELLEN	HARLAN	N	T
Corynorhinus rafinesquii	RAFINESQUE'S BIG-EARED BAT	HOSKINSTON	LESLIE	N	S
Corvus corax	COMMON RAVEN	LOUELLEN	HARLAN	N	E
Corynorhinus rafinesquii	RAFINESQUE'S BIG-EARED BAT	HYDEN E.	LESLIE	N	S
Corynorhinus rafinesquii	RAFINESQUE'S BIG-EARED BAT	ROXANA	LETCHER	N	S
Simpsoniaias ambigua	SALAMANDER MUSSEL	HYDEN E.	LESLIE	N	T
Junco hyemalis	DARK-EYED JUNCO	BLED SOE	HARLAN	N	S
Dendroica fusca	BLACKBURNIAN WARBLER	NOLANSBURG	HARLAN	N	T
Dendroica fusca	BLACKBURNIAN WARBLER	NOLANSBURG	HARLAN	N	T
Dendroica fusca	BLACKBURNIAN WARBLER	NOLANSBURG	HARLAN	N	T
Vermivora chrysoptera	GOLDEN-WINGED WARBLER	HELTON	HARLAN	N	T
Vermivora chrysoptera	GOLDEN-WINGED WARBLER	HELTON	LESLIE	N	T
Vermivora chrysoptera	GOLDEN-WINGED WARBLER	HELTON	HARLAN	N	T
Vermivora chrysoptera	GOLDEN-WINGED WARBLER	WALLINS CREEK	HARLAN	N	T
Vermivora chrysoptera	GOLDEN-WINGED WARBLER	HELTON	HARLAN	N	T
Vermivora chrysoptera	GOLDEN-WINGED WARBLER	BLED SOE	HARLAN	N	T

DIV OF PLANNING

2003 DEC 22 A 10:35



The Secretary for Health Services  
COMMONWEALTH OF KENTUCKY  
275 EAST MAIN STREET  
FRANKFORT, KENTUCKY 40621-0001  
(502) 564-7042

ERNIE FLETCHER  
GOVERNOR

JAMES W. HOLSINGER, JR., M.D., PH.D.  
SECRETARY

December 16, 2003

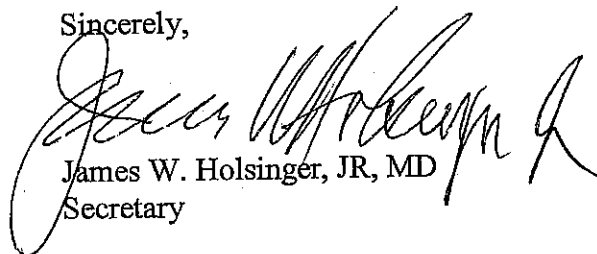
Annette Coffey, P.E., Director  
Division of Planning  
Kentucky Transportation Cabinet  
125 Holmes Street  
Frankfort, KY 40622

Dear Ms. Coffey:

This is in response to your request to review a planning study to determine the need and potential impacts for a proposed highway project in Harlan, Leslie, and Perry Counties, Item No. 11-137.00. Please be advised, this project will not impact the operations of the Cabinet for Health Services.

If I may be of further assistance to you, please feel free to contact this office.

Sincerely,



James W. Holsinger, JR, MD  
Secretary

*"...promoting and safeguarding the health and wellness of all Kentuckians."*



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Ernie Fletcher  
Governor

DIV OF PLANNING

W. James Host  
Commerce Cabinet Secretary

2003 DEC 23 A 10: 07

## MEMORANDUM

TO: Jim Host, Secretary, Commerce Cabinet

FROM: Mike Mangeot, Deputy Commissioner, Department of Travel *MM*

DATE: December 16, 2003

RE: Transportation Planning Study

As requested, I have reviewed the Transportation Cabinet's planning study for a new or improved highway between Harlan, Leslie and Perry Counties (Item No. 11-137.00). Based on the alternatives presented, it is my opinion that either alternative 8 or 8A is the best solution from a tourism development perspective.

Alternatives 1 through 4 would be worthwhile simply because they will improve the condition of the existing route, US 421. However, these routes would not promote travel to the far southeastern portion of the state and, I believe, would only result in cutting off these areas from travelers that prefer to travel main routes instead of two lane roads. This is already a challenge that cities like Cumberland, Benham and Lynch face and a new route such as the ones cited above would only compound that challenge.

Additionally, alternatives 5, 6 and 7, while more direct routes between Hazard and Harlan, traverse areas with very few tourism attractions or development. While these would be scenic, I believe other alternatives provide better opportunities for development.

Alternative 8 or 8A would be a much more "coachable" route for motor coaches. It would help create a great circle tour from the Corbin/London area east to Hazard then south to the Cumberland, Benham, Lynch area, west to Harlan, continuing west on to Middlesboro and Cumberland Gap, and then back to the interstate. From a cost perspective, these are among the least expensive alternatives as well.

Whichever alternative is chosen will face challenges on two other levels as well. Environmental issues with construction in the Daniel Boone National Forest as well as the impact, if any, on the Pine Mountain State Park Linear Trail will be brought to the table as the project proceeds.

Currently this project was included in Transportation's Six Year Plan, however, future funding of the project is still unconfirmed and any construction or dirt moving will not begin for a number of years.

Please let me know if you have any questions or need additional information.

Kentucky Department  
of Travel

Capital Plaza Tower  
500 Mero Street Suite 22  
Frankfort, KY 40601  
Tel: (502) 564-4930  
Fax: (502) 564-5695

Travel Information  
1-800-225-8747  
E-mail: [travel@mail.state.ky.us](mailto:travel@mail.state.ky.us)

[www.kentuckytourism.com](http://www.kentuckytourism.com)



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**DEC 17 2003**

**TOURISM DEVELOPMENT  
CABINET**

Commonwealth of Kentucky  
**Transportation Cabinet**  
Frankfort, Kentucky 40622

**Paul E. Patton**  
Governor

**James C. Codell, III**  
Secretary of Transportation

**Clifford C. Linkes, P.E.**  
Deputy Secretary

December 8, 2003

Ms. Ann R. Latta  
Secretary  
Kentucky Tourism Development Cabinet  
Capital Plaza Tower, 24 Floor  
500 Mero Street  
Frankfort, KY 40601

Dear Ms. Latta:

**SUBJECT: Planning Study  
Harlan, Leslie, and Perry Counties  
New or Improved Highway Between Harlan and Hazard  
Item No. 11-137.00**

Several months ago, we advised you that the Kentucky Transportation Cabinet had assembled a study team to evaluate the proposed construction of a new, and/or relocation and reconstruction of an existing, highway between Harlan and Hazard.

The study has now reached the stage where several preliminary alternative corridors have been identified and are now being analyzed. Enclosed are several items that define the locations of these various alternative corridors. Please note that the term "vpd" used therein refers to "vehicles per day" or the average daily vehicular traffic either currently counted or projected for the year 2030. We now ask that you review these corridors and advise us of any specific concerns about, or preferences among, any of these corridors from your agency's perspective. We believe that early identification of issues or concerns can help us develop highway project alternatives to avoid or minimize negative impacts. We respectfully ask that you provide us with your comments by January 22, 2004 to ensure timely progress in this planning effort.

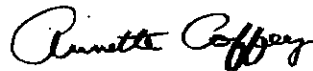


KENTUCKY TRANSPORTATION CABINET  
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WHICH PROMOTES ECONOMIC GROWTH AND ENHANCES THE QUALITY OF LIFE IN KENTUCKY."  
"AN EQUAL OPPORTUNITY EMPLOYER M/F/D"

Ms. Ann R. Latta  
Page 2  
December 8, 2003

We appreciate any input you can provide concerning this project. Please direct any comments, questions, or requests for additional information to Bruce Siria of the Division of Planning at 502/564-7183 or at [bruce.siria@ky.gov](mailto:bruce.siria@ky.gov). Please address all written correspondence to Annette Coffey, P.E., Director, Division of Planning, Kentucky Transportation Cabinet, 125 Holmes Street, Frankfort, KY 40622.

Sincerely,



Annette Coffey, P.E.  
Director  
Division of Planning

AC:BS:RC

Enclosures

c:	Jose Sepulveda (w/a)	Greene Keith
	Glenn Jilek (w/a)	Keith Damron
	David Smith - QK4	David Jones
	Donald Breeding	George Best
	Andy Buell	David Waldner
	Danl Hall	Jeff Allen
	Bill Madden	Dean Croft
	Scottie K. Cornett	Clay McKnight



COMMONWEALTH OF KENTUCKY  
**DEPARTMENT OF PARKS**  
CAPITAL PLAZA TOWER  
500 MERO STREET 11TH FLOOR  
FRANKFORT, KY 40601-1974  
502-564-2172  
FAX 502-564-9015

DIV OF PLANNING  
2005 DEC 22 P 2: 15

ANN R. LATTA  
ACTING COMMISSIONER  
DEPARTMENT OF PARKS

PAUL E. PATTON  
GOVERNOR

ANN R. LATTA  
SECRETARY  
TOURISM DEVELOPMENT CABINET

Ms. Ann Coffey, P.E.  
Director, Division of Planning  
Transportation Cabinet  
Frankfort, KY 40601

Re: Planning Study  
Harlan, Leslie and Perry Counties  
New or Improved Highway Between Harlan and Hazard  
Item No. 11-137.00

I received the information you had sent to Parks for review on the above-proposed project. I have studied the alternatives on the various routes for the highway improvements.

I appreciate the need for improved roads through the mountain areas, but we also must appreciate the need to keep the beauty of the mountains intact. This is why I am most in favor of improvements to an existing route rather than blazing new trails. The alternatives 2A and 3 seemed most beneficial, as they would replace very bad sections of either route 421 or 2009. Unfortunately, both ended at route 118 near Hyden, instead of continuing north to the Hal Rogers Parkway. The other alternatives mostly required a new Pine Mountain crossing and did very little to improve existing bad road conditions. If a more direct route to Hazard were the priority, then alternative 8/8A to Viper would be closer to Hazard and also improve on routes 463 and 1165.

I hope these comments can be helpful and the best route for all concerned is chosen.

Sincerely,

Lisa Gorby, P.E.  
Division of Planning and Design

c: Bob Bender  
Jude Clark



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**Springer, Tom**

**From:** bruce.siria@ky.gov

**Sent:** Wednesday, December 17, 2003 1:18 PM

**To:** Smith, David; Springer, Tom

**Subject:** FW: Study, Harlan-Hazard Hwy, #11-137.00

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

**From:** Prewitt, Ben (KYTC)

**Sent:** Wednesday, December 17, 2003 8:04 AM

**To:** Bruce Siria

**Cc:** Arthur Pace

**Subject:** Study, Harlan-Hazard Hwy, #11-137.00

Bruce, The only concern Aeronautics would have is the possible effects of Alternatives 1 & 1A construction near the Harlan Tucker-Guthrie Airport.



DIV OF PLANNING  
2003 DEC 15 A 11: 09

OFFICE OF THE MAYOR  
BILL GORMAN

December 12, 2003

Ms. Annette Coffey, P.E.  
Director-Division of Planning  
Kentucky Transportation Cabinet  
125 Holmes Street  
Frankfort, Kentucky 40622

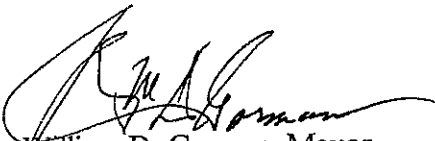
SUBJECT: Planning Study  
Harlan, Leslie, and Perry Counties  
New or Improved Highway Between  
Harlan and Hazard  
ITEM NO. 11-137.00

Dear Ms. Coffey:

The City of Hazard is very interested in seeing that the highway between Harlan and Hazard is built or improved as quickly as possible.

We think it should be the judgment of the Transportation Cabinet that sees that this comes about. We are supportive of your decision.

Sincerely yours,

  
William D. Gorman, Mayor  
City of Hazard



Appalachian Regional Healthcare  
The Medical Centers of the Mountains  
www.arh.org

February 3, 2004

Ms. Annette Coffey, P.E.  
Director, Division of Planning  
Kentucky Transportation Cabinet  
125 Holmes Street  
Frankfort, Kentucky 40622

SUBJECT: Planning Study  
Harlan, Leslie, and Perry Counties  
New or Improved Highway between Harlan and Hazard, Ky  
Item No. 11-137.00

Dear Ms. Coffey:

Appalachian Regional Healthcare, Inc. (ARH) has reviewed several preliminary alternative corridors for the proposed new construction, or relocation and reconstruction, of a highway between the cities of Harlan and Hazard, Ky. It is our understanding that the primary objective of this proposal is to improve overall transportation between these two cities. After reviewing the alternatives, we feel that Alternative Number Seven would be the best option in meeting this objective. Alternative Seven appears to have the straightest route, and the shortest highway distance when traveling from one location to the other, compared to the other possible options.

ARH operates hospitals, clinics, home health agencies and home care stores in both of these cities. Therefore, having a highway that would improve our access between these locations would be of great benefit to our organization. Our primary concern would be to have the shortest and safest highway to travel between the two locations for the benefit of the patients, families, employees, emergency medical transport vehicles and other colleagues. Alternative Seven of the highway proposal seems to provide a safer and shorter driving experience for those traveling between Harlan and Hazard.

Thank you for sending us the information regarding the issue. If you have any questions or comments regarding this matter please contact our Director of Planning, Hollie Phillips, at 859-226-2511.

Sincerely,

Hollie H. Phillips  
Director of Planning

System Center-Lexington  
1220 Harrodsburg Road - PO Box 8086  
Lexington, KY 40533  
(859) 226-2440

System Center-Hazard  
100 Airport Gardens Road  
Hazard, KY 41701  
(606) 459-6900

# HARLAN COUNTY CHAMBER OF COMMERCE

## Resolution Supporting *the* Selection of Alternative Routes 1, 1A, 2, or 2A for Harlan to Hazard U.S. 421 Route

*Whereas* the Harlan County Chamber of Commerce is an organization designed to promote economic development and improvement to quality of life for Harlan County's citizens;

*Whereas* the Harlan County Chamber of Commerce is an organization comprised of business and community members from throughout Harlan County with a goal of serving the best interest of the entire community;

*Whereas* the Harlan County Chamber of Commerce is aggressively working to improve the business climate in Harlan County in an effort to attract new business and industry to the region;

*Whereas* the Harlan County Chamber of Commerce is a supporter of the regional industrial park under construction at Varilla in Bell County;

*Whereas* the Harlan County Chamber of Commerce realizes the importance of safe highways to best serve the need of its local residents as well as various tourism initiatives;

*Whereas* the Harlan County Chamber of Commerce understands the importance of a North-South link passing through the Eastern Kentucky region of the Commonwealth;

*Whereas* the Harlan County Chamber of Commerce realizes and understands the safety hazards posed daily to the many residents, truck traffic and school buses traveling the existing U.S. 421 route;

*Whereas* the Harlan County Chamber of Commerce understands the budget constraints of the state and federal governments for new road construction/improvements;

*Whereas* careful and detail study of the proposed routes has been made by the Chamber of Commerce's Transportation Committee, Economic Development Committee, Board of Directors and Membership;

*Whereas* Harlan is the County seat;

### ***Therefore Be It Resolved***

- A. The Harlan County Chamber of Commerce, its Executive Committee, Board of Directors and Membership endorse the selection of the following routes;**



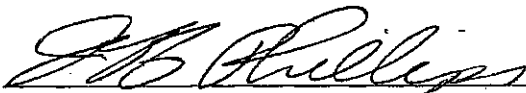
Alternative Route 1, 1A, 2, or 2A proposal for the Harlan-Hyden-Hazard Route for U.S. 421.

B. The Harlan County Chamber of Commerce is officially on record of endorsing Routes 1, 1A, 2, or 2A for the following reasons:

1. Needed safety improvements to better serve its residents in the heavier populated isolated areas;
2. To provide a user friendly north-south link through Eastern Kentucky for better transportation of goods and services and for daily local travel and for tourism travel;
3. To better serve the economic development opportunities for Leslie, Bell and Harlan Counties;
4. To better enhance school bus safety traffic for the Pine Mountain and Bledsoe areas of the county;
5. To allow for construction to be performed in phases as to allow for the reality of the project in the immediate future and as is permitted by the funding cycles;
6. And for the best and most feasible route to serve the majority of Harlan County's population.

B. That the Chamber of Commerce Officers, Board of Directors and Membership encourage the delegates to the Kentucky General Assembly serving Harlan County to join in promoting this route for the best interest of the community as a whole to the Kentucky Department of Transportation.

This Resolution is formally adopted and reflected in the minutes of the proceedings of the March 31, 2004 meeting of the Harlan County Chamber of Commerce Board of Directors.



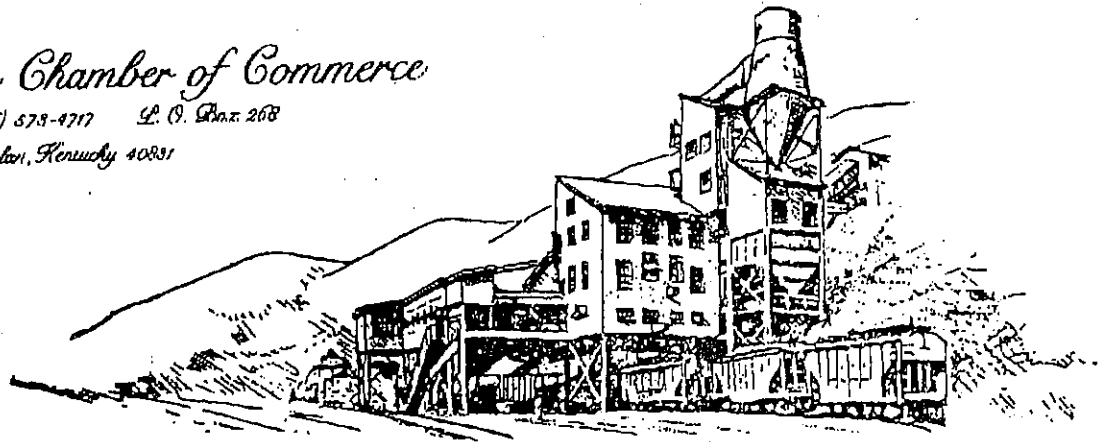
Jeff Phillips, President

DATE: March 31, 2004

*Harlan County Chamber of Commerce*

Telephone (606) 678-4717 P. O. Box 268

Harlan, Kentucky 40881



KENTUCKY TRANSPORTATION CABINET  
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DIV OF PLANNING

2004 FEB 13 A 9:53

January 18, 2004

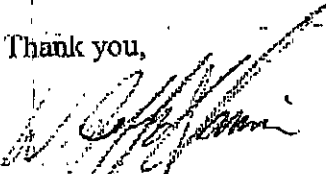
To Whom It May Concern:

As Mayor of the City of Cumberland, I am writing in reference to the proposed highway between Harlan County and Hazard. Of the various proposals presented, the City of Cumberland prefers alternative eight.

Currently, the entire half of Harlan County and a large portion of Letcher County currently does not have a good access to Hazard without traversing long distances out of the way. The proposed route for alternative eight is the only proposal to locate a good highway between the two major means of access to Hazard. Alternative eight requires building the shortest amount of road. It is cost effective. It has the fewest obstacles and disturbs and relocates the fewest encumbrances. It would create more of a direct tie between the home campuses of Hazard Community College and Southeast Community College (located in Cumberland) thereby strengthening academic opportunities. It creates a new corridor linking Perry, Harlan, Leslie and Letcher Counties whereas all of the other proposals essential rebuild and existing one.

As you can see, this proposed route has more unique advantages than any of the others and is therefore our preferred choice.

Thank you,



W. Jeffery Harrison, Mayor  
City of Cumberland

402 W. Main Street - Cumberland, Kentucky 40823 • 606/589-2106 • Fax 606/589-2107  
W. Jeffery Harrison, Mayor