

Appendix F

Resource Agency Responses



TRANSPORTATION CABINET

Ernie Fletcher
Governor

Frankfort, Kentucky 40622
www.kentucky.gov

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

May 21, 2007

«Mailing_Title» «First_Name» «Last_Name»«Suffix»
«Title»
«Organization»
«Address1»
«Address2»
«City» «State» «Zip»

Dear «Letter_Title» «Last_Name»:

Subject: Programming Study
Russell & Adair Counties
KY 76, Study from US 127 to KY 206
Item No. 08-8302.00

We are requesting your agency's input and comments on a planning study to determine the need and potential impacts for improvements on the KY 76 highway project in Russell and Adair Counties. The Kentucky Transportation Cabinet has assembled a study team to evaluate the safety issues and connectivity along this route. This study is currently in the initial data-gathering stage.

We ask that you identify specific issues or concerns from your agency that would give insight for this study. The planning study will include a study purpose and project goals for identifying improvements and/or recommendations related to the concerns. We believe that early identification of issues can help us develop a highway project that would avoid or minimize negative impacts in the future.

We respectfully ask that you provide us with your comments by June 15, 2007, to ensure timely progress in this planning effort.

During the development of this planning study, comments will be solicited from federal, state, and local agencies, as well as other interested persons and the general public, in accordance with principles set forth in the National Environmental Policy Act (NEPA) of 1969. The Federal Highway Administration is partnering with us in these efforts.

May 21, 2007

We have enclosed the following project information for your review and comment:

- Purpose, Issues, Schedule, & Project Goals
- Project Location
- General Information
- Level of Service 2007 & 2030
- High Crash Spot and Segment

We appreciate any input you can provide concerning this project. Please direct any comments, questions, or requests for additional information to Boday Borres, P.E., of the Division of Planning by phone at (502) 564-7183 or by email at boday.borres@ky.gov. Please address all written correspondence to Daryl J. Greer, P.E., Director, Division of Planning, Kentucky Transportation Cabinet, 200 Mero Street, 5th Floor, Frankfort, KY 40622.

Sincerely,



Daryl J. Greer, P.E.
Director
Division of Planning

DJG/BRB/NH

Enclosures

c/enc: Jose Sepulveda
John Ballantyne
Mary Murray
Anthony Goodman
Donna Diaz
Larry Wilson
Lewis T. Phelps
Tom Clouse
David Beattie
Joe Cox
Cathi Blair
David Waldner
Ananias Calvin

Ms. LaVerne Reid
District Manager
Airports District Office, Federal Aviation Administration
2862 Business Park Drive #G
Memphis TN 38118-1555

American Association of Truckers
P.O. Box 487
Benton KY 42025

Mr. Donald C. Storm
Adjutant General
Department of Military Affairs
Boone Nat'l Guard Ctr., 100 Minuteman Pky.
Frankfort KY 40601

Mr. John Kington
Deputy Commissioner
Department of Parks
10th Floor, Capital Plaza Tower
500 Mero Street
Frankfort KY 40601

Mr. George Crothers
Director, Office of State Archaeology
Dept. of Anthropology, University of Kentucky
211 Lafferty Hall
Lexington KY 40506-0024

Mr. William Straw, Ph.D.
Regional Environmental Officer
Federal Emergency Management Agency, Region IV
3003 Chamblee-Tucker Road
Atlanta GA 30341-4130

Mr. Jack Fish
President
Kentuckians for Better Transportation
10332 Bluegrass Parkway
Louisville KY 40299

Kentuckians for The Commonwealth
105 Reams Street
P.O. Box 1450
London KY 40743

Mr. Mark Birdwhistell
Secretary
Cabinet for Health and Family Services
275 East Main
Frankfort KY 40601

Mr. John Houlihan
Kentucky Airport Zoning Commission
Transportation Office Building, W3-09-02
200 Mero Street
Frankfort KY 40622

Mr. Bob Arnold
Executive Director
Kentucky Association of Counties
380 King's Daughters Drive
Frankfort KY 40601

Mr. Dave Adkisson
President
Kentucky Chamber of Commerce Executives, Inc.
464 Chenault Road
Frankfort KY 40601

Mr. Richie Farmer
Commissioner
Kentucky Department of Agriculture
32 Fountain Place
Frankfort KY 40601

Ms. Cheryl A. Taylor
Commissioner
Kentucky Department for Environmental Protection
300 Fair Oaks Lane
Frankfort KY 40601

Dr. Jonathan Gassett
Commissioner
Kentucky Department of Fish and Wildlife Resources
1 Sportsman's Lane
Frankfort KY 40601

Ms. Susan Bush
Commissioner
Kentucky Department of Nat'l. Resources
#2 Hudson Hollow
Frankfort KY 40601

Mr. Stephen A. Coleman
Director
Kentucky Department of Nat'l. Resources, Division of
Conservation
#2 Hudson Hollow
Frankfort KY 40601

Mr. John Adams
Commissioner
Kentucky Department of State Police
919 Versailles Road
Frankfort KY 40601

Mr. Paul Rothman
Director
Division of Mine Reclamation and Enforcement
2 Hudson Hollow
Frankfort KY 40601

Kentucky Disabilities Coalition
P.O. Box 1589
Frankfort KY 40602-1589

Mr. John Lyons
Director
Kentucky Division of Air Quality
803 Schenkel Lane
Frankfort KY 40601

Ms. Leah W. MacSwords
Director
Kentucky Division of Forestry
627 Comanche Trail
Frankfort KY 40601

Mr. Greg Howard
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Kentucky Department of Vehicle Enforcement
Transportation Office Building, Suite T-500
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Mr. R. Bruce Scott
Director
Kentucky Division of Waste Management
14 Reilly Road
Frankfort KY 40601

Mr. David Morgan
Director
Kentucky Division of Water
14 Reilly Road
Frankfort KY 40601

Mr. Gene Fuqua
Acting Secretary
Kentucky Cabinet for Economic Development
Old Capitol Annex
300 West Broadway
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Mr. John Bird
Executive Director
Kentucky Forward
464 Chenault Road
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Mr. Jim Cobb
State Geologist & Director
Kentucky Geological Survey, University of Kentucky
228 Mining and Mineral Resources Bldg.
Lexington KY 40506

Mr. David L. Morgan
Executive Director
Kentucky Heritage Council
300 Washington Street
Frankfort KY 40601

Mr. Kent Whitworth
Director
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100 W. Broadway
Frankfort KY 40601

Kentucky Association of Economic Development
2225 Lawrenceburg Road, Bldg. B., Suite 4
Frankfort KY 40601-8489

Ms. Sylvia L. Lovely
Executive Director
Kentucky League of Cities, Inc.
101 East Vine Street, Ste. 600
Lexington KY 40507

Kentucky Motor Transport Association
617 Shelby Street
Frankfort KY 40601

Ms. Teresa J. Hill
Secretary
Kentucky Environmental and Public Protection Cabinet
Capital Plaza Tower, 5th Floor
Frankfort KY 40601

Mr. Donald S. Dott, Jr.
Executive Director
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801 Schenkel Lane
Frankfort KY 40601

Ms. Vickie Bourne
Executive Director
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Transportation Office Building, W3-10-01
200 Mero Street
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Mr. Beecher Hudson
Executive Director
Kentucky Public Transit Association
c/o Louisville Red Cross
P.O. Box 1675
Louisville KY 40201

Ms. Marcheta Sparrow
President
Kentucky Tourism Council
612B Shelby Street
Frankfort KY 40601

Mr. George Ward
Secretary
Kentucky Commerce Cabinet
Capital Plaza Tower, 24th Floor
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Frankfort KY 40601

Mr. Allan Frank
Director
KYTC, Division of Structural Design
Transportation Office Building, E3-16-01
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Ms. Greta Smith
Director
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Transportation Office Building, W3-06-01
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1227 Wilkinson Boulevard, C-5
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Mr. Tom Napier
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Mr. Heinz Mueller
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4770 Buford Highway, N.E.
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Mr. James Aldridge
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642 West Main Street
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Sierra Club
259 West Short Street
Lexington KY 40507

Mr. Michael D. Hubbs
State Conservationist
U.S. Dept. of Agriculture, Natural Resources
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711 Corporate Drive, Suite 110
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Mr. Lee Andrews
Field Supervisor
U.S. Dept. of the Interior, Fish and Wildlife Service
330 W. Broadway, Suite 264
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The Honorable Jim Bunning
United States Senator
United States Senate
316 Hart Senate Office Building
Washington DC 20510

The Honorable Mitch McConnell
United States Senator
United States Senate
361-A Russell Senate Office Building
Washington DC 20510

Mr. Thomas M. Hunter
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Appalachian Regional Commission
1666 Connecticut Ave., NW
Washington DC 20235

Lt. Colonel Steven Roemhildt
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U. S. Army Corps of Engineers, Nashville District
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Colonel Raymond E. Midkiff
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The Honorable Ed Whitfield
United States Representative, 1st District
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236 Cannon House Office Building
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President & CEO, P & L Railway, Inc.
Kentucky State Rail Association
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Paducah KY 42003

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Kentucky Commission on Human Rights
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911 Assistant Coordinator
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1103 Greensburg Street
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Mr. Tommy Corbin
Adair County Fire Department
500 Public Square
Columbia KY 42728

Mr. Dennis Loy
Adair County Fire Department
500 Public Square
Columbia KY 42728

Mr. Ralph Curry
Sheriff
Adair County Sheriff's Office
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EMT
Adair County Ambulance
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Adair County Fiscal Court
424 Public Square, Suite #1
Columbia KY 42728

The Honorable Vernie McGaha
Kentucky State Senator
Kentucky State Senate
4787 West Highway 76
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Russell Springs KY 42642

Mr. Robert Leach
Transportation Director
Russell County Board of Education
P.O. Box 440
Jamestown KY 42629

The Honorable Ronnie McFall
Russell County Judge/Executive
Russell County Fiscal Court
P.O. Box 397
Jamestown KY 42629

The Honorable Jeff Hoover
Kentucky State Representative, 83rd District
Kentucky State Legislature
P.O. Box 985
Jamestown KY 42629

Mailing Title	Letter Title	First Name	Last Name	Suffix	Title	Organization	Address1	Address2	City	State	Zip	Send
Ms.	Ms.	LaVerne	Reid		District Manager	Aircraft District Office, Federal Aviation Administration	2862 Business Park Drive #G		Memphis	TN	38118-1555	Y
Mr.	Sir and/or Madam	Donald C.	Storm	x	Adjutant General	American Association of Truckers	P.O. Box 487		Benion	KY	40325	Y
Mr.	Mr.	John	Kingdon		Deputy Commissioner	Department of Military Affairs	Boone Nat'l Guard Cir., 100 Mindeman Pky.		Frankfort	KY	40601	Y
Mr.	Mr.	George	Crothers	x	Director, Office of State Archaeology	Department of Parks	10th Floor, Capital Plaza Tower		Frankfort	KY	40601	Y
Mr.	Mr.	William	Straw	x	Regional Environmental Officer	Dept. of Anthropology, University of Kentucky	211 Lantry Hall	500 Metro Street	Lexington	KY	40506-0024	Y
Mr.	Mr.	Jack	Fish	x	President	Federal Emergency Management Agency, Region IV	3003 Chamberlee Tucker Road		Atlanta	GA	30341-4730	Y
Mr.	Sir and/or Madam					Kentuckians for Better Transportation	10332 Bluegrass Parkway		Louisville	KY	40299	Y
Mr.	Mr.	Mark	Birdwhisell	x	Secretary	Kentuckians for The Commonwealth	109 Reams Street	P.O. Box 1450	London	KY	40743	Y
Mr.	Mr.	John	Houlahan	x	Executive Director	Cabinet for Health and Family Services	275 East Main		Frankfort	KY	40601	Y
Mr.	Mr.	Bob	Arnold	x	President	Kentucky Airport Zoning Commission	Transportation Office Building, W3-09-02	200 Metro Street	Frankfort	KY	40622	Y
Mr.	Mr.	Dave	Adkisson	x	Commissioner	Kentucky Association of Counties	380 Kind's Daughters Drive		Frankfort	KY	40601	Y
Mr.	Mr.	Richie	Fanner	x	Commissioner	Kentucky Chamber of Commerce Executives, Inc.	464 Cheneault Road		Frankfort	KY	40601	Y
Ms.	Ms.	Cheryl A.	Taylor	x	Commissioner	Kentucky Department of Agriculture	32 Fountain Place		Frankfort	KY	40601	Y
Dr.	Dr.	Jonathan	Gassett	x	Commissioner	Kentucky Department for Environmental Protection	14 Reilly Road		Frankfort	KY	40601	Y
Ms.	Ms.	Susan	Bush	x	Commissioner	Kentucky Department of Fish and Wildlife Resources	Arnold L. Mitchell Bldg., #1 Game Farm Rd.		Frankfort	KY	40601	Y
Mr.	Mr.	Stephen A.	Coleman	x	Director	Kentucky Department of Nat'l Resources	#2 Hudson Hollow		Frankfort	KY	40601	Y
Mr.	Mr.	John	Adams	x	Commissioner	Kentucky Department of State Police	#2 Hudson Hollow		Frankfort	KY	40601	Y
Mr.	Mr.	Paul	Rothman	x	Director	Division of Mine Reclamation and Enforcement	#2 Hudson Hollow		Frankfort	KY	40601	Y
Mr.	Sir and/or Madam					Kentucky Disabilities Coalition		P.O. Box 1589	Frankfort	KY	40602-1589	Y
Mr.	Mr.	John	Lyons	x	Director	Kentucky Division of Air Quality	803 Schenkel Lane		Frankfort	KY	40601	Y
Ms.	Ms.	Leah W.	MacSwords	x	Director	Kentucky Division of Forestry	627 Comanche Trail		Frankfort	KY	40601	Y
Mr.	Mr.	Greg	Howard	x	Commissioner	Kentucky Department of Vehicle Enforcement	Transportation Office Building, Suite 1-500	200 Metro Street	Frankfort	KY	40622	Y
Mr.	Mr.	R. Bruce	Scott	x	Director	Kentucky Division of Waste Management	14 Reilly Road		Frankfort	KY	40601	Y
Mr.	Mr.	David	Morgan	x	Secretary	Kentucky Division of Water	14 Reilly Road		Frankfort	KY	40601	Y
Mr.	Mr.	Marvin E.	Strong	x	Secretary	Kentucky Economic Development Cabinet	Capital Plaza Tower, 24th Floor	500 Metro St	Frankfort	KY	40601	Y
Mr.	Mr.	John	Bird	x	Executive Director	Kentucky Forward	464 Cheneault Road		Frankfort	KY	40601	Y
Mr.	Mr.	Jim	Cobb	x	State Geologist & Director	Kentucky Geological Survey, University of Kentucky	228 Mining and Mineral Resources Bldg.		Lexington	KY	40506	Y
Mr.	Mr.	David L.	Morgan	x	Executive Director	Kentucky Heritage Council	300 Washington Street		Frankfort	KY	40601	Y
Mr.	Mr.	Kent	Whitworth	x	Director	Kentucky Historical Society	100 W. Broadway		Frankfort	KY	40601	Y
Ms.	Sir and/or Madam	Sylvia L.	Lovely	x	Executive Director	Kentucky Association of Economic Development	2225 Lawrenceburg Road, Bldg. B, Suite 4		Frankfort	KY	40601-8489	Y
Ms.	Sir and/or Madam	Teresa J.	Hill	x	Secretary	Kentucky League of Cities, Inc.	107 East Vine Street, Ste. 600		Lexington	KY	40507	Y
Mr.	Mr.	Donald S.	Dott	x	Executive Director	Kentucky Motor Transport Association	617 Shelby Street		Frankfort	KY	40601	Y
Ms.	Ms.	Vickie	Bourne	x	Executive Director	Kentucky Nature Preserves	Capital Plaza Tower, 3th Floor		Frankfort	KY	40601	Y
Mr.	Mr.	Beecher	Hudson	x	Executive Director	Kentucky Office of Transportation Delivery	Transportation Office Building, W3-10-01	200 Metro Street	Frankfort	KY	40622	Y
Ms.	Ms.	Marcheta	Snowow	x	President	Kentucky Public Transit Association	c/o Louisville Red Cross	P.O. Box 1675	Louisville	KY	40201	Y
Mr.	Mr.	George	Ward	x	Secretary	Kentucky Tourism Council	612B Shelby Street		Frankfort	KY	40601	Y
Mr.	Mr.	Alan	Frank	x	Director	Kentucky Commerce Cabinet	Capital Plaza Tower, 24th Floor	500 Metro Street	Frankfort	KY	40601	Y
Ms.	Ms.	Grelia	Smith	x	Director	KYTC, Division of Structural Design	Transportation Office Building, E3-16-01	200 Metro Street	Frankfort	KY	40622	Y
Mr.	Mr.	David	Waldner	x	Director	KYTC, Division of Construction	Transportation Office Building, W3-06-01		Frankfort	KY	40622	Y
Mr.	Mr.	Bill	Broyles	x	Branch Manager	KYTC, Division of Environmental Analysis	Transportation Office Building, W3-22-02		Frankfort	KY	40622	Y
Mr.	Mr.	Duane	Thomas	x	Director	KYTC, Geotech Branch	1227 Wilkinson Boulevard, C-5		Frankfort	KY	40622	Y
Mr.	Mr.	Tom	Napier	x	Branch Manager	KYTC, Division of Traffic Operations	Transportation Office Building, E3-04-03	200 Metro Street	Frankfort	KY	40622	Y
Ms.	Ms.	Tiffani	Owens	x	Branch Manager	KYTC, Permits Branch	Transportation Office Building, E3-04-03	200 Metro Street	Frankfort	KY	40622	Y
Ms.	Ms.	Laura	Jackson	x	Secretary	KYTC, Office of Special Programs	Transportation Office Building, E6-10-04	200 Metro Street	Frankfort	KY	40601	Y
Ms.	Ms.	James	Alfridge	x	Director	Education Cabinet	Capital Plaza Tower, 2nd Floor		Frankfort	KY	40601	Y
Ms.	Mr.	Keith P.	Eiken	x	Executive Director	Nature Conservancy - Kentucky Chapter	642 West Main Street	P.O. Box 2646	Lexington	KY	40508	Y
Mr.	Sir and/or Madam	Heinz	Mueller	x	Attorney	Sierra Club	259 West Short Street	61 Forsyth St. SW	Atlanta	GA	30303	Y
Mr.	Mr.	Michael D	Hubbs	x	State Conservationist	U.S. Environmental Protection Agency, Region 4 Office	Sam Nunn Atlanta Federal Center		Lexington	KY	40503	Y
Mr.	Mr.	Kenneth W.	Holt		Field Supervisor	U.S. Dept. of Agriculture, Natural Resources Conservation Service	111 Coronado Drive, Suite 110	4770 Buford Highway, N.E.	Atlanta	GA	30341-3724	Y
Mr.	Mr.	Lee	Andrews		Bridge Administrator	U.S. Dept. of Health & Human Serv., Center for Disease Control	330 W. Broadway, Suite 264		Frankfort	KY	40601	Y
The Honorable	The Honorable	Roger	Webusch	x	United States Senator	Emergency And Environmental Health Services Division	1222 S. Juice Street		St. Louis	MO	63103	Y
The Honorable	The Honorable	W. B. Bunting	McConnell	x	United States Senator	United States Coast Guard, Bridge Branch	316 Hart Senate Office Building		Washington	DC	20510	Y
Mr.	Mr.	Thomas M.	Hunter	x	Executive Director	United States Senate	361-A Russell Senate Office Building		Washington	DC	20510	Y
Mr.	Mr.	Steven	Roanblot	x	District Engineer	Appalachian Regional Commission	1666 Connecticut Ave., NW		Washington	DC	20235	Y/N
Colonel	Lt. Colonel	Ed	Whitfield	x	District Engineer	U.S. Army Corps of Engineers, Nashville District	P.O. Box 1070		Nashville	TN	37202-1070	Y/N
The Honorable	Colonel	Raymond E.	Whitfield	x	United States Representative - District 1	U.S. Army Corps of Engineers, Louisville District	P.O. Box 59		Louisville	KY	40201	Y/N
Mr.	Mr.	Buddy	Yount	x	Kentucky Division Administrator	U.S. House of Representatives	300 West Broadway		Frankfort	KY	40601	Y
Mr.	Mr.	Bill	Lally	x	Executive Director	Federal Motor Carrier Safety Administration	P.O. Box 22204		Louisville	KY	40252-0204	Y
						Kentucky Household Goods Carrier Association, Inc.						

Richie Farmer, Commissioner
32 Fountain Place
Frankfort, KY 40601



Phone: (502) 564-5126
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RECEIVED

Kentucky
Department of
Agriculture

MAY 31 2007

A Consumer Protection And Service Agency

May 30, 2007

Mr. Daryl J. Greer, P.E.
Director, Division of Planning
200 Mero Street, 5th Floor
Station: W5-05-01
Kentucky Transportation Cabinet
Frankfort, Kentucky 40622

RE: Item No. 8-8302.00


Dear Mr. Greer:

The Kentucky Department of Agriculture recognizes receipt of information relating to the above noted Item No. At this time, the Department has no comment on the proposed project other than as follows:

The proposed project may benefit movement of agricultural vehicles and commodities within the defined area.

We appreciate the opportunity to provide input.

Yours truly,


Richie Farmer, Commissioner





RECEIVED

MAY 31 2007

ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

Ernie Fletcher
Governor

Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601-1403

Teresa J. Hill
Secretary

May 29, 2007

Mr. Daryl J. Greer, P.E.
Director, Division of Planning
Kentucky Transportation Cabinet
200 Mero Street, 5th Floor
Frankfort, Kentucky 40622

Dear Mr. Greer,

The Division has reviewed the planning study for evaluating proposed improvements along KY 76 in Adair and Russell Counties, Item Number 08-8302.00. The following Kentucky Administrative Regulations 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/homepage_repository/e-Clearinghouse.htm.

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 located at http://www.air.ky.gov/homepage_repository/e-Clearinghouse.htm.

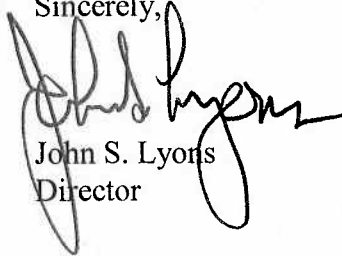
Finally, the projects listed in this document must meet the conformity requirements of the Clean Air Act as amended and the transportation planning provisions of Title 23 and Title 49 of United States Code.

Mr. Daryl Greer Letter
May 29, 2007
Page 2

The Division also suggests an investigation into compliance with applicable local government regulations.

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 Joe Forgacs at (502) 573-3382 extension 309.

Sincerely,

A handwritten signature in black ink, appearing to read "John S. Lyons", with a large, stylized flourish extending from the bottom right.

John S. Lyons
Director

JSL/jmf

RECEIVED



JUN 01 2007

ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

Ernie Fletcher
Governor

Department for Natural Resources
2 Hudson Hollow
Frankfort, Kentucky 40601
Phone: (502) 564-6940
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www.dnr.ky.gov

Teresa J. Hill
Secretary

Susan C. Bush
Commissioner

May 24, 2007

Daryl Greer, P. E.
Director
Division of Planning
Kentucky Transportation Cabinet
200 Mero Street
5th Floor
Frankfort, KY 40622

Subject: Programming Study
Russell & Adair Counties
KY 76, Study from US 127 to KY 206
Item No. 08-8302.00

Dear Mr. Greer:

Thank you for the opportunity to comment on the referenced planning study project located in Russell and Adair Counties.

Review of the project location does not indicate the presence of any active or abandoned mining activities

I appreciate the notification and the opportunity to comment on the proposal. If you have any questions regarding this correspondence, please contact Pam Carew at (502) 564-2340.

Sincerely,

A handwritten signature in blue ink that reads "Paul Rothman".

Paul Rothman, Director
Division of Mine Reclamation and Enforcement

PR/pbc

Borres, Boday (KYTC)

From: Beck, Charles [charles.beck@dhs.gov]
Sent: Monday, June 04, 2007 8:35 AM
To: Borres, Boday (KYTC)
Subject: KY 76 from US 127 to KY 206, #08-8302.00

Daryl J Greer, PE:

This responds to your request of May 21, 2007 to our Regional Environmental Officer, Wm. R. Straw, regarding the need for and potential effects of improvements to KY 76 in Russell and Adair Counties.

FEMA, Region IV has no comment.

Charles Beck, Environmental Specialist

6/4/2007

Borres, Boday (KYTC)

From: Palmer-Ball, Brainard (EPPC OOS KNPC)
Sent: Monday, June 04, 2007 3:28 PM
To: Borres, Boday (KYTC)
Cc: Greer, Daryl (KYTC); Housman, Heather (EPPC OOS KNPC); White, Deborah (EPPC OOS KNPC)
Subject: KY 76 project comments
Attachments: sundew meadow.jpg

Ms. Borres,

Per our phone conversation earlier today, regarding the KY 76 project in Adair and Russell counties, please be aware of a site of interest to the Kentucky State Nature Preserves Commission. It is a small area depicted on the attached map north of the current KY 76 corridor. We refer to it as "Sundew Meadow" because of a rare plant, *Drosera intermedia*, (Spoon-leaved sundew) that occurs there. We have long-term plans to try to protect this site, but we currently have only a voluntary protection agreement with the landowner. We are unsure if there are other nearby locations where this species of plant might occur, but suitable habitat and additional populations should be searched for during planning stages for the project.

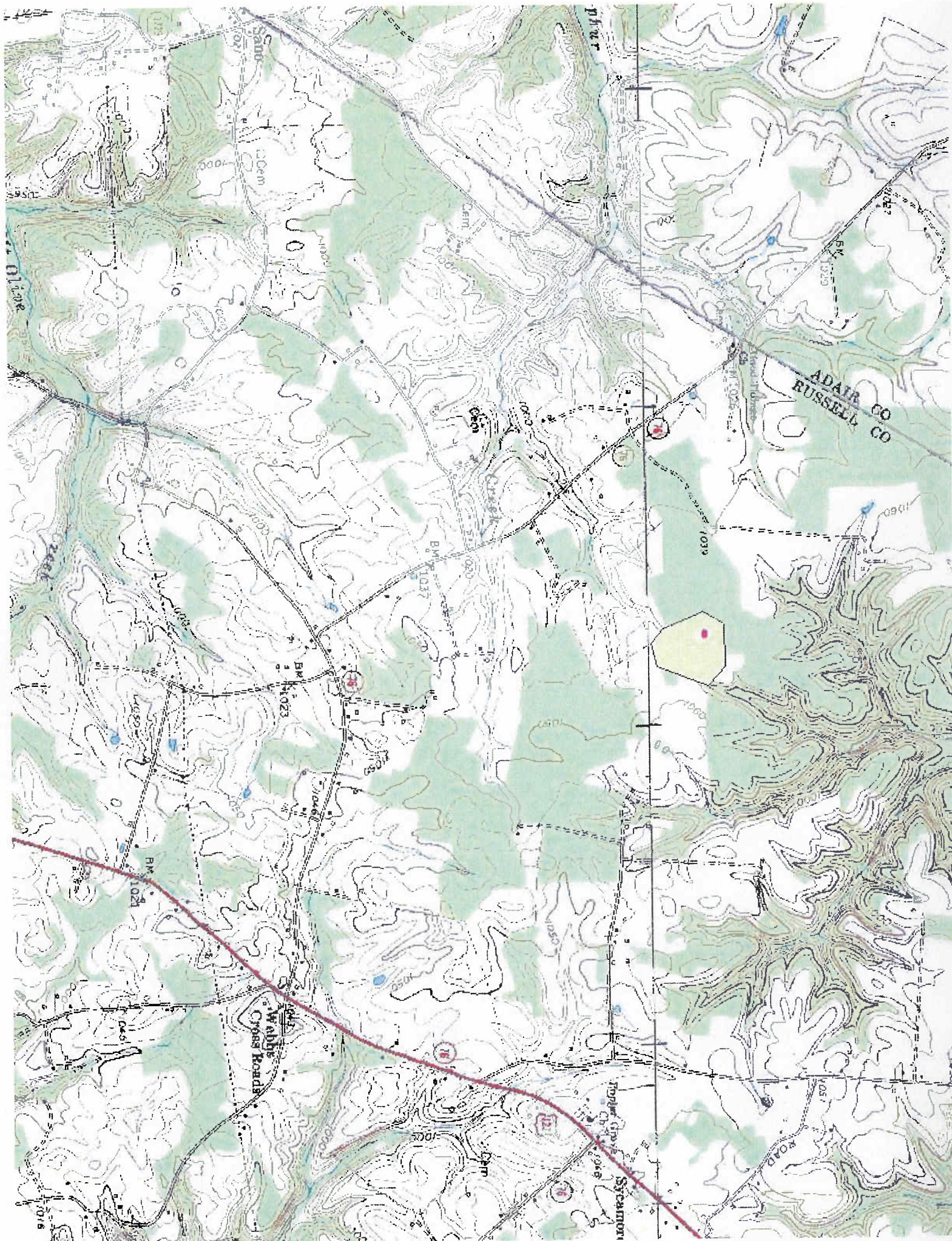
Our only additional comments on the project would be to note that the KY 76 corridor in this area is within the Green River drainage, where numerous aquatic species of interest occur. Also, there is potential to impact Gray bats (*Myotis grisescens*) in this part of Kentucky; no caves are known in this area that are used by Gray bats, but suitable caves should be searched for during planning stages for the project.

Please feel free to contact me if you have any questions concerning these comments.

Cordially,

Brainard Palmer-Ball, Jr.
Environmental Review Coordinator

6/4/2007



Drosera intermedia

From Wikipedia, the free encyclopedia

Drosera intermedia, commonly known as the **oblong-leaved sundew** or **spoonleaf sundew**, is an insectivorous plant species belonging to the sundew genus. It is a temperate or tropical species native to Europe, southeastern Canada, the eastern half of the United States, Cuba and northern South America.

Contents

- 1 Morphology
- 2 Distribution and habitat
- 3 References
- 4 External links

Morphology

D. intermedia is a perennial herb which forms a semi-erect stemless rosette of spatulate leaves up to 10 cm tall. Plants in temperate regions undergo dormancy during which they form a winter resting bud called a hibernaculum.

As is typical for sundews, the leaf blades are densely covered with stalked mucilagenous glands which secrete a sugary nectar to attract insects. These then become ensnared by the mucilage and, unless they are strong enough to escape, are suffocated by the sticky goo or die from exhaustion. The plant then secretes digestive enzymes from sessile glands and later absorbs the resulting nutrient solution to supplement the poor mineral nutrition of the plants natural environment.

D. intermedia blooms from June through August, forming up to 15 cm. tall inflorescences bearing 3-8 white flowers. Fertilized ovaries swell to form egg-shaped dehiscent seed capsules which bear numerous tiny seeds.

Distribution and habitat

D. intermedia is one of the most widely distributed species in the genus, and one of only three *Drosera* species native to Europe (the others are *D. rotundifolia* and *D. anglica*). It is also found in eastern North America, Cuba, and northern South America. The Cuban and South American forms are tropical and do not form hibernacula in the winter.

D. intermedia grows in constantly moist to wet bogs, fens, and marshes. It prefers nutrient free soils - such as sphagnum peat moss or sandy ground - and open, sunny habitats.

References

- L. Diels: *Droseraceae*, 1906, 135 pages. (*The only Monograph of the family Droseraceae to date.*) --

<i>Drosera intermedia</i>

Scientific classification
Kingdom: Plantae
Order: Caryophyllales
Family: Droseraceae
Genus: <i>Drosera</i>
Species: <i>D. intermedia</i>
Binomial name
<i>Drosera intermedia</i> Hayne, 1800

is this true? "Insectivorous Plants" by Charles Darwin (see below), published 1875, mostly dealt with Droseraceae, and is certainly a Monograph.

- Barthlott, Wilhelm; Porembski, Stefan; Seine, Rüdiger; Theisen, Inge: *Karnivoren*, Stuttgart, 2004, ISBN 3-8001-4144-2
- Darwin, Charles; *Insectivorous Plants* (London: John Murray, 1875, 462 pages) Library of Congress Control-Number: 04001280; Replica reprints (Scotland: Langford Press, 2005(?), 462 pages) ISBN 1904078004; Non-Replica reprints (New York: New York University Press, 1990, 345 pages) ISBN 978-0814718223; Project Gutenberg online edition at <http://www.gutenberg.org/etext/5765>

External links

- Distribution map (not including Cuba or South America) (<http://linnaeus.nrm.se/flora/di/drosera/drose/drosintv.jpg>)
- USDA plant page (<http://plants.usda.gov/java/profile?symbol=DRIN3>)

Retrieved from "http://en.wikipedia.org/wiki/Drosera_intermedia"

Category: Drosera

-
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RECEIVED

JUN 04 2007

KENTUCKY COMMERCE CABINET

Ernie Fletcher
Governor

Capital Plaza Tower, 24th Floor
500 Mero Street
Frankfort, Kentucky 40601
Phone (502) 564-4270
Fax (502) 564-1512
www.commerce.ky.gov

George Ward
Secretary

May 31, 2007

Mr. Daryl Greer, P.E.
Division of Planning Director
Kentucky Transportation Cabinet
200 Mero Street
Frankfort, Kentucky 40622

Re: Programming Study
Russell & Adair Counties
KY 76
Item No. 08-8302.00

Dear Mr. Greer:

The Department of Parks has reviewed your correspondence to me regarding the subject. The study will not directly impact any of our facilities. I would like to state in general that our Agency's mission is protecting the environment associated with our facilities, and we are certainly concerned about environmental impacts for the entire Commonwealth.

I appreciate you seeking our Agency's comments on this project.

Sincerely:

George Ward
Secretary

GW/jmd

cc: John Drake, Director of Planning and Design, Department of Parks

Commonwealth of Kentucky

STATE SENATE

4787 West Highway 76
Russell Springs, KY 42642
(270) 866-3068



VERNIE McGAHA
15th Legislative District

State Capitol Annex
Room 209
Frankfort, KY 40601
Message Line: 800-372-7181

RECEIVED

JUN 05 2007

June 4, 2007

Mr. Daryl J. Greer, P.E., Director
Division of Planning
KY Transportation Cabinet
200 Mero Street, 5th Floor
Frankfort, KY 40622

Dear Mr. Greer:

Thank you for the opportunity to submit input regarding a planning study for improvements on KY 76 in Russell and Adair Counties. Having traveled this road my entire life, I feel I have first hand knowledge of the need of this project.

This six-mile road is a narrow road that has considerable traffic. Some of my concerns are:

*No shoulders on the road-if you happen to drop off the road you are in the ditch. With the narrow width of the road, this is a major concern. If a truck leaves the road, the ditch will cause many to overturn.

*This is a connector road for eastern Adair County, southeastern Taylor County, and Western Casey County in their commute to Russell County or vice versa.

*Russell County is home to Lake Cumberland. Adair and Taylor Counties are home to Green River Reservoir. There is boat traffic on this narrow road going to these recreational destinations.

*There is considerable activity in the logging business in our area with one sawmill on this road and other sawmills nearby who use this road to transport logs on large trucks.

*The approach to this road from U.S. 127 in Russell County is extremely difficult to find. There have been numerous wrecks as vehicles enter and exit from U.S. 127 to Hwy. 76. There is also a steep grade as you enter Hwy. 76.

*There is a concrete plant just south of the Hwy. 76 entrance off U.S. 127. Concrete orders in eastern Adair County and southwest Casey County come from this plant. Concrete trucks on this road leave little room.

*Since Hwy. 76 is a connector road, many delivery and service trucks ranging in size from six wheelers to eighteen-wheelers use this road. Again, these trucks leave little room on the road and no shoulders.

The traffic count projection for the future shows the increased use of this road and thus the increased danger that will come from the increased traffic. My concern is for the safety of the citizens who travel this road. We would like to see the road made wider with some shoulder for safety.

Again, I appreciate the opportunity for input and stand ready to assist in any manner.

Sincerely,

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

Vernie McGaha
State Senator



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, LOUISVILLE
CORPS OF ENGINEERS
P.O. BOX 59
LOUISVILLE, KENTUCKY 40201-0059
<http://www.lrl.usace.army.mil/>

RECEIVED

May 30, 2007

JUN 01 2007

Operations Division
Regulatory Branch (South)
ID No. LRL-2007-698-jea

Mr. Daryl J. Greer
Director, Division of Planning
Kentucky Transportation Cabinet
200 Mero Street, 5th Floor
Station: W5-05-01
Frankfort, Kentucky 40622

Dear Mr. Greer:

This is in response to your request for review of a Programming Study for the need for improvements to KY 76 between US 127 and KY 206 in Russell and Adair Counties, Kentucky. The project area identified in the submitted information encompasses several streams subject to our regulatory authority under Section 404 of the Clean Water Act (33 USC 1344). These include Sulphur Creek, Hawk Branch, and several unnamed tributaries.

However, the information given is insufficient for us to be certain of the need for a permit on this particular proposal. We will need additional detail on the project's design, scope, construction methods and purpose in order to determine whether a permit is required.

We have found it is usually in the applicant's best interest to submit that data in a formal permit application. Should an individual permit be required, we can then begin processing your request immediately.

Enclosed is a packet containing the information and forms needed to apply for a DA permit. Currently, the processing time for noncontroversial applications requiring individual review takes approximately 120 days. Please allow sufficient time in your preconstruction schedule for the processing of a DA permit application.

If we can be of any further assistance, please contact us by writing to the above address, ATTN: CELRL-OP-FS, or by calling me at (502) 315-6682.

Sincerely,

Jane Archer
Project Manager
Regulatory Branch

Enclosure

JUN 05 2007



Ernie Fletcher
Governor

TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Bill Nighbert
Secretary

Crystal Murray Ducker
Deputy Secretary

INTRA-DEPARTMENTAL MEMO

TO: Daryl J. Greer, P.E.
Director
Division of Planning

FROM: Tiffani Jackson
Bicycle and Pedestrian Coordinator
Office of Special Programs

DATE: June 4, 2007

SUBJECT: Comments on Scoping study of KY 76 from US 127 to KY 206

After reviewing the project information for the scoping study of KY 76, I have the following comments that I feel should be taken into consideration when identifying improvements for this stretch of roadway:

- Currently there is a varying shoulder width of 3-4 feet. My recommendation is to consider keeping a minimum of 4 ft of paved shoulder width (after any rumble strips that are installed) to accommodate any cyclists that may use the road. The section in question is in proximity to a three Scenic Byways (US 127, US 80 and US 55) and a KYTC designated Bike Route (Central Heartland Tour). Cyclists may use this roadway as a cut through to the other Scenic Byway or to reach the designated bike route.

A handwritten signature in blue ink, appearing to read "Tiffani Jackson", written over a horizontal line.

Tiffani Jackson



TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Ernie Fletcher
Governor

Bill Nighbert
Secretary

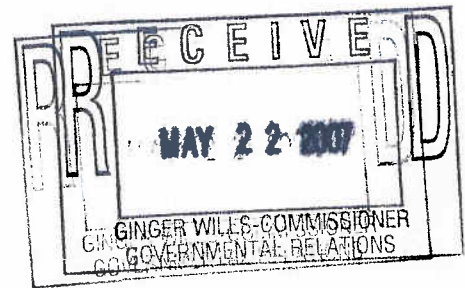
Marc Williams
Commissioner of Highways

May 21, 2007

Ms. Tiffani Jackson
KYTC, Office of Special Programs
Transportation Office Building, E6-10-04
200 Mero Street
Frankfort KY 40622

Dear Ms. Jackson:

Subject: Programming Study
Russell & Adair Counties
KY 76, Study from US 127 to KY 206
Item No. 08-8302.00



We are requesting your agency's input and comments on a planning study to determine the need and potential impacts for improvements on the KY 76 highway project in Russell and Adair Counties. The Kentucky Transportation Cabinet has assembled a study team to evaluate the safety issues and connectivity along this route. This study is currently in the initial data-gathering stage.

We ask that you identify specific issues or concerns from your agency that would give insight for this study. The planning study will include a study purpose and project goals for identifying improvements and/or recommendations related to the concerns. We believe that early identification of issues can help us develop a highway project that would avoid or minimize negative impacts in the future.

We respectfully ask that you provide us with your comments by June 15, 2007, to ensure timely progress in this planning effort.

During the development of this planning study, comments will be solicited from federal, state, and local agencies, as well as other interested persons and the general public, in accordance with principles set forth in the National Environmental Policy Act (NEPA) of 1969. The Federal Highway Administration is partnering with us in these efforts.

Ms. Tiffani Jackson

Page 2

May 21, 2007

We have enclosed the following project information for your review and comment:

- Purpose, Issues, Schedule, & Project Goals
- Project Location
- General Information
- Level of Service 2007 & 2030
- High Crash Spot and Segment

We appreciate any input you can provide concerning this project. Please direct any comments, questions, or requests for additional information to Boday Borres, P.E., of the Division of Planning by phone at (502) 564-7183 or by email at boday.borres@ky.gov. Please address all written correspondence to Daryl J. Greer, P.E., Director, Division of Planning, Kentucky Transportation Cabinet, 200 Mero Street, 5th Floor, Frankfort, KY 40622.

Sincerely,



Daryl J. Greer, P.E.
Director
Division of Planning

DJG/BRB/NH

Enclosures

c/enc: Jose Sepulveda
John Ballantyne
Mary Murray
Anthony Goodman
Donna Diaz
Larry Wilson
Lewis T. Phelps
Tom Clouse
David Beattie
Joe Cox
Cathi Blair
David Waldner
Ananias Calvin



U.S. Department
of Transportation
**Federal Aviation
Administration**

RECEIVED

JUN 08 2007

Memphis Airports District Office
2862 Business Park Dr, Bldg G
Memphis, TN 38118-1555
Phone: 901-322-8180

June 5, 2007

Mr. Daryl J. Greer, P.E.
Director, Division of Planning
Kentucky Department of Transportation
200 Mero Street
Frankfort, KY 40622

Re: Monroe County Item No.: 03-8310.00 and
Russell & Adair Counties Item No.: 03-8310.00

Dear Mr. Greer:

We have reviewed the proposed studies and found no issue or concerns that will affect the airports in those areas. We feel, from your proposal, that these propose projects will have no environmental impact for future development at these airports. We would like to be notified if any changes might occur from the original studies.

For future reference, please address all correspondence to Mr. Phillip Braden, Memphis Airport District Office Manager.

Sincerely,

James H. Williams
Program Manager

Borres, Boday (KYTC)

From: Wilson, Jimmy (KYTC)
Sent: Tuesday, June 19, 2007 9:26 AM
To: Borres, Boday (KYTC)
Subject: FW: Airport Studies

Attachments: Airport Studies Letter Signed.doc



Airport Studies
Letter Signed....

A follow up response on KY 76.

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

From: James.Hayward.Williams@faa.gov [mailto:James.Hayward.Williams@faa.gov]
Sent: Monday, June 18, 2007 3:39 PM
To: Wilson, Jimmy (KYTC)
Subject: Airport Studies

Please replace the original letter with the attachment.

James H. Williams
Program Manager
Memphis Airports District Office
901-322-8184 FAX: -8195

(See attached file: Airport Studies Letter Signed.doc)



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memphis Airports District Office
2862 Business Park Dr, Bldg G
Memphis, TN 38118-1555
Phone: 901-322-8180

June 5, 2007

Mr. Daryl J. Greer, P.E.
Director, Division of Planning
Kentucky Department of Transportation
200 Mero Street
Frankfort, KY 40622

Re: Monroe County Item No.: 03-8310.00 and
Russell & Adair Counties Item No.: 03-8302.00

Dear Mr. Greer:

We have reviewed the proposed studies and found no issue or concerns that will affect the prospective airports in those areas. We feel, from your proposal, that these projects will have no environmental impact at these airports. We would like to be notified if any changes might occur from the original studies.

For future reference, please address all correspondence to Mr. Phillip Braden, Memphis Airport District Office Manager.

Sincerely,

Original signed by James H. Williams

James H. Williams
Program Manager
Memphis, ADO
James.Hayward.Williams@faa.gov
901-322-8184



RECEIVED

JUN 06 2007

JUSTICE AND PUBLIC SAFETY CABINET

Ernie Fletcher
Governor

Kentucky Vehicle Enforcement
Frankfort, Kentucky 40601

BG Norman E. Arflack
Secretary

Gregory G. Howard
Commissioner

June 4, 2007

Mr. Daryl J. Greer, P.E.
Division of Planning
Transportation Cabinet
200 Mero Street
Frankfort, KY 40622

Dear Mr. Greer:

We are in receipt of your letter requesting any input that Kentucky Vehicle Enforcement might have in regards to a programming study in Russell and Adair Counties on KY 76 from US 127 to KY 206, item no. 08-8302.00.

After having my staff research the matter, our only concern would be if the alternative that is being considered, a reduced Typical Section of 11' lanes with 3'-4' shoulders, would be implemented instead of the 12' lanes and 10' shoulders and the upgrading of all structures which would make KY 76 a Truck Weight Class of "AAA" with the load limit of 80,000 pounds gross weight.

Regardless, it appears that widening the road would be much safer for the motoring public and we see no reason to oppose this upgrade.

If you need any further information, please do not hesitate to let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory G. Howard".

Gregory G. Howard
Commissioner
Department of Kentucky Vehicle Enforcement

JUN 08 2007

Kentucky Geological Survey
Research
228 Mining & Mineral Resources Bldg.
Lexington, KY 40506-0107
Phone: (859) 257-5500
Fax: (859) 257-1147
www.uky.edu/kgs

June 1, 2007

Daryl J. Greer, P.E.
Director, Division of Planning
Kentucky Transportation Cabinet
200 Mero Street
5th Floor
Frankfort, KY 40622

Dear Mr. Greer:

This letter is to summarize any geologic concerns for the planning study:
Russell and Adair Counties.
Ky. 76, Study from U.S. 127 to Ky. 206.
Item No. 08-8302.00.

Physiographic Region

The planning area is in the Mississippian Plateau (Pennyroyal or Pennyrile) Physiographic Region, which is underlain by limestone, some of which is argillaceous and arenaceous in parts, sandstone, siltstone, shale, claystone, gravel, sand, and silt.

Karst Potential

The planning area should not encounter karst features such as sinkholes and caves.

Landslide Potential

The planning area would not encounter any pre- or post-landslide hazard.

Unconsolidated Sediments

The planning area would encounter unconsolidated sediments, such as clay, silt, sand, gravel, and chert rubble in the streams.

Resource Conflicts

The planning area should not encounter resource conflicts such as prior ownership of property for quarrying or mining.

Materials Suitability

The limestones within the planning area are too thinly bedded to be a sufficient supply for road construction and the gravel deposits are too small for any extensive use on large highway projects.

Fault Potential

The planning area would not encounter faulted areas.

Earthquake Ground Motions

The planning area has a probable peak ground acceleration (PGA) due to earthquake ground motion of 0.09g. There would be a minimal potential for liquefaction or slope failure in the unconsolidated sediments at or near streams by bedrock ground motion.

Sincerely,

A handwritten signature in blue ink that reads "Richard A. Smath". The signature is fluid and cursive, with the first name "Richard" and last name "Smath" clearly legible.

Richard A. Smath
Geologist

JUN 07 2007



Natural Resources Conservation Service
771 Corporate Drive; Suite 210
Lexington, KY 40503-5479

June 1, 2007

Mr. Daryl J. Greer, P.E.
Director, Division of Planning
Kentucky Transportation Cabinet
200 Mero Street, 5th Floor
Frankfort, KY 40622

RE: Programming Study for Russell and Adair Counties, KY 76, Study from US 127 to KY 206,
Item No. 08-8302.00

Dear Mr. Greer:

In regards to the Programming Study to determine the potential impacts for improvements on the KY76 highway project in Russell and Adair Counties, the USDA-Natural Resources Conservation Service (NRCS) is concerned with potential impacts that any proposed highway project might have upon prime farmland soils and additional farmlands of statewide importance. If federal dollars are to be used to convert important farmlands from agricultural uses to non-agricultural uses a Form AD-1006 (or Form NRCS-CPA-106 if the project is a corridor type project) must be submitted to the local NRCS office. These forms may be obtained from the local NRCS office and are also available as electronic forms on the web at http://www.nrcs.usda.gov/programs/fppa/pdf_files/AD1006.PDF and http://www.nrcs.usda.gov/programs/fppa/pdf_files/CPA106.pdf.

The NRCS contact person for Russell County is:

Kenny Hammond
Resource Conservationist
1640-A North Main Street
Jamestown, KY 42629
270-343-3343

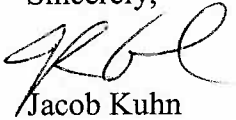
The NRCS contact person for Adair County is:

James Smith
Resource Conservationist
965 Campbellsville Road
Columbia, KY 42728
270-384-6628

Mr. Hammond and Mr. Smith can help in identifying important farmlands in any proposed project area.

To further assist with the planning efforts, I am enclosing a CD containing ArcView GIS shapefiles of basic soils information for Russell County. The GIS shapefiles are in UTM projection, nad83, zone 16. The soil database table includes a column for "farmland classification-all components" (farmclac) that identifies prime farmlands and soils of statewide importance. A legend file has been provided (farmland_classif.avl), which may be used with GIS software to more clearly display the soils that are considered prime farmlands and soils of statewide importance. The shapefiles for Adair are currently not completed and should be available later this year. Please contact the district conservationist for Adair if you have any questions regarding soils in that county.

Sincerely,



Jacob Kuhn

Assistant State Conservationist

cc:

J. David Stipes, Area Conservationist, Area 2, 103 Lakeview Court, Frankfort, KY 40601

James Smith, Resource Conservationist, 965 Campbellsville Road, Columbia, KY 42728

Kenny Hammond, Resource Conservationist, 1640-A North Main Street, Jamestown, KY 42629

Borres, Boday (KYTC)

From: Fox, Cynthia (KCHR)
Sent: Wednesday, June 13, 2007 12:55 PM
To: Borres, Boday (KYTC)
Subject: Planning Study
Importance: High

Mr. Borres:

This office has received correspondence from the Transportation Cabinet requesting our input and comments on a planning study to determine the appropriate improvements to KY76 in Russell and Adair Counties.

The Kentucky Commission on Human Rights is charged with the responsibility, under Kentucky law, to enforce the Kentucky Civil Rights Act. We therefore, receive, investigate, and litigate claims of unlawful discrimination in employment, housing, financial transactions and public accommodations, based on protected class status such as race, gender, religion, color, age (40 and over in employment), disability and national origin.

I am not sure what we have to offer you in regards to your study. Most issues that come to the attention of our office, where roads are concerned, are accessibility issues (for people with disabilities).

Please let me know if you have any questions or if we can be of any further assistance.

Cynthia B. Fox

Executive Staff Advisor
Kentucky Commission on Human Rights
332 W. Broadway, Suite 700
Louisville, KY 40202
502-595-4024/800-292-5566

6/13/2007



RECEIVED

Ernie Fletcher
Governor

TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

JUN 18 2007

Bill Nighbert
Secretary

MEMORANDUM

Marc Williams
Commissioner of Highways

TO: Daryl Greer, P.E.
Director
Division of Planning

FROM: Cass T. Napier *CTN*
Branch Manager
Permits

DATE: June 18, 2007

RE: KY 76, Adair and Russell Counties
Scoping Study, Improvements from
US 127 in Russell Co. to KY 206 in Adair Co.
Item No. 8-8302.00

The Permits Branch has reviewed the data provided for the subject study site and wish to offer the following.

1. Please notify this office should portions of this project be designed as partial control access.
2. In segments where access may be partial control we encourage all possible access points be set on the plans in accordance with 603 KAR 5:120, even if they are not to be constructed at that time.
3. When buying R/W for this and all reconstruction routes, if a segment has partial control access, new deeds for all adjoining property owners need to be executed to identify the access control even if no new R/W is acquired.
4. Please notify this office if the proposed roadway is to be placed on the National Highway System. This information is needed to assist this office in regulating the installation of any outdoor advertising device. Also, if the proposed roadway is to be on the N. H. S., early notification of the final line and grade is needed. This enables us to monitor outdoor advertising devices prior to road construction being completed.

Thank you for the opportunity to verbalize our concerns.

CTN/mlc



TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Ernie Fletcher
Governor

Bill Nighbert
Secretary

MEMORANDUM

Marc Williams
Commissioner of Highways

TO: Daryl Greer, P.E.
Director
Division of Planning

FROM: Cass T. Napier *CTN*
Branch Manager
Permits

DATE: June 18, 2007

RE: KY 76, Adair and Russell Counties
Scoping Study, Improvements from
US 127 in Russell Co. to KY 206 in Adair Co.
Item No. 8-8302.00

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Thank you for the opportunity to verbalize our concerns.

CTN/mlc



RECEIVED

JUN 20 2007

ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

Ernie Fletcher
Governor

Department for Natural Resources
2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
www.eppc.ky.gov
www.dnr.ky.gov

Teresa J. Hill
Secretary

Susan C. Bush
Commissioner

June 15, 2007

Daryl J. Greer, P.E., Director
Division of Planning
Kentucky Transportation Cabinet
200 Mero Street
Station W5-05-01
Frankfort, Kentucky 40622

RE: Programming Study
Russell & Adair Counties
KY 76, Study from US 127 to KY 206
Item No. 80-8302.00

Dear Mr. Greer:

Thank you for the opportunity to comment on the planning study to determine the need and potential impacts for improvements on the KY 76 highway project in Russell and Adair Counties. The Department for Natural Resources has examined the documentation. The Division of Mine Reclamation and Enforcement has found no active or historic mining in the area.

According to the Kentucky Division of Oil and Gas Conservation, this is an area of known oil and gas exploration activity. The Kentucky Geological Survey can provide an overlay with the wells plotted for this area. Should you have any additional questions or concerns, please call Kim Collings at (502) 573-0147 or Linda Potter at (502) 564-6940.

Sincerely,

Susan C. Bush, Commissioner

Borres, Boday (KYTC)

From: Potter, Linda (EPPC DNR COM)
Sent: Friday, June 15, 2007 3:08 PM
To: Borres, Boday (KYTC)
Subject: Russell and Adair Counties improvements to KY 76
Attachments: KYTC Response Adair and Russell KY76.doc

Ms. Borres,
I have attached DNR's response to the planning study. I will forward a signed copy to Mr. Greer. Thank you.

Linda Potter
Department for Natural Resources
#2 Hudson Hollow
Frankfort, Kentucky 40601
linda.potter@ky.gov
502-564-6940 Phone
502-564-5698 Fax

June 15, 2007

Daryl J. Greer, P.E., Director
Division of Planning
Kentucky Transportation Cabinet
200 Mero Street
Station W5-05-01
Frankfort, Kentucky 40622

RE: Programming Study
Russell & Adair Counties
KY 76, Study from US 127 to KY 206
Item No. 80-8302.00

Dear Mr. Greer:

Thank you for the opportunity to comment on the planning study to determine the need and potential impacts for improvements on the KY 76 highway project in Russell and Adair Counties. The Department for Natural Resources has examined the documentation. The Division of Mine Reclamation and Enforcement has found no active or historic mining in the area.

According to the Kentucky Division of Oil and Gas Conservation, this is an area of known oil and gas exploration activity. The Kentucky Geological Survey can provide an overlay with the wells plotted for this area. Should you have any additional questions or concerns, please call Kim Collings at (502) 573-0147 or Linda Potter at (502) 564-6940.

Sincerely,

Susan C. Bush, Commissioner



RECEIVED

JUN 13 2007

DEPARTMENT OF MILITARY AFFAIRS

Ernie Fletcher
Governor

Office of the Adjutant General
Boone National Guard Center
Frankfort, KY 40601-6168

Donald C. Storm
Major General, KYNG
The Adjutant General

June 5, 2007

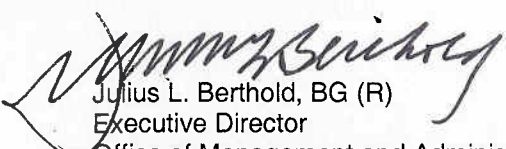
Daryl J. Greer, P.E.
Director
Division of Planning
Kentucky Transportation Cabinet
200 Mero Street
5th Floor
Frankfort, KY 40622

Dear Sir:

Subject: Programming Study
Russell & Adair Counties
KY 76, Study from US 127 to KY 206
Item No. 08-8302.00

Pursuant to your May 21, 2007 letter, we have reviewed the project. There are no issues or concerns that impact this agency.

Sincerely,


Julius L. Berthold, BG (R)
Executive Director
Office of Management and Administration
Department of Military Affairs

C: Joseph Sanderson



Ernie Fletcher
Governor

TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

May 21, 2007

Mr. Donald C. Storm
Adjutant General
Department of Military Affairs
Boone Nat'l Guard Ctr., 100 Minuteman Pky.
Frankfort KY 40601

Dear Mr. Storm:

Subject: Programming Study
Russell & Adair Counties
KY 76, Study from US 127 to KY 206
Item No. 08-8302.00

We are requesting your agency's input and comments on a planning study to determine the need and potential impacts for improvements on the KY 76 highway project in Russell and Adair Counties. The Kentucky Transportation Cabinet has assembled a study team to evaluate the safety issues and connectivity along this route. This study is currently in the initial data-gathering stage.

We ask that you identify specific issues or concerns from your agency that would give insight for this study. The planning study will include a study purpose and project goals for identifying improvements and/or recommendations related to the concerns. We believe that early identification of issues can help us develop a highway project that would avoid or minimize negative impacts in the future.

We respectfully ask that you provide us with your comments by June 15, 2007, to ensure timely progress in this planning effort.

During the development of this planning study, comments will be solicited from federal, state, and local agencies, as well as other interested persons and the general public, in accordance with principles set forth in the National Environmental Policy Act (NEPA) of 1969. The Federal Highway Administration is partnering with us in these efforts.

Emplo

Mr. Donald C. Storm
Page 2
May 21, 2007

We have enclosed the following project information for your review and comment:

- Purpose, Issues, Schedule, & Project Goals
- Project Location
- General Information
- Level of Service 2007 & 2030
- High Crash Spot and Segment

We appreciate any input you can provide concerning this project. Please direct any comments, questions, or requests for additional information to Boday Borres, P.E., of the Division of Planning by phone at (502) 564-7183 or by email at boday.borres@ky.gov. Please address all written correspondence to Daryl J. Greer, P.E., Director, Division of Planning, Kentucky Transportation Cabinet, 200 Mero Street, 5th Floor, Frankfort, KY 40622.

Sincerely,



Daryl J. Greer, P.E.
Director
Division of Planning

DJG/BRB/NH

Enclosures

c/enc: Jose Sepulveda
John Ballantyne
Mary Murray
Anthony Goodman
Donna Diaz
Larry Wilson
Lewis T. Phelps
Tom Clouse
David Beattie
Joe Cox
Cathi Blair
David Waldner
Ananias Calvin

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
Eighth Coast Guard District

1222 Spruce Street
St. Louis, MO 63103-2832
Staff Symbol: dwb
Phone: (314) 269-2380
Fax: (314) 269-2737
Email: peter.j.sambor@uscg.mil

16591.1/KY 76
May 31, 2007

RECEIVED

JUN 18 2007

Mr. Daryl J. Greer, Director, Div of Planning
Kentucky Transportation Cabinet
200 Mero Street, 5th Floor, Station W5-05-01
Frankfort, KY 40622

Subj: KY 76 IMPROVEMENT PROJECT

Dear Mr. Greer:

We have reviewed the information provided in your letter of May 21, 2007 and determined that this project is not a project over which the Coast Guard exercises jurisdiction for bridge administration purposes. A Coast Guard permit is not required.

If there are any questions, please contact Mr. Peter Sambor at the above extension. We appreciate the opportunity to comment on the project.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Wiebusch".

ROGER K. WIEBUSCH
Bridge Administrator
By direction of the District Commander



RECEIVED

JUN 18 2007

ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

Ernie Fletcher
Governor

Division of Conservation
375 Versailles Road
Frankfort, Kentucky 40601
Phone (502) 573-3080
Fax (502) 573-1692
www.conservation.ky.gov

Teresa J. Hill
Secretary

Stephen A. Coleman
Director

June 15, 2007

Mr. Daryl Greer, P.E.
Director, Division of Planning
Kentucky Transportation Cabinet
Station: W5-05-01
200 Mero Street
Frankfort, KY 40622

Subject: Programming Study for KY 76 in Russell and Adair Counties

Dear Mr. Greer:

As requested, the Division of Conservation has reviewed the planning study to improve KY 76 beginning at the intersection of US 127/KY 76 in Russell County and ending at the intersection of KY 206/KY 76 in Adair County. We would like to provide the following comments and express concerns that may be helpful in this initial data-gathering stage.

There are no agricultural districts established along the project area, therefore land enrolled in the Agricultural District Program will not have to be mitigated by the Department of Transportation.

We would like to see the issue of the loss of farmland addressed. Both prime farmland and farmland of statewide importance could be impacted by this project. Every year pressure imposed by utility right-of-ways, urban expansion, and new roads reduce the land available for agricultural use in the Commonwealth. There are three documents that could be utilized to identify these farmland designations: the *Soil Survey Adair County* (NRCS 1964), *Soil Survey of Russell County* (NRCS 1982) and *Important Farmland Soils of Kentucky* (NRCS 1981). All documents are available through this office. The soil survey information for Russell County can also be downloaded at the following web sites: <http://soildatamart.nrcs.usda.gov/> or <http://websoilsurvey.nrcs.usda.gov>. Adair County soil information is not yet available at either web site.

One other concern we would like to comment on is the control of erosion and sedimentation during and after earth-disturbing activities once this project begins. We recommend best management practices (BMPs) be utilized to prevent nonpoint source water pollution. This would protect the water quality and aquatic habitat of the perennial and intermittent streams that this project could impact.

Mr. Daryl Greer, P.E.

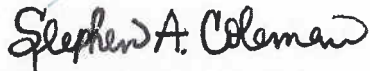
June 15, 2007

Page Two

The manual, *Best Management Practices for Construction Activities*, contains information on the kinds of BMPs most appropriate for this project and is available through the Russell County or Adair County Conservation Districts, the Kentucky Division of Water, or this office. Also an electronic version of the *Kentucky Erosion Prevention and Sediment Control Field Guide* is available online at <http://www.water.ky.gov/sw/nps/Publications.htm>

We appreciate the opportunity to comment on this project. If you have any questions, please contact this office any time.

Sincerely,

A handwritten signature in black ink that reads "Stephen A. Coleman". The signature is written in a cursive style with a large, stylized "S" and "C".

Stephen A. Coleman, Director
Kentucky Division of Conservation

SAC/MD/aeH



RECEIVED

JUN 18 2007

**CABINET FOR HEALTH AND FAMILY SERVICES
FACILITIES MANAGEMENT DIVISION**

Ernie Fletcher
Governor

275 E. Main Street, 4E-C
Frankfort, KY 40621
(502) 564-6631
Fax: (502) 564-2608
www.chfs.ky.gov

Mark D. Birdwhistell
Secretary

June 13, 2007

Kentucky Transportation Cabinet
Dept. of Highways District 5 Office
Mr. Daryl J. Greer, P.E., Director, Division of Planning
200 Mero Street
5th Floor
Frankfort, Ky. 40622

Subject: Russell & Adair Counties Planning Study
KY 76 from US 127 to KY 206


Mr. Greer;

The Kentucky Transportation Cabinet has asked that we identify specific issues or concerns which may affect the development of a road improvement project in Russell & Adair Counties; the project would involve improvements in the KY 76 from US 127 to KY 206. We have reviewed the project location map, the existing area highway management system data, geometric and traffic characteristics of the existing highways, and crash analysis provided by your office.

The Cabinet for Health and Family Services does not lease or own property located within KY 76 from US 127 to KY 206; therefore, we do not anticipate or have any specific issues or concerns with regards to this proposed project.

Thank you for giving consideration to our facilities, staff, and clients.

Sincerely,


Robert W. Wright
Leased Properties Branch

Cc: file



United States
Department of
Agriculture

Forest
Service

Daniel Boone
National Forest

1700 Bypass Road
Winchester, KY 40391
859-745-3100

File Code: 1950

Date: JUN 1 - 2007

RECEIVED

JUN 20 2007

Mr. Daryl J. Greer
Director, Division of Planning
Kentucky Transportation Cabinet
200 Mero Street, 5th Floor
Frankfort, KY 40622

Dear Mr. Greer:

Thank you for the opportunity to provide input on projects coming from the Transportation Cabinet. I applaud your effort to involve the public and other agencies early. Russell and Adair Counties are outside of, and to the west of the proclamation boundary for the Daniel Boone National Forest. Any activities designed to improve KY 76 are not likely to cause impacts to resources or programs on National Forest System lands. However, I encourage you to include wildlife-friendly passages as part of project design.

Sincerely,



JEROME E. PEREZ
Forest Supervisor





RECEIVED

JUN 21 2007

ERNIE FLETCHER
Governor

COMMONWEALTH OF KENTUCKY
KENTUCKY STATE POLICE
919 VERSAILLES ROAD
FRANKFORT 40601

JOHN (JACK) ADAMS
COMMISSIONER

MEMORANDUM

To: Lt. Brent Roper
FROM: Sgt. David Ray Gibbs
DATE: June 7, 2007
SUBJECT: Ky 76 Improvements

Kentucky 76 needs improvements. Some include but are not limited to, increasing the shoulder in both directions, if it rains at night it is almost impossible to notice any of the lines on the roadway. The roadway is very dark with no light and very few Roadway signs that show the contours of the roadway. The main problem is if you have car trouble there is no where to pull over. You have to hope you are near a driveway that you can pull into. Bigger shoulders and more visible roadway are the two big issues.

dg/DG

Rw 6-12-07
Lt. Brent Roper u/a

Sgt. David Ray Gibbs Unit 191

Sgt. David Ray Gibbs u/a



AN EQUAL OPPORTUNITY EMPLOYER M/F/D



KENTUCKY STATE POLICE
COMMISSIONER'S OFFICE

Ernie Fletcher
Governor

TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

May 21, 2007

Route To:

5-22-07

- ☒ Commissioner
- ☐ Deputy Commissioner
- ☐ Legal
- ☐ Fin./Grant Mgmt.
- ☒ Operations Div.

- ☐ Administrative Div.
- ☐ Technical Services
- ☐ Human Resources
- ☐ Community Relations
- ☐ Other

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

LTC Hayes
Man - Banks
Cap + Speck

Cap + Speck
For response
5/22

Mr. John Adams
Commissioner
Kentucky Department of State Police
919 Versailles Road
Frankfort KY 40601

Dear Mr. Adams:

Subject: Programming Study
Russell & Adair Counties
KY 76, Study from US 127 to KY 206
Item No. 08-8302.00

We are requesting your agency's input and comments on a planning study to determine the need and potential impacts for improvements on the KY 76 highway project in Russell and Adair Counties. The Kentucky Transportation Cabinet has assembled a study team to evaluate the safety issues and connectivity along this route. This study is currently in the initial data-gathering stage.

We ask that you identify specific issues or concerns from your agency that would give insight for this study. The planning study will include a study purpose and project goals for identifying improvements and/or recommendations related to the concerns. We believe that early identification of issues can help us develop a highway project that would avoid or minimize negative impacts in the future.

We respectfully ask that you provide us with your comments by June 15, 2007, to ensure timely progress in this planning effort.

During the development of this planning study, comments will be solicited from federal, state, and local agencies, as well as other interested persons and the general public, in accordance with principles set forth in the National Environmental Policy Act (NEPA) of 1969. The Federal Highway Administration is partnering with us in these efforts.

Mr. John Adams

Page 2

May 21, 2007

We have enclosed the following project information for your review and comment:

- Purpose, Issues, Schedule, & Project Goals
- Project Location
- General Information
- Level of Service 2007 & 2030
- High Crash Spot and Segment

We appreciate any input you can provide concerning this project. Please direct any comments, questions, or requests for additional information to Boday Borres, P.E., of the Division of Planning by phone at (502) 564-7183 or by email at boday.borres@ky.gov. Please address all written correspondence to Daryl J. Greer, P.E., Director, Division of Planning, Kentucky Transportation Cabinet, 200 Mero Street, 5th Floor, Frankfort, KY 40622.

Sincerely,



Daryl J. Greer, P.E.
Director
Division of Planning

DJG/BRB/NH

Enclosures

c/enc: Jose Sepulveda
John Ballantyne
Mary Murray
Anthony Goodman
Donna Diaz
Larry Wilson
Lewis T. Phelps
Tom Clouse
David Beattie
Joe Cox
Cathi Blair
David Waldner
Ananias Calvin



RECEIVED

JUN 22 2007

**COMMERCE CABINET
DEPARTMENT OF PARKS**

Ernie Fletcher
Governor

Capital Plaza Tower, 11th Floor
500 Mero Street
Frankfort, Kentucky 40601-1974
Phone 502-564-2172
Fax 502-564-9015
www.parks.ky.gov

George Ward
Secretary

J.T. Miller
Commissioner

June 19, 2007

Daryl J. Greer
P.E. Director
Division of Planning
Kentucky Transportation Cabinet
200 Mero Street
Frankfort, KY 40622

Dear Mr. Greer:

Subject: Programming Study
Russell & Adair Counties
KY 76, Study from US 127 to KY 206
Item No. 08-8302.00

The Kentucky Department of Parks received your request for input and comments relating to a study for improvements on the KY 76 highway project in Russell and Adair counties.

The Department of Parks has no preference in the KY 76 highway project.

Sincerely,

John Kington
Deputy Commissioner
Kentucky Department of Parks



Centers for Disease Control
and Prevention (CDC)
Atlanta GA 30333

June 11, 2007

RECEIVED

JUN 25 2007

Mr. Daryl Greer, P.E.
Director, Division of Planning
Kentucky Transportation Cabinet
200 Mero Street, 5th Floor
Frankfort, Kentucky 40622

Dear Mr. Greer:

Thank you for your advance notification for an environmental study for KY 76, Study from US 127 to KY 206.. We are responding on behalf of the Department of Health and Human Services (DHHS), U.S. Public Health Service.

While we have no project specific comments to offer at this time, we do recommend that the topics listed below be considered during the NEPA process along with other necessary topics, and addressed if appropriate. Mitigation plans which are protective of the environment and public health should be described wherever warranted.

AREAS OF POTENTIAL PUBLIC HEALTH CONCERN:

I. Air Quality

- dust control measures during project construction, and potential releases of air toxins
- potential process air emissions after project completion
- compliance with air quality standards

II. Water Quality/Quantity

- special consideration to private and public potable water supply, including ground and surface water resources
- compliance with water quality and waste water treatment standards
- ground and surface water contamination (e.g. runoff and erosion control)
- body contact recreation

III. Wetlands and Flood Plains

- potential contamination of underlying aquifers
- construction within flood plains which may endanger human health
- contamination of the food chain

IV. Hazardous Materials/Wastes

- identification and characterization of hazardous/contaminated sites
- safety plans/procedures, including use of pesticides/herbicides; worker training
- spill prevention, containment, and countermeasures plan

V. Non-Hazardous Solid Waste/Other Materials

- any unusual effects associated with solid waste disposal should be considered

VI. Noise

- identify projected elevated noise levels and sensitive receptors (i.e. residential, schools, hospitals) and appropriate mitigation plans during and after construction

VII. Occupational Health and Safety

- compliance with appropriate criteria and guidelines to ensure worker safety and health

VIII. Land Use and Housing

- special consideration and appropriate mitigation for necessary relocation and other potential adverse impacts to residential areas, community cohesion, community services
- demographic special considerations (e.g. hospitals, nursing homes, day care centers, schools)
- consideration of beneficial and adverse long-term land use impacts, including the potential influx of people into the area as a result of a project and associated impacts
- potential impacts upon vector control should be considered

IX. Environmental Justice

- federal requirements emphasize the issue of environmental justice to ensure equitable environmental protection regardless of race, ethnicity, economic status or community, so that no segment of the population bears a disproportionate share of the consequences of environmental pollution attributable to a proposed project. (Executive Order 12898)

While this is not intended to be an exhaustive list of possible impact topics, it provides a guide for typical areas of potential public health concern which may be applicable to this project. Any health related topic which may be associated with the proposed project should receive consideration when developing the draft and final EISs. Please furnish us with one copy of the draft document when it becomes available for review.

Sincerely yours,



Paul Joe, DO, MPH
Medical Officer
National Center for Environmental Health (F16)
Centers for Disease Control & Prevention



RECEIVED

JUL 03 2007

KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES
COMMERCE CABINET

Ernie Fletcher
Governor

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

George Ward
Secretary

Dr. Jonathan W. Gassett
Commissioner

June 27, 2007

Daryl J. Greer, P. E.
Director
Division of Planning
Kentucky Transportation Cabinet
200 Mero Street
Frankfort, KY 40622

RE: Programming Study
Russell & Adair Counties
KY 76, Study from US 127 to KY 206
Item No. 08-8302.00

Dear Mr. Greer:

The Kentucky Department of Fish and Wildlife Resources (KDFWR) have received your request for the above-referenced information. The Kentucky Fish and Wildlife Information System indicate that the federally endangered gray bat, *Myotis grisescens* and Indiana bat, *Myotis sodalis* are known to occur or could occur within close proximity to the project area. Please be aware that our database system is a dynamic one that only represents our current knowledge of the various species distributions.

- The Indiana bat utilizes a wide array of habitats, including riparian forests, upland forest, and fencerows 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. Removal of suitable Indiana bat roost trees due to construction of the proposed project should be completed between October 15 and March 31 in order to avoid impacting summer roosting Indiana bats. However, if any Indiana bat hibernacula are identified on the project area or are known to occur within 10 miles of the project area, we recommend the applicant only remove trees between November 15 and March 31 in order to avoid impacting Indiana bat "swarming" behavior.
- In areas where bats are known to occur, cave entrances, mine portals, and/or rock shelters that exist within the project area should be surveyed for potential use by such species as gray bats and Indiana bats. KDFWR recommends avoiding those areas that provide adequate habitat for bats.
- To minimize impacts to aquatic resources strict erosion control measures should be developed and implemented prior to construction to minimize siltation into streams located within the project area. Such erosion control measures may include, but are not limited to silt fences, staked straw bales, brush barriers, sediment basins, and diversion ditches. Erosion control measures will need to be installed prior to construction and should be inspected and repaired regularly as needed.



For more information on how to proceed with the threatened/endangered species surveys please contact the US Fish and Wildlife Service Kentucky Field Office at (502) 695-0468.

It appears that the proposed project has the potential to impact wetland habitats. KDFWR recommends that you look at the appropriate US Department of Interior National Wetland Inventory Map (NWI) and the appropriate county soil surveys to determine where the proposed project may impact wetlands. Additionally, field verification may be needed to determine the extent and quality of wetland habitats within the project area. Any planning should include measures designed to eliminate and/or reduce impacts to wetland habitats. If impacts cannot be avoided, mitigation should be properly designed and proposed to offset the losses. KDFWR will recommend, at a minimum, a 2:1 mitigation ratio for any permanent loss or degradation of wetland habitats.

KDFWR recommends that you contact the appropriate US Army Corps of Engineers office and the Kentucky Division of Water prior to any work within the waterways or wetland habitats of Kentucky. Additionally, KDFWR recommends the following for the portions of the project that impact streams:

- Channel changes located within the project area should incorporate natural stream channel design.
- If culverts are used, the culvert should be designed to allow the passage of aquatic organisms.
- Culverts should be designed so that degradation upstream and downstream of the culvert does not occur.
- Development/excavation during low flow period to minimize disturbances.
- Proper placement of erosion control structures below highly disturbed areas to minimize entry of silt into area streams.
- Replanting of disturbed areas after construction, including stream banks, with native vegetation for soil stabilization and enhancement of fish and wildlife populations. We recommend a 100 foot forested buffer along each stream bank.
- Return all disturbed instream habitat to a stable condition upon completion of construction in the area.
- Preservation of any tree canopy overhanging any streams within the project area.

I hope this information proves helpful to you. If you have any questions or require additional information, please call me at (800) 852-0942 Extension 366.

Sincerely,



Doug Dawson
Wildlife Biologist III

Cc: Environmental Section File

RECEIVED

JUL 24 2007



ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

Ernie Fletcher
Governor

DEPARTMENT FOR ENVIRONMENTAL PROTECTION
14 REILLY ROAD
FRANKFORT, KENTUCKY 40601
PHONE (502) 564-2150
FAX (502) 564-4245
www.dep.ky.gov

Teresa J. Hill
Secretary

Cheryl A. Taylor
Commissioner

July 20, 2007

Mr. Daryl J. Greer, P.E., Director
Division of Planning
Kentucky Transportation Cabinet
200 Mero Street
Frankfort, KY 40622

Re: Programming Study Russell and Adair Counties KY 76 from US 127 to KY 206 (SERO 2007-10)

Dear Mr. Greer,

The Environmental and Public Protection Cabinet serves as the state clearinghouse for review of environmental documents generated pursuant to the National Environmental Policy Act (NEPA). Within the Cabinet, the Commissioner's Office in the Department for Environmental Protection coordinates the review for Kentucky state agencies.

The Kentucky agencies listed on the attached sheet have been provided an opportunity to review the above referenced report. Responses were received from 7 of the reviewing agencies that were forwarded a copy of the document. One agency, the Department for Natural Resources indicated that they had already responded to your request via letter dated June 15, 2007. If you cannot locate that letter, let me know. Comments were also received from the Kentucky Divisions of Water, Waste Management, and Air Quality, and the Division of Forestry, Kentucky Heritage Council, and the Department of Fish and Wildlife Resources.

If you should have any questions, please contact me at (502) 564-2150, ext. 112.

Sincerely,

A handwritten signature in blue ink, appearing to read "Larry C. Taylor".

Larry C. Taylor
State Environmental Review Officer

Enclosures

**COMMONWEALTH OF KENTUCKY
STATE ENVIRONMENTAL REVIEW PROCESS**

Project Number: SERO 2007 - 10

Initial Coordination Effort

Project Title:

Programming Study Russell and Adair Counties KY 76 from US 127 to KY 206

The following Commonwealth of Kentucky agencies make up the State Environmental Review Process. Their response is listed below. Agencies that did not receive the document for review or did not respond are also noted.

REVIEWING AGENCIES:

RESPONSE:

Division of Water.....	COMMENTS ATTACHED
Division of Waste Management.....	COMMENTS ATTACHED
Division for Air Quality.....	COMMENTS ATTACHED
Department for Public Health.....	Not Sent for Review
Cabinet for Economic Development.....	Not Sent for Review
Department of Forestry.....	COMMENTS ATTACHED
Department of Parks.....	No Response Received
Department of Agriculture.....	No Response Received
Nature Preserves Commission.....	No Response Received
Kentucky Heritage Council.....	COMMENTS ATTACHED
Division of Conservation.....	No Response Received
Department for Natural Resources.....	COMMENTS ATTACHED
Department of Fish and Wildlife Resources....	COMMENTS ATTACHED
Transportation Cabinet.....	Not Sent for Review
Department for Military Affairs.....	Not Sent for Review

Division of Water Comments

KY 76 Programming Study from US 127 to KY 206

Endorsement:

A request for review of the Programming Study for Russell and Adair County's KY 76 from US 127 to KY 206 was received on June 11, 2007. The Division of Water (DOW) completed this assessment review and found that the information provided warranted an endorsement of this project. Below are the comments that were received.

Water Quality Branch:

A Special Water exists and will mostly likely be affected by this construction corridor of this project. The segment is a Unnamed Tributary to Green River (MPT 1.0 to 3.3). The Lat/Long for this segment is downstream point (37.1854, -85.1156) and upstream point (37.1595, -85.1134) in Adair County. It is part of the KDOW's reference reach stream program that is used to provide data for similar streams for support comparisons. We use this data from streams like this one to be able to tell what biota should be living in the stream if not affected by man-made perturbations.

Groundwater:

Proposed improvements to Highway 76 in Russell and Adair counties are likely to have minimal, if any, effects to groundwater. However, if they do occur, they are likely to be transitory.

To protect the area's groundwater, the measures found in the following should be adhered to: Kentucky Transportation Cabinet (KYTC) Best Management Practices, the Kentucky Department of Highways Standard Specifications, and the KYTC Generic Groundwater Protection Plan. If, during construction, these measures are found to be inadequate, KYTC is strongly encouraged to consult with the Kentucky Geological Survey and the Division of Water in the development of any new measures that may be necessary.

Field Operations

Endorse.

Water Resources:

This project does not require a Stream Construction Permit from the DOW; however, the Transportation Cabinet must meet FEMA requirements.

Enforcement Branch:

The Division of Enforcement does not object to the project proposed by the applicant.

Division of Waste Management Comments

Project #: SERO 2007-10

All solid waste generated by this project must be disposed at a permitted facility. If underground storage tanks are encountered they must be properly addressed. If asbestos, lead paint, and/or other contaminants are encountered during this project, they must be properly addressed.

Division for Air Quality Comments

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/homepage_repository/e-Clearinghouse.htm

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 located at http://www.air.ky.gov/homepage_repository/e-Clearinghouse.htm

The Division also suggests an investigation into compliance with applicable local government regulations.

Division of Forestry

Taylor, Larry (EPPC DEP COM)

From: Olszowy, Diana (EPPC DNR DOF)
Sent: Monday, June 25, 2007 3:53 PM
To: Taylor, Larry (EPPC DEP COM)
Cc: Olszowy, Diana (EPPC DNR DOF)
Subject: KY 76 road construction

Attachments: selecting and planting trees.pdf



selecting and
planting trees.p...

This e-mail serves as an environmental assessment of the proposed KY 76 highway project being initiated in Russell and Adair counties. There are currently no state forests or champion trees located in the project area. However, special care should be taken around existing trees that will remain after the construction is complete. Heavy equipment should be kept away from the base of the tree to prevent wounding of the trunk or surface roots. Construction traffic should be routed away from the dripline of the tree to lessen the severity of soil compaction. Compacted soil reduces the amount of water available to the tree, and this lack of water can cause added stress. Stressed trees are vulnerable to insect and disease infestation.

After completion of the project, consider planting additional trees in the landscape. Trees selected should be matched to the site. I've attached a publication entitled "Selection and Planting Trees," which will assist in determining the correct species for the correct site conditions. Please contact me for further assistance.

Diana Olszowy
Kentucky Division of Forestry
diana.olszowy@ky.gov
502-564-4496

Kentucky Heritage Council Comments



**COMMERCE CABINET
KENTUCKY HERITAGE COUNCIL**

Ernie Fletcher
Governor

The State Historic Preservation Office
300 Washington Street
Frankfort, Kentucky 40601
Phone (502) 564-7005
Fax (502) 564-5820
www.kentucky.gov

George Ward
Secretary

July 9, 2007

Mr. Larry Taylor
Department for Environmental Protection
Commissioner's Office
14 Reilly Road
Frankfort, Kentucky 40601

Re: Programming Study KY 76 from US 127 to KY 206 (Russell and Adair Counties, Kentucky)

Dear Mr. Taylor:

Thank you for your letter concerning the above referenced project. While no known historical, cultural, or archaeological sites are directly located in the project area, a number of archaeological sites are located nearby the project area including, 15Ru4 and 15Ru116 representing prehistoric sites. Our review indicates that the proposed project has the potential to impact sites eligible for listing in the National Register of Historic Places. Therefore, I recommend that the entire project area be surveyed by a professional archaeologist. A report documenting the results of this investigation must be submitted to the State Historic Preservation Officer for review, comment, and approval.

Should you have any questions, feel free to contact Lori Stahlgren of my staff at (502) 564-7005, extension 118.

Sincerely,

Donna M. Neary, Executive Director
Kentucky Heritage Council and
State Historic Preservation Officer

Department of Fish and Wildlife Resources Comments



**KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES
COMMERCE CABINET**

Ernie Fletcher
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George Ward
Secretary

Dr. Jonathan W. Gassett
Commissioner

June 27, 2007

Daryl J. Greer, P. E.
Director
Division of Planning
Kentucky Transportation Cabinet
200 Mero Street
5th Floor
Frankfort, KY 40622

RE: Programming Study
Russell & Adair Counties
KY 76, Study from US 127 to KY 206
Item No. 08-8302.00

Dear Mr. Greer:

The Kentucky Department of Fish and Wildlife Resources (KDFWR) have received your request for the above-referenced information. The Kentucky Fish and Wildlife Information System indicate that the federally endangered gray bat, *Myotis grisescens* and Indiana bat, *Myotis sodalis* are known to occur or could occur within close proximity to the project area. Please be aware that our database system is a dynamic one that only represents our current knowledge of the various species distributions.

- The Indiana bat utilizes a wide array of habitats, including riparian forests, upland forest, and fencerows 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. Removal of suitable Indiana bat roost trees due to construction of the proposed project should be completed between October 15 and March 31 in order to avoid impacting summer roosting Indiana bats. However, if any Indiana bat hibernacula are identified on the project area or are known to occur within 10 miles of the project area, we recommend the applicant only remove trees between November 15 and March 31 in order to avoid impacting Indiana bat "swarming" behavior.
- In areas where bats are known to occur, cave entrances, mine portals, and/or rock shelters that exist within the project area should be surveyed for potential use by such species as gray bats and Indiana bats. KDFWR recommends avoiding those areas that provide adequate habitat for bats.
- To minimize impacts to aquatic resources strict erosion control measures should be developed and implemented prior to construction to minimize siltation into streams located within the project area. Such erosion control measures may include, but are not limited to silt fences, staked straw bales, brush barriers, sediment basins, and diversion ditches. Erosion control measures will need to be installed prior to construction and should be inspected and repaired regularly as needed.



For more information on how to proceed with the threatened/endangered species surveys please contact the US Fish and Wildlife Service Kentucky Field Office at (502) 695-0468.

It appears that the proposed project has the potential to impact wetland habitats. KDFWR recommends that you look at the appropriate US Department of Interior National Wetland Inventory Map (NWI) and the appropriate county soil surveys to determine where the proposed project may impact wetlands. Additionally, field verification may be needed to determine the extent and quality of wetland habitats within the project area. Any planning should include measures designed to eliminate and/or reduce impacts to wetland habitats. If impacts cannot be avoided, mitigation should be properly designed and proposed to offset the losses. KDFWR will recommend, at a minimum, a 2:1 mitigation ratio for any permanent loss or degradation of wetland habitats.

KDFWR recommends that you contact the appropriate US Army Corps of Engineers office and the Kentucky Division of Water prior to any work within the waterways or wetland habitats of Kentucky. Additionally, KDFWR recommends the following for the portions of the project that impact streams:

- Channel changes located within the project area should incorporate natural stream channel design.
- If culverts are used, the culvert should be designed to allow the passage of aquatic organisms.
- Culverts should be designed so that degradation upstream and downstream of the culvert does not occur.
- Development/excavation during low flow period to minimize disturbances.
- Proper placement of erosion control structures below highly disturbed areas to minimize entry of silt into area streams.
- Replanting of disturbed areas after construction, including stream banks, with native vegetation for soil stabilization and enhancement of fish and wildlife populations. We recommend a 100 foot forested buffer along each stream bank.
- Return all disturbed instream habitat to a stable condition upon completion of construction in the area.
- Preservation of any tree canopy overhanging any streams within the project area.

I hope this information proves helpful to you. If you have any questions or require additional information, please call me at (800) 852-0942 Extension 366.

Sincerely,



Doug Dawson
Wildlife Biologist III

Cc: Environmental Section File