

APPENDIX B – Resource Agency Responses



Commonwealth of Kentucky
Transportation Cabinet

Frankfort, Kentucky 40622

December 18, 2001

Paul E. Patton
Governor

James C. Codell, III
Secretary of Transportation

Clifford C. Linkes, P.E.
Deputy Secretary

(See Attached List)

«Name»

«Title»

«Organization»

«Address»

«City_State_Zip_Code»

«Salutation»:

The Kentucky Transportation Cabinet is requesting your agency's input and comments on the needs and potential impacts of a proposed highway project. We are asking for you to notify us of specific issues or concerns of your agency that could affect the development of project alternatives for future phases of the project described below.

We respectfully ask that you provide us with your comments by January 15, 2002, to ensure timely progress in this planning effort.

We believe that early identification of issues or concerns in your area of interest can help us select highway project alternatives that avoid or minimize negative impacts. The Intermodal Surface Transportation Efficiency Act (ISTEA) and Transportation Efficiency Act for the 21st Century (TEA-21) encourage early coordination between government agencies in order to streamline environmental reviews during the project development process. The Federal Highway Administration is partnering with us in these efforts.

The Kentucky Transportation Cabinet has assembled a study team to evaluate the effectiveness and environmental consequences resulting from the reconstruction of US 62 from KY 189 to KY 181 in Greenville, Muhlenberg County, Kentucky. The study is currently in the initial data-gathering stage. This request is intended to address public and agency concerns early in the project development process.

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

- A draft statement of Study Purpose and Project Goals
- Project Location Map



KENTUCKY TRANSPORTATION CABINET

"PROVIDE A SAFE, EFFICIENT, ENVIRONMENTALLY SOUND, AND FISCALLY RESPONSIBLE TRANSPORTATION SYSTEM WHICH PROMOTES ECONOMIC GROWTH AND ENHANCES THE QUALITY OF LIFE IN KENTUCKY."
"AN EQUAL OPPORTUNITY EMPLOYER M/F/D"

«Name»

December 18, 2001

Page 2

- Existing Traffic
- Accident Locations
- Environmental Overview (to date)

We understand that you may not be able to provide extensive detail at this time within the time requested, but we would like to receive enough information to identify the general nature and relative magnitude of each issue or concern. More detailed information will be gathered in the future phases, if any, of project implementation. Any input and/or insight you can provide concerning this proposed improvement would be welcomed.

We are also emphasizing the issue of environmental justice. The purpose of this emphasis is to ensure equitable environmental protection regardless of race, ethnicity, age, disability, economic status or community, so that no segment of the population bears a disproportionate share of the consequences of environmental impacts attributable to a proposed project. Therefore, if you have any information on this issue, please let us know if you are aware of any such groups or individuals in the project area that could possibly be impacted either positively or negatively.

We appreciate any input you can provide concerning this project. Please direct any comments, questions, or requests for additional information to David Martin of the Division of Planning at 502/564-7183 or at charles.martin@mail.state.ky.us. Please address all written correspondence to Annette Coffey, P.E., Director, Division of Planning, Kentucky Transportation Cabinet, 125 Holmes Street, Frankfort, KY 40622.

Sincerely,



Annette Coffey, P.E.
Director
Division of Planning

AC:CDM:RC

Enclosures

c: Jose Sepulveda (w/a)
Ted Merryman (w/a)
Nick Hall (w/a)
Steve Hoefler (w/a)



United States Department of the Interior

FISH AND WILDLIFE SERVICE

446 Neal Street
Cookeville, TN 38501

January 10, 2002

RECEIVED
TRANSPORTATION CABINET
DIVISION OF PLANNING
JAN 14 11 34 AM '02

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

Re: FWS# 2002-0709

Dear Ms Coffey:

Thank you for your letter and enclosure of December 18, 2001, concerning the proposed reconstruction of US 62 in Muhlenberg County, Kentucky. Fish and Wildlife Service (Service) personnel have reviewed the information submitted and the following comments are provided in accordance with the provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

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

Prevention of excessive sedimentation can occur only through application of Best Management Practices during daily construction activities. Rigid application of your agency's construction erosion control standards can preclude most sedimentation problems; however, in some cases, additional measures will need to be taken by on-site inspectors and construction representatives.

Information available to Service biologists does not indicate that wetlands exist in the vicinity of the proposed project. Our wetlands determination has been made in the absence of a field inspection and does not constitute a wetlands delineation for the purposes of Section 404 of the Clean Water Act or the wetlands conservation provisions of the Food Security Act. The Corps of Engineers of the Natural Resources Conservation Service should be contacted regarding the presence of regulatory wetlands and the requirements of wetlands protection statutes. We also recommend that any necessary stream channel work be held to a minimum and that Best Management Practices be utilized and enforced, effectively controlling erosion, sedimentation, and other potential hazards. The following conditions are specifically recommended:

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

7. Good water quality should be maintained during construction.

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

Endangered species collection records available to the Service do not indicate that federally listed species or proposed endangered or threatened species occur within the impact area of the proposed project. We note, however, that collection records available to the Service may not be all-inclusive. Our data base is a compilation of collection records made available by various individuals and resource agencies. This information is seldom based on comprehensive surveys of all potential habitat and thus does not necessarily provide conclusive evidence that additional protected species are present or absent at a specific locality. However, based on the best information available at this time, we believe that the requirements of Section 7 of the Endangered Species Act of 1973, as amended, are fulfilled. Obligations under Section 7 of the Act must be reconsidered if (1) new information reveals impacts of the proposed action that may affect listed species or critical habitat in a manner not previously considered, (2) the proposed action is subsequently modified to include activities which were not considered during this consultation, or (3) new species are listed or critical habitat designated that might be affected by the proposed action.

Thank you the opportunity to comment on this project. If you have any questions, please contact Sherry Williams of my staff at 931/528-6481, ext. 203.

Sincerely



Lee A. Barclay, Ph.D.
Field Supervisor



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

RECEIVED
TRANSPORTATION CABINET
DIVISION OF PLANNING

JAN 25 10 25 AM '02

January 22, 2002

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

SUBJECT: Early Coordination - EPA comments on US 62 Intermediate Planning Study

Dear Ms Coffey:

The Environmental Protection Agency (EPA), Region 4, received your December 31, 2001 Initial Coordination document concerning the proposed highway improvement project. The document gives a general outline of the project, provides information general and project-specific environmental impacts and analysis procedures, and requests our input with regard to identifying potential issues of concern within the project area.

EPA's review of the NEPA document will consist of looking at environmental affects of the project on the water, air, land, wildlife habitat in the area. For your assistance, enclosed are preliminary scoping comments pertaining to the contents of a National Environmental Policy Act document. In addition, we also enclosed specific information regarding significant and priority ecological areas, environmental justice areas of concern, and general land cover types for the project area.

We appreciate your the opportunity to provide these preliminary comments. We look forward to reviewing the NEPA document that you develop for the proposed project.

If you have any further questions or concerns, please contact Ntale Kajumba of my staff at (404) 562-9620.

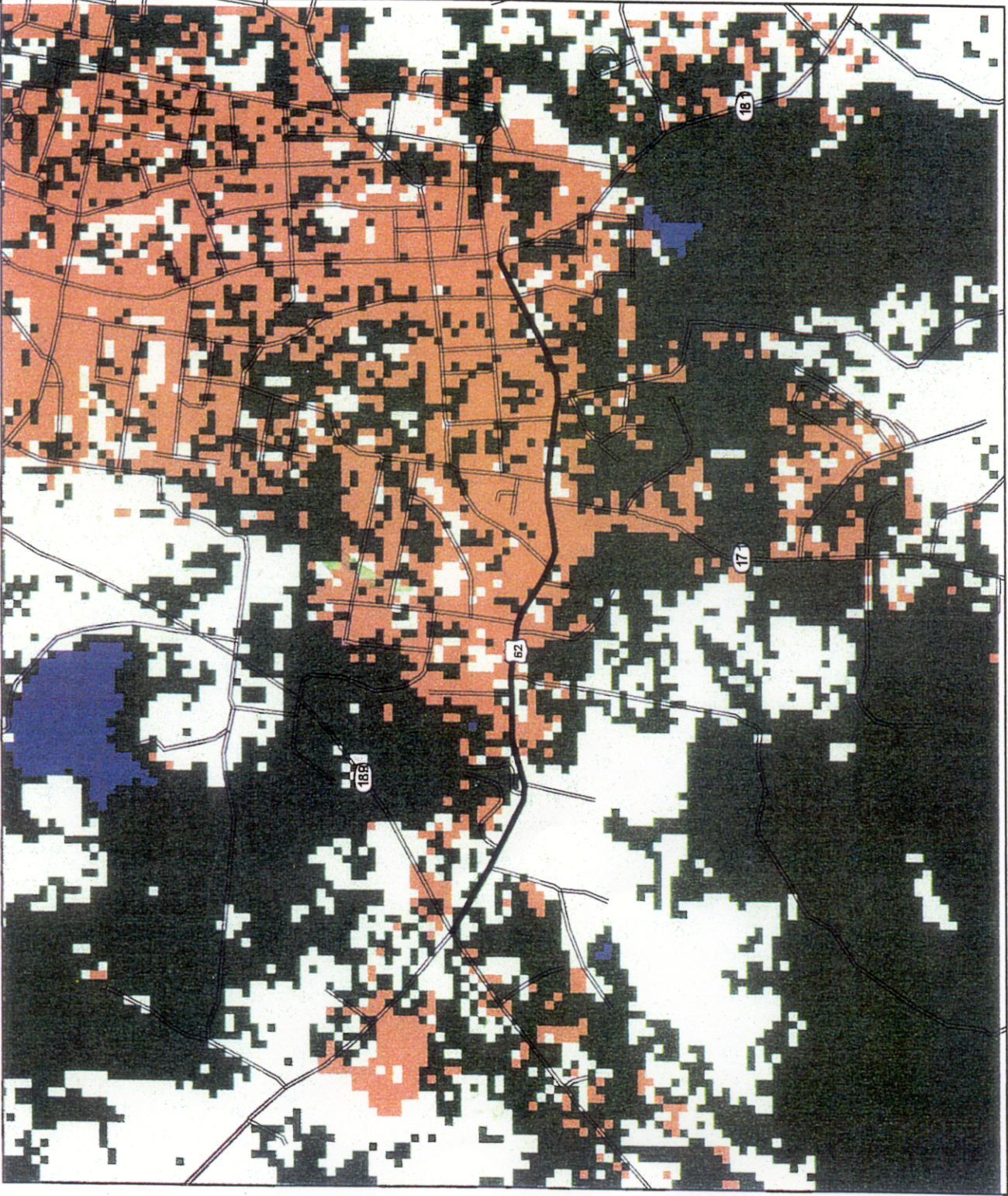
Sincerely,

Heinz Mueller, Chief
Office of Environmental Assessment
Environmental Accountability Division

Enclosure:



**GENERAL
LAND COVER TYPES
AROUND PROJECT AREA**



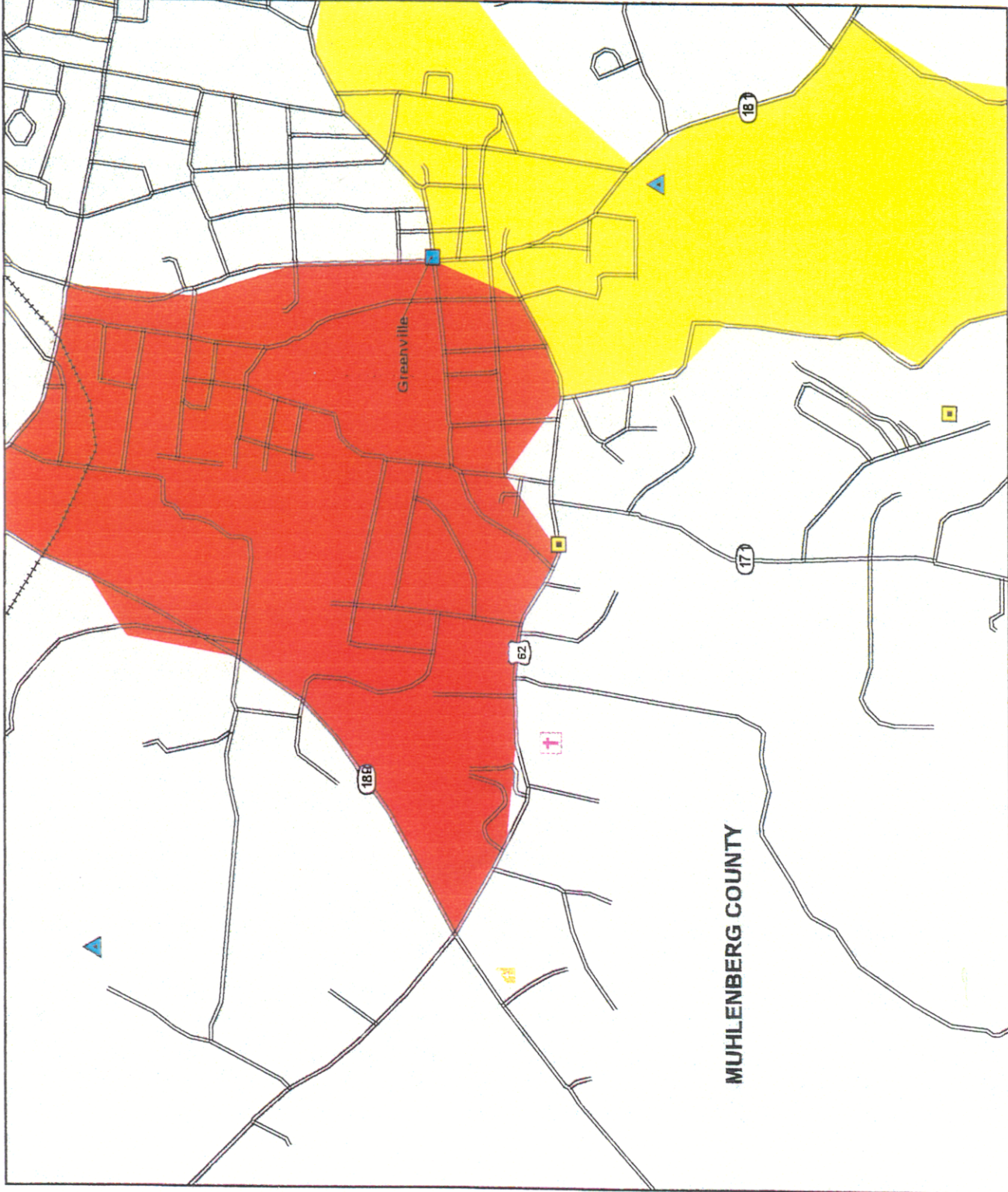
Source: National Land Cover Data 1992 (NLCD 92).
 Resolution of the data is 30 meters.
 Derived from the early to mid-1990s Landsat Thematic Mapper satellite data.
 21 Original land cover classes grouped into 6 general classes.





**POTENTIAL EJ AREAS
AROUND PROJECT AREA**

- Populated Places
- Ⓜ Churches
- † Cemeteries
- ▲ EPA Sites
- ▲ PCS
- RCRIS
- Railroads
- Roads
- Major Streams
- County Boundaries
- Potential EJ Areas
- Low Income
- Minority
- Minority/Low Income
- Non-EJ Areas

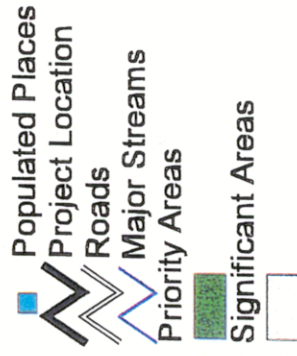


Source: 1990 U.S. Census Population and Housing Summary Tape File 3.
Aggregated to Block Group Level ~800-2000 People.

Relative State Minority Threshold: TN = 20.89% and MS = 44.30%
Relative State Low Income Threshold (15K): TN = 36.59% and MS = 47.09



**SIGNIFICANT AND PRIORITY
ECOLOGICAL AREAS
AROUND PROJECT AREA**



Source:
1. Southern Ecological Framework (SEF):
U.S. Environmental Protection Agency and University of Florida, 2000.
2. 303d Listed Waters (TN and MS, 1998)



ELEMENTS OF A NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) DOCUMENT FOR TRANSPORTATION PROJECTS

Project Need - The need, potential benefits and adverse effects of the proposed project should be clearly stated. Project impacts and impact mitigation are evaluated in the context of project need.

The document should identify the basic underlying transportation problems (deficiencies) or needs between the two logical termini for the SIU under consideration. Traditional traffic data or analysis should be presented to substantiate each identified need. For example: if the problem is congestion, then Level of Service (LOS) data should be presented to substantiate this issue. In addition, traffic numbers [e.g., LOS, vehicle miles of travel (VMT), vehicle hours of travel (VHT), etc.], if applicable, for existing (current) and future (20 year) forecasts should also be presented. The traffic analysis should include projected traffic volumes that would utilize the facility from the connecting roadways.

Any local need identified and substantiated should have measurable objectives that will be used to assess whether an alternative or combination of alternatives would reasonably meet (i.e., solve) the problems or needs identified in the document. The overall purpose and need statement, including these objectives, should be developed with input and concurrence from cooperating regulatory and resource agencies, as project alternatives, impacts, and impact mitigation are all evaluated in the context of project need.

Alternatives - If an Environmental Assessment (EA) is prepared, a minimum of one feasible action alternative as well as the No-Action Alternative should be considered. A draft Environmental Impact Statement (DEIS) should include a minimum of two feasible action alternatives which should be fully considered, in addition to the No-Action Alternative. Other alternatives that should be considered include Transportation System Management/Travel Demand Management alternatives which maximize the efficiency of existing highways or transportation networks. The analysis of alternatives is the *core* of the NEPA process.

(The NEPA document should also discuss the status of the adjacent roadways and identify and provide an analysis of different alternative termini locations within the Study Area in relation to the termini of the neighboring roadways.) EPA recommends that the Draft EIS should identify a preferred alternative. This minimizes some of the issues associated with rating every action alternative and enables us to provide a thorough review of the environmental issues associated with the selected alternative. The selected alternative should avoid or minimize adverse impacts, so that the need for mitigation of impacts will be lessened or eliminated. A critical factor of the analysis of alternatives is the avoidance or minimization of adverse impacts. When alternatives are rejected, a rationale for rejection should be provided. The rationales should include environmental reasons, along with other considerations.

Wetlands -The NEPA document should discuss the location, amount, type, and quality of waters of the U.S., including wetlands, in the study area, how they were delineated (i.e., U.S. Army

Corps of Engineers (COE), contractor, lead agency, etc.), and impacts to these resources for each action alternative. All discussions of waters of the U.S. should be broken out by rivers/streams and wetlands. Include maps, text, and tables that feature areas occupied by wetlands, aquatic systems, and non-wetland riparian habitat. Specific wetland and other waters of the U.S. requirements are as follows:

NEPA/404 Merger: If waters of the United States may be impacted by activities regulated by Section 404 of the Clean Water Act, EPA strongly recommends that the NEPA document contain a thorough discussion of the proposed project's consistency with Federal Guidelines for specification of disposal sites for dredged or fill materials [the 404(b)(1) Guidelines found at 40 CFR Part 230]. In order to demonstrate compliance with the 404(b)(1) Guidelines, the NEPA document should meet the following criteria to the extent possible:

- The proposed action must be the practicable alternative which would have the least adverse impact on the aquatic ecosystem [40 CFR 230.10(a)]. If wetlands would be filled, then the NEPA document should explain why there are no practicable alternatives to locating the project outside jurisdictional wetlands and demonstrate how the project has been designed to minimize harm to existing wetlands.
- The proposed action must not cause or contribute to significant degradation of waters of the United States including wetlands and other special aquatic sites [40 CFR 230.10(c)]. Significant degradation includes the loss of fish and wildlife habitat and the loss of other wetland habitat values and functions. Significant degradation also includes cumulative impacts.
- The proposed project does not violate state-adopted, EPA-approved water quality standards or jeopardize the continued existence of any species listed as threatened or endangered under the Endangered Species Act [40 CFR 230.10(b)].
- Minimize the number of acres subject to Section 404 jurisdiction that would be permanently lost or degraded due to impacts other than the placement of fill (e.g., the impacts of erosion, sedimentation and runoff of pollutants on wetland habitats; diversion of water from wetland habitats).
- Direct, indirect and cumulative impacts to these resources should be fully described.

Avoidance and Minimization: Impacts to wetlands and stream resources should be avoided and minimized to the maximum extent practicable. As described above, feasible alternatives that avoid wetland impacts should be evaluated consistent with the Section 404(b)(1) Guidelines. In addition, further fragmentation of remaining large contiguous undeveloped wetland or riparian areas should also be avoided. Special attention should also be given to avoidance and minimization of impacts in areas assigned special regional, state, or local designation or recognition (i.e. Scenic Rivers, wildlife management areas, etc.).

Characterization: Wetland types should be characterized using the hydrogeomorphic (HGM)

classification for wetlands (Brinson 1993) and augmented with vegetation and hydroperiod modifiers, such as those utilized nationally by Cowardin et al. (1979)[Citation information is included in Appendix A below]. Where sufficient documentation exists, wetland types and descriptors should follow regional or local protocol, such as those found in the Tennessee Wetlands Conservation Strategy (GIWC 1998). Stream types should be delineated according to the Rosgen classification of natural rivers (Rosgen 1994, 1996) which is based on the fluvial geomorphic condition of rivers and their valleys.

Where rivers and streams are not adequately evaluated by the wetland functional assessment methodology utilized, impacts to river and stream channels should be evaluated utilizing appropriate local or State conservation plans or strategies (i.e., KDOW 2001) or regional guidelines, such as the North Carolina Stream Mitigation Guidelines (NCWRC 1996, NCDENR 2001) or the Compensatory Stream Mitigation Standard Operating Procedure developed by the COE Savannah District (COESD 2000).

The NEPA document should also identify farmed wetlands (FW) and prior converted wetlands (PCW) in the project study area. The Natural Resources Conservation Service (NRCS) has determined which areas are PCW and which areas are considered FW. If the State DOT, NRCS, or private landowners cannot verify a PCW or FW designation (which happens often since these determinations were made many years ago), then a delineation should be completed based on the current conditions at the site. Mitigation will be required for impacts to farmed wetlands.

Quality: The quality of the wetland resources proposed for impact should be evaluated using a wetland functional assessment methodology. Where the appropriate guidebooks have been developed (e.g., Kentucky, Mississippi, and Tennessee), HGM should be utilized (Ainslie et al. 1999, Smith and Klimas 2000, Wilder and Roberts 1999). Where the appropriate HGM guidebooks have not been developed, equivalent functional assessment methodologies should be utilized.

Quantity: Impacts to wetlands and other waters should be appropriately quantified for each alternative considered in the EIS. For example, the amount of impacts to wetlands should be characterized in terms of acreage, while impacts to stream channels should be characterized in terms of linear feet of stream and stream order. Impacts for each alternative should be compiled to facilitate comparison.

Mitigation: A draft mitigation plan should be developed during the NEPA process to compensate for predicted wetland and stream losses that remain following efforts to avoid and minimize such impacts.

Wetlands: Wetland restoration is EPA's preferred mitigation option for impacts to wetlands. Wetland restoration is normally considered an action that successfully restores all three wetland parameters (hydric soils, hydrophytic vegetation, and wetland hydrology) to an area that was formerly a wetland, but where at least one of the aforementioned parameters has been removed. At a minimum, any restored site must meet the criteria outlined in the 1987 COE wetland delineation manual for a jurisdictional wetland (or the Clean Water Act

definition of a water of the U.S.). However, site selection and the specific restoration measures employed should be designed to replace the aquatic ecosystem functions lost or impaired due to the proposed project, and this may entail more than simply the three parameters.

Enhancement is the second preference for mitigation for impacts to wetlands. Enhancement measures must address a suite of functions, as opposed to only a single function, and the enhancement measures themselves must not adversely affect other wetland functions currently performed or capable of being performed by the mitigation site. EPA does not view the conversion of one wetland type to another as enhancement. As with wetland restoration, it is important to establish a baseline condition for a wetland prior to any action, and then establish measurable performance criteria to quantify the level of enhancement. The results of the aforementioned wetland functional assessment will assist in determining the appropriate type, location and amount of mitigation for impacts to wetlands.

Streams: Stream restoration is EPA's preferred mitigation option for impacts to streams. Stream restoration includes actions taken to correct previous alterations that have destroyed, diminished, or impaired the character and function of streams or rivers. Restoration is the process of converting an unstable, altered, or degraded stream channel to its natural or referenced stable condition, with consideration of recent and future watershed conditions. This process may include restoration of the stream's geomorphic dimension, pattern and profile and/or biological and chemical integrity, including transport of water and sediment produced by the streams' watershed in order to achieve dynamic equilibrium. Other components of stream mitigation may include riparian buffer restoration and preservation of appropriately buffered streams. The results of the aforementioned wetland functional assessment will assist in determining the appropriate type, location and amount of mitigation for impacts to stream assessment.

Location: While mitigation for otherwise disparate impacts may be clustered to provide the maximum level of ecological benefit, impacts in "special designation" areas or watersheds may require mitigation in the subject watersheds.

The mitigation proposal should include the proposed mitigation replacement ratio, the habitat value and proposed location of replacement habitats, general grading and revegetation plans and a biological maintenance and monitoring program. Clear mitigation goals and objectives and quantifiable criteria by which to judge the success or failure of mitigation should be provided. The proposal should include commitments to ensure the restoration, creation, and protection of wetland habitats of equal or greater resource value.

Water Quality - EPA is concerned about degradation of water quality in various waterways from erosion, siltation and other pollutants associated with road construction and operations. The NEPA document should discuss potential impacts to water quality, designated uses and biological resources from construction and operations of the proposed project. The discussion in the document should be of sufficient detail to determine which alternatives are environmentally preferable. Site-specific water quality problems need to be assessed in greater detail, if

applicable, including the adoption of site-specific mitigation measures to protect water quality and designated uses.

Protecting water quality ensures the protection of its designated uses. Especially critical is the protection of several sensitive uses. It is important to protect water quality in order to maintain freshwater and wildlife habitats, since many species are sensitive to the introduction of pollutants or the adverse modification of their habitats. It is also important to protect groundwater recharge and freshwater replenishment, particularly if public drinking water supplies could be adversely affected. These sensitive beneficial uses should be carefully considered when evaluating potential impacts caused by the placement of fill, erosion, sedimentation, the runoff of pollutants, and the accidental discharge of hazardous waste or toxic substances.

Characterization: The NEPA document should identify all surface waters that may be affected by the proposed project, as well as current drainage patterns in the project study area. The document should identify the existing and potential designated uses of these surface waters. Protected designated uses for streams, creeks, lagoons, tidal areas and other surface waters may include one or more of the following: cold and warm freshwater habitat; marine habitat; fish spawning and migration; shellfish habitat; wildlife habitat; preservation of rare, threatened or endangered species; groundwater recharge; freshwater replenishment; public drinking water supplies; agricultural supply; and water contact and non-contact recreation. Individual waterbodies in the vicinity of the project not meeting designated uses should be identified in the NEPA document. The causes and sources of the impairments should also be identified.

Critical habitat areas (wildlife feeding and drinking areas; fishery migration, spawning or rearing areas; sensitive aquatic habitats such as wetlands; riparian resources; critical habitat for threatened and endangered species) should be identified in the study area, including a description of the existing designated uses and resource values of these critical areas.

Impacts and Coordination: The document should discuss any proposed crossings of water bodies. In general, crossings should be minimized. Unavoidable crossings should be strategically placed to reduce harm by avoiding fish spawning areas, avoiding fringe wetlands, approaching at right angles to streams, etc. Impacts to critical habitat areas, described previously, that cannot be avoided should be discussed. The document should assess how altering drainage patterns and characteristics will affect drainage hydrology, surface runoff, erosion potential, soils vegetation, and water quality. The document should include an analysis of project effects on floodplains in the study area. This includes using maps prepared by the Federal Emergency Management Agency, National Flood Insurance Program, and other appropriate agencies to determine whether the proposed action is located in or will likely affect a floodplain. The document should discuss these impacts and also describe the alternatives considered. Compliance with Executive Order 11988 on floodplain management should be documented. EPA strongly recommends bridging of floodplains whenever feasible. Any wetland loss or other impacts contributing to loss of floodwater storage or retention functions should be appropriately mitigated with in-kind replacement of those functions.

The NEPA document should discuss how the project will comply with state and local water

quality management plans, state water quality objectives; and state-adopted, EPA-approved water quality standards. We encourage the DOTs to work closely with state water pollution control agencies, state fish and game agencies, the U.S. Fish and Wildlife Service (USFWS), and/or the National Marine Fisheries Service on issues related to water quality standards; the protection of water quality, designated uses and biological resources; mitigation and monitoring for adverse impacts. If the proposed project includes disturbance of five or more acres of land during construction, and point source discharges into waters of the United States (i.e., water bodies such as rivers, lakes, wetlands, etc.), coverage under an EPA stormwater National Pollutant Discharge Elimination System (NPDES) General Permit or state equivalent may be required. The state DOT should contact the appropriate state environmental agency for further information on the NPDES program.

In addition, Section 319 of the CWA requires states to assess nonpoint source water pollution problems, develop nonpoint source pollution management programs, and implement controls to protect and improve water quality and beneficial uses. The state DOT should work closely with appropriate state water pollution control agencies to determine what pollution control measures should be adopted to advance the state's nonpoint source management plans in the project area. Specifically, the status of development of Total Maximum Daily Loads (TMDLs) for any waterways in the study area should be identified and how the proposed project could affect implementation of restoration efforts in these watersheds.

Mitigation: The NEPA document should discuss what mitigation measures (e.g., nonpoint source controls) will be implemented to protect or improve water quality, designated uses, and biological resources. Mitigation measures related to protection of water quality should be tailored depending on the condition of the specific water resource as well as the severity of the potential impacts. Best Management Practices (BMPs) should be used to reduce erosion during construction and operation of the facility. In the vicinity of impaired surface water resources in the project area, all storm water runoff from the proposed roadway should be collected and treated before being discharged to surface waters. In other areas, typical BMPs, including the use of staked hay bales, silt fences, mulching and reseeding, and use of buffer zones along water bodies, are appropriate. The document should include an erosion control plan or reference the State erosion control regulations and a commitment to compliance. Compliance should include both BMP application and long-term maintenance.

Groundwater: For each alternative under consideration, the NEPA document should:

- Describe current groundwater conditions in the project area. Any likely impacts to groundwater quality and quantity from the proposed action should be assessed.
- Identify mitigation measures to prevent or reduce adverse impacts to groundwater quality and discuss their effectiveness. EPA encourages state DOT to work closely with state and local agencies which regulate the protection of groundwater resources (i.e., state health departments and water pollution control agencies.)

Sole Source Aquifers: Pursuant to Section 1424(e) of the Safe Drinking Water Act of 1974, all

Federal financially assisted projects which have the potential to contaminate designated sole source aquifers (SSA) are subject to EPA review. The NEPA document should identify if there is a designated sole source aquifer in the vicinity of the project and the potential for impacts to this sensitive resource. Transportation projects should be designed in a manner that will prevent the introduction of contaminants into the SSAs in quantities or concentrations which may create a significant hazard to public health. The document should determine whether the proposed project may contaminate the aquifer through its recharge zone so as to create a significant hazard to public health, or which may require a public water system to install additional treatment to prevent such adverse effect.

Public Water Supply Systems: A concerted effort should be made to avoid locating capacity adding transportation projects within water supply recharge of defined critical areas associated with water supply impoundments and intakes. If unavoidable, any projects that are located in these areas should be carefully designed to avoid or minimize any adverse effects from accidental spills and runoff. Source water protection areas are areas defined and delineated by each state for the purpose of geographically identifying the surface and ground waters currently used as a source of public drinking water. States are required by the Safe Drinking Water Act, through EPA-approved Source Water Assessment Programs (SWAPs), to conduct a source water assessment at every public water supply in each State. State deadlines for completing source water assessments are dependent upon each state's SWAP approval date.

Best Management Practices (BMPs) should be used to reduce erosion during construction. Typical BMPs include the use of staked hay bales, silt fences, mulching and reseeded, and appropriate buffer zones along water bodies. The document should include an erosion control plan or reference the State erosion control regulations and a commitment to compliance. Compliance should include both BMP application and maintenance.

The document should discuss any proposed crossings of water bodies. In general, crossings should be minimized. Unavoidable crossings should be strategically placed to reduce harm by avoiding fish spawning areas, avoiding fringe wetlands, approaching at right angles to streams, etc. If the proposed project includes disturbance of five or more acres of land during construction, and point source discharges into waters of the United States (i.e., water bodies such as rivers, lakes, wetlands, etc.), coverage under an EPA storm water National Pollutant Discharge Elimination System (NPDES) General Permit may be required. Contact your state environmental agency for further information on the NPDES program.

Noise - Construction Noise: The NEPA document should document construction noise attributable to the project. Typical noise levels produced by construction equipment (e.g., trucks, front end loaders, pile drivers, etc.) within 50 feet, which are available in the literature, should be disclosed. The total project construction time (months, years) should also be estimated in order to help assess the magnitude of the construction noise impact. Attempts should also be made to estimate the temporary construction time associated with any one feature along the ROW or section thereof. For example, how long is construction expected to take near any given affected residence or for an average mile of roadway? This information will allow affected residents to approximate their degree of noise disturbance during construction.

Although temporary, construction noise should be reasonably mitigated in the vicinity of residential areas or other noise-sensitive land uses. Preferably, construction should not start before 7:00 AM or continue after 7:00 PM during the work week (5-6 days) and should be discontinued on Sundays and on locally-observed federal and/or state holidays. In addition, the use of "hush houses" should be considered around any stationary equipment to shield noise at its source, and all motorized equipment should be properly tuned to the manufacturer's specifications for additional source reduction. All construction equipment should be equipped with noise attenuation devices, such as mufflers and insulated engine housings. Such mitigative methods should be made a contractual obligation that is periodically reviewed in the field by FHWA/DOT or third-party inspectors.

Highway Noise: The NEPA document should predict what noise levels can be expected from the project, and the distance to the closest residence/receptor. Background (ambient) noise levels should also be included in the document. EPA prefers that noise impacts are measured using the Leq(h) metric since it provides an average level during peak traffic periods as opposed to the L10 metric which provides a less specific level that is not exceeded more than 10 percent of the time. The noise analysis should also estimate the projected incremental increase of noise. EPA considers increases over 10 dBA from existing levels as a significant increase. Comparisons to any noise guidelines (e.g., FHWA, HUD) or city ordinances are also appropriate. EPA has a *target* noise level (not a guideline or standard) of DNL 55 dBA for outdoor areas where people spend a varying amount of time (such as residences). In addition, OSHA regulations apply for all employees affected by job noises.

Noise abatement should be considered by FHWA when project noise impacts meet or exceed the existing noise levels by 10 dBA (especially if the existing noise levels are 50 dBA and above). Forms of noise and/or visual mitigation include, but are not limited to, vegetative screens, vegetated earthen berms (suburban areas), fabricated noise barriers, and alignment shifts. Avoiding noise impacts via alignment shifts is frequently more effective than mitigation.

Environmental Justice (EJ) - Background: Executive Order 12898: (*Federal Actions to Address in Minority and Low-Income Populations*) requires all federal agencies to identify and address disproportionately high and adverse human health or environmental effects of federal programs on minority or low-income populations. The general purpose is to foster non-discrimination in federal programs and to provide minority and low-income communities greater opportunities for public participation in, and access to public information regarding human health and environmental issues.

In an effort to determine whether there are potential environmental justice (EJ) areas of concern (areas that have high levels of minority and/or low-income populations relative to the reference area), the demographic characteristics of the proposed project area are examined. Information regarding potential EJ areas identified in the screening process is used to ensure that these communities have access to both concise and clear information sufficient to effectively participate in the public involvement process and to ensure that these communities/areas are not disproportionately adversely affected by this project area. Consistent with Executive Order 12898, potential EJ impacts should be considered in the NEPA document. The following items

should be incorporated into all EJ analyses related to the proposed project

Demographic Characterization: The NEPA document should identify potential EJ areas of concern. Appropriate geographic boundaries surrounding the communities that may be potentially impacted by the proposed project must be identified. General screening to identify potential EJ areas involves comparing the minority and low-income characteristics of smaller geographic areas (project area) with those of a larger geographic areas (reference area). U.S. Census data for 1990 (or more recent data if possible) should be used for the minority and low-income analysis. Data should be collected at the block group level for the project area and the county, metropolitan statistical area, or state for the reference area. The block group data level should be used because it provides the best combination of demographic accuracy and data accessibility. The appropriate reference area should be selected based on the scope and intent of the project. The NEPA document should indicate what demographic threshold or methodology was used to determine whether low-income and/or minority populations exist in the study area. EPA recommends the use of a relative threshold in EJ analyses for determining significant minority and low-income populations. The relative threshold recommended for use is at least 1.2 times the State Average of minority populations and low-income populations.

The following information includes some data sources or tools that may be used to identify low-income and minority communities:

- Maps provide by state, county and local agencies that delineate political and population boundaries
- U.S. Census Bureau geographic data
- Sources such as Chambers of Commerce, civic groups, trade associations and commercial organizations
- Standard demographic surveys that identify minority and low-income populations
- Local resources such as community and public outreach groups, community leaders, state universities
- Tools such as maps, aerial photographs and geographical information systems
- EPA Enviro mapper

Environmental Characterization and Impact Assessment: If percentages of low-income or minority populations are elevated within the project area, alternatives should be considered that avoid or minimize impacts to potential EJ areas. The issue of disproportionately high and adverse impacts should also be evaluated in the document by comparing environmental impact data to EJ information for highway segments. Adverse effects are defined as "disproportionate" if the risk of adverse environmental impacts are predominately borne in areas with minority or low-income populations or if the impacts are greater in magnitude in areas with minority or low-income populations than in other areas. When analyzing these impacts, it is important to assess both the negative and positive impacts, consider both the short and long-term effects as well as the secondary and cumulative impacts. One of the most detrimental aspects of controlled access can be to divide defined communities regardless of whether they are EJ communities. This potential impact must be assessed.

Public Involvement: If impacts are unavoidable, EPA recommends that coordination with these affected populations be conducted to determine the affected population's concerns and comments regarding the proposed project. This coordination should include a clear discussion of the project, project updates or expansions, environmental impacts, any economic benefits (job opportunities, etc.) of the project to the affected population, and the opportunity for informal and/or formal comments (e.g., EIS scoping meetings, public hearings, or other public meetings). Because public involvement is an important part of the NEPA process, we recommend early coordination and involvement with potential EJ communities that may be impacted by the project. Regardless of the makeup of the affected population, impacts of the project should be controlled so that significant effects on human health are avoided and/or minimized.

Maps: The NEPA document should contain maps of potential EJ areas of concern within the proposed project corridor. Maps for the route should evaluate population density, minority status, and low-income status.

Example (Segment 9) - Based on preliminary EJ screening analysis using 1990 Census data

Air Quality - The NEPA document should contain a discussion of the regulatory transportation air quality requirements, regional air quality concerns in the project area, and a localized carbon monoxide (CO) analysis. The document should assess existing air quality conditions in terms of National Ambient Air Quality Standards (NAAQS), Federal Prevention of Significant Deterioration (PSD) increments, and state air quality standards (particularly if they are more stringent than the federal regulations). Any aspects of the project that could adversely affect air quality, in terms of creating new violations of Federal air quality standards, increasing the frequency and severity of existing violations of the standards, or delaying attainment of the standards should be identified. All emissions resulting from the project must be in compliance with applicable air quality regulations, particularly the NAAQS for criteria air pollutants [e.g., ozone, carbon monoxide (CO), nitrogen oxides, sulfur dioxide, lead and particulate matter (PM)] in designated non-attainment or maintenance areas.

Mesoscale Concerns: Ozone, hydrocarbons, and nitrogen oxides air quality concerns are regional in nature and as such meaningful evaluation on a project-by-project basis is not possible. Therefore, the EIS should include a discussion of regional air quality conditions, depending on the location of the project, as described below:

Non-attainment/Maintenance Areas: If the project is located in a nonattainment or maintenance area, the EIS must document that provisions of 40 CFR Part 93 Subpart A, Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Project Development, Funded or Approved Under Title 23 U.S.C. or the Federal Transit Laws, have been satisfied. For example, the project should be included in a Long Range Transportation Plan (LRTP) and/or Transportation Improvement Program (TIP) that is in conformance with an approved State Implementation Plan (SIP). The relationship of the project to the SIP should be described in the EIS. Specifically, the EIS must show that the project (without significant changes to the scope and/or design) has been included in the LRTP and/or TIP, and that FHWA has issued a conformity determination for the most recent

SIP.

Attainment Areas: If the project is not located in a nonattainment or maintenance area, the EIS should make a negative declaration for Section 176(c) of the Clean Air Act. In this case, the provisions of 40 CFR Part 93 Subpart A, Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Project Development, Funded or Approved Under Title 23 U.S.C. or the Federal Transit Laws, will not apply.

Microscale (Project-level) Concerns: The primary pollutant that is analyzed at the project stage is carbon monoxide. Therefore, CO emissions must be addressed by a localized hot spot analysis. The locations and level of detail for conducting analyses should be collectively determined by the affected agencies. The requirements of 40 CFR Part 93 Subpart A for carbon monoxide emissions must be satisfied. A localized PM-10 quantitative hot spot analysis will not be required until EPA releases modeling guidance in the Federal Register.

The document should indicate whether coordination with state/local/regional air pollution control agencies on air quality planning, air quality modeling, compliance with federal/state air quality standards, the need for air permits, air quality monitoring, and mitigation for adverse impacts has occurred. Parties which will be responsible for implementing air quality mitigation measures should be identified in the document.

Construction: The documentation should indicate that construction equipment will be tuned to manufacturer's specifications to reduce air emissions. In addition, open burning should be avoided or minimized since such emissions are precursors to ozone. If open burning occurs, coordination with the state and/or county regarding permitting needs should be documented in the NEPA document. The NEPA document should also discuss the types and effectiveness of any mitigation measures that will be used to protect air quality (e.g., vapor recovery systems, fumes incinerators, and dust control measures) during the construction phase. We recommend water for fugitive dust control during construction, instead of oils and other chemicals.

Archeological and Historic Property - Pursuant to the Historic Preservation Act, federal agencies should identify and determine the effect of the action on any district, site, building, structure, or object listed in or eligible for listing in the National Register of Historic Places. The NEPA document should demonstrate that proper coordination with the State Historic Preservation Office (SHPO) has occurred. EPA encourages use of the NEPA process as a mechanism for compliance with Section 106 of the National Historic Preservation Act. A thorough cultural resource survey should be conducted that identifies existing and potential historic properties in the area of potential effects (APE). The APE should include areas with potential secondary and cumulative impacts associated with the project. The NEPA document should discuss mitigative procedures for events such as unearthing archaeological sites during prospective construction. Such procedures should include work cessation in the area until SHPO approval of continued construction.

Consideration of Tribal Interests: If it appears a project has the potential to affect a site to which a tribe "attaches religious and cultural significance", regardless of the location of the property,

there needs to be consultation with the tribe. The property does not have to be located on the current "tribal land," according to the revised 36 CFR Part 800. It should also be determined whether or not the tribe involved has a designated Tribal Historic Preservation Officer (THPO). If so, the THPO will have assumed the responsibilities of the SHPO for Tribal lands.

Biodiversity/Natural Areas - Biodiversity is defined as the variety of plants and animals (biota) of a site or region, and is typically measured by the number of different species and number of individuals per species. In general, the more diverse an area (number of habitat types and animal inhabitants) and the better represented these components are (population counts), the more rigorous (resistant, undisturbed, natural, "healthy") the area is considered. Consistent with CEQ guidance, the NEPA document should discuss biodiversity aspects of the proposal as appropriate. For example, will the project increase, restore, or decrease biodiversity of the area or region? Coordination with the USFWS and the state fish and wildlife agency is recommended regarding the design of any project mitigation areas to enhance or restore biodiversity.

In addition to important natural areas, other critical environmental resources may exist in the project area, such as national and state parks/refuges, wildlife management areas, and other important habitat and greenspace areas on private lands. However, successful protection of natural resources requires more than "spot" conservation of isolated highly valuable and sensitive ecological areas, but also the links between them. One of the biggest threats to the environment is loss of ecosystem functionality due to fragmentation. Roads, agriculture and other development often lead to cutting natural systems into smaller pieces. Large, contiguous tracts of natural land are required not only for species habitat range, such as migratory birds or black bears, but for ecosystem function. Many ecological processes require large areas of land, often crossing more than one land cover type. Viable landscape linkages are needed to connect these different land types, or the processes are disrupted and their capabilities to function healthily are compromised. For these reasons, conservation must take on the new challenge of not only protecting pristine areas, but ecological connectivity as well.

EPA strongly encourages utilization of existing roads and discourages placement of new interchanges in the vicinity of these areas to minimize potential direct and indirect impacts to these important conservation areas and other important connecting ecological areas. Any proposed routing of new alignment should be sited to minimize fragmentation of forested areas or other important natural resources in the project areas. Appropriate compensatory mitigation for impacts to these resources or loss of critical ecosystem functions should be addressed in the NEPA document. Coordination between the appropriate EPA Regional Office and other natural resource agencies in the project area is encouraged to identify important areas, habitat connections, and potential mitigation opportunities.

Endangered Species - EPA defers to USFWS regarding assessments of federally-protected endangered species because the USFWS is the responsible agency for endangered species compliance. However, the NEPA document should demonstrate adequate coordination with the USFWS as part of the identification of any listed species in the project area, the potential for adverse effects, and any measures taken to avoid and minimize these impacts. "Adequate coordination" includes either a concurrence letter from USFWS or a biological opinion from

USFWS for the species concerned. Mitigation measures (including reasonable and prudent measures) should be incorporated in the appropriate places in the NEPA document. Early coordination with the USFWS is recommended.

Cumulative Impacts - NEPA requires the analysis and disclosure of the direct, secondary and cumulative impacts of major federal actions on the environment. While the direct impacts of transportation projects may or may not be significant, the secondary or indirect effects of the project on land use and the subsequent environmental effects can be both temporally and geographically more extensive. Similarly, there could be cases where the cumulative impacts would be great due to existing environmental conditions or other projects planned in an area. With respect to transportation projects, which both serve and induce land use changes, the analysis of these changes and the subsequent environment impacts is important to understand the total impact of the federal action on the natural, cultural and socioeconomic environment. Consideration of secondary and cumulative impacts requires the assessment of an area's ability to absorb additional development, the loss of businesses or residences, or if the watershed can absorb the loss of additional wetlands.

The NEPA document should examine the relative impacts of the various alternatives on potential land use changes. It should not only identify areas for development potential in the project study area, specifically in the vicinity of proposed interchanges, but also the secondary environmental impacts of the projected land use change associated with improved access and economic development. For example, what will be the secondary impact on service-related businesses along existing roadways through towns that will be bypassed? The specific environmental impacts at these areas should be quantified and compared between alternatives, as much as possible. In particular, if there are important existing natural resources, such as high quality wetlands or wildlife habitat, in the vicinity of proposed access points for any of the alternatives, these areas should be identified for potential acquisition as mitigation sites.

The NEPA document should estimate the cumulative impacts associated with the proposed project. Cumulative impacts include the additive effects of a given parameter for all contributing projects in the area, as well as the cumulative impact of all parameters for all projects in the area. The document should define what cumulative impacts would result from implementation of the proposed project. Existing or future projects (federal and non-federal projects) with attendant pollutants should also be considered. EPA also suggests that the spacial/temporal criteria of the analysis be given and that they be uniform throughout the analyses of the interstate highway project, if appropriate given the varied terrain.

As an organizational approach, EPA recommends discussion of the secondary and cumulative impacts of each of the alternatives within each impact section, as opposed to a separate section at the end of the "Environmental Consequences" section. A specific break-out of the direct, indirect (secondary), and cumulative effects is suggested.

Martin, David (KYTC)

From: Canterbury, Brenda [Brenda.Canterbury@em.doe.gov]
Sent: Friday, February 22, 2002 11:25 AM
To: 'charles.martin@mail.state.ky.us'
Cc: Brown, Patricia (EM-20)

Dear Mr. Martin:

This message is in response to a letter dated December 18, 2001, to David Huizenga, Deputy Assistant Secretary for Integration and Disposition, Office of Environmental Management, U.S. Department of Energy. The letter was forwarded to me for a response. I apologize for the delay in responding; like other Federal offices in the D.C. area our incoming mail is sanitized, and this sometimes results in substantial delays in receipt. In a recent conversation with a member of my staff, Mr. Daryl Greer of your office indicated an electronic mail response would be appropriate.

We have evaluated the material you sent regarding the reconstruction of US 62 from KY 189 to KY 181, and we have no specific comments at this time. However, the Department of Energy does have an interest in roadway safety and upgrades, as they benefit shippers and usually pose no problems to the Department's shipments during construction, assuming appropriate detours are available if necessary.

If you have any questions, or if we can provide you with any further information, please contact me on (301) 903-2102.

Sincerely,

J. Kent Hancock, Director
Office of Transportation
Office of Integration and Disposition
Office of Environmental Management
U.S. Department of Energy

U.S. Department
of Transportation

United States
Coast Guard



Commander
Eighth Coast Guard District

1222 Spruce Street
St. Louis, MO 63103-2832
Staff Symbol: obr
Phone: (314) 539-3900, Ext 382
FAX: (314) 539-3755

16593.22
3 January 2002

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

Subj: RECONSTRUCTION OF US 62 FROM KY 189 TO KY 181 IN GREENVILLE,
MUHLENBERG COUNTY, KENTUCKY

Dear Ms. Coffey:

Please refer to your letter of December 18, 2001. After reviewing the plans that you submitted we have determined that this project does not cross waterways over which the Coast Guard exercises jurisdiction for bridge administration purposes. A Coast Guard bridge permit is not required.

I appreciate the opportunity to comment on the proposed improvement project. Should you have any questions, contact Mr. David Orzechowski at (314) 539-3900 Ext. 382.

Sincerely,

A handwritten signature in black ink that reads "R. K. Wiebusch".

ROGER K. WIEBUSCH

Bridge Administrator

By direction of the District Commander

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JAN 14 11 32 AM '02



U.S. Department
of Transportation
Federal Aviation
Administration

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JAN 14 2 52 PM '02

Airports District Office, FAA
3385 Airways Blvd., Suite 302
Memphis, Tennessee 38116-3841
(901) 544-3495 FAX: (901) 544-4243
Email: 9.aso-mem-ado@faa.gov

January 8, 2002

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

Dear Ms. Coffey:

This is in response to your letters to Ms. LaVerne Reid of this office dated December 18, 2001 requesting information on any impacts to Federal Aviation Administration (FAA) facilities or public use airports resulting from:

1. the reconstruction of KY 30 from US 421 near Tyner, KY to KY 11
2. the reconstruction of US 62 from KY 189 to KY 181 in Greenville, KY.

There are no public use airports in the immediate vicinity of this proposed project. As long as construction activities do not exceed 200 feet in height above ground level, there will be no impacts on FAA programs and no Notice of Proposed Construction will be required.

Thank you for the opportunity to review the proposal.

Sincerely,

Michael L. Thompson
Program Manager

COMMONWEALTH OF KENTUCKY HOUSE OF REPRESENTATIVES



BRENT YONTS 15TH Legislative District

January 14, 2002

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

Mr. Ted Merryman, Chief Engineer
District Two, Kentucky Transportation Cabinet
1840 North Main Street, Drawer D
Madisonville, Kentucky 42431

Dear Ms. Coffey and Mr. Merryman:

I am writing you concerning the KY 189 Scoping Study and the HWY 62 Scoping Study that was recently presented to Muhlenberg County.

The Scope of the proposed HWY 62 project I believe, is non-doable because of the intensity of the utilities along the right-of-way, and the closeness of the houses to the streets. To widen this road would essentially destroy this neighborhood. The obvious answer is to build a southern by-pass around Greenville extending from the exterior of the city in the west and joining it on the east at HWY 176.

Nevertheless, improvements can be made by making additional turning lanes at the intersection of US 62 West, KY 181 South, and South Main Street, Greenville. Further, the very sharp turn there just a short distance into HWY 62 West, across from Philly's restaurant should be straightened and the telephone pole taken out of the street.



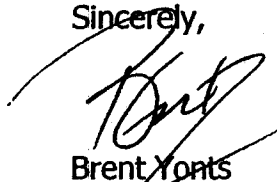
Ms. Annette Coffey
Mr. Ted Merryman
Page 2
January 14, 2002

Finally, widening once one is out of the city is possible, and this would increase the flow out of the city. I believe that this is all that can be done in this area do to the housing situation. There is, however, the possibility that Russell Street, which joins HWY 62 West from West Main Cross, could be improved and this would alleviate some of the traffic congestion on the street.

In regard to HWY 181 from the West Kentucky to HWY 601, I believe that there should not be too much difficulty in widening this road and providing turning lanes at intersections. This is dangerous territory with the high impact of school buses and school traffic each day. It is also compounded by trucks which travel to the West Kentucky and also by military vehicles in the area. Widening this road and adding turning lanes would greatly enhance it.

I hope this letter answers the concerns you had in your December 12, 2001, letter and this information will be helpful as you make your final decisions.

Sincerely,



Brent Yonts
State Representative

BY:rm

P-17 Beatech
WILSON

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P-3-2002

JAN 15 9 43 AM '02

MEMORANDUM

TO: Annette Coffey, P.E.
Director
Division of Planning

FROM: William Broyles, P.E.
Geotechnical Engineering
Branch Manager
Division of Materials

BY: R.T. Wilson, P.G. *R.T. Wilson*
Geotechnical Branch

DATE: January 10, 2002

SUBJECT: Muhlenberg County
US 62, From KY 189 to KY 181@ Greenville
Intermediate Planning Study
Item No. 2-138.00

At your request, personnel from the branch have completed a preliminary office review of the subject project.

Pennsylvanian age rocks of the Carbondale Formation consist of an alternating series of sandstone, shales, and coals. Sandstones are generally characterized as brown in color, fine to medium grain size, in beds from 1 inch to greater than 30 feet in thickness and friable. Friable sandstones are not suitable for rock roadbed and lift heights of 1 foot for embankment construction is recommended for stable fills. Non-durable shale or clay shales are present throughout the project. Subgrades constructed from non-durable shales can be improved using type III filter fabric and aggregate in urban areas and cement stabilization in rural areas.

A review of available mine maps indicates the proposed corridor has no strip-mines or underground mines present. A mineral evaluation study will not be required after a preferred alignment is selected.

Embankment benches will be necessary in sidehill conditions. Limestone or sandstone (2.0' minimum) should be placed on the benches for drainage.

Regional dip is from the south to the north, making saturated soil conditions possible on the south side of hollows. Wet embankment foundations can be corrected using type III filter fabric and 2-3 feet of aggregate.

This project is in a classified Seismic Risk Zone 3, which is defined as an area of high damage due to earthquake activity.

If there are questions please advise.

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PAUL E. PATTON
GOVERNOR



CABINET FOR WORKFORCE DEVELOPMENT
OFFICE OF THE SECRETARY
CAPITAL PLAZA TOWER, 2nd FLOOR
500 MERO STREET
FRANKFORT, KENTUCKY 40601
PHONE (502) 564-6606 FAX (502) 564-7967

ALLEN D. ROSE
SECRETARY

January 14, 2002

Ms. Annette Coffey, P.E.
Director
Division of Planning
Kentucky Transportation Cabinet
125 Holmes Street
Frankfort, Kentucky 40601

Dear Ms. Coffey:

The Cabinet for Workforce Development appreciates the opportunity to comment on the possible reconstruction of US 62 from KY 189 to KY 181 in Greenville; reconstruction of KY 181 from KY 189 to the Western Kentucky Parkway in Muhlenberg County; and reconstruction of KY 30 from US 421 near Tyner to KY 11 in Booneville. At this time, the proposed projects do not affect the Cabinet and its agencies.

Again, thank you for the opportunity to comment.

Sincerely,

Allen D. Rose
Secretary

ADR/SGS



Martin, David (KYTC)

From: Juett, Kalem (KYTC)
Sent: Tuesday, January 22, 2002 1:28 PM
To: Coffey, Annette (KYTC)
Cc: Bourne, Vickie (KYTC); Mayeux, Gail (KYTC)
Subject: Proposed Highway Project Item No. 2-183.00

Ms. Coffey,

Please be advised that the Subject project will not have an adverse impact on Public Transit.

Reference: Reconstruction of U.S. 62 Intermediate Planning Study
From KY 189 to KY 181
Muhlenberg County
Item No. 2-138.00

Thank you,

Kalem W. Juett
Program Coordinator
Transportation Delivery
kjuett@mail.kytc.state.ky.us
Buckle Up

Martin, David (KYTC)

From: Dixon, Carl (KYTC)
Sent: Wednesday, January 23, 2002 9:59 AM
To: Jimmy Wilson; Daryl Greer; Ted Grossardt; Jim Simpson; Charles Martin
Subject: FW: Words from Transportation Delivery - no impact on Transit

For your info and files ... but they didn't say if there might be a positive impact.

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

From: Coffey, Annette (KYTC)
Sent: Tuesday, January 22, 2002 2:37 PM
To: Dixon, Carl (KYTC)
Subject: Words from Transportation Delivery - no impact on Transit



Proposed Highway
Project Item ...



Proposed Highway
Project Item ...



Proposed Highway
Project Item ...



Proposed Highway
Project Item ...



Proposed Highway
Project Item ...

Annette Coffey, Director
Division of Planning
KY Transportation Cabinet
125 Holmes Street
Frankfort, KY 40601
502-564-7183
502-564-2865 (fax)
<http://www.kytc.state.ky.us/planning/index.htm>



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JAN 24 9 16 AM '02

James C. Codell, III
Secretary of Transportation

Commonwealth of Kentucky
Transportation Cabinet
Frankfort, Kentucky 40622

Paul E. Patton
Governor

Clifford C. Linkes, P.E.
Deputy Secretary

MEMORANDUM

TO: Annette Coffey, Director
Division of Planning

FROM: Michael L. Hill, Director *MLH*
Division of Multimodal Programs

DATE: January 23, 2002

SUBJECT: Item No. 2-138.00
Reconstruction of US 62
Muhlenberg County

Thank you for the opportunity to comment on this Muhlenberg County project.

The coordination and connectivity of bicycle and pedestrian facilities is important in the early planning and design stages of projects. Design Guidance from the United States Department of Transportation in February, 2000, states "bicycling and walking facilities will be incorporated into all transportation projects unless exceptional circumstances exist."

The section of US 62 under consideration for reconstruction is almost entirely within the corporate city limits of Greenville. In order to provide connectivity within the city limits, pedestrian facilities should be constructed along this corridor. Greenville has a history of being a pedestrian-friendly city with the development of the longest rail trail (6 miles) in Kentucky.

Please contact Paula Nye of this Division, at (502) 564-7686, for information or questions about bicycle and pedestrian concerns.

We look forward to working with your Division to facilitate your study efforts in our SUA and MPO areas, and by increasing awareness of bicycle and pedestrian issues.

MLH/LJS/PEN/AJT





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Commonwealth of Kentucky
Transportation Cabinet
Frankfort, Kentucky 40622

Paul E. Patton
Governor

James C. Codell, III
Secretary of Transportation

Clifford C. Linkes, P.E.
Deputy Secretary

MEMORANDUM

TO: Annette Coffey, P.E.
Director
Division of Planning

FROM: Edward Sue Perkins, P.E. *Sue*
Branch Manager
Permits Branch

DATE: February 5, 2002

RE: Muhlenburg County Study Team of US 62 from KY 189 to KY 181

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

1. We urge the Cabinet to classify this project and all new projects as partially controlled access facilities.
2. Assuming the project is partial control access, 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 *RAW* for this and all reconstruction routes, assuming the access control is partial control, new deed for all adjoining property owners need to be executed to identify the access control even if no new *RAW* is acquired,
4. In addition, we would like to make every effort possible to have the design speed to be the same as anticipated posted speed when the project is complete.
5. We would like to see access control fence installed with the project.
6. 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.
7. 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.

Thank you for the opportunity to verbalize our concerns.

ESP/elc



JAMES E. BICKFORD
SECRETARY



PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

FRANKFORT OFFICE PARK
14 REILLY RD
FRANKFORT KY 40601
March 11, 2002

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

Re: Scoping Study on reconstruction of US 62 from KY 189 to KY 181 in Greenville,
Muhlenberg County, Kentucky. (SERO 2001-115)

Dear Ms. Coffey:

The Natural Resources and Environmental Protection Cabinet (NREPC) 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 9 (also marked on attached sheet) of the agencies that were forwarded a copy of the document. Attached are the comments from the Kentucky Divisions of Water, Waste Management, and Conservation, and the Departments of Agriculture and Fish and Wildlife Resources.

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

Sincerely,

A handwritten signature in black ink that reads "Alex Barber".

Alex Barber
State Environmental Review officer

Enclosure

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**NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION
CABINET
ENVIRONMENTAL REVIEW**

Scoping Study on reconstruction of US 62 from KY 189 to KY 181 in Greenville, Muhlenberg County, Kentucky.

The following agencies were asked to review the above referenced project. Each agency that returned a response will appear below with their comments and the date the project response was returned.

**C denotes Comments
NC denotes No Comment
IR denotes Information Request
NR denotes No Response
NS denotes Not Sent for Review**

REVIEWING AGENCIES:

Division of Water _____	comments
Division of Waste Management _____	comments
Division for Air Quality _____	
Department of Health Services _____	
Economic Development Cabinet _____	ns
Division of Forestry _____	
Department of Surface Mining Reclamation & Enforcement _____	nc
Department of Parks _____	nc
Department of Agriculture _____	comments
Nature Preserves Commission _____	nc
Kentucky Heritage Council _____	
Division of Conservation _____	comments
Department for Natural Resources _____	ns
Department of Fish & Wildlife Resources _____	comments
Transportation Cabinet _____	ns
Department for Military Affairs _____	nc

FISH & WILDLIFE COMMISSION

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

January 8, 2002

Alex Barber
Commissioner's Office
Department for Environmental Protection
14 Reilly Road
Frankfort, KY 40601

RE: Scoping Study on Reconstruction of US 62 from
KY 189 to KY 181 in Greenville, Muhlenberg
County, Kentucky

Dear Mr. Barber:

The Kentucky Department of Fish and Wildlife Resources (KDFWR) has received your request for the above-referenced information. The Kentucky Fish and Wildlife Information System indicates that no federally threatened or endangered species are known to occur in the Greenville 7.5 minute USGS quadrangle(s). Please be aware that our database system is a dynamic one that only represents our current knowledge of the various species distributions.

KDFWR has determined that potential negative impacts to the aquatic resources can occur in the project area and offers the following recommendations:

- 1) development in or near streams only during low flow periods to minimize disturbances;
- 2) proper placement of erosion control structures below disturbed areas to minimize entry of silt to stream, and;
- 3) replanting of disturbed areas after construction, including stream banks and right-of-ways, with native vegetation for soil stabilization and enhancement of fish and wildlife populations.

Additionally, if the applicant is going to relocate/realign portions of any streams, KDFWR request the stream channel be put back to original stream profile with placement of instream habitat such as riffles, runs, and pools, etc. The recontoured stream banks should have a well defined riparian area, including herbaceous species, shrubs and trees. The plantings should consist of native vegetation indigenous to the area and be a minimum of 100 feet in width on each side of the channel.




Arnold L. Mitchell Bldg. #1 Game Farm Road Frankfort, Ky 40601

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Page Two
Alex Barber
January 8, 2002

I hope this information will be helpful to you. Should you require additional information, please contact me at (502) 564-7109, ext. 367..

Sincerely,

A handwritten signature in black ink that reads "Marla T. Barbour". The signature is written in a cursive style with a large initial "M" and a long horizontal flourish at the end.

Marla T. Barbour
Fisheries Biologist III

cc: Environmental Section File

JAMES E. BICKFORD
SECRETARY



PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
FRANKFORT OFFICE PARK
14 REILLY RD
FRANKFORT KY 40601

January 18, 2002

Division of Waste Management

Comments for Project #SER02001-115

The Division of Waste Management would be concerned that all solid waste generated by this project be disposed at a permitted facility.

Another concern is that during this type of project, old regulated and non-regulated underground storage tanks may be encountered, as well as other contamination. Should tanks or contamination be encountered they must be properly reported and remediated.

Sincerely, Linda Howard



BILLY RAY SMITH
COMMISSIONER



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

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

January 14, 2002

Mr. Alex Barber
State Environmental review Officer
Department for Environmental Protection
14 Reilly Road
Frankfort, KY 40601

Reference: Scoping Study *SERO-115*
Reconstruction of US 62
Greenville, Kentucky

Dear Mr. Barber:

As in all construction and relocation projects, the Kentucky Department of Agriculture wants to make sure that loss of prime farmland and the economic and other impact to area farms is given careful consideration.

Thank you for the opportunity to comment on this and other projects.

Sincerely,

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

Ira Linville
Executive Director
Office of Environmental Services



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James E. Bickford
Secretary



Paul E. Patton
Governor

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF CONSERVATION
663 TETON TRAIL
FRANKFORT, KENTUCKY 40601

MEMORANDUM

TO: Alex Barber
Department of Environmental Protection

FROM: Mark Davis *m D*
Division of Conservation

DATE: January 28, 2002

SUBJECT: Environmental Review of Project #SERO2001-115

As requested, the Division of Conservation has reviewed the scoping study for the reconstruction of US 62 from KY 189 to KY 181 in Greenville, Kentucky.

There are no agricultural districts established within or adjacent to the project area. Therefore, impacts to land enrolled in the Agricultural District Program will not have to be mitigated by the Department of Transportation.

We would, however, like to see the issue of loss of Prime Farmland and Farmland of Statewide Importance addressed in the planning study. There are two publications that could be utilized to identify these farmland designations: *The Soil Survey of McLean and Muhlenberg Counties* (NRCS 1980), and *Important Farmland Soils of Kentucky* (NRCS 1985). Both publications are available through this office.

One other concern we would like to comment on is that of controlling erosion and sedimentation during and after earth-disturbing activities once this project begins. We strongly recommend best management practices (BMPs) be utilized to prevent nonpoint source water pollution. The manual, *Best Management Practices for Construction Activities*, contains information on BMPs appropriate for this project and is available through the Muhlenberg County Conservation District, the Division of Water, or this office.

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

MJD



JAMES E. BICKFORD
SECRETARY



PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
FRANKFORT OFFICE PARK
14 REILLY RD
FRANKFORT KY 40601

MEMORANDUM

TO: Alex Barber
State Environmental Review Officer
Department for Environmental Protection

FROM: Timothy Kuryla TK
EIS Coordinator
Division of Water

DATE: September 28, 2001

SUBJECT: SN, US62, KY189 to KY181, Greenville (Muhlenberg County), SERO 011227-115

IN GENERAL

The Division of Water has reviewed the Scoping Notice prepared by the Transportation Cabinet regarding the construction of US62, KY189 to KY181, Greenville (Muhlenberg County). The Division comments on matters the Division desires considered in the Environmental Assessment.

The applicant needs to consult, before construction can begin, with the U.S. Army Corps of Engineers to ascertain if a 33 USC § 1341 ("401") water quality certification by the Division of Water, or a 33 USC § 1344 ("404") dredge or fill material permit, or both, are required. Any impact to 200 linear feet or more of any stream or stream bank (below ordinary highwater) (as shown on U.S. Geological Survey 7.5 minute topographical maps for the project area) or one acre or more of any wetland, will require a "401" water quality certification. This includes excavations and impoundments. Thus, impacts to streams and wetlands must be considered in the EA.

Stream crossings except for Outstanding Resource Waters (ORWs), Cold water Aquatic Habitats (CAHs), and high quality waters are covered by a general certification. ORW, CAH, and high quality water stream crossings require an individual water quality certification and mitigation.

The Division of Water will require mitigation for stream loss (if more than 250 acres are involved above the construction impact) and for wetland loss (if more than 1 acre).



If a floodplain outside the right of way is involved, prior approval must be obtained from the Division of Water before construction may begin. The EA needs to address the impacts on flooding of each stream crossing, all fills in floodplains, and any channel relocation or alteration.

The submitted data are general. With specific data as are found in the Transportation Cabinet Land and Water Ecology Section "404" checklist, plus Corps of Engineers or Coast Guard Public Notice, the Division of Water may find a problem relating to floodplain construction and water quality. Therefore, the Division requests an opportunity to review, at the Preliminary Design stage, the land and water ecology checklist for the proposed project should it be funded. (If a Public Notice is prepared for the proposed project, the Division will review it).

The Division of Water notes the relevant portions of the Transportation Cabinet's Standard Specifications for Road and Bridge Construction are Sections 212 and 213. Section 212 governs the protection and stabilization of those areas exposed to erosion as the result of construction practices. Section 213 protects water quality by governing construction practices that can result in nonpoint source pollution.

The Division of Water finds that these guidelines adequately address possible highway construction impacts on aquatic habitat and propose appropriate mitigation measures that insure minimal sediment and other damage to water quality. These sections need to be cited in the EA.

The Division of Water recommends that the Transportation Cabinet use the Groundwater Sensitivity Regions of Kentucky map published by the Kentucky Geological Survey (KGS) to determine sensitive groundwater areas. These areas must be considered in the EA.

If sinkholes are modified for drainage, the Division of Water notes U.S. Environmental Protection Agency (EPA) requires an Underground Injection Control Permit (40 CFR §§ 144.11, 144.25, 146.51). The activity is classified as a Class V well (40 CFR § 144.6).

The Division of Water has data and maps regarding wellhead protection areas located throughout the Commonwealth. The EA and highway design must take into account these areas.

Owners of onsite wastewater disposal systems must have Groundwater Protection Plans (GPP). Purchasing right of way lands on which these systems are located means assuming the obligations imposed by 401 KAR 5:037.

Deep road cuts can act as "French" drains. These cuts could drain aquifers that are used as domestic and public water supply sources. Highway design needs to take into account the location of these aquifers. The Division of Water maintains data on wells drilled since 1985 and of all wells it inspects. The EA needs to consider the effect on domestic and public water supplies.