



KENTUCKY TRANSPORTATION CABINET DIVISION OF ENVIRONMENTAL ANALYSIS CATEGORICAL EXCLUSION PROJECT IMPACTS REEVALUATION SUMMARY

| | | |
|---|---------------------|--------------------------------------|
| Reevaluation Phase: ROW/Utilities | | Letting Date: N/A |
| Type Document: CE Level 1 | | Approval Date: March 17, 2010 |
| County: Oldham | Route: US 42 | Item No.: 5-441.00, .01 |
| Limits: Reconstruct and widen US 42 from Jefferson County Line to Ridgemoor Drive. | | |

| ENVIRONMENTAL IMPACT | YES | NO | STATUS—REMARKS |
|----------------------|-------------------------------------|-------------------------------------|---|
| PROJECT CHANGES * | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Perm Easements <input type="checkbox"/> Temp. Easements <input type="checkbox"/> Connecting Roads <input type="checkbox"/> Additional ROW <input type="checkbox"/> Other Utility areas: <input type="checkbox"/> Within ROW <input type="checkbox"/> Beyond ROW |
| AIR QUALITY | <input type="checkbox"/> | <input checked="" type="checkbox"/> | PM 2.5 completed in 2008. |
| NOISE | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| CULTURAL HISTORIC | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Received Deminimis 4(f) finding for four NRHP eligible properties in May 2009) (OL-503, 504, 505, and 511). |
| ARCHAEOLOGY | <input checked="" type="checkbox"/> | <input type="checkbox"/> | MOA dated January 2010 for Parcels 15, 20, and 21 to complete phase I archaeology survey after ROW aquisition. |
| TERRESTRIAL ECOLOGY | <input checked="" type="checkbox"/> | <input type="checkbox"/> | CMOA required with USFWS prior to construction for the removal of 1.76 acres of marginal Indiana bat habitat within a priority area |
| AQUATIC ECOLOGY | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| SOCIOECONOMIC | <input type="checkbox"/> | <input checked="" type="checkbox"/> | No total takes anticipated. |
| UST/HAZMAT | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Phase II site assessment for parcel 16 (Evan Motors) |
| OTHER ISSUES | <input checked="" type="checkbox"/> | <input type="checkbox"/> | A KPDES permit will be required due to >1 acre () disturbance. Corps of Engineers permit required for culvert crossing at Hayfield Way impacting intermittent blueline stream. |

* Project changes that incorporate additional area in the project footprint or create affects not previously assessed.

CONDITIONS, MITIGATION, SPECIAL ISSUES:

The environmental document identified above has been reevaluated as required by 23 CFR 771.117. It has been determined that no substantial changes have occurred in the project, the project area, the regulatory requirements, or the environmental effects of the proposed action that would invalidate previous environmental approvals or significantly affect the quality of the human environment. Therefore, the original Administrative Action remains valid. It is recommended that this project be advanced to the next phase of project development.

APPROVAL/CONCURRENCE BY:

[Signature] 5/17/12
District Environmental Coordinator **Date**
 (not required for Level 2 or Level 3 CEs)

[Signature] 5-17-12
District Project Manager **Date**
 (not required for Level 2 or Level 3 CEs)



TRANSPORTATION CABINET


Steven L. Beshear
Governor

Department of Highways District 5 Office
8310 Westport Road
Louisville, KY 40242-3042
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Michael W. Hancock, P.E.
Acting Secretary

MEMORANDUM

TO: David M. Waldner, P.E., Director
Division of Environmental Analysis

FROM: Jeffrey L. Schaefer, Environmental Coordinator 
District 5-Louisville

DATE: March 17, 2010

SUBJECT: CE Level 1 Submittal
US 42 Widening from Jefferson/Oldham County Line to Ridgemoor Drive
Item No. 5-441.00
Jefferson/Oldham Counties

Enclosed, please find the approved CE Level 1 document for the above subject project. Impacts as a result of the above project include: (1) removing 1.76 acres of marginal Indiana bat summer habitat within a maternity home range ; (2) taking of ROW from two NRHP eligible sites and obtaining deminimis 4(f) approval; and (3) minimal ROW will be acquired along with temporary easements for construction with no total takes anticipated. One potential impact to waters of the US will occur by culvert replacement to one unnamed intermittent blueline stream near Hayfield Way.

Items that need to be placed in the CAP include: (1) Coordination with USFWS prior to construction for impacting 1.76 acres of IB summer habitat, (2) Completion of archaeological phase I work at parcels 15, 20, and 21 after ROE or fee simple purchase, and (3) Potential for Corps of Engineers permit at culvert crossing near Hayfield Way.

Should you require additional information or have any questions, please advise.

Enclosures

C: Jose Sepulveda, FHWA
Jeff Jasper, Design
Keith McDonald, ROW
Brian Meade, D5 TEBM
Tala Quinio, D5 Design



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KENTUCKY TRANSPORTATION CABINET CATEGORICAL EXCLUSION ENVIRONMENTAL DETERMINATION CHECKLIST

1. PROJECT INFORMATION

| | | | |
|--|--------------|--|--------------------------|
| SYP Project #: 5-441.00 | Route: US 42 | Work Type: 9 | County: Jefferson/Oldham |
| Project Description: Reconstruction and widening of US 42 by adding center turn lane from south of Jefferson/Oldham County line to Ridgemoor Drive. Project will be urban typical with multi-use path on south side and sidewalk on north side and eliminate geometric deficiencies. | | Purpose and Need: The purpose of the project is to improve traffic operation, safety, and reduce congestion on US 42 within the project limits. This location has had a history of rear end crashes and traffic backing up in the through lanes for turning movements into adjacent residential subdivisions and strip shopping centers. | |
| Roadway Conditions and Setting: Currently, US 42 is a two lane rural roadway with sight distance problems and little room for turning movements. | | Traffic Volume: Current <u>18,200</u> ADT Design Year (2032) 39,200 ADT | |
| Project Length: <u>0.97 M</u> Begin MP: <u>11.8</u> End MP: <u>0.94</u> Note: If project length is > 1 mile and on a new alignment, project may not be eligible for CE Level 1 and DEA and FHWA must be consulted. | | Number of alternative(s) considered including "No Build": <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4 - <u>Discuss all alternatives in Section 3</u> See Section 3. Alternatives Summary | |

2. ENVIRONMENTAL DETERMINATION

☒ Categorical Exclusion- Level 1 (Attach all project correspondence and documentation)

APPROVAL SIGNATURES

Jeffrey L. Skay
District Environmental Coordinator

3/17/10
Date

Adam R. Quinlan
Project Manager

3-19-10
Date

☒ All appropriate project commitments/mitigation and identified required future work have been entered into the CAP

Division of Environmental Analysis
(required for Level 2)

Date

Federal Highway Administration
(required for Level 3)

Date

3. ALTERNATIVES SUMMARY

Describe all alternatives that were evaluated, their impacts and the reason(s) for elimination or selection.

REQUIRED ATTACHMENTS: ☒ Location Map ☒ Plan Map/Sheet(s)

Alternative 1 Minimization (Preferred Alternative)- Alternative 1 widens US 42 from two lanes to three lanes (center turn lane) on existing alignment. It changes the existing rural template to an urban template and adds a multiuse path on the south side (from retail center east to Ridgemoor Drive) and sidewalk on the north (from River Bluff Road east to Ridgemoor Drive) to connect to local retail areas, residential areas, and Goshen Elementary School. Alternative 1 reduces the impacts to Site 9 (Belknap Fruit Stand), a NRHP eligible property, to obtain a Section 106 "no adverse effect" and de minimis 4(f). Alternative 1 affects 44 parcels but with no total takes. The proposed project starts just west of the Jefferson/Oldham County line and progresses 0.97 miles east where it ends at Ridgemoor Drive. Approximately 1.76 acres of very marginal Indiana bat habitat will be removed with this project.

Alternative 2 -- Alternative 2 widens from two lanes to three lanes (center turn lane) on existing alignment but maintains the existing rural (paved shoulders on both sides) template. Alternative 2 would have taken many properties and had an adverse effect on sites 1, 2, 3, and 9 and full 4(f) statements would have been necessary. This alternative was dismissed due to impacts to residences and section 4(f). Avoidance alternative 1 minimization (above) was developed and became the preferred due to its reduction of effects to historic properties and residences.

Alternative 3- This alternative widens from two lanes to three lanes (center turn lane) on existing alignment. This alternative is the same as alternative 2 except there would be a sidewalk on the north side outside of the normal roadway ditch. This sidewalk would have been located from River Bluff Road east to the end of the project. This alternative was removed from consideration after initial consultation with the SHPO as it had an adverse effect on Sites 1, 2, 3, and 9.

Alternative 4- No build alternative would still maintain the existing conditions and not address the geometric issues and turning movement problems along this stretch of roadway.

4. COMMENTS AND COORDINATION

Attach all letters, meeting minutes and copies of any newspaper advertisements.

1. Will the project have public, local government and resource agency outreach?

YES

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NO

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Identify type of outreach used:

Meeting(s) ☒ Date(s): Public Meetings in April 2008.

Newspaper Adv. ☒ Newspaper Name Courier Journal, Oldham Era Date(s): March 2008

Meeting(s) with local government and affected property owners ☒ Date(s): 10-18-07

2. Was there public or agency controversy on the project? If "Yes", explain in #

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3. Additional work needed to resolve all public, resource agency, and property owners concerns?

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If "Yes" explain plans for resolution in #4 below.

4. *Describe any unresolved issues:* The public meeting held in April 2008 provided an opportunity for the public to comment on the alternatives. The public highly favored the use of sidewalks in the area thus prompting the urban preferred alternative. See attached meeting minutes which organize the public comments. Also attached are the newspaper ads placed in the Courier Journal and Oldham Era. A ROW informational meeting will be scheduled with those affected by the project to obtain specific information pertaining to their property.

| 5. ENVIRONMENTAL COMMITMENTS, MITIGATION, REQUIRED FUTURE ACTIONS AND OTHER COMMENTS | | |
|---|---|---------------------------------------|
| 1. Does the project have environmental commitments, mitigation measures, additional environmental investigations, studies or approvals still to be completed? <i>If "Yes", DEC should advise Project Manager for consideration of CAP entry in Oracle.</i> | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> |
| 2. Identify all issues: 1. Coordination of "use of take" with USFWS prior to construction for impacts to 1.76 acres of Indiana bat summer roosting and foraging habitat 2. An Army Corps of Engineers permit may be required for the culvert crossing near Hayfield Way 3. Completion of Archaeological survey at parcels 15, 20, and 21 (Wallace Family properties) upon ROE or fee simple purchase. | | |
| 3. Other unique environmental or engineering factors that require consideration through the remaining project development (excess excavation needs, utility considerations, drainage problems, geotechnical issues, topographic constraints, mines, acidic rock, drinking water wells, etc.) It is unknown whether this project will be a waste or borrow project and thus will be left to the discretion of the contractor as to how he intends to obtain borrow or waste. The contractor will be responsible for identifying the appropriate waste/borrow sites and completing any additional environmental work (permits, arch studies) for these site(s) should any be required. | | |

| 6. ENVIRONMENTAL CONDITIONS AND CONSEQUENCES | | |
|---|-------------------------------------|-------------------------------------|
| A. Right-of-Way Impacts | | |
| 1. Does the project require the acquisition of right-of-way? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Business or residential relocations required. No. of relocations: Residential <u>0</u> Business: <u>0</u> * Suitable properties available: Residential: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown Describe "NO" in A.8 Business: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown Describe "NO" in A.8 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Full or partial property acquisition required. Estimated acreage: Fee Simple <u>1.41</u> Permanent Easement: <u>.069</u> * | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Will excess excavation sites be required? <input type="checkbox"/> Designated <input type="checkbox"/> Permitted/Available for Contractor <input checked="" type="checkbox"/> Unknown (must note in Sec. 5) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Property transfer from a State or Federal agency required. List agency(ies) in A. 8 below | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Last resort housing required. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Cemetery affected by project | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| * If total acreage >10 acres or total relocations are >5 –consult with DEA * If total acreage is >25 acres or total relocations are >10 DEA consults with FHWA | | |
| 8. Describe Impacts/Comments: No relocations needed for the preferred alternative 1. | | |

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| B. Economic Impacts: | | |
| 1. The project will have economic impacts on the regional and/or local economy, such as effects on development, tax revenues and public expenditures, employment opportunities, accessibility, and retail sales. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The project will affect established businesses or business districts. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Describe Impacts/Benefits: This project should greatly improve the accessibility through this area and decrease the safety issues that currently exist with the present geometric deficiencies. | | |

NA Y N**C. Social Impacts:**

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|---|-------------------------------------|-------------------------------------|
| 1. The project will affect neighborhoods or community cohesion for the various social groups. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The project will affect travel patterns and accessibility (e.g., vehicular, commuter, bicycle, or pedestrian). | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. The project will affect school districts, churches, businesses, police and fire protection, etc. Include the direct impacts and the indirect impacts that may result from the displacement of households and businesses. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. The project will affect publicly owned public park, recreation area, or wildlife or waterfowl refuge. <i>If "Yes", Section 4(f) must be completed.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Was Land and Water Conservation Fund Act funding used for any purpose at the publicly owner public park, recreation area, or wildlife or waterfowl refuge? <i>If "Yes", Section 6(f) must be completed.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. The project will impact the elderly, handicapped, nondrivers, transit-dependent, minority and ethnic groups, or the economically disadvantaged. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. The project will significantly or disproportionately impact minorities or disadvantaged persons (Environmental Justice, E.O. 12898). | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
8. Describe Impacts/Benefits: This project will impact some 44 parcels of which only minor takings of ROW or easements are necessary. This project will improve access of individual property owners and the general public by improving sight distance and access points along the US 42. The accessibility of pedestrians (especially school aged kids) along this corridor will be greatly enhanced with the addition of sidewalks and a multiuse path to allow another means of travel to and from school and adjacent shopping centers.

D. Local Land Use and Transportation Plan:

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|---|--------------------------|-------------------------------------|-------------------------------------|
| 1. Project consistent with local land use plan. <i>(NA if no plan exists)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Project consistent with local transportation plan. <i>(NA if no plan exists)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Project would induce adverse or beneficial secondary and cumulative effects. | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Are there any existing and/or planned bike or pedestrian walkways | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
5. Describe Impacts: The new urban roadway typical will provide sidewalks and multi-use path for pedestrian access.

E. Historic Resources

- | | | |
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| 1. Are NRHP listed eligible/potentially eligible sites/districts present within the project viewshed? <i>If "No", document means for assessing ages of structures within project viewshed or attach memorandum from DEA historian documenting no historic properties affected.</i> <i>If "Yes", indicate level of impact:</i> <input type="checkbox"/> - "No Effect" <i>(attach SHPO concurrence letter or DEA Historian memo)</i> <input checked="" type="checkbox"/> - "No Adverse Effect" <i>(attach SHPO concurrence letter)</i> <input type="checkbox"/> - "Adverse Effect" <i>(attach FHWA and SHPO concurrence letter)-Section 4(f) may need to be completed.*</i> Memorandum of Agreement is required? SHPO signature date: <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>* If Individual 4(f) required, project is not eligible for CE Level 1 or 2</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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2. Describe historic resource impacts: No adverse effect to the NRHP eligible sites 1, 2, 3, and 9. A deminimis 4(f) was completed for these four sites. See attached lengthy 106 correspondence.

NA Y N

F. Archaeological Resources:

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| 1. Does project involve the acquisition or easement of new right of way | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Are new right-of-way areas undisturbed? <i>If "No" state basis for conclusion in box F.9.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Are known archaeological resources affected by the project (per OSA database) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Is there potential for archaeological resources within the project? <i>If "Yes", to #2 or #3, consult with DEA District archaeologist for survey.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Will project impact archaeological resources. <i>If "Yes", list site number(s) that can not be avoided:</i> _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Are/were sites recommended for Phase II work? (attach SHPO concurrence letter) <i>If "Yes", list site number(s):</i> _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Are NRHP eligible/potentially eligible sites affected by the project? <i>If "Yes", indicate level of impact; If "No", attach SHPO concurrence letter:</i> <input type="checkbox"/> - "No Adverse Effect" (attach SHPO concurrence letter) <input type="checkbox"/> - "Adverse Effect" (attach FHWA and SHPO concurrence letter)-Section 4(f) must be completed if preservation in-place is required.* | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Memorandum of Agreement required? SHPO signature date: <u>1/14/2010</u> FHWA signature date: <u>1/27/2010</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Is Native American Consultation (NAC) required? <i>If "No", explain why in F.9 below; If "Yes", document dates of consultation below and describe the outcome in F.9 below.</i> Dates NAC conducted: Phase I _____; Phase II _____; MOA _____ FHWA Closure Date: Phase I _____; Phase II _____; MOA _____ Tribal request for additional consultation: { Phase I <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Phase II <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> MOA <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Further Native American Consultation is required <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. Describe archaeological resource impacts: See attached SME letter dated September 4, 2009 documenting a phase I arch survey with no sites identified. Also attached is the additional 106 documentation and Deferral MOA signed by FHWA on 1/27/2010 for future archaeological work to be completed after ROW purchase at parcels 15, 20, & 21. NAC will not be required should no future archaeological sites be found in following MOA stipulations. | | |

G. SECTION 4(f)

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| 1. Are 4(f) properties affected by the project? <i>If "Yes", notify DEA EPM who will consult with FHWA to determine applicability of Section 4(f).</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is the project adjacent to a 4(f) resource? <i>If "Yes", DEA EPM consult with the FHWA to determine applicability of "constructive use." If Questions 1 and 2 are both "No", go to Section H.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Prudent and feasible means to avoid 4(f) properties were fully considered but resource can not be avoided <i>Only determined in consultation with FHWA; Indicate 4(f) type below</i> <input checked="" type="checkbox"/> Deminimis Finding <input type="checkbox"/> Programmatic Section 4(f) <input type="checkbox"/> Full Section 4(f) Statement <i>If an Individual 4(f) Statement is required, the project can not be completed as a CE Level 1 or 2 document. However, if the impacts can be satisfied by completing a Programmatic 4(f) Statement or a Deminimis Finding, the CE can be completed as a CE Level 1 or 2 project.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NA Y N

4. Describe process followed, consultation completed and attach documentation developed to resolve 4(f) issue: The NRHP eligible sites 1, 2, 3, and 9 will have "no adverse effect" but take will occur within these historic sites. A de minimis 4(f) finding was concurred by SHPO in attached letter dated May 21, 2009.

H. SECTION 6(f)

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| 1. Are 6(f) properties affected by the project? <i>If "Yes", consult with DEA and FHWA to determine applicability of Section 6(f). *</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Has discussion been initiated with the Governor's Office of Local Development and the agency having responsibility for the administration of the publicly owned park, recreation area, or wildlife or waterfowl refuge. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Will a Memorandum of Agreement be required? Final Signature Date: _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

** Project may only be processed as a CE Level 3 if Section 6(f) applies.*

4. Describe parties involved, property involved, process followed and consultation completed to resolve 6(f) issue: No parks, recreation area, wildlife or waterfowl refuge located in project area.

I. Noise Impact (23 CFR Part 772):

- | | | |
|--|-------------------------------------|-------------------------------------|
| 1. There are noise sensitive receivers/land uses adjacent to the proposed project (e.g. residences, businesses, schools, parks, etc.). | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Indicate if any of the following are applicable, which would necessitate a noise analysis: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> New roadway on new alignment; <input type="checkbox"/> Addition of one or more through travel lanes; <input type="checkbox"/> Significant change in vehicle mix or traffic speed; <input type="checkbox"/> Significant change in horizontal or vertical alignment; <input type="checkbox"/> A change in roadway character that substantially reduces the shielding effect of landforms or noise barriers. | | |
| 3. Noise analysis demonstrates that noise impacts exceed the KYTC Noise Abatement Criteria Policy. <i>If "Yes", a significant impact may be associated with this project. Consultation with DEA is required.</i> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. There are feasible and reasonable measures that can reduce impacts. <i>If "Yes", discuss in I.5 below</i> | <input type="checkbox"/> | <input type="checkbox"/> |
5. Describe noise impact and abatement measures (if applicable): No noise study or abatement required since this project did not meet the criteria of a type 1 project. Also, noise receptors not feasible due to many entrances along the roadway which would not allow adequate shielding of noise.

J. Air Quality Impacts

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| 1. The project is located in an air quality nonattainment or maintenance area | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. The project is listed in an approved STIP and/or TIP. <i>If not in STIP, notify DEA SME</i> STIP # <u>FY 2007-2010</u> Page # <u>91 of 109</u> TIP Page # <u>55 of 61 in December 2009 updated TIP</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Is project controversial <i>or</i> does the project HAVE or ADD a signalized intersection with a projected "open to traffic" year ADT > 80,000 vehicles per day? <i>(If "Yes" analysis may be required. Clearance memo from DEA SME is required and must be attached. If "No", check box below)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> This project does not exceed the Kentucky CO screening criteria for project-level analysis and is not expected to produce a violation of the CO standards (35 ppm over a one-hour period or 9 ppm over an eight-hour period) | | |
| 4. Is the project type included in the Exempt Project list found at 40 CFR 93.126? <i>If "Yes", indicate project type as described in the list:</i> <i>If "No", contact DEA SME for assistance and attach related correspondence.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> Project is considered to be exempt or of no potential for meaningful MSAT effects. | | |
| 5. The project is in an area requiring PM 2.5 consideration (Boone, Boyd, Bullitt, Campbell, Jefferson, Kenton or part of Lawrence) Date Inter-agency Consultation completed <u>7/29/2008</u> ; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Project Status: <input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Not Exempt, Not of Concern <input type="checkbox"/> Of Concern | | |
| <i>If PM 2.5 analysis is required, attach checklist, consultation emails, etc. to document findings.</i> | | |

Impacts/Comments: See attached PM 2.5 coordination and checklists and MSAT discussion.

K. Hazardous Materials:

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| 1. Are known or potentially contaminated sites (service stations, landfills, automotive repair, junkyard, structures with asbestos, etc.) along the project corridor. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is ROW required from, or extensive excavation required adjacent to a potentially contaminated site? <i>If "Yes" Phase II testing is required and should be completed prior to ROW authorization request. Deferral must be approved by FHWA.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Phase II analysis indicated the existing and/or proposed ROW is contaminated. <i>Extent and estimated remediation cost to be provided by DEA SME to Div. of ROW and Project Team.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Will any bridges or standing structures be demolished for completion of the work? Status of inspection of bridges and structures for asbestos containing materials (ACM) <input type="checkbox"/> Complete <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required <i>(Identify bridges and structures, discuss results of assessment, if completed, reason not required or future work in K.6 and Sec. 5)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. If bridges are to be removed, refurbished or repainted, will there be lead-based paint wastes to address? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>* If more than minor amounts of ACM, project may not be eligible for CE Level 1 and DEA must be consulted.</i> | | |
| 6. Discuss significance of any "Yes" marked in 1-5 and any deferred necessary activities (deferrals also discussed in Section 5 - Commitments): Evan Motors (Parcel 16) recommended phase II site assessment. The proposed ROW goes through this parcel's USTs which will need to be removed in accordance with UST Branch regulations. | | |

NA Y N**L. Threatened and Endangered Species (T&E):**

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| 1. Sources considered to identify potential impacts to federally threatened and endangered species (attach copies): <input checked="" type="checkbox"/> USFWS Species List <input checked="" type="checkbox"/> KSNPC website <input checked="" type="checkbox"/> KDFWR web site Species Identified: <u>IB, GB, RBC, ITL, FPBM, RPTM, CM, SNM, OFPM, RPM, PMM, FSM, LCB,</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Habitat Assessment indicates Federally listed T&E <u>habitat</u> present in vicinity No Effect determined for: <u>See attached No Effect Form for all species except IB</u> BA required for: | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Indiana bat (<i>Check all that apply</i>): <input checked="" type="checkbox"/> To be Determined <input type="checkbox"/> No Effect; <input type="checkbox"/> KYTC NLTA Finding; <input type="checkbox"/> IBCF; <input type="checkbox"/> Tree Cutting Restrictions <input type="checkbox"/> BA Complete; <input type="checkbox"/> BA to be scheduled; <input type="checkbox"/> To be Determined | | |
| 4. Project located upstream of or within Designated Critical Habitat (<i>Consultation with DEA required</i>) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Biological Assessment required: <input type="checkbox"/> Completed (attach USFWS letter) <input type="checkbox"/> To complete before Construction (<i>CAP entry recommended and include in Section 5</i>) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Project may adversely affect federally listed T&E (formal consultation required)* <i>* If the project is likely to affect a Federally listed T&E species it is not eligible for CE Level 1 or 2 and DEA and FHWA must be consulted.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Describe T&E species concerns/protective measures: This project will impact 1.76 acres of very marginal Indiana bat summer roosting/foraging habitat. The decision to use the IBCF or tree cutting restrictions will be made closer to construction after further consultation with USFWS. This project is found within 5 miles of known IB maternity home range thus requiring coordination with USFWS. | | |

M. Water Resource Impacts:

| | | |
|--|-------------------------------------|-------------------------------------|
| 1. Project impacts State Listed Special Use Waters or tributaries to a Special Use Water? <i>(indicate all types below and consult DEA Permit SME prior to issuance of the CE)</i> <input type="checkbox"/> Cold Water Aquatic Habitat <input type="checkbox"/> Outstanding National Resource Water <input type="checkbox"/> Exceptional Waters <input type="checkbox"/> Reference Reach Stream <input type="checkbox"/> Outstanding State Resource Water <input type="checkbox"/> State Wild River <input type="checkbox"/> Federally Designated Wild River <input type="checkbox"/> Federally Designated Scenic River <input type="checkbox"/> Federal T&E Species | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Project will involve surface disturbance greater than one acre <i>If "Yes", note need for KPDES KYR10 storm water permit in box M.12.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Project is located partially or wholly within a designated MS4 community <i>If "Yes", identify any local ordinances, restrictions, local permits or other local requirements that require consideration before, during and after construction and specify in box M.13 below and, if appropriate, Section 5.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Project encroaches upon 100 year floodplain <i>If Yes, determinations regarding No Rise Certifications, FEMA Map Revisions, etc. to be made by KYTC Design, Drainage Section during final design.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Project could potentially impact surface or groundwater drinking water supplies (public or private) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Project involves impacts to a stream below Ordinary High Water Mark (OHWM) <i>(If answer is "No" then the reply to questions 7 and 8 will also be "No")</i> Estimate total number of impacts below OHWM <u>1</u> Identify all applicable types of impact occurring below OHWM: <input type="checkbox"/> Bridge/Pier Abutment <input type="checkbox"/> Relocation/Channelization <input type="checkbox"/> Temporary Diversion <input checked="" type="checkbox"/> Culvert <input type="checkbox"/> Low Water Crossing <input type="checkbox"/> Excess Excavation Site <input type="checkbox"/> Bank Stabilization <input type="checkbox"/> Other (describe): _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Project: 5-441.00 Alternative 1

County: Jefferson/Oldham

Route: US 42

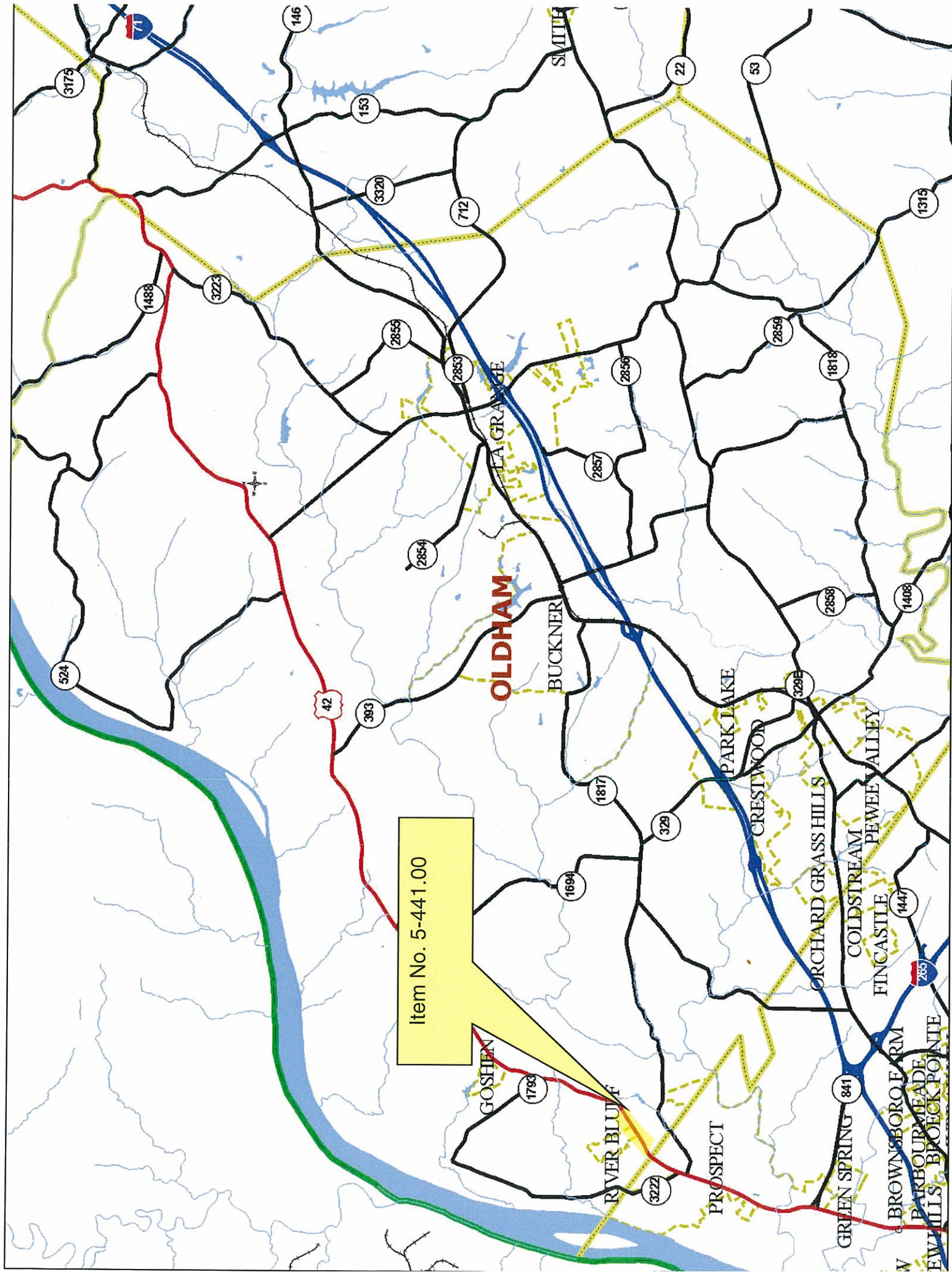
TC 58-48
Rev. 03/08

| | NA | Y | N |
|--|-------------------------------------|--------------------------|-------------------------------------|
| 7. Project involves impacts below the OHWM to streams defined as ephemeral? Estimate length and area of the single largest ephemeral impact: feet and _____ acres <i>For largest single impact: <0.1 ac = ACE LON; between 0.1 and 0.5 ac = ACE NW; > 0.5 acre = ACE IP</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Project involves impacts below OHWM to streams defined as intermittent or perennial? Estimate length and area of the <u>single largest</u> intermittent/perennial impact: <u>160</u> feet and <u>0.02</u> acres <i>Impact <300' = ACE LON; Impact between 300' & 500' = ACE NW + mitig.; Impact >500' = ACE IP + mitig Impact <0.1 ac = ACE LON; Impact between 0.1 ac & 0.5 ac = ACE NW + mitig; Impact >0.5 ac = ACE IP + mitig Impact >300' = Ind. WQC + mitig.; Cumulative impact in HUC 14 >500' = Ind. WQC + mitig.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Project will impact a lake or pond requiring its draining or filling (note characteristics below) <input type="checkbox"/> A stream enters the lake or pond <input type="checkbox"/> A stream exits the lake or pond <i>If stream is exiting lake or pond, 404 permit is required</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10. Project will result in loss of a Special Aquatic Site (SAS) (indicate types below) <input type="checkbox"/> Riffle Pool Complex (#) _____ <input type="checkbox"/> Wetland (estimated acreage) _____ Wetland consideration/delineation: <input type="checkbox"/> Project affects areas delineated as wetlands on the National Wetlands Inventory Map <input type="checkbox"/> Project affects soils designated as hydric, hydric inclusive or potentially hydric on the County Soil Survey <input type="checkbox"/> Project affects areas identified by field inspection as having wetland characteristics <input type="checkbox"/> Wetland boundaries delineated by (name): _____ <input type="checkbox"/> Project Team has evaluated all practicable alternatives and minimization measures to the proposed construction in wetlands? <input type="checkbox"/> Project Team has complied with the Wetlands Finding Agreement? <i>If "No", the project can not be approved as a CE</i> <i>If > 5.0 acres wetland impact, project may not be eligible for Level 2 (consult with FHWA)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 11. Permit Requirements 401/404 Permits are likely to be required for this project (indicate type below and in Section 5) <i>If any permits are expected to be required, submit CE Request for Assistance to DEA SME</i> Stream/Lake/Pond Impacts: <input checked="" type="checkbox"/> ACE LON; <input type="checkbox"/> ACE NW; <input type="checkbox"/> ACE IP; <input type="checkbox"/> DOW IWQC Mitigation required by: <input type="checkbox"/> ACE; <input type="checkbox"/> DOW Wetland Impacts: <input type="checkbox"/> ACE LON; <input type="checkbox"/> ACE NW; <input type="checkbox"/> ACE IP; <input type="checkbox"/> DOW IWQC Mitigation required by: <input type="checkbox"/> ACE; <input type="checkbox"/> DOW Will this project affect navigable Waters of the U.S. as defined by USACE and require a Section 10 permit? <i>If "Yes", then coordination with DEA is required</i> Will this project affect a navigable water body requiring a Coast Guard, Section 9 permit? <i>If "Yes", then coordination with Div. of Structural Design is required</i> Will this project require a KPDES storm water permit (KYR10) for construction? Will this project require any additional permits from a local MS4? (discuss requirements in box M.13) Will construction in the floodplain require analysis and coordination by KYTC Design-Drainage Section to assure that potential flooding impacts are thoroughly addressed? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Project is within the watershed of a significant Water Resource (private or public drinking water supply, wellhead protection area, Special Use Waters, etc.) <input type="checkbox"/> Project is candidate for application of KYTC Karst Policy | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

13. Describe Water Resource Investigations Conducted, Impacts Identified and Permits Required: An unnamed intermittent blueline stream that is presently culverted (Near Hayfield Drive) will be impacted by the widening of this roadway. Impacts are expected to be below threshold levels (less than 300 feet) and should require a ACOE LON. The final impacts below ordinary high water mark are unknown at this time due to the structure plans having not been initiated.

N. Construction Impacts

Discuss potential impacts of construction activities pertaining to water quality, stream diversion, air quality, detours and delays of traffic, businesses, noise, etc:



OLDHAM COUNTY
IMPROVE US 42 FROM COUNTY LINE TO RIDGEMOOR DRIVE
5-441.00



Item No 5-441.00
US 42 Widening from the Jefferson/Oldham
County Line to Ridgemoor Drive
Jefferson/Oldham Counties
1:1000

Begin Project

End Project

Water Tank

Greencastle Ch

ROAD

OLDHAM CO
JEFFERSON CO

BM 509

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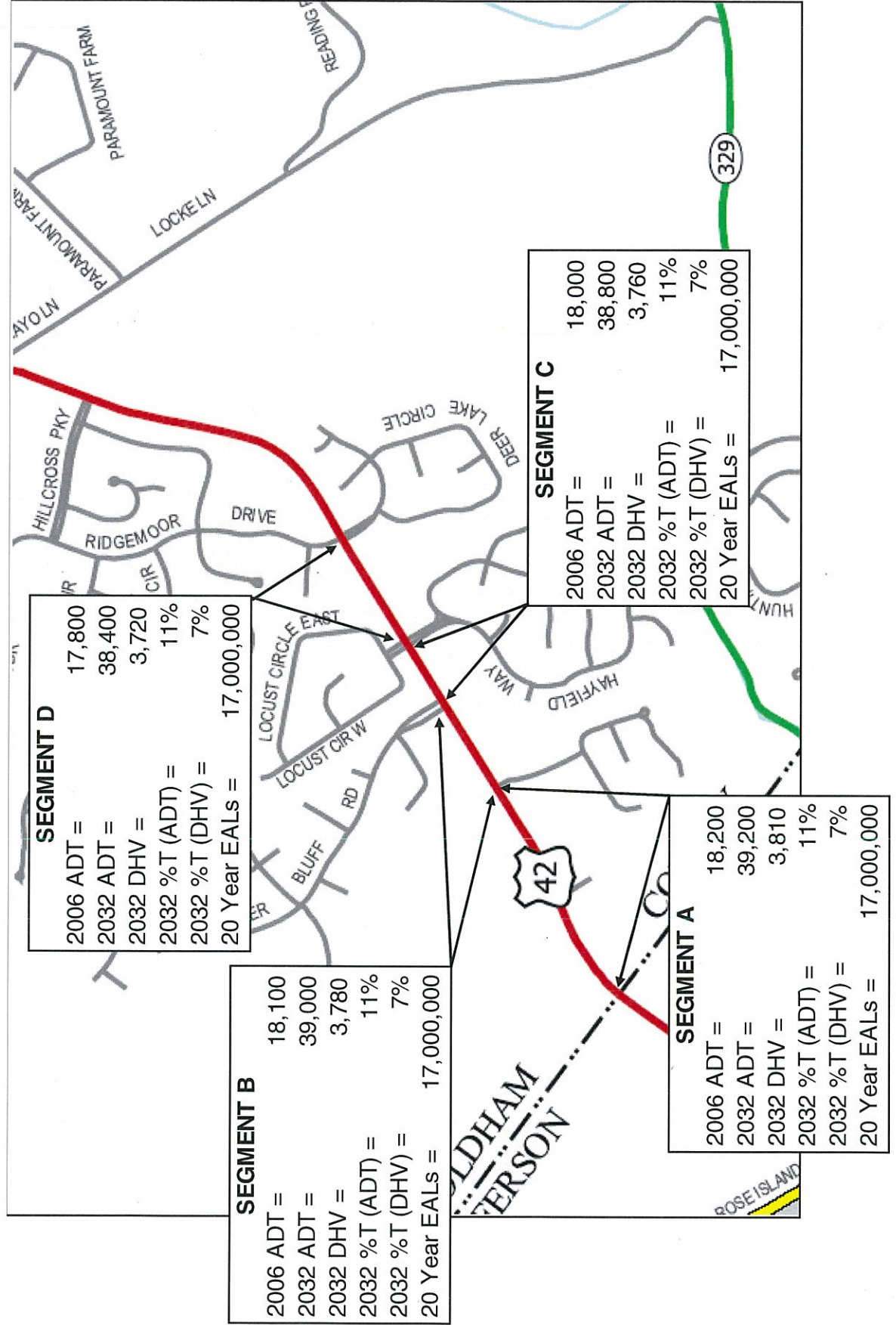
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42

Oldham County Traffic Forecast

US 42 from County Line to Ridgemoor Drive

Project Number: 5-441.00



Public Involvement

(5-441.00)

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The Kentucky Transportation Cabinet Needs Your Input

Concerning the reconstruction of US 42 between Jefferson/Oldham County line and Ridgemoor Drive
Item No. 5-441

Public Information Meeting

Tuesday, April 1, 2008, 6:00 – 8:00 p.m.

Goshen at Hillcrest Elementary School

12518 Ridgemoor Drive, Prospect, KY

An informal meeting format will be used. Stop by anytime between 6 and 8 p.m.

This meeting is to get input from the public about reconstructing US 42 between the Jefferson/Oldham County line and Ridgemoor Drive. Handouts containing information about the project, comment sheets and displays will be available at the meeting. Representatives from the KY Transportation Cabinet and their consultant will be available to answer questions. Written and oral comments will be accepted during the meeting. Written comments will be accepted, and information made available, up to 15 days after the meeting at the District Five Office address listed below. Information concerning Section 106 of the National Historic Preservation Act will be available at the meeting for anyone interested in signing up for this important process.

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In accordance with the Americans with Disabilities Act (ADA), if anyone has a disability and requires assistance, please notify Tala Quinio, no later than Friday, March 28, 2008. Please call 502-210-5400 or mail your request to the address listed below.

Please address any questions regarding this meeting or project to:

Tala Quinio, P.E.
Department of Highways
8310 Westport Road
Louisville, KY 40242
(502)210-5400



N0000205653

GE 16 | NORTHEAST

MIDDLETOWN

Chamber out of M

Amid feud, city hires party firm

By Chris Otts

cotts@courier-journal.com

The Courier-Journal

For the first time in at least 12 years, the Louisville East-Middletown Chamber of Commerce will not run Middletown's annual Milestone Festival, partly because of an apparent feud between a city commissioner and the group's president.

Last week the city contracted with a private event-planning firm, Eventualities, to run the September festival, which in-

cludes food and arts vendors, a parade, a dog show, children's activities and live music.

"It's a slap in the face," said Middletown Chamber President Judy Francis.

Francis criticized the city for agreeing to pay Eventualities \$60,000 to run the festival. She noted that the city spent only about \$40,000 on the festival the last two years under the chamber's management.

A new set of city specifications made it "impossible" for the chamber to bid on or produce the festival, Francis said.

The city's new rules call for the festival to be Sept. 12-13. It previously has been held the weekend after Labor Day, but Mayor J. Byron Chapman said he wanted to move it farther from the holiday, when some families take vacations, and closer to the Sept. 16-21 Ryder Cup festivities.

The specifications also prohibit, for example, large amplifiers that make "obnoxious noise." Francis

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MENUSFO

These meals will be served next week at the nutrition centers for the elderly operated by the Title III C Nutrition Program of the Metro Louisville Department of Housing and Family Services. The kosher menu is available only at the Jewish Community Center.

Regular

MONDAY — Ham and beans, cabbage, orange.

TUESDAY — Oven-baked chicken breast, brown rice, turnip greens, oatmeal cookie.

WEDNESDAY — Spaghetti and meat sauce, tossed salad, artichoke, diced pears.

THURSDAY —

loaf with grav-

tatoes, green

nana.

FRIDAY —

key breast, s-

toes, lima bea-

pudding.

Kos-

MONDAY —

burger, potato

ach salad, ban-

TUESDAY —

cacciatore, ve-

ley, pineapple

WEDNESDAY —

Baked fish, t-

potato, steam-

pineapple chu-

THURSDAY —

ball soup, turk-

spinach salad,

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85 Miscellaneous



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Item No. 5-441

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Continue to walk the
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Item No. 5-441

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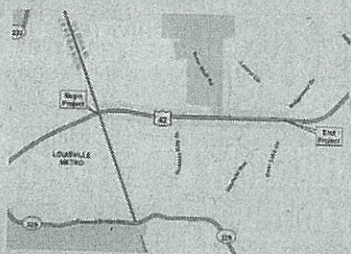
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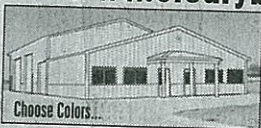
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8AM - 5PM

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84 Musical Equipment

U.S. 42
ITEM NO. 5-441.00

The project includes the widening of US 42 from just South of the Jefferson/Oldham County line to Ridgemoor Drive – approximately 0.9 miles.



KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DISTRICT 5
LOUISVILLE, KENTUCKY

PUBLIC INFORMATION MEETING

April 1, 2008
(Public Meeting 1 of 2)

Goshen Elementary School at Hillcrest
12518 Ridgemoor Drive
Prospect, KY
6:00 pm to 8:00 pm

Project Description:

Current Conditions

The project begins just south of the Oldham-Jefferson County line and proceeds east for approximately 0.9 miles to the intersection with Ridgemoor Drive. The existing roadway begins as a 4-lane rural section and tapers down to a 2-lane rural section just past the Hunters Ridge Retail Center and continues to the project end. Currently, there are traffic signals located at River Bluff, Hayfield Way and Ridgemoor Drive.

Project Purpose

The purpose of this project is to improve traffic operation, safety, and minimize the congestion on US 42 between the project limits specified.

Proposed Typical Section Alternatives

The design team will conduct a preliminary design on the 3 alternative typical sections listed below to include traffic flow analysis, cost estimates, identifying right of way and utility impacts, identify drainage issues, identify environmental impacts, traffic control considerations and possible enhancements to signing and pavement markings.

- 1) A 3-lane urban section with two 12' travel lanes and a 14' continuous left turn lane, curb and gutter and 5' wide sidewalk on both sides
- 2) A 3-lane rural section with two 12' travel lanes and a 14' continuous left turn lane, 10' shoulders (8'-paved, 2' earth) and a 5' sidewalk on one side
- 3) A 3-lane rural section with two 12' travel lanes and a 14' continuous left turn lane, 10' shoulders (8'-paved, 2'-earth) and no sidewalks

* See Typical Roadway Sections on back

The Purposes Of Tonight's Meeting Are:

- To present the 3 Alternative typical sections for this project.
- To **obtain public comments and preference** on typical sections and obtain any project concerns.
- To initiate the Section 106 process of the National Historic Preservation Act.

Ways to Submit Comments

The comment period will end **April 15, 2008**

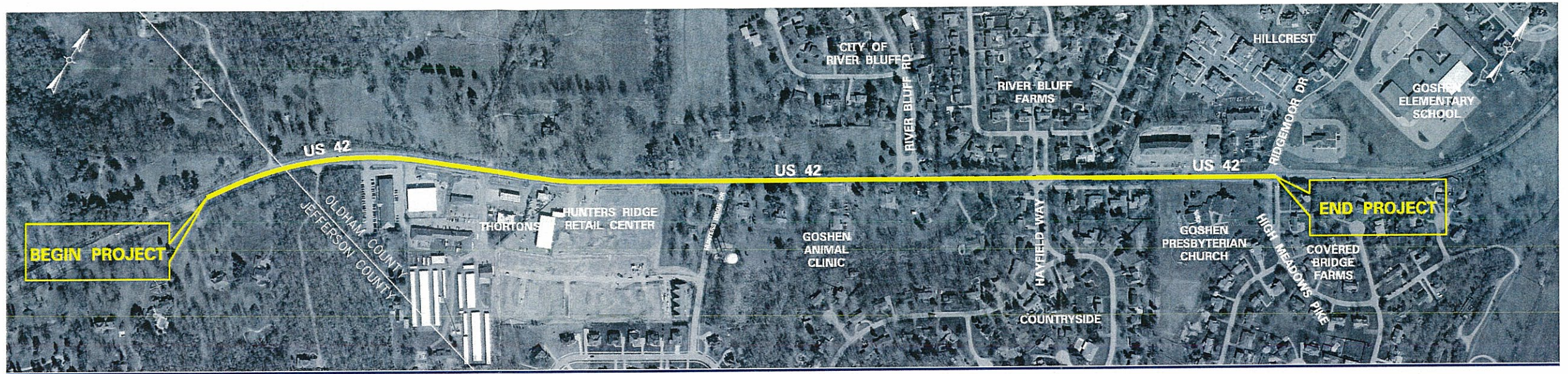
- Use the **comment sheet** provided tonight. We encourage you to complete and leave the comment sheet tonight. Also, take them home and distribute them to your friends and neighbors.
- **Mail** in comments. Either use the pre-addressed and postage paid envelopes provided tonight or mail comments to:

Ms. Tala Quinio, P.E.
Kentucky Department of Highways
District-5
P.O. Box 22100
Louisville, KY 40252

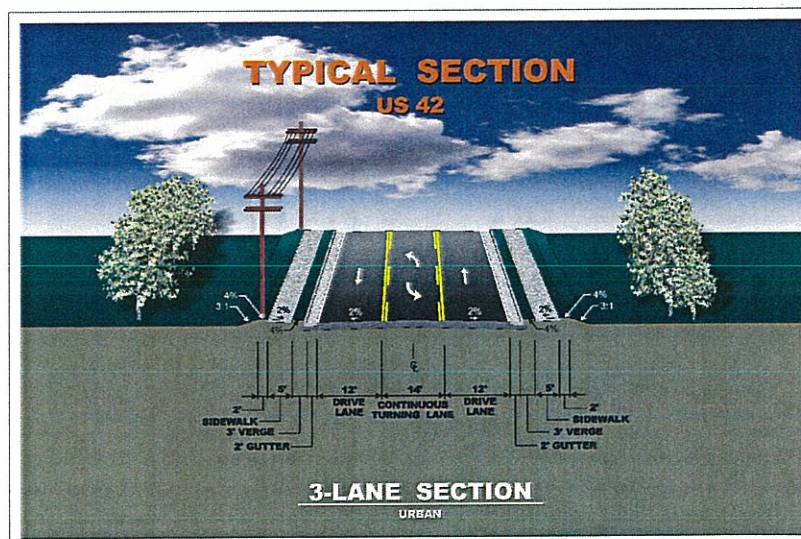
- **Call:** (502) 210-5473
- **Fax:** (502) 210-5498
- Submit comments via **e-mail** to:
Tala.Quinio@ky.gov

Future Steps

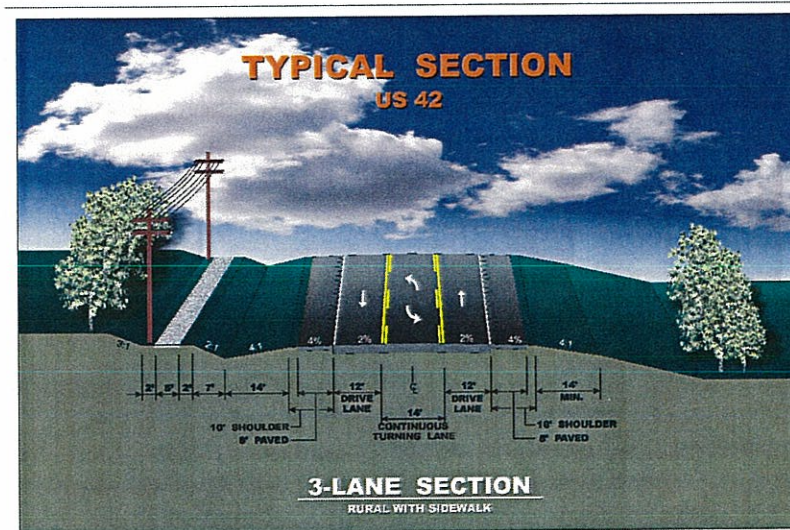
Once a preferred alternative typical section has been determined, further detailed design will be performed and presented at a second public meeting.



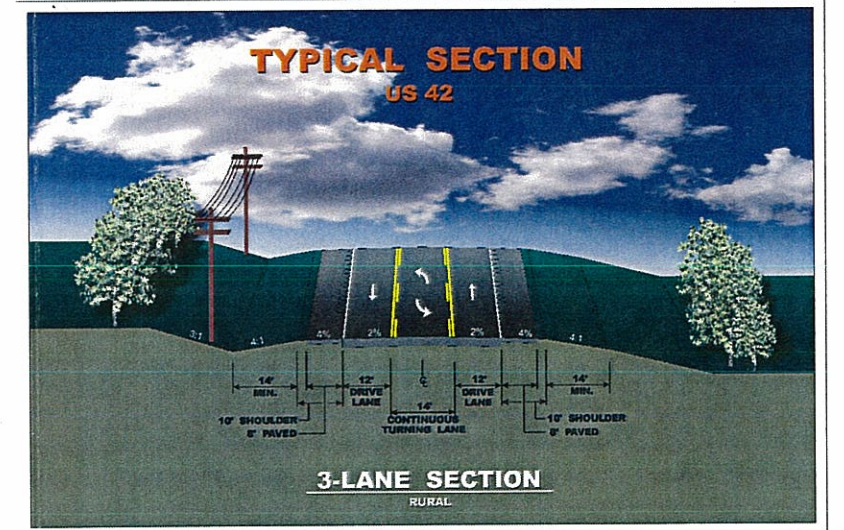
PROJECT LIMITS



Alternative 1: Urban with sidewalk on both sides



Alternative 2: Rural with sidewalk on one side



Alternative 3: Rural with no sidewalks

Cultural Historic

(5-441.00)



TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.transportation.ky.gov/

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Acting Secretary

December 16, 2009

Ms. Meme Sweets Runyon, Executive Director
River Fields
643 West Main Street, Suite 200
Louisville, KY 40202-2921

Re: Jefferson - Oldham Counties
US 42 Widening
Item No. 5-441

RECEIVED

DEC 21 2009

D5-DESIGN

Dear Ms. Runyon:

Thank you for your letter dated December 9, 2009 regarding the referenced project and its potential effect on the Wallace Farm, a property to which River Fields holds a conservation easement. Your letter indicated that the removal of a tree line adjacent to the existing road edge should be subject to a "thorough review through a Section 106 process" as the SHPO has indicated that the property is eligible for the National Register of Historic Places.

The subject project has advanced in a manner consistent with the Section 106 process. This property was determined potentially eligible by KYTC, a finding concurred upon by the SHPO by letters dated May 21, 2009 and July 2, 2009 (see attached). Within those same letters, the SHPO also concurred with the finding that Alternative 1 does not constitute an adverse effect to the property or, in the case of Site 11 (Kinchloe/Embry/ Grafton House) No Effect. The May 21, 2009 letter was the result of SHPO review of the KYTC cultural historic survey conducted by H. Powell and Company in which the removal of the vegetation and trees bordering the roadside edge were clearly identified as a project impact. SHPO concluded that these activities did not "impact the property in a way that will substantially diminish its ability to convey its significance nor will it severely detract from the characteristics which make it eligible for listing."

As was suggested in your letter, consultation on eligibility and effects required under Section 106 of the National Historic Preservation Act has been conducted. We appreciate your interest in the project and consider consultation on the matter to have been appropriately completed as you suggested.

Sincerely,

David M. Waldner, P.E. Director
Division of Environmental Analysis

pc: Jeff Schaefer, D5
Greg Rawlings, FHWA



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RIVER FIELDS

RECEIVED

DEC 11 2009

D5-DESIGN

December 9, 2009

Mr. Jeff Schaefer
Environmental Coordinator
Kentucky Transportation Cabinet - District 5
8310 Westport Road
Louisville, KY 40204-3042

RE: Jefferson and Oldham Counties
US 42 Widening (From the County Line to Ridgemoor Drive)
Item No. 5-441.00

Dear Mr. Schaefer:

This is in response to your letter dated July 24, 2009 to David French requesting River Fields comments, as a Consulting Party, on the proposed US 42 Widening project.

As noted in our previous correspondence on May 20, 2009 to David Waldner, Division of Environmental Analysis, Kentucky Transportation Cabinet, our interest in this project relates to the fact that River Fields, Inc. holds two conservation easements on 591.490 acres of the Wallace Farm located in Jefferson and Oldham Counties. A portion of that farm and our easement borders the proposed widening project and we believe the conservation easement would be adversely affected by construction of the proposed project as it is presently designed.

- The temporary easement proposed along the north-west edge of US 42 will require the destruction of significant tree mass. This tree line as it presently exists provides a visual and to some extent sound barrier between the traffic flow along US 42 and the farm. It is noted that a small shift in roadway alignment to the south-east would eliminate the need for this taking. It would appear from inspection of the drawings, that such a shift would have only minimal impact on properties located along the south-eastern edge of US 42 and would preserve this important aesthetic and environmental buffer along this section of US 42.

643 West Main Street, Suite 200, Louisville, Kentucky 40202-2921 • 502.583.3060 • www.riverfields.org

BOARD OF TRUSTEES: Paul J. Bickel III • Owsley Brown II • Stephen P. Campbell • Marea Clark • Lee T. Cory • Arnita Gadson
Matthew Boone Gardiner • Robert E. Kulp, Jr. • Elizabeth Dodd Lococo • Hunter G. Louis • Debbie Linnig Michals • Kenneth W. Moore
Edwin H. Perry • Dr. Hiram C. Polk, Jr. • Bea Rosenberg • Inez Segell • Jane M. Townsend • Ann C. Wells

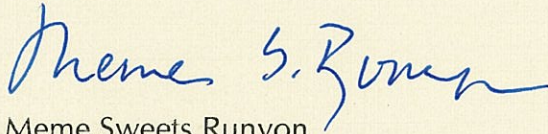
HONORARY TRUSTEES: Laura Lee Lyons Brown • Mrs. W. L. Lyons Brown, Sr.

EXECUTIVE DIRECTOR: Meme Sweets Runyon

- It is further noted that in a recent letter dated October 30, 2009 from the State Historic Preservation Officer (SHPO) to Carla Wallace that he believes pursuing a National Register listing for the entire farm is a viable and worthwhile option for the Wallace family. This means the SHPO believes the property is potentially eligible for the National Register. We are of the opinion that the widening of US 42 and destruction of vegetation along this important buffer, as presently planned, would require a thorough review through a Section 106 process as the property is potentially eligible. A copy of the SHPO's letter is enclosed for your further information.

Thank you for this opportunity to comment on the subject widening of US 42 and its effects on the Wallace Farm and the conservation easement held by River Fields, Inc. Please feel free to contact me or Dave French at 502.583.3060 should you wish to discuss this matter.

Sincerely,



Meme Sweets Runyon
Executive Director

Enclosure

c: Carla Wallace
Sonja de Vries
Mark Dennen, SHPO
File



STEVEN L. BESHEAR
GOVERNOR

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

MARCHETA SPARROW
SECRETARY

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

MARK DENNEN
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

October 30, 2009

Ms. Carla Wallace
PO Box 1067
Prospect Ky 40059

Re: National Register Listing for the Wallace Farm

Dear Ms. Wallace:

On October 9, 2008, I had the opportunity to meet with David French, Meme Runyon and you to discuss the potential for a National Register listing for your family's farm in Prospect. After our meeting, I toured many areas of the farm with Ms. Runyon and looked at most of the buildings that might contribute to a listing.

In viewing the physical condition of the property, and in considering the history of the farm, my opinion is that pursuing a National Register listing is a viable, and I hope you agree, a worthwhile option.

My recommendation is that you consider the preparation of an application for listing. This can be done by you or representatives for your family. Because of the complexity of listing a large property with multiple resources, the approach most commonly taken would be to hire a consultant with expertise in the research and writing that would identify the important aspects of the property and create a strong argument for significance.

If you are interested in pursuing this, I suggest that you contact Marty Perry (502-564-7005 x 132 or marty.perry@ky.gov), National Register Coordinator for the Kentucky Heritage Council. Marty can discuss the methods to approach this endeavor and guide you in moving forward with an application.

Please feel free to contact me if you have any questions or if you would like to discuss this further.

Sincerely,

Mark Dennen
Executive Director and
State Historic Preservation Officer

Cc: Meme Runyon
Marty Perry



TRANSPORTATION CABINET

Steven L. Beshear
Governor

Department of Highways District 5 Office
8310 Westport Road
Louisville, KY 40242-3042
(502) 210-5400

Joseph W. Prather
Secretary

July 24, 2009

Mr. David F. French
Stewardship Coordinator, River Fields, Inc.
643 West Main Street, Suite 200
Louisville, KY 40202-2921

RE: Jefferson and Oldham Counties
US 42 Widening (From the County Line to Ridgemoor Drive)
Item No. 5-441.00

Dear Mr. French:

Attached for your review in this e-mail are the Adobe Reader .pdfs of the Cultural Historic Study, mapping, and later addendum prepared by Helen Powell and Co., Inc. for the above listed project. The reports identify historic resources within the Area of Potential Effect (APE) for the project and a recommendation for eligibility on the National Register of Historic Places. The reports also discuss potential effects upon these historic resources.

Additionally, you will find attached in this e-mail a PDF of the correspondence related to the Section 106 process for the above subject project. If you have any information regarding resources within this area that have not been identified or comments regarding the APE or effects, please contact me by phone at (502) 210-5438, email at Jeff.Schaefer@ky.gov or by mail at the address listed above by **August 31, 2009**.

We appreciate your willingness to participate in this important process. Please contact our office with any questions you may have regarding this project.

Sincerely,

Jeff Schaefer
Environmental Coordinator
District 5, KYTC

cc: Amanda Abner, KYTC DEA
Anthony Goodman, FHWA



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STEVEN L. BESHEAR
GOVERNOR

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

MARCHETA SPARROW
SECRETARY

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FRANKFORT, KENTUCKY 40601
PHONE (502) 564-7005
FAX (502) 564-5820
www.heritage.ky.gov

MARK DENNEN
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

July 2, 2009

Mr. Gregory Rawlings
Environmental Specialist, Kentucky Division Office
Federal Highway Administration
330 West Broadway
Frankfort, KY 40601

**Re: A Cultural Resource Survey of the Reconstruction of US 42 from the Jefferson/Oldham County
Line to Ridgemoor Drive in Oldham County, Kentucky (Item No. 5-441)**

Dear Mr. Rawlings:

The State Historic Preservation Office received, on July 1, 2009, your letter regarding the above-referenced project as well as a letter dated June 9, 2009 from KYTC-DEA. This office originally commented on this undertaking in a letter dated February 12, 2009 in which we requested that an additional site be documented, resulting in the consultant's identification of Site 11, the Kinchloe/Embry/Grafton House (JF-1836). Based on communication with River Fields, Inc. and information provided in the historic context of the original report, this office determined Site 11 was eligible for listing in the National Register of Historic Places (NRHP) under Criterion B. We concur that the current property boundary, outlined in the map attached to your recent letter, is also the property's National Register boundaries.

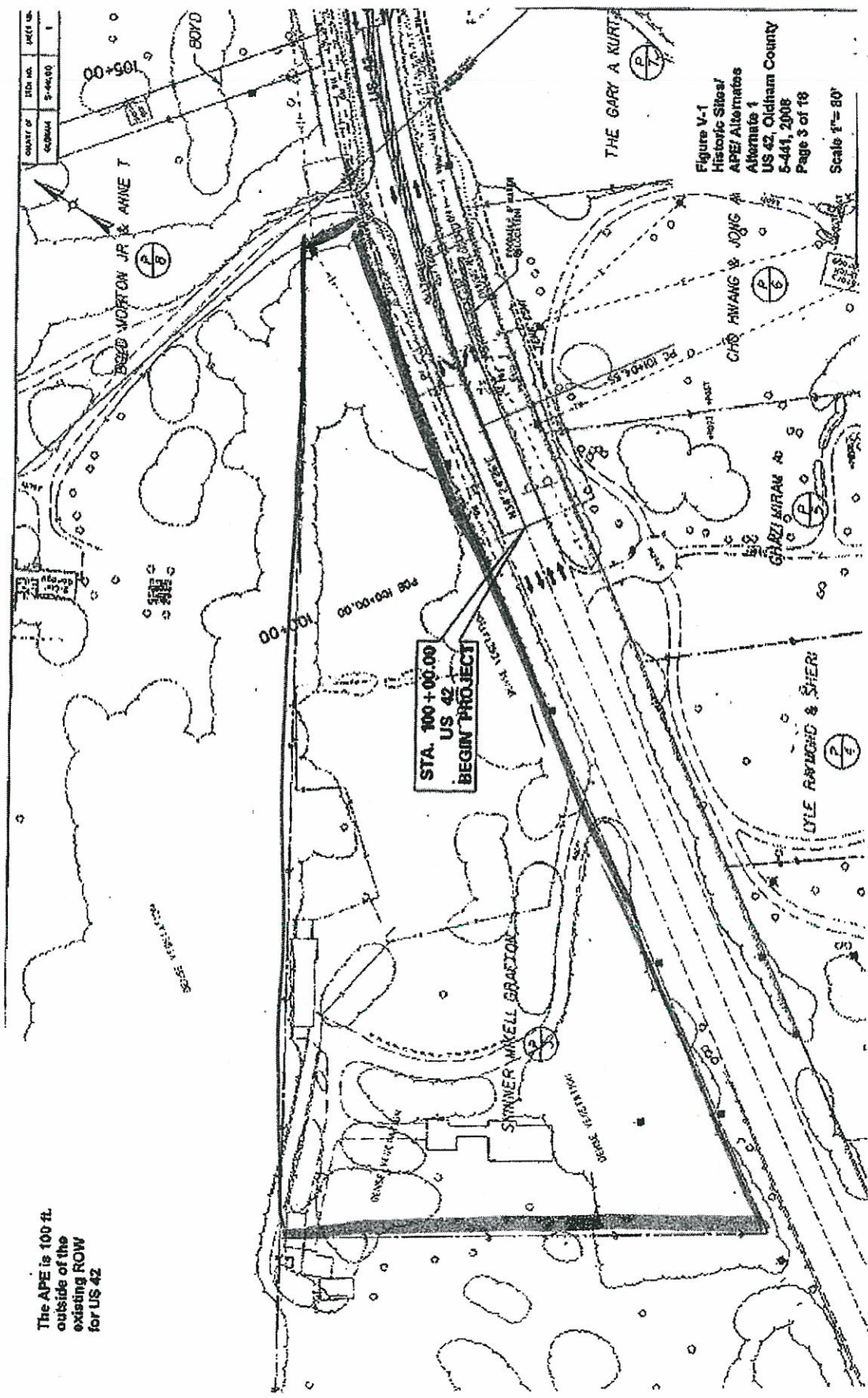
Based on the information provided by your office and KYTC-DEA as well as project plans, we concur that this project will have **No Effect on Site 11**. Therefore, we concur with your office that this taking will not

If you have any questions about these comments, feel free to contact Danae Peckler of my staff at (502) 564-7005, extension 127.

Sincerely,

Mark Dennen
Executive Director and
State Historic Preservation Officer

Cc: David Waldner, Amanda Abner, KYTC-DEA
DAP:dap



The APE is 100 ft. outside of the existing ROW for US 42

Figure V-1
 Historic Sites/
 APE/ Alternates
 Alternate 1
 US 42, Oldham County
 5-441, 2008
 Page 3 of 18
 Scale 1"= 80'



STEVEN L. BESHEAR
GOVERNOR

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

MARCHETA SPARROW
SECRETARY

THE STATE HISTORIC PRESERVATION OFFICE
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FAX (502) 564-5820
www.heritage.ky.gov

MARK DENNEN
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

June 19, 2009

Mr. David Waldner, P.E. Director
Division of Environmental Analysis
Kentucky Transportation Cabinet
200 Mero Street, 5th Floor
Frankfort, KY 40622

Re: **Consulting Party Status, US 42 Reconstruction from Jefferson County line to
Ridgemoor Drive
Oldham County, Kentucky (Item No. 5-441.00)**

Dear Mr. Waldner:

The State Historic Preservation Office has received your letter dated May 27, 2009 regarding consulting party status for the above-referenced project. We agree that **River Fields, Inc.** of Louisville, Kentucky, should be granted consulting party status for involvement in the Section 106 Review process.

If you have questions regarding these comments, please contact Danae Peckler of my staff at 502-564-7005, extension 127.

Sincerely,

Mark Dennen, Executive Director
Kentucky Heritage Council and
State Historic Preservation Officer

Cc: Amanda Abner, KYTC-DEA

MD: dap



TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.transportation.ky.gov/

Steven L. Beshear
Governor

Joseph W. Prather
Secretary

June 9, 2009

Mr. Jose Sepulveda, Division Administrator
Federal Highway Administration
Region IV
330 Broadway
Frankfort, Kentucky 40601

Dear Mr. Sepulveda:

SUBJECT: Response to SHPO letter regarding:
*A Cultural Historic Resource Survey of the Reconstruction of US 42 from the
Jefferson/Oldham County Line to Ridgemoor Drive in Oldham County, Kentucky*
Item No. 5-441.00

We received a letter from the State Historic Preservation Office (SHPO) dated May 21, 2009 concurring with the No Adverse Effect finding for Sites 1, 2, 3, and 9. Their letter also indicates that Site 11 is eligible for the National Register under Criterion B. Site 11 was not documented in the original report, but was surveyed after the SHPO stated that it was within the Area of Potential Effect. The May 21 SHPO letter does not make a determination of effect for Site 11, but it is the opinion of this office that the project will have No Effect to Site 11. No work other than pavement re-striping to taper from four lanes to three will occur in the direct vicinity of the parcel. There is no taking of land, trees, or any other feature that contributes to the significance of the property. Site 11 is not under the easement held by Riverfields. We ask for your office to review this Determinations of Effect and forward this information to the State Historic Preservation Office upon completion of your review.

If you have any questions, contact Amanda Abner or me at 502-564-7250.

Very truly yours,

David M. Waldner, P.E., Director
Division of Environmental Analysis

c: S. Waddle, D-5 (J. Schaefer, T. Quinio), D. Adams, A. Abner, FHWA (A. Goodman), Qk4 (T. Springer), H. Powell



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TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.transportation.ky.gov/

Steven L. Beshear
Governor

Joseph W. Prather
Secretary

May 27, 2009

Mr. Mark Dennen
Executive Director & SHPO
Kentucky Heritage Council
300 Washington Street
Frankfort, Kentucky 40601

RECEIVED
JUN - 1 2009
D5-DESIGN

Dear Mr. Dennen:

SUBJECT: Consulting Party Status
US 42 Reconstruction from Jefferson County Line to
Ridgemoor Drive
Oldham County, Kentucky
Item No. 5-441.00

Attached you will find a copy of a letter from River Fields requesting consulting party status on the above-mentioned project. It is the opinion of this office that they should be granted consulting party status. KYTC will provide them with appropriate project related materials and correspondence once your office approves their status. Please let us know if your office knows of others that should be granted this status, as no other entities have requested to become consulting parties for this project.

Your response is requested by June 27, 2009. If you have any questions, please contact Amanda Abner or me at 564-7250.

Very truly yours,

David M. Waldner, P.E., Director
Division of Environmental Analysis

c: S. Waddle, D. Adams, D-5 (J. Schaefer), FHWA w/a, A. Abner, Qk4 w/a, H. Powell and Co. w/a





RIVER FIELDS

May 20, 2009

Mr. David Waldner
Division of Environmental Analysis
Kentucky Transportation Cabinet
200 Mero Street
Frankfort, KY 40601

REGARDING: Reconstruction of U.S. 42 from the Jefferson/ Oldham County Line to Ridgemoor Drive in Oldham County, Kentucky

Dear Mr. Waldner,

This letter is in follow up to our telephone conversation earlier today. River Fields, Inc. by this letter formally requests to be made a Consulting Party to the US 42 Widening Project from the Jefferson/ Oldham County Line to Ridgemoor Drive in Oldham County, KY.

Our interest in this project relates to the fact that River Fields, Inc. holds a Conservation Easement on 591.490 acres of the Wallace Farm located in Jefferson and Oldham Counties. A portion of that farm and easement borders the proposed widening project. We believe the Conservation Easement held on the Wallace Farm would be adversely affected by construction of the proposed project.

I look forward to hearing from you regarding this request.

Very truly yours,

David F. French, ASLA
Stewardship Coordinator

Copy: Meme Runyon, Executive Director, River Fields, Inc.
Danae Peckler, KHC
Sonja de Vries
Carla Wallace
file



STEVEN L. BESHEAR
GOVERNOR

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

MARCHETA SPARROW
SECRETARY

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

MARK DENNEN
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

May 21, 2009

Mr. Gregory Rawlings
Environmental Specialist, Kentucky Division Office
Federal Highway Administration
330 West Broadway
Frankfort, KY 40601

Re: De Minimis application to National Register-Eligible Sites 1, 2, 3 (OL-503-505) and 9 (OL-511), A Cultural Resource Survey of the Reconstruction of US 42 from the Jefferson/Oldham County Line to Ridgemoor Drive in Oldham County, Kentucky (Item No. 5-441)

Dear Mr. Rawlings:

The State Historic Preservation Office received, on May 11, 2009, your letter regarding the above-referenced project as well as a letter dated April 15, 2009 from KYTC-DEA. This office originally commented on this undertaking in a letter dated February 12, 2009 in which we determined that Sites 1, 2, 3 and 9 (OL-503, OL-504, OL-505 and OL-511) were eligible for listing in the National Register of Historic Places (NRHP). This office also requested that an additional site be documented, resulting in the consultant's identification of Site 11, the Kinchloe/Embry/Grafton House (JF-1836). While we were not asked to make a determination of eligibility for this property, we have been contacted by River Fields, Inc., a non-profit organization interested in becoming a consulting party on this project, who suggest that JF-1836 is associated with individuals of substantial regional significance. Within the historic context of this report, the consultant identified a twentieth-century trend when "...significant citizens of Louisville during the era [1920s] were attracted to the agrarian lifestyle in Oldham County (IV-6)." These individuals are said to have frequently adapted existing Oldham County farmland to suit bloodstock operations. Since the Embry brothers were natives of Louisville and leaders in regional Agriculture, owning their own livestock company and acting as President of Stockyard Associations in multiple states, we believe that this property could be eligible for listing in the National Register of Historic Places under Criteria B for its associations with these individuals and as a reflection of the aforementioned, notable trend.

A letter from your office, dated May 7, 2009, indicates that Alternative 1 – Minimization will result in minor taking from the National Register boundaries of Sites 1, 2, 3, and 9, Alternative 2 will have an Adverse Effect on these sites, and Alternative 3 is no longer being considered. Alternative 1 – Minimization will take 0.003 acres of permanent right of way from Site 9 and will include the construction of a retention wall along a portion of the property facing Highway 42. Alternative 1 also requires a taking of approximately six to seven feet of land from Sites 1, 2, and 3 along the roadway. Therefore, we concur with your office that this taking will not

Page 2

US 42 Widening, Oldham County (Item No. 5-441)

impact the property in a way that will substantially diminish its ability to convey its significance nor will it severely detract from the characteristics which make it eligible for listing. Therefore, we concur that this undertaking will have **No Adverse Effect** upon these historic properties and agree with your recommendation that the **De Minimis rule be applied to Sites 1, 2, 3, and 9.**

In closing, we would like to point out that while this taking is considered to be minor from a historic/cultural resource perspective, River Fields Inc. has indicated that they hold a conservation easement on these properties. We acknowledge that information pertaining to the enforcement of this conservation easement could weigh differently on the review of alternatives selected by this undertaking. Should any additional information change or impact the scope of work for the project or its alternatives, please contact our office so that we may determine if additional documentation is needed.

If you have any questions about these comments, feel free to contact Danae Peckler of my staff at (502) 564-7005, extension 127.

Sincerely,



Mark Dennen
Executive Director and
State Historic Preservation Officer

Cc: David Waldner,  Amanda Abner, KYTC-DEA

DAP:dap



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

Kentucky Division Office
José M. Sepúlveda, Division Administrator

May 7, 2009

330 West Broadway
Frankfort, KY 40601
PH. (502) 223-6720
FAX (502) 223-6735

In Reply Refer To:
HPD-KY

Mr. Mark Dennen, Acting Executive Director & SHPO
Kentucky Heritage Council
300 Washington Street
Frankfort, Kentucky 40601

Dear Mr. Dennen:

The Kentucky Division Office of the Federal Highway Administration (FHWA-KY) has a response to the SHPO letter regarding:

**A Cultural Historic Resource Survey of the Reconstruction of US 42 from the
Jefferson/Oldham County Line to Ridgemoor Drive in
Oldham County, Kentucky
KYTC Item Number 5-441**

We concur with the response and the Kentucky Transportation Cabinet's recommendation that Alternative 1 will have No Adverse Effect on Sites 1,2, and 3 and Alternative 2 will have an Adverse Effect. Alternative 1 – Minimization will have No Adverse Effect on Site 9. Alternative 1 – Minimization will require 0.003 acres of permanent right-of-way from Site 9 and subject to your concurrence with a No Adverse Effect finding we recommend that the De Minimis rule under Section 4(f) is also applicable. Alternative 3 is no longer under consideration.

Please provide a determination on our proposal. If you have any questions, please contact me at (502) 223-6728.

Sincerely,

Gregory D. Rawlings
Environmental Specialist

Enclosure (2) - KYTC letter to FHWA-KY
- Response Report

cc: David Waldner, KYTC - DEA





Steven L. Beshear
Governor

TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.transportation.ky.gov/

Joseph W. Prather
Secretary

April 15, 2009

RECEIVED

APR 24 2009

D5-DESIGN

Mr. Jose Sepulveda, Division Administrator
Federal Highway Administration
Region IV
330 Broadway
Frankfort, Kentucky 40601

Dear Mr. Sepulveda:

SUBJECT: Response to SHPO letter regarding:
*A Cultural Historic Resource Survey of the Reconstruction of US 42 from the
Jefferson/Oldham County Line to Ridgemoor Drive in Oldham County, Kentucky*
Item No. 5-441.00

Attached please find one copy of the above subject report, the State Historic Preservation Office's (SHPO) response dated February 12, 2009, and a copy of additional information provided by Helen Powell, the report's author. The report recommends a finding of No Effect, hence the reason it was not originally reviewed by your office. The SHPO disagreed with the Determinations of Eligibility and Effect for Sites 1, 2, 3, and 9 and questioned the omitting of the Grafton House, which lies at the southwest edge of the APE in Jefferson County. Helen Powell has completed a survey form and provided additional research for the Grafton House. Based on the additional information we do not believe the site is eligible for the National Register under Criteria A, B, or C. The house was built in 1929 and is a mix of architectural styles, utilizing elements of the Arts and Crafts and Colonial Revival movements and appears to have been built in different construction phases. Important individuals inhabited the house, but their importance does not appear to be transcendent in Louisville or Jefferson County or beyond. Regardless, the project will have No Effect on the Grafton House and no construction will occur in its immediate vicinity. Qk4, the design consultant, has developed Alternative 1- Minimization to avoid an Adverse Effect to Site 9, a Colonial Revival fruit stand. The minimization will have No Adverse Effect on Site 9 and will require 0.003 acres of permanent right-of-way. Alternative 2 will have an Adverse Effect to Site 9. The SHPO believes Sites 1, 2, and 3 qualify as a historic agricultural district. These sites comprise part of an area under an existing conservation easement held by River Fields. Alternative 1 will have No Adverse Effect on Sites 1, 2, and 3 and Alternative 2 will have an Adverse Effect. Alternative 3 is no longer under consideration. We ask for your office to review the Determinations of Eligibility and Effects and forward this information, along with the attached survey form, to the State Historic Preservation Office upon completion of your review.

If you have any questions, contact Amanda Abner or me at 502-564-7250.

Very truly yours,

David M. Waldner, P.E., Director
Division of Environmental Analysis

c: S. Waddle, **D-5 (J. Schaefer)**, T. Quinio), D. Adams, A. Abner, FHWA (A. Goodman), Qk4 (T. Springer), H. Powell



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13 FEB '09 AM 10:37



STEVEN L. BESHEAR
GOVERNOR

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

MARCHETA SPARROW
SECRETARY

THE STATE HISTORIC PRESERVATION OFFICE
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MARK DENNEN
ACTING EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

February 12, 2009

Mr. David M. Waldner, P.E., Director
Division of Environmental Analysis
Kentucky Transportation Cabinet
200 Mero Street, 5th Floor
Frankfort, KY 40622

**Re: A Cultural Historic Resource Survey of the Reconstruction of US 42 from the Jefferson/Oldham County
Line to Ridgemoor Drive in Oldham County, Kentucky (Item No 5-441.00)**

Dear Mr. Waldner:

The State Historic Preservation Office has received for review and comment the above-referenced cultural historic survey completed by Helen Powell with H. Powell and Company, Inc. The proposed undertaking involves the widening of US 42 to add a continuous left-turn lane. There are three alternates for the project. The author identified 10 historic resources within the project Area of Potential Effect and concluded that none were eligible for listing in the National Register of Historic Places.

We agree with the author and KYTC-DEA that Site 4 (OL-506), Site 5 (OL-507), Site 6 (OL-508), Site 7 (OL-509), Site 8 (OL-510) and Site 10 (OL-295) do not appear to be eligible for listing in the NRHP.

We do not agree with the author's evaluation of Site 1 (OL-503), Site 2 (OL-504), Site 3 (OL-505) and Site 9 (OL-511). On October 9, 2008, Mark Dennen, Acting Executive Director and SHPO, visited the Wallace Farm and determined that it is eligible for listing as a historic vernacular landscape or rural historic district under Criteria A and B, with Sites 1-3 included as contributing resources. This office has been contacted by the property owners regarding the development of a NRHP nomination.

Additionally, it is the opinion of this office that Site 9 (OL-511), the Belknap Fruit Stand, is eligible for listing in the NRHP under Criterion B, for its association with William Belknap and the agricultural activities of the Belknap Farm and, and under Criterion C, as an example of a designed Colonial Revival roadside resource in Oldham County.

Furthermore, we have some questions about the APE and the exclusion of possible historic resources within this report. Historic topographical maps show a dwelling within the Jefferson County portion of the APE, to the north of US 42. The Grafton House is located at 10801 West Highway 42 and was built in the 1920s. We would appreciate clarification on why this resource was not included in this survey.

We look forward to continued consultation on this project and resolution of the issues raised. Should you have any questions regarding these comments, please feel free to contact Janie-Rice Brother of my staff at (502) 564-7005, extension 121.

Sincerely,

Mark Dennen, Acting Executive Director
and State Historic Preservation Officer

Archaeological
(5-441.00)

**MEMORANDUM OF UNDERSTANDING
FOR THE ARCHAEOLOGICAL INVESTIGATION OF
RIVER FIELDS INC.'S CONSERVATION EASEMENT PORTION OF THE US-42
RECONSTRUCTION PROJECT FROM THE OLDHAM/JEFFERSON COUNTY LINE
TO RIDGEMOOR DRIVE IN OLDHAM COUNTY, KENTUCKY
PURSUANT TO 36 CFR 800.6(a)**

UNDERTAKING: Reconstruction of US-42 from the Oldham/Jefferson County line to
Ridgemoor Drive, Oldham County
STATE: Kentucky
AGENCY: Federal Highway Administration

WHEREAS, the Federal Highway Administration (FHWA) has determined that the reconstruction of US-42 from the Oldham/Jefferson County line to Ridgemoor Drive in Oldham County is a federal undertaking subject to Section 106 of the National Historic Preservation Act of 1966 as amended; and

WHEREAS, River Fields Inc. (River Fields) holds a 1200 linear foot conservation easement along the northern frontage of US 42 within the project area and identified as Parcels #15, 20, and 21 on the project Plans; and

WHEREAS, a Phase I intensive archaeological survey was conducted of the entire project 0.9 mile project area *with the exception of that within the conservation easement* and found no archaeological sites; and

WHEREAS, River Fields and the Wallace Family Heirs denied access for an archaeological investigation to that portion of the project area held by River Fields in a conservation area; and

WHEREAS, FHWA and the State Historic Preservation Officer (SHPO) have agreed to defer archaeological investigation of this portion of the project area until access is obtained; and

WHEREAS, The Kentucky Transportation Cabinet (KYTC) participated in the consultation and has been invited to concur in the Memorandum of Agreement;

NOW, THEREFORE, the FHWA, the SHPO, and KYTC agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

Stipulations

FHWA will ensure that the following measures are carried out.

1. FHWA shall ensure that all archaeological work required by this Memorandum of Agreement will be carried out by Preservation Professionals meeting at a minimum the Secretary of the Interior's Professional Qualification Standards (48 FR 44738-9).

2. FHWA will consult with the Kentucky SHPO for concurrence that the Preservation Professionals meet these Standards.
3. KYTC will conduct, or cause to be conducted, an archaeological survey of the subject property, located along the northern frontage of US 42 within the project area and identified as Parcels #15, 20, and 21 on the project Plans to determine if it contains archaeological sites that are eligible for listing in the National Register of Historic Places (NRHP). A report documenting the results of this investigation will be prepared in accordance with the Kentucky Heritage Council's (KHC) most current Specifications for Archaeological Field Work and Assessment Reports (Specifications) and will be submitted by FHWA to the SHPO for review and comment.
4. If prehistoric sites are identified, the report will be submitted to relevant federally recognized Indian Tribes for comment.
5. If archaeological sites are identified and considered potentially eligible by the SHPO for listing in the NRHP, they will be tested prior to the initiation of any construction activities to determine if they are eligible for listing in the NRHP. Upon completion of the testing, a report will be prepared in accordance with the KHC's most current Specifications and will be submitted by FHWA to the SHPO and interested federally recognized Indian Tribes for review and comment.
6. If, based on the testing, this site is determined by the SHPO to be eligible for listing in the NRHP, FHWA will develop a data recovery plan in conformance with the Secretary of the Interior's Standards for Archaeology and Historic Preservation (48 FR 44716-42) and the KHC's most current Specifications. The data recovery plan will be submitted to the SHPO for review and comment. Unless the SHPO comments or objects within thirty (30) days of receiving the data recovery plan, FHWA shall ensure that the plan is implemented.
7. Following implementation of the data recovery fieldwork, a report conforming to Secretary's Standards and Guidelines and SHPO's Specifications shall be submitted to FHWA, KYTC, and SHPO for review and approval.

Modification, Amendment, or Termination

Modification, amendment, or termination of this agreement as necessary shall be accomplished in writing through mutual consent of the signatories in the same manner as the original agreement.

Dispute Resolution


Disputes regarding the completion of the terms of this agreement shall be resolved by the signatories. If the signatories cannot agree regarding a dispute, any one of the

signatories may request the participation of the Advisory Council on Historic Preservation to assist in resolving the dispute.

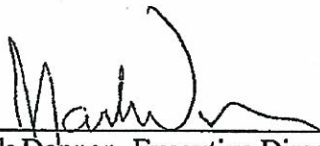
Duration

This agreement shall be null and void if its terms are not carried out within 5 (five) years from the date of its execution, unless the signatories agree in writing to an extension for carrying out its terms.

FEDERAL HIGHWAY ADMINISTRATION

BY:  Date: 1/27/10
Jose Sepulveda, Division Administrator

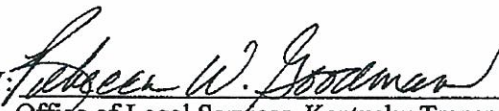
KENTUCKY STATE HISTORIC PRESERVATION OFFICER

BY:  Date: 1/14/10
Mark Dennen, Executive Director, Kentucky Heritage Council

INVITED SIGNATORY

BY:  Date: 12/4/09
Michael W. Hancock, Acting Secretary, Kentucky Transportation Cabinet

APPROVED AS TO FORM AND LEGALITY:

BY:  Date: 11/25/09
Office of Legal Services, Kentucky Transportation Cabinet



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TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.transportation.ky.gov/

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Acting Secretary

December 8, 2009

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

SUBJECT: Memorandum of Agreement for US 42 Reconstruction Project from
Oldham/Jefferson County Line to Ridgemoor Drive
Oldham County, Kentucky
KYTC Item No. 5-441.00

Dear Mr. Dennen,

KYTC recently submitted to your office a Phase I archaeological survey report covering most of the project corridor for this federally funded project. No archaeological sites were found and in a letter dated September 11, 2009 your office concurred that no additional work was warranted in the surveyed areas.

Three parcels of the project corridor (i.e., Parcels #15, 20, and 21 on the Project Plans) were not surveyed as the landowner denied permission for the KYTC archaeologist to access the properties. These parcels are parts of a conservation easement on the larger Wallace Farm, the easement for which is held by River Fields, Inc.

FHWA and KHC have agreed to defer archaeological investigation of these parcels until permission is obtained to access them is appropriate. A Memorandum of Agreement is included herein stipulating KYTC's commitment to conduct appropriate archaeological survey. We are requesting your review and signature of this MOA by January 7, 2010.

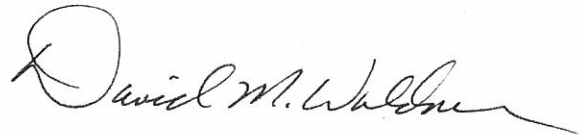


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KYTC Item No. 5-441.00 MOA
US 42 Reconstruction, Oldham County
December 8, 2009

Following your review, should you have any questions, please contact Ms. Susan Neumeyer of my staff at (502) 564-7250. Please sign the MOA at your earliest convenience. After signing, please return the original to our office or contact DEA and we will pick it up.

Sincerely,

A handwritten signature in black ink, appearing to read "David M. Waldner". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

David M. Waldner, P.E., Director
Division of Environmental Analysis

DMW/msn
Enclosure

c: Derek Adams
 D5: J. Schaefer
 FHWA: Greg Rawlings
 Central Files
 Archaeology Files



STEVEN L. BESHEAR
GOVERNOR

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

MARCHETA SPARROW
SECRETARY

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

MARK DENNEN
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

November 6, 2009

Mr. Gregory D. Rawlings
Transportation Specialist
Kentucky Division Office
US Department of Transportation
Federal Highway Administration
660 West Broadway
Frankfort, Kentucky 40601

Re: US 42 from Jefferson/Oldham County Line to Ridgemoor Drive Project
Jefferson County, Kentucky
Item No. 5-441.00

Dear Mr. Rawlings:

The State Historic Preservation Office has received your letter of October 29, 2009 (received November 4, 2009), which concurs with the Kentucky Transportation Cabinet's request to defer archaeological survey for a portion of the above-listed project area until after right-of-way (ROW) has been obtained. This portion consists of approximately 1200 linear feet across several parcels. Under the circumstances, we concur that deferral of this survey is appropriate.

Should you have any questions, feel free to contact Kary Stackelbeck of my staff at (502) 564-7005, extension 147.

Sincerely,

Mark Dennen
Executive Director and
State Historic Preservation Officer

MD:klb

cc: David Waldner (KYTC-DEA)
Susan Neumeyer (KYTC-DEA)



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TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.transportation.ky.gov/

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Acting Secretary

Jose Sepulveda, Division Administrator
Kentucky Division Office
Federal Highway Administration
330 West Broadway, Room 264
Frankfort, Kentucky 40601

RE: Request to defer archaeological survey on one parcel of the Reconstruction of US 42 from Jefferson County/Oldham County Line to Ridgemoor Drive Project, KYTC Item No. 5-441.00

October 19, 2009

Dear Mr. Sepulveda:

I am requesting your concurrence to allow KYTC to defer an archaeological survey (Phase I) on approximately 1200 linear feet across several parcels within the above-referenced project area until after right-of-way (ROW) has been obtained. We have surveyed the rest of the 0.9 mile project corridor, but access to this area has been denied.

This road widening project will affect existing and new ROW along its 0.9 mile corridor. New ROW will generally be located within 20-30 feet on either side of the existing ROW. Typically, we prefer to complete all archaeological surveys prior to proceeding with the project. However, in this case, we feel a delay in surveying the so-called "Wallace" parcels is necessary until after the ROW has been obtained.

Henry F. Wallace, owner of a 600 acre farm in Prospect, Kentucky, died in 2000. Wallace's heirs developed a conservation easement with River Fields, Inc., a local river advocacy organization, for the entire farm. Approximately 1200 linear feet of this property lies along the north side of U.S. 42 within the project corridor in parcels 15, 20, and 21. In 2008, KYTC requested permission from both the Wallace Family heirs and from River Fields to access the property to conduct an archaeological survey, but was denied.

The reasons supporting our position are outlined below.

1. The project area encompasses a 0.9 mile corridor along US 42. A Phase I archaeological survey has been conducted on all other portions of the corridor and no archaeological resources were identified. A "no-find" report was provided to the State Historic Preservation Officer (SHPO). The SHPO concurred with the findings of that report in a letter dated September 11, 2009 with the understanding



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- that an MOA would be executed ensuring that a Phase I survey will be conducted on the remaining parcels once access is secured.
2. It is unlikely that significant historic archaeological resources are present within this corridor, since it is along the front of the property. In her 2008 survey of standing structures in the vicinity of this project, Helen C. Powell did not document any eligible properties within the cultural historic Area of Potential Effect (APE). Three properties were documented on the parcels of interest (Site 1, the Wilhoyte House; Site 2, the Ranch House; and Site 3, the Sallie M. Smith House) and none were determined to be eligible for inclusion in the National Register of Historic Places. It is unlikely that any significant archaeological deposits related to these properties are located along the U.S. 42 frontage on these parcels.
 3. It is unlikely that the relevant portion of the Wallace parcel contains intact human remains. There are no known burials in the project area in similar landforms in the region. Additionally, the parcel is located in an upland setting, not known in this area to contain prehistoric burials. There is similarly no reason to anticipate historic burials would be found in this area.
 4. Members of DEA's staff have been attempting to secure permission to conduct an archaeological survey on this property since at least March 2008. We have communicated with Ms. Carla F. Wallace – KYTC's point of contact with the Wallace Family heirs - numerous times via email and through phone conversations and we have sent a letter describing the Phase I survey methods for her to share with the other landowners. We have also worked with several staff members at River Fields to obtain permission, all to no avail. In October 2008, Ms. Wallace indicated to Mr. James Hixon, an archaeologist on DEA staff, that she would deny our request to access the property to conduct an archaeological survey. She said the property is owned by six people and that they would all have to agree to any work. This decision apparently was made following a meeting between the Wallace family and River Fields that was tentatively slated for September 2008, during which this project was an agenda item. KYTC believes that it has made a good faith effort for over a year to request access to these parcels, to explain the intent and the methods of an archaeological survey, and to attempt to satisfy Ms. Wallace's and River Fields' questions regarding the impacts to these properties. Further attempts to obtain access are not likely to be fruitful.
 5. Deferring the Phase I survey on the Wallace parcel will allow the project to move forward, since the rest of the project area has been investigated and no significant archaeological resources have been identified. Construction within this parcel may not occur until the survey has been conducted and appropriately reviewed, but this small parcel should not significantly delay work elsewhere within the project.

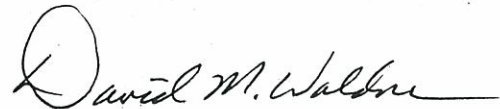
I have attached a map and an aerial photo showing the project area and have highlighted in yellow the area for which I am requesting deferral.

A draft MOA capturing our commitment to survey the remaining portion of the project area is attached. An earlier version of this draft was circulated for comment to Anthony Goodman and Greg Rawlings of the Kentucky office of FHWA. Following a period for comments, Ms. Kary Stackelbeck of the SHPO's office was afforded an opportunity to provide informal comments. She was satisfied with the MOA as-is.

I hope that you will agree that this is an appropriate situation in which to defer archaeological survey of a small portion of a project area until access to the property can be obtained and will assist KYTC in processing the MOA quickly.

Thank you for your consideration in this matter. If you have any questions about the archaeology of this project, please call Mrs. Susan Neumeyer of my staff at (502) 564-7250.

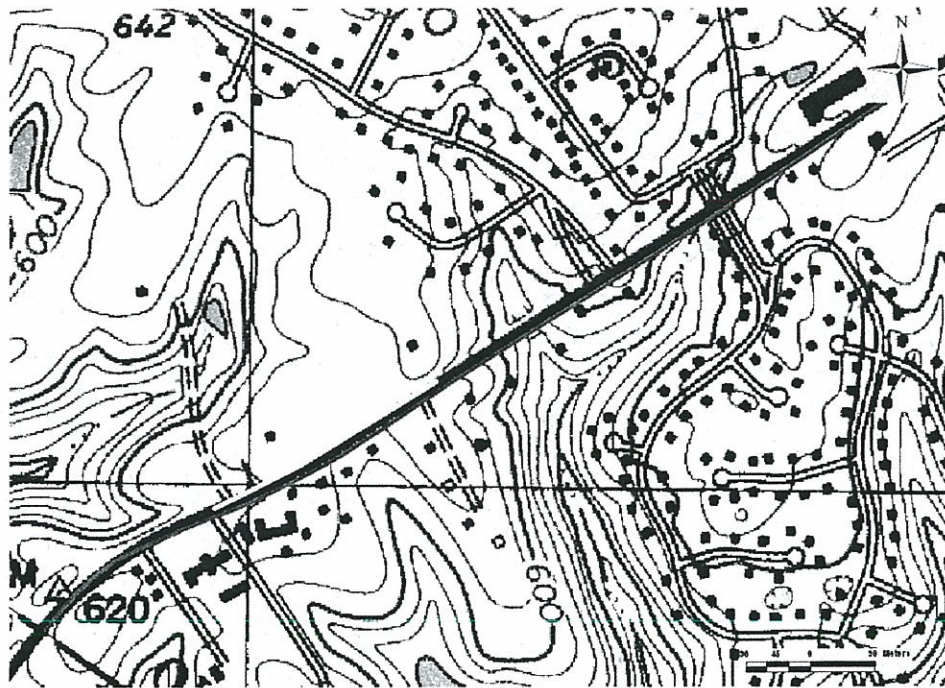
Sincerely,

A handwritten signature in black ink, appearing to read "David M. Waldner". The signature is fluid and cursive, with a large initial "D" and "W".

David M. Waldner, P.E., Director
Division of Environmental Analysis

DMW/sn
Enclosures

c: Derek Adams
 Phil Logsdon
 D5:Jeff Schaefer (w/a)
 FHWA: Greg Rawlings (w/a)
 Archaeology Files



Green line shows entire 0.9 mile project corridor, most of which has been cleared by SHPO. Yellow line shows area to which access has been denied for archaeological survey.



Yellow line shows extent of parcels for which we are requesting deferral. Scale: 1:6500. Yellow line is approximately 1200 linear feet. Project corridor (green line) is approximately 0.9 mile.



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Steven L. Beshear
Governor

TRANSPORTATION CABINET

Frankfort, Kentucky 40622
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Joseph W. Prather
Secretary

September 4, 2009

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

SUBJECT: A Phase I Intensive Archaeological Survey of a Portion of the Proposed
Reconstruction of US 42 from the Oldham/Jefferson County Line to
Ridgemoor Drive in Oldham County, Kentucky
By Susan Neumeyer, KYTC
KYTC Item No. 5-441.00

Dear Mr. Dennen,

The Kentucky Transportation Cabinet, on behalf of FHWA, is submitting for your staff's review one copy of a report documenting Phase I intensive archaeological survey of a nearly one mile (0.9 mile) section of the proposed reconstruction of US 42 as described above. Most of the project area was subject to visual inspection and found to be extensively disturbed by commercial and residential development. One small area was subjected to shovel testing. No prehistoric nor historic materials were identified as the result of the survey. No petroglyphs or pictographs were located during the survey.

KYTC did not have access to one area because it is held in a conservation easement by River Fields Inc. and access was not granted. An MOA will be developed and coordinated with your office to ensure appropriate archaeological investigation of this portion of the project area once access is available.

No additional work is recommended on this federally-funded project. Please provide your comments or concurrence to the recommendations of this report by October 9, 2009.



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KYTC 5-441.00
September 4, 2009

Should you have any questions, please contact Mrs. Susan Neumeyer of my staff at (502) 564-7250.

Sincerely,

A handwritten signature in black ink, appearing to read "David M. Waldner". The signature is fluid and cursive, with a large initial "D" and "W".

David M. Waldner, P.E., Director
Division of Environmental Analysis

DMW/sn
Enclosure

c: Derek Adams
 Phil Logsdon
 D5:Jeff Schaefer
 FHWA: Greg Rawlings
 Archaeology Files



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Governor

TRANSPORTATION CABINET

Frankfort, Kentucky 40622
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Joseph W. Prather
Secretary

September 4, 2009

Mr. Greg Rawlings
Kentucky Division Office
Federal Highway Administration
330 West Broadway, Room 264
Frankfort, KY 40601

SUBJECT: A Phase I Intensive Archaeological Survey of a Portion of the Proposed Reconstruction of US 42 from the Oldham/Jefferson County Line to Ridgemoor Drive in Oldham County, Kentucky
By Susan Neumeyer, KYTC
KYTC Item No. 5-441.00

Dear Mr. Rawlings,

The Kentucky Transportation Cabinet is submitting for your review one copy of a report documenting Phase I intensive archaeological survey of a nearly one mile (0.9 mile) section of the proposed reconstruction of US 42 as described above. A copy of this report is simultaneously being sent to the Kentucky Heritage Council for their review.

Most of the project area was subject to visual inspection and found to be extensively disturbed by commercial and residential development. One small area was subjected to shovel testing. No prehistoric nor historic materials were identified as the result of the survey. No petroglyphs or pictographs were located during the survey.

KYTC did not have access to one area because it is held in a conservation easement by River Fields Inc. and access was not granted. FHWA has previously indicated that an MOA should be developed and coordinated with SHPO, FHWA, and KYTC to ensure appropriate archaeological investigation of this portion of the project area once access is available.



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KYTC 5-441.00
September 4, 2009

No additional work is recommended on this federally-funded project. Should you have any questions, please contact Mrs. Susan Neumeyer of my staff at (502) 564-7250.

Sincerely,

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David M. Waldner, P.E., Director
Division of Environmental Analysis

DMW/sn
Enclosure

c: Derek Adams
Phil Logsdon
D5:Jeff Schaefer
Archaeology Files

Air Quality

(5-441.00)



PM_{2.5} PROJECT LEVEL CHECKLIST

The purpose of this checklist is to provide the required PROJECT LEVEL documentation to aid the interagency consultation group in the determination of project type, i.e.

- 1) **Exempt** - Exempt from PM_{2.5} project-level conformity determination,
- 2) **Not Exempt, Not of Concern**- Not Exempt, but not of local air quality concern (does not require further analysis), or
- 3) **Of Concern** - Of local air quality concern and, therefore, requiring a hot-spot analysis.

This checklist is only intended as a tool to assist with the PM_{2.5} project-level conformity determination and does not replace regulatory requirements in the Transportation Conformity Rule (40 CFR Part 93), nor associated guidance. Any decisions regarding a particular conformity determination or hot-spot analysis will be made based on the statute and regulations, after appropriate public input. A statement regarding the PM_{2.5} hot-spot consideration should be included as an element in NEPA documentation. This completed and signed checklist, along with a copy of the PM_{2.5} project-level conformity determination, if required, should also be included. Additionally, proof of interagency consultation and public involvement, if required, as well as any other supporting documentation, should be included.

Use the "Tab" or "Page Down" key to maneuver within this document.

STEP 1: PROJECT IDENTIFICATION

- A. KYTC Six Year Plan Item Number: 5-441.00**
- B. Project Name/Short Description: Reconstruct US 42 by adding a center turn lane from the Jefferson County Line to Ridgemoor Drive or about one mile.**
- C. County** (click on box & select from drop-down menu): **Jefferson/Oldham**
- D. PM_{2.5} Nonattainment or Maintenance Area** (click on box & select from drop-down menu): **Louisville Area**
- E. PM_{2.5} Designation** (click on box & select from drop-down menu): **Nonattainment**
- F. PM_{2.5} Standard Associated with Designation** (click on box & select from drop-down menu): **Annual**
- G. Additional Project Information: Reconstruct US 42 from the Jefferson/Oldham County line to Ridgemoor Drive in Oldham County by adding a center turn lane and improving vertical geometrics to improve site distance issues. The project is approximately one mile long and has many subdivision entrances. No additional thru lanes will be constructed.**
Information should include, but is not limited to:
 - a. Purpose and need of the project.
 - b. Route name, route number, project length, and mile point locations
 - c. Number of current and future lanes (clearly indicate if any lanes are "turn lane only")
 - d. Identify as "Capacity Adding" or "Non Capacity Adding" project
 - e. Identify intersecting roads that will be impacted
- H. NEPA Document Type** (click on box & select from drop-down menu): **CE Level 1**
- I. Project Sponsor** (click on box & select from drop-down menu): **State**
(if "other", describe)
- J. Included in a "Conforming" MPO TIP or STIP? Yes**
(MPO-Metropolitan Planning Organization; Transportation Improvement Program (TIP); State Transportation Improvement Program (STIP))



PM_{2.5} PROJECT LEVEL CHECKLIST



K. Location of project in TIP/STIP (list name of document and page number or amendment number): **Page 261 of the FY2007-2011 TIP, and Page 91 of 109 of the 2006-2010 STIP.**

L. Is this Project in the Area Travel Demand Model? Yes

M. Was this Project Found to be "An Air Quality Project" for Regional Conformity? Yes

STEP 2: EXEMPT STATUS

☒ **NOT AN EXEMPT PROJECT. Go to STEP 3.**

☐ **EXEMPT PROJECT** (those listed in 40 CFR 93.126 and traffic signal synchronization projects under 93.128). *IAC review and approval are required to confirm that project is exempt. Select one from the list below. Include IAC review and approval documentation with this checklist, but no PM_{2.5} project-level conformity is required and no further documentation is needed. Go to STEP 6.*

Air Quality

- ☐ Bicycle and pedestrian facilities
- ☐ Continuation of ride-sharing and van-pooling promotion activities at current levels

Mass Transit

- ☐ Construction of new bus or rail storage/maintenance facilities categorically excluded in 23 CFR part 771
- ☐ Construction of small passenger shelters and information kiosks
- ☐ Construction or renovation of power, signal, and communications systems
- ☐ Operating assistance to transit agencies
- ☐ Purchase of new buses and rail cars to replace existing vehicles or for minor expansion of the fleet. In PM10 and PM2.5 nonattainment or maintenance areas, such projects are exempt only if they are in compliance with control measures in the applicable implementation plan
- ☐ Purchase of office, shop, and operating equipment for existing facilities
- ☐ Purchase of operating equipment for vehicles (e.g., radios, fareboxes, lifts, etc.)
- ☐ Purchase of support vehicles
- ☐ Reconstruction or renovation of transit building and structures (e.g., rail or bus building, storage and maintenance facilities, stations, terminals and ancillary structures)
- ☐ Rehabilitation of transit vehicles – In PM10 and PM2.5 nonattainment or maintenance areas, such projects are exempt only if they are in compliance with control measures in the applicable implementation plan
- ☐ Rehabilitation or reconstruction of track structures, track, and trackbed in existing rights-of-way

Safety

- ☐ Adding medians
- ☐ Emergency relief (23 U.S.C. 125)
- ☐ Emergency truck pullovers
- ☐ Fencing
- ☐ Guardrails, median barriers, crash cushions
- ☐ Hazard Elimination Program
- ☐ Increasing Sight Distance
- ☐ Lighting improvements
- ☐ Pavement marking demonstration
- ☐ Pavement resurfacing and/or rehabilitation
- ☐ Railroad/highway crossing
- ☐ Railroad/highway crossing warning devices
- ☐ Reconstructing bridges (no additional travel lanes)
- ☐ Safer non-Federal-aid system roads
- ☐ Safety improvement program
- ☐ Safety roadside rest areas
- ☐ Shoulder improvements
- ☐ Skid treatments
- ☐ Traffic control devices and operating assistance other than signalization projects.
- ☐ Truck Climbing lanes outside the urbanized area
- ☐ Widening narrow pavement (no additional travel lanes)

Other

- ☐ Acquisition of scenic easement
- ☐ Directional and information signs
- ☐ Emergency or hardship advance land acquisitions (23 CFR 710.503 (d))
- ☐ Engineering to assess social, economic, and environmental effects of the proposed action or alternative to that action
- ☐ Noise attenuation
- ☐ Planting, landscaping, etc
- ☐ Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational, or capacity changes



PM_{2.5} PROJECT LEVEL CHECKLIST



- ☐ Sign removal
- ☐ Specific activities which do not involve or lead directly to construction, such as:
 - Federal-aid systems revisions
 - Grants for training and research programs
 - Planning activities conducted pursuant to titles 23 and 49 USC
 - Planning and technical studies
- ☐ Traffic signal synchronization (40 CFR 93.128)
- ☐ Transportation enhancement activities (except rehabilitation and operation of historic transportation buildings, structures, or facilities)

STEP 3: TRAFFIC INFORMATION

A. Worst Case Scenario

- a. **Location** (usually an intersection): **Intersection of US 42 and Ridgemoor Drive is worst case intersection.**
- b. **Year** (usually the open-to-traffic year): **2012**
- c. **Justification for worst case year chosen** (include forecasting assumptions): **Worse case year from OTD since PM 2.5 emissions have been shown to diminish with time per the regional conformity documentation.**

B. Project Data

a. Project Data for Current Year

(use worst case scenario; if at an intersection, include both roadways individually and in total; if at an intersection, average AADT on either side of intersection to obtain AADT for roadway at intersection)

- i. **Annual Average Daily Traffic (AADT):** **Currently (2008), at the intersection of US 42 and Ridgemoor Drive (worse case location), US 42 has 19,308 AADT and Ridgemoor Drive has 4,300 AADT—this results in AADT at the intersection area of 23,608.**
- ii. **Percentage and/or number of diesel vehicles (trucks and buses):** **Currently (2008), at the intersection of US 42 and Ridgemoor Drive (worse case location) US 42 has 5.5% (1,071) trucks and Ridgemoor Drive has 2.5% (107) trucks---this results in a combined 5.0% (1,178) daily trucks at the intersection area.**
- iii. **Intersections at Level of Service D, E, or F: Unknown**
Level of Service (LOS) refers to a standard measurement used by transportation officials which reflects the relative ease of traffic flow on a scale of A to F, with free-flow being rated LOS-A and congested conditions rated as LOS-F.

b. Project Data for Worst Case Year for No Action Scenario

(use worst case scenario; if at an intersection, include both roadways individually and in total)

- i. **Annual Average Daily Traffic (AADT):** **In open-to-traffic year (2012) at the intersection of US 42 and Ridgemoor Drive (worse case location) US 42 has 21,730 AADT and Ridgemoor Drive has 4,400 AADT—this results in AADT at the intersection area of 26,130**



PM_{2.5} PROJECT LEVEL CHECKLIST



ii. **Percentage and number of diesel vehicles (trucks and buses):** In open-to-traffic year (2012) at the intersection of US 42 and Ridgemoor Drive (worse case location) US 42 has 6.5% (1,412) trucks and Ridgemoor Drive has 2.5% (110) trucks—this results in a combined 5.8% (1,522) daily trucks at the intersection.

iii. **Intersections at Level of Service D, E, or F: Unknown**

Level of Service (LOS) refers to a standard measurement used by transportation officials which reflects the relative ease of traffic flow on a scale of A to F, with free-flow being rated LOS-A and congested conditions rated as LOS-F.

iv. **Impact of No Action: Continued poor site distance and safety issues.**

c. **Project Data for Worst Case Year for Build Scenario**

(use worst case year and location; if at an intersection, include both roadways individually and in total)

i. **Annual Average Daily Traffic (AADT): Same as no action**

ii. **Percentage and number of diesel vehicles (trucks and buses): Same as no action**

iii. **Intersections at Level of Service D, E, or F: Same as no action**

Level of Service (LOS) refers to a standard measurement used by transportation officials which reflects the relative ease of traffic flow on a scale of A to F, with free-flow being rated LOS-A and congested conditions rated as LOS-F.

iv. **Impact of Project: Project will improve site distance and subsequent safety at these intersections thereby reducing crashes**

STEP 4: AIR QUALITY CONCERN DETERMINATION

☒ **NOT PROJECT OF AIR QUALITY CONCERN.** *Hot-spot analysis is NOT required. However, InterAgency Consultation (IAC) approval is required. Provide checklist and other relevant documentation to IAC. IAC will determine level of public involvement required. Use space provided to summarize data and rationale for this conclusion.*

(Refer to EPA's March 2006 guidance, EPA420-B-06-902, and FHWA's FAQ document, for complete details).

This project will improve traffic flow of the intersection and safety. It does not change forecasted traffic or truck levels. Current and worst-case year AADT and # trucks are significantly well below volumes that would be of concern.



PM_{2.5} PROJECT LEVEL CHECKLIST



Go to STEP 6.

☐ **PROJECT OF AIR QUALITY CONCERN.** *Select one from the list below. Hot-spot analysis IS required. Convene interagency consultation (IAC) meeting and begin to create the hot-spot analysis document. Go to STEP 5.*

☐ New or expanded highway projects with a significant number of, or increase in, diesel vehicles (e.g., 125,000 AADT and 10,000 (8%) diesel truck traffic) Note: The example of 125,000 AADT and 10,000 (8%) diesel truck traffic are not exact threshold values and should not be viewed as such.

☐ Project affecting intersections that are at LOS D, E, or F with a significant number of diesel vehicles, or those that will change to LOS D, E, or F because of increased traffic volumes from a significant number of diesel vehicles related to the project.

☐ New bus and rail terminals and transfer points that have significant number of diesel vehicles congregating at a single location.

☐ Expanded bus and rail terminals and transfer points that significantly increase the number of diesel vehicles congregating at a single location.

☐ Projects in or affecting locations, areas, or categories of sites which are identified in the PM₁₀ and PM_{2.5} applicable implementation plan or implementation plan submissions, as appropriate, as sites of violation or possible violation.

STEP 5: ANALYSIS AND DOCUMENTATION (for Project of Air Quality Concern)

The following is a summary of documentation to be included for PM_{2.5} hot-spot analysis and does not replace information that will be provided for a full quantitative analysis if this analysis is required.

Documentation to be Included for the PM_{2.5} Hot-spot Analysis

- ☐ Description of project (location, design and scope; date project is expected to be open, i.e., what part of 93.123(b) (1) applies)
- ☐ Description of type of emissions considered in the analysis
- ☐ Contributing Factors
 - Air Quality
 - Transportation and traffic conditions
 - Built and natural environment
 - Meteorology, climate and seasonal data
 - Adopted emissions control measures
- ☐ Consider full time frame of area's LRTP
- ☐ Description of existing conditions
- ☐ Description of changes resulting from project
- ☐ Description of method chosen
- ☐ Description of analysis years
- ☐ Examine year in which emissions are expected to peak



PM_{2.5} PROJECT LEVEL CHECKLIST

- ☐ Profession judgment of impact
- ☐ Discussion of why project will not cause a violation of either the annual or 24-hour standard
- ☐ Discussion of any mitigation measures
- ☐ Written commitments for mitigation
- ☐ Conclusion on how project meets 40 CFR 93.116 and 93.123

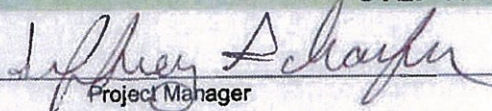

STEP 6: MEETING, NOTICES, DATES

A. IAC Approval Date: Review period 7/11– 7/25/2008 by e-mail. IAC concurrence 7/25/2008.
(Project sponsor is lead; attach meeting minutes, if applicable, and/or hard copies of applicable e-mails showing IAC review request and approval)

B. Public Involvement

- a. Public review & comment period (should be consistent with NEPA process; list dates, and if applicable, attach copy of public notice and newspaper proof of publication): None required for CE Level 1
- b. Public concerns addressed (if applicable include hard copy or e-mails with cc to IAC):

STEP 7: SIGNATURES

| | |
|--|-----------------|
|  Project Manager | 7/29/08 Date |
|  Division of Environmental Analysis Representative FOR Tom Koos | 7/29/08 Date |

Schaefer, Jeff (KYTC-D05)

From: Schaefer, Jeff (KYTC-D05)
Sent: Tuesday, July 29, 2008 2:40 PM
To: Barry Barker; Bernadette Dupont; Craig Butler; Cynthia Lee; Adams, Derek (KYTC); Dianna Smith; Gale Ferris; Gregory Rawlings; Harold Tull; Ham, James J. R. (KYTC); Mayes, Jesse (KYTC); Forgacs, Joe (EEC); Gowins, John (EEC); Larry Buckel; Larry Heil; Lynorae Benjamin; Patricia Morris; Simon, Randy (KIPDA); SHAWN SEALS; Steve Smith; Koos, Tom (KYTC); Vickie Bourne
Subject: PM 2.5 HOT SPOT ANALYSIS CONSIDERATION IS COMPLETE FOR JEFFERSON/OLDHAM COUNTY PROJECT 5-441.00
Attachments: PM 2 5 Hot Spot Consideration for 5-441 Jefferson and Oldham.pdf

The IAC review for Jefferson/Oldham County project SYP # 5-441.00 is complete. The review period ran from July 11 – July 25, 2008. I received emails of concurrence from the Kentucky Division for Air Quality and EPA Region 4. There were no other responses, hence, as stated in the review request, it is construed that the IAC agrees that this project is NOT a "Project of Concern" and that no hot spot analysis is required.

The KY Division of Air Quality did find an error in the calculations of total trucks and percentages under STEP 3, Project Data (a) (ii). Instead of 1,141 total trucks and 4.8% trucks, the number should be **1,178** trucks and **5.0%** trucks. This error has been corrected with the final attached checklist sheet. Thanks for bringing this to my attention.

The attached final signed checklist will be sent to FHWA along with all the backup documentation as an attachment to the CE Level 1 NEPA document. I will also send copies of all to the KYTC Division of Environmental Analysis for their records.

Thanks,
Jeff Schaefer
Environmental Coordinator
KYTC- District 5 Louisville
502-210-5438

Tracking:

| Recipient | Read |
|-------------------------|-------------------------|
| Barry Barker | |
| Bernadette Dupont | |
| Craig Butler | |
| Cynthia Lee | |
| Adams, Derek (KYTC) | Read: 7/30/2008 8:46 AM |
| Dianna Smith | |
| Gale Ferris | |
| Gregory Rawlings | |
| Harold Tull | |
| Ham, James J. R. (KYTC) | Read: 7/29/2008 2:53 PM |
| Mayes, Jesse (KYTC) | Read: 7/29/2008 2:42 PM |
| Forgacs, Joe (EEC) | Read: 7/29/2008 2:54 PM |
| Gowins, John (EEC) | Read: 7/29/2008 2:42 PM |
| Larry Buckel | |
| Larry Heil | |
| Lynorae Benjamin | |
| Patricia Morris | |
| Simon, Randy (KIPDA) | Read: 7/29/2008 2:40 PM |
| SHAWN SEALS | |
| Steve Smith | |
| Koos, Tom (KYTC) | Read: 8/4/2008 10:05 AM |
| Vickie Bourne | |

Schaefer, Jeff (KYTC-D05)

From: Forgacs, Joe (EEC)
Sent: Monday, July 28, 2008 10:57 AM
To: Schaefer, Jeff (KYTC-D05); 'Barker, Barry (barrybarker@ridetarc.org)'; Dupont, Bernadette (FHWA); 'Butler, Craig'; 'Lee, Cynthia'; Adams, Derek (KYTC); 'Dianna Smith'; 'Ferris, Gale'; Rawlings, Gregory (FHWA); Tull, Harold (KIPDA); Ham, James J. R. (KYTC); Mayes, Jesse (KYTC); Gowins, John (EEC); 'Buckel, Larry'; 'Heil, Larry'; 'Benjamin, Lynorae'; 'Morris, Patricia'; Simon, Randy (KIPDA); 'SEALS, SHAWN'; Steve Smith (ssmith@indot.state.in.us); Koos, Tom (KYTC); Bourne, Vickie (KYTC)
Subject: RE: PM 2.5 Hot Spot Status Review for Jefferson/Oldham County Project 5-441.00

Hi Jeff,

Based on review of the project listed below, the Division is in agreement with KYTC's recommendations. The Division concurs that this project is not a "project of concern" and that no hot spot analysis is required.

Jeff, as discussed, please correct the data for the final signed checklist sheet in Step 3, under Project Data (a)(ii). This concerns the combined total and corresponding combined percentage of trucks.

Thanks,

Joe

From: Schaefer, Jeff (KYTC-D05)
Sent: Friday, July 11, 2008 8:34 AM
To: Barry Barker; Dupont, Bernadette (FHWA); Craig Butler; Cynthia Lee; Adams, Derek (KYTC); Dianna Smith; Gale Ferris; Rawlings, Gregory (FHWA); Tull, Harold (KIPDA); Ham, James J. R. (KYTC); Mayes, Jesse (KYTC); Forgacs, Joe (EEC); Gowins, John (EEC); Larry Buckel; Larry Heil; Lynorae Benjamin; Patricia Morris; Simon, Randy (KIPDA); SHAWN SEALS; Steve Smith; Koos, Tom (KYTC); Bourne, Vickie (KYTC)
Subject: PM 2.5 Hot Spot Status Review for Jefferson/Oldham County Project 5-441.00

Dear Interagency Consultation Group:

This email is being sent to you as a request for consultation on the PM2.5 hotspot determination for Jefferson/Oldham County SYP # 5-441.00 to reconstruct US 42 by adding a center turn lane. This project is in the KIPDA TIP and Plan.

Project: SYP # 5-441.00 --- Reconstruct US 42 by adding a center turn lane to improve safety and traffic flow.

Description: This reconstruction is to reduce crashes and improve traffic flow on US 42 by adding a center turn lane from just south of the Jefferson/Oldham County Line to Ridgemoor Drive. This project is approximately 1 mile long.

Comment: The purpose of this project is to improve the operational flow and safety (site distance improvements) of this highly traveled section of US 42 by adding a center turn lane from just south of the Jefferson/Oldham County line to Ridgemoor Drive. The worse case location is the US 42/Ridgemoor drive intersection. Currently (2008), at the US 42/Ridgemoor Drive intersection (worse case location) traffic has 23,608 AADT and 4.8% (1,141) trucks. In 2012 (open-to-traffic date) at the US 42/Ridgemoor Drive

intersection (worse case location) traffic will have 26,130 AADT and 5.8% (1,522) trucks. This project will not alter the forecasted traffic or truck levels. Current and worst case year AADT and # trucks are below volumes that would be of concern.

Therefore, KYTC does **NOT** believe this project to be a "Project of Concern" as defined by the Transportation Conformity Rule, and thus meets the regulatory and statutory requirements for PM 2.5 hotspots without a qualitative analysis.

Please provide your comments on this determination by no later than close of business on July 25, 2008. No response from your Agency will be assumed agreement for this determination.

I have attached the PM2.5 checklist and location map for your information.

Thanks,
Jeff Schaefer
Environmental Coordinator
Kentucky Transportation Cabinet - District 5
502-210-5438

Schaefer, Jeff (KYTC-D05)

From: Smith.Dianna@epamail.epa.gov
Sent: Tuesday, July 22, 2008 5:25 PM
To: Schaefer, Jeff (KYTC-D05)
Cc: dbuck@indot.state.in.us; derek.adams@ky.gov/O=; /@mintra01.rtp.epa.gov; DiannaSmith/R4/USEPA/US@mintra01.rtp.epa.gov
Subject: RE: PM 2.5 Hot Spot Status Review for Jefferson/Oldham County Project 5-441.00
Attachments: 5-441 PM 2 5 hotspot checklist.doc; 5-441 Map.jpg

Hi Jeff,

Thanks for sending this to us for our review. We have completed our review and agree that this project does not appear to be a "project of concern" per the Transportation Conformity rule, and thus meets the statutory and regulatory requirements for PM2.5 hotspots without a qualitative analysis.

Dianna B. Smith
Environmental Scientist
Air Quality Modeling and Transportation
(404) 562-9207
e-mail smith.dianna@epa.gov

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"Schaefer, Jeff
(KYTC-D05)"
<Jeff.Schaefer@kytc.gov>

07/15/2008 01:35
PM

To
Dianna Smith/R4/USEPA/US@EPA
cc
Subject
RE: PM 2.5 Hot Spot Status Review
for Jefferson/Oldham County
Project 5-441.00

Here you go Dianna.

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

From: Smith.Dianna@epamail.epa.gov [mailto:Smith.Dianna@epamail.epa.gov]

Sent: Tuesday, July 15, 2008 12:02 PM

To: Schaefer, Jeff (KYTC-D05)

Subject: Re: PM 2.5 Hot Spot Status Review for Jefferson/Oldham County Project 5-441.00

Jeff,

Please resend attachment. Thanks!

Dianna B. Smith
Environmental Scientist
Air Quality Modeling and Transportation
(404) 562-9207
e-mail smith.dianna@epa.gov

CONFIDENTIALITY NOTICE: This message and any attachments from the U.S. Environmental Protection Agency may contain CONFIDENTIAL and legally protected information. If you are not the addressee or intended recipient, please do not read, print, copy, use or disclose this communication to others; also, please notify the sender by replying to this message, and then delete it from your system.

"Schaefer, Jeff
(KYTC-D05)"
<Jeff.Schaefer@ky.gov>

07/11/2008 08:34
AM

To

"Barry Barker"
<barrybarker@ridetarc.org>,
"Bernadette Dupont"
<Bernadette.Dupont@fhwa.dot.gov>,
"Craig Butler"
<Craig.Butler@louisvilleky.gov>,
"Cynthia Lee"
<Cynthia.Lee@louisvilleky.gov>,
"Derek Adams"
<derek.adams@ky.gov>, Dianna
Smith/R4/USEPA/US@EPA, "Gale
Ferris" <gferris@idem.in.gov>,
"Gregory Rawlings"
<Gregory.Rawlings@fhwa.dot.gov>,
"Harold Tull"
<Harold.Tull@ky.gov>, "James Ham"
<James.Ham@ky.gov>, "Jesse Mayes"
<Jesse.Mayes@ky.gov>, "Joe
Forgacs" <Joe.Forgacs@ky.gov>,
"John Gowins"
<John.Gowins@ky.gov>, "Larry
Buckel"
<lbuckel@indot.state.in.us>,
"Larry Heil"
<Larry.heil@dot.gov>, Lynorae
Benjamin/R4/USEPA/US@EPA,
Patricia Morris/R5/USEPA/US@EPA,

"Randy Simon"
<Randy.Simon@ky.gov>, "SHAWN
SEALS" <SSEALS@idem.IN.gov>,
"Steve Smith"
<:ssmith@indot.state.in.us>, "Tom
Koos" <Tom.Koos@ky.gov>, "Vickie
Bourne" <Vickie.Bourne@ky.gov>

cc

Subject
PM 2.5 Hot Spot Status Review for
Jefferson/Oldham County Project
5-441.00

Dear Interagency Consultation Group:

This email is being sent to you as a request for consultation on the PM2.5 hotspot determination for Jefferson/Oldham County SYP # 5-441.00 to reconstruct US 42 by adding a center turn lane. This project is in the KIPDA TIP and Plan.

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Therefore, KYTC does NOT believe this project to be a "Project of Concern" as defined by the Transportation Conformity Rule, and thus meets the regulatory and statutory requirements for PM 2.5 hotspots without a qualitative analysis.

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I have attached the PM2.5 checklist and location map for your information.

Thanks,

Jeff Schaefer

Environmental Coordinator

Kentucky Transportation Cabinet - District 5

502-210-5438

(See attached file: winmail.dat)

(See attached file: 5-441 PM 2 5 hotspot checklist.doc)(See attached file: 5-441 Map.jpg)

Schaefer, Jeff (KYTC-D05)

From: Schaefer, Jeff (KYTC-D05)
Sent: Friday, July 11, 2008 8:34 AM
To: Barry Barker; Bernadette Dupont; Craig Butler; Cynthia Lee; Adams, Derek (KYTC); Dianna Smith; Gale Ferris; Gregory Rawlings; Harold Tull; Ham, James J. R. (KYTC); Mayes, Jesse (KYTC); Forgacs, Joe (EEC); Gowins, John (EEC); Larry Buckel; Larry Heil; Lynorae Benjamin; Patricia Morris; Simon, Randy (KIPDA); SHAWN SEALS; Steve Smith; Koos, Tom (KYTC); Bourne, Vickie (KYTC)
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I have attached the PM2.5 checklist and location map for your information.

Thanks,
Jeff Schaefer
Environmental Coordinator
Kentucky Transportation Cabinet - District 5
502-210-5438

Tracking:

| Recipient | Read |
|-------------------------|--------------------------|
| Barry Barker | |
| Bernadette Dupont | |
| Craig Butler | |
| Cynthia Lee | |
| Adams, Derek (KYTC) | Read: 7/14/2008 10:57 AM |
| Dianna Smith | |
| Gale Ferris | |
| Gregory Rawlings | |
| Harold Tull | |
| Ham, James J. R. (KYTC) | Read: 7/11/2008 8:59 AM |
| Mayes, Jesse (KYTC) | Read: 7/11/2008 9:10 AM |
| Forgacs, Joe (EEC) | Read: 7/11/2008 3:07 PM |
| Gowins, John (EEC) | Read: 7/11/2008 8:44 AM |
| Larry Buckel | |
| Larry Heil | |
| Lynorae Benjamin | |
| Patricia Morris | |
| Simon, Randy (KIPDA) | Read: 7/11/2008 8:42 AM |
| SHAWN SEALS | |
| Steve Smith | |
| Koos, Tom (KYTC) | Read: 7/11/2008 8:53 AM |
| Bourne, Vickie (KYTC) | Read: 7/11/2008 10:56 AM |
| Rawlings, Gregory | Read: 7/11/2008 8:43 AM |

Mobile Source Air Toxics Impact for 5-441.00

1.0 Qualitative Analysis

KYTC Item # 5-441.00 in Oldham County, Kentucky involves the addition of a center turn lane on US 42 from the Jefferson/Oldham County line north to Ridgemoor Drive or 0.97 miles. **Based on the Build design year (2032) traffic forecasts (AADT 39,200), the addition of a center turn lane on US 42 is a project with low potential MSAT effects as defined by the February 3, 2006 FHWA Interim Guidance on Air Toxics Analysis in NEPA documents.** For the Selected Alternative identified in the CE Level 1, the amount of MSATs emitted would be proportional to the vehicle miles traveled (VMT), assuming that other variables such as fleet mix are the same for each alternative that was assessed. The VMT estimated for the Selected Alternative is slightly higher than that for the No Build Alternative, because the additional capacity increases the efficiency of the roadway and attracts rerouted trips from elsewhere in the transportation network. This increase in VMT would lead to higher MSAT emissions for the action alternative along the highway corridor, along with a corresponding decrease in MSAT emissions along the parallel routes. The emissions increase is offset somewhat by lower MSAT emission rates due to increased speeds; according to EPA's MOBILE6 emissions model, emissions of all of the priority MSATs except for diesel particulate matter decrease as speed increases. The extent to which these speed-related emissions decreases will offset VMT-related emissions increases cannot be reliably projected due to the inherent deficiencies of technical models.

Because the estimated VMT under the Build Alternative assessed in the CE Level 1 were nearly the same, varying by less than one percent, it is expected that there would be no appreciable difference in overall MSAT emissions among the various alternatives. Also, for the Selected Alternative, emissions would likely be lower than present levels in the design year as a result of EPA's national control programs that are projected to reduce MSAT emissions by 57 to 87 percent between 2000 and 2020. Local conditions may differ from these national projections in terms of fleet mix and turnover, VMT growth rates, and local control measures. However, the magnitude of the EPA projected reductions is so great (even after accounting for VMT growth) that MSAT emissions in the study area are likely to be lower in the future in nearly all cases.

The center turn lane contemplated as part of this project will have the effect of moving some traffic closer to nearby homes, schools and businesses; therefore, for the Selected Alternative, there may be localized areas where ambient concentrations of MSATs could be higher than the No Build Alternative. However, as discussed above, the magnitude and the duration of these potential increases compared to the No-build alternative cannot be accurately quantified due to the inherent deficiencies of current models. In sum, when a highway is constructed, and, as a result, moves closer to receptors, the localized level of MSAT emissions for the Selected Alternative could be higher relative to the No Build Alternative, but this could be offset due to increases in speeds and reductions in congestion (which are associated with lower MSAT emissions). Also, MSATs will be lower in other locations when traffic shifts away from them. However, on a regional basis, EPA's vehicle and fuel regulations, coupled with fleet turnover, will over time cause substantial reductions that, in almost all cases, will cause region-wide MSAT levels to be significantly lower than today.

2.0 Uncertainty Analysis

Air toxics analysis is an emerging field and current scientific techniques, tools, and data are not sufficient to accurately estimate human health impacts that would result from a transportation project in a way that would be useful to decision-makers. For a further explanation of uncertainty analysis as it relates to MSATs for transportation related projects see *Appendix C – Prototype Language for Compliance with 40 CFR 1502.22*.

UST/HAZ
(5-441.00)



TRANSPORTATION CABINET

Steven L. Beshear
Governor

Frankfort, Kentucky 40622
www.transportation.ky.gov/

Joseph W. Prather
Secretary

TO: Derek Adams, EMP
Central Office

FROM: Chris Cummins, P.G. *me*
UST/Hazmat Section

DATE: June 11, 2008

SUBJECT: CE: Widening from Two lanes to Three Lanes
US 42 –Alternate No. 1 – 3-Lane Urban Section with Sidewalks
Alternate No. 2 – 3-Lane Rural Section with Sidewalks
Jefferson/Oldham Counties
Item No. 5-441.00

Based on the available information and mapping provided, it appears that two properties will be a possible UST/HAZMAT impact to this project. They are as follows:

- Thortons – Parcel 14
- Evan Motors – Parcel 16

Thortons Parcel 14 – Upon review of alternate No. 1 mapping, it appears that the underground storage tank system (USTS) is far enough away from the proposed right of way (PROW) to where it is likely not to pose a threat from a petroleum release. However if deep excavations (greater than three feet in depth) are proposed in this area you may want to consider conducting Phase II activities to ensure there are no petroleum impacted soils requiring removal and off-site disposal.

In regards to alternate No. 2, it appears the PROW is now close enough to the USTS to where it could pose a threat of encountering petroleum impacted soils. I would recommend conducting a Phase II if alternate No. 2 is selected.

Evan Motors Parcel 16 – Upon reviewing both alternates, it appears that the PROW goes directly through the USTS. Therefore, regardless of which alternate is chosen I would recommend a Phase II at this property. Since the PROW goes through the USTS, the USTS will need to be closed/removed in accordance with the Underground Storage Tank Branch regulations.



In addition if the project corridor for either alternate acquires residential housing/commercial structures they will need to have asbestos inspections if they are to be demolished and possibly if relocated.

Attached – Photographs

CC: Mr. Jeff Schaefer, DEC, District 5





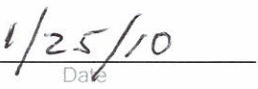
PARCEL 17



10 APR 2014



Biological
(5-441.00)

| | | | |
|---|---|---|---|
|  | Kentucky Transportation Cabinet Federal Highway Administration NO EFFECT FINDING | |  |
| KYTC Item No: | 5 - 441.00 | Route: | US 42 |
| Quadrangle(s): | Anchorage | County(ies): | Oldham |
| Project Description: (Type of improvement, areas to be impacted, crossroad improvements, easements, etc.) | | | |
| Widen existing two lane roadway to 3 lanes by adding a center turn lane. Sidewalks will be added for this urban typical facility. Project area is commercial/sub-urban with increasing development. Project length is approximately 0.90 miles. Minimal strip takings along existing roadway. | | | |
| Listed Species: (Attach copy of USFWS county list, KSNPC web site and KDFWR web site) GB(902),IB(903),RPTM(417),CM(416),SNM(415), OFPM(414),RPM(412),PMM(409),FSM(403), RBC(112) | | | |
| Methodologies: (Methods of assessment, who, what, when, resources, etc.) | | | |
| Field Investigation by D5 EC on March 24, 2009. All work is along and adjacent to existing ROW which is presently either manicured grassy areas or scrub dense fencerows. Much of the fencerow trees species are maples that have been cut out by utility line maintenance or storm damage. However, adequate #s of mature hardwood species exist to provide forested fencerow type habitat for IB foraging thus tree cutting restrictions or IBCF usage will be necessary. Water and gas line impacts have occurred along both sides of roadway. | | | |
| Results: (Compare habitat used by listed species with available habitat) | | | |
| No streams for GB summer foraging or mussels. No caves for GB or IB summer roosting or hibernacula. Trees do exist on site, but they are extremely marginal habitat for IB roosting. However, some fencerow areas do contain mature hardwoods which provide adequate foraging habitat for IB. No trees with snags or holes for IB roosting. Partially shaded areas for RBC has been previously disturbed by utility line installation and permanently disturbed by regular lawn maintenance. | | | |
| Determinations: No Habitat thus no effect for all listed species in Oldham County except IB. | | | |
| The project has been assessed in accordance with the provisions of Section 7 of the Endangered Species Act. As a designated representative of the FHWA, the KYTC has determined that the project will have No Effect on any listed species or their critical habitat, and further Section 7(a)(2) consultation with the Service is not required. | | | |
|  KYTC Signature | |  Date | |
| Jeffrey L. Schaefer Print Name | | | |
| EATS updated | JLS Name | |  Date |



U.S. Fish & Wildlife Service
Kentucky Ecological Services Field Office

U.S. Fish & Wildlife Service
330 West Broadway, Rm 265
Frankfort, KY 40601
Phone: 502-695-0468
Fax: 502-695-1024

| Endangered, Threatened, & Candidate Species in <u>OLDHAM</u> County, KY | | | | |
|---|--------------------------------|------------------------|---------------|-------------------|
| Group | Species | Common name | Legal* Status | Known** Potential |
| Mammals | | | | |
| | <i>Myotis sodalis</i> | Indiana bat | E | P |
| | <i>Myotis grisescens</i> | gray bat | E | K |
| Mussels | | | | |
| | <i>Lampsilis abrupta</i> | pink mucket | E | P |
| | <i>Obovaria retusa</i> | ring pink | E | P |
| | <i>Plethobasus cooperianus</i> | orange-foot pimpleback | E | P |
| | <i>Plethobasus cyphus</i> | sheepnose | C | K |
| | <i>Pleurobema clava</i> | clubshell | E | P |
| | <i>Pleurobema plenum</i> | rough pigtoe | E | P |
| | <i>Cyprogenia stegaria</i> | fanshell | E | P |
| Plants | <i>Trifolium stoloniferum</i> | running buffalo clover | E | P |

NOTES:

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

**Key to notations: K = Known occurrence record within the county, P = Potential for the species to occur within the county based upon historic range, proximity to known occurrence records, biological, and physiographic characteristics.

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Species Information

Federal Threatened, Endangered, and Candidate Species observations for selected coun

Linked life history provided courtesy of [NatureServe Explorer](#).

Records may include both recent and historical observations.

[US Status Definitions](#) [Kentucky Status Definitions](#)

**List Federal Threatened, Endangered, and Candidate Species observations i
selected county.**

Selected county is: Oldham.

| Scientific Name and Life History | Common Name and Pictures | Class | County | US Status | KY Status | WAP | Ref |
|-------------------------------------|--------------------------------------|----------|--------|--------------|--------------|---------------------|---------------------|
| <i>Falco peregrinus</i> | Peregrine Falcon | Aves | Oldham | PS:LE | E | Yes | Ref |
| <i>Myotis grisescens</i> | Gray Myotis | Mammalia | Oldham | LE | T | Yes | Ref |

2 species are listed

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County Report of Endangered, Threatened, and Special Concern Plants, Animals, and Natural Communities of Kentucky
Kentucky State Nature Preserves Commission

| County | Taxonomic Group | Scientific name | Common name | Statuses | Ranks | # of Occurrences | | | | | | |
|--------|--------------------|----------------------------------|-------------------------|----------|------------|------------------|---|---|---|---|--|--|
| | | | | | | E | H | F | X | U | | |
| Oldham | Vascular Plants | <i>Castanea pumila</i> | Allegheny Chinkapin | T / | G5 / S2 | 0 | 1 | 0 | 0 | 0 | | |
| Oldham | Vascular Plants | <i>Dichanthelium boreale</i> | Northern Witchgrass | S / | G5 / S2S3 | 0 | 1 | 0 | 0 | 0 | | |
| Oldham | Vascular Plants | <i>Dryopteris carthusiana</i> | Spinulose Wood Fern | S / | G5 / S3 | 0 | 0 | 1 | 0 | 0 | | |
| Oldham | Vascular Plants | <i>Heteranthera dubia</i> | Grassleaf Mud-plantain | S / | G5 / S3 | 2 | 0 | 0 | 0 | 0 | | |
| Oldham | Vascular Plants | <i>Ranunculus ambigens</i> | Waterplantain Spearwort | S / | G4 / S3 | 0 | 1 | 0 | 0 | 0 | | |
| Oldham | Vascular Plants | <i>Vallisneria americana</i> | Eelgrass | S / | G5 / S2S3 | 1 | 0 | 0 | 0 | 0 | | |
| Oldham | Vascular Plants | <i>Veratrum woodii</i> | Wood's Bunchflower | T / | G5 / S2 | 0 | 1 | 0 | 0 | 0 | | |
| Oldham | Vascular Plants | <i>Vitis labrusca</i> | Northern Fox Grape | S / | G5 / S2S3 | 0 | 1 | 0 | 0 | 0 | | |
| Oldham | Freshwater Mussels | <i>Cyprogenia stegaria</i> | Fanshell | E / LE | G1Q / S1 | 0 | 0 | 0 | 1 | 0 | | |
| Oldham | Freshwater Mussels | <i>Fusconia subrotunda</i> | Longsolid | S / | G3 / S3 | 0 | 0 | 0 | 1 | 0 | | |
| Oldham | Freshwater Mussels | <i>Lampsilis abrupta</i> | Pink Mucket | E / LE | G2 / S1 | 0 | 1 | 0 | 0 | 0 | | |
| Oldham | Freshwater Mussels | <i>Lampsilis ovata</i> | Pocketbook | E / | G5 / S1 | 0 | 0 | 0 | 1 | 0 | | |
| Oldham | Freshwater Mussels | <i>Obovaria retusa</i> | Ring Pink | E / LE | G1 / S1 | 0 | 0 | 0 | 1 | 0 | | |
| Oldham | Freshwater Mussels | <i>Plethobasus cyphus</i> | Sheepnose | E / C | G3 / S1 | 1 | 0 | 0 | 1 | 0 | | |
| Oldham | Freshwater Mussels | <i>Pleurobema plenum</i> | Rough Pigtoe | E / LE | G1 / S1 | 0 | 0 | 0 | 1 | 0 | | |
| Oldham | Freshwater Mussels | <i>Pleurobema rubrum</i> | Pyramid Pigtoe | E / SOMC | G2G3 / S1 | 0 | 0 | 0 | 1 | 0 | | |
| Oldham | Freshwater Mussels | <i>Quadrula fragosa</i> | Winged Mapleleaf | X / LE | G1 / SX | 0 | 0 | 0 | 1 | 0 | | |
| Oldham | Freshwater Mussels | <i>Villosa lienosa</i> | Little Spectaclecase | S / | G5 / S3S4 | 0 | 1 | 0 | 0 | 0 | | |
| Oldham | Crustaceans | <i>Orconectes jeffersoni</i> | Louisville Crayfish | E / SOMC | G1 / S1 | 0 | 1 | 0 | 0 | 0 | | |
| Oldham | Insects | <i>Nehalennia irene</i> | Sedge Sprite | E / | G5 / S1 | 1 | 0 | 0 | 0 | 0 | | |
| Oldham | Insects | <i>Satyrus flavonius ontario</i> | Northern Hairstreak | S / | G4T4 / S2 | 0 | 1 | 0 | 0 | 0 | | |
| Oldham | Fishes | <i>Percopsis omiscomaycus</i> | Trout-perch | S / SOMC | G5 / S3 | 1 | 2 | 0 | 0 | 0 | | |
| Oldham | Breeding Birds | <i>Aimophila aestivalis</i> | Bachman's Sparrow | E / SOMC | G3 / S1B | 0 | 0 | 0 | 1 | 0 | | |
| Oldham | Breeding Birds | <i>Ammodramus henslowii</i> | Henslow's Sparrow | S / SOMC | G4 / S3B | 2 | 1 | 0 | 0 | 0 | | |
| Oldham | Breeding Birds | <i>Bartramia longicauda</i> | Upland Sandpiper | H / | G5 / SHB | 0 | 1 | 0 | 0 | 0 | | |
| Oldham | Breeding Birds | <i>Botaurus lentiginosus</i> | American Bittern | H / | G4 / SHB | 0 | 0 | 0 | 1 | 0 | | |
| Oldham | Breeding Birds | <i>Chondestes grammacus</i> | Lark Sparrow | T / | G5 / S2S3B | 1 | 0 | 0 | 0 | 0 | | |
| Oldham | Breeding Birds | <i>Cistothorus platensis</i> | Sedge Wren | S / | G5 / S3B | 0 | 1 | 0 | 0 | 0 | | |
| Oldham | Breeding Birds | <i>Dolichonyx oryzivorus</i> | Bobolink | S / | G5 / S2S3B | 2 | 0 | 0 | 0 | 0 | | |

County Report of Endangered, Threatened, and Special Concern Plants, Animals, and Natural Communities of Kentucky
 Kentucky State Nature Preserves Commission

| Kentucky State Nature Preserves Commission | | | | | | # of Occurrences | | | | |
|--|-----------------|----------------------------------|------------------|----------|-------------------------|------------------|----|---|----|---|
| County | Taxonomic Group | Scientific name | Common name | Statuses | Ranks | E | H | F | X | U |
| Oldham | Breeding Birds | <i>Passerculus sandwichensis</i> | Savannah Sparrow | S / | G5 / S2S3B,S2S3 N | 3 | 1 | 0 | 0 | 0 |
| Oldham | Breeding Birds | <i>Riparia riparia</i> | Bank Swallow | S / | G5 / S3B | 1 | 0 | 0 | 0 | 0 |
| Oldham | Breeding Birds | <i>Thryomanes bewickii</i> | Bewick's Wren | S / SOMC | G5 / S3B | 1 | 0 | 0 | 0 | 0 |
| Oldham | Mammals | <i>Myotis grisescens</i> | Gray Myotis | T / LE | G3 / S2 | 1 | 0 | 0 | 0 | 0 |
| Oldham County Total: | | | | | | 17 | 15 | 1 | 10 | 0 |



U.S. Fish & Wildlife Service
Kentucky Ecological Services Field Office

U.S. Fish & Wildlife Service
330 West Broadway, Rm 265
Frankfort, KY 40601
Phone: 502-695-0468
Fax: 502-695-1024

Endangered, Threatened, & Candidate
Species in JEFFERSON County, KY

| Group | Species | Common name | Legal* Status | Known** Potential | Special Comments |
|---------|--------------------------------------|-------------------------|------------------|----------------------|-----------------------|
| | | | | | |
| | | | | | |
| Mammals | <i>Myotis grisescens</i> | gray bat | E | K | |
| | <i>Myotis sodalis</i> | Indiana bat | E | K | |
| | | | | | |
| Mussels | <i>Pleurobema clava</i> | clubshell | E | K | |
| | <i>Cyprogenia stegaria</i> | fanshell | E | K | |
| | <i>Potamilus capax</i> | fat pocketbook | E | K | |
| | <i>Plethobasus cooperianus</i> | orange-foot pimpleback | E | K | |
| | <i>Obovaria retusa</i> | ring pink | E | K | |
| | <i>Lampsilis abrupta</i> | pink mucket | E | K | |
| | <i>Plethobasus cyphus</i> | sheepnose | C | P | |
| | <i>Pleurobema plenum</i> | rough pigtoe | E | P | |
| | | | | | |
| Plants | <i>Trifolium stoloniferum</i> | running buffalo clover | E | K | |
| | | | | | |
| Birds | <i>Sterna antillarum</i> | interior least tern | E | K | |
| | | | | | |
| Insects | <i>Nicrophorus americanus</i> | American burying beetle | E | historic | considered extirpated |
| | <i>Pseudanophthalmus troglodytes</i> | Louisville cave beetle | C | K | |
| | | | | | |
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| | | | | | |

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Species Information

Federal Threatened, Endangered, and Candidate Species observations for selected county

Linked life history provided courtesy of [NatureServe Explorer](#).**Records may include both recent and historical observations.**[US Status Definitions](#) [Kentucky Status Definitions](#)**List Federal Threatened, Endangered, and Candidate Species observations for selected county.****Selected county is: Jefferson.**

| Scientific Name and Life History | Common Name and Pictures | Class | County | US Status | KY Status | WAP | Ref |
|--|---|----------------|-----------|-----------|-----------|---------------------|---------------------|
| Alosa alabamae | Alabama Shad | Actinopterygii | Jefferson | C | E | Yes | Ref |
| Charadrius melodus | Piping Plover | Aves | Jefferson | LE, LT | N | Yes | Ref |
| Cyprogenia stegaria | Fanshell | Bivalvia | Jefferson | LE | E | Yes | Ref |
| Falco peregrinus | Peregrine Falcon | Aves | Jefferson | PS:LE | E | Yes | Ref |
| Lampsilis abrupta | Pink Mucket | Bivalvia | Jefferson | LE | E | Yes | Ref |
| Myotis grisescens | Gray Myotis | Mammalia | Jefferson | LE | T | Yes | Ref |
| Myotis sodalis | Indiana Bat | Mammalia | Jefferson | LE | E | Yes | Ref |
| Nerodia erythrogaster neglecta | Copperbelly Water Snake | Reptilia | Jefferson | PS:LT | S | Yes | Ref |
| Obovaria retusa | Ring Pink | Bivalvia | Jefferson | LE | E | Yes | Ref |
| Plethobasus cooperianus | Orangefoot Pimpleback | Bivalvia | Jefferson | LE | E | Yes | Ref |
| Pleurobema clava | Clubshell | Bivalvia | Jefferson | LE, XN | E | Yes | Ref |
| Potamilus capax | Fat Pocketbook | Bivalvia | Jefferson | LE | E | Yes | Ref |
| Sternula antillarum athalassos | Interior Least Tern | Aves | Jefferson | LE | E | Yes | Ref |

County Report of Endangered, Threatened, and Special Concern Plants, Animals, and Natural Communities of Kentucky
Kentucky State Nature Preserves Commission

| County | Taxonomic Group | Scientific name | Common name | Statuses | Ranks | # of Occurrences | | | | |
|-----------|--------------------|---|--------------------------|----------|---------------|------------------|---|---|---|---|
| | | | | | | E | H | F | X | U |
| Jefferson | Vascular Plants | <i>Aristida ramosissima</i> | Branched Three-awn Grass | H / | G5 / SH | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Vascular Plants | <i>Cabomba caroliniana</i> | Carolina Fanwort | T / | G3G5 / S2 | 0 | 1 | 0 | 1 | 0 |
| Jefferson | Vascular Plants | <i>Castanea pumila</i> | Allegheny Chinkapin | T / | G5 / S2 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Vascular Plants | <i>Dryopteris carthusiana</i> | Spinulose Wood Fern | S / | G5 / S3 | 0 | 0 | 1 | 0 | 0 |
| Jefferson | Vascular Plants | <i>Heteranthera dubia</i> | Grassleaf Mud-plantain | S / | G5 / S3 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Vascular Plants | <i>Leavenworthia exigua</i> var. <i>laciniata</i> | Kentucky Gladiolus | E / SOMC | G4T1T2 / S1S2 | 9 | 0 | 1 | 2 | 0 |
| Jefferson | Vascular Plants | <i>Podostemum ceratophyllum</i> | Threadfoot | S / | G5 / S3 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Vascular Plants | <i>Pontederia cordata</i> | Pickert-weed | T / | G5 / S1S2 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Vascular Plants | <i>Potamogeton illinoensis</i> | Illinois Pondweed | S / | G5 / S2 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Vascular Plants | <i>Sagittaria graminea</i> | Grassleaf Arrowhead | T / | G5 / S1S2 | 0 | 2 | 0 | 0 | 0 |
| Jefferson | Vascular Plants | <i>Solidago shortii</i> | Short's Goldenrod | E / LE | G1 / S1 | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Vascular Plants | <i>Stellaria longifolia</i> | Longleaf Stitchwort | S / | G5 / S2S3 | 1 | 0 | 0 | 0 | 0 |
| Jefferson | Vascular Plants | <i>Trifolium stoloniferum</i> | Running Buffalo Clover | T / LE | G3 / S2S3 | 2 | 0 | 0 | 1 | 0 |
| Jefferson | Vascular Plants | <i>Vallisneria americana</i> | Eelgrass | S / | G5 / S2S3 | 2 | 1 | 0 | 0 | 0 |
| Jefferson | Vascular Plants | <i>Veratrum woodii</i> | Wood's Bunchflower | T / | G5 / S2 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Vascular Plants | <i>Viola septemloba</i> var. <i>egglesonii</i> | Eggleson's Violet | S / | G4 / S3 | 5 | 0 | 0 | 0 | 0 |
| Jefferson | Vascular Plants | <i>Vitis labrusca</i> | Northern Fox Grape | S / | G5 / S2S3 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Aquatic Snails | <i>Leptoxis praerosa</i> | Onyx Rocksnail | S / SOMC | G5 / S3S4 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Aquatic Snails | <i>Lithasia verrucosa</i> | Varicose Rocksnail | S / SOMC | G4Q / S3S4 | 1 | 0 | 0 | 0 | 0 |
| Jefferson | Terrestrial Snails | <i>Webbhelix multilineata</i> | Striped Whitelip | T / | G5 / S1S2 | 1 | 0 | 0 | 0 | 0 |
| Jefferson | Freshwater Mussels | <i>Alasmidonta marginata</i> | Elktoe | T / SOMC | G4 / S2 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Freshwater Mussels | <i>Cumberlandia monodonta</i> | Spectaclecase | E / C | G3 / S1 | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Freshwater Mussels | <i>Cyprogenia stegaria</i> | Fanshell | E / LE | G1Q / S1 | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Freshwater Mussels | <i>Epioblasma triquetra</i> | Snuffbox | E / SOMC | G3 / S1 | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Freshwater Mussels | <i>Fusconaia subrotunda</i> | Longsolid | S / | G3 / S3 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Freshwater Mussels | <i>Hemistena lata</i> | Cracking Pearlmussel | X / LE | G1 / SX | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Freshwater Mussels | <i>Lampsilis abrupta</i> | Pink Mucket | E / LE | G2 / S1 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Freshwater Mussels | <i>Obovaria rehusa</i> | Ring Pink | E / LE | G1 / S1 | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Freshwater Mussels | <i>Plethobasus cooperianus</i> | Orangefoot Pimpleback | E / LE | G1 / S1 | 0 | 0 | 0 | 1 | 0 |

County Report of Endangered, Threatened, and Special Concern Plants, Animals, and Natural Communities of Kentucky
Kentucky State Nature Preserves Commission

| County | Taxonomic Group | Scientific name | Common name | Statuses | Ranks | # of Occurrences | | | | |
|-----------|--------------------|--|------------------------------|----------|--------------|------------------|---|---|---|---|
| | | | | | | E | H | F | X | U |
| Jefferson | Freshwater Mussels | <i>Plethobasus cyphus</i> | Sheepnose | E / C | G3 / S1 | 1 | 1 | 0 | 0 | 0 |
| Jefferson | Freshwater Mussels | <i>Pleurobema clava</i> | Clubshell | E / LE | G2 / S1 | 0 | 2 | 0 | 0 | 0 |
| Jefferson | Freshwater Mussels | <i>Pleurobema rubrum</i> | Pyramid Pigtoe | E / SOMC | G2G3 / S1 | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Freshwater Mussels | <i>Potamilus capax</i> | Fat Pocketbook | E / LE | G1G2 / S1 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Freshwater Mussels | <i>Quadrula cylindrica cylindrica</i> | Rabbitsfoot | T / SOMC | G3G4T3 / S2 | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Freshwater Mussels | <i>Simpsonia ambigua</i> | Salamander Mussel | T / SOMC | G3 / S2S3 | 0 | 1 | 1 | 0 | 0 |
| Jefferson | Freshwater Mussels | <i>Villosa lienosa</i> | Little Spectaclecase | S / | G5 / S3S4 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Crustaceans | <i>Gammarus bousfieldi</i> | Bousfield's Amphipod | E / SOMC | G1 / S1 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Crustaceans | <i>Orconectes jeffersoni</i> | Louisville Crayfish | E / SOMC | G1 / S1 | 2 | 9 | 0 | 0 | 0 |
| Jefferson | Insects | <i>Microphorus americanus</i> | American Burying Beetle | X / LE | G2G3 / SX | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Insects | <i>Pseudanophthalmus troglodytes</i> | Louisville Cave Beetle | T / C | G1 / S1 | 1 | 1 | 0 | 0 | 0 |
| Jefferson | Insects | <i>Satyrus favonius ontario</i> | Northern Hairstreak | S / | G4T4 / S2 | 0 | 0 | 1 | 0 | 0 |
| Jefferson | Insects | <i>Speyeria idalia</i> | Regal Fritillary | H / SOMC | G3 / SH | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Fishes | <i>Acipenser fulvescens</i> | Lake Sturgeon | E / SOMC | G3G4 / S1 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Fishes | <i>Alosa alabamae</i> | Alabama Shad | E / SOMC | G3 / S1 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Fishes | <i>Atractosteus spatula</i> | Alligator Gar | E / SOMC | G3G4 / S1 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Fishes | <i>Ictiobus niger</i> | Black Buffalo | S / | G5 / S3 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Fishes | <i>Lota lota</i> | Burbot | S / | G5 / S2 | 1 | 1 | 0 | 0 | 0 |
| Jefferson | Fishes | <i>Percopsis omiscomaycus</i> | Trout-perch | S / SOMC | G5 / S3 | 0 | 5 | 0 | 0 | 0 |
| Jefferson | Reptiles | <i>Apalone mutica mutica</i> | Midland Smooth Softshell | S / | G5T5 / S3 | 1 | 0 | 0 | 0 | 0 |
| Jefferson | Reptiles | <i>Clonophis kirtlandii</i> | Kirtland's Snake | T / SOMC | G2 / S2 | 19 | 5 | 0 | 0 | 1 |
| Jefferson | Reptiles | <i>Nerodia erythrogaster neglecta</i> | Copperbelly Water Snake | S / SOMC | G5T3 / S3 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Reptiles | <i>Ophisaurus attenuatus longicaudus</i> | Eastern Slender Glass Lizard | T / | G5T5 / S2 | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Breeding Birds | <i>Accipiter striatus</i> | Sharp-shinned Hawk | S / | G5 / S3B,S4N | 1 | 0 | 0 | 0 | 0 |
| Jefferson | Breeding Birds | <i>Actitis macularia</i> | Spotted Sandpiper | E / | G5 / S1B | 1 | 0 | 0 | 0 | 0 |
| Jefferson | Breeding Birds | <i>Aimophila aestivalis</i> | Bachman's Sparrow | E / SOMC | G3 / S1B | 0 | 0 | 0 | 3 | 0 |
| Jefferson | Breeding Birds | <i>Ammodramus henslowii</i> | Henslow's Sparrow | S / SOMC | G4 / S3B | 2 | 0 | 0 | 0 | 0 |

County Report of Endangered, Threatened, and Special Concern Plants, Animals, and Natural Communities of Kentucky
Kentucky State Nature Preserves Commission

| County | Taxonomic Group | Scientific name | Common name | Statuses | Ranks | # of Occurrences | | | | |
|--------------------------------|-----------------|---------------------------------------|----------------------------|----------|-------------------------|------------------|-----------|----------|-----------|----------|
| | | | | | | E | H | F | X | U |
| Jefferson | Breeding Birds | <i>Anas discors</i> | Blue-winged Teal | T / | G5 / S1S2B | 0 | 1 | 0 | 1 | 0 |
| Jefferson | Breeding Birds | <i>Ardea alba</i> | Great Egret | E / | G5 / S1B | 1 | 0 | 0 | 0 | 0 |
| Jefferson | Breeding Birds | <i>Botaurus lentiginosus</i> | American Bittern | H / | G4 / SHB | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Breeding Birds | <i>Bubulcus ibis</i> | Cattle Egret | S / | G5 / S1S2B | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Breeding Birds | <i>Chondastes grammacus</i> | Lark Sparrow | T / | G5 / S2S3B | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Breeding Birds | <i>Cistothorus platensis</i> | Sedge Wren | S / | G5 / S3B | 1 | 0 | 0 | 0 | 0 |
| Jefferson | Breeding Birds | <i>Egretta caerulea</i> | Little Blue Heron | E / | G5 / S1B | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Breeding Birds | <i>Falco peregrinus</i> | Peregrine Falcon | E / SOMC | G4 / S1B | 2 | 0 | 0 | 0 | 0 |
| Jefferson | Breeding Birds | <i>Ixobrychus exilis</i> | Least Bittern | T / | G5 / S1S2B | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Breeding Birds | <i>Lophodytes cucullatus</i> | Hooded Merganser | T / | G5 / S1S2B,S3S4 N | 1 | 0 | 0 | 0 | 0 |
| Jefferson | Breeding Birds | <i>Nyctanassa violacea</i> | Yellow-crowned Night-heron | T / | G5 / S2B | 2 | 0 | 0 | 3 | 0 |
| Jefferson | Breeding Birds | <i>Nycticorax nycticorax</i> | Black-crowned Night-heron | T / | G5 / S1S2B | 1 | 0 | 0 | 4 | 0 |
| Jefferson | Breeding Birds | <i>Pandion haliaetus</i> | Osprey | T / | G5 / S2B | 1 | 0 | 0 | 0 | 0 |
| Jefferson | Breeding Birds | <i>Passerculus sandwichensis</i> | Savannah Sparrow | S / | G5 / S2S3B,S2S3 N | 1 | 1 | 0 | 0 | 0 |
| Jefferson | Breeding Birds | <i>Podilymbus podiceps</i> | Pied-billed Grebe | E / | G5 / S1B,S4N | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Breeding Birds | <i>Rallus elegans</i> | King Rail | E / | G4 / S1B | 0 | 1 | 0 | 1 | 0 |
| Jefferson | Breeding Birds | <i>Riparia riparia</i> | Bank Swallow | S / | G5 / S3B | 0 | 0 | 0 | 1 | 0 |
| Jefferson | Breeding Birds | <i>Sternula antillarum athalassos</i> | Interior Least Tern | E / LE | G4T2Q / S2B | 0 | 1 | 0 | 0 | 0 |
| Jefferson | Breeding Birds | <i>Thryomanes bewickii</i> | Bewick's Wren | S / SOMC | G5 / S3B | 0 | 2 | 0 | 0 | 0 |
| Jefferson | Breeding Birds | <i>Tyto alba</i> | Barn Owl | S / | G5 / S3 | 2 | 1 | 0 | 0 | 0 |
| Jefferson | Mammals | <i>Myotis grisescens</i> | Gray Myotis | T / LE | G3 / S2 | 1 | 0 | 0 | 0 | 0 |
| Jefferson | Mammals | <i>Myotis sodalis</i> | Indiana Bat | E / LE | G2 / S1S2 | 3 | 0 | 0 | 0 | 0 |
| Jefferson | Mammals | <i>Nycticeius humeralis</i> | Evening Bat | S / | G5 / S3 | 1 | 0 | 0 | 0 | 0 |
| Jefferson | Communities | <i>Deep soil mesophytic forest</i> | | / | GNR / S2 | 1 | 0 | 0 | 0 | 0 |
| Jefferson County Total: | | | | | | 68 | 59 | 4 | 32 | 1 |

Photos and Plans
(5-441.00)

US 42 Near
County Line
Facing East



US42 @ Hunters
Ridge Drive
Looking West





US42 @ River
Bluff Road
Facing East



US 42 @ Hayfield
Way and Locust
Circle Facing
west

| INDEX OF SHEETS | |
|-----------------|-----------------------------|
| SHEET NO. | DESCRIPTION |
| R1 | LAYOUT SHEET |
| R3 | PLAN SHEETS |
| | RIGHT OF WAY SUMMARY SHEETS |

SHEETS NOT INCLUDED IN TOTAL SHEETS

| STANDARD DRAWINGS | |
|-------------------|--|
| NUMBER | |

DESIGN CRITERIA

CLASS OF HIGHWAY

RURAL COLLECTOR

TYPE OF TERRAIN

ROLLING

DESIGN SPEED

35 MPH

REQUIRED NPSD

REQUIRED PSD

LEVEL OF SERVICE

ADT PRESENT ()

ADT FUTURE ()

DHV

D %

T %

GEOGRAPHIC COORDINATES

LATITUDE

DEGREES

MINUTES NORTH

LONGITUDE

DEGREES

MINUTES WEST

DESIGNED

% RESTRICTED SD

LEVEL OF SERVICE

MAX. DISTANCE W/O PASSING

Commonwealth of Kentucky

DEPARTMENT OF HIGHWAYS

PLANS OF

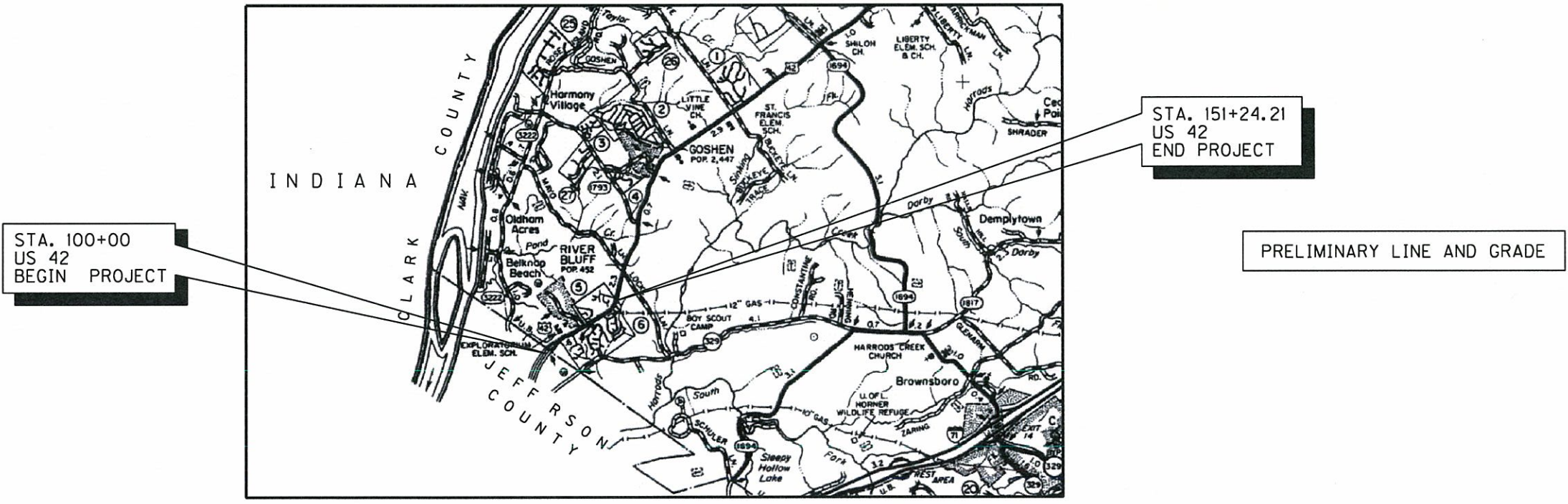
PROPOSED PROJECT

OLDHAM COUNTY

US 42

LOUISVILLE-CINCINNATI ROAD

| COUNTY OF | ITEM NO. | SHEET NO. |
|-----------|----------|-----------|
| OLDHAM | 5-441.00 | R1 |



1 0 1 2 3 4

SCALE IN MILES

LAYOUT MAP

THIS PROJECT IS ON THE NH SYSTEM

| | | | |
|---|---|---|---|
| LENGTH 5.124 LIN. FT. 0.970 MILES | LENGTH _____ LIN. FT. _____ MILES | LENGTH _____ LIN. FT. _____ MILES | LENGTH _____ LIN. FT. _____ MILES |
| ADDED _____ FOR EQUALITIES _____ LIN. FT. | ADDED _____ FOR EQUALITIES _____ LIN. FT. | ADDED _____ FOR EQUALITIES _____ LIN. FT. | ADDED _____ FOR EQUALITIES _____ LIN. FT. |
| DEDUCTED _____ NOT INCLUDED | DEDUCTED _____ NOT INCLUDED | DEDUCTED _____ NOT INCLUDED | DEDUCTED _____ NOT INCLUDED |
| RAILROAD CROSSINGS NO. _____ LIN. FT. | RAILROAD CROSSINGS NO. _____ LIN. FT. | RAILROAD CROSSINGS NO. _____ LIN. FT. | RAILROAD CROSSINGS NO. _____ LIN. FT. |
| BRIDGES _____ LIN. FT. | BRIDGES _____ LIN. FT. | BRIDGES _____ LIN. FT. | BRIDGES _____ LIN. FT. |

Commonwealth of Kentucky

DEPARTMENT OF HIGHWAYS

COUNTY OF

OLDHAM

ITEM NO. 5-441.00

PROJECT

NUMBER: _____

LETTING DATE: _____

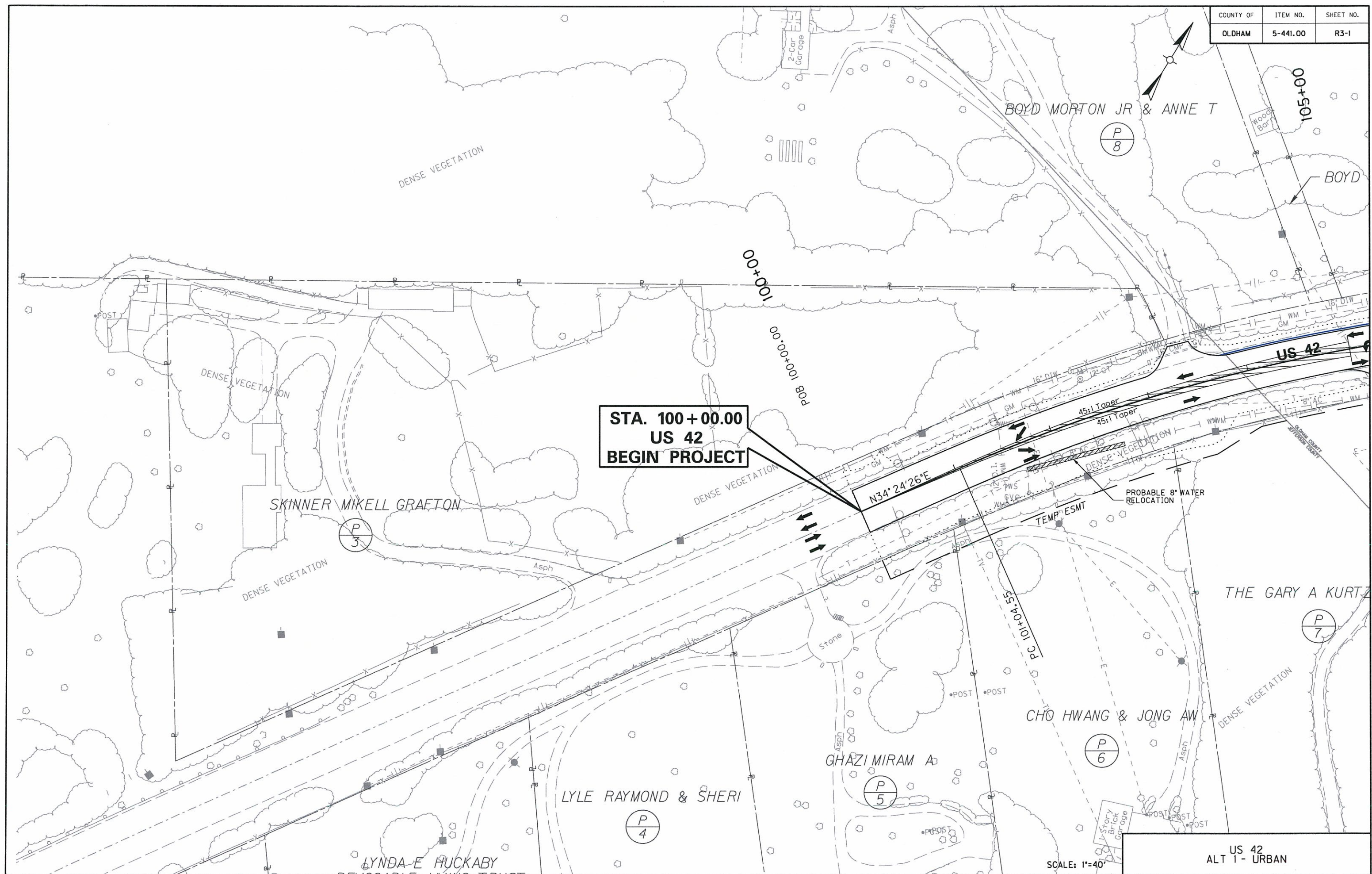
RECOMMENDED BY: _____ DATE: _____

PROJECT MANAGER

PLAN APPROVED BY: _____ DATE: _____

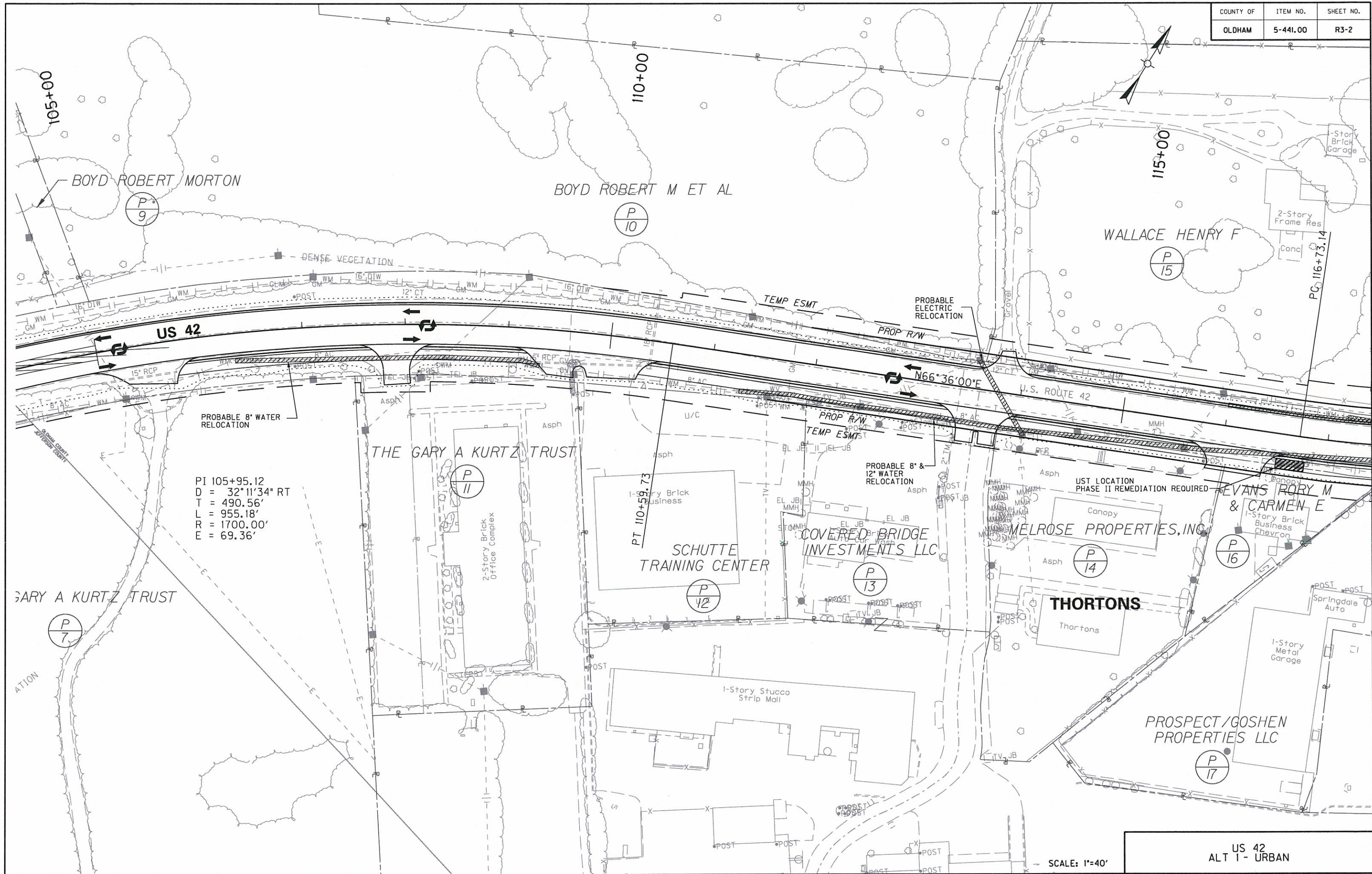
STATE HIGHWAY ENGINEER

| COUNTY OF | ITEM NO. | SHEET NO. |
|-----------|----------|-----------|
| OLDHAM | 5-441.00 | R3-1 |

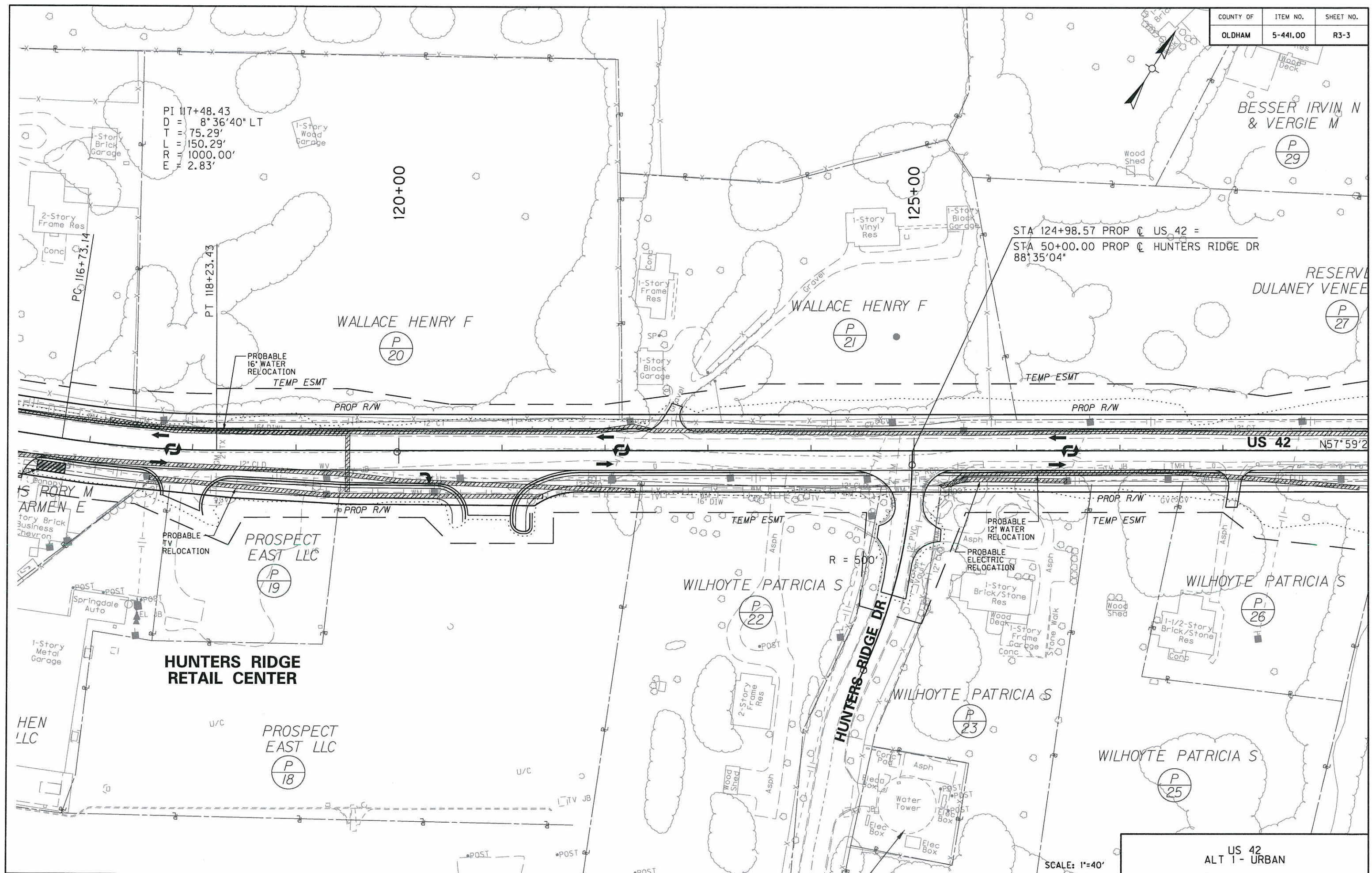


**STA. 100+00.00
US 42
BEGIN PROJECT**

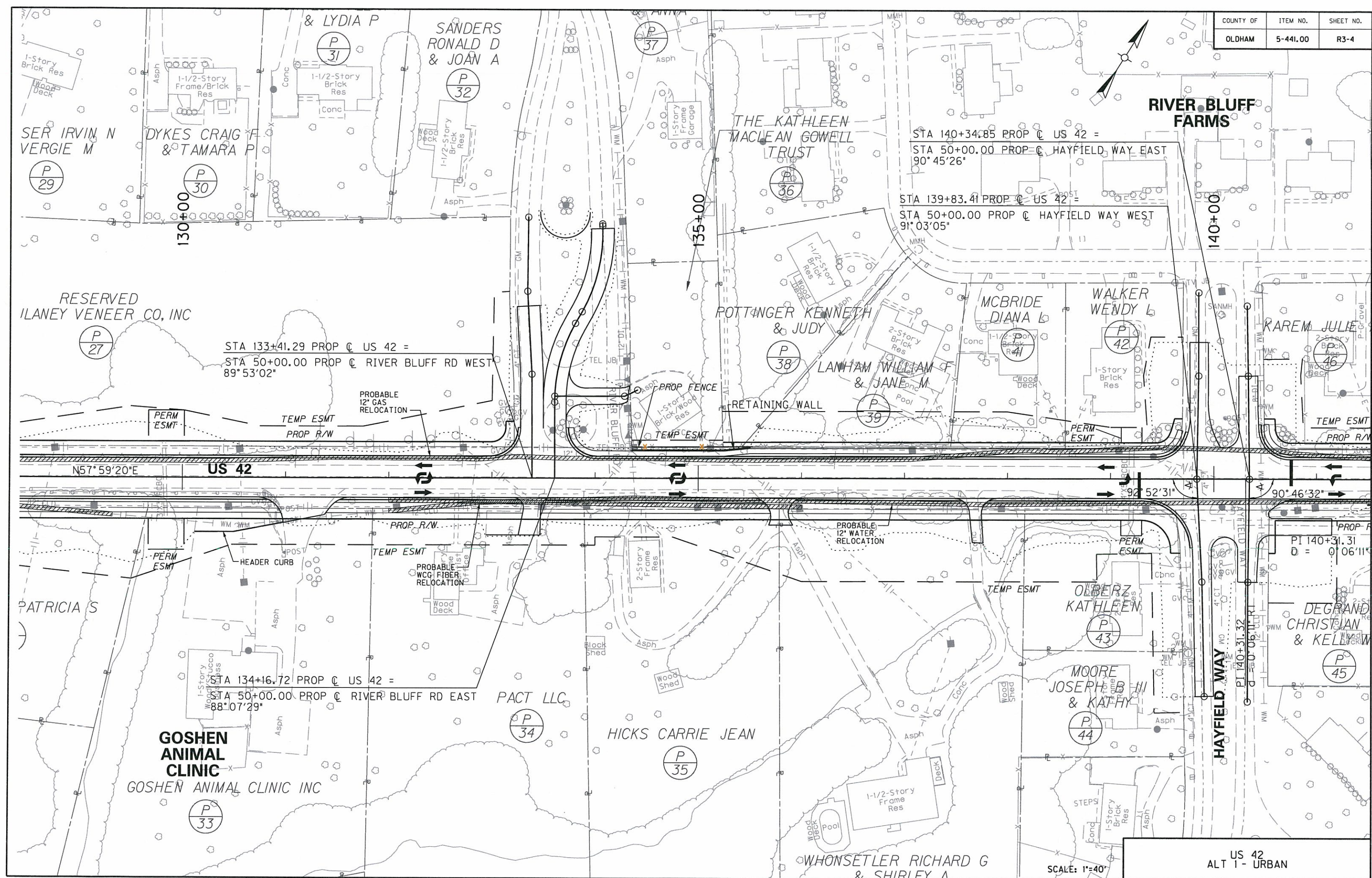
US 42
ALT 1 - URBAN
SCALE: 1"=40'



| | | |
|-----------|----------|-----------|
| COUNTY OF | ITEM NO. | SHEET NO. |
| OLDHAM | 5-441.00 | R3-3 |



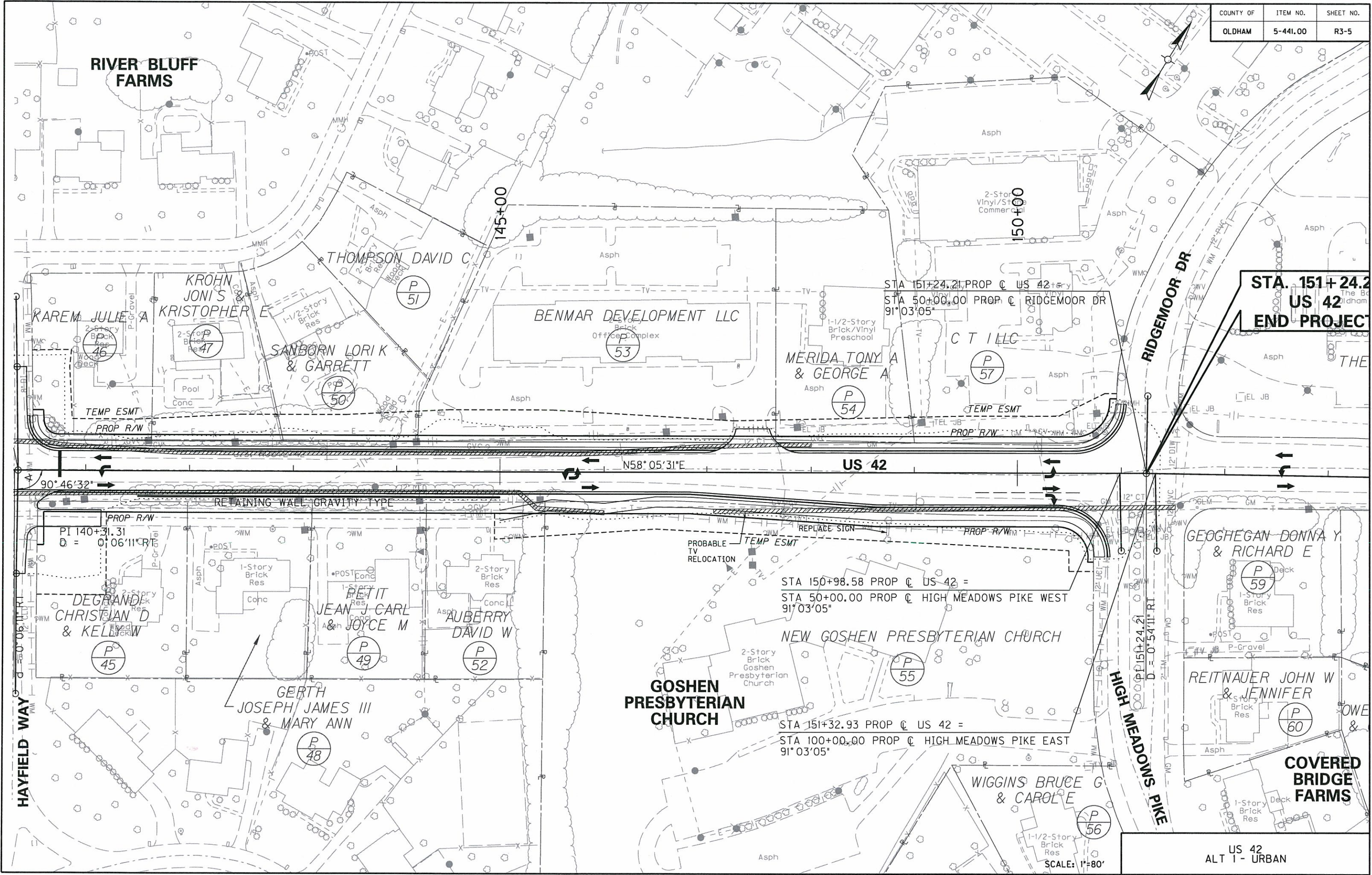
| COUNTY OF | ITEM NO. | SHEET NO. |
|-----------|----------|-----------|
| OLDHAM | 5-441.00 | R3-4 |



SCALE: 1"=40'

US 42
ALT 1 - URBAN

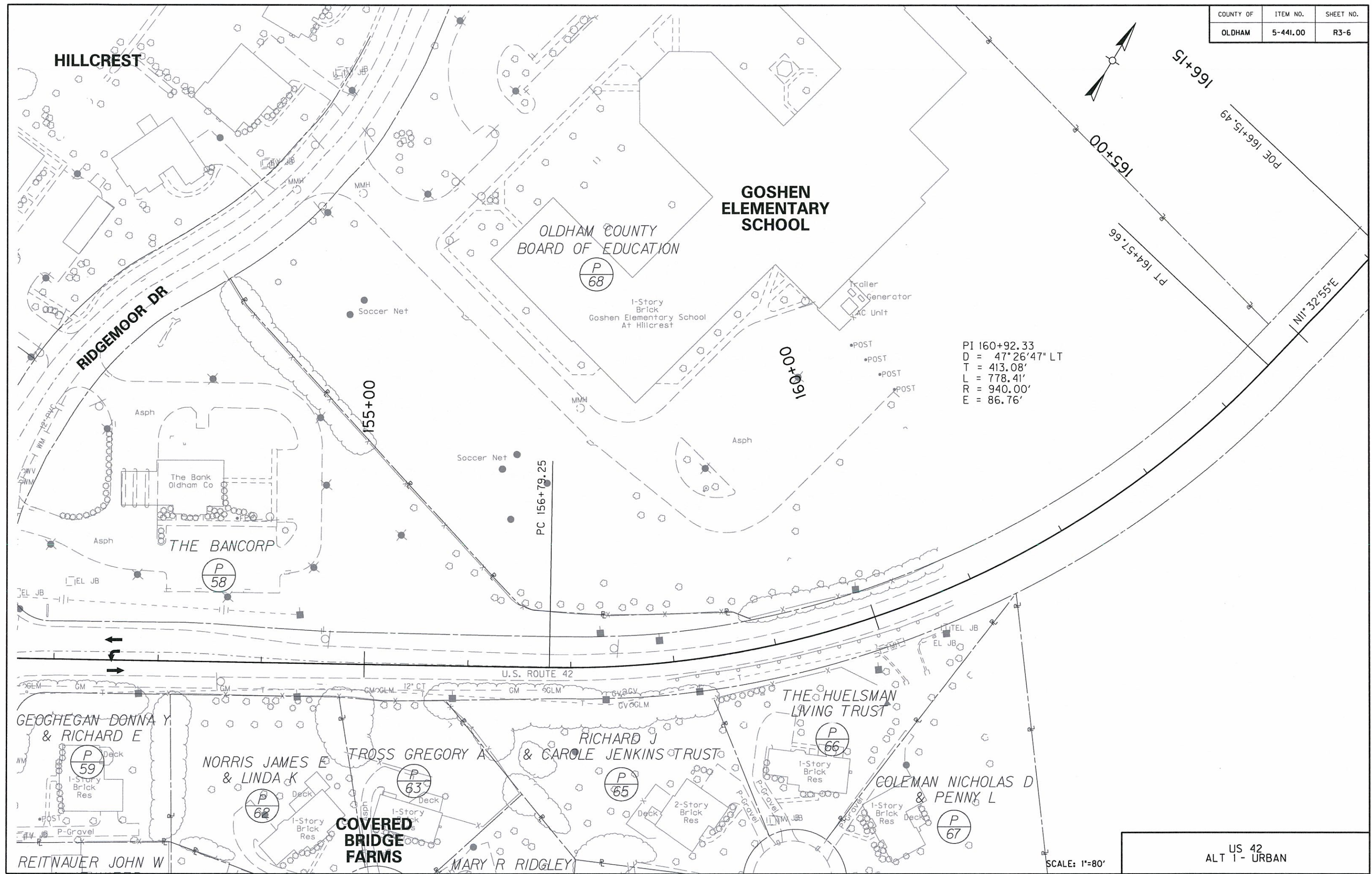
| COUNTY OF | ITEM NO. | SHEET NO. |
|-----------|----------|-----------|
| OLDHAM | 5-441.00 | R3-5 |



STA. 151+24.2
US 42
END PROJECT

US 42
ALT 1 - URBAN

| | | |
|-----------|----------|-----------|
| COUNTY OF | ITEM NO. | SHEET NO. |
| OLDHAM | 5-441.00 | R3-6 |



SCALE: 1"=80'

US 42
ALT 1 - URBAN

RIGHT OF WAY SUMMARY
PREFERRED ALTERNATE

| PARCEL NO. | OWNER(S) | TOTAL AREA | | BASIS OF DETERMINATION (1) | FEE SIMPLE RIGHT OF WAY | | EASEMENTS | | AREA (S) REMAINING | | | | TOTAL AREA REMAINING (2) | | SOURCE OF TITLE | |
|------------|--------------------------------|------------|---------|-------------------------------|-------------------------|---------|-----------|-----------|--------------------|---------|-------|---------|--------------------------|---------|-----------------|--|
| | | ACRES | SQ. FT. | | ACRES | SQ. FT. | PERMANENT | TEMPORARY | LEFT | | RIGHT | | ACRES | SQ. FT. | | |
| | | | | | | | | | ACRES | SQ. FT. | ACRES | SQ. FT. | | | | |
| 5 | GHAZI, MIRAM A | 4.85 | 211229 | C | | | | 1442 | | | | | | | | |
| 6 | HWANG, CHO & AW, JONG | 5.09 | 221647 | C | | | | 4477 | | | | | | | | |
| 7 | THE GARY A KURTZ TRUST | 9.02 | 392731 | C | | | | 3467 | | | | | | | | |
| 10 | BOYD, ROBERT M ET AL | 6.01 | 261951 | C | 0.02 | 891 | | 4237 | 5.99 | 261060 | | | 5.99 | 261060 | | |
| 11 | THE GARY A KURTZ TRUST | 1.58 | 69003 | C | | | | 2095 | | | | | | | | |
| 12 | SCHUTTE TRAINING CENTER | 1.05 | 45583 | C | - | 29 | | 2467 | | | | 45554 | | 45554 | | |
| 13 | COVERED BRIDGE INVESTMENTS LLC | 0.89 | 38603 | C | 0.01 | 644 | | 2173 | | | 0.88 | 37959 | 0.88 | 37959 | | |
| 14 | MELROSE PROPERTIES, INC. | 1.24 | 54055 | C | 0.04 | 1919 | | 3333 | | | 1.20 | 52136 | 1.20 | 52136 | | |
| 15 | WALLACE, HENRY F | 2.81 | 122210 | C | 0.05 | 2368 | | 5904 | 2.76 | 119842 | | | 2.76 | 119842 | | |
| 16 | EVANS, RORY M & CARMEN E | 0.32 | 13766 | C | 0.03 | 1382 | | 2157 | | | 0.29 | 12384 | 0.29 | 12384 | | |
| 17 | PROSPECT/GOSHEN PROPERTIES LLC | 1.14 | 49554 | C | 0.01 | 194 | | 719 | | | 1.13 | 49360 | 1.13 | 49360 | | |
| 18 | PROSPECT EAST LLC | 3.04 | 132241 | C | 0.12 | 5337 | | 7112 | | | 2.92 | 126904 | 2.92 | 126904 | | |
| 19 | PROSPECT EAST LLC | 0.58 | 25404 | C | 0.05 | 2316 | | 4043 | | | 0.53 | 23088 | 0.53 | 23088 | | |
| 20 | WALLACE, HENRY F | 3.79 | 165165 | C | 0.07 | 3139 | | 8134 | 3.72 | 162026 | | | 3.72 | 162026 | | |
| 21 | WALLACE, HENRY F | 2.05 | 89200 | C | 0.07 | 3127 | | 10173 | 1.98 | 86073 | | | 1.98 | 86073 | | |
| | | | | | | | | | | | | | | | | |

(1) BASIS FOR DETERMINATION OF AREA:
a. DEED
b. P.V.C.
c. CALCULATED
d. OTHER

(2) TOTAL AREA REMAINING = TOTAL AREA - FEE SIMPLE RIGHT OF WAY

RIGHT OF WAY SUMMARY
PREFERRED ALTERNATE

| PARCEL NO. | OWNER(S) | TOTAL AREA | | BASIS OF DETERMINATION (1) | FEE SIMPLE RIGHT OF WAY | | EASEMENTS | | AREA (S) REMAINING | | | | TOTAL AREA REMAINING (2) | | SOURCE OF TITLE | |
|------------|-----------------------------------|------------|---------|-------------------------------|-------------------------|---------|-----------|-----------|--------------------|--------|-------|--------|-----------------------------|---------|-----------------|--|
| | | ACRES | SQ. FT. | | ACRES | SQ. FT. | PERMANENT | TEMPORARY | LEFT | | RIGHT | | ACRES | SQ. FT. | | |
| 22 | WILHOYTE, PATRICIA S | 1.99 | 86791 | C | 0.03 | 1496 | | 5041 | | | 1.96 | 85295 | 1.96 | 85295 | | |
| | | | | | | | | | | | | | | | | |
| 23 | WILHOYTE, PATRICIA S | 2.35 | 102468 | C | 0.03 | 1440 | | 4318 | | | 2.32 | 101028 | 2.32 | 101028 | | |
| | | | | | | | | | | | | | | | | |
| 25 | WILHOYTE, PATRICIA S | 2.95 | 128668 | C | 0.02 | 921 | | 1730 | | | 2.93 | 127747 | 2.93 | 127747 | | |
| | | | | | | | | | | | | | | | | |
| 26 | WILHOYTE, PATRICIA S | 0.94 | 40775 | C | 0.05 | 2101 | 314 | 8388 | | | 0.89 | 38674 | 0.89 | 38674 | | |
| | | | | | | | | | | | | | | | | |
| 27 | RESERVED DULANEY VENEER CO, INC | 3.78 | 164476 | C | 0.09 | 3722 | 1050 | 19301 | 3.69 | 160754 | | | 3.69 | 160754 | | |
| | | | | | | | | | | | | | | | | |
| 32 | SANDERS, ROLAND D & JOAN A | 0.61 | 26489 | C | | | | 667 | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| 33 | GOSHEN ANIMAL CLINIC INC | 2.26 | 98723 | C | 0.05 | 2246 | 1050 | 6000 | | | 2.21 | 96477 | 2.21 | 96477 | | |
| | | | | | | | | | | | | | | | | |
| 34 | PACT LLC | 2.14 | 93216 | C | 0.05 | 2084 | | 5129 | | | 2.09 | 91132 | 2.09 | 91132 | | |
| | | | | | | | | | | | | | | | | |
| 35 | HICKS, CARRIE JEAN | 1.79 | 77902 | C | 0.04 | 1894 | | 5108 | | | 1.75 | 76008 | 1.75 | 76008 | | |
| | | | | | | | | | | | | | | | | |
| 36 | THE KATHLEEN MACLEAN GOWELL TRUST | 0.36 | 15766 | C | 0.02 | 656 | | 625 | 0.34 | 15110 | | | 0.34 | 15110 | | |
| | | | | | | | | | | | | | | | | |
| 37 | BRAMEL, ROBERT & ANNA | 0.08 | 35039 | C | | | | 3264 | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| 38 | POTTINGER, KENNETH & JUDY | 0.56 | 24594 | C | - | 100 | | 1069 | | 24494 | | | | 24494 | | |
| | | | | | | | | | | | | | | | | |
| 39 | LANHAM, WILLIAM F & JANE M | 0.53 | 23233 | C | 0.02 | 998 | | 5611 | 0.51 | 22235 | | | 0.51 | 22235 | | |
| | | | | | | | | | | | | | | | | |
| 40 | WHONSETLER, RICHARD G & SHIRLEY A | 2.25 | 97868 | C | 0.06 | 2410 | | 14180 | | | 2.19 | 95458 | 2.19 | 95458 | | |
| | | | | | | | | | | | | | | | | |
| 41 | MCBRIDE, KIANA L | 0.38 | 16659 | C | 0.01 | 590 | | 3045 | 0.37 | 16069 | | | 0.37 | 16069 | | |
| | | | | | | | | | | | | | | | | |
| 42 | WALKER, WENDY L | 0.42 | 18205 | C | 0.02 | 868 | 299 | 4693 | 0.4 | 17337 | | | 0.4 | 17337 | | |

(1) BASIS FOR DETERMINATION OF AREA:
a. DEED
b. P.V.C.
c. CALCULATED
d. OTHER

(2) TOTAL AREA REMAINING = TOTAL AREA - FEE SIMPLE RIGHT OF WAY

RIGHT OF WAY SUMMARY
PREFERRED ALTERNATE

| PARCEL NO. | OWNER(S) | TOTAL AREA | | BASIS OF DETERMINATION (1) | FEE SIMPLE RIGHT OF WAY | | EASEMENTS | | AREA (S) REMAINING | | | | TOTAL AREA REMAINING (2) | | SOURCE OF TITLE | |
|------------|------------------------------------|------------|---------|-------------------------------|-------------------------|---------|-----------|-----------|--------------------|---------|-------|---------|--------------------------|---------|-----------------|--|
| | | ACRES | SQ. FT. | | ACRES | SQ. FT. | PERMANENT | TEMPORARY | LEFT | | RIGHT | | ACRES | SQ. FT. | | |
| | | | | | | | | | ACRES | SQ. FT. | ACRES | SQ. FT. | | | | |
| | | | | | | | | | | | | | | | | |
| 43 | OLBERZ, KATHLEEN | 0.48 | 20705 | C | 0.04 | 1867 | 300 | 8757 | | | 0.44 | 18838 | 0.44 | 18838 | | |
| | | | | | | | | | | | | | | | | |
| 44 | MOORE, JOSEPH B III & KATHY | 0.37 | 16034 | C | | | | 1697 | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| 45 | DEGRANDI, CHRISTIAN D & KELLY W | 0.57 | 24656 | C | 0.04 | 1654 | | 5113 | | | 0.53 | 23002 | 0.53 | 23002 | | |
| | | | | | | | | | | | | | | | | |
| 46 | KAREM, JULIE A | 0.43 | 18648 | C | 0.02 | 862 | | 3868 | 0.41 | 17786 | | | 0.41 | 17786 | | |
| | | | | | | | | | | | | | | | | |
| 47 | KROHN, JONI S & KRISTOPHER E | 0.40 | 17390 | C | 0.01 | 653 | | 2277 | 0.39 | 16737 | | | 0.39 | 16737 | | |
| | | | | | | | | | | | | | | | | |
| 48 | GERTH, JOSEPH JAMES III & MARY ANN | 0.46 | 20174 | C | 0.03 | 1194 | | | | | 0.43 | 18980 | 0.43 | 18980 | | |
| | | | | | | | | | | | | | | | | |
| 49 | PETIT, JEAN J CARL & JOYCE M | 0.44 | 19161 | C | 0.03 | 1089 | | | | | 0.41 | 18072 | 0.41 | 18072 | | |
| | | | | | | | | | | | | | | | | |
| 50 | SANBORN, LORI K & GARRETT | 0.5 | 21648 | C | 0.02 | 700 | | 2795 | 0.48 | 20948 | | | 0.48 | 20948 | | |
| | | | | | | | | | | | | | | | | |
| 52 | AUBERRY, DAVID W | 0.45 | 19532 | C | 0.03 | 1208 | | 1166 | | | 0.42 | 18324 | 0.42 | 18324 | | |
| | | | | | | | | | | | | | | | | |
| 53 | BENMAR DEVELOPMENT LLC | 1.59 | 69413 | C | 0.03 | 1238 | | 7305 | 1.56 | 68175 | | | 1.56 | 68175 | | |
| | | | | | | | | | | | | | | | | |
| 54 | MERIDA, TONY A & GEORGE A | 0.63 | 27299 | C | 0.01 | 607 | | 2298 | 0.62 | 26692 | | | 0.62 | 26692 | | |
| | | | | | | | | | | | | | | | | |
| 55 | NEW GOSHEN PRESBYTERIAN CHURCH | 5.94 | 258959 | C | 0.15 | 6610 | | 9291 | | | 5.79 | 252349 | 5.79 | 252349 | | |
| | | | | | | | | | | | | | | | | |
| 57 | CTI LLC | 1.94 | 84607 | C | 0.04 | 1531 | | 4142 | 1.90 | 83076 | | | 1.9 | 83076 | | |
| | | | | | | | | | | | | | | | | |

(1) BASIS FOR DETERMINATION OF AREA:
a. DEED
b. P.V.C.
c. CALCULATED
d. OTHER

(2) TOTAL AREA REMAINING = TOTAL AREA - FEE SIMPLE RIGHT OF WAY