



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

Matthew G. Bevin
Governor

Greg Thomas
Secretary

November 23, 2016

CALL NO. 107
CONTRACT ID NO. 161269
ADDENDUM # 1

Subject: Russell County, NHPP 1271 (120)
Letting December 9, 2016

- (1) Revised - Bid Items - Pages 137-140(a) of 140
- (2) Added - Notes - Pages 1-13 of 13

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

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

Sincerely,

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

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

RM:ks
Enclosures



An Equal Opportunity Employer M/F/D

PROPOSAL BID ITEMS

161269

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Section: 0001 - PAVING - ASPHALT ALTERNATE

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	00003		CRUSHED STONE BASE	42,442.00	TON		\$	
0020	00020		TRAFFIC BOUND BASE	1,838.00	TON		\$	
0030	00100		ASPHALT SEAL AGGREGATE	232.00	TON		\$	
0040	00103		ASPHALT SEAL COAT	28.00	TON		\$	
0050	00212		CL2 ASPH BASE 1.00D PG64-22	13,044.00	TON		\$	
0060	00214		CL3 ASPH BASE 1.00D PG64-22	19,462.00	TON		\$	
0070	00301		CL2 ASPH SURF 0.38D PG64-22	4,095.00	TON		\$	
0080	00339		CL3 ASPH SURF 0.38D PG64-22	3,091.00	TON		\$	
0090	02200		ROADWAY EXCAVATION	4,924,898.00	CUYD		\$	
0100	10203ND		PAVEMENT ADJUSTMENT (ASPHALT ALTERNATE)	1.00	LS	431,454.00	\$	\$431,454.00

Section: 0002 - PAVING - CONCRETE ALTERNATE

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0150	00003		CRUSHED STONE BASE	43,447.00	TON		\$	
0160	00020		TRAFFIC BOUND BASE	1,838.00	TON		\$	
0170	00100		ASPHALT SEAL AGGREGATE	232.00	TON		\$	
0180	00103		ASPHALT SEAL COAT	28.00	TON		\$	
0190	00212		CL2 ASPH BASE 1.00D PG64-22	8,699.00	TON		\$	
0200	00301		CL2 ASPH SURF 0.38D PG64-22	2,647.00	TON		\$	
0210	02078		JPC PAVEMENT-6 IN SHLD	21,065.00	SQYD		\$	
0220	02084		JPC PAVEMENT-8 IN	44,959.00	SQYD		\$	
0230	02200		ROADWAY EXCAVATION	4,924,898.00	CUYD		\$	
0240	10203ND		PAVEMENT ADJUSTMENT (CONCRETE ALTERNATE)	1.00	LS	323,643.00	\$	\$323,643.00

Section: 0003 - PAVING - CONCRETE WITH ASPHALT SHOULDERS ALTERNATE

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0250	00003		CRUSHED STONE BASE	44,779.00	TON		\$	
0260	00020		TRAFFIC BOUND BASE	1,838.00	TON		\$	
0270	00100		ASPHALT SEAL AGGREGATE	232.00	TON		\$	
0280	00103		ASPHALT SEAL COAT	28.00	TON		\$	
0290	00212		CL2 ASPH BASE 1.00D PG64-22	13,044.00	TON		\$	
0300	00301		CL2 ASPH SURF 0.38D PG64-22	4,095.00	TON		\$	
0310	02084		JPC PAVEMENT-8 IN	44,959.00	SQYD		\$	
0320	02200		ROADWAY EXCAVATION	4,924,898.00	CUYD		\$	
0330	10203ND		PAVEMENT ADJUSTMENT (CONCRETE)	1.00	LS		\$	

Section: 0004 - ROADWAY

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0340	00071		CRUSHED AGGREGATE SIZE NO 57	10.70	TON		\$	

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LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0350	00078		CRUSHED AGGREGATE SIZE NO 2	68.00	TON		\$	
0360	01000		PERFORATED PIPE-4 IN	11,235.00	LF		\$	
0370	01010		NON-PERFORATED PIPE-4 IN	4,830.00	LF		\$	
0380	01020		PERF PIPE HEADWALL TY 1-4 IN	33.00	EACH		\$	
0390	01024		PERF PIPE HEADWALL TY 2-4 IN	2.00	EACH		\$	
0400	01028		PERF PIPE HEADWALL TY 3-4 IN	28.00	EACH		\$	
0410	01032		PERF PIPE HEADWALL TY 4-4 IN	5.00	EACH		\$	
0420	01982		DELINEATOR FOR GUARDRAIL MONO DIRECTIONAL WHITE	200.00	EACH		\$	
0430	02014		BARRICADE-TYPE III	26.00	EACH		\$	
0440	02091		REMOVE PAVEMENT	2,024.00	SQYD		\$	
0450	02159		TEMP DITCH	33,400.00	LF		\$	
0460	02242		WATER (FOR DUST CONTROL)	13.00	MGAL		\$	
0470	02259		FENCE-TEMP	1,000.00	LF		\$	
0480	02262		FENCE-WOVEN WIRE TYPE 1	45,745.00	LF		\$	
0490	02351		GUARDRAIL-STEEL W BEAM-S FACE	11,887.50	LF		\$	
0500	02360		GUARDRAIL TERMINAL SECTION NO 1	8.00	EACH		\$	
0510	02367		GUARDRAIL END TREATMENT TYPE 1	13.00	EACH		\$	
0520	02371		GUARDRAIL END TREATMENT TYPE 7	10.00	EACH		\$	
0530	02373		GUARDRAIL END TREATMENT TYPE 3	2.00	EACH		\$	
0540	02391		GUARDRAIL END TREATMENT TYPE 4A	1.00	EACH		\$	
0550	02429		RIGHT-OF-WAY MONUMENT TYPE 1	188.00	EACH		\$	
0560	02432		WITNESS POST	47.00	EACH		\$	
0570	02488		CHANNEL LINING CLASS IV	22,854.00	CUYD		\$	
0580	02545		CLEARING AND GRUBBING (APPROXIMATELY 237 ACRES)	1.00	LS		\$	
0590	02562		TEMPORARY SIGNS	840.00	SQFT		\$	
0600	02570		PROJECT CPM SCHEDULE SEE DESIGN FOR SPECIAL NOTE	1.00	LS		\$	
0610	02585		EDGE KEY	230.60	LF		\$	
0620	02596		FABRIC-GEOTEXTILE TYPE I	33,475.00	SQYD		\$	
0630	02650		MAINTAIN & CONTROL TRAFFIC	1.00	LS		\$	
0640	02651		DIVERSIONS (BY-PASS DETOURS) (BALLINGER)	1.00	LS		\$	
0650	02651		DIVERSIONS (BY-PASS DETOURS) (CONNECTION 869+00)	1.00	LS		\$	
0660	02651		DIVERSIONS (BY-PASS DETOURS) (CONNECTOR)	1.00	LS		\$	
0670	02651		DIVERSIONS (BY-PASS DETOURS) (END TIE)	1.00	LS		\$	
0680	02671		PORTABLE CHANGEABLE MESSAGE SIGN	2.00	EACH		\$	
0690	02690		SAFELoading	2.20	CUYD		\$	
0700	02696		SHOULDER RUMBLE STRIPS-SAWED	24,446.00	LF		\$	
0710	02701		TEMP SILT FENCE	33,400.00	LF		\$	
0720	02703		SILT TRAP TYPE A	237.00	EACH		\$	
0730	02704		SILT TRAP TYPE B	237.00	EACH		\$	
0740	02705		SILT TRAP TYPE C	237.00	EACH		\$	
0750	02706		CLEAN SILT TRAP TYPE A	2,133.00	EACH		\$	
0760	02707		CLEAN SILT TRAP TYPE B	2,133.00	EACH		\$	
0770	02708		CLEAN SILT TRAP TYPE C	2,133.00	EACH		\$	
0780	02726		STAKING	1.00	LS		\$	

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LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0790	02775		ARROW PANEL	2.00	EACH		\$	
0800	05950		EROSION CONTROL BLANKET	27,935.00	SQYD		\$	
0810	05952		TEMP MULCH	1,147,080.00	SQYD		\$	
0820	05953		TEMP SEEDING AND PROTECTION	80,247.00	SQYD		\$	
0830	05963		INITIAL FERTILIZER	24.90	TON		\$	
0840	05964		20-10-10 FERTILIZER	41.50	TON		\$	
0850	05985		SEEDING AND PROTECTION	802,472.00	SQYD		\$	
0860	05990		SODDING	1,000.00	SQYD		\$	
0870	05992		AGRICULTURAL LIMESTONE	497.40	TON		\$	
0880	06412		STEEL POST MILE MARKERS	8.00	EACH		\$	
0890	06510		PAVE STRIPING-TEMP PAINT-4 IN	10,000.00	LF		\$	
0900	06514		PAVE STRIPING-PERM PAINT-4 IN (WHITE)	32,191.00	LF		\$	
0910	06514		PAVE STRIPING-PERM PAINT-4 IN (YELLOW)	28,535.00	LF		\$	
0920	06517		PAVE STRIPING-PERM PAINT-12 IN	207.00	LF		\$	
0930	06568		PAVE MARKING-THERMO STOP BAR-24IN	216.00	LF		\$	
0940	06574		PAVE MARKING-THERMO CURV ARROW	6.00	EACH		\$	
0950	06578		PAVE MARKING-THERMO MERGE ARROW	6.00	EACH		\$	
0960	06588		PAVEMENT MARKER TY IVA-BY TEMP	65.00	EACH		\$	
0970	20458ES403		CENTERLINE RUMBLE STRIPS	14,110.00	LF		\$	
0980	23274EN11F		TURF REINFORCEMENT MAT 1	7,936.00	SQYD		\$	
0990	24668EC		STEEL ENCASEMENT PIPE (8-IN)	820.00	LF		\$	
1000	24814EC		PIPELINE INSPECTION	3,274.00	LF		\$	

Section: 0005 - DRAINAGE

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
1010	00440		ENTRANCE PIPE-15 IN	638.00	LF		\$	
1020	00441		ENTRANCE PIPE-18 IN	173.00	LF		\$	
1030	00443		ENTRANCE PIPE-24 IN	76.00	LF		\$	
1040	00445		ENTRANCE PIPE-30 IN	37.00	LF		\$	
1050	00462		CULVERT PIPE-18 IN	1,019.50	LF		\$	
1060	00464		CULVERT PIPE-24 IN	559.50	LF		\$	
1070	00466		CULVERT PIPE-30 IN	151.00	LF		\$	
1080	00468		CULVERT PIPE-36 IN	980.00	LF		\$	
1090	00470		CULVERT PIPE-48 IN	85.00	LF		\$	
1100	00471		CULVERT PIPE-54 IN	479.00	LF		\$	
1110	01202		PIPE CULVERT HEADWALL-15 IN	1.00	EACH		\$	
1120	01204		PIPE CULVERT HEADWALL-18 IN	8.00	EACH		\$	
1130	01208		PIPE CULVERT HEADWALL-24 IN	7.00	EACH		\$	
1140	01212		PIPE CULVERT HEADWALL-36 IN	8.00	EACH		\$	
1150	01216		PIPE CULVERT HEADWALL-48 IN	1.00	EACH		\$	
1160	01370		METAL END SECTION TY 1-15 IN	27.00	EACH		\$	
1170	01371		METAL END SECTION TY 1-18 IN	6.00	EACH		\$	
1180	01373		METAL END SECTION TY 1-24 IN	3.00	EACH		\$	
1190	01374		METAL END SECTION TY 1-30 IN	2.00	EACH		\$	
1200	01391		METAL END SECTION TY 3-18 IN	12.00	EACH		\$	
1210	01393		METAL END SECTION TY 3-24 IN	6.00	EACH		\$	

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LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
1220	01394		METAL END SECTION TY 3-30 IN	2.00	EACH		\$	
1230	01397		METAL END SECTION TY 3-48 IN	1.00	EACH		\$	
1240	01411		METAL END SECTION TY 4-18 IN	2.00	EACH		\$	
1250	01413		METAL END SECTION TY 4-24 IN	2.00	EACH		\$	
1260	01414		METAL END SECTION TY 4-30 IN	2.00	EACH		\$	
1270	01511		DROP BOX INLET TYPE 5D	1.00	EACH		\$	
1280	01670		SPRING BOX INLET TYPE B	1.00	EACH		\$	
1290	02600		FABRIC GEOTEXTILE TY IV FOR PIPE	7,827.60	SQYD	\$2.00	\$	\$15,656.77
1300	24026EC		PIPE CULVERT HEADWALL-54 IN	2.00	EACH		\$	

Section: 0006 - BRIDGE - CULVERT - STA. 679+13.40 - DWG. 27227

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
1310	08002		STRUCTURE EXCAV-SOLID ROCK	220.00	CUYD		\$	
1320	08003		FOUNDATION PREPARATION	1.00	LS		\$	
1330	08100		CONCRETE-CLASS A	1,060.00	CUYD		\$	
1340	08150		STEEL REINFORCEMENT	205,618.00	LB		\$	

Section: 0007 - BRIDGE - CULVERT - STA. 724+28.50 - DWG. 27228

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
1350	08002		STRUCTURE EXCAV-SOLID ROCK	1,405.00	CUYD		\$	
1360	08003		FOUNDATION PREPARATION	1.00	LS		\$	
1370	08100		CONCRETE-CLASS A	741.00	CUYD		\$	
1380	08150		STEEL REINFORCEMENT	206,916.00	LB		\$	

Section: 0008 - BRIDGE - CULVERT - STA. 798+37 - DWG. 27229

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
1390	08002		STRUCTURE EXCAV-SOLID ROCK	2,806.00	CUYD		\$	
1400	08003		FOUNDATION PREPARATION	1.00	LS		\$	
1410	08100		CONCRETE-CLASS A	2,035.00	CUYD		\$	
1420	08150		STEEL REINFORCEMENT	415,512.00	LB		\$	

Section: 0009 - BRIDGE - CULVERT - STA. 825+69 - DWG. 27230

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
1430	08002		STRUCTURE EXCAV-SOLID ROCK	2,837.00	CUYD		\$	
1440	08003		FOUNDATION PREPARATION	1.00	LS		\$	
1450	08100		CONCRETE-CLASS A	1,832.00	CUYD		\$	
1460	08150		STEEL REINFORCEMENT	397,750.00	LB		\$	

Section: 0010 - TRAINEES - ADDED 11-23-16

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LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0110	02742		TRAINEE PAYMENT REIMBURSEMENT 1 GROUP 2, 3, OR 4 OPERATOR (ADDED: 11-23-16)	1,400.00	HOUR		\$	
0120	02742		TRAINEE PAYMENT REIMBURSEMENT 1 GROUP 2, 3, OR 4 OPERATOR (ADDED: 11-23-16)	1,400.00	HOUR		\$	

Section: 0011 - DEMOBILIZATION &/OR MOBILIZATION

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0130	02568		MOBILIZATION	1.00	LS		\$	
0140	02569		DEMOBILIZATION	1.00	LS		\$	

N O T I C E

**DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS
(LETTER OF PERMISSION & LOP WQC AUTHORIZATION)**

PROJECT: Russell County, Item No. 8-108.00
Relocation (US 127)

The Section 404 & 401 activities for this project have been previously permitted under the authority of the Department of the Army Letter of Permission (LOP) & Division of Water LOP Water Quality Certification. In order for these authorizations to be valid, the attached conditions must be followed. The contractor shall post a copy of this LOP Permit & LOP WQC in a conspicuous location at the project site for the duration of construction and comply with the general conditions as required.

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



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

November 22, 2016

Operations Division
Regulatory Branch (South)
ID No. LRL-2016-461-ncc

Mr. Roy C. Collins
Kentucky Transportation Cabinet, DEA
200 Mero Street
Frankfort, Kentucky 40622

Dear Mr. Collins:

This is in regard to your application for a Department of the Army (DA) permit dated May 4, 2016, concerning a plan to reconstruct U.S. 127 near Lake Cumberland in Clinton and Russell Counties, Kentucky. We have reviewed your application and have made the following determinations: the work is minor in nature, will not have a significant impact on the environment, and should encounter no opposition.

Based on these determinations, your proposed work satisfies the Letter of Permission criteria, as specified in our regulations. Therefore, you are authorized, in accordance with 33 USC 403, to discharge fill material into 0.18 acre of forested wetland, 1.09 acres of emergent wetlands, 15,672 linear feet (0.94 acre) of ephemeral streams, 26,423 linear feet (3.5 acres) of intermittent streams and 3,326 linear feet (1.3 acres) of perennial streams. This permission is granted with the following Special Conditions:

- a. The project shall be constructed in accordance with plans included in the May 4, 2016 application for Kentucky Transportation Cabinet, Item No. 8-108.00 and all subsequent information received regarding changes to the original submittal.
- b. The permittee shall comply with the agreement outlined in the letter of October 27, 2016 from the U.S. Fish and Wildlife Service regarding the Biological Opinion on endangered species within the project area.
- c. The permittee shall comply with the Memorandum of Agreement dated November 14, 2011 between the Federal Highway

Administration, the Kentucky Transportation Cabinet, and the Kentucky State Historic Preservation Officer.

- d. Two weeks after receipt of the signed LOP from KYTC, the Corps will update the Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS) by debiting 2.16 wet-sedge meadow Adjusted Mitigation Units (AMUs) and 0.36 forested wetland AMUs for a total of 2.52 AMUs to compensate for impacts to 1.08 acres of emergent wetlands and 0.18 acre of forested wetland from the KYTC Wayne County Wetland Mitigation Site. This update will confirm the use of the AMUs.
- e. Two weeks after receipt of the signed LOP from KYTC, the Corps will update the Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS) by debiting 22,715 AMUs from KYTC's Pumphrey-Buck Creek Mitigation Project to compensate for 19,054.9 linear feet of stream impacts. This update will confirm the use of the remaining AMUs and the closure of the Pumphrey-Buck Creek Mitigation Project.
- f. To compensate for the remaining 6,980.1 linear feet of intermittent stream and 3,288 linear feet of perennial stream impacts, KYTC shall provide a receipt from the KDFWR Stream and Wetland Mitigation Trust for the purchase of 19,442 AMUs. AMUs must be purchased prior to the discharge of fill into "waters of the U.S." The Corps ID number LRL-2016-461-ncc must accompany the payment. Inquiries regarding credit purchase may be made directly to KDFWR by calling Mr. Clifford Scott (502) 564-5101, by email at: clifford.scott@ky.gov, or in writing at: Kentucky Department of Fish and Wildlife Resources, Division of Fisheries, #1 Sportsman's Lane, Frankfort, Kentucky 40601.
- g. The permittee shall obtain an easement from the Nashville District U.S. Army Corps of Engineers prior to performing work on federal property.
- h. The time limit for completing the work authorized ends on November 30, 2021. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
- i. Upon completion of construction you are to notify the District Engineer. The enclosed Completion Report form must be completed and returned to this office.
- j. You must agree to comply with the enclosed General Conditions.

This authorization will be effective as soon as we receive your signed acceptance of these conditions. Please sign and date the duplicate copy of this letter in the space provided and return the

signed copy in the enclosed envelope. Note that we also perform periodic inspections to ensure compliance with our permit conditions and appropriate Federal laws.

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

FOR THE DISTRICT ENGINEER:



David Baldrige
Chief, South Branch
Regulatory Division

Enclosures

(I accept the conditions of this authorization):


Kentucky Transportation Cabinet

11/22/16
Date

GENERAL CONDITIONS:

1. Discharges of dredged or fill material into "waters of the U.S." must be minimized or avoided to the maximum extent practicable at the project site (i.e. on-site). In determining the minimal impact threshold, the Districts will consider the direct, secondary, and cumulative impacts of the fill or work and any mitigation measures.

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

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

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

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

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

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

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

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

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

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

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

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

by the proposed action.

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

If the permittee discovers any previously unknown historic or archaeological remains while accomplishing the activity authorized by the LOP, work must be immediately stopped and this office immediately notified regarding the discovery. The District will initiate the Federal, Tribal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

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

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

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

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

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

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

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

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

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



MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

AARON B. KEATLEY
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

August 2, 2016

David Waldner
KYTC Environmental Analysis
200 Mero St 5th Fl
Frankfort, KY 40622

Re: Water Quality Certification #2016-068-7
US 127 - Russell Co
AI No.: 125149; Activity ID: APE20160001
KYTC Item No.: 8-108.00 & 8-8601.27
USACE Public Notice No.: LRL-2016-461
Cumberland River, UT to Cumberland River
UT to West Fork Indian Creek, UT to Salt
Lick Creek, UT to Rock Lick Creek, UT to
Blackfish Creek, Clifty Creek, UT to Clifty
Creek, UT to Greasy Creek, and adjacent
wetlands
Russell & Clinton Counties, Kentucky

Dear Mr. Waldner:

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

All future correspondence on this project must reference **AI No. 125149**. **The attached document is your official Water Quality Certification; please read it carefully.** If you should have any questions concerning the conditions of this water quality certification, please contact Cody Thayer of my staff by calling (502) 782-7090.

Sincerely,

Stephanie Hayes, Supervisor
Water Quality Certification Section
Kentucky Division of Water



Attachment

cc: Roy Collins, KYTC: Frankfort (via email: RoyC.Collins@ky.gov)
Danny Peake, KYTC: Frankfort (via email: Danny.Peake@ky.gov)
Dave Harmon, KYTC: Frankfort (via email: Dave.Harmon@ky.gov)
David Baldrige, USACE: Louisville (via email: David.E.Baldrige@usace.army.mil)
Norma Condra, USACE: Louisville (via email: Norma.C.Condra@usace.army.mil)
Lee Andrews, USFWS: Frankfort (via email: Teresa_Hyatt@fws.gov)
Brian Crump, KDOW: Columbia Regional Office (via email: Brian.Crump@ky.gov)
Jon Cambron, KDOW: Upper Cumberland River Basin Coordinator
(via email: Jonathan.Cambron@ky.gov)

KTC Water Quality Certification

US 127 - Russell Co
Facility Requirements
Permit Number: 2016-068-7
Activity ID No.:APE20160001

ACTV0000000001 ((Transportation Project - KYTC Item No.:8-108.00)) Cumberland River, Salt Lick Creek, Rock Lick Creek, Clifty Creek, UT West Fork Indian Creek, UT Blackfish Creek, UT Greasy Creek:

Submittal/Action Requirements:

Condition No.	Condition
S-1	The Kentucky Transportation Cabinet shall submit notification : Due prior to any construction activity to the Kentucky Division of Water, 401 Water Quality Certification Section Project Manager. [Clean Water Act]
S-2	The Kentucky Transportation Cabinet shall submit notification : Due when construction is complete to the Kentucky Division of Water, 401 Water Quality Certification Section Project Manager no later than two weeks post-construction. [Clean Water Act]
S-3	The Kentucky Transportation Cabinet shall submit a written report: Due when construction is complete to the Kentucky Division of Water, 401 Water Quality Certification Section Project Manager. The report shall contain photographs and a written description of the completed work at Site No. 100: (36.901105, -85.129711; Station 654+00 to Station 660+00) bridge construction at Cumberland River (OSRW). [Clean Water Act]
S-4	All Mitigation required by the United States Army Corps of Engineers shall be debited from the Pumpfrey - Buck Creek Mitigation Site. If available credits are exhausted, the remainder shall be paid to the Kentucky Department of Fish and Wildlife Resources, Wetland and Stream In-Lieu Fee Mitigation Program. A ledger detailing the debit of credits from the Pumpfrey - Buck Creek Mitigation site and a receipt from the Kentucky Department of Fish and Wildlife Resources, Wetland and Stream In-Lieu Fee Mitigation Program shall be submitted to the Kentucky Division of Water, 401 Water Quality Certification Section Project Manager before the beginning of project activities. [Clean Water Act]

KTC Water Quality Certification

US 127 - Russell Co
Facility Requirements
Permit Number: 2016-068-7
Activity ID No.:APE20160001

ACTV0000000001 ((Transportation Project - KYTC Item No.:8-108.00)) Cumberland River, Salt Lick Creek, Rock Lick Creek, Clifty Creek, UT West Fork Indian Creek, UT Blackfish Creek, UT Greasy Creek:

Narrative Requirements:

Condition No.	Condition
T-1	<p>The work approved by this certification shall be limited to the proposed Kentucky Transportation Cabinet (KYTC Item No.: 8-108.00 & 8-8601.27) U.S. 127 improvement project near Lake Cumberland, Kentucky in Russell and Clinton Counties (Latitude: 36.901105 N; Longitude: -85.129711 W). Proposed Impacts to streams and wetlands include:</p> <ul style="list-style-type: none"> - 15,677 linear feet of ephemeral stream (Unnamed Tributaries (UTs) of: Cumberland River, Greasy Creek, Clifty Creek, Blackfish Creek, Rock Lick Creek, Salt Lick Creek, and West Fork Indian Creek); - 26,423 linear feet of intermittent stream (UTs of: Cumberland River, Clifty Creek, Blackfish Creek, Rock Lick Creek, Salt Lick Creek, and West Fork Indian Creek); - 3,326 linear feet of perennial stream (Cumberland River, Clifty Creek, and UTs of: Clifty Creek, Blackfish Creek, Rock Lick Creek, and Salt Lick Creek) - 1.087 acres of palustrine emergent wetland; - 0.183 acre of palustrine forested wetland. [Clean Water Act]
T-2	<p>All work performed under this certification shall adhere to the design and specifications set forth in the following documents:</p> <ul style="list-style-type: none"> - Application for Permit to Construct Across or Along a Stream and/or Water Quality Certification dated April 13, 2016; - Correspondence concerning mitigation dated June 28, 2016; - Updated Stream Impact Table and Summary received July 19, 2016. [Clean Water Act]
T-3	<p>The Kentucky Transportation Cabinet is responsible for preventing degradation of waters of the Commonwealth from soil erosion. An erosion and sedimentation control plan must be designed, implemented, and maintained in effective operating condition at all times during construction. [Clean Water Act]</p>
T-4	<p>The Division of Water reserves the right to modify or revoke this certification should it be determined that the activity is in noncompliance with any condition set forth in this certification. [Clean Water Act]</p>
T-5	<p>If construction does not commence within three years of the date of this letter, this certification will become void. A letter requesting a renewal should be submitted. [Clean Water Act]</p>
T-6	<p>Other permits from the Division of Water may be required for this activity. If this activity occurs within a floodplain, a Permit to Construct Across or Along a Stream may be required. Please contact the Floodplain Section Supervisor for more information. If the project will disturb one acre or more of land, or is part of a larger common plan of development or sale that will ultimately disturb one acre or more of land, a Kentucky Pollution Discharge Elimination System (KPDES) stormwater permit shall be required from the Surface Water Permits Branch. This permit requires the development of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP must include erosion prevention and sediment control measures. Contact: Surface Water Permits Branch (SWPB) Support (SWPBsupport@ky.gov). [Clean Water Act]</p>

KTC Water Quality Certification
US 127 - Russell Co
Facility Requirements
Permit Number: 2016-068-7
Activity ID No.:APE20160001

Page 3 of 3

ACTV0000000001 ((Transportation Project - KYTC Item No.:8-108.00)) Cumberland River, Salt Lick Creek, Rock Lick Creek, Clifty Creek, UT West Fork Indian Creek, UT Blackfish Creek, UT Greasy Creek:

Narrative Requirements:

Condition No.	Condition
T-7	Dredging work shall not be conducted during the fish spawning season, April 15th through June 15th. [Clean Water Act]
T-8	Check dams are not allowed within the stream channel. [Clean Water Act]
T-9	Remove all sediment and erosion control measures after re-vegetation has become well-established. [Clean Water Act]