

Exhibit 9

Division of Water Correspondence



**Andy Beshear**  
Governor

**OFFICE OF THE GOVERNOR**  
**DEPARTMENT FOR LOCAL GOVERNMENT**  
100 AIRPORT ROAD, THIRD FLOOR  
FRANKFORT, KENTUCKY 40601  
PHONE (502) 573-2382  
FAX (502) 227-8691  
[www.kydlgweb.ky.gov](http://www.kydlgweb.ky.gov)

**Dennis Keene**  
Commissioner

January 4, 2023

Mrs. Laura Thomas  
City of Jackson  
333 Broadway  
Jackson, KY 41339

RE: Jackson Federal Place Building  
SAI# KY202212291575  
CFDA# 14.228

Dear Mrs. Thomas:

The Kentucky State e-Clearinghouse is the official designated Single Point of Contact (SPOC) for the Commonwealth pursuant to Presidential Executive Order 12372, and supported by Kentucky Statutes KRS 45.031. The primary function of the SPOC is to streamline the review aforementioned process for the applicant and the funding agency. This process helps in vocalizing the statutory and regulatory requirements. Information in the form of comments, if any, will be attached to this correspondence.

This proposal has been reviewed by the appropriate state agencies in the e-Clearinghouse for conflicts with state or local plans, goals and objectives. After receiving this letter, you should make it available to the funding agency and continue with the funding agencies application process. This e-Clearinghouse SPOC letter signifies only that the project has followed the state reviewing requirements, and is neither a commitment of funds from this agency or any other state or federal agency. Please remember if any federal reviews are required the applicant must follow through with those federal agencies.

The results of this review are valid for one year from the date of this letter. If the project is not submitted to the funding agency or not approved within one year after the completion of this review, the applicant can request an extension by email to [Lee.Nalley@ky.gov](mailto:Lee.Nalley@ky.gov). If the project changes in any way after the review, the applicant must reapply through the e-Clearinghouse for a new review. There are no exceptions.

If you have any questions regarding this letter or the review process please contact the e-Clearinghouse office at 502-892-3462.

Sincerely,

Lee Nalley, SPOC  
Kentucky State Clearinghouse

Attachment



## Department for Environmental Protection

Louanna Aldridge

This review was based upon the information that was provided by the applicant through the Clearinghouse for this project. An endorsement of this project does not satisfy, or imply, the acceptance or issuance of any permits, certifications or approvals that may be required from this agency under Kentucky Revised Statutes or Kentucky Administrative Regulations. Such endorsement means this agency has found no major concerns from the review of the proposed project as presented other than those stated as conditions or comments.

### Division for Air Quality

Kentucky Division for Air Quality Regulation 401 KAR 63:010 Fugitive Emissions states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth moving equipment to be deposited onto a paved street or roadway. Please visit the division's fugitive emissions web site for more information <http://air.ky.gov/SiteCollectionDocuments/Fugitive%20Dust%20Fact%20Sheet.pdf>

Regulation 401 KAR 63:005 states that open burning is prohibited. Open Burning is defined as the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the <http://air.ky.gov/Pages/OpenBurning.aspx>.

Kentucky Division for Air Quality Regulation 401 KAR 58:025, Asbestos Standards, apply to this project if any renovation or demolition occurs. If so, a Kentucky Accredited Asbestos Inspector must inspect the project. Asbestos that will be affected by this activity must be removed by a Kentucky accredited contractor before renovation or demolition begins. Written notification must be given on form DEP 7036 to the Division for Air Quality Regional Office at least 10 weekdays prior the start of demolition or renovation, whether or not asbestos has been identified to be present. Please note form: <http://air.ky.gov/Pages/AsbestosInformation.aspx>

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

If the proposed project site is in a designated flood hazard area, application must be made to the Division of Water for a floodplain construction permit. Permission, or exemption, depends upon design and the exact site.

If the construction area disturbed is equal to or greater than 1 acre, the applicant will need to apply for a Kentucky Pollutant Discharge Elimination System (KPDES) stormwater discharge permit from Division of Water.

Best Management Practices (BMPs) should be utilized to control storm water runoff and sediment damage to water quality and aquatic habitat. For technical assistance on the kinds of BMPs most appropriate for projects of this type and related construction, please contact the local Soil and Water Conservation District or the Division of Conservation.

Utility line projects that cross a stream will require a Section 404 permit from the US Army Corps of Engineers and a 401 Water Quality Certification from DOW.

**WATER SUPPLY** - If an existing water server is to be utilized for new water tap-ons (rehabilitations, new constructions), ascertain the capacity and operating condition of the originating water treatment plant and of the server (if different) in comparison to the water needs of the proposed housing. DOW cannot permit connections to water servers Agreed Orders, or Court Orders. DOW may not give approval to connections to water systems operating near, at, or over capacity. If a new water source is to be utilized, ascertain the source's (stream's or well's) low flow ability to serve the proposed housing. Prior approval from DOW is required for water withdrawals of

over 10,000 gallons per day and for all public drinking water. Final plans and specifications are subject to review by DOW.

**WASTEWATER TREATMENT** - If an existing wastewater server is to be utilized for new wastewater tap-ons (rehabilitations, new construction), ascertain the capacity and operating conditions of the receiving wastewater treatment facility (wastewater treatment plant or package sewage treatment plant) and of the server (if different) in comparison to the wastewater needs of the proposed housing. DOW cannot permit connections to wastewater servers under tap-on bans, Agreed Orders, or Court Orders. DOW may not give approval to connections to wastewater systems at or over hydraulic capacity. If a new wastewater treatment facility is to be utilized, ascertain the discharge stream's ability to absorb the proposed projects treated wastewater.

Prior approval from DOW is required for all discharges into streams and for all wastewater treatment facilities.

DOW notes the requirements of onsite sewage disposal statutes, KRS 211.350 to 211.380, and administrative regulations, 902 KAR 10:060 to 10:110, must be met. DOW requests provisions be made for future connections to a wastewater treatment system. A Groundwater Protection Plan, as required by 401 KAR 5:037, needs to be prepared by all onsite wastewater system owners. Contact the DOW regarding requirements.

Your project might have the potential of impacting federally or state listed species and natural communities. Go to the Kentucky Biological Assessment Tool ([kynaturepreserves.org](http://kynaturepreserves.org)) to obtain a Standard Occurrence Report for information regarding listed species known within your project area. The report will also provide information on public and private conservation lands, areas of biodiversity significance, and other natural resources in your project area for which the Office of Kentucky Nature Preserves maintains data.

**Department of Housing Buildings and Construction**

Don Newberry

The Department of Housing Buildings and Construction, Division of Building Code Enforcement, has no comments concerning this proposed project.

**Kentucky Department of Fish & Wildlife Resources**

Doug Dawson

Based on the information provided, the Kentucky Department of Fish & Wildlife Resources has no comments concerning the proposed project. Please contact Doug Dawson at 502-892-4472 or [doug.dawson@ky.gov](mailto:doug.dawson@ky.gov) if you have further questions or require additional information.

**Kentucky River ADD**

Jennifer McIntosh

This project is consistent with the KRADD Comprehensive Economic Development Strategy.

**Kentucky Transportation Cabinet**

Darren Back

Based on the information provided, the Kentucky Transportation Cabinet District 10 has no comments concerning the proposed project. If any proposed work items will occur on Commonwealth of Kentucky Right of Way, please submit a permit application to the KYTC District 10 Permits Section and obtain approval prior to beginning work. Please contact Darren Back at 606-666-8841 or [darren.back@ky.gov](mailto:darren.back@ky.gov) if you have further questions or require additional information.

**KY Heritage Council**

Yvonne Sherrick

To receive a review from the KY Heritage Council/State Historical Preservation Office (SHPO) you must follow the instructions located on their website at <https://heritage.ky.gov/compliance/Pages/overview.aspx>. There you will find the required documents for the Section 106 Review and Compliance for 36 CFR Part 800. This Section 106 submission process to SHPO will assist applicants and agencies in providing the appropriate level of information to receive comments from SHPO. If you have any questions please contact Yvonne Sherrick, via email at [yvonne.sherrick@ky.gov](mailto:yvonne.sherrick@ky.gov).

Please note: If your project is funded through Transportation Alternative (TAP), Transportation Enhancements (TE), Congestion, Mitigation, Air Quality (CMAQ), or Safe Routes to School (SRTS) you will need to send this information to Michael Jones, Historic Preservation Program Administrator with the Kentucky Transportation Cabinet via email to [MichaelR.Jones2@ky.gov](mailto:MichaelR.Jones2@ky.gov) or hard copy to Michael Jones, Office of Local Programs, KY Transportation Cabinet, 200 Mero Street Frankfort, KY 40622. Do not send materials directly to SHPO if your project involves funding from these four sources as it will cause delays in the review process. Michael Jones will consult directly with the SHPO on projects with these funding sources to complete the Section 106 review.



**Andy Beshear**  
GOVERNOR

## ENERGY AND ENVIRONMENT CABINET

Office of Kentucky Nature Preserves  
300 Sower Boulevard  
Frankfort, Kentucky 40601  
Phone: (502) 564-3350

**Rebecca Goodman**  
SECRETARY

**Sunni Carr**  
Executive Director

December 29, 2022

Lisa Napier  
Kentucky River Area Development District  
941 N. Main Street  
Hazard, KY 41701

Project:	Jackson Federal Place Building Project
Project ID:	23-0165
Project Type:	Standard (*customers will be invoiced), 1 mile buffer (\$120 fee)
Site Acreage:	76.42
Site Lat/Lon:	37.553343 / -83.386870
County:	Breathitt
USGS Quad:	JACKSON
Watershed HUC12:	Cane Creek-North Fork Kentucky River

Dear Lisa Napier,

This letter is in response to your data request for the project referenced above. We have reviewed our Natural Heritage Program Database to determine if any of the endangered, threatened, or special concern plants and animals or exemplary natural communities monitored by the Office of Kentucky Nature Preserves occur within your general project area. Your project does pose a concern at this time, therefore please see the attached reports and [report key](#) for more detailed information.

I would like to take this opportunity to remind you of the terms of the data request license, which you agreed upon in order to submit your request. The license agreement states "Data and data products received from the Office of Kentucky Nature Preserves, including any portion thereof, may not be reproduced in any form or by any means without the express written authorization of the Office of Kentucky Nature Preserves." The exact location of plants, animals, and natural communities, if released by the Office of Kentucky Nature Preserves, may not be released in any document or correspondence. These products are provided on a temporary basis for the express project (described above) of the requester, and may not be redistributed, resold or copied without the written permission of the Biological Assessment Branch (300 Sower Blvd - 4th Floor, Frankfort, KY, 40601. Phone: 502-782-7828).

Please note that the quantity and quality of data collected by the Kentucky Natural Heritage Program are dependent on the research and observations of many individuals and organizations. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Kentucky have never been thoroughly surveyed and new plants and animals are still being discovered. For these reasons, the Kentucky Natural Heritage Program cannot provide a definitive statement on the presence, absence, or condition of biological elements in any part of Kentucky. Heritage reports summarize the existing information known to the Kentucky Natural Heritage Program at the time of the request regarding the biological elements or locations in question. They should never be regarded as final statements on the elements or areas being considered, nor should they be substituted for on-site

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Project ID: 23-0165  
December 29, 2022  
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surveys required for environmental assessments. We would greatly appreciate receiving any pertinent information obtained as a result of on-site surveys.

If you have any questions, or if I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Alexis R Schoenlaub  
Geoprocessing Specialist

## Standard Occurrence Report KNP monitored species within 1 Miles of Project Area

EO ID	Scientific Name	Common Name	G3Rank	S3Rank	SPROT	USES	AT-risk	Y	LastObs Date	Precision	EO Rank	Lat / Lon	Directions	Habitat
22288	<i>Myotis lucifugus</i>	Little Brown Bat	G3G4	S2	T	At-risk	Y		2006-07-30	S	F?	37.5533 / -83.3919	Open Mine Portal south of North Fork of Kentucky River and KY 15	In winter, Northern Long-eared bats use caves, mine portals, abandoned tunnels, protected sites along cliffines and similar situations that afford protection from cold. They are easily overlooked as they often wedge themselves back into cracks in the wal
22287	<i>Myotis septentrionalis</i>	Northern Long-Eared Bat	G2G3	S1	E	LT	Y		2006-08-01	S	F?			
22126	<i>Neotoma magister</i>	Allegheny Woodrat	G3G4	S3S4	N		Y		1982-04-17	M	H	37.5407 / -83.3902	Cave along Little Amos Creek, W of Frenchburg, from 460 go W 0.95 Mi, turn right (N) on paved road, follow (N,W,S) for 4.15 Mi then go left (E) on an unpaved road to house (037A) (Bestsource); ; Hall Sink Cave, ~0.45 Mi from mouth of Hall Sink Branch, and	Caves, cliffines, abandoned mine portals, abandoned buildings.
22200	<i>Neotoma magister</i>	Allegheny Woodrat	G3G4	S3S4	N		Y		1988-12-01	S	H	37.5518 / -83.3819	Big Amos Creek, small cave on E bank, CA 0.25 MI S of sinks in the headwaters and 0.7 MI W of JCT USFS Roads 367 and 189. DBNF COMP 2002 (039A) (Bestsource).	Caves, cliffines, abandoned mine portals, abandoned buildings.
22312	<i>Neotoma magister</i>	Allegheny Woodrat	G3G4	S3S4	N		Y		1988-07-29	S	H	37.5509 / -83.3911	West finger of Mack Hollow, ~0.1 MI E of USFS 2020 and 0.3 MI S of JCT USFS 367 and 2020. DBNF COMP 2002 (041A) (Bestsource).	Caves, cliffines, abandoned mine portals, abandoned buildings.
6033	<i>Nycticeius humeralis</i>	Evening Bat	G5	S4	N				1930-pre	C	U	37.5217 / -83.3243	Breathitt Co.	The evening bat is a colonial species that roosts in trees and houses. It apparently migrates southward in winter.
22286	<i>Perimyotis subflavus</i>	Tricolored Bat	G3G4	S2	T	At-risk	Y		2006-08-01	S	F?	37.5533 / -83.3919	Open Mine Portal south of North Fork of Kentucky River and KY 15	

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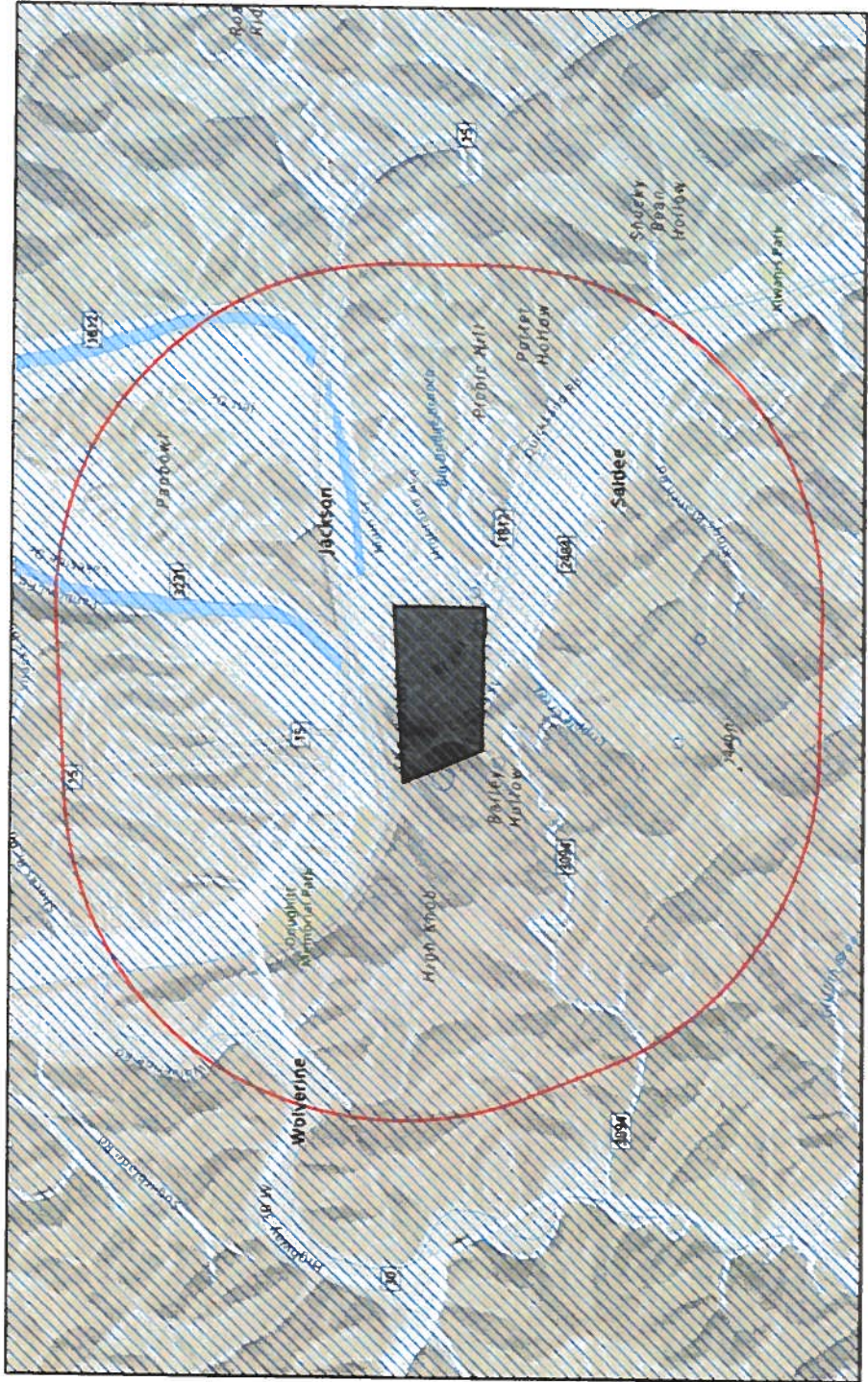


Bat Habitats within 1 Miles of Project Area




Habitat	Species	USFWS
SUMMER 1	<i>M. septentrionalis</i>	Contact USFWS at (502) 695-0468 or KentuckyES@fws.gov

THESE DATA ARE VALID ONLY ON THE DATE ON WHICH THE REPORT WAS GENERATED.  
THESE DATA MAY ONLY BE USED FOR THE PROJECT NAMED ABOVE.

# Jackson Federal Place Building Project



December 29, 2022

-  Element Occurrences
-  Buffered Project Boundary
-  Project Boundary

Sources: Esri, Airbus DS, USGS, NGA, NASA, CCAR, N. Robinson, NCEAS, NLS, OS, NIMA, Geodatasystemen, Rijkswaterstaat, GSA, Geoland, FEMA.

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# Kentucky River

AREA  
DEVELOPMENT  
DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

January 3, 2023

**CHAIRMAN**  
Fred Hall

**VICE-CHAIRMAN**  
Judge Executive  
Jeff Dobson

**SECRETARY**  
Craig Lindon

**TREASURER**  
Mayor  
Carol Joseph

**PARLIAMENTARIAN**  
Judge Executive  
Jeff Noble

**BOARD OF DIRECTORS**

**County Judge Executives**

Jeff Noble - Breathitt County  
Jeff Dobson - Knott County  
Steve Mays- Lee County  
William R. Lewis - Leslie County  
Terry Adams - Letcher County  
Zeke Little, Jr. - Owsley County  
Scott Alexander - Perry County  
Raymond Banks - Wolfe County

**Mayors**

Laura Thomas - Jackson  
Trish Hall - Hindman  
Scott Cornett - Pippa Passes  
Scott Jackson - Beattyville  
Carol Joseph - Hyden  
Billy Burke - Fleming-Neon  
Tiffany Craft - Whitesburg  
Todd DePriest - Jenkins  
Nelson Bobrowski - Booneville  
Ernest Back - Vicco  
Donald "Happy" Mobelini - Hazard  
Robbie Turner- Buckhorn  
Kathi May - Campton

**Citizen Members**

Susan Harley  
Gary Campbell  
Ray D. Moore  
Larry Parke  
Larry Perkins  
Harold Waitley  
David Lyons  
Jessica Butler  
Hiram Cornett  
Eugenia Stewart Napier  
Fred Hall  
Bennie McCall  
Bobby Mayes  
Derrick Bowling  
Lonnie Brewer  
Gregory Whitson  
Meriwether Wash-Hall  
Pam Pilgrim  
Craig Lindon

**Executive Director**  
Michelle Allen

E-Mail  
FAX NUMBER 606-436-3154  
TDD NUMBER 1-800-247-2510  
(Hearing Impaired)

Louanna Aldridge  
Office of the Commissioner  
300 Sower Blvd., 2<sup>nd</sup> floor  
Frankfort, KY 40601

**RE: City of Jackson – Jackson Federal Place Building Project**

Dear Louanna:

The Kentucky River Area Development District has been asked to undertake a NEPA environmental review of the above referenced project to determine the impact of the proposed activities. Please provide comments from the following Divisions under the Kentucky Department for Environmental Protection jurisdiction:

- Division of Air Quality
- Division of Waste Management
- Division of Water
- Division of Water, Floodplain Management

Due to the scope of the project there will be no ground disturbance with this project. There will be no tree or vegetation removal, and no stream crossings. No impacts are anticipated to prime farmland. I would appreciate your office reviewing this project in relation to its potential impact(s) on any environmental areas within your jurisdiction. I have enclosed a project location map and project description for your reference.

Your comments may address beneficial or adverse impacts or, both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: [lisa@kradd.org](mailto:lisa@kradd.org).

Thank you, for your time and assistance.

Sincerely,

Lisa Napier  
Infrastructure Coordinator

## Project Description

This project involves the restoration of the elevator and two units that were lost in the summer 2022 Flood in Jackson, Breathitt County. The second activity would be the re-fit-up of the two units that were lost in the flood. This area also includes the small community room and building restroom and some other smaller spaces.



# Jackson Federal Place Building Project Location Map




Site Location  
Lat: 37°33'12.74"N  
Lon: -83°23'11.22"W



NOTE: Map is to scale 1"=24,000' or 1=24,000.

## Legend

 Site Location

**Exhibit 10**  
**Site Contamination Data**



## Criteria Pollutant Nonattainment Summary Report

Data is current as of January 31, 2023

The NO<sub>2</sub> nonattainment area became a maintenance area on September 22, 1998. The 8-hour Ozone (1997) standard was revoked on April 6, 2015 and the 1-hour Ozone (1979) standard was revoked on June 15, 2005. All Carbon Monoxide areas were redesignated to maintenance areas as of September 27, 2010.

Mouse over the underlined number of counties to see the area name; click to see the associated counties. | View Report Footnotes  
Download National Dataset: dbf | xls | Data dictionary (PDF)

State(s)	General Area Name	8-Hour Ozone (2015)			8-Hour Ozone (2008)			PM-2.5 (2012)			PM-2.5 (2006)			PM-2.5 (1997)			PM-10 (198)		
		2010 Pop.	No. Ctys	Cat./Class	2010 Pop.	No. Ctys	Cat./Class	2010 Pop.	No. Ctys	Cat./Class	2010 Pop.	No. Ctys	Cat./Class	2010 Pop.	No. Ctys	Cat./Class	2010 Pop.	No. Ctys	Cat./Class
AK	Fairbanks											87	1	Ser					
AZ	Douglas/Paul Spur (Cochise County)																17	1	M
AZ	Hayden/Miami																11	2	M
AZ	Nogales																15	2	M
AZ	Phoenix-Mesa	3,945	3	Mod	3,850	2	Mod										3,853	2	S
AZ	Rillito (Pima County)																1	1	M
AZ	West Pinal											52	1	Mod			283	1	S
AZ	Yuma	87	1	Mar													101	1	M
CA	Amador and Calaveras Cos (Central Mountain Cos)	46	1	Mar															
CA	Chico	38	1	Mar	46	1	Mar												
CA	Imperial County	220	1	Mar	220	1	Mar												
CA	Los Angeles-South Coast Air Basin	175	1	Mar	175	1	Mod	154	1	Mod	154	1	Mod						
CA	Mariposa and Tuolumne Cos (Southern Mountain Cos)	15,703	4	Ext	15,719	4	Ext	15,716	4	Ser	15,716	4	Ser	15,716	4	Mod			
		1	1	Ser	1	1	Sev5												
		1	2	Mod	3	2	Mod												
CA	Mono County	55	1	Mar															
CA	Nevada County (Western Part)	18	1	Mod	18	1	Mod												
CA	Owens Valley																		
CA	Plumas County							6	1	Ser									
CA	Sacramento Metro	2,240	6	Ser	2,241	6	Sev5				2,206	5	Mod						
CA	San Diego	3,077	1	Sev5	3,095	1	Sev5												
CA	San Francisco-Bay Area	6,969	9	Mar	6,973	9	Mar				6,971	9	Mod						
CA	San Joaquin Valley	95	1	Ser	95	1	Sev5												
CA	San Luis Obispo	3,842	8	Ext	3,842	8	Ext	3,842	8	Ser	3,842	8	Ser	3,842	8	Ser	126	1	S
CA	Searles Valley	1	1	Mar	2	1	Mar												
CA	Southeast Desert Modified AQMA																		
		425	1	Sev5	426	1	Sev5												
		867	2	Sev5	868	2	Sev5												
CA	Tuscan Buttes	0	1	Mar	0	1	Mar												
CA	Ventura County	821	1	Ser	823	1	Ser												
CA	Yuba City	0	1	Mar															

		8-Hour Ozone (2015)			8-Hour Ozone (2008)			PM-2.5 (2012)	PM-2.5 (2006)	PM-2.5 (1997)	PM-10 (198)
CO	Denver-Boulder-Greeley-Ft. Collins-Loveland	3,331	9	Mod	3,330	9	Sev5				
CT	Greater Connecticut	1,629	5	Mod	1,629	5	Ser				
DC-MD-VA	Washington	5,136	15	Mod							
GA	Atlanta	3,669	7	Mar							
GU	Piti-Cabras										
GU	Tanguisson Power Plant										
IA	Muscatine County										
ID	Pocatello										1 2 M
IL-IN-WI	Chicago-Joliet-Napier	9,075	11	Mod							
IN	Fort Wayne-Huntington-Auburn										
KS	Salina										
KY	Henderson-Webster Counties										
KY-IN	Louisville	1,061	<sup>5</sup> [Split]	Mod							
LA	Evangeline Parish										
LA	New Orleans										
MA-NH	Boston-Worcester-Manchester						17 1 Mar				
MD	Baltimore	2,663	6	Mod	2,663	6	Mod				
MI	Allegan County	47	1	Mod							
MI	Benton Harbor	157	1	Mod							
MI	Detroit-Ann Arbor	4,705	7	Mar							
MI	Muskegon	147	1	Mod							
MN	Minneapolis-St. Paul										
MO	Iron, Dent, and Reynolds Counties										
MO	New Madrid County										
MO-IL	St. Louis	2,488	8	Mod							
MT	Billings/Laurel										
MT	Lame Deer										1 1 M
MT	Libby								9 1 Mod		
MT	Polson (Lake County)										4 1 M
MT	Ronan (Lake County)										3 1 M
NV	Las Vegas	1,892	1	Mod							
NY	Jamestown				135	1	Mar				
NY	St. Lawrence County										
NY-NJ-CT	New York-N. New Jersey-Long Island	20,217	24	Mod	20,217	24	Sev5				1,586 1 M
OH	Cleveland-Akron-Elyria	2,780	7	Mod							
OH-KY-IN	Cincinnati-Middletown-Wilmington	1,929	<sup>7</sup> [Split]	Mod							
OR	Klamath Falls							47 1 Mod			
PA	Clearfield and Indiana Counties										
PA	Lancaster				519	1	Mar				
PA	Pittsburgh-New Castle				2,356	7	Mar	1,223 1 Mod	21 1 Mod	21 1 Mod	
PA	Reading										
PA	Warren County				411	1	Mar				
PA-NJ	Allentown-Bethlehem-Easton				712	3	Mar				



		8-Hour Ozone (2015)			8-Hour Ozone (2008)			PM-2.5 (2012)	PM-2.5 (2006)	PM-2.5 (1997)	PM-10 (198)
PA-NJ-DE-MD	Philadelphia-Wilmington-Atlantic City				197	1	Mar				
		7,437	16	Mod	7,437	16	Mar				
PR	Arecibo										
PR	Guayama-Salinas										
PR	San Juan										
TN	Johnson City-Kingsport-Bristol										
TX	Dallas-Fort Worth	6,202	9	Mod	6,280	10	Sev5				
TX	Fairfield										
TX	Houston-Sugar Land-Baytown	5,773	6	Mod	5,892	8	Sev5				
TX	Howard County										
TX	Hutchinson County										
TX	Mount Pleasant										
TX	Navarro County										
TX	San Antonio	1,715	1	Mod							
TX	Tatum										
TX-NM	El Paso-Las Cruces										3 1 M
		813	2	Mar							649 1 M
UT	Provo	516	1	Mar				518	1	Ser	
UT	Salt Lake City	1,616	4	Mod				1,665	5	Ser	
UT	Tooele County										
UT	Uinta Basin	47	2	Mar							
VA	Giles County										
WA	Whatcom County										
WI	Milwaukee-Racine	1,648	5	Mod							
WI	Sheboygan	68	1	Mod							
WV-OH	Parkersburg-Marietta										
WY	Upper Green River Basin				11	3	Mar				

The area population is displayed in 1000's. 'Cat.' is Category.

**Area Name:**

The "State(s) Area Name" column contains a common or general name for the nonattainment areas on the row, but may not reflect the exact name of any area on the row. This column cannot be exact since the nonattainment area for one pollutant may not contain the same counties, cities, or states as the nonattainment area for another pollutant on the same row. To see the area name or click on them to see the associated counties. The abbreviations listed in the "State(s)" column reflect all states identified in row. However, some states on a row may be nonattainment for some pollutants and not for others in the general area.

**Split Area:**

'Split' in the No. Ctys column indicates that the multi-state area has states that have been redesignated but the area does not become a maintenance area until all states in the area are redesignated. The whole area population is displayed in this report. Clicking on a "Split" No. Ctys will display information for the state(s) that have not been redesignated.

Discover.  
Connect.  
Ask.

Follow.

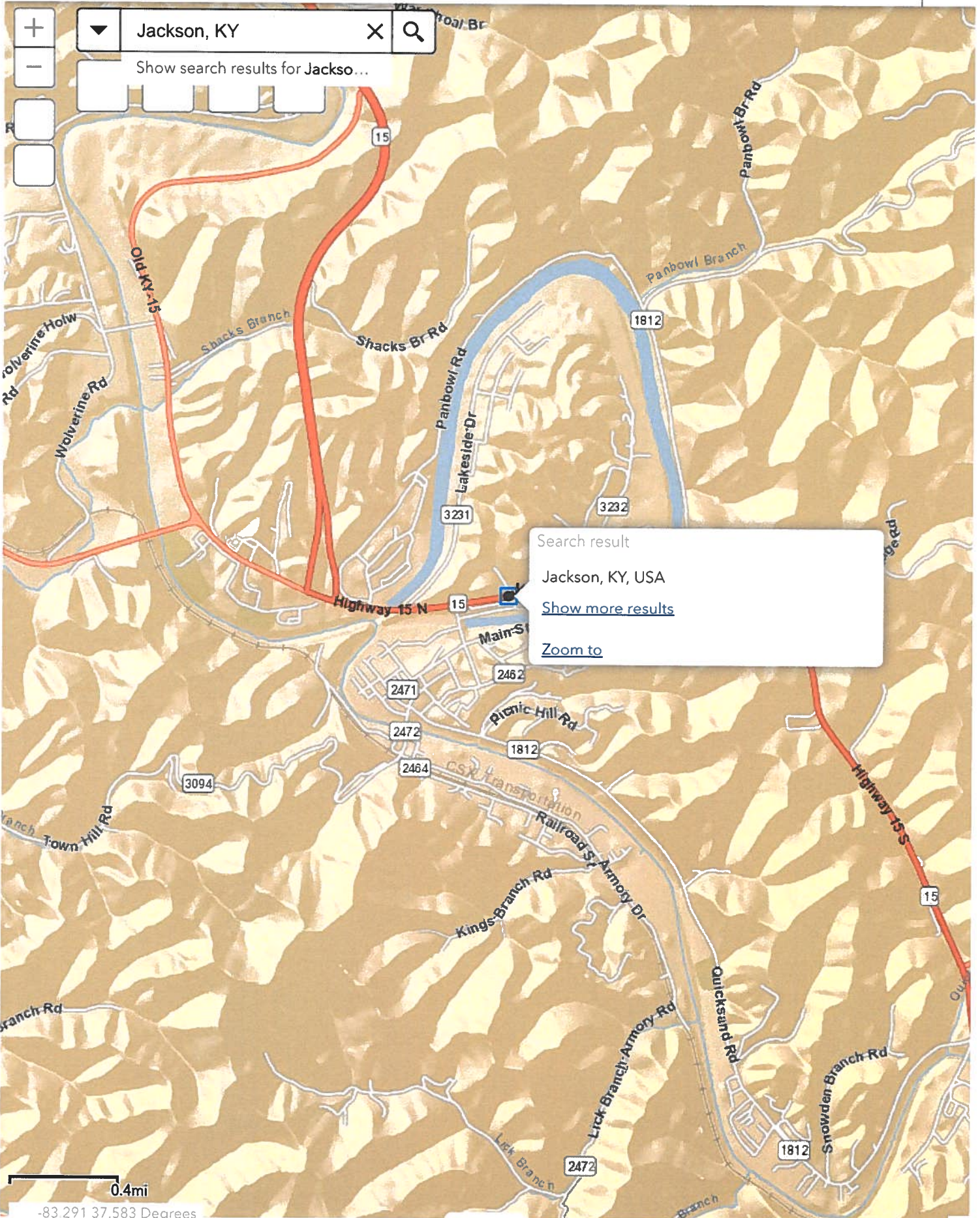
2023-01-31

**Exhibit 11**

**Sole Source Aquifer Data**



# Sole Source Aquifers



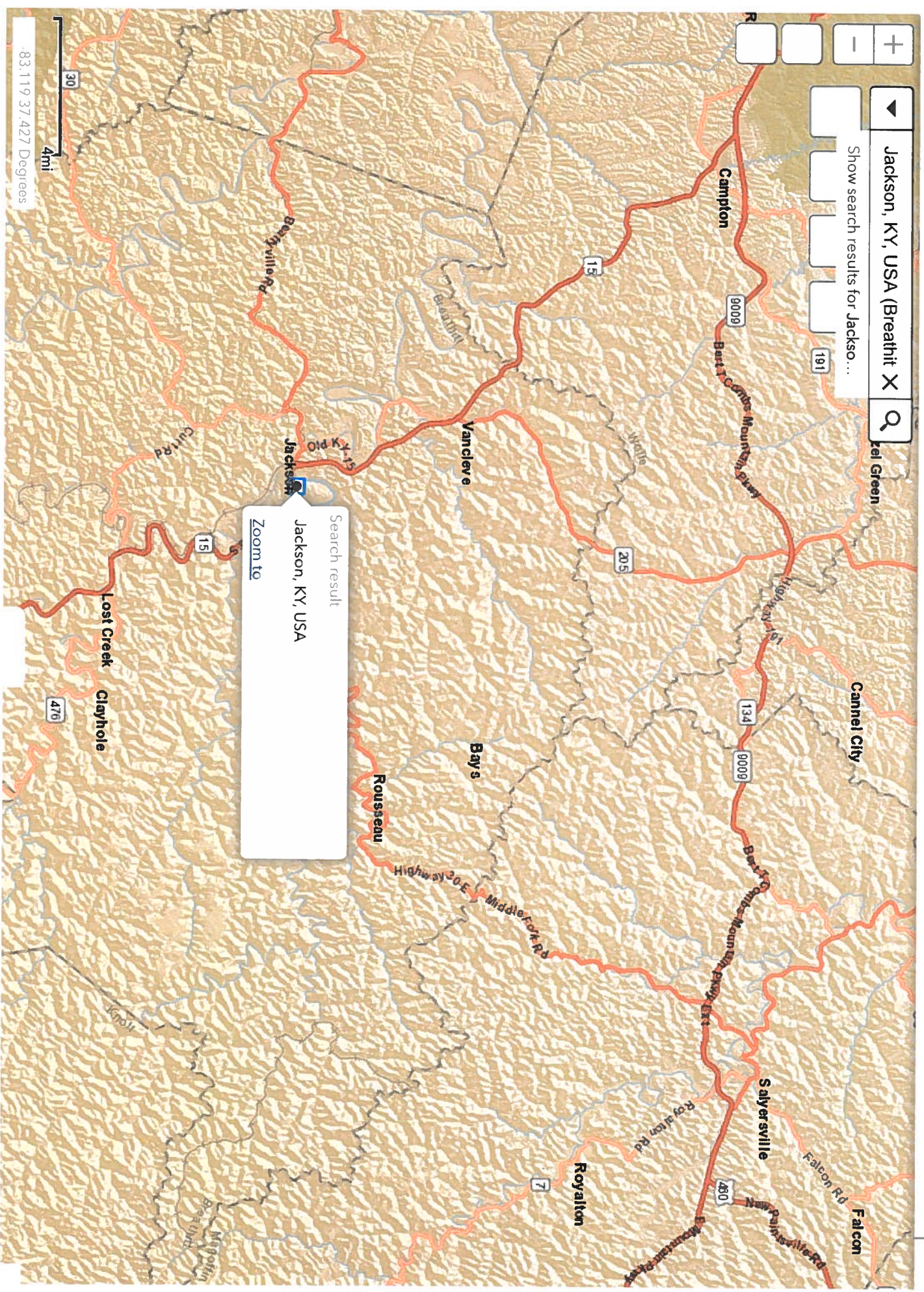


# Sole Source Aquifers

Jackson, KY, USA (Breathit X

Show search results for Jackso...

191



121

Exhibit 12

Division of Waste Management Correspondence



**Andy Beshear**  
Governor

**OFFICE OF THE GOVERNOR**  
**DEPARTMENT FOR LOCAL GOVERNMENT**  
100 AIRPORT ROAD, THIRD FLOOR  
FRANKFORT, KENTUCKY 40601  
PHONE (502) 573-2382  
FAX (502) 227-8691  
[www.kydlgweb.ky.gov](http://www.kydlgweb.ky.gov)

**Dennis Keene**  
Commissioner

January 4, 2023

Mrs. Laura Thomas  
City of Jackson  
333 Broadway  
Jackson, KY 41339

RE: Jackson Federal Place Building  
SAI# KY202212291575  
CFDA# 14.228

Dear Mrs. Thomas:

The Kentucky State e-Clearinghouse is the official designated Single Point of Contact (SPOC) for the Commonwealth pursuant to Presidential Executive Order 12372, and supported by Kentucky Statutes KRS 45.031. The primary function of the SPOC is to streamline the review aforementioned process for the applicant and the funding agency. This process helps in vocalizing the statutory and regulatory requirements. Information in the form of comments, if any, will be attached to this correspondence.

This proposal has been reviewed by the appropriate state agencies in the e-Clearinghouse for conflicts with state or local plans, goals and objectives. After receiving this letter, you should make it available to the funding agency and continue with the funding agencies application process. This e-Clearinghouse SPOC letter signifies only that the project has followed the state reviewing requirements, and is neither a commitment of funds from this agency or any other state or federal agency. Please remember if any federal reviews are required the applicant must follow through with those federal agencies.

The results of this review are valid for one year from the date of this letter. If the project is not submitted to the funding agency or not approved within one year after the completion of this review, the applicant can request an extension by email to [Lee.Nalley@ky.gov](mailto:Lee.Nalley@ky.gov). If the project changes in any way after the review, the applicant must reapply through the e-Clearinghouse for a new review. There are no exceptions.

If you have any questions regarding this letter or the review process please contact the e-Clearinghouse office at 502-892-3462.

Sincerely,

Lee Nalley, SPOC  
Kentucky State Clearinghouse

Attachment

**TEAM**  
**KENTUCKY™**

## Department for Environmental Protection

Louanna Aldridge

This review was based upon the information that was provided by the applicant through the Clearinghouse for this project. An endorsement of this project does not satisfy, or imply, the acceptance or issuance of any permits, certifications or approvals that may be required from this agency under Kentucky Revised Statutes or Kentucky Administrative Regulations. Such endorsement means this agency has found no major concerns from the review of the proposed project as presented other than those stated as conditions or comments.

### Division for Air Quality

Kentucky Division for Air Quality Regulation 401 KAR 63:010 Fugitive Emissions states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth moving equipment to be deposited onto a paved street or roadway. Please visit the division's fugitive emissions web site for more information <http://air.ky.gov/SiteCollectionDocuments/Fugitive%20Dust%20Fact%20Sheet.pdf>

Regulation 401 KAR 63:005 states that open burning is prohibited. Open Burning is defined as the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the <http://air.ky.gov/Pages/OpenBurning.aspx>.

Kentucky Division for Air Quality Regulation 401 KAR 58:025, Asbestos Standards, apply to this project if any renovation or demolition occurs. If so, a Kentucky Accredited Asbestos Inspector must inspect the project. Asbestos that will be affected by this activity must be removed by a Kentucky accredited contractor before renovation or demolition begins. Written notification must be given on form DEP 7036 to the Division for Air Quality Regional Office at least 10 weekdays prior the start of demolition or renovation, whether or not asbestos has been identified to be present. Please note form: <http://air.ky.gov/Pages/AsbestosInformation.aspx>

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

If the proposed project site is in a designated flood hazard area, application must be made to the Division of Water for a floodplain construction permit. Permission, or exemption, depends upon design and the exact site.

If the construction area disturbed is equal to or greater than 1 acre, the applicant will need to apply for a Kentucky Pollutant Discharge Elimination System (KPDES) stormwater discharge permit from Division of Water.

Best Management Practices (BMPs) should be utilized to control storm water runoff and sediment damage to water quality and aquatic habitat. For technical assistance on the kinds of BMPs most appropriate for projects of this type and related construction, please contact the local Soil and Water Conservation District or the Division of Conservation.

Utility line projects that cross a stream will require a Section 404 permit from the US Army Corps of Engineers and a 401 Water Quality Certification from DOW.

WATER SUPPLY - If an existing water server is to be utilized for new water tap-ons (rehabilitations, new constructions), ascertain the capacity and operating condition of the originating water treatment plant and of the server (if different) in comparison to the water needs of the proposed housing. DOW cannot permit connections to water servers Agreed Orders, or Court Orders. DOW may not give approval to connections to water systems operating near, at, or over capacity. If a new water source is to be utilized, ascertain the source's (stream's or well's) low flow ability to serve the proposed housing. Prior approval from DOW is required for water withdrawals of

over 10,000 gallons per day and for all public drinking water. Final plans and specifications are subject to review by DOW.

**WASTEWATER TREATMENT** - If an existing wastewater server is to be utilized for new wastewater tap-ons (rehabilitations, new construction), ascertain the capacity and operating conditions of the receiving wastewater treatment facility (wastewater treatment plant or package sewage treatment plant) and of the server (if different) in comparison to the wastewater needs of the proposed housing. DOW cannot permit connections to wastewater servers under tap-on bans, Agreed Orders, or Court Orders. DOW may not give approval to connections to wastewater systems at or over hydraulic capacity. If a new wastewater treatment, facility is to be utilized, ascertain the discharge stream's ability to absorb the proposed projects treated wastewater.

Prior approval from DOW is required for all discharges into streams and for all wastewater treatment facilities.

DOW notes the requirements of onsite sewage disposal statutes, KRS 211.350 to 211.380, and administrative regulations, 902 KAR 10:060 to 10:110, must be met. DOW requests provisions be made for future connections to a wastewater treatment system. A Groundwater Protection Plan, as required by 401 KAR 5:037, needs to be prepared by all onsite wastewater system owners. Contact the DOW regarding requirements.

Your project might have the potential of impacting federally or state listed species and natural communities. Go to the Kentucky Biological Assessment Tool ([kynaturepreserves.org](http://kynaturepreserves.org)) to obtain a Standard Occurrence Report for information regarding listed species known within your project area. The report will also provide information on public and private conservation lands, areas of biodiversity significance, and other natural resources in your project area for which the Office of Kentucky Nature Preserves maintains data.

**Department of Housing Buildings and Construction**

Don Newberry

The Department of Housing Buildings and Construction, Division of Building Code Enforcement, has no comments concerning this proposed project.

**Kentucky Department of Fish & Wildlife Resources**

Doug Dawson

Based on the information provided, the Kentucky Department of Fish & Wildlife Resources has no comments concerning the proposed project. Please contact Doug Dawson at 502-892-4472 or [doug.dawson@ky.gov](mailto:doug.dawson@ky.gov) if you have further questions or require additional information.

**Kentucky River ADD**

Jennifer McIntosh

This project is consistent with the KRADD Comprehensive Economic Development Strategy.

**Kentucky Transportation Cabinet**

Darren Back

Based on the information provided, the Kentucky Transportation Cabinet District 10 has no comments concerning the proposed project. If any proposed work items will occur on Commonwealth of Kentucky Right of Way, please submit a permit application to the KYTC District 10 Permits Section and obtain approval prior to beginning work. Please contact Darren Back at 606-666-8841 or [darren.back@ky.gov](mailto:darren.back@ky.gov) if you have further questions or require additional information.



**KY Heritage Council**

Yvonne Sherrick

To receive a review from the KY Heritage Council/State Historical Preservation Office (SHPO) you must follow the instructions located on their website at <https://heritage.ky.gov/compliance/Pages/overview.aspx>. There you will find the required documents for the Section 106 Review and Compliance for 36 CFR Part 800. This Section 106 submission process to SHPO will assist applicants and agencies in providing the appropriate level of information to receive comments from SHPO. If you have any questions please contact Yvonne Sherrick, via email at [yvonne.sherrick@ky.gov](mailto:yvonne.sherrick@ky.gov).

Please note: If your project is funded through Transportation Alternative (TAP), Transportation Enhancements (TE), Congestion, Mitigation, Air Quality (CMAQ), or Safe Routes to School (SRTS) you will need to send this information to Michael Jones, Historic Preservation Program Administrator with the Kentucky Transportation Cabinet via email to [MichaelR.Jones2@ky.gov](mailto:MichaelR.Jones2@ky.gov) or hard copy to Michael Jones, Office of Local Programs, KY Transportation Cabinet, 200 Mero Street Frankfort, KY 40622. Do not send materials directly to SHPO if your project involves funding from these four sources as it will cause delays in the review process. Michael Jones will consult directly with the SHPO on projects with these funding sources to complete the Section 106 review.



**Andy Beshear**  
GOVERNOR

## ENERGY AND ENVIRONMENT CABINET

Office of Kentucky Nature Preserves  
300 Sower Boulevard  
Frankfort, Kentucky 40601  
Phone: (502) 564-3350

**Rebecca Goodman**  
SECRETARY

**Sunni Carr**  
Executive Director

December 29, 2022

Lisa Napier  
Kentucky River Area Development District  
941 N. Main Street  
Hazard, KY 41701

Project: Jackson Federal Place Building Project  
Project ID: 23-0165  
Project Type: Standard (\*customers will be invoiced), 1 mile buffer  
(\$120 fee)  
Site Acreage: 76.42  
Site Lat/Lon: 37.553343 / -83.386870  
County: Breathitt  
USGS Quad: JACKSON  
Watershed HUC12: Cane Creek-North Fork Kentucky River

Dear Lisa Napier,

This letter is in response to your data request for the project referenced above. We have reviewed our Natural Heritage Program Database to determine if any of the endangered, threatened, or special concern plants and animals or exemplary natural communities monitored by the Office of Kentucky Nature Preserves occur within your general project area. Your project does pose a concern at this time, therefore please see the attached reports and [report key](#) for more detailed information.

I would like to take this opportunity to remind you of the terms of the data request license, which you agreed upon in order to submit your request. The license agreement states "Data and data products received from the Office of Kentucky Nature Preserves, including any portion thereof, may not be reproduced in any form or by any means without the express written authorization of the Office of Kentucky Nature Preserves." The exact location of plants, animals, and natural communities, if released by the Office of Kentucky Nature Preserves, may not be released in any document or correspondence. These products are provided on a temporary basis for the express project (described above) of the requester, and may not be redistributed, resold or copied without the written permission of the Biological Assessment Branch (300 Sower Blvd - 4th Floor, Frankfort, KY, 40601. Phone: 502-782-7828).

Please note that the quantity and quality of data collected by the Kentucky Natural Heritage Program are dependent on the research and observations of many individuals and organizations. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Kentucky have never been thoroughly surveyed and new plants and animals are still being discovered. For these reasons, the Kentucky Natural Heritage Program cannot provide a definitive statement on the presence, absence, or condition of biological elements in any part of Kentucky. Heritage reports summarize the existing information known to the Kentucky Natural Heritage Program at the time of the request regarding the biological elements or locations in question. They should never be regarded as final statements on the elements or areas being considered, nor should they be substituted for on-site

Project ID: 23-0165  
December 29, 2022  
Page 2

surveys required for environmental assessments. We would greatly appreciate receiving any pertinent information obtained as a result of on-site surveys.

If you have any questions, or if I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Alexis R Schoenlaub  
Geoprocessing Specialist

**Standard Occurrence Report  
KNP monitored species within 1 Miles of Project Area**

EO ID	Scientific Name	Common Name	GRank	SRank	SPROT	USES	STWG	Last Obs Date	Precision	EO Rank	Lat / Lon	Directions	Habitat
22288	<i>Myotis lucifugus</i>	Little Brown Bat	G3G4	S2	T	At-risk	Y	2006-07-30	S	F?	37.5533 / -83.3919	Open Mine Portal south of North Fork of Kentucky River and KY 15	In winter, Northern Long-eared bats use caves, mine portals, abandoned tunnels, protected sites along cliffines and similar situations that afford protection from cold. They are easily overlooked as they often wedge themselves back into cracks in the wal
22287	<i>Myotis septentrionalis</i>	Northern Long-Eared Bat	G2G3	S1	E	LT	Y	2006-08-01	S	F?		Sensitive Element - Contact OKNP at eec.kybat@ky.gov	
22128	<i>Neotoma magister</i>	Allegheny Woodrat	G3G4	S3S4	N		Y	1982-04-17	M	H	37.5407 / -83.3902	Cave along Little Amos Creek, W of Frenchburg, from 460 go W 0.95 MI, turn right (N) on paved road, follow (N,W,S) for 4.15 MI then go left (E) on an unpaved road to house (037A) (Bestsource).; Hall Sink Cave, ~0.45 MI from mouth of Hall Sink Branch, and	Caves, cliffines, abandoned mine portals, abandoned buildings.
22200	<i>Neotoma magister</i>	Allegheny Woodrat	G3G4	S3S4	N		Y	1988-12-01	S	H	37.5518 / -83.3819	Big Amos Creek, small cave on E bank, CA 0.25 MI S of sinks in the headwaters and 0.7 MI W of JCT USFS Roads 367 and 189. DBNF COMP 2002 (039A) (Bestsource).	Caves, cliffines, abandoned mine portals, abandoned buildings.
22312	<i>Neotoma magister</i>	Allegheny Woodrat	G3G4	S3S4	N		Y	1988-07-29	S	H	37.5509 / -83.3911	West finger of Mack Hollow, ~0.1 MI E of USFS 2020 and 0.3 MI S of JCT USFS 367 and 2020. DBNF COMP 2002 (041A) (Bestsource).	Caves, cliffines, abandoned mine portals, abandoned buildings.
6033	<i>Nycticeius humeralis</i>	Evening Bat	G5	S4	N			1930-pre	C	U	37.5217 / -83.3243	Breathitt Co.	The evening bat is a colonial species that roosts in trees and houses. It apparently migrates southward in winter.
22286	<i>Perimyotis subflavus</i>	Tricolored Bat	G3G4	S2	T	At-risk	Y	2006-08-01	S	F?	37.5533 / -83.3919	Open Mine Portal south of North Fork of Kentucky River and KY 15	

139

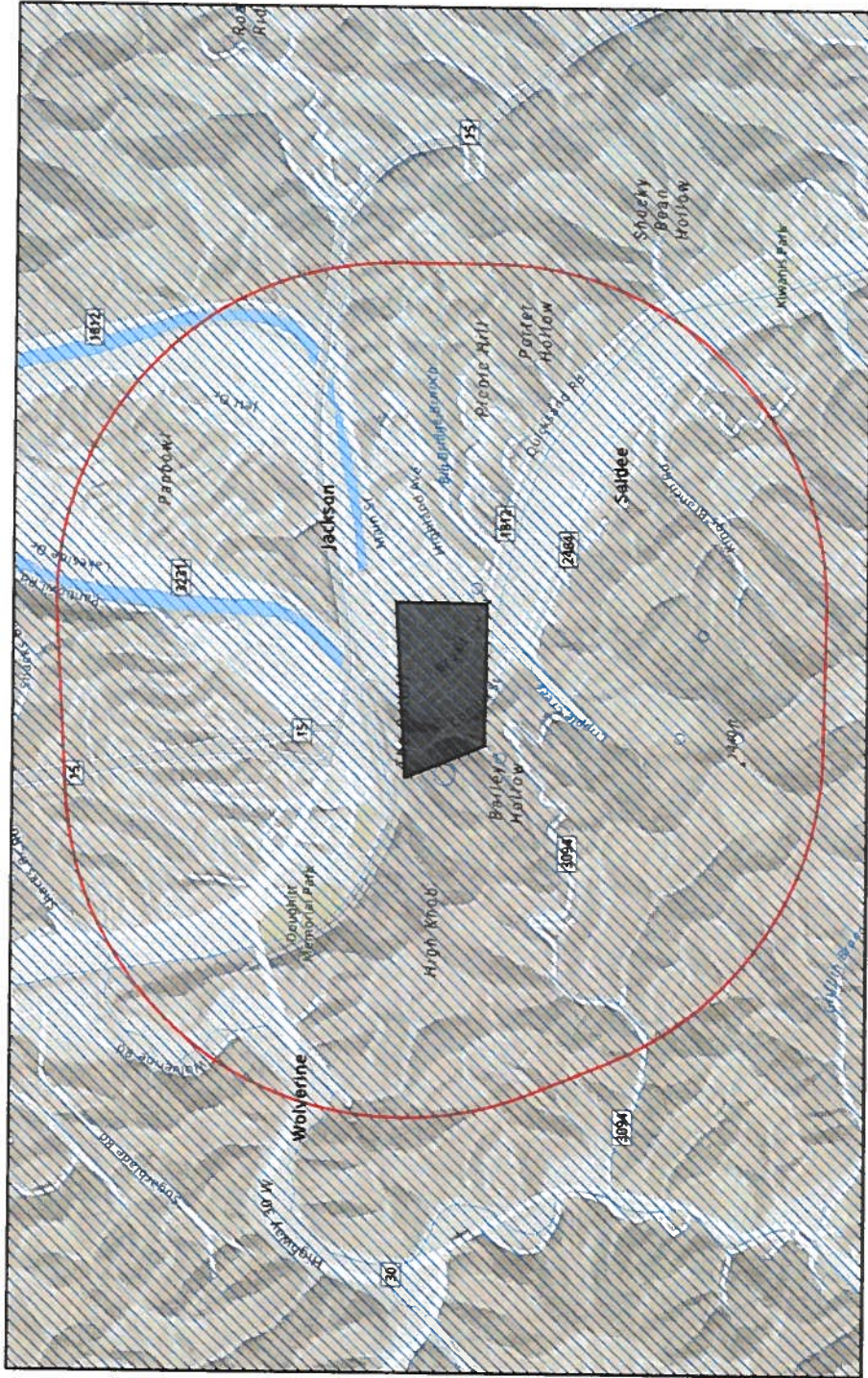
Bat Habitats within 1 Miles of Project Area

Habitat	Species	USFWS
SUMMER 1	<i>M. septentrionalis</i>	Contact USFWS at (502) 695-0468 or KentuckyES@fws.gov

THESE DATA ARE VALID ONLY ON THE DATE ON WHICH THE REPORT WAS GENERATED.  
THESE DATA MAY ONLY BE USED FOR THE PROJECT NAMED ABOVE.

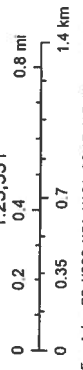
140




# Jackson Federal Place Building Project



December 29, 2022

1:25,531



-  Element Occurrences
-  Buffered Project Boundary
-  Project Boundary

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N. Robinson, NCEAS, NLS, OS, NIMA, Geodatasystemen, Rijkswaterstaat, GSA, Gedind, FEWA.



# Kentucky River AREA DEVELOPMENT DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

January 3, 2023

**CHAIRMAN**  
Fred Hall

**VICE-CHAIRMAN**  
Judge Executive  
Jeff Dobson

**SECRETARY**  
Craig Lindon

**TREASURER**  
Mayor  
Carol Joseph

**PARLIAMENTARIAN**  
Judge Executive  
Jeff Noble

**BOARD OF DIRECTORS**

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Terry Adams - Letcher County  
Zeke Little, Jr. - Owsley County  
Scott Alexander - Perry County  
Raymond Banks - Wolfe County

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Scott Cornett - Pippa Passes  
Scott Jackson - Beattyville  
Carol Joseph - Hyden  
Billy Burke - Fleming-Neon  
Tiffany Craft - Whitesburg  
Todd DePriest - Jenkins  
Nelson Bobrowski - Booneville  
Ernest Back - Vicco  
Donald "Happy" Mobellini - Hazard  
Robbie Turner - Buckhorn  
Kathi May - Campton

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Gary Campbell  
Ray D. Moore  
Larry Parke  
Larry Perkins  
Harold Watley  
David Lyons  
Jessica Butler  
Hiram Cornett  
Eugenia Stewart Napier  
Fred Hall  
Bennie McCall  
Bobby Mayes  
Derrick Bowling  
Lonnie Brewer  
Gregory Whitson  
Meriwether Wash-Hall  
Pam Pilgrim  
Craig Lindon

**Executive Director**  
Michelle Allen

E-Mail  
FAX NUMBER 606-436-3154  
TDD NUMBER 1-800-247-2510  
(Hearing Impaired)

Louanna Aldridge  
Office of the Commissioner  
300 Sower Blvd., 2<sup>nd</sup> floor  
Frankfort, KY 40601

**RE: City of Jackson – Jackson Federal Place Building Project**

Dear Louanna:

The Kentucky River Area Development District has been asked to undertake a NEPA environmental review of the above referenced project to determine the impact of the proposed activities. Please provide comments from the following Divisions under the Kentucky Department for Environmental Protection jurisdiction:

- Division of Air Quality
- Division of Waste Management
- Division of Water
- Division of Water, Floodplain Management

Due to the scope of the project there will be no ground disturbance with this project. There will be no tree or vegetation removal, and no stream crossings. No impacts are anticipated to prime farmland. I would appreciate your office reviewing this project in relation to its potential impact(s) on any environmental areas within your jurisdiction. I have enclosed a project location map and project description for your reference.

Your comments may address beneficial or adverse impacts or, both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: [lisa@kradd.org](mailto:lisa@kradd.org).

Thank you, for your time and assistance.

Sincerely,

Lisa Napier  
Infrastructure Coordinator

### Project Description

This project involves the restoration of the elevator and two units that were lost in the summer 2022 Flood in Jackson, Breathitt County. The second activity would be the re-fit-up of the two units that were lost in the flood. This area also includes the small community room and building restroom and some other smaller spaces.





# Jackson Federal Place Building Project Location Map

Site Location  
Lat: 37°33'12.74"N  
Lon: -83°23'11.22"W



NOTE: Map is to scale 1"=24,000' or 1=24,000.

## Legend

 Site Location

Exhibit 13  
FEMA Correspondence



# Kentucky River

AREA  
DEVELOPMENT  
DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

January 3, 2023

Federal Emergency Management Agency  
Region IV  
3003 Chamblee Tucker Road  
Atlanta GA 30341

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**VICE-CHAIRMAN**  
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Todd DePriest - Jenkins  
Nelson Bobrowski - Booneville  
Ernest Back - Vicco  
Donald "Happy" Mobellini - Hazard  
Robbie Turner- Buckhorn  
Kathi May - Campton

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Ray D. Moore  
Larry Parke  
Larry Perkins  
Harold Watley  
David Lyons  
Jessica Butler  
Hiram Cornett  
Eugenia Stewart Napier  
Fred Hall  
Bennie McCall  
Bobby Mays  
Derrick Bowling  
Lonnie Brewer  
Gregory Whitson  
Meriwether Wash-Hall  
Pam Pilgrim  
Craig Lindon

**Executive Director**  
Michelle Allen

E-Mail  
FAX NUMBER 606-436-3154  
TDD NUMBER 1-800-247-2510  
(Hearing Impaired)

**RE: City of Jackson – Jackson Federal Place Building Project**

Dear Sir or Madam:

The City of Jackson is applying for funding for the above referenced project. The proposed project will involve the restoration of the elevator in the Federal Place Building and two units that were lost in the summer 2022 Flood. The second activity would be the re-fit-up of the two units that were lost in the flood. This area also includes the small community room and building restroom and some other smaller spaces.

Due to the scope of the project there will be no ground disturbance. There will be no tree or vegetation removal, and no stream crossings. The GPS coordinates for this project are 37°33'12.74" N, -83°23'11.22" W.

The Kentucky River Area Development District has been asked to undertake an environmental review of this project to ascertain the impact of the proposed activities. I would appreciate your office reviewing this project in relation to its potential impact(s) on any environmental areas within your jurisdiction. I have enclosed a project location map and a project description for your reference.

Your comments may address beneficial or adverse impacts or, both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: [lisa@kradd.org](mailto:lisa@kradd.org).

Thank you, for your time and assistance.

Sincerely,

Lisa Napier  
Infrastructure Coordinator

## Project Description

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# Jackson Federal Place Building Project Location Map

Site Location  
Lat: 37°33'12.74"N  
Lon: -83°23'11.22"W



NOTE: Map is to scale 1"=24,000' or 1=24,000.

## Legend

 Site Location

Exhibit 14

Tribal Historic Preservation Office

**Lisa**

---

**From:** Elizabeth Toombs <elizabeth-toombs@cherokee.org>  
**Sent:** Wednesday, February 1, 2023 10:31 AM  
**To:** Lisa  
**Subject:** RE: City of Jackson Federal Place Building Project

Thank you for the review request, Lisa. This Office has no concerns about this project because the description is limited to the building interior and does not involve ground disturbance. Please let me know if there are any questions or concerns.

Wado,

Elizabeth Toombs, Tribal Historic Preservation Officer  
Cherokee Nation  
Tribal Historic Preservation Office  
PO Box 948  
Tahlequah, OK 74465-0948  
918.453.5389

**From:** Lisa <lisa@kradd.org>  
**Sent:** Tuesday, January 3, 2023 9:47 AM  
**To:** Elizabeth Toombs <elizabeth-toombs@cherokee.org>  
**Subject:** <EXTERNAL> City of Jackson Federal Place Building Project  
**Importance:** High

\*\*\*\*\*  
NOTICE: THIS EMAIL CONTAINS AN ATTACHMENT SENT FROM AN EXTERNAL SENDER.  
IF YOU DO NOT KNOW THE SENDER OR WERE NOT EXPECTING THIS EMAIL,  
DO NOT OPEN ANY EMAIL ATTACHMENTS AND DELETE THIS MESSAGE.  
Thank you: The Cherokee Nation - Information Technology Department  
\*\*\*\*\*

Elizabeth,  
Please see attached, thank you.

*Lisa Napier*  
**Infrastructure Coordinator**  
Kentucky River Area Development District  
941 North Main Street  
Hazard, KY 41701  
Phone: 606-436-3158 ext. 236  
Fax: 606-436-2144  
[lisa@kradd.org](mailto:lisa@kradd.org)  
<https://www.facebook.com/KentuckyRiverADD/>



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# Kentucky River

AREA  
DEVELOPMENT  
DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

January 3, 2023

Elizabeth Toombs  
Cherokee Nation  
Tribal Historic Preservation Office  
PO Box 948  
Tahlequah, OK 74465

**RE: City of Jackson – Jackson Federal Place Building Project**

Dear Elizabeth:

The City of Jackson is applying for funding for the above referenced project. The proposed project will involve the restoration of the elevator in the Federal Place Building and two units that were lost in the summer 2022 Flood. The second activity would be the re-fit-up of the two units that were lost in the flood. This area also includes the small community room and building restroom and some other smaller spaces.

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Your comments may address beneficial or adverse impacts or, both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to:

[lisa@kradd.org](mailto:lisa@kradd.org)

Thank you, for your time and assistance.

Sincerely,

Lisa Napier  
Infrastructure Coordinator

**CHAIRMAN**  
Fred Hall

**VICE-CHAIRMAN**  
Judge Executive  
Jeff Dobson

**SECRETARY**  
Craig Lindon

**TREASURER**  
Mayor  
Carol Joseph

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Scott Cornett - Pippa Passes  
Scott Jackson - Beattyville  
Carol Joseph - Hyden  
Billy Burke - Fleming-Neon  
Tiffany Craft - Whitesburg  
Todd DePriest - Jenkins  
Nelson Bobrowski - Booneville  
Ernest Back - Vicco  
Donald "Happy" Mabelini - Hazard  
Robbie Turner - Buckhorn  
Kathi May - Campton

**Citizen Members**

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Gary Campbell  
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Larry Parke  
Larry Perkins  
Harold Watley  
David Lyons  
Jessica Butler  
Hiram Cornett  
Eugenia Stewart Napier  
Fred Hall  
Bennie McCall  
Bobby Mayes  
Derrick Bowling  
Lonnie Brewer  
Gregory Whitson  
Meriwether Wash-Hall  
Pam Pilgrim  
Craig Lindon

**Executive Director**  
Michelle Allen

E-Mail  
FAX NUMBER 606-436-3154  
TDD NUMBER 1-800-247-2510  
(Hearing Impaired)

### Project Description

This project involves the restoration of the elevator and two units that were lost in the summer 2022 Flood in Jackson, Breathitt County. The second activity would be the re-fit-up of the two units that were lost in the flood. This area also includes the small community room and building restroom and some other smaller spaces.



# Jackson Federal Place Building Project Location Map

Site Location  
Lat: 37°33'12.74"N  
Lon: -83°23'11.22"W

NOTE: Map is to scale 1"=24,000' or 1=24,000.



## Legend

 Site Location



# Kentucky River

AREA DEVELOPMENT DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

January 3, 2023

Russ Townsend  
Eastern Band of Cherokee Indians  
Tribal Historic Preservation Office  
PO Box 455  
Cherokee, NC 28719

**RE: City of Jackson – Jackson Federal Place Building Project**

Dear Richard:

The City of Jackson is applying for funding for the above referenced project. The proposed project will involve the restoration of the elevator in the Federal Place Building and two units that were lost in the summer 2022 Flood. The second activity would be the re-fit-up of the two units that were lost in the flood. This area also includes the small community room and building restroom and some other smaller spaces.

Due to the scope of the project there will be no ground disturbance. There will be no tree or vegetation removal, and no stream crossings. The GPS coordinates for this project are 37°33'12.74" N, -83°23'11.22" W.

The Kentucky River Area Development District has been asked to undertake an environmental review of this project to ascertain the impact of the proposed activities. I would appreciate your office reviewing this project in relation to its potential impact(s) on any environmental areas within your jurisdiction. I have enclosed a project location map and a project description for your reference.

Your comments may address beneficial or adverse impacts or, both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to: [lisa@kradd.org](mailto:lisa@kradd.org).

Thank you, for your time and assistance.

Sincerely,

Lisa Napier  
Infrastructure Coordinator

**CHAIRMAN**  
Fred Hall

**VICE-CHAIRMAN**  
Judge Executive  
Jeff Dobson

**SECRETARY**  
Craig Lindon

**TREASURER**  
Mayor  
Carol Joseph

**PARLIAMENTARIAN**  
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- William R. Lewis - Leslie County
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- Zeke Little, Jr. - Owsley County
- Scott Alexander - Perry County
- Raymond Banks - Wolfe County

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- Trish Hall- Hindman
- Scott Cornett - Pippa Passes
- Scott Jackson - Beattyville
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## Project Description

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## Legend

 Site Location

Exhibit 15

USACOE



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, LOUISVILLE DISTRICT  
600 DR. MARTIN LUTHER KING JR PL  
LOUISVILLE, KY 40202

January 11, 2023

Regulatory Division  
South Branch  
ID No. LRL-2023-00063

Lisa Napier- Ky River Area Dev District  
941 North Main Street  
Hazard, KY 41701

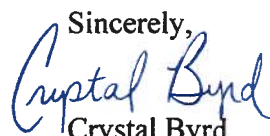
Dear Ms. Napier:

This is in response to your request for comments dated January 3, 2023 concerning the City of Jackson Federal Place Building Project located in Jackson, Kentucky. (Latitude: 37.553539°N; Longitude: -83.38645°W).

The U.S. Army Corps of Engineers (USACE) exercises regulatory authority under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act, 1972 (33 USC 1344) for certain activities in "waters of the United States (U.S.)." These waters include all waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce. "Waters of the U.S." include hydrologically connected lakes, rivers, and stream channels exhibiting an Ordinary High Water Mark (OHWM); wetlands; sloughs; and wet meadows and wetlands adjacent to "waters of the U.S."

Based on the information submitted by you, it does **not** appear that a Department of the Army permit will be needed since the project referenced above would not involve a discharge of dredged and/or fill material below the Ordinary High-Water elevation of any "waters of the United States (U.S.)" or any wetlands. "Waters of the U.S." include all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce. If the project would necessitate the discharge of dredged or fill material into "waters of the U.S.," including wetlands, plans should be submitted for our review. Our comments on this project are limited to only those effects which may fall within our area of jurisdiction and thus does not obviate the need to obtain other permits from State or local agencies. Lack of comments on other environmental aspects should not be construed as either concurrence or nonconcurrence with stated environmental effects.

Your request has been assigned ID No. LRL-2023-00063. Please reference this number on all correspondence pertaining to this project. Please contact us by writing to the District Regulatory Office at the above address, ATTN: CELRL-RDS, or contact me directly at (606) 784-9709 or [Crystal.D.Byrd@usace.army.mil](mailto:Crystal.D.Byrd@usace.army.mil).

Sincerely,  
  
Crystal Byrd  
Project Manager, South Branch  
Regulatory Division





# Kentucky River

AREA  
DEVELOPMENT  
DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

January 3, 2023

Justin Branham  
Team Leader / Regulatory Specialist  
US Army Corps of Engineers – Louisville District Eastern Kentucky  
Regulatory Office  
845 Sassafras Creek Road  
Sassafras, KY 41759

**RE: City of Jackson – Jackson Federal Place Building Project**

Dear Justin:

The City of Jackson is applying for funding for the above referenced project. The proposed project will involve the restoration of the elevator in the Federal Place Building and two units that were lost in the summer 2022 Flood. The second activity would be the re-fit-up of the two units that were lost in the flood. This area also includes the small community room and building restroom and some other smaller spaces.

Due to the scope of the project there will be no ground disturbance. There will be no tree or vegetation removal, and no stream crossings. The GPS coordinates for this project are 37°33'12.74" N, -83°23'11.22" W.

The Kentucky River Area Development District has been asked to undertake an environmental review of this project to ascertain the impact of the proposed activities. I would appreciate your office reviewing this project in relation to its potential impact(s) on any environmental areas within your jurisdiction. I have enclosed a project location map and a project description for your reference.

Your comments may address beneficial or adverse impacts or, both. I would appreciate receiving your comments in the near future. I will assume if I have not received a response from you within 30 days of this letter, that your office does not anticipate any negative environmental impacts from this project, per your area(s) of responsibility. Responses can be sent by email to:

[lisa@kradd.org](mailto:lisa@kradd.org)

Thank you, for your time and assistance.

Sincerely,

Lisa Napier  
Infrastructure Coordinator

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Fred Hall

**VICE-CHAIRMAN**  
Judge Executive  
Jeff Dobson

**SECRETARY**  
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Meriwether Wash-Hall  
Pam Pilgrim  
Craig Lindon

**Executive Director**  
Michelle Allan

E-Mail  
FAX NUMBER 606-436-3154  
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(Hearing Impaired)

160

### Project Description

This project involves the restoration of the elevator and two units that were lost in the summer 2022 Flood in Jackson, Breathitt County. The second activity would be the re-fit-up of the two units that were lost in the flood. This area also includes the small community room and building restroom and some other smaller spaces.



# Jackson Federal Place Building Project Location Map



Site Location  
Lat: 37°33'12.74"N  
Lon: -83°23'11.22"W



NOTE: Map is to scale 1"=24,000' or 1=24,000.

## Legend

 Site Location

Exhibit 16  
Project Maps



# Jackson Federal Place Building Project Location Map

+

Site Location  
Lat: 37°33'12.74"N  
Lon: -83°23'11.22"W



NOTE: Map is to scale 1"=24,000' or 1:24,000.

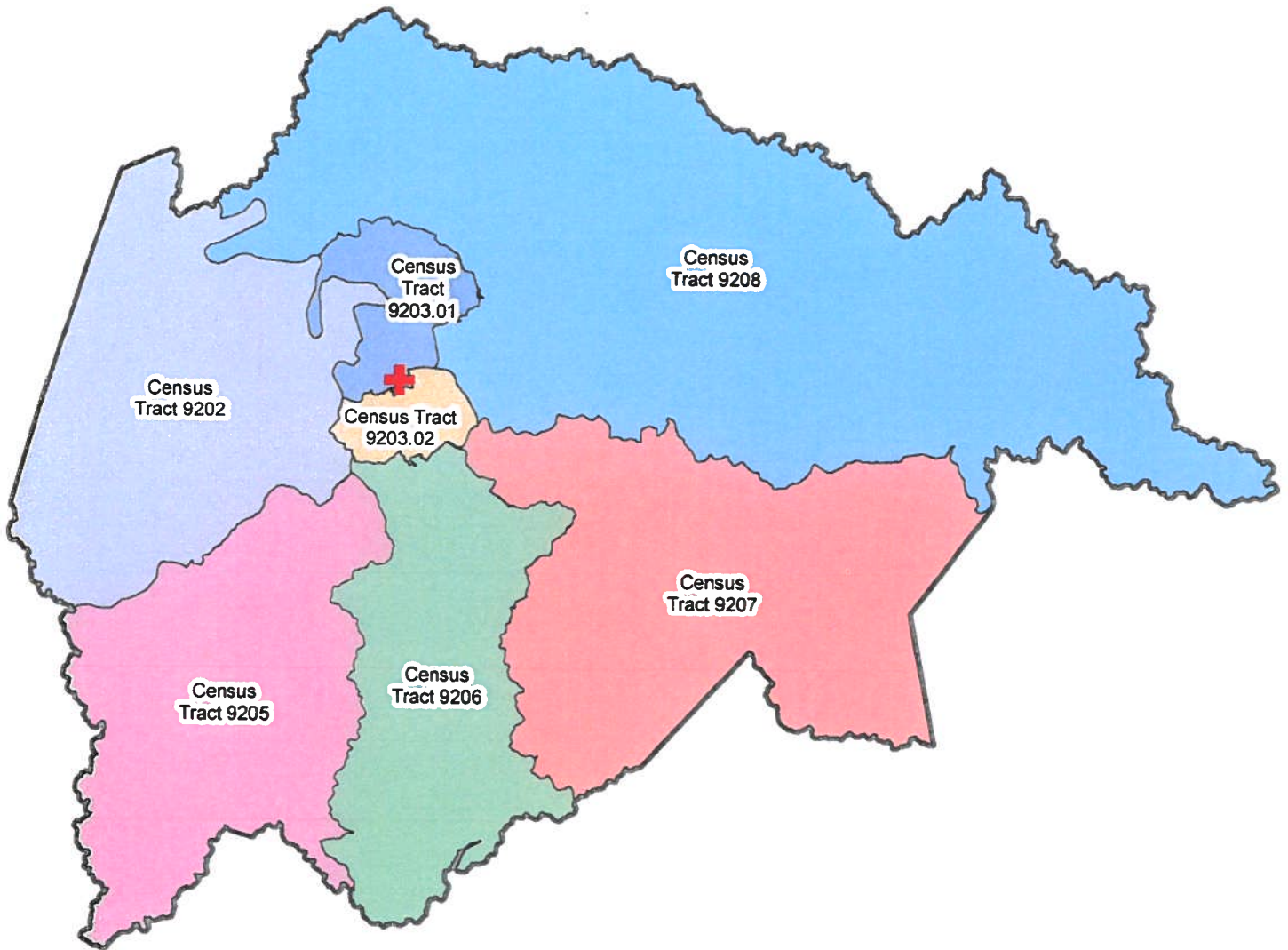
## Legend

+ Site Location

11.11.11



# Jackson Federal Place Building Project Census Map

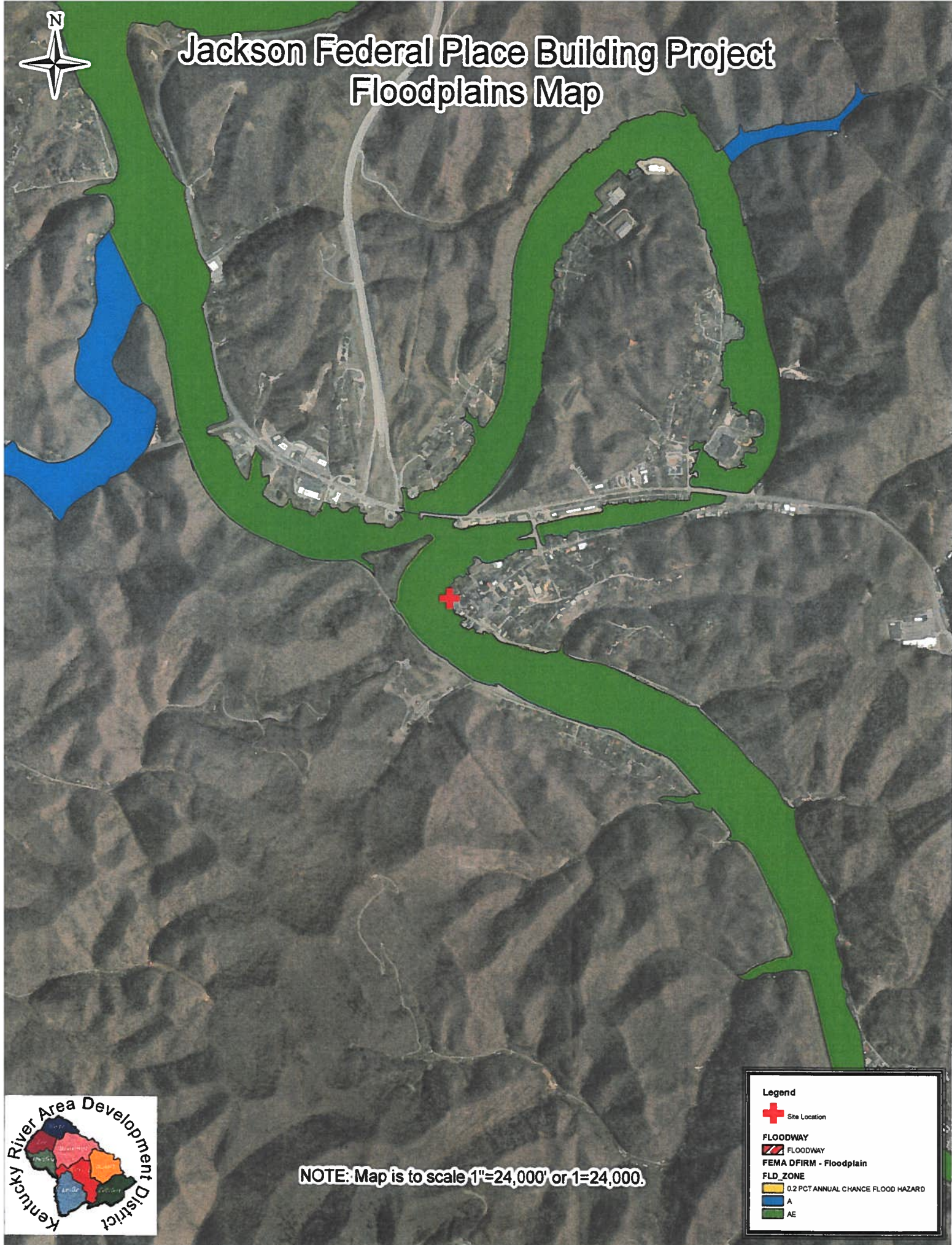


NOTE: Map is not to scale.

Legend	
	Site Location
Census Tracts	
	Census Tract 9202
	Census Tract 9203.01
	Census Tract 9203.02
	Census Tract 9205
	Census Tract 9206
	Census Tract 9207
	Census Tract 9208



# Jackson Federal Place Building Project Floodplains Map



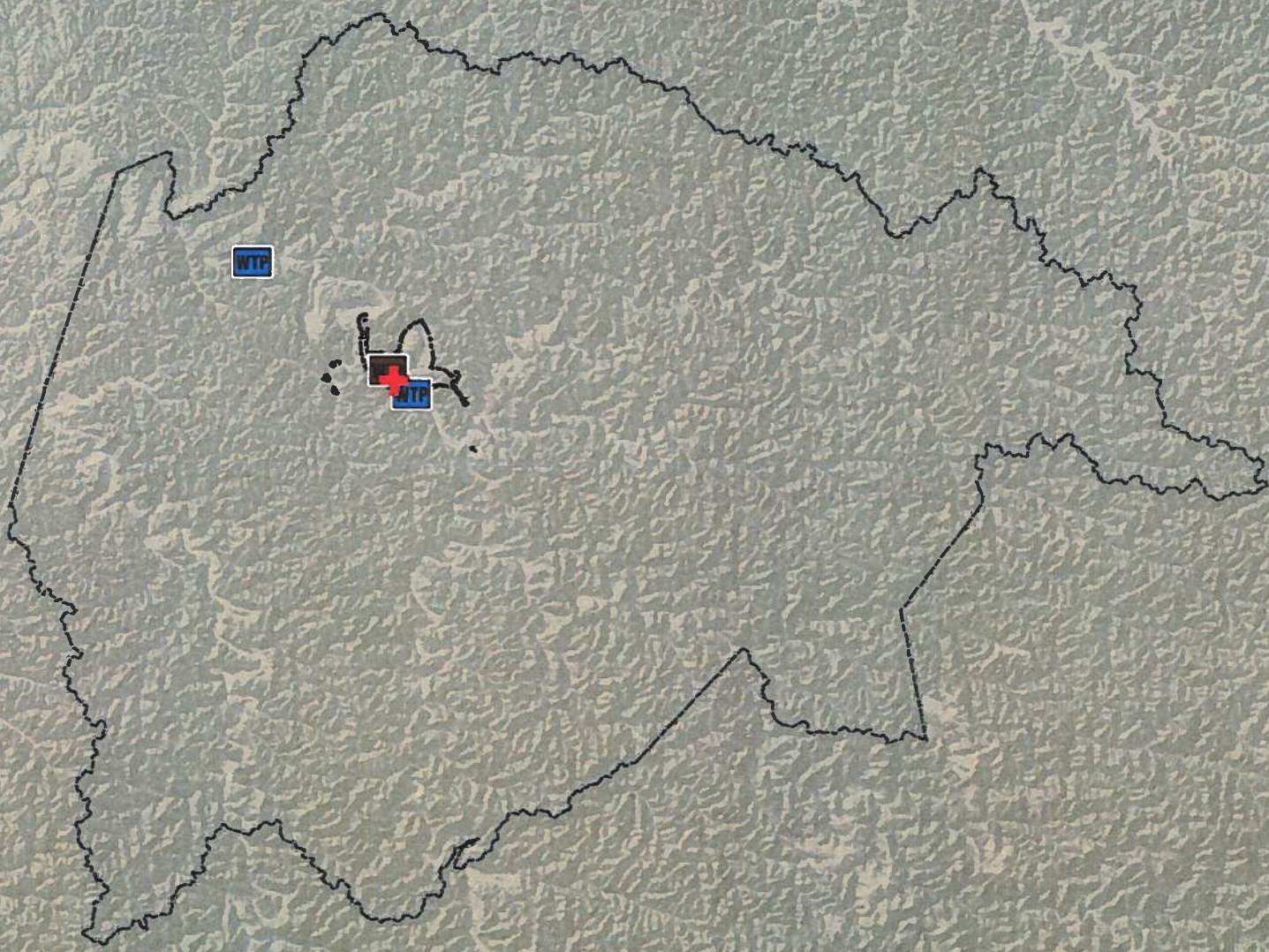
NOTE: Map is to scale 1"=24,000' or 1=24,000.

**Legend**

- Site Location
- FLOODWAY**
  - FLOODWAY
- FEMA DFIRM - Floodplain**
- FLD\_ZONE**
  - 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
  - A
  - AE








# Jackson Federal Place Building Project Jurisdiction Map



**NOTE: There are no areas of minority concentration within the jurisdiction.**

**Legend**

-  Site Location
-  Water Treatment Plant
-  Sewage Treatment Plant
-  Breathitt County Boundary
-  Jackson City Boundary







# Jackson Federal Place Building Project Site Map

ALLEN JAMES D.

ROBERTS  
WILLIE &  
MILLOY

SEBASTIAN  
KELSEY

ROBINSON  
JAMES T &  
MICHELLE

CAMPBELL  
PHILLIP

SEBASTIAN  
ARCH B. &  
REBECCA W.

HICKEY  
FRANK J

RASTEGAR RAY

THARP  
CAMBI

VANHEEST IRIS

JL SMITH  
ENTERPRISE  
LLC

ROSE DOUG

CITY OF  
JACKSON

AU DEVELOPEMENT,  
LLC

0.447 Acres

STRONG  
CHELSEY E.

CITY OF  
JACKSON

SWOPE WILMA J

TURNER ANITA

COMMONWEALTH  
OF KY

MCAFFEE SUE

KY RIVER  
CO

NOTE: \$350,000 for the cost of rehab.

ROSE DOUG

MCINTOSH  
MARTY

ROSE E.  
DOUGLAS

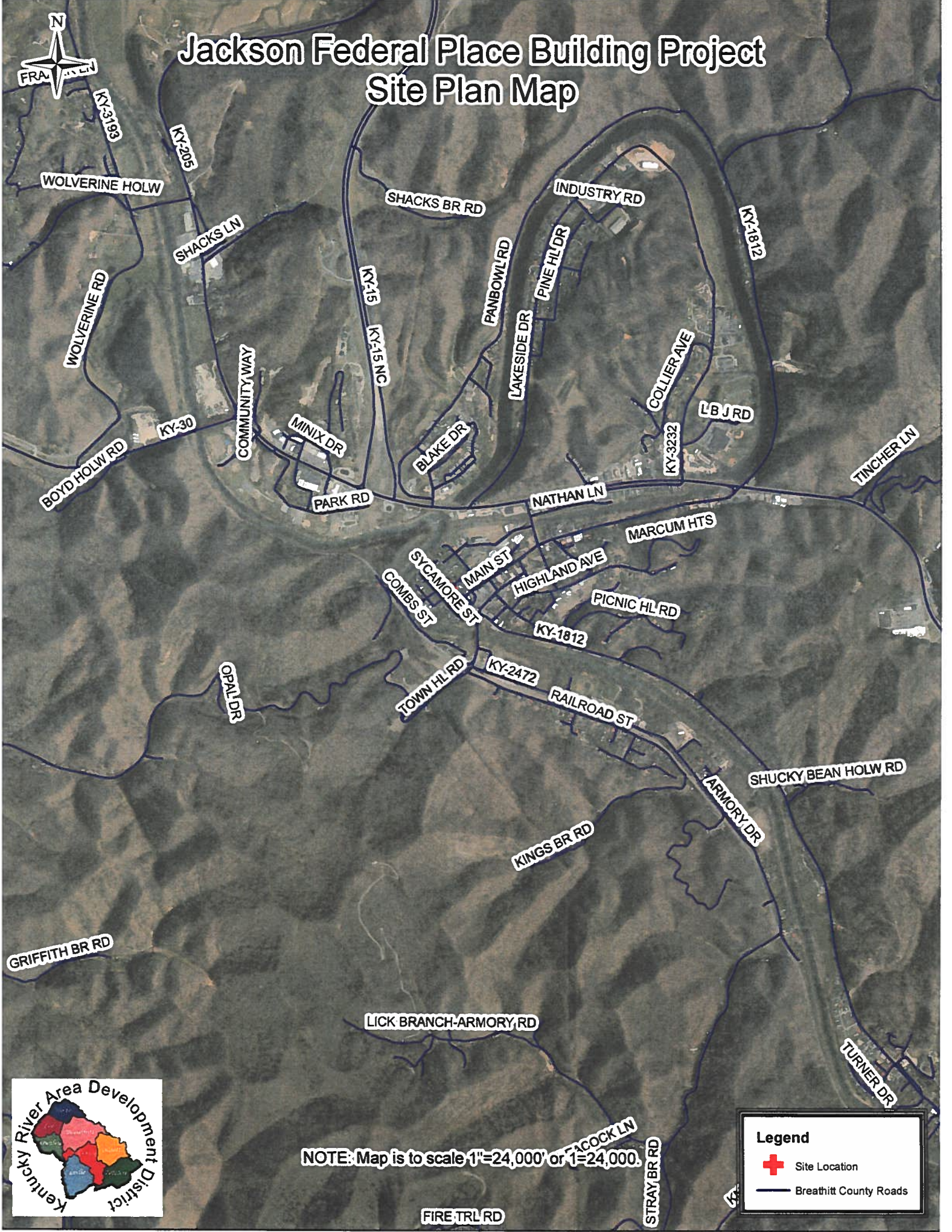


**Legend**

-  Site Location
-  PVA Boundary
-  Jackson City Boundary
-  Breathitt County Boundary

1109

# Jackson Federal Place Building Project Site Plan Map



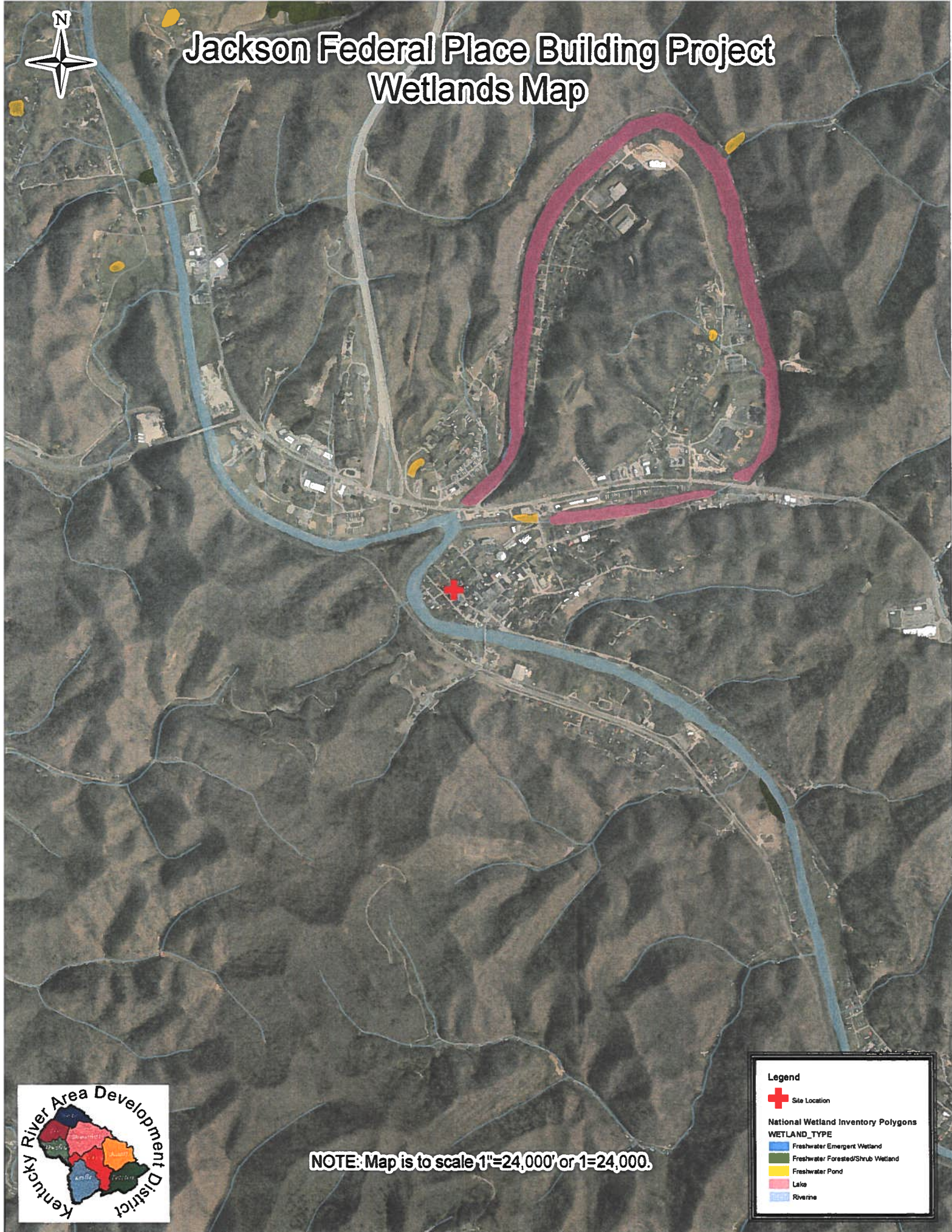
NOTE: Map is to scale 1"=24,000' or 1'=24,000.

Legend	
	Site Location
	Breathitt County Roads





# Jackson Federal Place Building Project Wetlands Map



NOTE: Map is to scale 1"=24,000' or 1=24,000.

**Legend**

- Site Location
- National Wetland Inventory Polygons**
- WETLAND\_TYPE**
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine

**Exhibit 17**  
**Notice to Public of No Significant Impact**

**NOTICE TO PUBLIC OF NO SIGNIFICANT EFFECT ON THE ENVIRONMENT**

\*Date February 15, 2023

City of Jackson

(Name of Applicant)

333 Broadway Street Jackson, KY 41339

(Street, City, Zip Code)

606-666-7069

(Telephone #)

TO ALL INTERESTED AGENCIES, GROUPS, AND PERSONS:

Finding of No Significant Impact

On or about March 3, 2023, the *City of Jackson* will submit the Finding of No Significant Impact to the Department for Local Government for environmental clearance of the Community Development Block Grant (CDBG) under Title 1 of the Housing and Community Development Act of 1974 (PL 93-383) to undertake the proposed project, if approved for funding:

Jackson Federal Place Building Project

(Project Title or Name)

Restoration of Elevator and two units that were lost in the summer 2022 flood in Jackson, Breathitt County Kentucky.

(Purpose or Nature of the Project)

Jackson, Breathitt County, Kentucky

(Location – City, County, State – of Project)

9203.01 and 9203.02

(Census Tract(s))

The *City of Jackson* has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) (PL-91-190) is not required. An Environmental Review Record (ERR) respecting the within project has been made by *City of Jackson* which documents the environmental review of the project and more fully sets forth the reasons why such Statement is not required. This Environmental Review Record is on file at the *City of Jackson 333 Broadway Street Jackson, KY upon request, also at KRADD 941 N. Main Street Hazard, KY* and is available for public examination and copying, **upon request**, at KRADD between the hours of 8:00A.M. and 4:00P.M. No further environmental review of such project is proposed to be conducted.

## Public Comments

All interested agencies, groups, and persons disagreeing with the ERR decision are invited to submit written comments for consideration by the *City of Jackson* to the City's office or the KRADD office. Such written comments should be received at 333 Broadway Street Jackson, KY 41339 or lisa@kradd.org on or before March 2, 2023. All such comments so received will be considered prior to authorizing submission the Finding of No Significant Impact or taking any administrative action on the within project prior to the date specified on the proceeding sentence.

Laura Thomas, Mayor  
(Name of Certifying Officer of Applicant/Title)

333 Broadway Street  
(Address)

Jackson, KY 41339

\*

KRADD  
DATE RECEIVED

FEB 21 2023

TO: Lisa

The Jackson-Breathitt County Times-Voice  
***Intermountain Publishing Co., Inc.***

22 Howell Lane P.O. Box 999 Jackson, KY 41339

Phone: (606) 666-2451

Fax: (606) 666-5706

Email: advertising.jacksontimes@gmail.com

**NEWSPAPER AFFIDAVIT**

I, Lance Turner OF THE  
JACKSON-BREATHITT COUNTY TIMES-VOICE  
NEWSPAPER, PUBLISHED AT JACKSON, KY AND  
HAVING THE LARGEST GENERAL CIRCULATION OF  
ANY NEWSPAPER IN BREATHITT COUNTY,  
KENTUCKY, DO HEREBY CERTIFY THAT FROM MY  
OWN KNOWLEDGE AND A CHECK OF THE FILES OF  
THIS NEWSPAPER THAT THE ADVERTISEMENT  
OF Notice to Public FOR KRADD  
WAS INSERTED IN THE JACKSON-BREATHITT COUNTY  
TIMES-VOICE ON THE FOLLOWING DATES:

DATE 2-15-23 PAGE NO. 6 COLUMN NO. 3, 4 & 5  
DATE \_\_\_\_\_ PAGE NO. \_\_\_\_\_ COLUMN NO. \_\_\_\_\_  
DATE \_\_\_\_\_ PAGE NO. \_\_\_\_\_ COLUMN NO. \_\_\_\_\_  
DATE \_\_\_\_\_ PAGE NO. \_\_\_\_\_ COLUMN NO. \_\_\_\_\_

SIGNATURE: Lance Turner

SUBSCRIBED AND SWORN TO BEFORE ME BY:

Lance Turner

THIS THE 16 DAY OF February, 2023

NOTARY PUBLIC: Jeanie Marie Noble

MY COMMISSION EXPIRES:

JEANIE MARIE NOBLE  
NOTARY PUBLIC  
Kentucky, State At Large  
Commission # KY#P15025  
My Commission Expires 9/14/2024