STEVEN L. BESHEAR
GOVERNOR

DEPARTMENT FOR LOCAL GOVERNMENT
OFFICE OF THE GOVERNOR
1024 CAPITAL CENTER DRIVE, SUITE 340
FRANKFORT, KENTUCKY 40601-8204
PHONE (502) 573-2382 FAX (502) 573-2939
TOLL FREE (800) 346-5606
WWW.DLG.KY.GOV

TONY WILDER
COMMISSIONER

January 18, 2012

Mr. David Waldner
Kentucky Transportation Cabinet
200 Mero Street
Frankfort, KY 40622

RE: Supplemtal Draft Environmental Impact Statement- Louisville Southern Indiana Ohio River Bridges Project
SAI# KY20111208-1384
CFDA# 20-205

Dear Mr. Waldner:

The Kentucky State Clearinghouse, which has been officially designated as the Commonwealth's Single Point of Contact (SPOC) pursuant to Presidential Executive Order 12372, has completed its evaluation of your proposal. The clearinghouse review of this proposal indicates there are no identifiable conflicts with any state or local plan, goal, or objective. Therefore, the State Clearinghouse recommends this project be approved for assistance by the cognizant federal agency.

Although the primary function of the State Single Point of Contact is to coordinate the state and local evaluation of your proposal, the Kentucky State Clearinghouse also utilizes this process to apprise the applicant of statutory and regulatory requirements or other types of information which could prove to be useful in the event the project is approved for assistance. Information of this nature, if any, concerning this particular proposal will be attached to this correspondence.

You should now continue with the application process prescribed by the appropriate funding agency. This process may include a detailed review by state agencies that have authority over specific types of projects.

This letter signifies only that the project has been processed through the State Single Point of Contact. It is neither a commitment of funds from this agency or any other state of federal agency.

The results of this review are valid for one year from the date of this letter. Continuation or renewal applications must be submitted to the State Clearinghouse annually. An application not submitted to the funding agency, or not approved within one year after completion of this review, must be re-submitted to receive a valid intergovernmental review.

If you have any questions regarding this letter, please feel free to contact my office at 502-573-2382.

Sincerely,

Lee Nalley
Kentucky State Clearinghouse

Attachments

The State Fish & Wildlife has made the following advisory comment pertaining to State Application Identifier Number KY201112081384

Based on the information provided, the Kentucky Department of Fish & Wildlife Resources has no comments concerning the proposed project. Please contact Dan Stoelb @ 502-564-7109 ex. 4453 or Daniel.stoelb@ky.gov if you have further questions or require additional information.

The Labor Cabinet has made the following advisory comment pertaining to State Application Identifier Number KY201112081384

PW RATES MAY APPLY IF CONSTRUCTION IS OVER 250,000.00. CONTACT KY LABOR CABINET AT 502-564-3534

The Heritage Council has made the following advisory comment pertaining to State Application Identifier Number KY201112081384

The applicant must ensure compliance with relevant state and federal regulations regarding cultural resources. These may include any or all of the following: the Advisory council on Historic Preservation's Rules and Regulations for the Protection of Historic and Cultural Properties (36 CRF, Part 800) pursuant to the National Historic Preservation Act of 1966; the National Environmental Policy Act of 1969; executive order 11593; Kentucky Antiquities Act; Kentucky Cave Protection Act; and graves protention legislation.

Our office is currently in the process of re-evaluating potential impacts relating to this project from the modifications to the original plans and the introduction of tolling. Pending our completion of the review of new information, there may be a need for additional consultation with our office to determine how to avoid, minimize, or mitigate any adverse effects to significant cultural resources. If you have any questions, please contact Vicki Birenberg at the Kentucky Heritage Council at (502) 564-7005, ext. 127, or at vicki.birenberg@ky.gov.

The Natural Resources has made the following advisory comment pertaining to State Application Identifier Number KY201112081384

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 (502-564-3999)
Kentucky Division for Air Quality Regulation 401 KAR 63:010 Fugitive Emissions states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth moving equipment to be deposited onto a paved street or roadway. Please note the Fugitive Emissions Fact Sheet located at http://air.ky.gov/Pages/OpenBurning.aspx

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

The Division would like to offer the following suggestions on how this project can help us stay in compliance with the NAAQS. More importantly, these strategies are beneficial to the health of citizens of Kentucky.

* **Utilize alternatively fueled equipment.**
* **Utilize other emission controls that are applicable to your equipment.**
* **Reduce idling time on equipment.**

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

Division of Waste Management (Duke York, 502-564-6716)
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.

The proposed project is subject to Division of Water (DOW) jurisdiction because the following are or appear to be involved: This SDEIS examines the impacts of proposed modifications to the "Two Bridges/Highway Alternative". Prior approval must be obtained from the DOW before construction can begin. When submitting plans and specifications to the DOW, the applicant must cite the State Application Identifier # KY201112081384

This SDEIS examines the impacts of proposed modifications to the "Two Bridges/Highway Alternative" (comprised of Alternatives A-15 and C-1) identified as the Preferred Alternative in the FEIS/Section 4(f) Evaluation completed on April 8, 2003. The SDEIS has been prepared to evaluate the impacts of tolling to assist in funding the project, which was determined necessary through the Metropolitan Transportation Planning process; to evaluate cost-saving modifications in the design of the Selected Alternative to minimize the amount of toll based revenue needed; and to update the information and data where necessary to address changes to the project and the affected environment since the approval of the 2003 FEIS/ROD. Do not know the money amount of this project Federal provides 80% and State will provide 20% of the funding. Please click on the attached links to review the DSEIS documentation. http://transportation.ky.gov/Highway-Design/Documents/FinalDSEIS11-11-11(CDversionpgs1-300).pdf
http://transportation.ky.gov/Highway-Design/Documents/FinalDSEIS11-11-11(CDversionpgs301-595).pdf

From the application data, the DOW ascertains that the site of the proposed project is not located in a floodplain area; therefore, a floodplain construction permit is not required. Julia Harrod 502 564 3410

Best management practices shall be utilized to reduce runoff from the project into the river. John Brumley, Env.Sci.III 502 564 3410

Any monitoring wells or water wells that are located will need to be properly abandoned (filled with an impermeable seal) by a KY Certified Water Well or Monitoring well Driller. Contractors may need a Groundwater Protection Plan depending on the onsite activities. Phil O'dell, 502 564 3410

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) storm water discharge permit.

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.

The Kentucky Division of Water supports the goals of EPA's Sustainable Infrastructure Initiative. This Initiative seeks to promote sustainable practices that will help to reduce the potential gap between funding needs and spending at the local and national level. The Sustainable Infrastructure Initiative will guide our efforts in changing how Kentucky views, values, manages, and invests in its water infrastructure. This website, www.epa.gov/waterinfrastructure/, contains information that will help you ensure your facility and operations are consistent with and can benefit from the aims of the Sustainable Infrastructure Initiative.

The Transportation has made the following advisory comment pertaining to State Application Identifier Number KY201112081384

Hall (D5), Tom: Any firm, individual or government agency that wants access to a road on the state highway system or wants to conduct any type of work on the right of way, must obtain a permit from the Department of Highways. For further information, contact Mohamad Abdol, Encroachment Permits, Traffic Operations, KYTC District 5 at (502) 210-5456

The Housing, Building, Construction has made the following advisory comment pertaining to State Application Identifier Number KY201112081384
no comment