

Exhibit 8-5

Proposed McKee Sewer Extension Probable Opinion of Project Cost Phased Projects, Appx \$1.0 MM Ea.

Phase 2 Sewers: McKee South on KY 421 to Tyner, West on KY 30 to Annville

Phase 2A

Description	Unit	Quantity	Unit Cost ²	Total Cost
4" SDR 21 PVC Pipe	LF	17,000	\$ 20	\$ 340,000
1.5" SDR 21 PVC Pipe	LF	3,600	16	57,600
Residential Grinder Pump Station	EA	72	6,000	432,000
Combination Air Release Valve	EA	11	2,800	30,800
Subtotal - Opinion of Probable Construction Cost (rounded to nearest \$10,000)				\$ 860,000
Project Development¹				\$ 258,000
Total - Opinion of Probable Project Costs² (rounded to nearest \$100,000)				\$ 1,100,000

Phase 2B

Description	Unit	Quantity	Unit Cost ²	Total Cost
4" SDR 21 PVC Pipe	LF	18,000	\$ 20	\$ 360,000
1.5" SDR 21 PVC Pipe	LF	1,800	16	28,800
Residential Grinder Pump Station	EA	36	6,000	216,000
Combination Air Release Valve	EA	12	2,800	33,600
Main Line Pump Station	EA	1	100,000	100,000
Subtotal - Opinion of Probable Construction Cost (rounded to nearest \$10,000)				\$ 740,000
Project Development¹				\$ 222,000
Total - Opinion of Probable Project Costs² (rounded to nearest \$100,000)				\$ 1,000,000

Phase 2C

Description	Unit	Quantity	Unit Cost ²	Total Cost
4" SDR 21 PVC Pipe	LF	20,000	\$ 20	\$ 400,000
1.5" SDR 21 PVC Pipe	LF	1,550	16	24,800
Residential Grinder Pump Station	EA	31	6,000	186,000
Combination Air Release Valve	EA	13	2,800	36,400
Main Line Pump Station	EA	2	100,000	200,000
Subtotal - Opinion of Probable Construction Cost (rounded to nearest \$10,000)				\$ 850,000
Project Development¹				\$ 255,000
Total - Opinion of Probable Project Costs² (rounded to nearest \$100,000)				\$ 1,100,000

Exhibit 8-5

Proposed McKee Sewer Extension Probable Opinion of Project Cost Phased Projects, Appx \$1.0 MM Ea.

Phase 2 Sewers: McKee South on KY 421 to Tyner, West on KY 30 to Annville

Phase 2D

Description	Unit	Quantity	Unit Cost ²	Total Cost
4" SDR 21 PVC Pipe	LF	6,000	\$ 20	\$ 120,000
1.5" SDR 21 PVC Pipe	LF	750	16	12,000
Residential Grinder Pump Station	EA	15	6,000	90,000
Combination Air Release Valve	EA	4	2,800	11,200
Main Line Pump Station	EA	1	100,000	100,000
8" Gravity Sewer	LF	13,000	40	520,000
Manhole	EA	43	3,000	129,000
Subtotal - Opinion of Probable Construction Cost (rounded to nearest \$10,000)				\$ 980,000
Project Development¹				\$ 294,000
Total - Opinion of Probable Project Costs² (rounded to nearest \$100,000)				\$ 1,300,000

Phase 2E

Description	Unit	Quantity	Unit Cost ²	Total Cost
8" Gravity Sewer	LF	9,000	\$ 40	\$ 360,000
Manhole	EA	30	3,000	90,000
4" SDR 21 PVC Pipe	LF	8,000	20	160,000
Combination Air Release Valve	EA	5	2,800	14,000
Main Line Pump Station	EA	1	100,000	100,000
Subtotal - Opinion of Probable Construction Cost (rounded to nearest \$10,000)				\$ 720,000
Project Development¹				\$ 216,000
Total - Opinion of Probable Project Costs² (rounded to nearest \$100,000)				\$ 900,000

Total Phase 2 Opinion of Probable Project Cost	\$ 5,400,000
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Notes:

1. Project Costs include easements, engineering, resident observation, environmental, legal & administration, permitting, etc. Based on initial cost opinion, this is 30% of the construction cost.
2. This cost opinion is based on general design assumptions using budget figures of 2013. Neither a detailed project scope nor design drawings have been prepared. The cost opinion is intended to be used as a general budget guideline for planning purposes and not for final project.

Exhibit 8-6

Proposed McKee Sewer Extension Probable Opinion of Project Cost Phased Projects, Appx \$1.0 MM Ea.

Phase 3: KY 290 - South from McKee to Annville

Phase 3A

Description	Unit	Quantity	Unit Cost ²	Total Cost
4" SDR 21 PVC Pipe	LF	30,000	\$ 20	\$ 600,000
1.5" SDR 21 PVC Pipe	LF	1,000	16	16,000
Residential Grinder Pump Station	EA	20	6,000	120,000
Main Line Pump Station	EA	3		
Combination Air Release Valve	EA	20	2,800	56,000
Subtotal - Opinion of Probable Construction Cost (rounded to nearest \$10,000)				\$ 790,000
Project Development¹				\$ 237,000
Total - Opinion of Probable Project Costs² (rounded to nearest \$100,000)				\$ 1,000,000

Phase 3B

Description	Unit	Quantity	Unit Cost ²	Total Cost
4" SDR 21 PVC Pipe	LF	18,000	\$ 20	\$ 360,000
1.5" SDR 21 PVC Pipe	LF	1,000	16	16,000
Residential Grinder Pump Station	EA	20	6,000	120,000
Combination Air Release Valve	EA	12	2,800	33,600
Subtotal - Opinion of Probable Construction Cost (rounded to nearest \$10,000)				\$ 530,000
Project Development¹				\$ 159,000
Total - Opinion of Probable Project Costs² (rounded to nearest \$100,000)				\$ 700,000

Total Phase 3 Opinion of Probable Project Cost	\$ 1,700,000
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Notes:

1. Project Costs include easements, engineering, resident observation, environmental, legal & administration, permitting, etc. Based on initial cost opinion, this is 30% of the construction cost.
2. This cost opinion is based on general design assumptions using budget figures of 2013. Neither a detailed project scope nor design drawings have been prepared. The cost opinion is intended to be used as a general budget guideline for planning purposes and not for final project.

Section 9: Cross-Cutter Correspondence and Mitigation

Letters were sent to the following agencies to determine if the proposed project would create adverse impacts to social, historical, or environmental resources:

- U.S. Fish and Wildlife Service: Mr. Virgil Lee Andrews (USFWS) indicated that several federally listed species have the potential to occur within the project vicinity, which are the Indiana bat, the Virginia big-eared bat, and four types of mussel species (Cumberland bean, Cumberland elktoe, little-wing pearly mussel, fluted kidneyshell). Mr. Andrews stated that since trees are not proposed to be removed from the site, the Indiana bat and Virginia big-eared bat would not likely be impacted. Mr. Andrews recommended that Best Management Practices be used to reduce sedimentation and run-off into stream channels to avoid impacts to the mussel species.

- Kentucky Department of Fish and Wildlife Resources: Mr. Daniel Stoelb (KDFWR) indicated that the federally-endangered Indiana bat is known to occur within close proximity to the project site. He recommended that any trees that require harvesting be cut from November 15th through March 31st. He recommended that to minimize indirect impacts to aquatic resources, strict erosion control measures such as silt fences, staked straw bales, brush barriers, sediment basins, and diversion ditches should be developed and implemented prior to construction. In addition, the KDFWR response recommended that directional borings be conducted at stream crossings to reduce impacts to aquatic resources.

- Kentucky Heritage Council: The KHC was contacted regarding the possibility of historic and archaeological resources on or adjacent to the project site for the initial Environmental Assessment conducted for the site in 2007. Ms. Donna M. Neary, the SHPO at the time that the letter was issued, indicated that the proposed project had the potential to impact archaeological sites and recommended that an archaeological survey be conducted on the property. A survey was completed at the site by Cultural Resource Analysts, Inc. (CRAI) in March 2009, and the study found two multicomponent archaeological sites, two isolated finds, and one historic standing structure. One of the multicomponent sites was found to have integrity and could produce significant data about the prehistory of the Eastern Kentucky Coalfield physiographic region. CRAI recommended that if the site cannot be avoided during construction, that additional work would be necessary to assess the site for inclusion in the National Register of Historic Places. No further work was recommended on the remaining sites. The findings of this study were submitted to the SHPO for review. In a letter dated July 15, 2009, Mr. Mark Dennen (the Kentucky SHPO in 2009) indicated that he concurred with the findings of the CRAI study.

As a result of the initial archaeological study completed at the site, a Phase II study was conducted at the site by CRAI in August 2010 to further evaluate the multicomponent site located along Indian Creek. This report recommended that the site be considered eligible for the National Register of Historic Places. The findings of this study were submitted to the SHPO for review. In a letter dated June 23, 2011, Mr. Dennen indicated that he concurred with the findings of the CRAI study. It has been determined that this site will be avoided during construction of the new WWTP.

Section 9: Cross-Cutter Correspondence and Mitigation

- U.S. Army Corps of Engineers: Mr. Marty G. Tyree (USACE) indicated that a survey for the presence of streams and wetlands should be conducted where potential work would occur. A review of the site was conducted by Ms. Debbie Collinsworth of EcoSource, Inc. and she concluded that two ephemeral streams are located at the site; however, Ms. Collinsworth indicated that these streams should be classified as isolated waters. A preliminary Jurisdictional Determination (JD) was issued by the USACE on August 18, 2009, stating that Birch Lick Creek is considered waters of the U.S. and is therefore jurisdictional; however, the USACE concurred with Ms. Collinsworth stating that the two ephemeral streams at the project site are upland drainage features and are not considered waters of the U.S. Construction will not occur in Birch Lick Creek and therefore jurisdictional waters will not be altered by the proposed project.
- Natural Resources and Conservation Service: Mr. Steve Jacobs (NRCS) indicated that portions of the project site are considered prime farmland.

Copies of the letters sent to these agencies and the responses from the agencies are attached in the following pages of this Section.

Exhibit 9-1

U.S. Fish and Wildlife Correspondence



May 24, 2012

Mr. Lee Andrews
Field Supervisor
U.S. Fish and Wildlife Service
330 W. Broadway, Rm. 265
Frankfort, Kentucky 40601

RE: City of McKee Wastewater Treatment Plant and Collection System Improvements,
Jackson County, Kentucky

Dear Mr. Andrews:

Nesbitt Engineering, Inc. has been retained by the City of McKee to prepare a Regional Facilities Plan for proposed wastewater treatment and collection system improvements in Jackson County, Kentucky. The City of McKee is in the process of obtaining financial assistance to upgrade the system. The work will be performed in two general phases, which are shown on the attached maps.

The first phase will involve constructing a new 0.50 MGD wastewater treatment plant (WWTP), extending an existing 8" force main, and upgrading an existing pump station. The WWTP will be located on a property west of the intersection of US 421 and Hwy 89. The new force main will parallel a short section of Hwy 89 and then travel across the new WWTP property.

The second phase of the project will involve extension of the sewer collection system into the surrounding communities. It will be performed in three sub-phases:

- Construction of approximately eight miles of sewers parallel to US 421, north from McKee to Sand Gap, and throughout Sand Gap.
- Construction of approximately thirteen miles of sewers parallel to US 421 and Hwy 30, south from McKee to Annville, and throughout Annville.
- Construction of approximately nine miles of sewers parallel to Hwy 290, south from McKee to Annville.

This system is designed to serve approximately 421 (equivalent) households. The intended plan is for all sewer lines to be constructed within roadway right-of-way.

An Environmental Assessment was previously completed for the WWTP site location in 2009. The proposed WWTP site was evaluated by the U.S. Fish and Wildlife Service at that time. As part of the Facilities Plan, we are requesting that the U.S. Fish and Wildlife Service provide us with updated information concerning the possibility of federally protected wetlands, ecologically sensitive areas, or federally listed endangered or threatened species within the impact area of the entire proposed project. Please submit comments in a letter addressed to the undersigned when you have completed your review.

If you require additional information, please call me at (859) 233-3111. On behalf of the City of McKee, thank you for your kind and prompt attention to this matter.

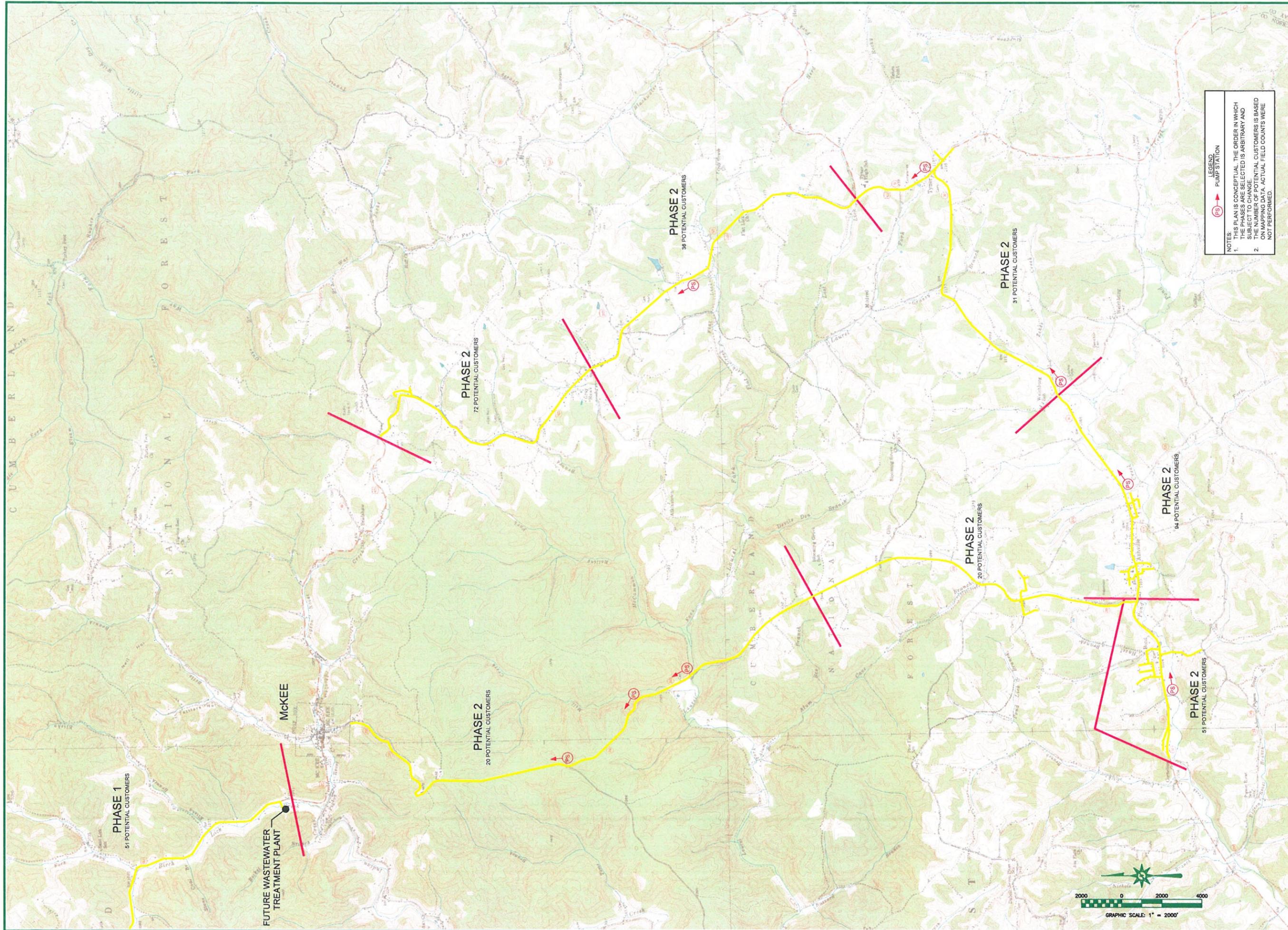
Sincerely,

A handwritten signature in black ink, appearing to read "Kari A. Wallover". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kari A. Wallover, PG
Professional Geologist

Attachments

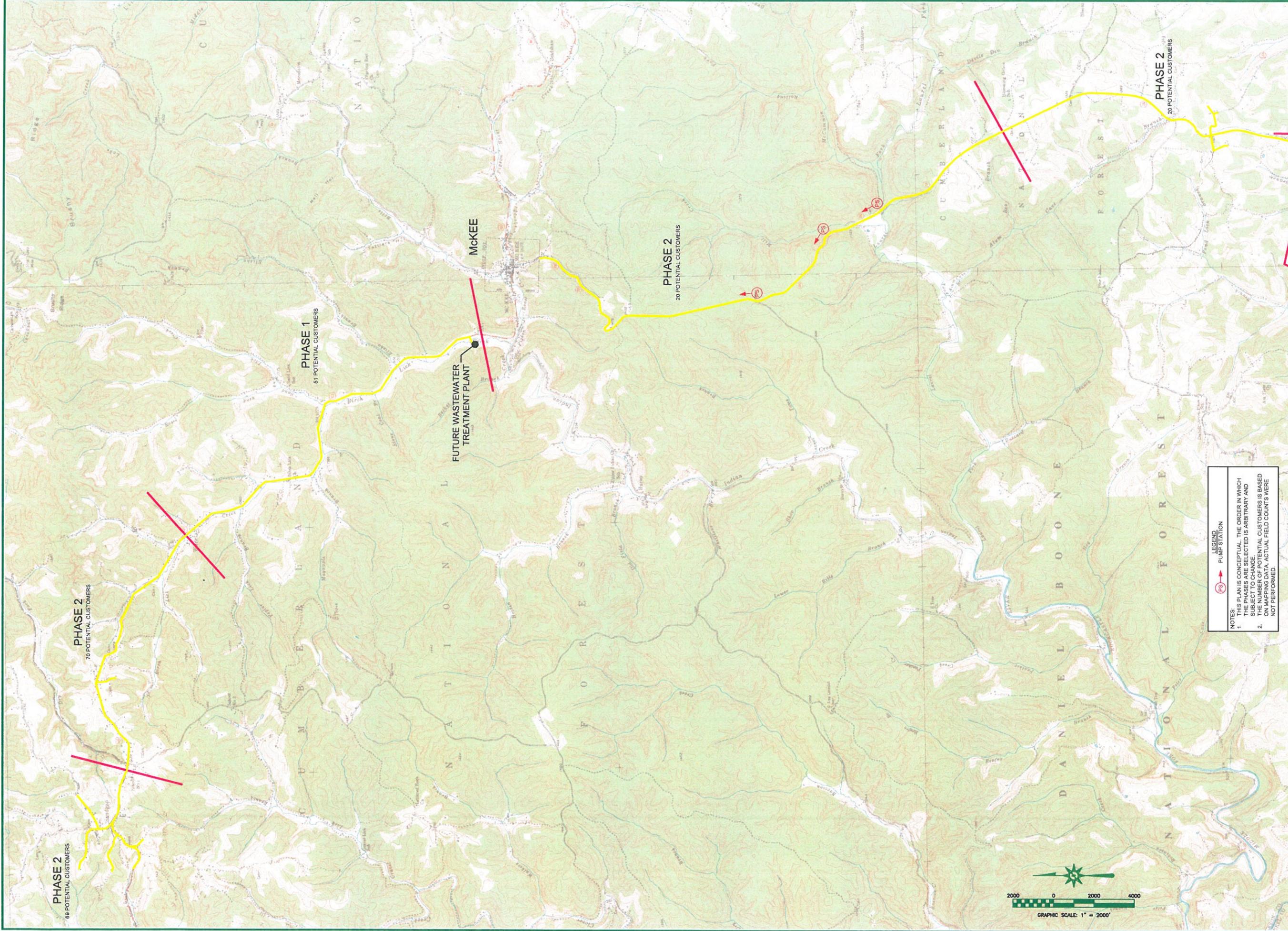
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LEGEND
 PS → PUMP STATION

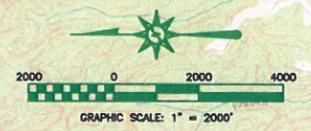
NOTES
 1. THIS PLAN IS CONCEPTUAL. THE ORDER IN WHICH THE PHASES ARE SELECTED IS ARBITRARY AND SUBJECT TO CHANGE.
 2. THE NUMBER OF POTENTIAL CUSTOMERS IS BASED ON MAPPING DATA. ACTUAL FIELD COUNTS WERE NOT PERFORMED.

LAST PLOTTED: LAST SAVED:	
CITY OF MCKEE JACKSON COUNTY, KENTUCKY SANITARY SEWER COLLECTION SYSTEM EXPANSION CONCEPT DRAWING	
SANITARY SEWER PHASES	
nesbitt engineering, inc. providing proven solutions since 1979 CITY OF MCKEE, JACKSON COUNTY, KENTUCKY SANITARY SEWER COLLECTION SYSTEM EXPANSION drawn by: JCW job no.: 10988.10 scale: 1" = 2000' sheet no.: 5-18-12 file name: \CORR\Corr Map.DWG	
1 OF 2	

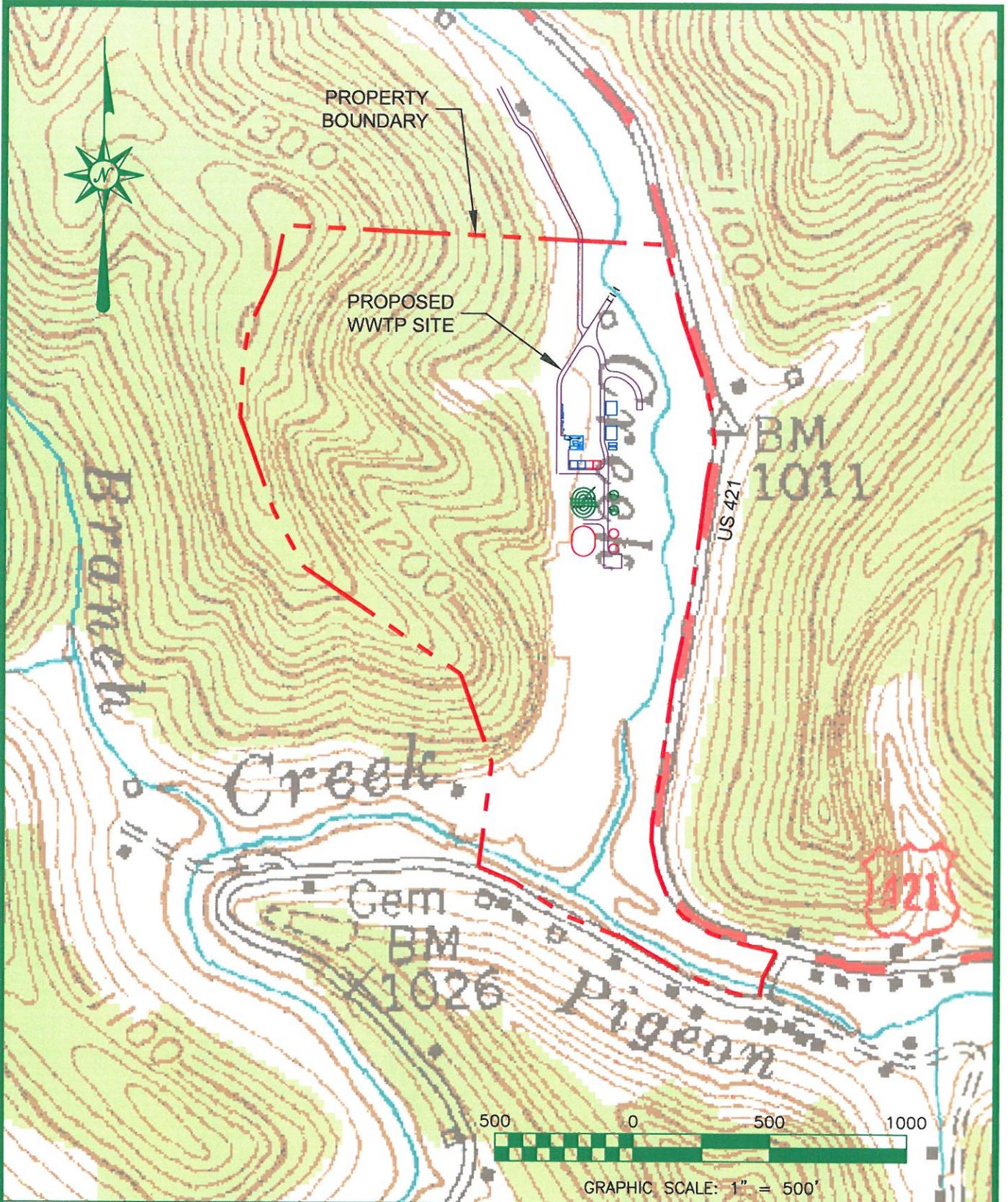


LEGEND
 PUMP STATION

NOTES:
 THIS PLAN IS CONCEPTUAL. THE ORDER IN WHICH THIS PHASE IS CONCEPTED IS ARBITRARY AND SUBJECT TO CHANGE.
 1. THE NUMBER OF POTENTIAL CUSTOMERS IS BASED ON MAPPING DATA. ACTUAL FIELD COUNTS WERE NOT PERFORMED.
 2.



LAST PLOTTED: LAST SAVED:	
CITY OF MCKEE JACKSON COUNTY, KENTUCKY SANITARY SEWER COLLECTION SYSTEM EXPANSION CONCEPT DRAWING	
SANITARY SEWER PHASES	
nesbitt engineering, inc. <small>providing premier solutions since 1975</small> CITY OF MCKEE, JACKSON COUNTY, KENTUCKY SANITARY SEWER COLLECTION SYSTEM EXPANSION	
Drawn by: JCW	Job No.: 1098.01
Date: 5-18-12	Scale: 1" = 2000'
File Name: \\CORR\Corr Map.DWG	
2 OF 2	



NESBITT ENGINEERING, INC.
ENGINEERS • SURVEYORS • SCIENTISTS

**PROPOSED WWTP SITE
CITY OF McKEE
JACKSON COUNTY, KENTUCKY**

DRAWN BY: JCW	DISK/FILE NAME: CORR\WWTP Site.dwg	JOB NO.: 1098.10
DATE: 5-18-12	LAST PLOT DATE:	SCALE: 1" = 500'



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Kentucky Ecological Services Field Office
330 West Broadway, Suite 265
Frankfort, Kentucky 40601
(502) 695-0468

May 2, 2011

Ms. Kari Wallover
Geologist
Nesbitt Engineering, Inc.
227 North Upper Street
Lexington, Kentucky 40507 - 1016

Re: FWS 2011-B-0412; Nesbitt Engineering, City of Mckee Wastewater Treatment Plant and Collection System Improvements Project, located in Jackson County, Kentucky

Dear Ms. Wallover:

Please accept this correspondence and maintain for your records as the U.S. Fish and Wildlife Service's (Service) official response to your April 18, 2011 request for concurrence for the above-referenced project. The Service offers the following comments in accordance to the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

The Service's March 31, 2011 technical assistance for the proposed project identified the Indiana bat (*Myotis sodalis*), Virginia big-eared bat (*Corynorhinus townsendii virginianus*), Cumberland bean (*Villosa trabilis*), Cumberland elktoe (*Alasmidonta atropurpurea*), little-wing pearl mussel (*Pegias fibula*), and fluted kidneyshell (*Ptychobranchus subtentum*) as the federally protected species that have the potential to occur within the proposed project area.

Indiana bat

The project would be situated in an area that is within the swarming range of several documented Indiana bat hibernaculas. According to your correspondence, the project is not anticipated to involve tree removal. If the proposed project would not involve the removal of trees, we believe that the proposed project would not likely adversely affect the Indiana bat. If however, the proposed project will involve tree removal, further consultation with the Service is necessary to ensure that the proposed project would be in full compliance with the ESA.

Virginia big-eared bat

The proposed project would not alter potential Virginia big-eared bat potential roost habitat (*i.e.*; caves, cliff lines, rock shelters), because these geologic features do not occur within the proposed project area. Based on this information we believe that the proposed project would not likely adversely affect the Virginia big-eared bat.

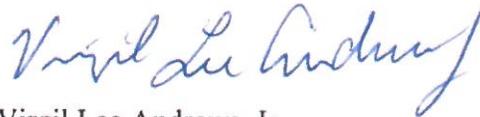
Cumberland bean, Cumberland elktoe, little-wing pearly mussel, and fluted kidneyshell

These federally endangered mussel species may inhabit the watershed that would be impacted as a result of the proposed project. Your correspondence states that Best Management Practices (BMPs) will be required for all construction activities, which will be associated with the proposed project, including the construction of the proposed bridge across Birch Lick Creek. Please ensure that the BMPs specifically require for the placement of silt fencing to minimize sedimentation and run-off into Birch Lick Creek and prevent the operation of construction equipment in the stream channel. Provided that such BMPs are adhered to, we believe that the proposed project would not likely adversely affect the Cumberland bean, Cumberland elktoe, little-wing pearly mussel, and fluted kidneyshell mussels.

In summary of these findings, we believe that the requirements of section 7 of the ESA have been fulfilled for this project. Your obligations under section 7 must be reconsidered, however, if: (1) the proposed project will involve the removal of trees, (2) new information reveals that the proposed action may affect listed species in a manner or to an extent not previously considered, (3) the proposed action is subsequently modified to include activities which were not considered during this consultation, (4) new species are listed or critical habitat designated.

Thank you again for your request. Your concern for the protection of endangered and threatened species is greatly appreciated. If you have any questions regarding the information that we have provided, please contact James Gruhala at (502) 695-0468 extension 116.

Sincerely,



Virgil Lee Andrews, Jr.
Field Supervisor

9-1-2 - USFWS response 06-12.txt

From: James_Gruhala@fws.gov
Sent: Friday, June 15, 2012 1:35 PM
To: Wallover, Kari A.
Subject: Re: City of McKee Wastewater Treatment Plant and Collection System Improvements, Jackson County, Kentucky
Attachments: 2011-B-0412.PDF

Ms. Kari Wallover, PG
Professional Geologist
Nesbitt Engineering, Inc.
227 North Upper Street
Lexington, Kentucky 40507-1016

Re: City of McKee Wastewater Treatment Plant and Collection System Improvements, Jackson County, Kentucky

Dear Ms. Wallover,

Please accept this correspondence and maintain for your records as the U.S. Fish and wildlife Service's (Service) official response to your May 24, 2012 correspondence regarding the proposed relocation of the above-referenced project. It is our understanding that the proposed project has not yet been initiated since the Service previously reviewed the proposed project in May, 2011. Per your request, the Service has again reviewed the proposed project in May, 2012.

The Service maintains our previous comments and determination of May 2, 2011 (attached).

Please contact me if you have any questions regarding our response. Refer to project number FWS 2011-B-0412.

Sincerely,

James Gruhala
Fish & wildlife Biologist
U.S. Fish & wildlife Service
KY Ecological Services Field Office
330 West Broadway, Room 265
Frankfort, KY 40601
502/695-0468 ext.116

Exhibit 9-2

**Kentucky Department of Fish and Wildlife
Resources Correspondence**



May 24, 2012

Mr. Daniel Stoelb
Biologist, Environmental Section
Kentucky Department of Fish and Wildlife Resources
#1 Sportsman's Lane
Frankfort, Kentucky 40601

RE: City of McKee Wastewater Treatment Plant and Collection System Improvements,
Jackson County, Kentucky

Dear Mr. Stoelb:

Nesbitt Engineering, Inc. has been retained by the City of McKee to prepare a Regional Facilities Plan for proposed wastewater treatment and collection system improvements in Jackson County, Kentucky. The City of McKee is in the process of obtaining financial assistance to upgrade the system. The work will be performed in two general phases, which are shown on the attached maps.

The first phase will involve constructing a new 0.50 MGD wastewater treatment plant (WWTP), extending an existing 8" force main, and upgrading an existing pump station. The WWTP will be located on a property west of the intersection of US 421 and Hwy 89. The new force main will parallel a short section of Hwy 89 and then travel across the new WWTP property.

The second phase of the project will involve extension of the sewer collection system into the surrounding communities. It will be performed in three sub-phases:

- Construction of approximately eight miles of sewers parallel to US 421, north from McKee to Sand Gap, and throughout Sand Gap.
- Construction of approximately thirteen miles of sewers parallel to US 421 and Hwy 30, south from McKee to Annville, and throughout Annville.
- Construction of approximately nine miles of sewers parallel to Hwy 290, south from McKee to Annville.

This system is designed to serve approximately 421 (equivalent) households. The intended plan is for all sewer lines to be constructed within roadway right-of-way.

As part of the Facilities Plan, we are requesting that the Kentucky Department of Fish and Wildlife Resources provide us with information concerning the possibility of state listed or federally threatened or endangered species within the impact area of the proposed project. Please submit comments in a letter addressed to the undersigned when you have completed your review.

If you require additional information, please call me at (859) 233-3111. On behalf of the City of McKee, thank you for your kind and prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kari A. Wallover". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Kari A. Wallover, PG
Professional Geologist

Attachments

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**KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES
TOURISM, ARTS, AND HERITAGE CABINET**

Steven L. Beshear
Governor

#1 Sportsman's Lane
Frankfort, Kentucky 40601
Phone (502) 564-3400
1-800-858-1549
Fax (502) 564-0506
fw.ky.gov

Marcheta Sparrow
Secretary

Dr. Jonathan W. Gassett
Commissioner

31 May 2012

Kari A. Wallover, PG
Professional Geologist
Nesbitt Engineering, Inc.
227 North Upper Street
Lexington, KY 40507-1016

RE: City of McKee Wastewater Treatment Plant and Collection System Improvements,
Jackson County, Kentucky

Dear Ms. Wallover:

The Kentucky Department of Fish and Wildlife Resources (KDFWR) has received your request for information regarding the subject project. The Kentucky Fish and Wildlife Information System indicates that the federally-endangered Indiana bat (*Myotis sodalis*) is known to occur within close proximity to the project site. Additionally, this project falls within known swarming habitat for the Indiana bat according to the U.S. Fish and Wildlife Service (USFWS) Kentucky Field Office. I suggest contacting the USFWS at 502-695-0468 to discuss this project and ways to comply with the Federal Endangered Species Act. Any trees that require harvest should be cut from November 15th -March 31st to minimize impacts to roosting bats. Further, the USFWS may determine that mitigation be required for the removal of any Indiana bat habitat.

This project also enters the Mill Creek Wildlife Management Area (WMA) along highway 290. This WMA is managed by the KDFWR, but owned by the U.S. Forest Service. I recommend contacting the U.S. Forest Service to alert them of the project, and to determine if they have comments regarding the project. Please be aware that our database system is a dynamic one that only represents our current knowledge of various species distributions.

To minimize indirect impacts to aquatic resources, strict erosion control measures should be developed and implemented prior to construction to minimize siltation into streams and storm water drainage systems located within the project area. Such erosion control measures may include, but are not limited to silt fences, staked straw bales, brush barriers, sediment basins, and diversion ditches. Erosion control measures will need to be installed prior to construction and should be inspected and repaired regularly as needed. At stream crossings, the KDFWR recommends directional boring of the waterlines if at all possible to reduce impacts to aquatic resources.

I hope this information is helpful to you, and if you have questions or require additional information, please call me at (502) 564-7109 extension 4453.

Sincerely,



Dan Stoelb
Wildlife Biologist

Cc: Environmental Section File

Exhibit 9-3

Kentucky Heritage Council Correspondence



October 16, 2007

Ms. Donna M. Neary
State Historic Preservation Officer
Kentucky Heritage Council
300 Washington Street
Frankfort, Kentucky 40601

RE: City of McKee Wastewater Treatment Plant and Collection System Improvements,
Jackson County, Kentucky

Dear Ms. Neary:

Nesbitt Engineering, Inc. has been retained by the City of McKee to prepare an Environmental Assessment (EA) for proposed wastewater treatment facilities improvements in McKee, Jackson County, Kentucky. The project will include the construction of a new wastewater treatment plant (WWTP) in the City of McKee, in addition to the extension of an existing force main and the upgrading of existing pump stations. The project will also involve the construction of a new roadway entrance, driveway, and bridge over Indian Creek for access to the WWTP. Please find attached maps and photographs showing the proposed project location.

As part of the EA, we are requesting that the State Historic Preservation Office provide us with information concerning any historic and/or archaeological resources on and adjacent to the proposed project site. Please submit comments in a letter addressed to the undersigned when you have completed your review. If you require additional information, please call me at (859) 233-3111. On behalf of the City of McKee, thank you for your kind and prompt attention to this matter.

Sincerely,
Nesbitt Engineering, Inc.

A handwritten signature in black ink, appearing to read 'Kari A. Wallover', written in a cursive style.

Kari A. Wallover, PG
Professional Geologist

kw
attachments

P:\McKee, City of\1098-01\Environmental\Corr\Agency letters and responses\SHPO Lett.doc



COMMERCE CABINET
KENTUCKY HERITAGE COUNCIL

Ernie Fletcher
Governor

The State Historic Preservation Office
300 Washington Street
Frankfort, Kentucky 40601
Phone (502) 564-7005
Fax (502) 564-5820
www.kentucky.gov

George Ward
Secretary

Donna M. Neary
Executive Director and
State Historic Preservation Officer

December 3, 2007

Ms Kari Wallover
Nesbitt Engineering, Inc.
227 North Upper Street
Lexington, Kentucky 40507

Re: City of McKee Wastewater Treatment Plant Environment Assessment (Jackson County)

Dear Ms. Wallover:

Thank you for your letter concerning the above referenced project. No known archaeological sites are located directly in the project area. However, our review of this project indicates that the proposed project has the potential to impact archaeological sites eligible for listing in the National Register of Historic Places. A number of sites (15Ja88, 15Ja108, 15Jja110, 15Ja106, 15Ja117, 15Ja118) are located nearby representing both historic and prehistoric resources. The project area will need to be surveyed by a professional archaeologist.

A report documenting the results of these investigations must be submitted for review, comment and approval. Should you have any questions, feel free to contact Lori Stahlgren of my staff at (502) 564-7005, extension 118.

Sincerely,

A handwritten signature in cursive script that reads "Donna M. Neary".

Donna M. Neary, Director
Kentucky Heritage Council and
State Historic Preservation Officer

LCS:lcs



STEVEN L. BESHEAR
GOVERNOR

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

MARCHETA SPARROW
SECRETARY

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

MARK DENNEN
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

July 15, 2009

Mr. James R. Wade
Nesbitt Engineering, Inc
227 North Upper Street
Lexington, KY 40507-1016

Re: A Cultural Resource Survey of the Proposed McKee Wastewater Treatment Plant, Jackson County, Kentucky by Alexandra Bybee

Dear Mr. Wade:

We have reviewed the above-mentioned archaeological survey report. The survey documented two previously unrecorded archaeological resources (Sites 15Ja531 and 15Ja532) and two isolated finds. The isolated finds are not considered eligible for listing in the National Register of Historic Places. Site 15Ja531 is a prehistoric open habitation site without mounds with unidentified affiliation and late-nineteenth through twentieth century farm and residence. All of the cultural material was recovered from the Ap horizon and there was no evidence of intact subplow zone features, midden, deposits or structural remains. The author concludes that the site lacks integrity, has little research value and recommends the site as not eligible for listing in the National Register of Historic Places and no further work is necessary. We concur with the author's findings and recommendations.

Site 15Ja532 is a prehistoric open habitation site without mounds affiliated with the Late Archaic time period with an ephemeral late-nineteenth through twentieth century farm and residence. The historic component is extremely sparse and no further work is recommended. The prehistoric component consisted of a lithic scatter with two diagnostic tools. Burned earth and charcoal also indicate the likelihood of intact buried deposits at the site. The author recommends that if the site cannot be avoided that additional work be done to assess the eligibility of the site for inclusion in the National Register of Historic Places. We concur with the author's findings and recommendations.

Should you have any questions, feel free to contact Lori Stahlgren of my staff at (502) 564-7005, extension 151.

Sincerely,

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

Cc: Lee Nally, DLG
Anshu Singh, Ky DOW



STEVEN L. BESHEAR
GOVERNOR

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

MARCHETA SPARROW
SECRETARY

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

MARK DENNEN
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

June 23, 2011

James R. Wade
Nesbitt Engineering, Inc.
227 North Upper St.
Lexington, KY 40507-1016

RE: **Phase II National Register of Historic Places Evaluation of Pigeon Roost Terrace (15JA532) in Jackson County, Kentucky, by Russell Quick (CRAI).**

Dear Mr. Wade,

Thank you submitting the above-listed report, which documents the results of archaeological investigations conducted to evaluate the potential eligibility of site 15Ja532 for listing on the National Register of Historic Places (NRHP). A portion of site 15Ja532 is located within the project area of a proposed wastewater treatment plant facility in Jackson County, Kentucky. From the report, we understand that the author recommends this site be considered eligible for the NRHP, and that additional archaeological investigation in the form of Phase III data recovery be undertaken if the site cannot be avoided. We concur with the author's findings and recommendations.

Based on e-mail correspondence we received from Nesbitt Engineering on June 22, 2011, it is our understanding that the site will be avoided by the proposed undertaking. If plans change and the site cannot be avoided, then additional consultation will be required to determine appropriate mitigation for the adverse effect.

Should you have any questions, feel free to contact Wes Stoner of my staff at (502) 564-7005, extension 151.

Sincerely,

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

MD: wds/cls
cc. Charles M. Niquette (CRAI)
George Crothers (KY-OSA)



May 24, 2012

Mr. Lindy Casebier
Acting Director/State Historic Preservation Officer
Kentucky Heritage Council
300 Washington Street
Frankfort, Kentucky 40601

RE: City of McKee Wastewater Treatment Plant and Collection System Improvements,
Jackson County, Kentucky

Dear Mr. Casebier:

Nesbitt Engineering, Inc. has been retained by the City of McKee to prepare a Regional Facilities Plan for proposed wastewater treatment and collection system improvements in Jackson County, Kentucky. The City of McKee is in the process of obtaining financial assistance to upgrade the system. The work will be performed in two general phases, which are shown on the attached maps.

The first phase will involve constructing a new 0.50 MGD wastewater treatment plant (WWTP), extending an existing 8" force main, and upgrading an existing pump station. The WWTP will be located on a property west of the intersection of US 421 and Hwy 89. The new force main will parallel a short section of Hwy 89 and then travel across the new WWTP property.

The second phase of the project will involve extension of the sewer collection system into the surrounding communities. It will be performed in three sub-phases:

- Construction of approximately eight miles of sewers parallel to US 421, north from McKee to Sand Gap, and throughout Sand Gap.
- Construction of approximately thirteen miles of sewers parallel to US 421 and Hwy 30, south from McKee to Annville, and throughout Annville.
- Construction of approximately nine miles of sewers parallel to Hwy 290, south from McKee to Annville.

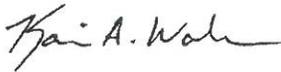
This system is designed to serve approximately 421 (equivalent) households. The intended plan is for all sewer lines to be constructed within roadway right-of-way.

An Environmental Assessment was previously completed for the WWTP site location in 2009. The proposed WWTP site was evaluated by the Kentucky Heritage Council (KHC) at that time, and archaeological surveys have been performed at the WWTP portion of the site.

As part of the Facilities Plan, we are requesting that the State Historic Preservation Office provide us with updated information concerning any historic and/or archaeological resources on and adjacent to the entire proposed project site. Please submit comments in a letter addressed

to the undersigned when you have completed your review. If you require additional information, please call me at (859) 233-3111. On behalf of the City of McKee, thank you for your kind and prompt attention to this matter.

Sincerely,



Kari A. Wallover, PG
Professional Geologist

Attachments

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STEVEN L. BESHEAR
GOVERNOR

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

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LINDY CASEBIER
ACTING EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

June 21, 2012

Kari A. Wallover
Nesbitt Engineering, Inc.
227 North Upper Street
Lexington, KY 40507-1016

**RE: City of McKee Wastewater Treatment Plant and Collection System Improvements,
Jackson County, Kentucky**

Ms. Wallover,

Thank you for your correspondence regarding the above referenced project. Our review indicated that the proposed project has the potential to impact sites eligible for listing or currently listed on the National Register of Historic Places. Therefore, we recommend that a cultural historic survey and an archaeological survey be completed by qualified professionals prior to project implementation. Separate reports documenting the results of the cultural historic and archaeological investigations must be submitted to the State Historic Preservation Office for review, comment and approval. Upon completion of our review of the aforementioned cultural historic and archaeological reports, the State Historic Preservation Officer will advise the applicant if further consultation is required.

Should you have any questions, feel free to contact Phillip Johnson of my staff at 502- 564-7005 ext 122.

Sincerely,

Lindy Casebier, Acting Executive Director
Kentucky Heritage Council and
State Historic Preservation Officer

LC:prj

Exhibit 9-4

U.S. Army Corps of Engineers Correspondence



October 16, 2007

United States Army Corps of Engineers
Nashville Regulatory District Office
3701 Bell Road
Nashville, Tennessee 37214

RE: City of McKee Wastewater Treatment Plant and Collection System Improvements,
Jackson County, Kentucky

Dear Sir/Madam:

Nesbitt Engineering, Inc. has been retained by the City of McKee to prepare an Environmental Assessment (EA) for proposed wastewater treatment facilities improvements in McKee, Jackson County, Kentucky. The project will include the construction of a new wastewater treatment plant (WWTP) in the City of McKee, in addition to the extension of an existing force main and the upgrading of existing pump stations. The project will also involve the construction of a new roadway entrance, driveway, and bridge over Indian Creek for access to the WWTP. Please find attached maps and photographs showing the proposed project location.

As part of the EA, we are requesting that the Army Corps of Engineers provide us with information concerning the possibility of wetlands within the impact area of the proposed project. Please submit comments in a letter addressed to the undersigned when you have completed your review. If you require additional information, please call me at (859) 233-3111. On behalf of the City of McKee, thank you for your kind and prompt attention to this matter.

Sincerely,
Nesbitt Engineering, Inc.

Kari A. Wallover, PG
Professional Geologist

kw
attachments

P:\McKee, City of\1098-01\Environmental\Corr\Agency letters and responses\USACE Lett.doc