COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES & ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRNOMENTAL PROTECTION
DIVISION OF WATER

APPLICATION FOR PERMIT TO CONSTRUCT ACROSS OR ALONG A STREAM AND / OR WATER QUALITY CERTIFICATION

Chapter 151 of the Kentucky Revised Statutes requires approval from the Division of Water prior to any construction or other activity in or along a stream that could in any way obstruct flood flows or adversely impact water quality. *If the project involves work in a stream, such as bank stabilization, dredging or relocation, you will also need to obtain a 401 Water Quality Certification (WQC) from the Division of Water.* This completed form will be forwarded to the Water Quality Branch for WQC processing. The project may not start until all necessary approvals are received from the KDOW. For questions concerning the WQC process, contact John Dovak at 502/564-3410.

If the project will disturb more than 1 acre of soil, you will also need to complete the attached Notice of Intent for Storm Water Discharges, and return both forms to the Floodplain management Section of the KDOW. This general permit will require you to create an implement an erosion control plan for the project.

1. **OWNER:** Joseph Zimmerman, Kentucky Department of Fish & Wildlife Resources
   Give name of person(s), company, governmental unit, or other owner of proposed project.
   MAILING ADDRESS: #1 Sportsman's Lane
   Frankfort, KY 40601
   TELEPHONE #: (502) 564-3400 ext: 4453 **EMAIL:** joseph.zimmerman@ky.gov
2. **AGENT:** Joe Eigel, PE, PhD, Stantec
   Give name of person(s) submitting application, if other than owner.
   ADDRESS: 1901 Nelson Miller Pkwy.
   Louisville, KY 40223
3. **ENGINEER:** Joe Eigel **P.E. NUMBER:** 14318
   Contact Division of Water if waiver can be granted.
   TELEPHONE #: (812) 285-4060 **EMAIL:** joe.eigel@stantec.com
4. **DESCRIPTION OF CONSTRUCTION:** The proposed activity consists of the restoration and enhancement of 3,552 linear feet (LF) of Locust Creek. This includes the relocation of 2,274 LF of stream to increase sinuosity and decrease erosion potential. Restoration activities consist of the installation of in-stream structures that will allow for aquatic habitat, as well as provide erosion and grade control, reshaping of the existing channel, stream realignment to increase sinuosity and create stable banks, and the planting of riparian vegetation to provide stability along the banks.
5. **COUNTY:** Lawrence **NEAREST COMMUNITY:** Martha
6. **USGS QUAD NAME:** Mazie **LATITUDE/LONGITUDE:** 38.0222° N, 82.9034° W
7. **STREAM NAME:** Locust Creek
8. **LINEAR FEET OF STREAM IMPACTED:** 1,583 LF
9. **DIRECTIONS TO SITE:** From Louisville take I-64 East to Exit 137 toward Morehead. Merge onto KY 32 South. Turn left at KY 32/US 60. Travel 11 miles and then turn right onto KY 173. Travel seven miles and turn left onto KY 556. Travel six miles and then turn left to stay on KY 556. Turn left onto KY 7 and then right onto KY 32 toward Martha (~16 miles). From Martha, continue east on KY 32 and travel approximately 1.5 mile until the road crosses Locust Creek. The project site parallels Locust Creek Road which is on the left.
10. **IS ANY PORTION OF THE REQUESTED PROJECT NOW COMPLETE?** ☐ Yes **X** No If yes, identify the completed portion on the drawings you submit and indicate the date activity was completed. DATE: _____
11. **ESTIMATED BEGIN CONSTRUCTION DATE:** April 2009
12. **ESTIMATED END CONSTRUCTION DATE:** November 2009

13. HAS A PERMIT BEEN RECEIVED FROM THE US ARMY, CORPS of ENGINEERS? X Yes ☐ No If yes, attach a copy of that permit.

14. THE APPLICANT *MUST* ADDRESS PUBLIC NOTICE:

(a) PUBLIC NOTICE HAS BEEN GIVEN FOR THIS PROPOSAL BY THE FOLLOWING MEANS:

____ Public notice in newspaper having greatest circulation in area (provide newspaper clipping or affidavit)

____ Adjacent property owner(s) affidavits (Contact Division of Water for requirements.)

(b) _X_ I REQUEST WAIVER OF PUBLIC NOTICE BECAUSE:

The Kentucky Department of Fish & Wildlife Resources has coordinated with property owners throughout the planning phase of the project.

15. I HAVE CONTACTED THE FOLLOWING CITY OR COUNTY OFFICIALS CONCERNING THIS PROJECT:

_____

Give name and title of person(s) contacted and provide copy of any approval city or county may have issued.

_____

16. LIST OF ATTACHMENTS: Section 404 Permit Application and Attachments

List plans, profiles, or other drawings and data submitted. Attach a copy of a 7.5 minute USGS topographic map clearly showing the project location.

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17. I, Joseph Zimmerman (owner) CERTIFY THAT THE OWNER OWNS OR HAS EASEMENT RIGHTS ON ALL PROPERTY ON WHICH THIS PROJECT WILL BE LOCATED OR ON WHICH RELATED CONSTRUCTION WILL OCCUR (for dams, this includes the area that would be impounded during the design flood).

18. REMARKS: _____

_____

_____

I hereby request approval for construction across or along a stream as described in this application and any accompanying documents. To the best of my knowledge, all the information provided is true and correct.

SIGNATURE: _____

Owner or Agent sign here. (If signed by Agent, a Power of Attorney should be attached.)

DATE: 10-7-09

SIGNATURE OF LOCAL FLOODPLAIN COORDINATOR:

_____ Tim S. Ellis

Permit application will be returned to applicant if not properly endorsed by the local floodplain coordinator.

DATE: 10.07.08

SUBMIT APPLICATION AND ATTACHMENTS TO:

Floodplain Management Section
Division of Water
14 Reilly Road
Frankfort, KY 40601