

FRANKLIN COUNTY  
PLANNING, ZONING  
&  
BUILDING CODE ENFORCEMENT

FACSIMILE TRANSMITTAL SHEET

TO: <b>Public Service Commission</b>	FROM: <b>Robert Hewitt, Director</b>
COMPANY:	DATE: <b>11/21/2007</b>
FAX NUMBER: <b>502-564-3460</b>	TOTAL NO. OF PAGES INCLUDING COVER: <b>22</b>
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE: <b>Case #2007-00134</b>	YOUR REFERENCE NUMBER:

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

Response from Frankfort/Franklin County Planning Commission

**RECEIVED**

NOV 21 2007

PUBLIC SERVICE  
COMMISSION

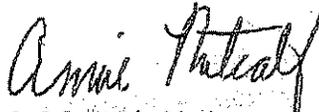
FRANKLIN COUNTY COURTHOUSE ANNEX  
315 WEST MAIN STREET, ROOM 305  
FRANKFORT, KY 40601  
OFFICE (502) 875-8701 / FAX (502) 875-8755

rian (adopted January 2001). As a part of the Comprehensive Plan update, the Frankfort/Franklin County Planning Commission held numerous public hearings in 2006 to develop updated goals and objectives. These goals and objectives have been adopted by the Frankfort/Franklin County Planning Commission as well as, the Franklin County Fiscal Court and Frankfort City Commission. The Kentucky American Water Company application does not appear to consider the current Comprehensive Plan for Frankfort and Franklin County or our adopted goals and objectives.

As such, the rural development designation is intended to allow for agricultural activities and low-density residential development. The goal of the Frankfort/Franklin County Planning Commission is to direct managed, responsible growth into areas most suitable to accommodate the pressures of land use development. Kentucky American Water Company has stated in two public hearings, conducted in Franklin County, that the transmission line could be tapped to provide service to areas in and around the transmission line route. The Frankfort/Franklin County Planning Commission considers the use of infrastructure as a planning tool when considering the creation of the future land use map as well as development proposals. The possible introduction of a new water line in the absence of other necessary facilities and/or services (i.e. sewer, fire protection) circumvents the whole planning process in Franklin County. The current transportation infrastructure in and around the route is not adequate to accommodate the potential development impacts as shown in the attached photographs of the proposed route. The Community Facilities Committee of the Frankfort/Franklin County Planning Commission finds that there are options to ensuring adequate water supply, including demand side management.

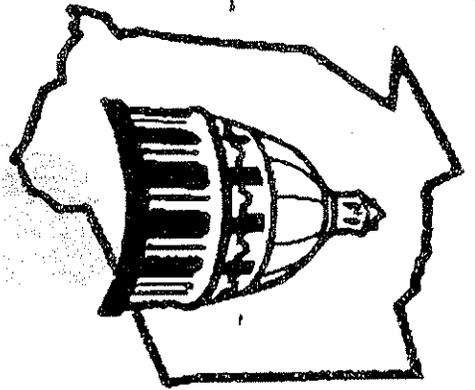
In conclusion, the Frankfort/Franklin County Planning Commission would strongly urge that the Public Service Commission would consider other alternatives to addressing the water needs of central Kentucky before any formal approvals are granted.

Sincerely,



Annie Metcalf, Chairperson  
Community Facilities Committee  
Frankfort/Franklin County Planning Commission

Cc: Franklin County Fiscal Court  
Frankfort City Commission



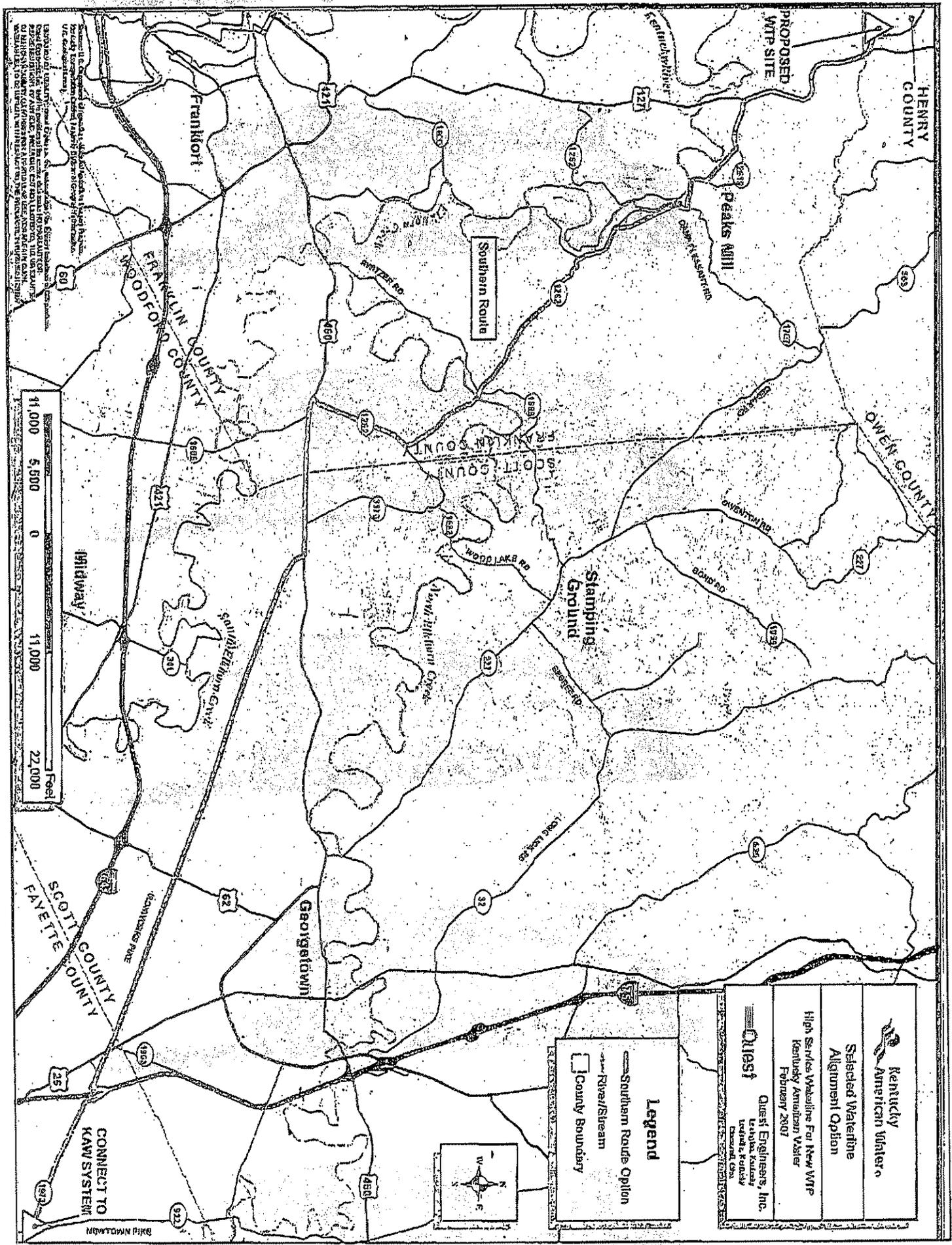
**Frankfort/Franklin County**  
**Planning Commission**

**Report to the Commission on the Impact of  
a Water Pipeline through Northern Franklin  
County**

**November 8  
2007**

**Gary Muller,  
City Planning  
Director**

**Robert Hewitt,  
County  
Planning  
Director**



Kentucky American Waters

Selected Waterline Alignment Option

High Service Waterline For New WTP  
 Kentucky American Water  
 February 2007

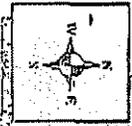
**Quest**  
 Quest Engineers, Inc.  
 10000 Parkway  
 Louisville, Kentucky  
 40225-1000, USA

**Legend**

— Southern Route Option

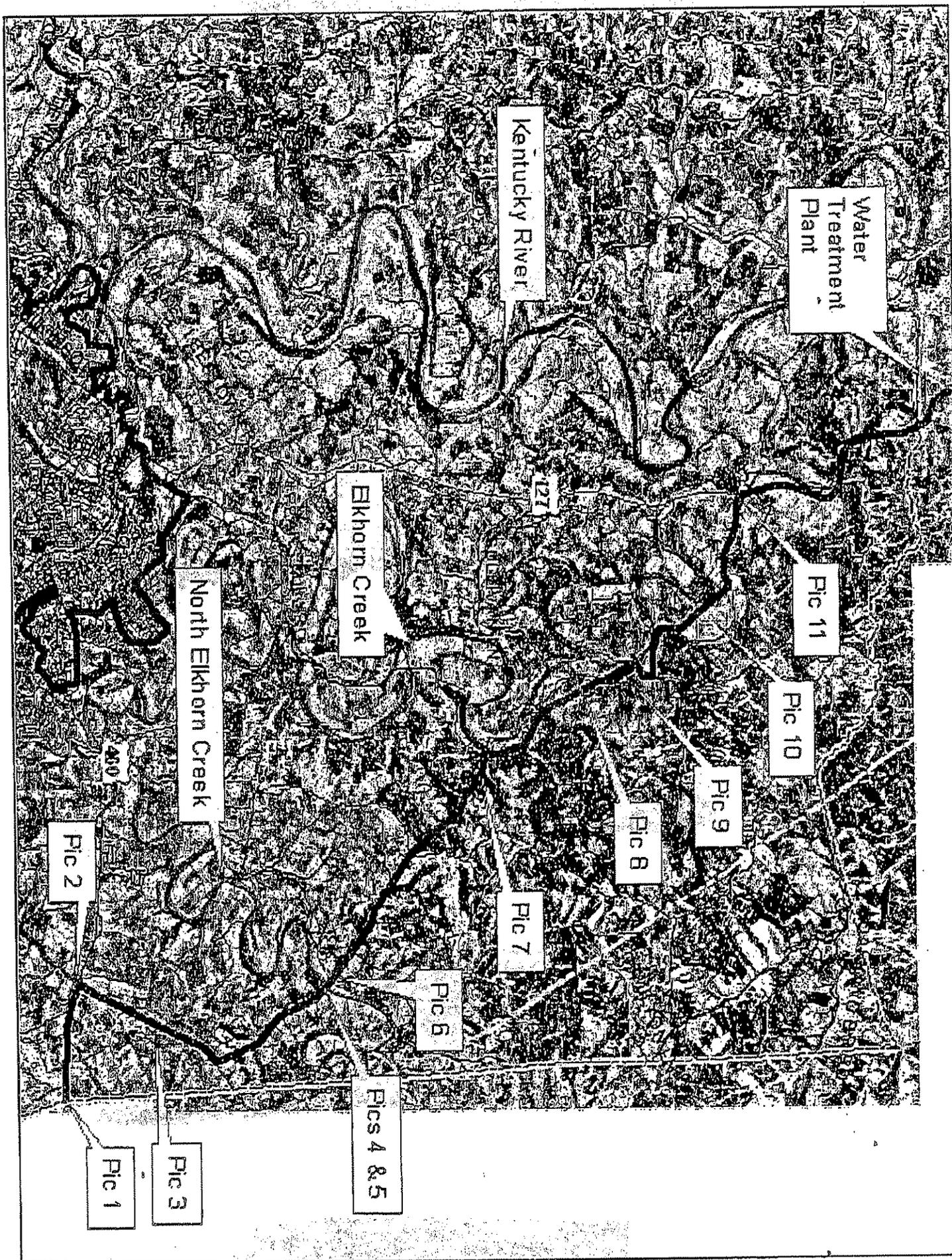
— River/Stream

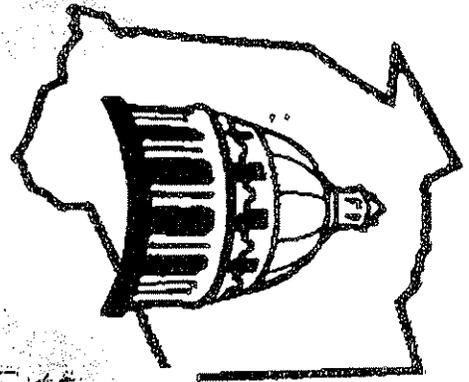
□ County Boundary



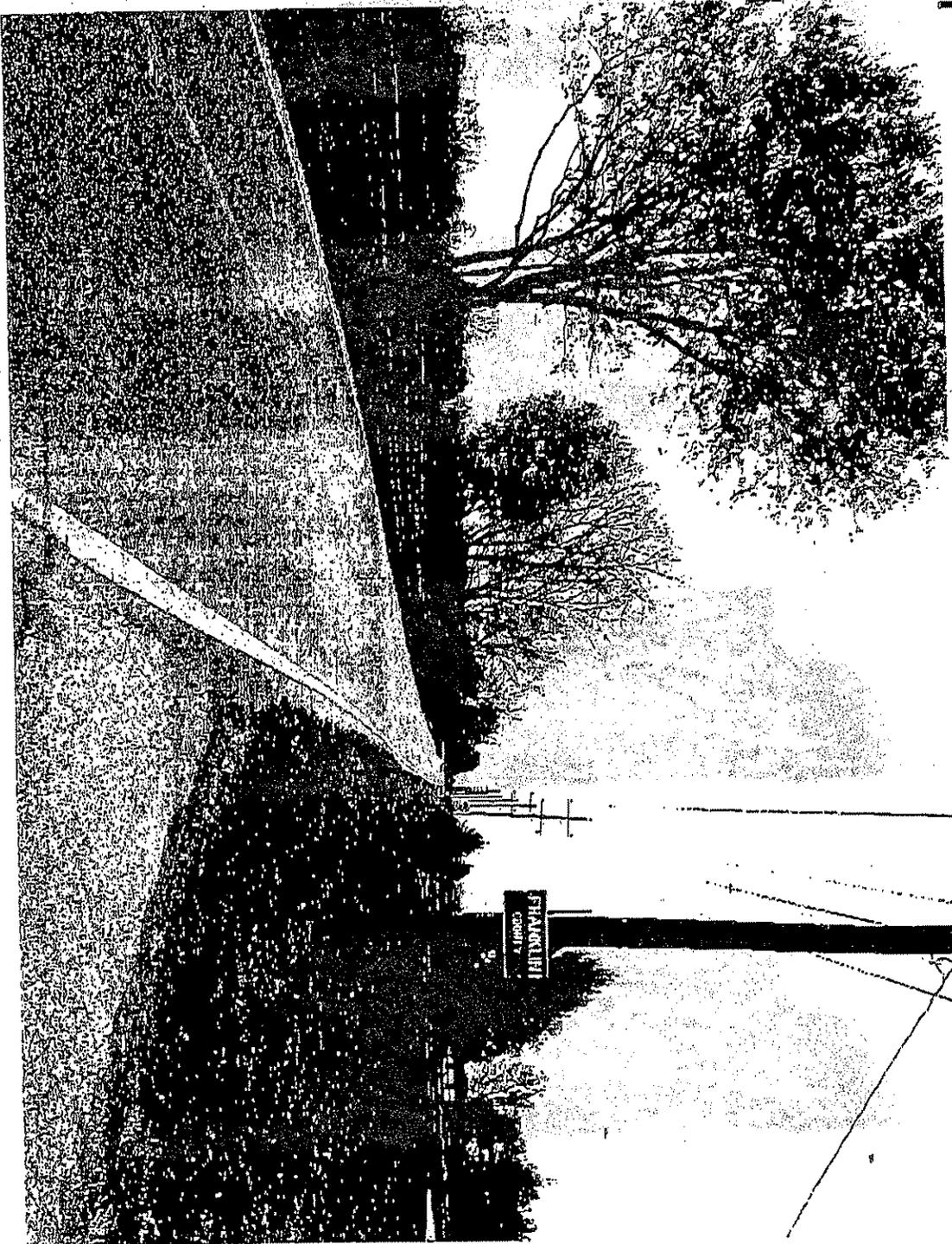
STATE OF KENTUCKY  
 DEPARTMENT OF REVENUE  
 FRANKLIN COUNTY  
 FRANKFORT, KY 40601

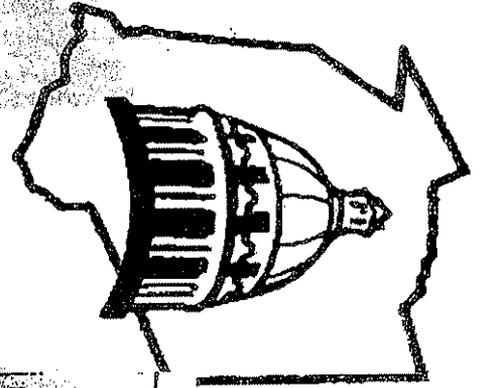
CONNECT TO KAW SYSTEM



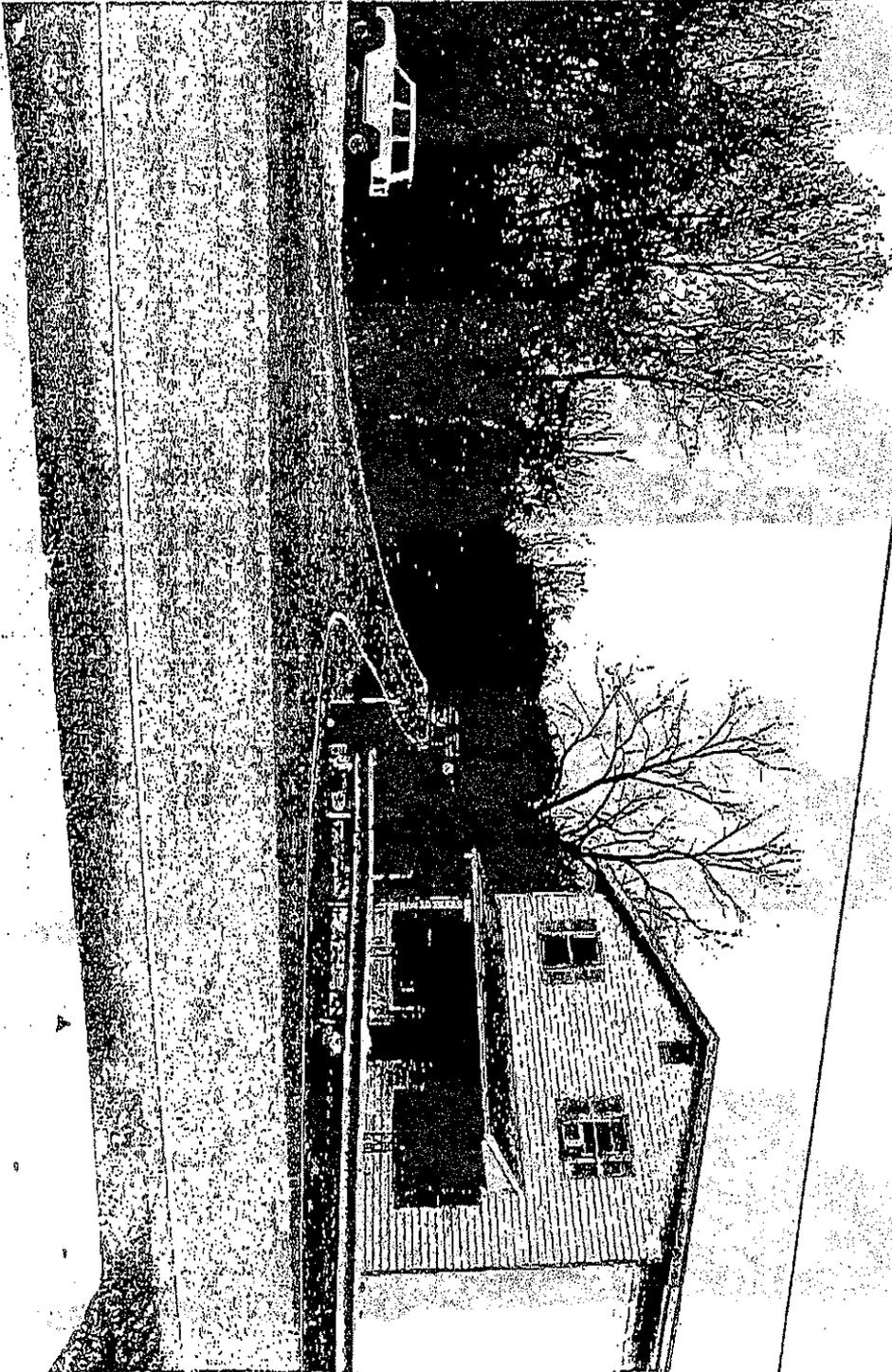


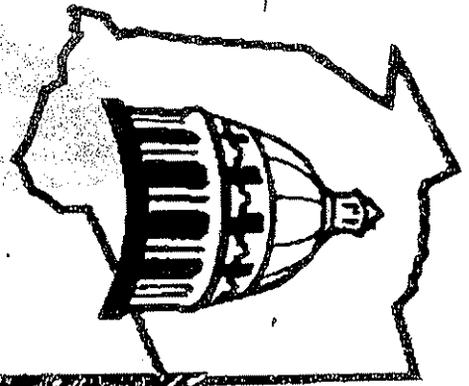
**Picture 1: US 460 at County Line**





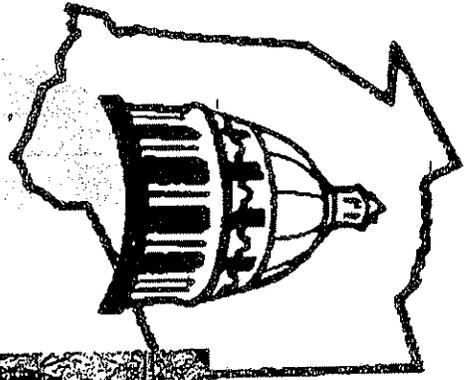
**Picture 2: US 460 & KY 1262**



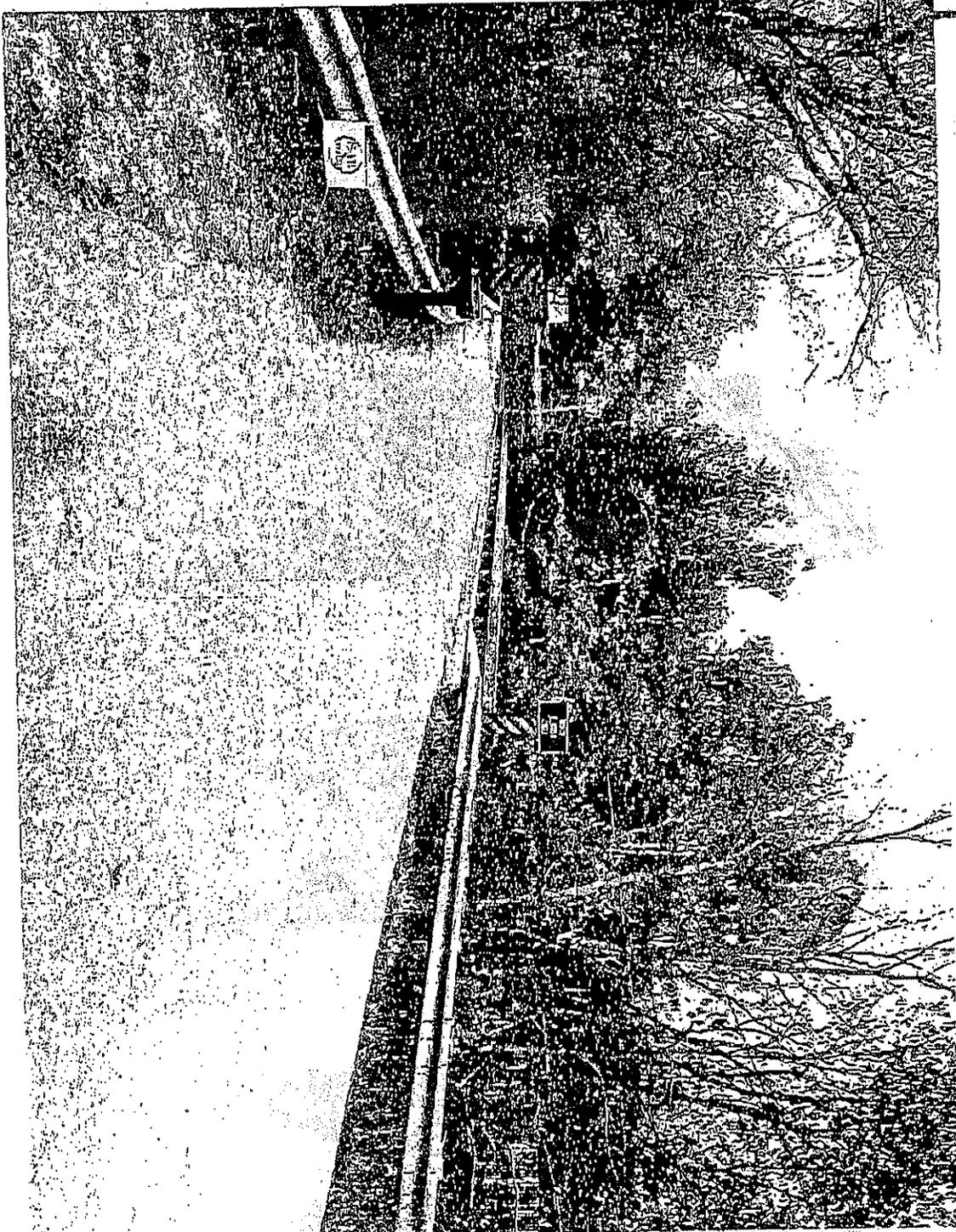


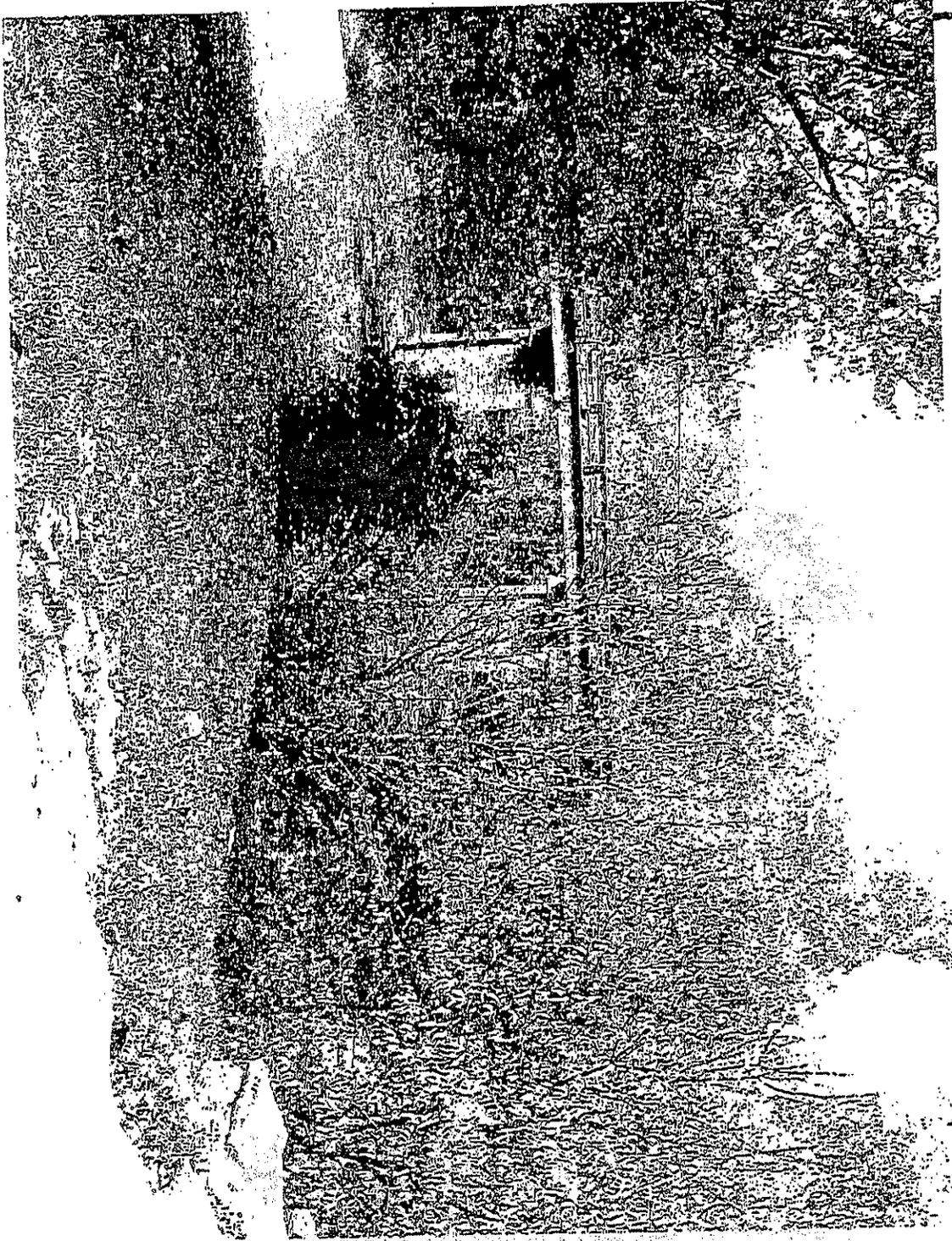
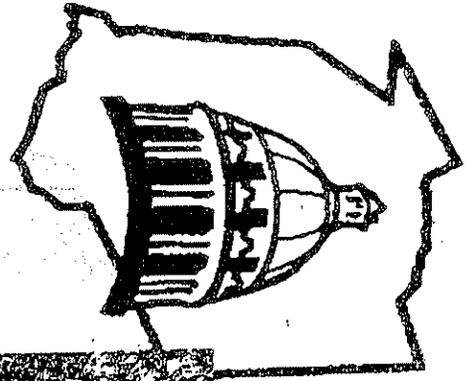
**Picture 3: Along KY 1262**



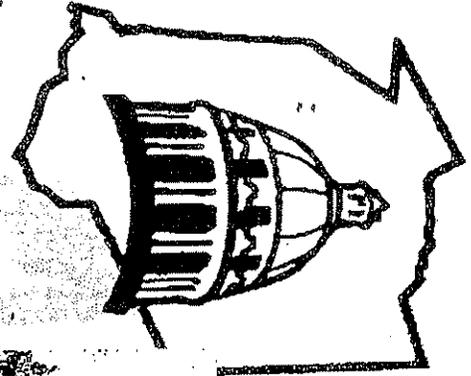


**Picture 4: At Switzer Covered  
Bridge**

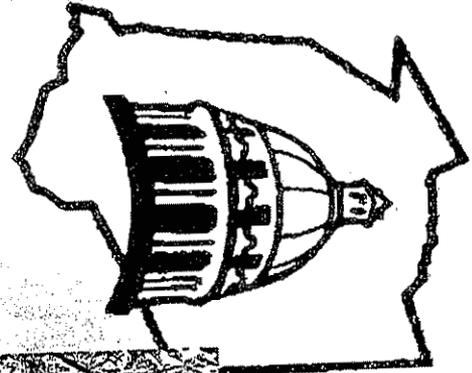




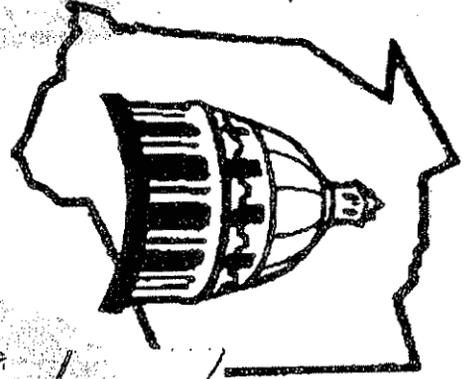
**Picture 5: At Switzer Covered  
Bridge**



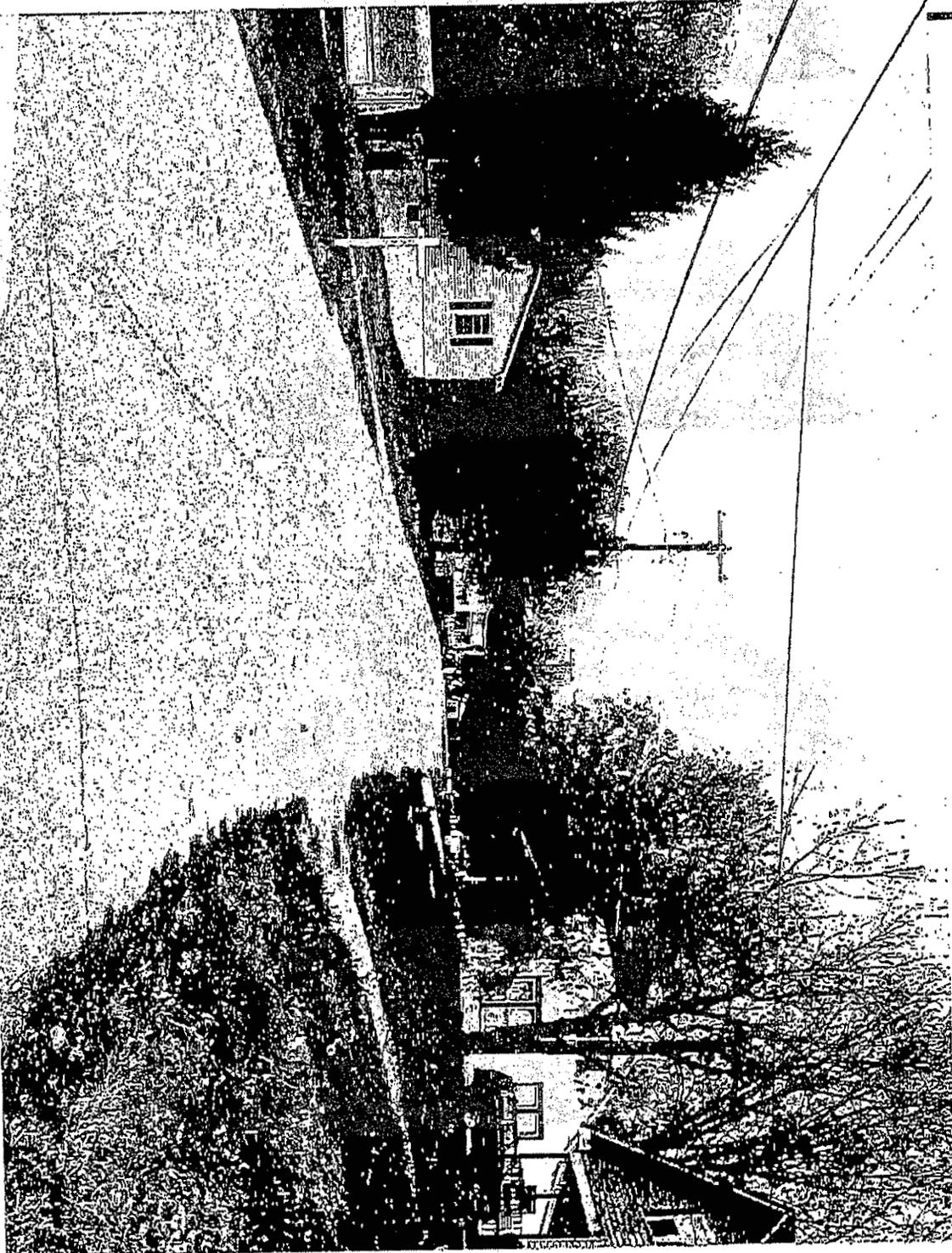
**Picture 6: Switzer**

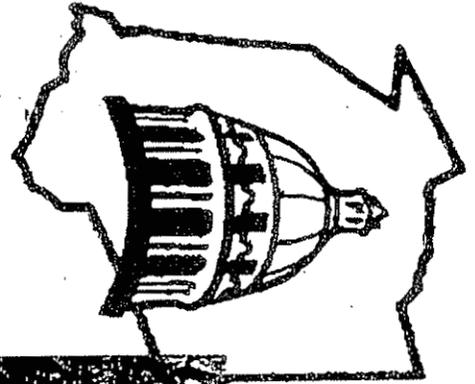


**Picture 7: Rocky Branch Road**

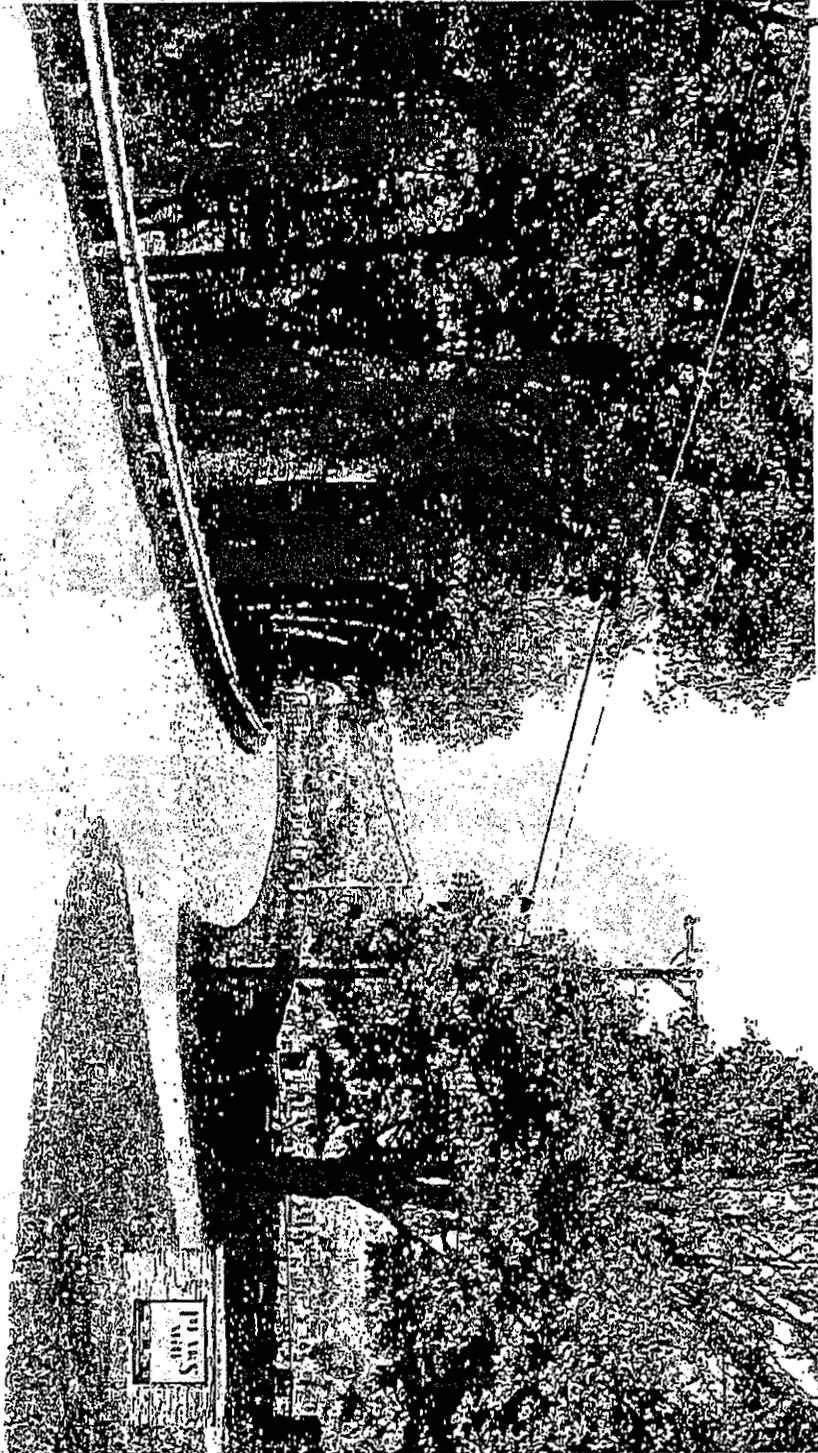


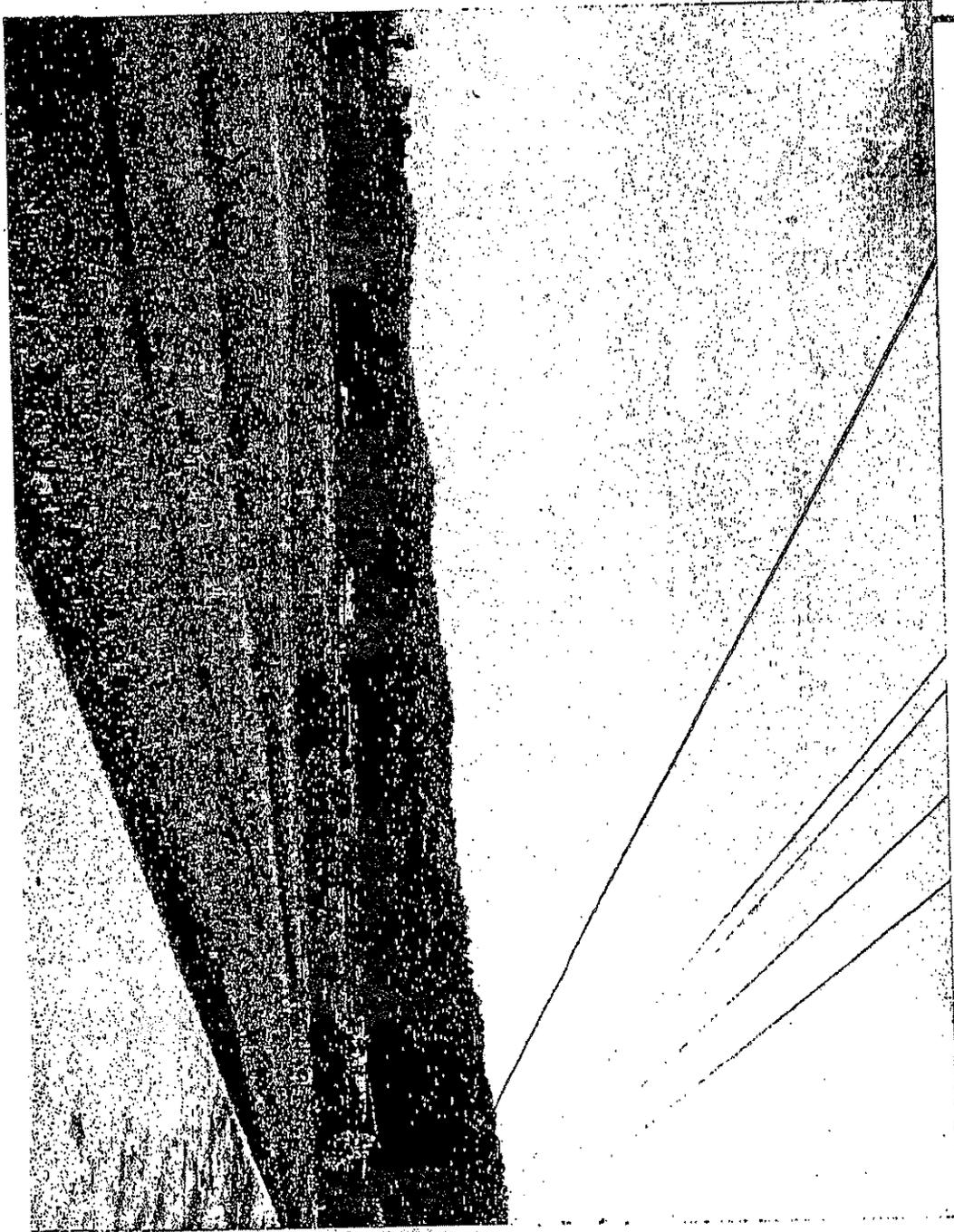
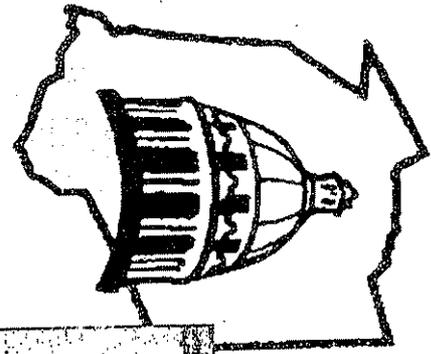
**Picture 8: Peaks Mill**





**Picture 9: KY 1262 @ Peaks Mill  
Christian Church**





**Picture 10: Fish Hatchery**



**The Proposed Kentucky American Pipeline and its Effects on the  
Implementation of the Frankfort/Franklin County Comprehensive Plan**  
*submitted by Envision Franklin County and Citizens for Alternative Water Solutions  
to the Frankfort/Franklin County Planning and Zoning Commission*  
November 8, 2007

Kentucky American's proposed 42-inch pipeline through northern Franklin County should be of great concern to the Planning and Zoning Commissioners, elected officials, and residents of Franklin County. At stake is the health and well-being of the county and the ability of officials to plan development for Franklin County in accord with the newly revised and adopted Goals and Policies of the Comprehensive Plan.

The Goals and Policies of the Comprehensive Plan are the result of a year and a half of committee meetings and broad community involvement which culminated in a recommendation of adoption from the Planning and Zoning Commission and adoption by both the City Commission and the Fiscal Court. The proposal currently before the Public Service Commission (case # 2007-001340) to route a pipeline through the Elkhorn Creek Valley in Northern Franklin County roughly following 127 North to Indian Gap Road to 1262 through Peaks Mill and Switzer and out to 460 would prevent planners from implementing the following goals of the Comprehensive Plan:

**Goal 1: Grow by Design**

- If approved, the pipeline would hijack the county's ability to grow by design. Tap-ons for large subdivisions would be allowed and piggy-back right-of-way development would be inevitable.
- Neither the pipeline nor the development potentially associated with it was discussed as the Goals and the Policies of the Comprehensive Plan were updated, and neither the City nor the County have planned to provide the services for such development.
- The pipeline and its 90-foot construction right-of-way will negatively impact stone walls, woodlands, wetlands, and areas with unique historic and cultural features, such as the Switzer Bridge. These lands and features are of significant concern under Goal 1 of the Comprehensive Plan, and any development of them should entail much more thorough consideration than is evident in the current pipeline proposal.

**Goal 2: Distinguish Town and County Identity**

- The sprawl that may well result from the pipeline will hinder the community from maintaining the distinction between urban and rural areas.
- The ability of the communities of Peaks Mill and Switzer to stay small and compact and retain their rural character will be compromised.
- The policy of encouraging the preservation of existing farms and rural lands outside of existing and planned urban areas will be undermined.

**Goal 3: Use Infrastructure as a Planning Tool**

- KAW's pipeline infrastructure is designed to benefit KAW and its parent companies and stakeholders. It was not designed for the benefit of Franklin County and is clearly not intended to further the goal of having planned growth in this community. Kentucky American did not participate in the Comprehensive Plan update process and did not consider our community's vision for growth and development when it chose its preferred route.
- The Kentucky American pipeline will shift growth into areas that are not seen as the most suitable under the Comprehensive Plan, and will achieve exactly the opposite of what Goal 3 intends.

-Development along the pipeline corridor will be removed from existing infrastructure service areas, and will degrade county roads, create traffic hazards, and strain the capacity of emergency services in the area.

#### Goal 4: Promote Economic Health

-The KAW pipeline will take property from many Franklin County residents and force Franklin County to bear the cost of lost property, unplanned development, and deteriorating roads.

-Study after study shows that suburban residential development costs more in community services that it generates in property tax revenues. (See attached study from the American Farmland Trust.)

-The pipeline will run under or near narrow rural roads. The cranes, bulldozers, dump trucks, blasting equipment, drill rigs, and other heavy equipment used to install the pipe will all use and negatively impact these roads.

-During construction, the residents of the area will experience inconveniences and delays.

-There is the real possibility that the pipeline construction will disrupt groundwater flows risking the water supply and livelihood of residents along the proposed pipeline route.

#### Goal 5: Protect Environmental Health

-The proposed pipeline threatens the integrity of the natural environment.

-The proposed pipeline also threatens scenic viewsheds and the rural character of northern Franklin County.

-Kentucky American has failed to thoroughly consider the environmental impacts of the proposed pipeline, and construction of the pipeline is at odds with the policy in the Comprehensive Plan to encourage new development to be designed in a manner that preserves the natural topography and other natural features such as trees, woodlands, wildlife, rare species, streams, ponds, and drainage ways.

-The following rare species occur along the proposed pipeline route, but there is no mention of them in Kentucky American's pipeline proposal:

\**Arabis perstellata* (Braun's rockcress, USFWS Endangered, KSNPC Threatened)—4 occurrences and one designated Critical Habitat Area FR 31460 (published June 3, 2004)

\**Lesquerella globosa* (globe bladderpod, USFWS Candidate, KSNPC Endangered)

\**Elymus svensonii* (Svenson's wildrye, KSNPC Special Concern, species of federal interest)

\**Rana pipiens* (northern leopard frog, KSNPC Special Concern)

\**Gallinula chloropus* (common moorhen, KSNPC Threatened)

\**Alasmidonta marginata* (Elktoe [mussel], KSNPC Threatened)

-The proposed pipeline route includes the following twenty stream crossings:

1) Morgadore Creek (1<sup>st</sup> order)

2) Long Branch (1<sup>st</sup> order)

3) Long Branch (2<sup>nd</sup> order) —larger fork

4) Elkhorn Creek (1<sup>st</sup> order) —a small tributary

5) Elkhorn Creek (4<sup>th</sup> order) —small segment at the fish hatchery

6) Elkhorn Creek (2<sup>nd</sup> order) —another small tributary

7) Elkhorn Creek (1<sup>st</sup> order) —small tributary

8) Sulphur Lick (3<sup>rd</sup> order)

9) Rocky Branch (2<sup>nd</sup> order)

10) Rocky Branch (1<sup>st</sup> order)

11) North Elkhorn Creek (1<sup>st</sup> order)

12) North Elkhorn Creek (5<sup>th</sup> order)—Switzer

13) Jones Lane Branch (1<sup>st</sup> order)

14) Buck Run (1<sup>st</sup> order)

- 15) Buck Run (2<sup>nd</sup> order)
- 16) Buck Run (1<sup>st</sup> order)
- 17) South Elkhorn (1<sup>st</sup> order) —crosses twelve small branches as the route goes from 460 to 1973
- 18) Cane Run (1<sup>st</sup> order) —four small branches
- 19) Cane Run (2<sup>nd</sup> order)
- 20) Cane Run (3<sup>rd</sup> order)

-The route goes through the following HUC watersheds as identified by Division of Water.

HUC 11 priority watersheds

- 1) Cane Run HUC 0510020580200 (29145 acre)—source water area protection area for Georgetown's Royal Springs.
- 2) South Elkhorn Creek HUC 05100205270 (114,669 acres)

HUC 14 watersheds:

- 1) Cane Run—29,149 acres HUC 05100205280200
- 2) South Elkhorn Creek—13,728 acres HUC 05100205270090

#### Goal 6: Preserve Existing Neighborhoods

-The proposed pipeline threatens the preservation of the rural villages of Peaks Mill and Switzer.

#### Goal 7: Enhance Community Quality and Character

-The proposed pipeline threatens the rural character of Franklin County.

The proposed Kentucky American Pipeline will require a 30-foot wide permanent easement and a 90-foot wide construction easement. It will create a swath of disturbed earth, uprooted trees, torn-up pavement, and compromised fencelines during the roughly two year construction period, and, after completion, it will open northern Franklin County to sprawling, unplanned development. None of the outcomes of this proposed project match the Goals and Policies of the Comprehensive Plan, and the proposed Kentucky American pipeline brings little or no benefit to the citizens of Franklin County.

Better alternatives exist for supplying water to Central Kentucky, and we request that the Frankfort/Franklin County Planning and Zoning Commission sends comments to the Public Service Commission highlighting the myriad ways that going forward with this project will threaten the ability of this community to implement the goals and policies of our Comprehensive Plan.

Envision Franklin County

Contact: Brent Sweger

Brent.sweger@ky.gov

(502) 875-4545

Citizens for Alternative Water Solutions

Contact: Chris Schimmoeller

(502) 226-5751

www.cawsky.com

Jim Fries  
100 Deer Run Drive  
Frankfort, Kentucky 40601

Frankfort Franklin County Planning Commission, Comprehensive Plan Update  
Committee

I am a resident of Frankfort and Franklin County and have lived and worked in Frankfort for the last 10 years. Prior to returning to Frankfort in 1997, I was the Director of the Municipal and Agricultural Water Conservation Programs for State of Texas. I helped design and I managed these programs for six years while working for the Texas Water Development Board. I also managed the regional water supply programs for the State of Texas during the same time period. As a water resource professional and as a citizen of Frankfort and Franklin County, I would like to express my opposition to the proposed Kentucky American pipeline for both economic and environmental reasons. Numerous alternatives, including demand management, exist, and these should be fully explored before any inter-basin transfer is ever considered.

Thank you for considering my input.



Jim Fries