

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

Electronic Application Of Kentucky Power)	
Company For A Certificate Of Public Convenience)	
And Necessity To Construct A 138 kV)	Case No. 2020-00062
Transmission Line And Associated Facilities)	
In Pike And Floyd Counties (Kewanee-Enterprise)	
Park 138 kV Transmission Line Project))	

**Kentucky Power Company's Notice Of Filing Of
Approval Of Stream Construction Permit**

Kentucky Power Company files with the Public Service Commission of Kentucky in accordance with ordering paragraph 11 of the Commission's December 29, 2020 Order the letter from the Energy and Environment Cabinet, Department of Environmental Protection granting a stream construction permit for construction in or along a stream.

Respectfully submitted,



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COUNSEL FOR KENTUCKY POWER
COMPANY

ANDY BESHEAR
GOVERNOR



REBECCA W. GOODMAN
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

ANTHONY R. HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

STREAM CONSTRUCTION PERMIT

For Construction In Or Along A Stream

Issued to: **AEP Kentucky Power Company**
Address: **40 Franklin Road**
Roanoke, VA 24011

Permit effective date: **December 21, 2021**
Permit expires on: **December 21, 2022**

Permit No.: **31412**

Agency Interest: **168540**
Activity ID: **APE20210002**

In accordance with KRS 151.250 and KRS 151.260, the Energy and Environment Cabinet approves the application dated **November 16, 2021** for **installation of one 36" diameter culvert and seven 18" diameter culverts in the floodplain of unnamed tributaries to Keathley Branch, Branham Creek, Island Creek, Compton Branch, and Cane Branch, rip rap inlet and outlet protection, and placement of timber mats for access roads associated with the construction of five miles of new double circuit 138-kV transmission line with beginning coordinates 37.447969, -82.621232, in Floyd County and ending coordinates 37.417061, -82.541315, in Pike County.**

There shall be no deviation from the plans and specifications submitted and hereby approved unless the proposed change shall first have been submitted to and approved in writing by the Cabinet. This approval is subject to the attached limitations. **Please read these limitations carefully!** If you are unable to adhere to these limitations for any reason, please contact this office prior to construction.

This permit is valid from the standpoint of stream obstruction only. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal and local agencies. Specifically if the project involves work in a stream, such as bank stabilization, dredging, relocation, or in designated wetlands, a 401 Water Quality Certification from the Division of Water will be required.

This permit is nontransferable and all construction must be completed by the expiration date noted above. Year by year extensions may be requested subject to the requirements of 401KAR 4:060 Section 3 (5) (a) and (b). A request for extension, including the Agency Interest and permit numbers listed above and statement that the scope of the project has not changed can be emailed to DOWFloodplain@ky.gov.

Any violation of the Water Resources Act of 1966 as amended is subject to penalties as set forth in KRS 151.990.

If you have any questions regarding this permit, please call Soheyl Bigdeli at 502-782-6890.

Sincerely,

A handwritten signature in black ink that reads "Solitha W. Dharman".

Solitha Dharman, P.E.
Floodplain Management Section
Water Resources Branch
Division of Water

c: Hazard Regional Office
Jimmy Kiser, Pike County Floodplain Coordinator
Don Hughes, Floyd County Floodplain Coordinator
Timothy N. Kritis, P.E., Power Engineers



KentuckyUnbridledSpirit.com

An Equal

File

FINAL CONSTRUCTION REPORT

NAME: AEP Kentucky Power Company

PERMIT NO: 31412

AI NO: 168540 Activity ID: APE20210002

Has all work on this project been completed according to the plans and specifications on file with the Division of Water?

Yes: _____

No: _____ **If no, explain. You may include attachments if necessary.**

eMail Instructions

- Copy and paste the Final construction Report text above and your responses into a blank eMail or
- Enter your name, permit number, AI #, activity # and your project completion date/explanation if not complete into a blank eMail.
- Email to DOWFloodplain@ky.gov with subject line of "FCR"

Mailing Instructions

- Fold the top edge of this page to the top edge of this box.
- Fold the bottom edge of the page up to meet the top fold and tape shut.
- Fill out return address portion
- Affix a stamp and mail.

Place
Stamp
Here

**Floodplain Management Section
Division of Water
300 Sower Boulevard
Frankfort, KY 40601**

Stream Construction Permit
Kewanee Substation Kentucky American Power
Facility Requirements
Permit Number: 31412
Activity ID No.: APE20210002

STRC0000000001 (AI: 168540 - Electric Line) installation of one 36" diameter culvert and seven 18" diameter culverts in the floodplain of unnamed tributaries to Keathley Branch, Branham Creek, Island Creek, Compton Branch, and Cane Branch, rip rap inlet and outlet protection, and placement of timber mats for access roads associated with the construction of five miles of new double circuit 138-kV transmission line with beginning coordinates 37.447969, -82.621232, in Floyd County and ending coordinates 37.417061, -82.541315, in Pike County:

Submittal/Action Requirements:

Condition No.	Condition
S-1	AEP Kentucky Power Company must submit final construction report within 90 days after completion of construction. AEP Kentucky Power Company must notify in writing that the project has been completed in accordance with the approved plans and specifications. A Final Construction Report Form is enclosed. [401 KAR 4:060 Section 6]

Narrative Requirements:

Condition No.	Condition
T-1	The issuance of this permit by the cabinet does not convey any property rights of any kind or any exclusive privilege. [KRS 151.250 & 401 KAR 4:060]
T-2	This permit is issued from the standpoint of stream obstruction only and does not constitute certification of any other aspect of the proposed construction. The applicant is liable for any damage resulting from the construction, operation, or maintenance of this project. This permit has been issued under the provisions of KRS Chapter 151.250 and regulations promulgated pursuant thereto. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal and local agencies. [KRS 151.250]
T-3	A copy of this permit must be available at the construction site. [KRS 151.250]
T-4	Any work performed by or for AEP Kentucky Power Company that does not fully conform to the submitted application or drawings and the limitations set forth in this permit, is subject to partial or total removal and enforcement actions pursuant to KRS 151.280 as directed by the Kentucky Department for Environmental Protection. [KRS 151.280]
T-5	Any design changes or amendments to the approved plans must be submitted to the Division of Water and approved in writing prior to implementation. [KRS 151.250]

Stream Construction Permit
Kewanee Substation Kentucky American Power
Facility Requirements
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Narrative Requirements:

Condition No.	Condition
T-6	Since Floyd and Pike Counties participate in the National Flood Insurance Program, a local floodplain permit must be obtained prior to beginning of construction. Upon completion of construction AEP Kentucky Power Company must contact the local permitting agency for final approval of the construction for compliance with the requirements of the local floodplain ordinance. [401 KAR 4:060 Section 9(c)]
T-7	AEP Kentucky Power Company or any successor shall maintain the culverts in good condition and keep them free of drift and debris at all times. [401 KAR 4:060 Section 3(1), KRS 151.250]
T-8	Erosion prevention measures, sediment control measures, and other site management practices shall be designed, installed, and maintained in an effective operating condition to prevent migration of sediment off site. [KRS 224.70-110]
T-9	To avoid secondary adverse impacts, all materials used shall be stable and inert, free from pollutants and floatable objects, and shall meet all appropriate engineering standards. (Inert here means materials that are not chemically reactive and that will not rot or decompose, such as soil, rock, broken concrete or similar materials.). [401 KAR 4:060 Section 7]
T-10	All debris and excess material shall be removed for disposal outside of the base floodplain. [401 KAR 4:060]
T-11	Upon completion of construction all disturbed areas shall be seeded and mulched or otherwise stabilized to prevent erosion. [401 KAR 4:060]
T-12	The entry of mobile equipment into the stream channel shall be limited as much as reasonably possible to minimize degradation of the waters of the Commonwealth. [401 KAR 4:060]
T-13	Construction other than as authorized by this permit shall require written approval from the Division of Water. [401 KAR 4:060]
T-14	The Water Quality Certification Section has determined that this project is covered under the KY General Certification #57 of the Nationwide Permit for Electrical Utility Line & Telecommunication Activities provided that this project has received the appropriate Nationwide Permit from the U.S. Army Corps of Engineers and all conditions of the enclosed General Water Quality Certification are met. Please carefully review the enclosed General Water Quality Certification conditions. Questions should be directed to the Water Quality Certification Section, at 401WQC@ky.gov or (502) 564-3410. [KRS 224.16-050 & Clean Water Act Section 401]