



KENTUCKY ENERGY & ENVIRONMENT CABINET

§401 Water Quality Certification Pre-Filing Meeting Request Form

Federal regulation 40 CFR 121.4 requires the applicant to submit a pre-filing meeting request before filing a *Certification Request*. More information may be viewed on the [U.S. EPA Overview of §401 Certification](#) webpage.

This form may be used to request the pre-filing meeting and submitted to the Division of Mine Permits. The information requested below will allow the Division of Mine Permits to provide guidance for filing a *§401 Water Quality Certification Request*.

Contact the Division of Mine Permits at Thomas.Barbour@ky.gov, or 502-782-6549 with any questions.

SECTION I – Applicant Information (property owner or easement holder)

Applicant Name: KDAML (Ernie Ellison) | E-mail Address: ernie.ellison@ky.gov

The [Application for Permit to Construct Across or Along A Stream and/or Water Quality Certification \(Form DOW 7116, July 2008\)](#) is required for Individual Water Quality Certification. Attached Submitted

AI Number (leave blank if unknown): N/A

Date: January 19, 2022

SECTION II – Alternate Contact/ Consultant Information (Optional, a consultant is not required)

Alternate Name: Edwin A. Boone, Jr. | E-Mail Address: edwin.boone@ky.gov

SECTION III – The federal license or permit(s) required for the activity (check all that apply)

Section 404 Permit Section 10 Permit Nationwide Permit (NWP) No.: 37 LOP (Section 10/404)
 Section 10/404 Regional General Permit TVA 26a Permit Federal Energy Regulatory Commission

SECTION IV – Project Site Information

Site or Project Name: Willie Chapman AMDAP | Latitude & Longitude (decimal degrees): N37.513611°/W082.378277°

4a. Water Resource proposed for alteration: Stream/River Wetland

4b. Name of Water Resource (access watermaps.ky.gov for more information): Unnamed Trib to Stinking Branch-05070203004365

4c. Surface Water Resource Impacts (permanent and temporary):
Linear feet of stream/river: ~2,055 Average stream/river width (feet): ~2 Acreage of wetland: N/A

4d. Has a Jurisdictional Determination been received from the U.S. Army Corps of Engineers? Yes No

4e. Are the streams and/or wetlands that will be impacted identified by the Division of Water as Outstanding State or National Resource Water, Cold Water Aquatic Habitat, or Exceptional Waters? (access watermaps.ky.gov and [Special Use Waters](#) for more information) Yes No

Form continues on the next page

SECTION V – Project Description (some items may not apply)		
5a.	Description of the proposed project, including but not limited to the size, depth, length of the project, types of materials proposed for use, and anticipated timeline for construction and operation.	<input checked="" type="checkbox"/> Attached
5b.	Table of impacts: If there are multiple discharge locations that are not continuous, please include a separate table or figure listing the coordinate location (in decimal degrees) of each surface water impact, linear feet/ acreage of impact, name of waterbody, and stream flow type (ephemeral, intermittent, perennial).	<input type="checkbox"/> Attached
5c.	Site plans and description of site development, including but not limited to maps of surface waters and proposed surface water impacts within the project area.	<input checked="" type="checkbox"/> Attached
5d.	Proposed temporary impacts to surface waters: linear feet of temporary stream impacts, acreage of temporary wetland impacts, and the proposed plans for restoration. -(See Planset, Attached)	<input type="checkbox"/> Attached
5e.	Preliminary Jurisdictional Determination (PJD) and/or Approved Jurisdictional Determination (AJD) issued by the U.S. Army Corps of Engineers.	<input type="checkbox"/> Attached
5f.	Compensatory mitigation proposal or compensatory mitigation statement for impacts to surface waters. (Proposed project is AMD Abatement; passive txt of AMD that provides the baseflow of the UT)	<input type="checkbox"/> Attached
5g.	Description of best management practices (BMPs) to be implemented to minimize the impacts to surface waters, including sedimentation and erosion control measures. (See project description and planset)	<input type="checkbox"/> Attached
5h.	For dredge activities in Section 10 waters: Dredge methods, disposal areas, proposed volume of material to be extracted, record of the most recent mussel survey if available.	<input type="checkbox"/> Attached
5i.	Endangered Species Act (ESA) Section 7 consultation or concurrence documentation, biological surveys, and/or other pertinent information regarding the presence of federally threatened or endangered aquatic species. (USACE is lead agency for USESA Section 7 compliance for this AMD Set-Aside project)	<input type="checkbox"/> Attached
5j.	Other information pertinent to the project.	<input type="checkbox"/> Attached

Submit the completed form and attachments through email to Thomas.Barbour@ky.gov.