

Document Type: EA-Administrative Record
Index Field: Final Environmental Document
Project Name: STR 7 Replacement
Project Number: 2010-37

ENVIRONMENTAL ASSESSMENT

REPLACEMENT OF STRUCTURE 7 - KENTUCKY HYDROELECTRIC PLANT-GILBERTSVILLE 69-KV TRANSMISSION LINE, KENTUCKY DAM RESERVATION

Livingston County, Kentucky

PREPARED BY:
TENNESSEE VALLEY AUTHORITY

JUNE 2010

Page intentionally blank

ENVIRONMENTAL ASSESSMENT

REPLACEMENT OF STRUCTURE 7 - KENTUCKY HYDROELECTRIC PLANT- GILBERTSVILLE 69-KV TRANSMISSION LINE, KENTUCKY DAM RESERVATION LIVINGSTON COUNTY, KENTUCKY

TENNESSEE VALLEY AUTHORITY

JUNE 2010

The Proposed Decision and Need

The Tennessee Valley Authority (TVA) proposes to replace Structure 7, which is a wooden single-pole structure (see Figure 1). This structure is part of the Kentucky Hydroelectric Plant-Gilbertsville 69-kilovolt (kV) Transmission Line, which is located on the Kentucky Dam Reservation. A new metal pole of similar height would be used to replace the existing wooden pole. Structure 7 has been damaged by woodpeckers and also by recent weather events and it is in critical need of replacement to ensure the reliability of the local transmission system. Failure of the wooden structure would result in excessive line sag, which would exceed regulatory and safety standards.



Figure 1. Structure 7, Kentucky Hydroelectric Plant-Gilbertsville 69-kV Transmission Line

Background

The Kentucky Hydro Plant-Gilbertsville 69-kV Transmission Line is located within an approximately 700-foot wide common right-of-way shared by five transmission lines. These transmission lines originate at the Kentucky Hydroelectric Plant switchyard and generally

run northwest across the Kentucky Dam Reservation (see Figure 2). These existing transmission lines and their associated access roads were built between 1938 and 1951. The Kentucky Hydroelectric Plant-Gilbertsville 69-kV line was constructed in 1944. This transmission line delivers electric power to the West Kentucky Rural Electric Cooperative Corporation and supplies power to the towns of Gilbertsville and Benton City, Kentucky. Structure 7 is located in the approximate center of this common right-of-way. Additionally, Structure 7 is located within the previously recorded archaeological site 15Lv24.

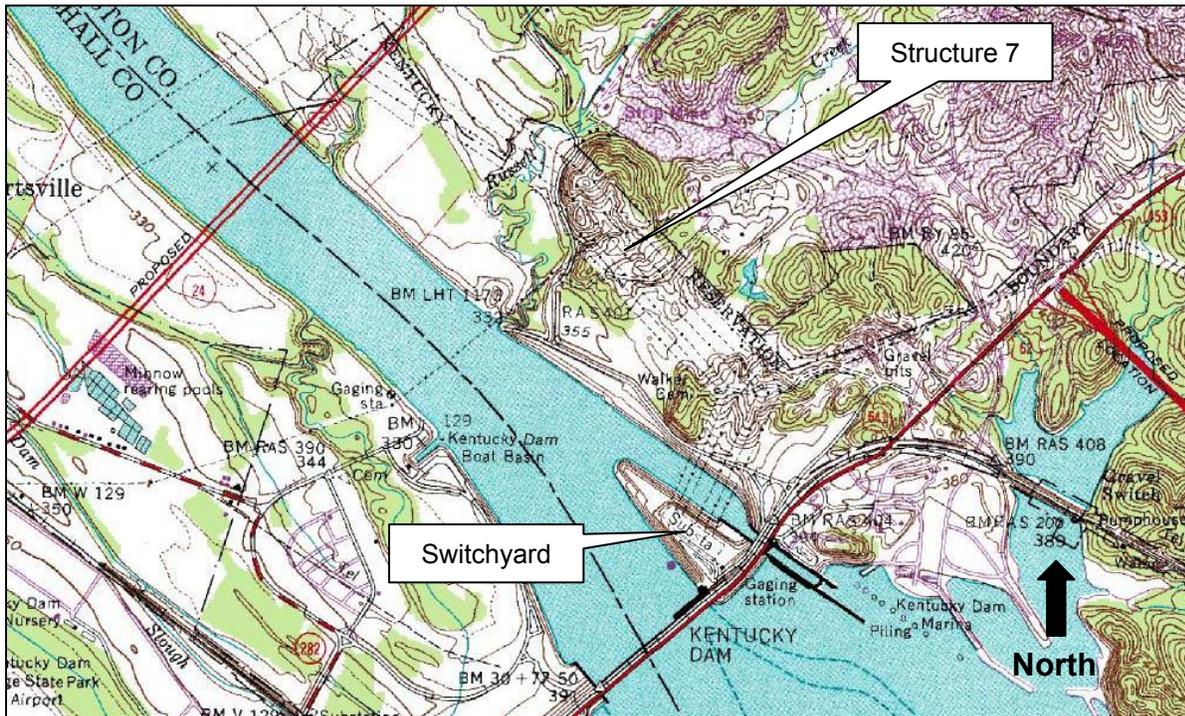


Figure 2. Vicinity Map Showing Multiple Transmission Lines Originating at the Kentucky Hydroelectric Plant Switchyard

Other Environmental Reviews and Documentation

In 1992, the U.S. Army Corps of Engineers (USACE) prepared the document entitled *Lower Cumberland and Tennessee Rivers, Final Feasibility Study, Kentucky Lock Addition, Volume I, Main Report and Environmental Impact Statement*. Both the presence and the approximate spatial extent of 15Lv24 were addressed in this document.

The document, *Final Supplement I Environmental Impact Statement, Lower Cumberland and Tennessee Rivers, Kentucky Lock Addition Project*, was prepared by USACE and TVA in 2001. This document also recognized the presence of 15Lv24.

In 2006, TVA adopted an environmental assessment prepared by USACE entitled *Proposed Alternative Disposal Areas, Tennessee Valley Authority Kentucky Dam Reservation, Kentucky Lock Addition Project*. Portions of Disposal Area D are located in the Kentucky Hydroelectric Plant-Gilbertsville 69-kV Transmission Line right-of-way. Structure 7, however, is not located within any of the disposal areas.

The draft document, *Phase I Archaeological Survey in the Vicinity of 15LV24, the Sander's Site, Kentucky Dam Reservation, Livingston County, Kentucky*, was prepared for TVA (Barrett 2009). This study documents the areal extent of 15Lv24 and the nature of the archaeological deposits at the site.

The initial environmental review of the proposed action was documented as Categorical Exclusion Checklist 22338, which is provided as Attachment 1.

Alternatives

Two alternatives were considered in this environmental review. These include the No Action Alternative and the Action Alternative. Under the No Action Alternative, TVA would not replace the subject structure. If Structure 7 is not replaced, the eventual failure of the pole would result in excessive sag, which could cause inadequate clearance between the conductors (the cables that carry the electrical current) and the ground surface. This situation would not comply with standards set by the National Electrical Safety Code, the Federal Energy Regulatory Commission, and the South Eastern Reliability Corporation. In the event of the failure of Structure 7, the transmission line would be out of service, and TVA would either take emergency action to repair the structure or implement other measures to supply power to Gilbertsville and Benton City. Failure of Structure 7 could jeopardize the reliability of adjacent transmission lines. If the Kentucky Hydroelectric Plant-Gilbertsville 69-kV line were out of service, power loads would likely increase on other adjacent transmission lines and at West Kentucky Rural Electric Cooperative Corporation substations and distribution lines.

Under the Action Alternative, TVA would replace Structure 7 using two pieces of self-propelled tracked equipment commonly called "Linetracs." These tracked vehicles exert a force of approximately 7.75 pounds per square inch on the ground surface. This is less force than that from traditional wheeled work trucks (also known as "bucket trucks" or "crane trucks"). The pole replacement equipment is equipped with an auger, a crane for raising poles, a personnel bucket, and a rack for transporting poles. This equipment would access Structure 7 from uphill via the existing right-of-way access road. One piece of equipment would work from the access road, which is adjacent to the pole, while the other would work on the opposite (the south) side of the pole. The conductors would be disconnected from the existing wooden structure, and one of the tracked vehicles would be used to support the conductors during the pole replacement. The other would be used to extract the existing pole and insert a new metal pole in the same hole. The new structure would be tamped into place, and the conductors would be re-attached. The equipment would exit the work site by the same route used to access Structure 7.

To reduce the potential for surface disturbance, the pole replacement would take place during dry weather conditions, i.e., at least two days after a rain event. Equipment would be moved offsite before an impending rain event or left onsite until the site has sufficiently dried out (at least two days of dry weather). Minimal vehicle turning practices would be observed to reduce surface disturbance. The damaged pole would be removed from the site using the tracked vehicle. The extracted pole would be reused, recycled or disposed of according to TVA Power System Operation Procedures.

Three additional alternatives to remedy the Structure 7 situation were considered impractical or infeasible. One was to relocate the Kentucky Hydroelectric Plant-Gilbertsville 69-kV Transmission Line to other existing structures (to "underbuild" the line). This would require replacing or raising the carrier structures to provide adequate clearance between

the transmission lines. Another alternative was to construct additional, taller structures on the subject transmission line on either side of the archaeological site in order to span the site. Implementing either of these alternatives involve additional construction that would be cost prohibitive. The span option is not feasible because of the long span length required. In this situation, conductors could sway within critical distance of conductors of adjacent lines and increase the potential for outages. Another alternative, de-energizing or removing all or a portion of the existing Kentucky Hydroelectric Plant-Gilbertsville 69-kV Line, would require the construction of another source of power to the towns of Gilbertville and Benton City. Due to expense and the likelihood of potential environmental effects being greater than those from implementing the Action Alternative, these three alternatives were not considered further.

Affected Environment and Evaluation of Impacts

Site Description

The 700-foot wide common right-of-way (see Figure 2) traverses a hilly area at the northwest portion of the Kentucky Dam Reservation on the northern side of the Tennessee River. Vegetation management is performed every three to five years to prevent the establishment of woody vegetation that could interfere with the transmission lines. Vegetation management is accomplished by mowing, herbicide application or a combination of these practices.

Structure 7 is located on a southeast-facing hillside within the common right-of-way and is situated within the boundaries of a previously recorded archaeological site (site 15Lv24), which dates to the Late Woodland/Mississippian period. TVA considers the prehistoric portion of 15Lv24 potentially eligible for inclusion in the National Register of Historic Places. This site is protected under the *National Historic Preservation Act* and the *Archaeological Resources Protection Act*.

Impacts Evaluated

TVA prepared Categorical Exclusion Checklist 22338 (see Attachment 1) to evaluate the potential environmental effects of the proposed structure replacement. With the exception of potential effects to archaeological resources, the replacement of Structure 7 would cause either minimal or no environmental effects. Implementation of the Action Alternative would not affect wetlands, floodplains or species listed as threatened or endangered at the federal level.

Structure 7 is located near the center of 15Lv24. Because there would be ground disturbance, albeit minor, the structure replacement has the potential to affect archaeological resources contained in this site. TVA originally proposed placing soil fill around Structure 7 to disperse the weight of equipment and to provide a level working surface. TVA consulted with the Kentucky State Historic Preservation Officer (SHPO) regarding potential effects to 15Lv24 and provided the SHPO with a copy of the archaeological survey. In a response dated March 10, 2010 (see Attachment 2), the SHPO stated that the addition of fill and the replacement of Structure 7 would constitute an adverse effect to 15Lv24. Following a site visit, the SHPO reiterated the adverse effect determination in a letter dated April 14, 2010 (see Attachment 3). TVA subsequently abandoned the plan to use fill in favor of low ground-pressure tracked equipment to reduce potential effects to archaeological resources. Additionally, as described in the Alternatives section above, TVA would take measures to minimize surface disturbance by performing the proposed work in dry conditions and limiting the amount of turns by the tracked

equipment. With these measures in place, potential effects to archaeological resources within 15Lv24 would be minor due to the limited amount of ground disturbance and the localized nature of the proposed action. The SHPO gave TVA permission to proceed with the pole replacement activity, but, as a separate matter, requested TVA to initiate consultation for the development of a Memorandum of Agreement (MOA) for the long-term management of the subject right-of-way so that future impacts to 15Lv24 can be minimized.

In accordance with Section 106 of the *National Historic Preservation Act*, TVA consulted with the Advisory Council of Historic Preservation and appropriate Native American tribes (see Agencies and Other Consulted section below) regarding mitigation of potential adverse effects to 15Lv24. In a letter dated May 14, 2010 (see Attachment 4), the Advisory Council declined to participate in the consultation. The Thlopthlocco Tribal Town responded but offered no comments.

Cumulative and Long-term Impacts

Archaeological site 15Lv24 has been affected by various past activities since 1938, including the construction and maintenance of transmission lines and periodic vegetation management associated with right-of-way maintenance. The proposed pole replacement would constitute a minor cumulative effect to 15Lv24.

The Kentucky SHPO requested TVA to initiate a Memorandum of Agreement containing a treatment plan that would address methods to minimize long-term effects to 15Lv24 from future right-of-way and transmission line maintenance, including maintenance of Structure 7. TVA will prepare these documents. Adherence to the Memorandum of Agreement and treatment plan would minimize future adverse effects to 15Lv24.

Mitigation Measures

TVA would use low ground-pressure equipment and would implement appropriate construction-related best management practices as standard practice during the proposed pole replacement. No mitigation measures are necessary to avoid or reduce potential adverse effects to environmental resources resulting from the proposed pole replacement.

Preferred Alternative

TVA's preferred alternative is the Action Alternative.

TVA Preparers

The following individuals were involved in the preparation of this document.

- Kimberly D. Choate, Environmental Manager - NEPA document review
- Patricia B. Ezzell, Native American Liaison Specialist - tribal consultation
- Edward William Wells III, Archaeologist - archaeology
- A. Chevales Williams, Environmental Engineer - NEPA document preparation
- James F. Williamson, Sr. NEPA Specialist - NEPA document preparation and compliance

Agencies and Others Consulted

The following agencies and Native American tribes were consulted.

- Office of Federal Agency Programs, Advisory Council on Historic Preservation, Washington D.C.
- Kentucky State Historic Preservation Office, Frankfort, Kentucky
- Cherokee Nation, Tahlequah, Oklahoma
- Chickasaw Nation, Ada, Oklahoma
- Eastern Band of Cherokee Indians, Cherokee, North Carolina
- United Keetoowah Band of Cherokee Indians in Oklahoma, Tahlequah, Oklahoma
- Muscogee (Creek) Nation of Oklahoma, Okmulgee, Oklahoma
- Alabama-Quassarte Tribal Town, Wetumka, Oklahoma
- Kialegee Tribal Town, Wetumka, Oklahoma
- Thlopthlocco Tribal Town, Weleetka, Oklahoma
- Absentee Shawnee Tribe of Oklahoma, Shawnee, Oklahoma
- Eastern Shawnee Tribe of Oklahoma, Seneca, Missouri
- Shawnee Tribe of Oklahoma, Miami, Oklahoma

Following the initial notification of the proposed pole replacement, a response was received from the Shawnee Tribe, stating no objection to the proposed action.

References

Barrett, J. 2009. Draft - *Phase I Archaeological Survey in the Vicinity of 15LV24, the Sander's Site, Kentucky Dam Reservation, Livingston County, Kentucky*. Submitted to TVA by TRC, Nashville, Tenn.

Attachments

Attachment 1 - CEC 22338

Attachment 2 - Letter of March 10, 2010 from Mark Dennen

Attachment 3 - Letter of April 14, 2010 from Mark Dennen

Attachment 4 - Letter of May 14 from Raymond V. Wallace

Attachment 1 - CEC 22338

Categorical Exclusion Checklist for Proposed TVA Actions

Categorical Exclusion Number Claimed	Organization ID Number	Tracking Number <i>(NEPA Administration Use Only)</i> 22333
Form Preparer A Chevales Williams	Project Initiator/Manager Michael L Conner	Business Unit PSO - Transmission Operations & Maintenance
Project Title Kentucky Hydroelectric Plant – Gilbertsville TL Structure 7 Replacement		Hydrologic Unit Code
Description of Proposed Action <i>(Include Anticipated Dates of Implementation)</i> <input checked="" type="checkbox"/> Continued on Page 3 <i>(if more than one line)</i> For Proposed Action See Attachments and References		
Initiating TVA Facility or Office PSO-TOM North	TVA Business Units Involved in Project PSO - Transmission Operations & Maintenance	
Location <i>(City, County, State)</i> Livingston, KY, The project site is located north of Kentucky Lake Dam in Livingston County, Kentucky.		

Parts 1 through 4 verify that there are no extraordinary circumstances associated with this action:

Part 1. Project Characteristics

Is there evidence that the proposed action---	No	Yes	Information Source
1. Is major in scope?	X		Williams A. C. 05/07/2010
2. Is part of a larger project proposal involving other TVA actions or other federal agencies?	X		Williams A. C. 05/07/2010
3. Involves non-routine mitigation to avoid adverse impacts?		X	For comments see attachments
4. Is opposed by another federal, state, or local government agency?	X		Williams A. C. 05/07/2010
*5. Has environmental effects which are controversial?	X		Williams A. C. 05/07/2010
*6. Is one of many actions that will affect the same resources?	X		Williams A. C. 05/07/2010
7. Involves more than minor amount of land?	X		Williams A. C. 05/07/2010

* If "yes" is marked for any of the above boxes, consult with NEPA Administration on the suitability of this project for a categorical exclusion.

Part 2. Natural and Cultural Features Affected

Would the proposed action---	No	Yes	Permit	Commitment	Information Source for Insignificance
1. Potentially affect endangered, threatened, or special status species?	X		No	No	Williams A. C. 05/07/2010
2. Potentially affect historic structures, historic sites, Native American religious or cultural properties, or archaeological sites?		X	No	Yes	For comments see attachments
3. Potentially take prime or unique farmland out of production?	X		No	No	Williams A. C. 05/07/2010
4. Potentially affect Wild and Scenic Rivers or their tributaries?	X		No	No	Williams A. C. 05/07/2010
5. Potentially affect a stream on the Nationwide Rivers Inventory?	X		No	No	Williams A. C. 05/07/2010
6. Potentially affect wetlands, water flow, or stream channels?	X		No	No	Williams A. C. 05/07/2010
7. Potentially affect the 100-year floodplain?	X		No	No	Williams A. C. 05/07/2010
8. Potentially affect ecologically critical areas, federal, state, or local park lands, national or state forests, wilderness areas, scenic areas, wildlife management areas, recreational areas, greenways, or trails?	X		No	No	Williams A. C. 05/07/2010
9. Contribute to the spread of exotic or invasive species?	X		No	No	Williams A. C. 05/07/2010
10. Potentially affect migratory bird populations?	X		No	No	Williams A. C. 05/07/2010
11. Involve water withdrawal of a magnitude that may affect aquatic life or involve interbasin transfer of water?	X		No	No	Williams A. C. 05/07/2010
12. Potentially affect surface water?	X		No	No	Williams A. C. 05/07/2010
13. Potentially affect drinking water supply?	X		No	No	Williams A. C. 05/07/2010
14. Potentially affect groundwater?	X		No	No	Williams A. C. 05/07/2010
15. Potentially affect unique or important terrestrial habitat?	X		No	No	Williams A. C. 05/07/2010
16. Potentially affect unique or important aquatic habitat?	X		No	No	Williams A. C. 05/07/2010

Part 3. Potential Pollutant Generation

Would the proposed action potentially (including accidental or unplanned)---	No	Yes	Per- mit	Commit- ment	Information Source for Insignificance
1. Release air pollutants?	X		No	No	Williams A. C. 05/11/2010
2. Generate water pollutants?	X		No	No	Williams A. C. 05/11/2010
3. Generate wastewater streams?	X		No	No	Williams A. C. 05/11/2010
4. Cause soil erosion?	X		No	No	Williams A. C. 05/07/2010
5. Discharge dredged or fill materials?	X		No	No	Williams A. C. 05/07/2010
6. Generate large amounts of solid waste or waste not ordinarily generated?	X		No	No	Williams A. C. 05/07/2010
7. Generate or release hazardous waste (RCRA)?	X		No	No	Williams A. C. 05/07/2010
8. Generate or release universal or special waste, or used oil?	X		No	No	Williams A. C. 05/07/2010
9. Generate or release toxic substances (CERCLA, TSCA)?	X		No	No	Williams A. C. 05/07/2010
10. Involve materials such as PCBs, solvents, asbestos, sandblasting material, mercury, lead, or paints?	X		No	No	Williams A. C. 05/07/2010
11. Involve disturbance of pre-existing contamination?	X		No	No	Williams A. C. 05/07/2010
12. Generate noise levels with off-site impacts?	X		No	No	Williams A. C. 05/07/2010
13. Generate odor with off-site impacts?	X		No	No	Williams A. C. 05/07/2010
14. Produce light which causes disturbance?	X		No	No	Williams A. C. 05/07/2010
15. Release of radioactive materials?	X		No	No	Williams A. C. 05/07/2010
16. Involve underground or above-ground storage tanks or bulk storage?	X		No	No	Williams A. C. 05/07/2010
17. Involve materials that require special handling?	X		No	No	Williams A. C. 05/07/2010

Part 4. Social and Economic Effects

Would the proposed action---	No	Yes	Commit- ment	Information Source for Insignificance
1. Potentially cause public health effects?	X		No	Williams A. C. 05/07/2010
2. Increase the potential for accidents affecting the public?	X		No	Williams A. C. 05/07/2010
3. Cause the displacement or relocation of businesses, residences, cemeteries, or farms?	X		No	Williams A. C. 05/07/2010
4. Contrast with existing land use, or potentially affect resources described as unique or significant in a federal, state, or local plan?	X		No	Williams A. C. 05/07/2010
5. Disproportionately affect minority or low-income populations?	X		No	Williams A. C. 05/07/2010
6. Involve genetically engineered organisms or materials?	X		No	Williams A. C. 05/07/2010
7. Produce visual contrast or visual discord?	X		No	Williams A. C. 05/07/2010
8. Potentially interfere with recreational or educational uses?	X		No	Williams A. C. 05/07/2010
9. Potentially interfere with river or other navigation?	X		No	Williams A. C. 05/07/2010
10. Potentially generate highway or railroad traffic problems?	X		No	Williams A. C. 05/07/2010

Part 5. Other Environmental Compliance/Reporting Issues

Would the proposed action---	No	Yes	Commit- ment	Information Source for Insignificance
1. Release or otherwise use substances on the Toxic Release Inventory list?	X		No	Williams A. C. 05/07/2010
2. Involve a structure taller than 200 feet above ground level?	X		No	Williams A. C. 05/07/2010
3. Involve site-specific chemical traffic control?	X		No	Williams A. C. 05/07/2010
4. Require a site-specific emergency notification process?	X		No	Williams A. C. 05/07/2010
5. Cause a modification to equipment with an environmental permit?	X		No	Williams A. C. 05/07/2010
6. Potentially impact operation of the river system or require special water elevations or flow conditions??	X		No	Williams A. C. 05/07/2010
7. Involve construction of a new building or renovation of existing building (i.e., major changes to lighting, HVAC, and/or structural elements of building of 2000 sq. ft or more) on which TVA will pay/pays the utilities??	X		No	Williams A. C. 05/07/2010

CEC General Comment Listing

1. The Kentucky State Historic Preservation Office (SHPO) found that the replacement of structure 7 would have an adverse effect to eligible site 15LV24. Due to this adverse effect the NEPA requirements will constitute an Environmental Assessment (EA) be required.
By: A Chevales Williams 06/01/2010

CEC Comment Listing

Part 1 Comments

3. The area surrounding Gilbertsville TL structure 7 has been identified as having cultural significance. The Kentucky State Historic Preservation Office (SHPO) has identified that the replacement of the structure would have an adverse effect to the site.
By: A Chevales Williams 05/07/2010

Part 2 Comments

2. The Kentucky State Historic Preservation Office (SHPO) found that the replacement of structure 7 would have an adverse effect to the eligible site. However, the SHPO concurs that given the critical need for replacement of the structure as proposed, which minimizes the impact to the site, TVA may proceed with the pole replacement. TVA has since modified the pole replacement procedure to further reduce the adverse effects. As part of the mitigation process, TVA, in consultation with the SHPO, and other consulting parties, would prepare a Memorandum of Agreement (MOA) for a treatment plan at the site.
By: A Chevales Williams 05/07/2010
Files: L3934 str 7 text.jpg 05/07/2010 118,446 Bytes
L3934 str 7.jpg 05/07/2010 303,152 Bytes

CEC Commitment Listing

Part 2 Commitments

2. Comply with SHPO requirements. This will include a Memorandum of Agreement (MOA) for a treatment plan for maintenance of this area.
By: A Chevales Williams 05/11/2010

Attachment 2 - Letter of March 10, 2010 from Mark Dennen



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

March 10, 2009

A. Eric Howard
Cultural Resources Office
Tennessee Valley Authority
West Tower, 11D
400 West Summit Hill Drive
Knoxville, TN 37902-1499

Re: Phase I Archaeological Survey in the Vicinity of 15LV24, the Sander's site, Kentucky Dam Reservation, Livingston County, Kentucky by Jared Barrett

Dear Mr. Howard:

The State Historic Preservation Office has reviewed the above referenced draft report. TVA proposes to replace a single transmission line structure along the Kentucky HP-Gilbertsville 69-kV transmission line. Structure 7 is in critical need of replacement due to damage from recent weather events. Structure 7 is located within the site boundaries of 15Lv24, the Sanders Site, a Mississippian village and cemetery site. The site has previously been determined to be potentially eligible for listing in the National Register of Historic Places. The survey also identified another previously unrecorded archaeological site, 15Lv255.

The purpose of the survey was to identify the boundaries of Site 15Lv24. While we concur that the site is potentially eligible, we do not feel that the boundaries of the site were adequately delineated in the report. As indicated by the map in Figure 10, no radial shovel tests were excavated even when immediately adjacent to positive shovel tests in some instances. The map indicates that the area was either disturbed or slope prevented excavation, although no other documentation was provided for these determinations. As such, we recommend that the original site boundary be revised only to include newly documented deposits rather than to subtract areas where no shovel tests were excavated due to disturbance and/or slope that has not been adequately documented.

As Structure 7 is located in the center of Site 15Lv24 and must be replaced, the TVA plans to fill a portion of the site and then replace Structure 7. The borrow area for this fill must be surveyed for archaeological resources and the report submitted to our office for review. We find that the addition of fill and the reconstruction of Structure 7 to be an **Adverse Effect** to Site 15Lv24 and recommend that the site undergo Phase III data recovery to mitigate this adverse effect. We look forward to working with the TVA to develop a Memorandum of Agreement to facilitate the data recovery and mitigation.

Site 15Lv255 was identified as a light lithic scatter containing no diagnostic artifacts and no subsurface features. The author finds that the site was not eligible for listing in the National Register of Historic Places and therefore no additional work was recommended at the site. We concur with the author's findings and recommendations.

KentuckyUnbridledSpirit.com



An Equal Opportunity Employer M/F/D

Howard, Page 2
TVA Site 15Lv24
Livingston County, Kentucky
March 10, 2010

We would also like to suggest that the author utilize the new Kentucky State Archaeology plan available for purchase through our office or online as a PDF at <http://heritage.ky.gov/> when providing information in the cultural overview of the area. It will provide more up to date references regarding Kentucky's cultural history. In addition, all identifiable historic ceramic types should be listed rather than referred as white refined earthenwares. Only when a sherd is not able to be identified should this term be employed. We also believe there is a typographic error on page 38 which states that Site 15Lv24 is recommended as ineligible due to a lack of integrity, etc. The following sentence correctly states that the site is recommended as potentially eligible for listing in the National Register of Historic Places. We request a final copy of the corrected report.

Should you have any questions, please contact Lori Stahlgren, of my staff, at (502) 564-7005 ext 151.

Sincerely,



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

LCS/lcs

Attachment 3 - Letter of April 14, 2010 from Mark Dennen



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

April 14, 2010

A. Eric Howard
Cultural Resources Office
Tennessee Valley Authority
West Tower, 11D
400 West Summit Hill Drive
Knoxville, TN 37902-1499

Re: Structure 7 replacement at 15LV24, the Sander's site, Kentucky Dam Reservation, Livingston County, Kentucky

Dear Mr. Howard:

The State Historic Preservation Office has reviewed the above referenced draft report. TVA proposes to replace a single transmission line structure along the Kentucky HP-Gilbertsville 69-kV transmission line. Structure 7 is in critical need of replacement due to damage from recent weather events. Structure 7 is located within the site boundaries of 15LV24, the Sanders Site, a Mississippian village and cemetery site. The site has previously been determined to be potentially eligible for listing in the National Register of Historic Places. The survey also identified another previously unrecorded archaeological site, 15Lv255.

The TVA has proposed a relatively low impact alternative for the replacement of Structure 7. The plan includes the use of pads covered with fill to disperse the weight a single crane truck which would place a metal pole directly next to the existing wooden pole. Given the nature of deposits near Structure 7, we find this plan to be an **Adverse Effect** to Site 15LV24. However, the need for immediate replacement of the structure is critical and all efforts are being made to minimize the adverse impact. We recommend that the low impact plan be followed and that mitigation and long term management of the site be addressed by the TVA and our office as soon as possible through additional consultation and a Memorandum of Agreement.

Should you have any questions, please contact Lori Stahlgren, of my staff, at (502) 564-7005 ext 151.

Sincerely,

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

LCS/lcs

KentuckyUnbridledSpirit.com



An Equal Opportunity Employer M/F/D

Attachment 4 - Letter of May 14, 2010 from Raymond V. Wallace



Preserving America's Heritage

May 14, 2010

Mr. A. Eric Howard
Federal Preservation Officer
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, TN 37902

***Ref: Proposed Replacement of 69-kV Transmission Line Pole (Structure 7)
Livingston County, Kentucky***

Dear Mr. Howard:

On May 10, 2010, the Advisory Council on Historic Preservation (ACHP) received your notification and supporting documentation regarding the adverse effects of the referenced project on archproperties listed on and eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Kentucky SHPO and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the opportunity to review this undertaking. If you have any questions, please contact Tom McCulloch at 202-606-8554, or via email at tmcculloch@achp.gov.

Sincerely,

Raymond V. Wallace
Historic Preservation Technician
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION
1100 Pennsylvania Avenue NW, Suite 803 □ Washington, DC 20004
Phone: 202-606-8503 □ Fax: 202-606-8647 □ achp@achp.gov □ www.achp.gov