

1. **Public Notice Information:**

As part of the stream construction permit issuance procedures, the applicant must provide notice to all parties who might be affected by the construction for which a permit has been requested. Public notice may be provided by either of the following methods:

- (1) Publishing a notice in the newspaper or newspapers having greatest circulation in the area of the proposed construction. The notice shall provide at least (a) the name of the applicant, (b) the location, the nature and the extent of the proposed construction, and (c) a statement indicating that any comments and objections are to be directed to the Division of Water. The notice shall prominently display address and telephone number of the Division of Water's Floodplain Management Section, which are given at the beginning of these instructions. The notice shall run for a period of three (3) consecutive days or printings of the newspaper. However, if the newspaper is published weekly or bi-weekly, two (2) consecutive printings may be allowed upon request of the applicant. Proof of public notice through the newspaper must be provided to the Division. The public notice shall be at least three column inches in size, but must in all cases be large enough that all of the information required is readable.
- (2) Submitting affidavits from all parties who reside, own property, or have other legitimate property interests in the affected areas. The affidavit must contain a complete description of the proposed construction; a place for concerned parties to sign indicating that they have read the statement and that they understand that a permit application is being submitted or has been submitted to the Division; and the Division's address and telephone number with explanation that comments and objection are to be directed to this agency. All affidavits shall be submitted to the Division of Water, Water Resources Branch for review.

Under certain circumstances, where flooding impacts are negligible, the Division may waive the public notification requirement. If desired, the Division can provide more detailed information regarding the circumstances under which such a waiver might be issued.

EXAMPLE OF PUBLIC NOTICE

— Public Notice —

Notice is hereby given that **(NAME AND ADDRESS)**, has filed an application with the Energy & Environment Cabinet to **(BRIEF DESCRIPTION OF CONSTRUCTION)**. The property is located **(LOCATION DESCRIPTION, INCLUDE MILES FROM NEAREST TOWN OR MAJOR ROAD INTERSECTION AND NAME OF STREAM)**. Any comments or objections concerning this application shall be directed in writing to: Kentucky Division of Water, Floodplain Management

**Section, 300 Sower Blvd 3rd Floor,
Frankfort, Kentucky 40601.**

Revised 12/14/16