

KY Senate approves bill removing state protections for small waterways

BY LIAM NIEMEYER
Kentucky Lantern

Republicans in the Kentucky Senate advanced a bill Friday that would limit state regulation of water pollution to a weakened federal standard as GOP lawmakers said industries from housing development to coal mining need bureaucratic relief.

The minority of Democrats in the GOP-controlled chamber who opposed Senate Bill 89 echoed strong concerns from environmental groups that the legislation could open the door to more pollution of ground-water, wetlands and small headwater streams across the state.

SB 89 passed the Senate 30-5, with all Republicans and one Democrat, Sen. Robin Webb, D-Grayson, voting in favor. Webb said sportsmen's groups had expressed concerns about the bill but that she supported the legislation's premise of removing barriers to industry.

Sen. Scott Madon, R-Pineville, the bill's primary sponsor, reiterated his criticism of "government overreach" by the state's environmental protection cabinet in its decisions about coal-industry permits.

"God put coal under our feet so that we can use it. It's one of the greatest natural resources, and it's our job to push back on unelected bureaucrats," Madon said on the Senate floor.

SB 89 changes the definition of regulated "waters of the commonwealth" to a significantly narrowed federal standard. A U.S. Supreme Court ruling in 2023 drastically cut the federal government's abil-



Sen. Scott Madon, R-Pineville, presents his bill that would significantly limit what state waters are regulated. (Kentucky Lantern photo)

ity to regulate bodies of water and wetlands; it led to the Biden administration weakening federal rules on water pollution.

The bill changes the definition of regulated state waters by removing "all rivers, streams, creeks, lakes, ponds, impounding reservoirs, springs, wells, marshes, and all other bodies of surface or underground water, natural or artificial." The definition would be changed to directly refer to the federal definition of "navigable waters." The bill also des-

ignates bonding requirements for coal companies seeking permits for long-term treatment of water leaving mine sites.

Sen. Keturah Herron, D-Louisville, who voted against the legislation, said she understood coal's role in the state but was worried about broad, unintended consequences the bill would have on water quality, specifically groundwater across the state.

"I hope that we can work together to find solutions that are a little bit

more narrow that will assist and help the energy, the coal industry but will also make sure that all waters in Kentucky are protected," Herron said.

Sen. Steve West, R-Paris, said the "fight" over the federal Clean Water Act's reach has been going on for "years and decades." Litigation has stretched over decades as various federal administrations have defined "waters of the United States" in more expansive or restrictive terms.

West characterized the

bill as moving the state from more expansive protections for water to the current federal standard, regulation that, he said, impacts not just coal mining but also agriculture and construction.

"The way it stands now," West said, "government can roll into your farm, roll into your construction site at any time and write you up because something went" into a ditch.

West said he shared concerns about potential impacts to groundwater but that those concerns

could be addressed in an amendment to the bill or another bill yet to be filed.

Senate President Robert Stivers, R-Manchester, on the Senate floor said he brought the issue to Madon when the freshman senator was elected last fall. But Stivers said that the issues originally came to his attention from LaJuana Wilcher, a former secretary of the state's environmental protection cabinet under former Republican Gov. Ernie Fletcher who also served as the assistant administrator for water in the U.S. Environmental Protection Agency under President George H.W. Bush.

"She came to me not because of coal but because of business interest and farmers' interest in south, southern central Kentucky," Stivers said, criticizing the notion that the bill was supported primarily by coal interests. "This is a good piece of legislation, and it needs to be passed."

Wilcher, a partner at the law firm English Lucas Priest & Owsley, LLP and a supervisor for the Warren County Soil and Water Conservation District, did not immediately respond to an email asking about her involvement with the legislation.

According to a fact sheet from the Kentucky Geological Survey, more than 1.5 million Kentuckians are served by over 100 public water systems that rely on groundwater, and about 416,000 Kentuckians use water wells or springs. The U.S. Environmental Protection Agency previously estimated that of Kentucky's 79,752 miles of streams and rivers, about 65% of them are ephemeral or intermittent.

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Public Notices

PUBLIC NOTICE
REQUEST FOR PROPOSALS
JESSAMINE CO BOARD OF EDUCATION AUDIT SERVICES

This Jessamine County Board of Education is now accepting proposals for audit services for the financial accounts of the Jessamine Co. Board of Education for the period of July 1, 2024, through June 30, 2025, by and through the Jessamine County Board of Education. Contact Tammy Taylor, Internal Auditor, at the Jessamine County Board of Education Office, 871 Wilmore Rd, Nicholasville, KY 40356, (859-885-4179) , for a copy of the Request for Proposal. Proposal deadline is Thursday, March 13, 2025 @ 10:00 am. Proposals will be opened at that time for review. Proposals will then be reviewed at the scheduled March school board meeting. The Jessamine County Board of Education reserves the right to reject any or all proposals.

Jessamine Journal: Feb. 6, 13 and 20, 2025
AUDIT SERVICES

PUBLIC NOTICE
Abandoned Vehicles Storage Facility Denali Towing LLC, 859-241-3031, 604 Bizzell Dr. Lexington KY 40510 859-241-3031

2011 Nissan rouge JN8AS5MV8BW271121 Lienholder: American Credit Acce Owner: Watkins, Shawn

2017 Ford Mustang 1FA6P8AM7H532273 Owners: Kamari Goins and Jada Hayes LH Santander

2010 Lincoln MKT 2LMHJ5AT0ABJ25960 Mosley, Connie M LH Heritage Acceptance

Jessamine Journal: Feb. 13, 20 and 27, 2025
AV/11 NISSAN

PUBLIC NOTICE
MASTER COMMISSIONER'S SALE FRIDAY, FEBRUARY 21, 2025, AT 10:00 A.M. JESSAMINE COUNTY COURTHOUSE, SECOND FLOOR COURTROOM 101 NORTH MAIN STREET, NICHOLASVILLE, KY

In order to comply with the orders of the Jessamine Circuit Court, the Master Commissioner will sell the property described in actions found and described below in the Jessamine County Courthouse, Second Floor, 101 North Main Street, Nicholasville, Kentucky. Said property shall be sold to raise the amounts set forth

Public Notices

below plus interest and other costs as stated in the actions referenced. The sale of said property will be subject to the following terms and conditions: At the time of sale the successful bidder shall either pay full cash or make a deposit of 10% of the purchase price with the balance on credit for 30 days. If the purchase price is not paid in full, the successful bidder shall be required to execute a bond at the time of sale with sufficient surety approved by the Master Commissioner prior to the sale to secure the unpaid balance of the purchase price. The bond shall be for the unpaid balance of the purchase price and bear interest at the rate the judgment bears, from the date of the sale until paid, and shall have the force and effect of a judgment. If the purchaser fails to pay the deposit or post a sufficient bond, the property will immediately be resold. The purchaser shall be required to assume and pay all taxes and assessments upon the property for the current tax year and all subsequent years. The sale of the real estate shall be made subject to such right of redemption as may exist in favor of the United States of America or the defendant(s), and all zoning and building regulations, restrictions, ordinances, easements, covenants, and rights-of-way, of record, or otherwise. The property shall be sold "As Is" "Where Is" and without warranty. Risk of loss shall pass to the purchaser upon execution of bond of sale or payment of the purchase price in full whichever occurs first. Possession of the real property will be given to the purchaser upon confirmation of the report of sale by the Jessamine Circuit Court, full payment of the purchase price plus any interest due, and delivery of a Commissioner's Deed to the purchaser. The property addresses contained herein are for convenience only. All properties will be sold pursuant to the legal description contained in the actions referenced herein. Further information regarding these sales, past sales, upcoming sales and FAQs can be found at www.JessamineMC.com.
SALE 1-97 Lucas Lane, Nicholasville, 24-CI-413, Judgment amt. \$94,807.39, Parcel # 057-20-02-030.00

SALE 2 - 113 Amburgey Circle, Nicholasville, 24-CI-685, Judgment amt. \$164,975.82, Parcel # 058401601800

SALE 3 - 132 Ridge View Dr., Nicholasville, 24-CI-053, Judgment amt. \$170,125.60, Parcel # 057-40-03-050.00

Ellen L. Miller, Master Commissioner
102 West Maple Street
Nicholasville, KY 40356
859-885-1550

Jessamine Journal: Feb. 13 and 20, 2025
FEB 2025

Public Notices

PUBLIC NOTICE
The Jessamine County-City of Wilmore Joint Planning Commission will meet in regular session Tuesday, March 11, 2025 at 7:00pm in the second-floor courtroom of the Jessamine County Courthouse located at 101 North Main Street, Nicholasville, Kentucky. The agenda will be as follows:
Old Business
Case #9996 - Application for approval of a Zone Map Amendment submitted by the United Methodist Retirement Community for 18.632-acres zoned A-1 to P-1 located on Lexington Road (KY 29) approximately 0.87 miles southwest of the intersection of KY 29 and US 68 (Harrodsburg Road), Wilmore, Kentucky. PVA Parcel ID: 023-00-00-043.02.
New Business
Case #10140 - Application for approval of a Major Subdivision Preliminary Plat to divide 20.443-acres into 18 lots submitted by Pottinger Land Company for property zoned R-1V and located on East Brannon Road approximately 0.25 miles west of the intersection of Tates Creek Road and East Brannon Road, Jessamine County, Kentucky. PVA Parcel ID:087-00-008.02
Case #10141 - Application for approval of a Major Subdivision Preliminary Plat to divide 16.182-acres into 17 lots submitted by Turner Management LLC for property zoned R-1V and located at 5447 Tates Creek Road, Jessamine County, Kentucky.
Case #10144 - Proposed Text Amendment of the Jessamine County Zoning Ordinance concerning Medicinal Cannabis
Case #10198 - Application for an amendment to a Development Plan for submitted by the United Methodist Retirement Community for 9.02-acres zoned P-1 located on Lexington Road (KY 29) approximately 0.10 miles from the intersection of KY 29 and Veteran's Drive, being a portion of the property denoted by PVA Parcel ID: 023-00-00-048.01.
Case #10102 - Application for approval of a Zone Map Amendment and Final Development Plan submitted by VBV Transport, LLC for 5.0-acres zoned A-1 to I-1 located on the south-east side of the intersection of US 27 and Scott Road, Jessamine County, Kentucky. PVA Parcel ID: 048-00-00-060.00.

Jessamine Journal: Feb. 20, 2025
MEETING 03.11.25

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