

## St. Germain, Dante

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**From:** Clyde, Peter <Peter.Clyde@lge-ku.com>  
**Sent:** Tuesday, June 15, 2021 2:27 PM  
**To:** St. Germain, Dante  
**Cc:** Dock, Joel; Stephenson, Teri; McCauley, Joel; Terry, Antoine; Eisert, Todd; Cummins, Michael; Harper, Bill; Gideons, Delana  
**Subject:** RE: 21-ZONE-0052 - LG&E gas transmission easement issue  
**Attachments:** LGE Gas Transmission ROW Restrictions (6-30-11).pdf

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Thank you for your attention to this matter! As Bill mentioned, we will not let any structures in our easement. As you point out, property owners aren't always aware of the presence of utilities on their property or the associated easements. We take a number of steps in an attempt to mitigate the issue.

- We educate the public of the need to call 811 before excavating as required by state law. We do this through mailings to property owners near our pipelines, bill stuffers, radio ads, and other means. If they contact 811 before excavating, we can sometimes stop construction in our easement before it begins.
- We install pipeline markers to indicate the presence of our pipeline. Unfortunately the markers are sometimes removed by others.

We have had to have property owners remove newly built structures. The attached document discusses easement use by property owners.

### Pete Clyde

Manager Gas Transmission & Distribution Integrity & Compliance | Louisville Gas and Electric Company  
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**From:** Harper, Bill <Bill.Harper@lge-ku.com>  
**Sent:** Thursday, June 10, 2021 3:49 PM  
**To:** St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>; Gideons, Delana <Delana.Gideons@lge-ku.com>; Clyde, Peter <Peter.Clyde@lge-ku.com>  
**Cc:** Dock, Joel <Joel.Dock@louisvilleky.gov>; Stephenson, Teri <Teri.Stephenson@lge-ku.com>; McCauley, Joel <Joel.McCauley@lge-ku.com>; Terry, Antoine <Antoine.Terry@lge-ku.com>; Eisert, Todd <Todd.Eisert@lge-ku.com>  
**Subject:** RE: 21-ZONE-0052 - LG&E gas transmission easement issue

Dante,

Thank you for checking with LG&E on this development referring to our existing easements. This is a high pressure transmission line. You stand correct, we will not let any structures encroach in our easements, no exceptions. I will let **Pete Clyde**, our Transmission and Compliance Mgr. comment on your concerns.

Thank You again.  
Bill Harper

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**From:** St. Germain, Dante <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)>  
**Sent:** Thursday, June 10, 2021 2:18 PM  
**To:** Gideons, Delana <[Delana.Gideons@lge-ku.com](mailto:Delana.Gideons@lge-ku.com)>; Harper, Bill <[Bill.Harper@lge-ku.com](mailto:Bill.Harper@lge-ku.com)>  
**Cc:** Dock, Joel <[Joel.Dock@louisvilleky.gov](mailto:Joel.Dock@louisvilleky.gov)>; Stephenson, Teri <[Teri.Stephenson@lge-ku.com](mailto:Teri.Stephenson@lge-ku.com)>  
**Subject:** 21-ZONE-0052 - LG&E gas transmission easement issue

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Good afternoon.

I am the case manger for a project proposed at 9300 Old Bardstown Road. A gas transmission easement cuts through the property, which is shown on the attached plan.

My question relates to LG&E's easement. There is a supplemental building setback from gas transmission easements in our Land Development Code, which is being provided on the plan. However, I still have concerns about structures such as porches, decks, driveways, and other residential appurtenances encroaching into the easement itself. I asked the applicant's engineer to show conceptual building envelopes on several of the lots that flank the easement, and it seems to me that on at least a couple of these lots there will likely be driveways over the easement. Later residents may end up building decks, etc. onto the easement without realizing what they are doing.

I would like to know what LG&E's position would be on this matter. Please advise with any information you can provide. Thanks!

**Dante St. Germain, AICP**  
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Planning & Design Services  
Department of Develop Louisville  
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## GAS TRANSMISSION PIPELINE RESTRICTIONS

The following restrictions apply to Louisville Gas and Electric Company (LG&E) gas transmission pipeline right-of-ways, easements, and gas storage leases. The restrictions are designed to protect public safety and provide LG&E the ability to operate, maintain and re-construct gas transmission pipelines located within private right-of-ways.

1. Prior notification shall be given to LG&E forty-eight (48) hours in advance of any construction to be performed within the right-of-way, easement, or lease area to allow LG&E the opportunity to have representation on site during construction. Contact Ed Walton at LG&E's Muldraugh Station at (502) 364-8574 or (502) 364-8570 or Doug Akin at LG&E's Magnolia Station at (502) 364-8789.
2. Above and below ground obstructions (including but not limited to fire hydrants, valves, utility poles, guy wires, pad transformers, splice and pull boxes, light standards, buildings, pools, ponds, trees, drainage culverts, and shrubbery) shall not be permitted on LG&E's right-of-way, easement or lease area without LG&E's express prior written approval. Any obstructions allowed by LG&E are subject to future removal by LG&E for purposes of pipeline maintenance or construction and LG&E shall not be liable for their replacement. **This restriction shall be clearly noted on the recorded plat of the development.**
3. The depth of cover of LG&E's gas pipelines shall be maintained at a minimum of 36 inches, but 48 inches is preferred. Cover shall not be added over 72 inches without express prior written permission from LG&E. Special conditions may exist for stream crossings. Note: Cover is defined as the distance from the top of pipe to grade. Increases in slope of grade resulting in a finished slope of grade greater than 15% shall not be permitted without LG&E's express prior written permission.
4. In the event of erosion, rutting or other loss of cover over LG&E's pipeline or within LG&E's easement caused by activities of the developer, landowner, or other third party, including without limitation reductions in cover due to operation of all-terrain vehicles or other motor vehicles, the party causing the erosion shall restore cover over or around the pipeline and shall enact methods of erosion control approved by LG&E. Erosion control shall be installed, where and when necessary to prevent loss of cover over the pipeline, at no expense to LG&E.
5. When blasting operations are to be conducted within the vicinity of LG&E's pipelines, LG&E's blasting policy will be followed. No blasting shall be permitted within LG&E's right-of-way, easement or lease area. A copy of "Guidelines for Blasting In The Vicinity of Natural Gas Pipelines" may be obtained from the contacts listed in Section 1.

6. During construction and/or maintenance on any LG&E gas easement, lease, or right-of-way, wheel loads (one-half of single axle load or one-half of tandem axle load) over LG&E's pipeline shall not exceed sixteen thousand (16,000) pounds without express prior written approval by LG&E. Note: Wheel load limits are determined on a case by case basis depending on the pipeline, operating pressure, depth of cover, track width, track contact length, and other relevant factors determined by LG&E.
7. Additional precautions shall be taken when excavating within 18 inches of LG&E's pipelines. Only hand excavation or vacuum excavation is allowed within that distance. LG&E's pipelines shall not be exposed for a length greater than ten (10) feet to prevent the pipeline from sagging. Additional support for LG&E's pipelines may be required as deemed necessary by an LG&E representative on site.
8. Installation of shoring and bracing on trench side walls, where necessary, shall be used by excavators to prevent caving and to limit the trench width to a maximum of ten (10) feet across LG&E pipelines. Any plans to support suspended pipelines must be approved by LG&E.
9. If directional drilling is used to install facilities within the vicinity of LG&E's pipelines, the pipelines shall be exposed with sufficient visual area so that it can be assured that the drilling operations do not impact LG&E's pipelines.
10. All roads, foreign lines, and utilities should cross LG&E pipelines as close to ninety (90) degrees as practical and at an acute angle of no less than seventy-five (75) degrees unless express prior written approval is obtained from LG&E.
11. One (1) foot minimum and two (2) feet preferred clearance is required between LG&E's pipelines and all foreign facilities.
12. Any metallic foreign line laid within the LG&E right-of-way shall have a dielectric coating, expressly approved in writing by the LG&E representative on site, to protect the integrity of the cathodic protection on LG&E facilities. The coated portion of foreign pipe shall extend across the width of the LG&E easement, unless less coating is expressly approved in writing by an LG&E representative on site. LG&E may require that foreign line crossings be installed inside of a casing. LG&E may further require that such casing be manufactured of a dielectric material. The requirements set forth in this paragraph are minimum standards and LG&E may impose additional requirements as are necessary to maintain safety and the integrity of pipelines.
13. Backfill between the foreign line and LG&E's pipelines shall be hand-placed and compacted to 95% of the maximum density at optimum moisture content as determined by AASHTO99 to prevent sagging from settlement. During

backfilling, LG&E pipelines shall be shielded to avoid damaging the pipe coating or the surface of bare steel pipelines.

14. Joints in the foreign line shall not be located directly over or under LG&E's pipelines to prevent possible settlement damage to joints, and provide for future maintenance of both facilities.
15. Pipeline markers or electrolysis test stations are required per Department of Transportation regulations and shall not be removed or altered under any circumstances without LG&E's express prior written approval.

Nothing herein shall be held to cancel, amend or otherwise modify the terms of any express easement granted to LG&E. In the event of any conflict between these guidelines and the terms of any express easement granted to LG&E, the terms of that easement shall control.