# NOTICE OF FINDING OF NO SIGNFICANT IMPACT AND

# NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

EMERY FLATS APARTMENTS

## March 17, 2025

The Kentucky Department for Local Government (DLG)

100 Airport Road, 3rd Floor, Frankfort, KY 40601

Telephone: 502-573-2382

**These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the Kentucky Department for Local Government***.*

# REQUEST FOR RELEASE OF FUNDS

On or about April 2, 2025, the Kentucky Department for Local Government (DLG) will submit a request to HUD for the release of Community Development Block Grant Disaster Recovery (CDBG-DR) Program funds under Title I of the Housing and Community Development Act of 1974, as amended, for the purpose of carrying out the new construction of an affordable multifamily housing development. Emery Flats is a proposed 180-unit affordable housing development located at 1200 Morgantown Road in Bowling Green, Warren County, KY. The 16.49-acre site is currently vacant and has been previously farmed. The proposed project will include six 3-story apartment buildings and a one-story administrative building. There will also be a recreation area with basketball and tennis courts, parking areas, and green space. The overall project is estimated to be 718,194 square feet. The proposed amount of CDBG-DR funds in the project is $8,578,064 and the estimated total cost for the project is $31,071,000.

# FINDING OF NO SIGNIFICANT IMPACT

The DLG has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the Department for Local Government from the hours of 8:00 am to 4:00 pm or may be requested via email to Jennifer.Peters@ky.gov.

# PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to DLG at: 100 Airport Road, 3rd Floor, Frankfort, KY 40601 or via email to Jennifer.Peters@ky.gov. All comments received by April 1, 2025, will be considered by DLG prior to submitting a request for release of funds to HUD. **Comments should specify which Notice they are addressing.**

# ENVIRONMENTAL CERTIFICATION

The DLG certifies to HUDthat Matt Sawyersinhis capacity as Commissioner and Certifying Officer consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD’s approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the DLG to use Program funds.

# OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and DLG’s certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the DLG; (b) DLG has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the HUD Office of Disaster Recovery at disaster\_recovery@hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.

## Matt Sawyers, Commissioner

Kentucky Department for Local Government