



U.S. Department of Housing and Urban Development
 451 Seventh Street, SW
 Washington, DC 20410
www.hud.gov
espanol.hud.gov

**Environmental Assessment
 Determinations and Compliance Findings
 for HUD-assisted Projects
 24 CFR Part 58**

Project Information

Project Name: Emery-Flats-

HEROS Number: 900000010454302

Start Date: 02/19/2025

Project Location: 1200 Morgantown Rd, Bowling Green, KY 42101

Additional Location Information:

Longitude: -86.484304; Latitude: 36.988975

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Emory 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 with a portion of two buildings and some parking areas in the 500-year floodplain. The total number of acres in the FFRMS floodplain (500-year and 100-year) is 8.25 acres and no development is proposed to take place in the 100-year floodplain.

Funding Information

Grant Number	HUD Program	Program Name	
B000	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$8,578,064.00

Estimated Total HUD Funded Amount: \$8,578,064.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$34,524,000.00

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project

contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition
<p>Endangered Species Act</p>	<p>A Biological Survey was completed by RES on December 16, 2024. Based on their review, suitable habitat for federally listed species on the project site is limited to summer roosting habitat for the Indiana bat, foraging habitat for the gray bat, and suitable mussel habitat. Therefore, the project sponsor, SOCAYR Inc., submitted a voluntary contribution of \$980.50 to the IBCF to mitigate the clearing of 0.37 acre of suitable summer habitat for the Indiana bat in a designated "Potential" habitat zone between October 15 and March 31. Payment was accepted by the Kentucky Natural Lands Trust on February 24, 2025. See attached biological survey results, official correspondence between DLG and the USFWS, and copy of the cleared check.</p>
<p>Floodplain Management</p>	<p>A portion of the Emery Flats site is in the 500-year floodplain which is considered the FFRMS floodplain under the 0.2-Percent-Annual-Floodplain Approach. As construction will take place in this area, there will be direct and indirect impacts to the FFRMS floodplain. The main natural and beneficial functions and values of the floodplain in the project area include floodwater conveyance, groundwater recharge, and erosion control. The site has been previously farmed and there are no anticipated intrinsic values (e.g. recreational, educational, scientific, historic, and cultural) that will be adversely affected by the activity. The northern portion of the site that is located in the 100-year floodplain is to be deeded off to another entity prior to construction. To prevent any adverse impacts to the 100-year floodplain, the only development occurring in this area will be a walking trail and the creation of a retention pond which will serve the Emery Flats project. The retention pond will provide additional erosion control and floodwater conveyance which will minimize any additional adverse impacts to the floodplain. There is also an underground drainage pipe that will lead from the retention pond that will drain into Jennings Creek which is just north of the property.</p> <p>To reduce the flooding risk and potential harm to the residents, the two buildings located in the</p>

	<p>FFRMS/500-year floodplain must be elevated to at least the FFRMS elevation which is shown to be 446.7 feet using the Freeboard Value Approach. Per the proposed site map and project engineer, the Finished Floor Elevation (FFE) of the two buildings in the 500-year/FFRMS will both be over 462 feet in elevation; therefore, the project will be in compliance with HUD's elevation requirements. See the Federal Flood Standard Tool results, FEMA FIRM, and site plan maps below.</p> <p>In addition, all erosion and sediment control practices shall meet the City of Bowling Green and Warren County permitting and Best Management Practices which are also outlined below. In summary, all the proposed measures will work to reduce any future climate-related flooding risks. In addition, as this project is not located on the coast, no impacts related to sea level rise are anticipated.</p>
<p>Contamination and Toxic Substances</p>	<p>Per the University of Kentucky Radon Potential Map, the site is located in an area with high radon potential; therefore, radon testing will be conducted according to the HUD recommended Best Practice requirements as outlined in Notice CPD-23-103.</p> <p>If any units are found to be at 4.0 pCi/L or above, mitigation will be required and must be documented in the Environmental Review Record once the mitigation has been completed.</p>
<p>Permits, reviews, and approvals</p>	<p>None at this time. All required permits will be obtained prior to construction.</p>
<p>Historic Preservation, Section 106 of the National Historic Preservation Act</p>	<p>In the event that archeological deposits and materials are encountered during the construction process, SOCAJR, the project sponsor, will stop construction immediately and will notify DLG. DLG then will contact Nicole Konkol (nicole.konkol@ky.gov), the KHC Site Protection and Archaeology Program Administrator; (502) 892-3614. If human skeletal remains are discovered, construction activities will cease and the KHC, local coroner, and local law enforcement agency will be notified, as described in KRS 72.020.</p>

Project Mitigation Plan

The project sponsor, SOCAYR, will notify DLG upon completion of all required mitigating measures including post construction radon testing results. SOCAYR will also notify DLG if any conditions in the project changes or if any inadvertent artifacts are found during construction. SOCAYR will also provide DLG with copies of the Elevation Certificates for the two buildings located in the FFRMS prior to construction and follow the Best Management and Erosion Control Measures as required by the City of Bowling Green and Warren County.

Determination:

<input type="checkbox"/>	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
<input type="checkbox"/>	Finding of Significant Impact

Preparer Signature: Jennifer Peters Date: 3/14/25

Name / Title/ Organization: Jennifer Peters / / KENTUCKY

Certifying Officer Signature: Matt Sawyer Date: 3/14/2025

Name/ Title: Matt Sawyers, DLG Commissioner

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environment Review Record (ERR) for the activity / project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).