

The Haven Ministries

Recovery Kentucky/CDBG Program

New Dawning Transitional Housing Project

Environmental Review Record



Prepared by:

Kentuckiana Regional Planning and Development Agency
(KIPDA)

May 2023



**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: The Haven Ministries New Dawning House Recovery CDBG/RHP Project

Responsible Entity: Kentucky Department for Local Government (DLG)

Grant Recipient (if different than Responsible Entity): The Haven Ministries

State/Local Identifier: KY/Jefferson County, KY

Preparer: Dustin Duncan, KIPDA

Certifying Officer Name and Title: Dennis Keene, DLG Commissioner

Direct Comments to: Dustin Duncan, Kentuckiana Regional Planning & Development Agency
(KIPDA)

Phone: 502-714-5134

Email: dustin.duncan@kipda.org

Project Location: 2414 Montgomery Street, Louisville, KY 40212-1018

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

The Haven Ministries (THM) **New Dawning House recovery housing project** will construct a **5-bedroom, 2-bathroom housing unit**, named New Dawning House, to **serve up to nine women** (at capacity) who are in recovery from a substance use disorder until they obtain stable housing. The project will directly support low-income individuals in recovery as they work toward **sobriety, stability and self-sufficiency** regardless of religious background/affiliation.

The unit, **located in a HUD-designated Opportunity Zone**, will primarily serve the Portland neighborhood in Louisville's west end, which has a disproportionately high rate of substance use. Esther Lyon, THM's Chief Executive Officer, will oversee the unit; Dr. Lyon is a licensed anesthetist with 20 years of experience in medicine, recovery and mentorship who currently oversees housing and recovery services at THM's Women's Center in Portland.

THM owns the property, which currently consists of an empty lot. The property is located within a block of other services provided by The Haven Ministries, including The Haven Restoration Center

and the Cup of Joy coffee shop. This project is part of THM’s long-term strategic plan to expand recovery services for individuals in Portland and beyond. **No individuals or families will be displaced as a result of this project.**

THM actively works to support individuals in recovery, having housed more than ten individuals since 2014. This project will increase the capacity of The Haven Ministries to serve more individuals experiencing substance use disorder in an area of high need, working to reduce drug overdose deaths and increase employment in a HUD-designated Opportunity Zone.

Statement of Purpose and Need for the Proposal:

The proposal will provide critical transitional housing for individuals in recovery, allowing them a safe space to become sober and work toward permanent housing and employment.

Existing Conditions and Trends:

The property is currently a vacant lot on a residential street in the Portland neighborhood. The project area has a high rate of substance abuse and individuals facing homelessness. In the absence of the project, limited recovery services will be available and the issues of substance abuse and homelessness will continue unabated.

Funding Information

Grant Number	HUD Program	Funding Amount
22R-052	CDBG	\$328,030.00

Estimated Total HUD Funded Amount: \$328,030.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:

CDBG - \$328,030.00

The Haven Ministries - \$35,000.00

Total: \$363,030.00

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6		

Airport Hazards 24 CFR Part 51 Subpart D	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	There are no nearby airports that will be impacted by the scope of this project. The attached map shows no nearby airports.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	This project does not apply to the Coastal Barrier Resources Act. Attached map shows no coastal barrier resources.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	This project does not require flood insurance and is not in a flood plain. See Flood Plain Worksheet.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Project is located in Jefferson County, which has a moderate non-attainment of the 8-Hour Ozone (2015) standard. However, project will not exceed <i>de minimis</i> or threshold emissions levels established by the Louisville Air Pollution Control District.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Attached map shows no coastal barrier resources.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No toxic substances or hazardous materials (or producers of such) were found on or in proximity to the project site.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Per the attached correspondence generated by the USFWS ECOS-IPaC system, the Kentucky Ecological Services Field Office agrees with KIPDA's finding of "may affect – not likely to adversely affect" the species potentially found in the area.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	This site does not contain a hazardous facility that mainly stores, handles or processes flammable or combustible chemicals, and it is not within 1 mile of an aboveground storage tank that has liquid industrial fuels.
Farmlands Protection	Yes <input type="checkbox"/> No <input type="checkbox"/>	The site is not located on farmlands.

Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project is not within a floodplain – see attached FEMA FIRM map.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The Kentucky State Historic Preservation Office (SHPO) has approved this project. Please see attachment.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Decibel levels for this project are within the acceptable threshold, based on HUD Day/Night Noise Level calculator and field test.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	There are no aquifers in the area that will be affected by this project.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	There are no wetlands in the project area. Please see the Fish and Wildlife Map.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The National Park Service has no wild and scenic rivers in the area or proximity to the project area.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	There are deemed no adverse environmental justice issues or concerns.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable, and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and

page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	Develop Louisville; Louisville Metro zoning regulations; property will be ‘filled in,’ increasing attractiveness and value of street.
Soil Suitability / Slope / Erosion / Drainage / Storm Water Runoff	2	Develop Louisville
Hazards and Nuisances including Site Safety and Noise	2	Develop Louisville; HUD Day/Night Noise Level tool
Energy Consumption	2	Louisville Gas & Electric

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	KIPDA
Demographic Character Changes Displacement	2	KIPDA

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	KIPDA
Commercial Facilities	2	Louisville Forward
Health Care and Social Services	2	Louisville Metro Department of Public Health and Wellness
Solid Waste Disposal / Recycling	2	Louisville Metro Public Works
Waste Water / Sanitary Sewers	2	Metropolitan Sewer District (MSD)

Water Supply	2	Louisville Water Company (LWC)
Public Safety – Police, Fire and Emergency Medical	2	Louisville Metro Public Safety
Parks, Open Space and Recreation	2	Develop Louisville; Louisville Metro Parks and Recreation
Transportation and Accessibility	2	KIPDA; Develop Louisville

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	U.S. Department of the Interior Fish & Wildlife Service
Vegetation, Wildlife	2	U.S. Department of the Interior Fish & Wildlife Service
Other Factors	2	N/A

Additional Studies Performed:

None

Field Inspection (Date and completed by):

April 18, 2023 – Dustin Duncan, KIPDA Grants Compliance Coordinator

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

1. Develop Louisville
2. Louisville Metro Air Pollution Control District
3. Kentucky Department for Environmental Protection, Louanna Aldridge
4. Kentucky Department of Housing, Buildings and Construction, Don Newberry
5. Kentucky Department of Fish & Wildlife Resources, Doug Dawson
6. Louisville Gas & Electric
7. Metropolitan Sewer District (MSD)
8. Louisville Water Company (LWC)
9. Louisville Metro Public Health and Wellness
10. Louisville Metro Parks and Recreation
11. Louisville Forward
12. Kentucky Transportation Cabinet – District 5, Brian Eaton
13. State Historic Preservation Officer, Craig Potts
14. U.S. Department of Interior, Virgil Lee Andrews
15. Cherokee Nation, Principal Chief Chuck Hoskin and THPO Elizabeth Toombs
16. Delaware Nation, President Deborah Dotson and THPO Erin Paden
17. Osage Nation, Dr. Andrea Hunter
18. Eastern Band of Cherokees, Principal Chief Richard Sneed & THPO Russell Townsend
19. Miami Tribe of Oklahoma, Chief Douglas Lankford and THPO Diane Hunter
20. Peoria Tribe of Indians of Oklahoma, Chief Craig Harper

List of Permits Obtained:

N/A

Public Outreach [24 CFR 50.23 & 58.43]:

All required public hearings and notices were completed.

Cumulative Impact Analysis [24 CFR 58.32]:

This residential construction project for Recovery housing will not have a significant impact on the quality of the human environment.

Alternatives [24 CFR 58.40; 40 CFR 1508.9]:

The Haven Ministries explored additional property in the Portland neighborhood for Recovery housing services and determined that the vacant lot on 2414 Montgomery Street, owned by The Haven Ministries, is the best location due to its proximity to existing services and residential zoning.

No Action Alternative:

Without new construction, The Haven Ministries will not have space to provide Recovery housing services for individuals in the Portland neighborhood facing substance use disorder.

Summary of Findings and Conclusions:

No adverse effects.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below 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

Determination:

Finding of No Significant Impact [24 CFR 58.40(g)(i); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: *Dustin Duncan* Date: *05/23/23*

Dustin Duncan, Grants Compliance Coordinator, KIPDA

Responsible Entity Agency Official Signature:

J. Keene Date: 05/23/2023

Dennis Keene, Commissioner, Kentucky Department for Local Government

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

Airport Hazards (CEST and EA)

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D
References		
https://www.hudexchange.info/environmental-review/airport-hazards		

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within the applicable distances to a military or civilian airport.*

Yes → *Continue to Question 2.*

2. Is your project located within a Runway Potential Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ)?

Yes, project is in an APZ → *Continue to Question 3.*

Yes, project is an RPZ/CZ → *Project cannot proceed at this location.*

No, project is not within an APZ or RPZ/CZ

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within either zone.*

3. Is the project in conformance with DOD guidelines for APZ?

Yes, project is consistent with DOD guidelines without further action.

Explain how you determined that the project is consistent:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

No, the project cannot be brought into conformance with DOD guidelines and has not been approved. → *Project cannot proceed at this location.*

Project is not consistent with DOD guidelines, but it has been approved by Certifying Officer or HUD Approving Official.

Explain approval process:

If mitigation measures have been or will be taken, explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

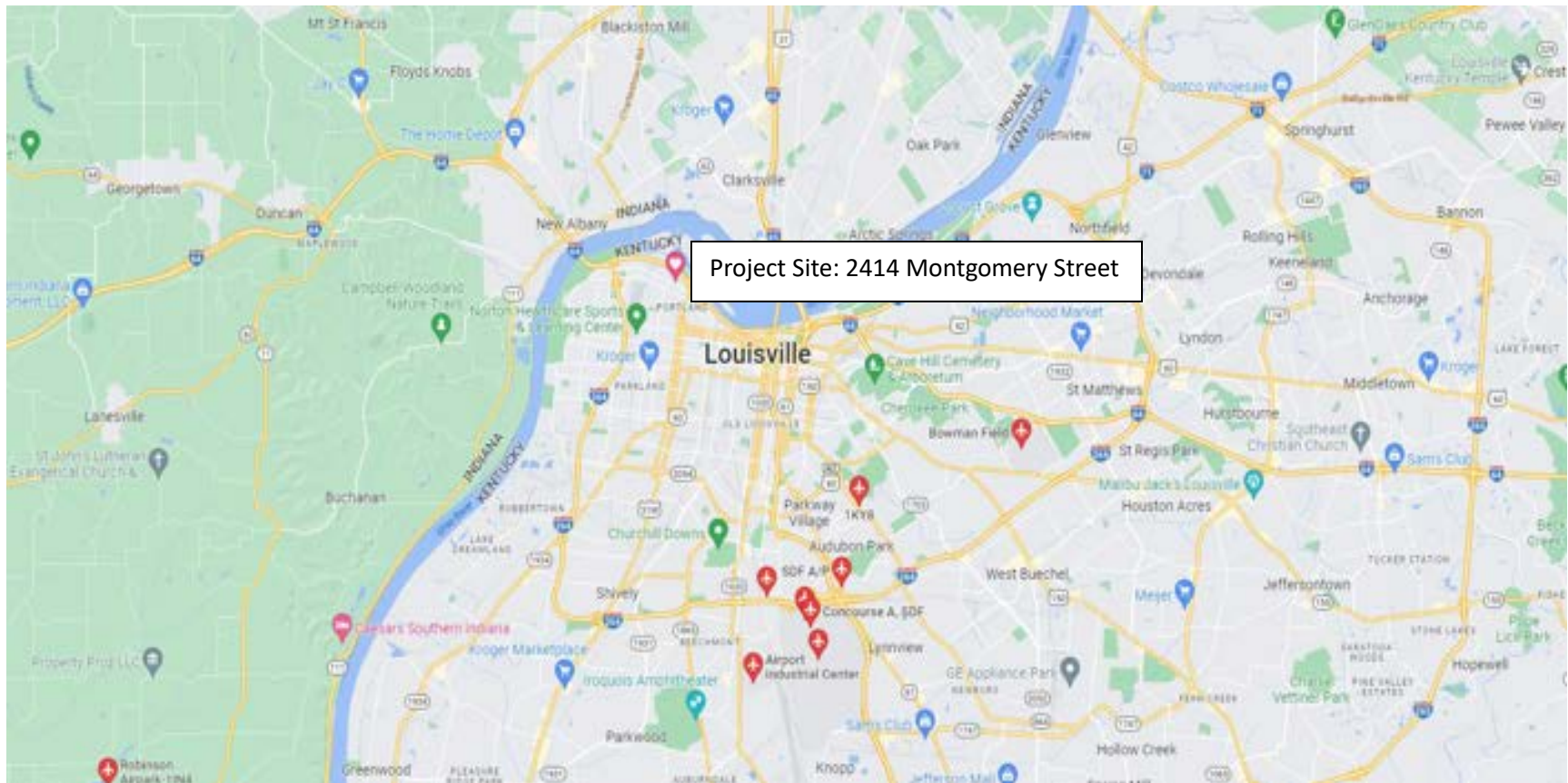
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

This project is farther than 15,000 feet of a civilian airport and farther than 2,500 feet of a military airport. Please reference the attached map.

Are formal compliance steps or mitigation required?

Yes

No



Source: Google Maps, 2023

Coastal Barrier Resources (CEST and EA)

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	
References		
https://www.hudexchange.info/environmental-review/coastal-barrier-resources		

Projects located in the following states must complete this form.

Alabama	Georgia	Massachusetts	New Jersey	Puerto Rico	Virgin Islands
Connecticut	Louisiana	Michigan	New York	Rhode Island	Virginia
Delaware	Maine	Minnesota	North Carolina	South Carolina	Wisconsin
Florida	Maryland	Mississippi	Ohio	Texas	

1. Is the project located in a CBRS Unit?

- No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.*
- Yes → *Continue to Question 2.*

Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project. In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see [16 USC 3505](#) for exceptions to limitations on expenditures).

2. Indicate your selected course of action.

- After consultation with the FWS the project was given approval to continue
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map and documentation of a FWS approval.*
- Project was not given approval
Project cannot proceed at this location.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project site is not within a coastal area and is not subject to an environmental review for this component of the assessment. The project lies within the state of Kentucky, which is one of the states that is exempt from conducting a review on coastal barrier resources.

Are formal compliance steps or mitigation required?

Yes

No

Flood Insurance (CEST and EA)

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).
Reference		
https://www.hudexchange.info/environmental-review/flood-insurance		

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance. → *Continue to the Worksheet Summary.*

Yes → *Continue to Question 2.*

2. Provide a FEMA/FIRM map showing the site.

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

No → *Continue to the Worksheet Summary.*

Yes → *Continue to Question 3.*

3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?

Yes, the community is participating in the National Flood Insurance Program.

For loans, loan insurance or loan guarantees, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less

Provide a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance.

→ *Continue to the Worksheet Summary.*

Yes, less than one year has passed since FEMA notification of Special Flood Hazards.
If less than one year has passed since notification of Special Flood Hazards, no flood insurance is required.

→ *Continue to the Worksheet Summary.*

No. The community is not participating, or its participation has been suspended.

Federal assistance may not be used at this location. Cancel the project at this location.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project site is located in an area of minimal flood hazard and does not require flood insurance.

21111C0024F 2/26/2021

Source: FEMA Map Services Center portal (2023)
See attached map.

Are formal compliance steps or mitigation required?

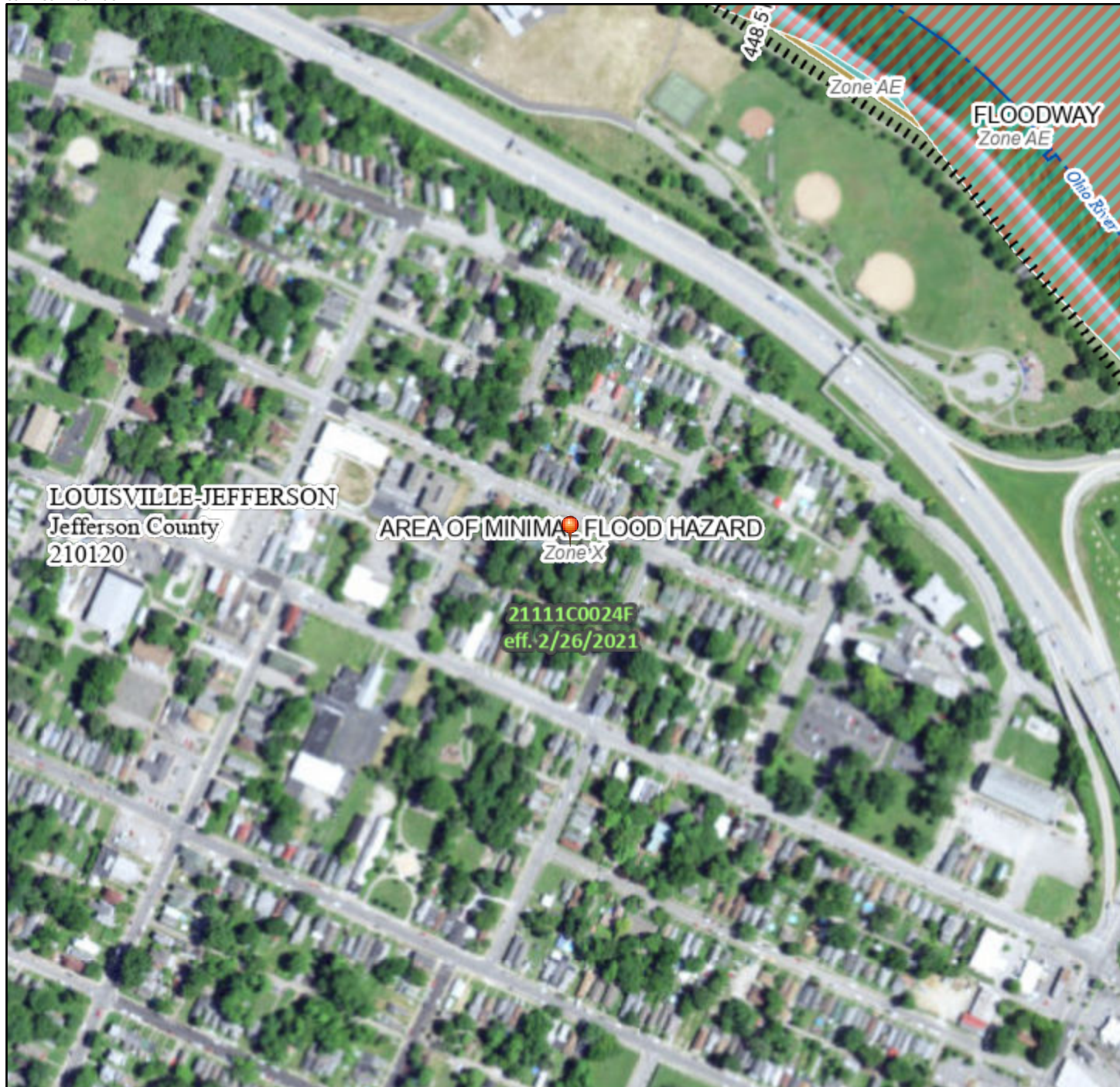
Yes

No

National Flood Hazard Layer FIRMMette



85°47'33"W 38°16'31"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
MAP PANELS		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/18/2023 at 9:45 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Air Quality (CEST and EA)

General Requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93
Reference		
https://www.hudexchange.info/environmental-review/air-quality		

Scope of Work

- 1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

Yes

→ *Continue to Question 2.*

No

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

Air Quality Attainment Status of Project's County or Air Quality Management District

- 2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?**

Follow the link below to determine compliance status of project county or air quality management district:

<https://www3.epa.gov/airquality/greenbook/ancl.html>

No, project's county or air quality management district is in attainment status for all criteria pollutants

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

- Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants.

Describe the findings:

Jefferson County, Kentucky is in moderate non-attainment of the 8-Hour Ozone (2015) standard.

Source: EPA Current Nonattainment Counties for All Criteria Pollutants (<https://www3.epa.gov/airquality/greenbook/ancl.html>)

→ Continue to Question 3.

- 3. Determine the estimated emissions levels of your project for each of those criteria pollutants that are in non-attainment or maintenance status on your project area. Will your project exceed any of the *de minimis* or *threshold* emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?**

- No, the project will not exceed *de minimis* or threshold emissions levels or screening levels

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Explain how you determined that the project would not exceed de minimis or threshold emissions.*

- Yes, the project exceeds *de minimis* emissions levels or screening levels.

→ *Continue to Question 4. Explain how you determined that the project would not exceed de minimis or threshold emissions in the Worksheet Summary.*

- 4. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Emission levels for the project will not exceed *de minimis* or threshold emissions levels of non-attainment pollutants or exceed screening levels established by the Louisville Metro Government Air Pollution Control District. No project activities are subject to direct air pollution regulations found at <https://louisvilleky.gov/government/air-pollution-control-district/compliance-assistance-templates-and-forms>.

Source: Louisville Metro Air Pollution Control District
Consultation Date: April 18, 2023

Are formal compliance steps or mitigation required?

- Yes
 No

Coastal Zone Management Act (CEST and EA)

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930
References		
https://www.onecpd.info/environmental-review/coastal-zone-management		

Projects located in the following states must complete this form.

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands
American Samona	Guam	Maryland	New Jersey	Pennsylvania	Virginia
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin
Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina	

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

Yes → Continue to Question 2.

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.

2. Does this project include activities that are subject to state review?

Yes → Continue to Question 3.

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

3. Has this project been determined to be consistent with the State Coastal Management Program?

Yes, with mitigation. → Continue to Question 4.

Yes, without mitigation. → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.*

No, project must be canceled.
Project cannot proceed at this location.

4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

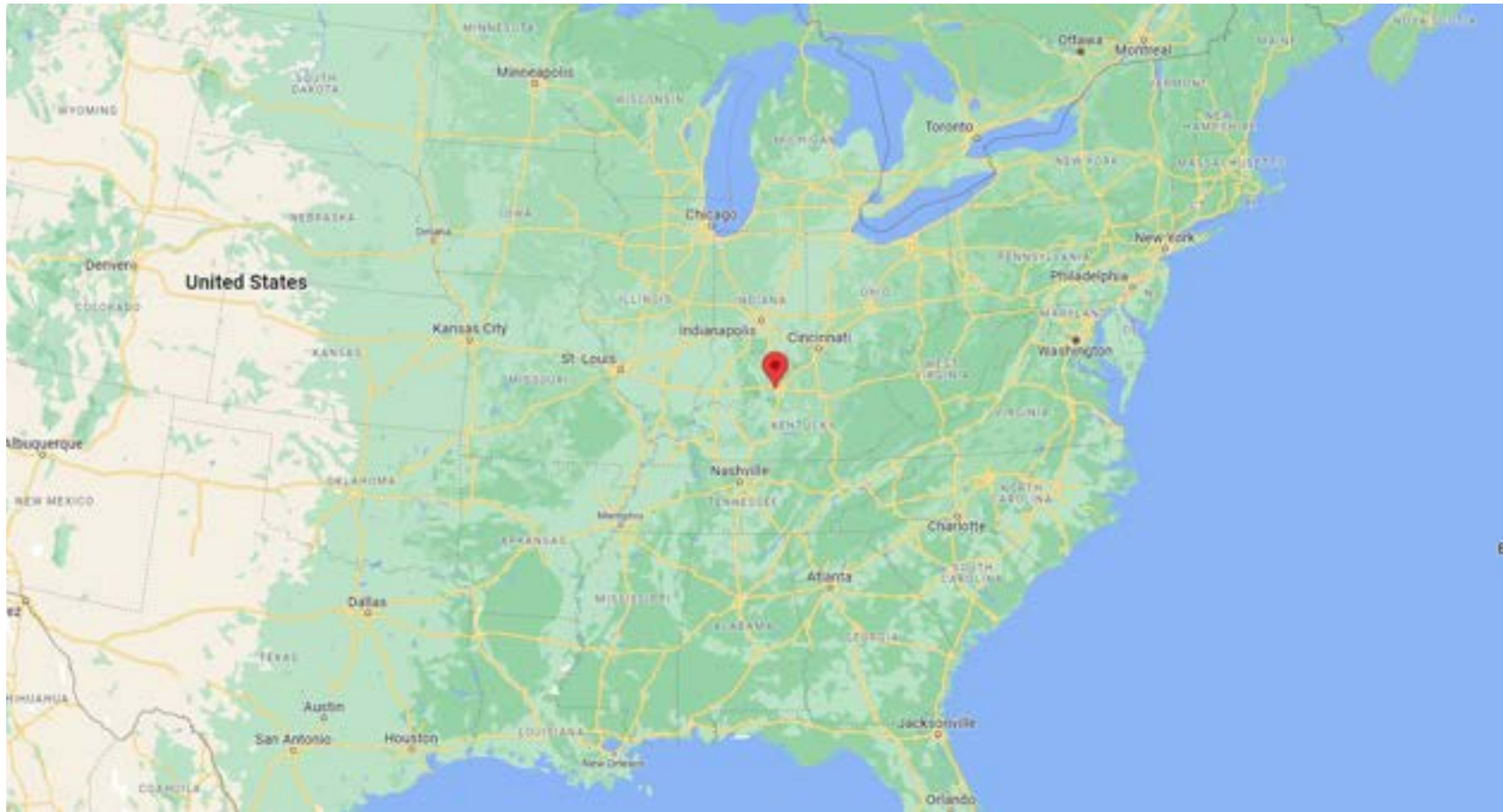
Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project site is not within a coastal area and is not subject to an environmental review for this component of the assessment. The project lies within the state of Kentucky, which is one of the states that is exempt from conducting a review on coastal zones.

Are formal compliance steps or mitigation required?

- Yes
 No



Source: Google Maps, 2023

Contamination and Toxic Substances (Single Family Properties)

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)
Reference		
https://www.hudexchange.info/programs/environmental-review/site-contamination		

1. Evaluate the site for contamination. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property?

Provide a map or other documentation of absence or presence of contamination¹ and explain evaluation of site contamination in the Worksheet below.

No

Explain:

No site contaminants were found. See attached photographs of project site.

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes

Describe the findings, including any recognized environmental conditions (RECs), in Worksheet Summary below. Continue to Question 2.

Check here if an ASTM Phase I Environmental Site Assessment (ESA) report was utilized. [Note: HUD regulations does not require an ASTM Phase I ESA report for single family homes]

¹ Utilize EPA's EnviroMapper and state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

2. Mitigation

Document the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental mitigation cannot be mitigated, then HUD assistance may not be used for the project at this site.

Can adverse environmental impacts be mitigated?

Adverse environmental impacts cannot feasibly be mitigated
Project cannot proceed at this location.

Yes, adverse environmental impacts can be eliminated through mitigation.
Provide all mitigation requirements² and documents. Continue to Question 3.

3. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls³, or use of institutional controls⁴.

If a remediation plan or clean-up program was necessary, which standard does it follow?

- Complete removal
- Risk-based corrective action (RBCA)
- Other

Continue to the Worksheet Summary.

² Mitigation requirements include all clean-up actions required by applicable federal, state, tribal, or local law. Additionally, provide, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

³ Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, without limitation, caps, covers, dikes, trenches, leachate collection systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, without limitation, slurry walls and ground water pumping systems.

⁴ Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

No site contaminants were found. See attached photographs of project site. No mitigation measures are required.

Site visit: April 18, 2023

Are formal compliance steps or mitigation required?

Yes

No











Map of Hazardous Waste sites and Landfills near project area

Source: EPA Enviromapper (2023)

Endangered Species Act (CEST and EA)

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402
References		
https://www.hudexchange.info/environmental-review/endangered-species		

1. Does the project involve any activities that have the potential to affect species or habitats?

No, the project will have No Effect due to the nature of the activities involved in the project.
 → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office.
 Explain your determination:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

Yes, the activities involved in the project have the potential to affect species and/or habitats. → *Continue to Question 2.*

2. Are federally listed species or designated critical habitats present in the action area?

Obtain a list of protected species from the Services. This information is available on the [FWS Website](#) or you may contact your [local FWS](#) and/or [NMFS](#) offices directly.

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation*

may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.

Yes, there are federally listed species or designated critical habitats present in the action area. → *Continue to Question 3.*

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate.*

May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

→ *Continue to Question 4, Informal Consultation.*

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

→ *Continue to Question 5, Formal Consultation.*

4. Informal Consultation is required

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?

Yes, the Service(s) concurred with the finding.

→ *Based on the response, the review is in compliance with this section. Continue to Question 6 and provide the following:*

- (1) A biological evaluation or equivalent document*
- (2) Concurrence(s) from FWS and/or NMFS*
- (3) Any other documentation of informal consultation*

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

No, the Service(s) did not concur with the finding. → Continue to Question 5.

5. Formal consultation is required

Section 7 of ESA (16 USC 1536) mandates consultation to resolve potential impacts to federally listed endangered and threatened species and critical habitats. If a HUD assisted project may affect any endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

→ Once consultation is complete, the review is in compliance with this section. Continue to Question 6 and provide the following:

- (1) A biological assessment, evaluation, or equivalent document
- (2) Biological opinion(s) issued by FWS and/or NMFS
- (3) Any other documentation of formal consultation

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that will be implemented to mitigate for the impact or effect, including the timeline for implementation.

Mitigation as follows will be implemented:

No mitigation is necessary.

Explain why mitigation will not be made here:

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Thirteen species considered endangered, threatened or candidates occur in the area, including the Gray Bat, Indiana Bat, northern Long-eared Bat, Whooping Crane, eight species of clams and the Monarch Butterfly. The USFWS ECOS-IPaC portal shows that no critical habitats for these species occur in the project area (see attached).

Through determination keys provided for the Indiana Bat, Northern Long-eared Bat, and Kentucky-identified species, prepared on April 25, 2023, determinations of “No Effect” were reached for all identified species in the project area.

Are formal compliance steps or mitigation required?

- Yes
 No



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Kentucky Ecological Services Field Office
J C Watts Federal Building, Room 265
330 West Broadway
Frankfort, KY 40601-8670
Phone: (502) 695-0468 Fax: (502) 695-1024
Email Address: kentuckyes@fws.gov

In Reply Refer To:

April 25, 2023

Project Code: 2023-0073787

Project Name: The Haven Ministries Recovery Housing Project

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the

human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Kentucky Ecological Services Field Office

J C Watts Federal Building, Room 265

330 West Broadway

Frankfort, KY 40601-8670

(502) 695-0468

PROJECT SUMMARY

Project Code: 2023-0073787

Project Name: The Haven Ministries Recovery Housing Project

Project Type: New Constr - Above Ground

Project Description: The project will construct a 5-bedroom housing unit at 2414 Montgomery Street, Louisville, KY 40212, to be utilized for transitional housing for individuals facing substance use disorder. The project should commence in fall 2023 and be completed by spring 2024.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.271250300000005,-85.787428423135,14z>



Counties: Jefferson County, Kentucky

ENDANGERED SPECIES ACT SPECIES

There is a total of 13 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
<p>Gray Bat <i>Myotis grisescens</i></p> <p>No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ The project area includes potential gray bat habitat. <p>Species profile: https://ecos.fws.gov/ecp/species/6329 General project design guidelines: https://ipac.ecosphere.fws.gov/project/OXLLNLNEKRB7NOB44WZ4T7JKUU/documents/generated/6422.pdf</p>	Endangered
<p>Indiana Bat <i>Myotis sodalis</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ The project area includes 'potential' habitat. All activities in this location should consider possible effects to this species. <p>Species profile: https://ecos.fws.gov/ecp/species/5949 General project design guidelines: https://ipac.ecosphere.fws.gov/project/OXLLNLNEKRB7NOB44WZ4T7JKUU/documents/generated/6422.pdf</p>	Endangered
<p>Northern Long-eared Bat <i>Myotis septentrionalis</i></p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045 General project design guidelines: https://ipac.ecosphere.fws.gov/project/OXLLNLNEKRB7NOB44WZ4T7JKUU/documents/generated/6422.pdf</p>	Endangered

BIRDS

NAME	STATUS
<p>Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758</p>	Experimental Population, Non- Essential

CLAMS

NAME	STATUS
<p>Clubshell <i>Pleurobema clava</i></p> <p>Population: Wherever found; Except where listed as Experimental Populations</p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/3789</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/OXLLNLNEKRB7NOB44WZ4T7JKUU/documents/generated/5639.pdf</p>	Endangered
<p>Fanshell <i>Cyprogenia stegaria</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/4822</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/OXLLNLNEKRB7NOB44WZ4T7JKUU/documents/generated/5639.pdf</p>	Endangered
<p>Northern Riffleshell <i>Epioblasma rangiana</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/527</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/OXLLNLNEKRB7NOB44WZ4T7JKUU/documents/generated/5639.pdf</p>	Endangered
<p>Orangefoot Pimpleback (pearlymussel) <i>Plethobasus cooperianus</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/1132</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/OXLLNLNEKRB7NOB44WZ4T7JKUU/documents/generated/5639.pdf</p>	Endangered
<p>Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/7829</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/OXLLNLNEKRB7NOB44WZ4T7JKUU/documents/generated/5639.pdf</p>	Endangered
<p>Rabbitsfoot <i>Quadrula cylindrica cylindrica</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/5165</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/OXLLNLNEKRB7NOB44WZ4T7JKUU/documents/generated/5639.pdf</p>	Threatened
<p>Ring Pink (mussel) <i>Obovaria retusa</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/4128</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/OXLLNLNEKRB7NOB44WZ4T7JKUU/documents/generated/5639.pdf</p>	Endangered

NAME	STATUS
Rough Pigtoe <i>Pleurobema plenum</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6894 General project design guidelines: https://ipac.ecosphere.fws.gov/project/OXLLNLNEKRB7NOB44WZ4T7JKUU/documents/generated/5639.pdf	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

IPAC USER CONTACT INFORMATION

Agency: Kentuckiana Regional Planning and Development Agency
Name: Dustin Duncan
Address: 11520 Commonwealth Drive
City: Louisville
State: KY
Zip: 40299
Email: dustin.duncan@kipda.org
Phone: 5027145134

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Housing and Urban Development
Name: Mark Williams
Email: markp.williams@ky.gov



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Kentucky Ecological Services Field Office
J C Watts Federal Building, Room 265
330 West Broadway
Frankfort, KY 40601-8670
Phone: (502) 695-0468 Fax: (502) 695-1024
Email Address: kentuckyes@fws.gov

In Reply Refer To:

April 25, 2023

Project code: 2023-0073787

Project Name: The Haven Ministries Recovery Housing Project

Subject: Consistency letter for the project named 'The Haven Ministries Recovery Housing Project' for specified threatened and endangered species that may occur in your proposed project location consistent with the Kentucky Determination Key (DKey)

Dear Dustin Duncan:

The U.S. Fish and Wildlife Service (Service) received on **April 25, 2023** your effect determination(s) for the 'The Haven Ministries Recovery Housing Project' (Action) using the Kentucky (DKey) within the Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based on your answers and the assistance of the Service's Kentucky DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Clubshell (<i>Pleurobema clava</i>)	Endangered	No effect
Fanshell (<i>Cyprogenia stegaria</i>)	Endangered	No effect
Gray Bat (<i>Myotis grisescens</i>)	Endangered	No effect
Northern Riffleshell (<i>Epioblasma rangiana</i>)	Endangered	No effect
Orangefoot Pimpleback (pearlymussel) (<i>Plethobasus cooperianus</i>)	Endangered	No effect
Pink Mucket (pearlymussel) (<i>Lampsilis abrupta</i>)	Endangered	No effect
Rabbitsfoot (<i>Quadrula cylindrica cylindrica</i>)	Threatened	No effect
Ring Pink (mussel) (<i>Obovaria retusa</i>)	Endangered	No effect
Rough Pigtoe (<i>Pleurobema plenum</i>)	Endangered	No effect

Consultation Status

No Effect Determinations: Species with No effect determinations are those for which you determined the proposed Action would have “no effect” on the species. There is no statutory requirement for the federal action agency to request concurrence with that determination; however, the federal action agency should document the supporting information for this determination in their files. This documentation would typically demonstrate a lack of suitable habitat within the action area, show that no impacts to suitable habitat would occur, or provide information that the species is not reasonably certain to occur in the action area even though suitable habitat is present.

Coordination with the Kentucky Ecological Services Office is complete. Thank you for considering Federally listed species during your project planning.

The Service recommends that your agency contact the Kentucky Ecological Services Field Office or re-evaluate the Action in IPaC if: 1) the scope, timing, duration, or location of the Action changes, 2) new information reveals the Action may affect listed species or designated critical habitat, or 3) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Kentucky Ecological Services Field Office should take place before project changes are final or resources committed.

The following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Indiana Bat *Myotis sodalis* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate
- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Whooping Crane *Grus americana* Experimental Population, Non-Essential

To address effects to other federally listed or proposed species and/or their designated critical habitat, you can request project-specific review by following the instructions in the “Next Steps” section of your species list letter, or you may use another determination key, if available.

Additional Coordination

To request additional technical assistance or consultation, please email your request to KentuckyES@fws.gov and include relevant site-specific information. The Kentucky Ecological Services Field Office will respond within 30 days of your submittal.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

The Haven Ministries Recovery Housing Project

2. Description

The following description was provided for the project 'The Haven Ministries Recovery Housing Project':

The project will construct a 5-bedroom housing unit at 2414 Montgomery Street, Louisville, KY 40212, to be utilized for transitional housing for individuals facing substance use disorder. The project should commence in fall 2023 and be completed by spring 2024.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.271250300000005,-85.787428423135,14z>



QUALIFICATION INTERVIEW

1. Will the proposed Action involve Federal funding, permitting, or authorization, or will it be carried out by a Federal Agency?
Yes
 2. Are you the lead Federal Action Agency or designated non-federal representative requesting concurrence on behalf of the lead Federal Action Agency?
No
 3. [Hidden Semantic] Does the action area intersect critical habitat?
Automatically answered
No
 4. Will the proposed Action involve construction or operation of wind turbines?
No
 5. Will the proposed Action involve blasting (other than a fireworks display)?
No
 6. Will the proposed Action involve a new point source discharge from a facility other than a water treatment plant or storm water system?
No
 7. Will the proposed Action involve the creation of a new water-borne contaminant source (e.g. leachate pond, pits containing chemicals that are not NSF/ANSI 60 compliant)?
No
 8. Will the proposed Action include the removal, replacement, repair and/or maintenance of an existing bridge or culvert?
No
 9. Will the proposed Action involve perennial stream loss that would require an individual permit under 404 of the Clean Water Act?
No
 10. Will the proposed Action involve discharge of sediment into a stream?
No
 11. Does the Action Area contain any caves (including their associated sinkholes, fissures, or other karst features), rockshelters, underground quarries, or abandoned mine portals (including associated underground workings)?
No
 12. [Hidden Semantic] Does the Action Area intersect the Kentucky AOI of the gray bat?
Automatically answered
Yes
 13. Will the proposed Action involve drilling or boring?
No
-

14. Based on the responses you have provided, we believe that the proposed Action is consistent with the type of Actions programmatically evaluated by the Service's Kentucky Field Office under the standing analyses that support this determination key. These Actions typically conclude with "no effect" or "may affect - not likely to adversely affect" determinations for the gray bat.

What is your effect determination for the **gray bat**?

Note: IPaC will not provide a concurrence for "no effect" determinations, because there is no statutory requirement to request concurrence from the Service. IPaC will provide concurrence for "May affect – not likely to adversely affect" determinations. If you choose "May affect – likely to adversely affect" or "Unsure," additional coordination with the Service is recommended.

1. "No effect"

15. Will the proposed Action involve a new point source discharge into a stream or change an existing point source discharge (e.g., outfalls; leachate ponds)?

No

16. Will the proposed Action include any activities that would alter stream flow, such as hydropower energy production, impoundments, intake structures, diversion structures, and/or turbines?

No

17. Will the proposed Action involve dredging or in-stream gravel mining?

No

18. Will the proposed Action involve resource extraction (e.g., mining, oil/gas, logging), including exploration activities?

No

19. Will the proposed Action involve stream impacts (perennial or intermittent) that would require an individual permit under 404 of the Clean Water Act?

No

20. Will the proposed Action involve activities that would contribute measureable nonpoint source pollution to streams (e.g., sediment, nutrients, etc.)? *See the following EPA webpage for more examples of nonpoint source pollution and activities that can produce it: <https://www.epa.gov/nps/basic-information-about-nonpoint-source-nps-pollution>*

No

21. [Hidden Semantic] Does the action area include the 1/2-mile buffer of a stream or river in which any species covered under this key occurs or may occur?

Automatically answered

Yes

22. Will the proposed Action disturb the channel or bank of a perennial or intermittent stream?

No

23. Will the proposed Action disturb the channel or bank of an ephemeral stream?
No
24. Will the proposed Action involve vegetation removal within 200 feet of a perennial stream bank?
No
25. Will the proposed Action involve excavation or grading, including for the construction or improvement of an access road?
No
26. [Hidden Semantic] Does the project area intersect the AOI of the clubshell (*Pleurobema clava*)?
Automatically answered
Yes
27. Based on the responses you have provided, we believe that the proposed Action is consistent with the type of Actions programmatically evaluated by the Service's Kentucky Field Office under the standing analyses that support this determination key. These Actions typically conclude with "no effect" or "may affect - not likely to adversely affect" determinations for the clubshell.

What determination do you want to make for the **clubshell**:

Note: IPaC will not provide a concurrence for "no effect" determinations, because there is no statutory requirement to request concurrence from the Service. IPaC will provide concurrence for "May affect – not likely to adversely affect" determinations. If you choose "May affect – likely to adversely affect" or "Unsure," additional coordination with the Service is recommended.

1. "No effect"

28. [Hidden Semantic] Does the project area intersect the AOI of the fanshell (*Cyprogenia stegaria*)?
Automatically answered
Yes
29. Based on the responses you have provided, we believe that the proposed Action is consistent with the type of Actions programmatically evaluated by the Service's Kentucky Field Office under the standing analyses that support this determination key. These Actions typically conclude with "no effect" or "may affect - not likely to adversely affect" determinations for the fanshell.

What is your effect determination for the **fanshell**:

Note: IPaC will not provide a concurrence for "no effect" determinations, because there is no statutory requirement to request concurrence from the Service. IPaC will provide concurrence for "May affect – not likely to adversely affect" determinations. If you choose "May affect – likely to adversely affect" or "Unsure," additional coordination with the Service is recommended.

1. "No effect"

30. [Hidden Semantic] Does the project area intersect the AOI of the northern riffleshell (*Epioblasma torulosa rangiana*)?

Automatically answered

Yes

31. Based on the responses you have provided, we believe that the proposed Action is consistent with the type of Actions programmatically evaluated by the Service's Kentucky Field Office under the standing analyses that support this determination key. These Actions typically conclude with "no effect" or "may affect - not likely to adversely affect" determinations for the northern riffleshell.

What is your effect determination for the **northern riffleshell**:

Note: IPaC will not provide a concurrence for "no effect" determinations, because there is no statutory requirement to request concurrence from the Service. IPaC will provide concurrence for "May affect – not likely to adversely affect" determinations. If you choose "May affect – likely to adversely affect" or "Unsure," additional coordination with the Service is recommended.

1. "No effect"

32. [Hidden Semantic] Does the project area intersect the AOI of the orangefoot pimpleback (*Plethobasus cooperianus*)?

Automatically answered

Yes

33. Based on the responses you have provided, we believe that the proposed Action is consistent with the type of Actions programmatically evaluated by the Service's Kentucky Field Office under the standing analyses that support this determination key. These Actions typically conclude with "no effect" or "may affect - not likely to adversely affect" determinations for the orangefoot pimpleback.

What is your effect determination for the **orangefoot pimpleback**:

Note: IPaC will not provide a concurrence for "no effect" determinations, because there is no statutory requirement to request concurrence from the Service. IPaC will provide concurrence for "May affect – not likely to adversely affect" determinations. If you choose "May affect – likely to adversely affect" or "Unsure," additional coordination with the Service is recommended.

1. "No effect"

34. [Hidden Semantic] Does the project area intersect the AOI of the pink mucket (*Lampsilis abrupta*)?

Automatically answered

Yes

35. Based on the responses you have provided, we believe that the proposed Action is consistent with the type of Actions programmatically evaluated by the Service's Kentucky Field Office under the standing analyses that support this determination key. These Actions typically conclude with "no effect" or "may affect - not likely to adversely affect" determinations for the pink mucket.

What is your effect determination for the **pink mucket**:

Note: IPaC will not provide a concurrence for "no effect" determinations, because there is no statutory requirement to request concurrence from the Service. IPaC will provide concurrence for "May affect – not likely to adversely affect" determinations. If you choose "May affect – likely to adversely affect" or "Unsure," additional coordination with the Service is recommended.

1. "No effect"

36. [Hidden Semantic] Does the project area intersect the AOI of the rabbitsfoot (*Theliderma* (= *Quadrula*) *cylindrica*)?

Automatically answered

Yes

37. Based on the responses you have provided, we believe that the proposed Action is consistent with the type of Actions programmatically evaluated by the Service's Kentucky Field Office under the standing analyses that support this determination key. These Actions typically conclude with "no effect" or "may affect - not likely to adversely affect" determinations for the rabbitsfoot.

What is your effect determination for the **rabbitsfoot**:

Note: IPaC will not provide a concurrence for "no effect" determinations, because there is no statutory requirement to request concurrence from the Service. IPaC will provide concurrence for "May affect – not likely to adversely affect" determinations. If you choose "May affect – likely to adversely affect" or "Unsure," additional coordination with the Service is recommended.

1. "No effect"

38. [Hidden Semantic] Does the project area intersect the AOI of the ring pink (*Obovaria* *retusa*)?

Automatically answered

Yes

39. Based on the responses you have provided, we believe that the proposed Action is consistent with the type of Actions programmatically evaluated by the Service's Kentucky Field Office under the standing analyses that support this determination key. These Actions typically conclude with "no effect" or "may affect - not likely to adversely affect" determinations for the ring pink.

What is your effect determination for the **ring pink**:

Note: IPaC will not provide a concurrence for "no effect" determinations, because there is no statutory requirement to request concurrence from the Service. IPaC will provide concurrence for "May affect – not likely to adversely affect" determinations. If you choose "May affect – likely to adversely affect" or "Unsure," additional coordination with the Service is recommended.

1. *"No effect"*

40. [Hidden Semantic] Does the project area intersect the AOI of the rough pigtoe (*Pleurobema plenum*)?

Automatically answered

Yes

41. Based on the responses you have provided, we believe that the proposed Action is consistent with the type of Actions programmatically evaluated by the Service's Kentucky Field Office under the standing analyses that support this determination key. These Actions typically conclude with "no effect" or "may affect - not likely to adversely affect" determinations for the rough pigtoe.

What is your effect determination for the **rough pigtoe**:

Note: IPaC will not provide a concurrence for "no effect" determinations, because there is no statutory requirement to request concurrence from the Service. IPaC will provide concurrence for "May affect – not likely to adversely affect" determinations. If you choose "May affect – likely to adversely affect" or "Unsure," additional coordination with the Service is recommended.

1. *"No effect"*

IPAC USER CONTACT INFORMATION

Agency: Kentuckiana Regional Planning and Development Agency
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City: Louisville
State: KY
Zip: 40299
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Phone: 5027145134

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Housing and Urban Development
Name: Mark Williams
Email: markp.williams@ky.gov



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Kentucky Ecological Services Field Office
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In Reply Refer To:
Project code: 2023-0073787
Project Name: The Haven Ministries Recovery Housing Project

April 25, 2023

Federal Nexus: yes
Federal Action Agency (if applicable): Department of Housing and Urban Development

Subject: Record of project representative's no effect determination for 'The Haven Ministries Recovery Housing Project'

Dear Dustin Duncan:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on April 25, 2023, for 'The Haven Ministries Recovery Housing Project' (here forward, Project). This project has been assigned Project Code 2023-0073787 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into the IPaC must accurately represent the full scope and details of the Project. Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter.

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis, your project has reached the determination of "No Effect" on the northern long-eared bat. To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A

consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Clubshell *Pleurobema clava* Endangered
- Fanshell *Cyprogenia stegaria* Endangered
- Gray Bat *Myotis grisescens* Endangered
- Indiana Bat *Myotis sodalis* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate
- Northern Riffleshell *Epioblasma rangiana* Endangered
- Orangefoot Pimpleback (pearlymussel) *Plethobasus cooperianus* Endangered
- Pink Mucket (pearlymussel) *Lampsilis abrupta* Endangered
- Rabbitsfoot *Quadrula cylindrica cylindrica* Threatened
- Ring Pink (mussel) *Obovaria retusa* Endangered
- Rough Pigtoe *Pleurobema plenum* Endangered
- Whooping Crane *Grus americana* Experimental Population, Non-Essential

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

Next Steps

Based upon your IPaC submission, your project has reached the determination of "No Effect" on the northern long-eared bat. If there are no updates on listed species, no further consultation/coordination for this project is required with respect to the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the Kentucky Ecological Services Field Office and reference Project Code 2023-0073787 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

The Haven Ministries Recovery Housing Project

2. Description

The following description was provided for the project 'The Haven Ministries Recovery Housing Project':

The project will construct a 5-bedroom housing unit at 2414 Montgomery Street, Louisville, KY 40212, to be utilized for transitional housing for individuals facing substance use disorder. The project should commence in fall 2023 and be completed by spring 2024.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.271250300000005,-85.787428423135,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the Endangered northern long-eared bat (*Myotis septentrionalis*). Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. Do you have post-white nose syndrome occurrence data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed acoustic detections. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

8. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

PROJECT QUESTIONNAIRE

Will all project activities be completed by April 1, 2024?

Yes

IPAC USER CONTACT INFORMATION

Agency: Kentuckiana Regional Planning and Development Agency
Name: Dustin Duncan
Address: 11520 Commonwealth Drive
City: Louisville
State: KY
Zip: 40299
Email: dustin.duncan@kipda.org
Phone: 5027145134

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Housing and Urban Development
Name: Mark Williams
Email: markp.williams@ky.gov

Explosive and Flammable Hazards (CEST and EA)

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C
Reference		
https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities		

1. Does the proposed HUD-assisted project include a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

→ *Continue to Question 2.*

Yes

Explain:

→ *Continue to Question 5.*

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Yes

→ *Continue to Question 3.*

3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers:

- Of more than 100 gallon capacity, containing common liquid industrial fuels OR
- Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels?

No

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide all documents used to make your determination.*

Yes

→ Continue to Question 4.

4. Is the Separation Distance from the project acceptable based on standards in the Regulation?

Please visit [HUD's website](#) for information on calculating Acceptable Separation Distance.

Yes

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."

No

→ Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."
Continue to Question 6.

5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?

Please visit [HUD's website](#) for information on calculating Acceptable Separation Distance.

Yes

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

No

→ Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.
Continue to Question 6.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to make the Separation Distance acceptable, including the timeline for implementation. If negative effects cannot be mitigated, cancel the project at this location.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

This project does not contain and is not near explosive or flammable facilities. The project will build a residential unit on a lot previously filled by a residential unit; no zoning changes will occur.

Source: Louisville Metro Air Pollution Control District

Are formal compliance steps or mitigation required?

- Yes
 No

Farmlands Protection (CEST and EA)

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658
Reference		
https://www.hudexchange.info/environmental-review/farmlands-protection		

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

- Yes → *Continue to Question 2.*
 No

Explain how you determined that agricultural land would not be converted:

The impact area of the project is less than an acre and does not contain farmland.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting your determination.*

2. Does “important farmland,” including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?

You may use the links below to determine important farmland occurs on the project site:

- Utilize USDA Natural Resources Conservation Service’s (NRCS) Web Soil Survey <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
- Check with your city or county’s planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center <http://offices.sc.egov.usda.gov/locator/app?agency=nrcs> or your NRCS state soil scientist http://soils.usda.gov/contact/state_offices/ for assistance

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

Yes → *Continue to Question 3.*

3. Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.

- Complete form **AD-1006**, "Farmland Conversion Impact Rating" http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf and contact the state soil scientist before sending it to the local NRCS District Conservationist.
(NOTE: for corridor type projects, use instead form **NRCS-CPA-106**, "Farmland Conversion Impact Rating for Corridor Type Projects: http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045395.pdf.)
- Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 (or form NRCS-CPA-106 if applicable) to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination.

Document your conclusion:

- Project will proceed with mitigation.

Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

- Project will proceed without mitigation.

Explain why mitigation will not be made here:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The impact area of the project is less than an acre and does not contain farmland. The site is a residential lot in an urban area zoned for residential construction activities.

Source: Develop Louisville (Louisville Metro Government)

Consultation Date: April 18, 2023

Are formal compliance steps or mitigation required?

Yes

No

Floodplain Management (CEST and EA)

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55
Reference		
https://www.hudexchange.info/environmental-review/floodplain-management		

1. Does [24 CFR 55.12\(c\)](#) exempt this project from compliance with HUD’s floodplain management regulations in Part 55?

Yes

Provide the applicable citation at 24 CFR 55.12(c) here. If project is exempt under 55.12(c)(7) or (8), provide supporting documentation.

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

No *Continue to Question 2.*

2. **Provide a FEMA/FIRM or ABFE map showing the site.**

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs) or Advisory Base Flood Elevations (ABFEs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

No *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Yes

Select the applicable floodplain using the FEMA map or the best available information:

Floodway → *Continue to Question 3, Floodways*

- Coastal High Hazard Area (V Zone) → *Continue to Question 4, Coastal High Hazard Areas*
- 500-year floodplain (B Zone or shaded X Zone) → *Continue to Question 5, 500-year Floodplains*
- 100-year floodplain (A Zone) → *The 8-Step Process is required. Continue to Question 6, 8-Step Process*

3. **Floodways**

Is this a functionally dependent use?

- Yes

The 8-Step Process is required. Work with your HUD FEO to determine a way to satisfactorily continue with this project. Provide a completed 8-Step Process, including the early public notice and the final notice.

Continue to Question 6, 8-Step Process

- No

Federal assistance may not be used at this location unless a 55.12(c) exception applies.
You must either choose an alternate site or cancel the project at this location.

4. **Coastal High Hazard Area**

Is this a critical action?

- Yes

Critical actions are prohibited in coastal high hazard areas. Federal assistance may not be used at this location. Unless the action is excepted at 24 CFR 55.12(c), you must either choose an alternate site or cancel the project.

- No

Does this action include construction that is not a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster?

- Yes, there is new construction.

New construction is prohibited in V Zones ((24 CFR 55.1(c)(3)).

- No, this action concerns only a functionally dependent use, existing construction(including improvements), or reconstruction following destruction caused by a disaster.

This construction must have met FEMA elevation and construction standards for a coastal high hazard area or other standards applicable at the time of construction.

Continue to Question 6, 8-Step Process

5. 500-year Floodplain

Is this a critical action?

- No *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*
- Yes *Continue to Question 6, 8-Step Process*

6. 8-Step Process.

Does the 8-Step Process apply? Select one of the following options:

- 8-Step Process applies.
Provide a completed 8-Step Process, including the early public notice and the final notice.
Continue to Question 7, Mitigation
- 5-Step Process is applicable per 55.12(a)(1-3).
Provide documentation of 5-Step Process.
Select the applicable citation:
- 55.12(a)(1)* HUD actions involving the disposition of HUD-acquired multifamily housing projects or “bulk sales” of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).
 - 55.12(a)(2)* HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.
 - 55.12(a)(3)* HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.
 - 55.12(a)(4)* HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10)

and that the footprint of the structure and paved areas is not significantly increased.

Continue to Question 7, Mitigation

- 8-Step Process is inapplicable per 55.12(b)(1-4).

Select the applicable citation:

- 55.12(b)(1) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway or coastal high hazard area.
- 55.12(b)(2) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for "substantial improvement" under § 55.2(b)(10)
- 55.12(b)(3) HUD actions involving the disposition of individual HUD-acquired, one- to four-family properties.
- 55.12(b)(4) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573) of loans that refinance existing loans and mortgages, where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance.
- 55.12(b)(5) The approval of financial assistance to lease an existing structure located within the floodplain, but only if—
 - (i) The structure is located outside the floodway or Coastal High Hazard Area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24);
 - (ii) The project is not a critical action; and
 - (iii) The entire structure is or will be fully insured or insured to the maximum under the NFIP for at least the term of the lease.

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

7. Mitigation

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology
- Planting or restoring native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements or similar easements
- Floodproofing of structures
- Elevating structures including freeboarding above the required base flood elevations
- Other

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project site is located in an area of minimal flood hazard and does not require flood insurance: 21111C0024F (2/26/2021)

Source: FEMA Map Services Center portal (2023)
See attached map.

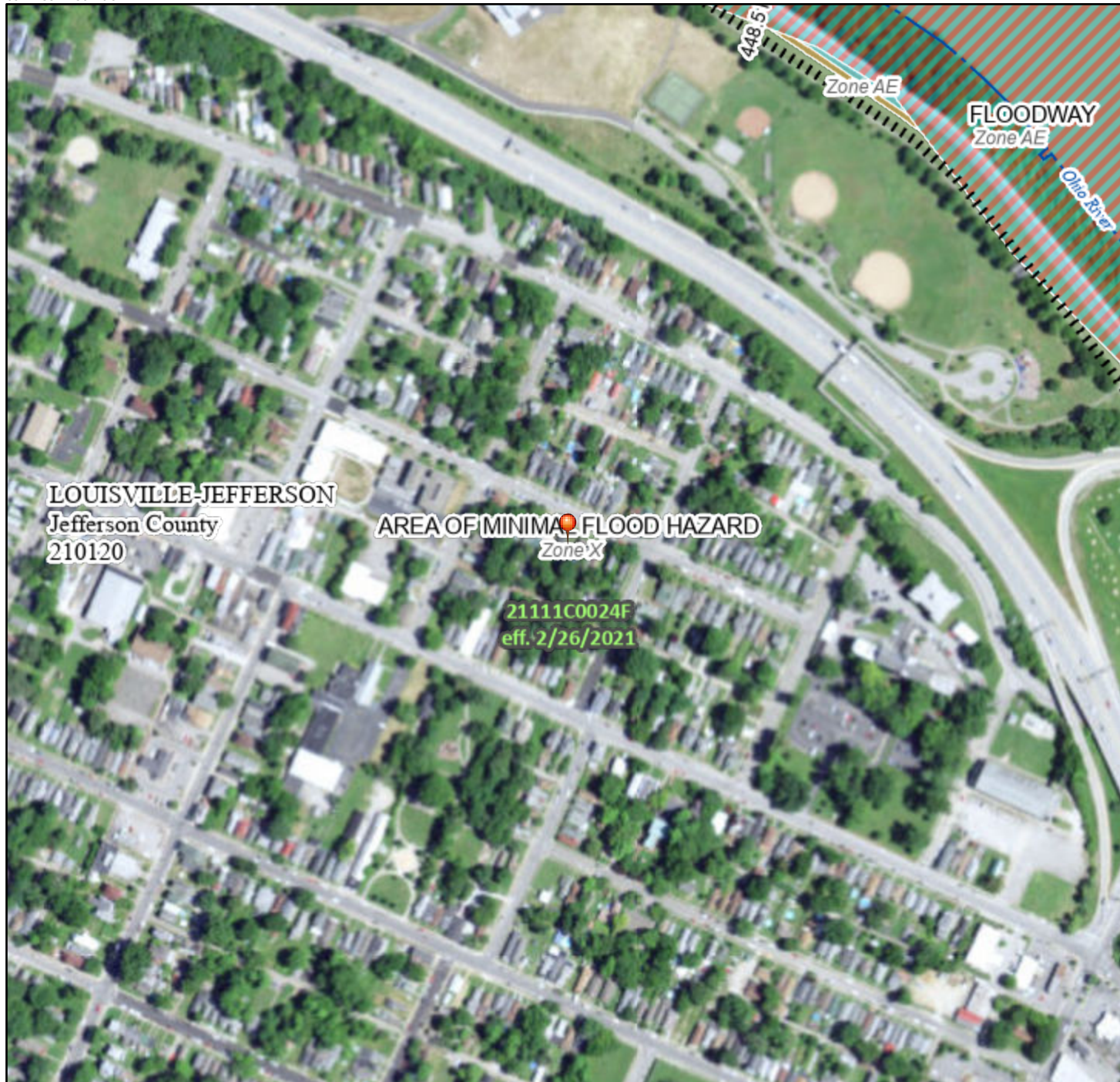
Are formal compliance steps or mitigation required?

- Yes
- No

National Flood Hazard Layer FIRMMette



85°47'33"W 38°16'31"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
MAP PANELS		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **4/18/2023 at 9:45 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Historic Preservation (CEST and EA)

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties"
References		
https://www.hudexchange.info/environmental-review/historic-preservation		

Threshold

Is Section 106 review required for your project?

- No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the [PA Database](#) to find applicable PAs.)

Either provide the PA itself or a link to it here. Mark the applicable exemptions or include the text here:

→ *Continue to the Worksheet Summary.*

- No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

Either provide the memo itself or a link to it here. Explain and justify the other determination here:

See SHPO letter

→ *Continue to the Worksheet Summary.*

- Yes, because the project includes activities with potential to cause effects (direct or indirect). → *Continue to Step 1.*

The Section 106 Process

After determining the need to do a Section 106 review, initiate consultation with regulatory and other interested parties, identify and evaluate historic properties, assess effects of the project on properties listed on or eligible for the National Register of Historic Places, and resolve any adverse effects through project design modifications or mitigation.

Note that consultation continues through all phases of the review.

- Step 1: Initiate consultation
- Step 2: Identify and evaluate historic properties
- Step 3: Assess effects of the project on historic properties
- Step 4: Resolve any adverse effects

Step 1 - Initiate Consultation

The following parties are entitled to participate in Section 106 reviews: Advisory Council on Historic Preservation; State Historic Preservation Officers (SHPOs); federally recognized Indian tribes/Tribal Historic Preservation Officers (THPOs); Native Hawaiian Organizations (NHOs); local governments; and project grantees. The general public and individuals and organizations with a demonstrated interest in a project may participate as consulting parties at the discretion of the RE or HUD official. Participation varies with the nature and scope of a project. Refer to HUD’s website for guidance on consultation, including the required timeframes for response. Consultation should begin early to enable full consideration of preservation options.

Use the [When To Consult With Tribes checklist](#) within [Notice CPD-12-006: Process for Tribal Consultation](#) to determine if you should invite tribes to consult on a particular project. Use the [Tribal Directory Assessment Tool \(TDAT\)](#) to identify tribes that may have an interest in the area where the project is located. Note that consultants may not initiate consultation with Tribes.

Select all consulting parties below (check all that apply):

- State Historic Preservation Officer (SHPO)
- Advisory Council on Historic Preservation
- Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native
- Hawaiian Organizations (NHOs)

List all tribes that were consulted here and their status of consultation:

- | |
|---|
| Osage Nation – responded to scoping letter, no objection
Eastern Band of Cherokees – no response
Cherokee Nation – no response
Delaware Nation, Oklahoma – no response
Miami Tribe of Oklahoma – no response
Peoria Tribe of Indians of Oklahoma – no response |
|---|

Other Consulting Parties

List all consulting parties that were consulted here and their status of consultation:

Describe the process of selecting consulting parties and initiating consultation here:

The Kentucky Heritage Council (Kentucky’s SHPO) provides consultation for historic properties in the state. The six tribes consulted were identified by the US Department of Housing and Urban Development’s Tribal Directory as having an interest in the property/area.

Provide all correspondence, notices, and notes (including comments and objections received) and continue to Step 2.

Step 2 - Identify and Evaluate Historic Properties

Define the Area of Potential Effect (APE), either by entering the address(es) or providing a map depicting the APE. Attach an additional page if necessary.

2414 Montgomery Street, Louisville, KY 40212 – one parcel

Gather information about known historic properties in the APE. Historic buildings, districts and archeological sites may have been identified in local, state, and national surveys and registers, local historic districts, municipal plans, town and county histories, and local history websites. If not already listed on the National Register of Historic Places, identified properties are then evaluated to see if they are eligible for the National Register.

Refer to HUD’s website for guidance on identifying and evaluating historic properties.

In the space below, list historic properties identified and evaluated in the APE.

Every historic property that may be affected by the project should be listed. For each historic property or district, include the National Register status, whether the SHPO has concurred with the finding, and whether information on the site is sensitive. Attach an additional page if necessary.

N/A

Provide the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination.

Was a survey of historic buildings and/or archeological sites done as part of the project?

If the APE contains previously unsurveyed buildings or structures over 50 years old, or there is a likely presence of previously unsurveyed archeological sites, a survey may be necessary. For Archeological surveys, refer to HP Fact Sheet #6, [Guidance on Archeological Investigations in HUD Projects](#).

Yes → Provide survey(s) and report(s) and continue to Step 3.

Additional notes:

A preliminary site check was performed by the Kentucky Heritage Council / SHPO on April 20, 2023.

No → Continue to Step 3.

Step 3 - Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the

Criteria of Adverse Effect. ([36 CFR 800.5](#))] Consider direct and indirect effects as applicable as per HUD guidance.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

No Historic Properties Affected

Document reason for finding:

No historic properties present. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

Historic properties present, but project will have no effect upon them. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to ([36 CFR 800.4\(d\)\(1\)](#)) and consult further to try to resolve objection(s).

No Adverse Effect

Document reason for finding:

Does the No Adverse Effect finding contain conditions?

Yes

Check all that apply: (check all that apply)

- Avoidance
- Modification of project
- Other

Describe conditions here:

→ *Monitor satisfactory implementation of conditions. Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

No → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to ([36 CFR 800.5\(c\)\(2\)](#)) and consult further to try to resolve objection(s).

Adverse Effect

Document reason for finding:

Copy and paste applicable Criteria into text box with summary and justification.

Criteria of Adverse Effect: [36 CFR 800.5](#)]

Notify the Advisory Council on Historic Preservation of the Adverse Effect and provide the documentation outlined in [36 CFR 800.11\(e\)](#). The Council has 15 days to decide whether to enter the consultation (Not required for projects covered by a Programmatic Agreement).

→ *Continue to Step 4.*

Step 4 - Resolve Adverse Effects

Work with consulting parties to try to avoid, minimize or mitigate adverse effects. Refer to HUD guidance and [36 CFR 800.6 and 800.7](#).

Were the Adverse Effects resolved?

Yes

Describe the resolution of Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation:

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ Provide signed Memorandum of Agreement (MOA) or Standard Mitigation Measures Agreement (SMMA). Continue to the Worksheet Summary.

No

The project must be cancelled unless the “Head of Agency” approves it. Either provide approval from the “Head of Agency” or cancel the project at this location.

Describe the failure to resolve Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation and “Head of the Agency”:

Explain in detail the exact conditions or measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ Provide correspondence, comments, documentation of decision, and “Head of Agency” approval. Continue to the Worksheet Summary.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

See SHPO letter of determination and response from THPOs with interest in the property. No comments were received from consulting parties.

Are formal compliance steps or mitigation required?

- Yes
 No

Kentucky Heritage Council

Site Identification Program
410 High Street, Frankfort, KY 40601

Confidential Information Not for Public Release

Please note that those resources for which National Register status is listed as 'undetermined' may include those that have been previously determined eligible for listing in the National Register of Historic Places as part of a consensus determination between the SHPO and a Federal agency, but for which the determination field has not yet been updated.

KHC Preliminary #: 94725304

Date of check: 4/20/2023

HISTORIC RESOURCES

There were no previously recorded historic resources within or adjacent to your project area.



ANDY BESHEAR
GOVERNOR

TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL
THE STATE HISTORIC PRESERVATION OFFICE

LINDY CASEBIER
SECRETARY

JACQUELINE COLEMAN
LT. GOVERNOR

410 HIGH STREET
FRANKFORT, KENTUCKY 40601
(502) 564-7005
www.heritage.ky.gov

CRAIG A. POTTS
EXECUTIVE DIRECTOR &
STATE HISTORIC PRESERVATION OFFICER

May 3, 2023

Dustin Duncan
KIPDA
11520 Commonwealth Dr.
Louisville, KY 40299

Re: The Haven Ministries New Dawning Recovery Housing Project, Louisville, Jefferson Co., KY

Dear Mr. Duncan:

Our review indicates that the proposed project will not impact any properties or sites that are listed in or eligible for the National Register of Historic Places. The proposed project should not require cultural resource survey. We would concur with a finding of *No Historic Properties Affected*.

In the unlikely event that human remains are found during construction for this project, work should cease immediately, and the county coroner and the Kentucky Heritage Council should be contacted. Should project plans change or there be any future concerns or questions regarding cultural resources in the vicinity of this project area, please do not hesitate to contact Nicole Konkol via email at nicole.konkol@ky.gov.

Sincerely,

Craig A. Potts,
Executive Director and
State Historic Preservation Officer

CP:nk KHC #230717



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Area Agency on Aging and Independent Living
Area Development District
Metropolitan Planning Organization



April 18, 2023

Chuck Hoskin, Principal Chief
Cherokee Nation
PO Box 948, Tahlequah, OK 74465

RE: CDBG Recovery Kentucky Housing Project, 2414 Montgomery Street, Louisville, KY 40212

Chief Hoskin:

The Haven Ministries is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, The Haven Ministries has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. KIPDA is assisting with this process.

Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The Haven Ministries and KIPDA will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We invite you to serve as a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we hope to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

The project will construct a 5-bedroom, 2-bathroom housing unit that will serve as transitional recovery housing for individuals in the Portland neighborhood of Louisville suffering from substance use disorder. The Haven Ministries owns the parcel, which is currently vacant and zoned residential.

Enclosed is a map that shows the project area. No adverse effects have been recognized through Kentucky's state clearinghouse review process.

11520 Commonwealth Drive
Louisville, KY 40299
www.kipda.org

Phone: 502.266.6084
Fax: 502.266.5047
TDD: 800.648.6056





Area Agency on Aging and Independent Living
Area Development District
Metropolitan Planning Organization



To meet project timeframes, please let us know of your interest in serving as a consulting party on this project within 30 days from receipt of this letter. If you have initial concerns with impacts of the project on religious or cultural properties, please note them in your response.

If you do wish to consult on this project, please include in your reply the name and contact information for the tribe's principal representative in the consultation. If you do not wish to consult, please inform us of this decision.

We value your assistance and look forward to consulting on this critical project.

With gratitude,

Dustin Duncan

Dustin Duncan, Grants Compliance Coordinator
Kentuckiana Regional Planning and Development Agency (KIPDA)
dustin.duncan@kipda.org
502-714-5134

cc: Elizabeth Toombs, THPO
Esther Lyon, Executive Director, The Haven Ministries



Area Agency on Aging and Independent Living
Area Development District
Metropolitan Planning Organization



April 18, 2023

Deborah Dotson, President
Delaware Nation
PO Box 825, Anadarko, OK 73005

RE: CDBG Recovery Kentucky Housing Project, 2414 Montgomery Street, Louisville, KY 40212

President Dotson:

The Haven Ministries is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, The Haven Ministries has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. KIPDA is assisting with this process.

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We value your assistance and look forward to consulting on this critical project.

With gratitude,

Dustin Duncan

Dustin Duncan, Grants Compliance Coordinator
Kentuckiana Regional Planning and Development Agency (KIPDA)
dustin.duncan@kipda.org
502-714-5134

cc: Erin Paden, Director of Historic Preservation
Esther Lyon, Executive Director, The Haven Ministries



Area Agency on Aging and Independent Living
Area Development District
Metropolitan Planning Organization



April 18, 2023

Richard Sneed, Principal Chief
Eastern Band of Cherokee Indians
Qualla Boundary, PO Box 455, Cherokee, NC 28719

RE: CDBG Recovery Kentucky Housing Project, 2414 Montgomery Street, Louisville, KY 40212

Principal Chief Sneed:

The Haven Ministries is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, The Haven Ministries has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. KIPDA is assisting with this process.

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We value your assistance and look forward to consulting on this critical project.

With gratitude,

Dustin Duncan

Dustin Duncan, Grants Compliance Coordinator
Kentuckiana Regional Planning and Development Agency (KIPDA)
dustin.duncan@kipda.org
502-714-5134

cc: Russell Townsend, Tribal Historic Preservation Officer
Esther Lyon, Executive Director, The Haven Ministries



Area Agency on Aging and Independent Living
Area Development District
Metropolitan Planning Organization



April 18, 2023

Douglas Lankford, Chief
Miami Tribe of Oklahoma
PO Box 1326, Miami, OK 74355

RE: CDBG Recovery Kentucky Housing Project, 2414 Montgomery Street, Louisville, KY 40212

Chief Lankford:

The Haven Ministries is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, The Haven Ministries has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. KIPDA is assisting with this process.

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We value your assistance and look forward to consulting on this critical project.

With gratitude,

Dustin Duncan

Dustin Duncan, Grants Compliance Coordinator
Kentuckiana Regional Planning and Development Agency (KIPDA)
dustin.duncan@kipda.org
502-714-5134

cc: Diane Hunter, Tribal Historic Preservation Officer
Esther Lyon, Executive Director, The Haven Ministries



Area Agency on Aging and Independent Living
Area Development District
Metropolitan Planning Organization



April 18, 2023

Andrea A. Hunter, Director and THPO
Osage Nation
627 Grandview Avenue, Pawhuska, OK 74056

RE: CDBG Recovery Kentucky Housing Project, 2414 Montgomery Street, Louisville, KY 40212

Director Hunter:

The Haven Ministries is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, The Haven Ministries has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. KIPDA is assisting with this process.

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If you do wish to consult on this project, please include in your reply the name and contact information for the tribe's principal representative in the consultation. If you do not wish to consult, please inform us of this decision.

We value your assistance and look forward to consulting on this critical project.

With gratitude,

Dustin Duncan

Dustin Duncan, Grants Compliance Coordinator
Kentuckiana Regional Planning and Development Agency (KIPDA)
dustin.duncan@kipda.org
502-714-5134

cc: Esther Lyon, Executive Director, The Haven Ministries



Area Agency on Aging and Independent Living
Area Development District
Metropolitan Planning Organization



April 18, 2023

Craig Harper, Chief
Peoria Tribe of Indians of Oklahoma
PO Box 1527, Miami, OK 74355

RE: CDBG Recovery Kentucky Housing Project, 2414 Montgomery Street, Louisville, KY 40212

Chief Harper:

The Haven Ministries is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, The Haven Ministries has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. KIPDA is assisting with this process.

Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The Haven Ministries and KIPDA will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We invite you to serve as a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we hope to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

The project will construct a 5-bedroom, 2-bathroom housing unit that will serve as transitional recovery housing for individuals in the Portland neighborhood of Louisville suffering from substance use disorder. The Haven Ministries owns the parcel, which is currently vacant and zoned residential.

Enclosed is a map that shows the project area. No adverse effects have been recognized through Kentucky's state clearinghouse review process.

11520 Commonwealth Drive
Louisville, KY 40299
www.kipda.org

Phone: 502.266.6084
Fax: 502.266.5047
TDD: 800.648.6056





Area Agency on Aging and Independent Living
Area Development District
Metropolitan Planning Organization



To meet project timeframes, please let us know of your interest in serving as a consulting party on this project within 30 days from receipt of this letter. If you have initial concerns with impacts of the project on religious or cultural properties, please note them in your response.

If you do wish to consult on this project, please include in your reply the name and contact information for the tribe's principal representative in the consultation. If you do not wish to consult, please inform us of this decision.

We value your assistance and look forward to consulting on this critical project.

With gratitude,

Dustin Duncan

Dustin Duncan, Grants Compliance Coordinator
Kentuckiana Regional Planning and Development Agency (KIPDA)
dustin.duncan@kipda.org
502-714-5134

cc: Esther Lyon, Executive Director, The Haven Ministries



Miami Tribe of Oklahoma

3410 P St. NW, Miami, OK 74354 • P.O. Box 1326, Miami, OK 74355
Ph: (918) 541-1300 • Fax: (918) 542-7260
www.miamination.com



Via email: Dustin.Duncan@kipda.org

April 26, 2023

Dustin Duncan, Grants Compliance Coordinator
Kentuckiana Regional Planning & Development Agency
11520 Commonwealth Drive
Louisville, KY 40299

Re: Recovery Housing Project, Jefferson County, Kentucky – Comments of the Miami Tribe of Oklahoma

Dear Mr. Duncan:

Aya, kweehsitoolaani– I show you respect. The Miami Tribe of Oklahoma, a federally recognized Indian tribe with a Constitution ratified in 1939 under the Oklahoma Indian Welfare Act of 1936, respectfully submits the following comments regarding Recovery Housing Project in Jefferson County, Kentucky.

The Miami Tribe offers no objection to the above-referenced project at this time, as we are not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site. However, given the Miami Tribe's deep and enduring relationship to its historic lands and cultural property within present-day Kentucky, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. In such a case, please contact me at 918-541-8966 or by email at THPO@miamination.com to initiate consultation.

The Miami Tribe accepts the invitation to serve as a consulting party to the proposed project. In my capacity as Tribal Historic Preservation Officer I am the point of contact for consultation.

Respectfully,

Diane Hunter

Diane Hunter
Tribal Historic Preservation Officer

Noise (EA Level Reviews)

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B
References		
https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control		

1. What activities does your project involve? Check all that apply:

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

→ *Continue to Question 2.*

- Rehabilitation of an existing residential property

NOTE: For major or substantial rehabilitation in Normally Unacceptable zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. For major rehabilitation in Unacceptable zones, HUD strongly encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.

→ *Continue to Question 2.*

- A research demonstration project which does not result in new construction or reconstruction, interstate, land sales registration, or any timely emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

- None of the above

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

2. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing the location of the project relative to any noise generators.*

Noise generators were found within the threshold distances.
→ *Continue to Question 3.*

3. Complete the Noise Assessment Guidelines to quantify the noise exposure. Indicate the findings of the Noise Assessment below:

Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide noise analysis, including noise level and data used to complete the analysis.*

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in 24 CFR 51.105(a))

Indicate noise level here:

If project is rehabilitation:

→ *Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis.*

If project is new construction:

Is the project in a largely undeveloped area⁵?

No

→ *Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis, and any other relevant information.*

Yes

⁵ A largely undeveloped area means the area within 2 miles of the project site is less than 50 percent developed with urban uses or does not have water and sewer capacity to serve the project.

→Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). Elevate this review to an EIS-level review.

Unacceptable: (Above 75 decibels)

Indicate noise level here:

If project is rehabilitation:

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels. Consider converting this property to a non-residential use compatible with high noise levels.

→ Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis, and any other relevant information.

If project is new construction:

Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). You may either complete an EIS or provide a waiver signed by the appropriate authority. Indicate your choice:

Convert to an EIS

→ Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 4.

Provide waiver

→ Provide an Environmental Impact Statement waiver from the Certifying Officer or the Assistant Secretary for Community Planning and Development per 24 CFR 51.104(b)(2) and noise analysis, including noise level and data used to complete the analysis.

Continue to Question 4.

- 4. HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.**

Mitigation as follows will be implemented:

→ Provide drawings, specifications, and other materials as needed to describe the project's noise mitigation measures. Continue to the Worksheet Summary.

No mitigation is necessary.

Explain why mitigation will not be made here:

→ Continue to the Worksheet Summary.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Based on the HUD Day/Night Noise Level Calculator Electronic Assessment Tool and field measurements using a smartphone application, the noise level for the project site is 60 decibels. This is within the threshold for acceptable noise levels.

Calculations were based on the site's proximity to Interstate 64 and a Norfolk Southern railroad track. On-site decibel readings were taken on April 18 during afternoon rush hour on Interstate 64; readings support the findings of the Day/Night Noise Level Calculator (see readings attached).

Are formal compliance steps or mitigation required?

Yes

No



Site ID	0101
Record Date	04/18/2023
User's Name	Dustin Duncan

Road # 1 Name:	Interstate 64
-----------------------	---------------

Road #1	Cars <input checked="" type="checkbox"/>	Medium Trucks <input checked="" type="checkbox"/>	Heavy Trucks <input checked="" type="checkbox"/>
Effective Distance	550	550	550
Distance to Stop Sign			
Average Speed	55	55	50
Average Daily Trips (ADT)	4509	2000	1000
Night Fraction of ADT	15	15	15
Road Gradient (%)			0
Vehicle DNL	49	55	57
Calculate Road #1 DNL	60	Reset	

Railroad #1 Track Identifier:	Norfolk Southern
--------------------------------------	------------------

Rail # 1	Electric <input type="checkbox"/>	Diesel <input checked="" type="checkbox"/>
Effective Distance		1500
Average Train Speed		18
Engines per Train		2
Railway cars per Train		50
Average Train Operations (ATO)		4
Night Fraction of ATO		15
Railway whistles or horns?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Bolted Tracks?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
Train DNI	0	45

<input type="button" value="Calculate Rail #1 DNL"/>	<input type="text" value="45"/>	<input type="button" value="Reset"/>
<input type="button" value="Add Road Source"/> <input type="button" value="Add Rail Source"/>		
Airport Noise Level	<input type="text"/>	
Loud Impulse Sounds?	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Combined DNL for all Road and Rail sources	<input type="text" value="60"/>	
Combined DNL including Airport	<input type="text" value="N/A"/>	
Site DNL with Loud Impulse Sound	<input type="text"/>	
<input type="button" value="Calculate"/> <input type="button" value="Reset"/>		

Mitigation Options

If your site DNL is in Excess of 65 decibels, your options are:

- **No Action Alternative:** Cancel the project at this location
- **Other Reasonable Alternatives:** Choose an alternate site
- **Mitigation**
 - Contact your Field or Regional Environmental Officer (</programs/environmental-review/hud-environmental-staff-contacts/>)
 - Increase mitigation in the building walls (only effective if no outdoor, noise sensitive areas)
 - Reconfigure the site plan to increase the distance between the noise source and noise-sensitive uses
 - Incorporate natural or man-made barriers. See *The Noise Guidebook* (</resource/313/hud-noise-guidebook/>)
 - Construct noise barrier. See the **Barrier Performance Module** (</programs/environmental-review/bpm-calculator/>)

Tools and Guidance

[Day/Night Noise Level Assessment Tool User Guide \(/resource/3822/day-night-noise-level-assessment-tool-user-guide/\)](/resource/3822/day-night-noise-level-assessment-tool-user-guide/)

[Day/Night Noise Level Assessment Tool Flowcharts \(/resource/3823/day-night-noise-level-assessment-tool-flowcharts/\)](/resource/3823/day-night-noise-level-assessment-tool-flowcharts/)

Sole Source Aquifers (CEST and EA)

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149
Reference		
https://www.hudexchange.info/environmental-review/sole-source-aquifers		

1. Is the project located on a sole source aquifer (SSA)⁶?

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area.*

Yes → *Continue to Question 2.*

2. Does your project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

No → *Continue to Question 3.*

3. Does your region have a memorandum of understanding (MOU) or other working agreement with EPA for HUD projects impacting a sole source aquifer?

Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.

Yes → *Provide the MOU or agreement as part of your supporting documentation. Continue to Question 4.*

No → *Continue to Question 5.*

4. Does your MOU or working agreement exclude your project from further review?

Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.*

No → *Continue to Question 5.*

⁶ A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

5. Will the proposed project contaminate the aquifer and create a significant hazard to public health?

Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide your correspondence with the EPA and all documents used to make your determination.*

Yes → *Work with EPA to develop mitigation measures. If mitigation measures are approved, attach correspondence with EPA and include the mitigation measures in your environmental review documents and project contracts. If EPA determines that the project continues to pose a significant risk to the aquifer, federal financial assistance must be denied. Continue to Question 6.*

6. In order to continue with the project, any threat must be mitigated, and all mitigation must be approved by the EPA. Explain in detail the proposed measures that can be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

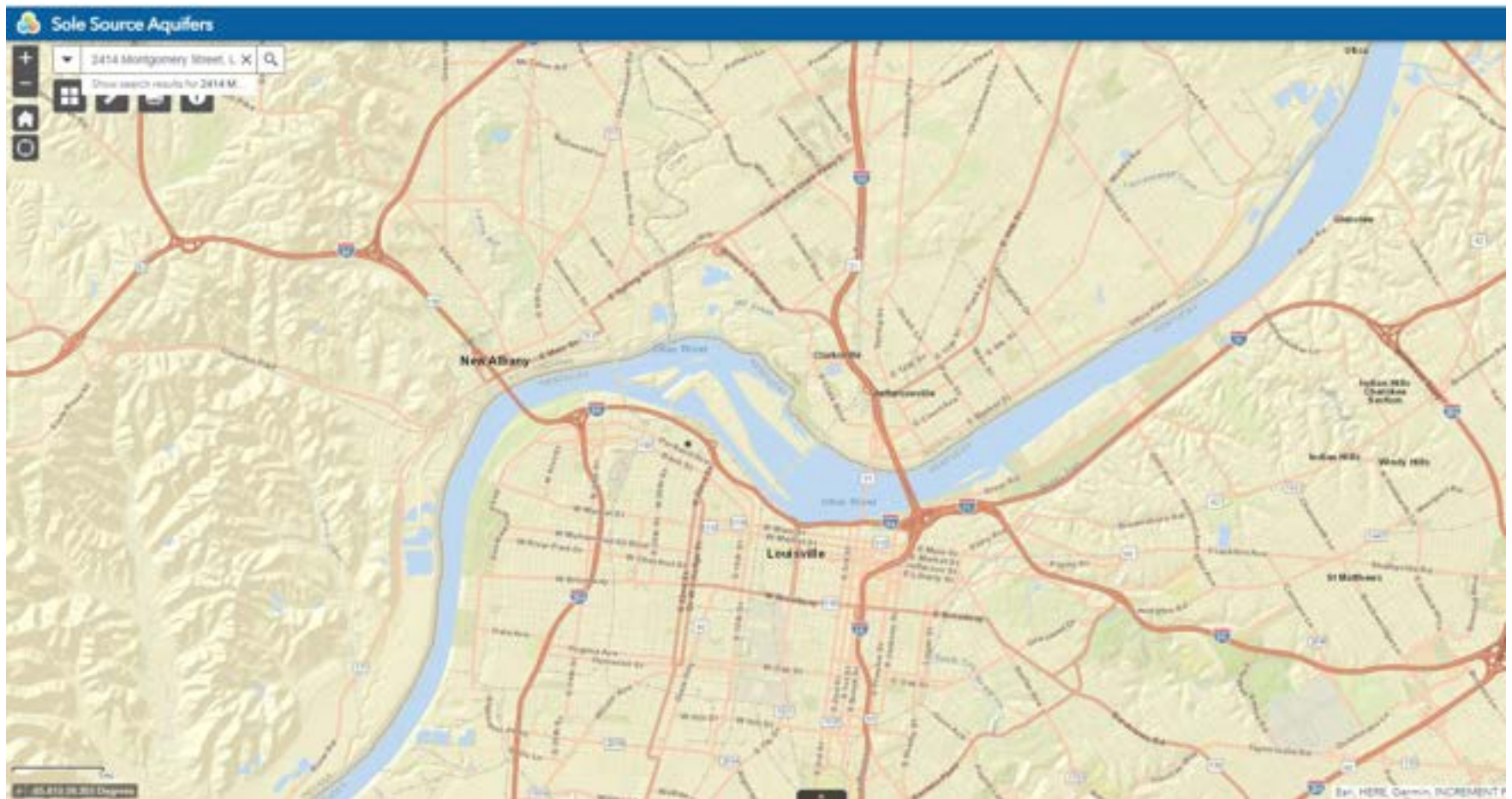
Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project site is not located on a sole-source aquifer. See attached map, generated from the Environmental Protection Agency sole-source aquifer mapping tool.

Are formal compliance steps or mitigation required?

- Yes
 No



Source: EPA Sole Source Aquifer Map, 2023

Wetlands (CEST and EA)

General requirements	Legislation	Regulation
Executive Order 11990 discourages that direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.
References		
https://www.hudexchange.info/environmental-review/wetlands-protection		

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance?

The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order.

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Yes → *Continue to Question 2.*

2. Will the new construction or other ground disturbance impact an on- or off-site wetland?

The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.

No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.*

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

àYou must determine that there are no practicable alternatives to wetlands development by completing the 8-Step Process.

Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation.

Continue to Question 3.

- 3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Which of the following mitigation actions have been or will be taken? Select all that apply:

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology through infiltration
- Native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements
- Compensatory mitigation

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is not located in nor will it disrupt an existing wetland. See attached map from the US Fish and Wildlife Service National Wetlands Inventory.

Are formal compliance steps or mitigation required?

- Yes
- No



April 18, 2023

Wetlands

- Estuarine and Marine Deepwater
- Freshwater Emergent Wetland
- Estuarine and Marine Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Wild and Scenic Rivers (CEST and EA)

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297
References		
https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers		

1. Is your project within proximity of a NWSRS river as defined below?

Wild & Scenic Rivers: These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic, or recreational Study Rivers: These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.

Nationwide Rivers Inventory (NRI): The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic, or recreational river areas

No

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map identifying the project site and its surrounding area or a list of rivers in your region in the Screen Summary at the conclusion of this screen.*

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

→ *Continue to Question 2.*

2. Could the project do *any* of the following?

- Have a direct and adverse effect within Wild and Scenic River Boundaries,
- Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries, or
- Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.

Consultation with the appropriate federal/state/local/tribal Managing Agency(s) is required, pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse

effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.

Note: Concurrence may be assumed if the Managing Agency does not respond within 30 days; however, you are still obligated to avoid or mitigate adverse effects on the rivers identified in the NWSRS

No, the Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Yes, the Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Continue to Question 3.*

3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

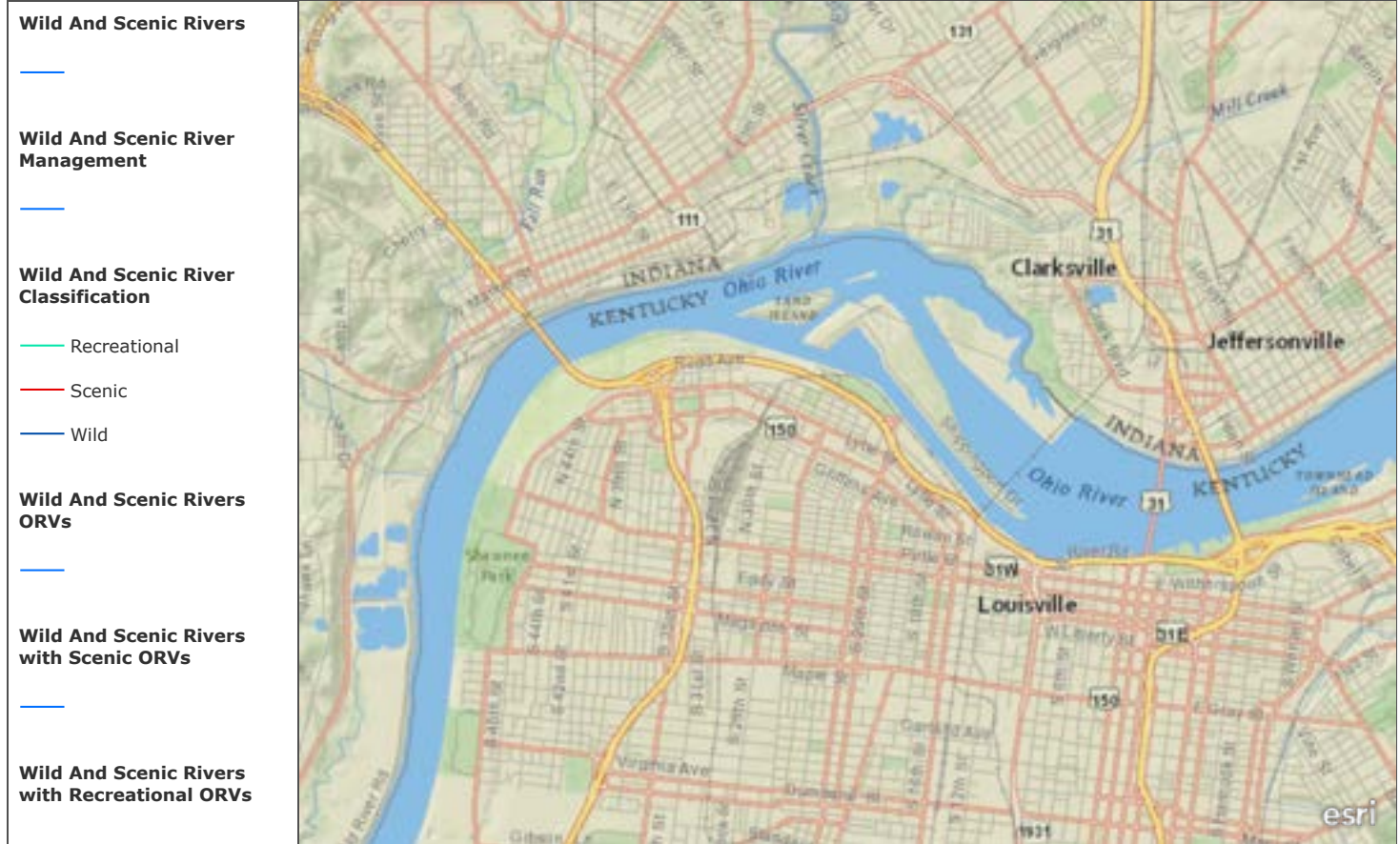
The project site is not within proximity of a National Wild and Scenic River. See attached amp from the Nationwide Rivers Inventory.

Are formal compliance steps or mitigation required?

Yes

No

National Wild and Scenic Rivers in the U.S. (for Story Map)



Wild and Scenic Rivers in the United States, derived from high resolution NHD (1:24,000-scale or better; USGS).

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Environmental Justice (CEST and EA)

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	
References		
https://www.hudexchange.info/environmental-review/environmental-justice		

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?

Yes → *Continue to Question 2.*

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?

Yes

Explain:

→ *Continue to Question 3. Provide any supporting documentation.*

No

Explain:

→ *Continue to the Worksheet Summary and provide any supporting documentation.*

3. All adverse impacts should be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Mitigation as follows will be implemented:

→ Continue to Question 4.

No mitigation is necessary.

Explain why mitigation will not be made here:

→ Continue to Question 4.

4. Describe how the affected low-income or minority community was engaged or meaningfully involved in the decision on what mitigation actions, if any, will be taken.

→ Continue to the Worksheet Summary and provide any supporting documentation.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

No comments that have an effect were recorded. No issues occurred.

Are formal compliance steps or mitigation required?

Yes

No