

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

Project Information

Project Name: Fairground-Lane-Sidewalk-Project

HEROS Number: 900000010485981

Start Date: 07/23/2025

Responsible Entity (RE): HENDERSON, PO Box 716 Henderson KY, 42419

RE Preparer: Jeannie Quattrocchi

State / Local Identifier:

Certifying Officer: Bradley S. Staton

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

Project Location: 1400 Fairground Ln, Henderson, KY 42420

Additional Location Information:

The project will start on the east side of Arrow Way approximately 95 linear south of intersection of Fair Street/Fairground Lane/Arrow Way continuing along the east side of Arrow Way then Fairground Lane to the southeast corner of the of intersection with Sand Lane (KY136) at an existing sidewalk. Continuing from the northwest corner of the intersection of Sand Lane (KY136) and S. Alves Street with a 5-1/2-foot-wide sidewalk with header curb and connecting to an existing 5-1/2-foot-wide sidewalk with a header curb approximately 126+ feet along west side of S. Alves

Direct Comments to:

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

This project will include, the installation of approximately 763+ linear feet of new 5-foot-wide sidewalk from including six driveway entrances as indicated including approximately 126+ of new 5-1/2-foot-wide sidewalk and header curb from; shall include clearing and grubbing, saw cutting, sidewalk removal, excavation, embankment, header curb, ADA curb ramps, crosswalk stripping, concrete gravity retaining wall, handrail, storm pipe extension, channel lining, fine grading and seeding.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The purpose of this project is to enhance pedestrian connectivity and safety by constructing new sidewalks that will link existing sidewalk infrastructure on South Alves Street with those on Fairground Lane. This will create a continuous route from each neighborhood. This project also includes the installation of ADA curb ramps which will remove accessibility barriers and ensure safe use for individuals with disabilities, seniors, and families with strollers.

Existing Conditions and Trends [24 CFR 58.40(a)]:

This project will complete the sidewalk connectivity from Fairground Lane to S Alves Street. The new sidewalk will improve sidewalk continuity for individuals in the Canoe Creek Subdivision. This will provide a continuous pedestrian path from the existing sidewalks near South Middle School (located at 800 S Alves) and Jefferson Middle School (located at 1000 S Alves). This improved connectivity will allow safer walking routes for students commuting to and from school. This project will connect to

Fairground-Lane-Sidewalk-
Project

Henderson, KY

900000010485981

existing sidewalks along Sand Lane, which in turn provides direct access to sidewalks on Green Street, a primary roadway in the City of Henderson.

Maps, photographs, and other documentation of project location and description:

Determination:

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

Approval Documents:

7015.15 certified by Certifying Officer
on:

7015.16 certified by Authorizing Officer
on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
B-24-MC-21-0007	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	\$229,102.35
B-25-MC-21-0007	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	\$150,394.40

Estimated Total HUD Funded, Assisted or Insured Amount: \$379,496.75

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$379,496.75

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements. This project is located in the FEMA in quad 0228, this quad is included in the National Flood Insurance Program. Part of the project is located in a FIRM panel that has 0.2% Annual Chance Flood Hazard, homeowners are required to have Flood Insurance in quad 0228 but the actual sidewalk project does not require flood insurance.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.

Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is exempt from radon consideration. The project is in compliance with contamination and toxic substances requirements.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. See attachment C - US Fish and Wildlife species list showing project location does not overlap with any critical habitat of endangered species.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection 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	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The following exception applies, therefore the project is in compliance with Executive Orders 11988 and 13690: 55.12(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area), but only if: (1) The

		proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) The proposed project will not result in any new construction in or modifications of a wetland.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. The project crosses through a PFO1A at the intersection of Sand Lane and S Alves however, the project will not affect any wetlands. This project will create accessible sidewalks for citizens; there is no alternative for this project. Best management practices will be utilized to protect adjacent wetlands.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. See attached map.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used 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	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The proposed improvements will start on the east side of Arrow Way approximately 95 linear south of the intersection of Fair Street/Fairground Lane/Arrow Way continuing along the east side of Arrow Way then Fairground Lane to the southeast corner. All properties are located within the R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT. The proposed project will further the goal of the Evansville MPO's 2050 Metropolitan Transportation Plan to increase sidewalks in the City of Henderson. This project also directly aligns with the "Greater Henderson Bicycle and Pedestrian master plan" which identifies the need for sidewalks at Jefferson Elementary and Sough Middle School. This sidewalk project will ensure that children will have safe access to schools on top of being beneficial to the community as a whole.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	There is no negative anticipated impact on soil, slope, erosion, drainage, or storm water runoff.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	There are no safety hazards on or adjacent to the project location. There is no current site-generated noise, and the intended use of the sidewalk only generates minimal noise associated with pedestrian activities.	
SOCIOECONOMIC			

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Employment and Income Patterns	1	<p>The addition of sidewalks in the project location is expected to have a minor beneficial impact on employment and income patterns. Sidewalk improvements enhance pedestrian mobility and access to nearby public transportation, and services, particularly for transit-dependent and lower-income populations. This can lead to increased job accessibility and support for economic stability in the community. Additionally, sidewalk projects generate short-term construction employment and may contribute to long-term neighborhood investment and workforce participation.</p>	
Demographic Character Changes / Displacement	2	<p>The sidewalk will be constructed within existing public rights-of-way and does not require acquisition or demolition of private property. No residents will be displaced. Property access will be maintained throughout construction.</p>	
Environmental Justice EA Factor	1	<p>This project will not result in any disproportionately high or adverse environmental or human health impacts to those living near the project location. It will directly improve pedestrian safety and mobility accessibility.</p>	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	1	<p>The proposed sidewalk project will improve pedestrian access to nearby educational facilities, including South Middle School and Jefferson Elementary School, by providing safer and more continuous walking routes for students, staff, and families.</p>	
Commercial Facilities (Access and Proximity)	2	<p>The project is allowing for sidewalk network connectivity. While the project is not directly targeted at commercial development, it supports a safer, more accessible environment that may encourage small-scale economic activity. No adverse effects on existing commercial facilities are anticipated.</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Health Care / Social Services (Access and Capacity)	2	The project increases network connectivity. No adverse effects are anticipated.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The project does not generate long-term waste or alter existing waste collection routes or infrastructure. Any construction-related debris will be managed in accordance with local regulations, and no permanent impacts to solid waste or recycling systems are expected.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The proposed sidewalk construction will not connect to or alter the existing wastewater or sanitary sewer systems. Work will take place within public rights-of-way and will not impact underground sewer infrastructure.	
Water Supply (Feasibility and Capacity)	2	There are no anticipated changes to the Water Supply in the project location. No impact on water availability or quality is expected.	
Public Safety - Police, Fire and Emergency Medical	2	No adverse impacts on police, fire, or emergency medical services are anticipated.	
Parks, Open Space and Recreation (Access and Capacity)	1	The proposed sidewalk improvements will enhance pedestrian access to nearby Parks and Recreation options encouraging outdoor activity and community engagement.	
Transportation and Accessibility (Access and Capacity)	1	The project will allow for sidewalk connectivity and installation of ADA curb ramps. This will increase accessibility for citizens.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	The sidewalk project is located entirely within developed residential rights-of-way with no impact on unique natural features such as wetlands, wildlife habitats, or protected areas. The construction will avoid any disturbance to natural landscapes or ecological resources.	
Vegetation / Wildlife (Introduction, Modification,	2	The sidewalk construction will occur within existing public rights-of-way in developed	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Removal, Disruption, etc.)		residential areas, minimizing disturbance to vegetation. No trees will be cut or trimmed.	
Other Factors 1		None	
Other Factors 2			
CLIMATE AND ENERGY			
Climate Change	1	The proposed sidewalk project supports climate change mitigation goals by promoting non-motorized transportation options, such as walking, and improving access to public transit.	
Energy Efficiency	1	The addition of sidewalks promotes walking and reduces reliance on motor vehicles for short trips within the neighborhood. Although the direct impact on energy use is limited, the project supports more sustainable transportation patterns, aligning with broader energy efficiency and environmental goals.	

Supporting documentation[Bicycle Pedestrian Master Plan.pdf](#)**Additional Studies Performed:**

Field Inspection [Optional]: Date and completed by:

7/21/2025 12:00:00 AM

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

Environmental Protection Agency's (EPA) NEPAccist Mapping Tool United States Fish and Wildlife Service (USFWS), EnviroMapper Coastal Barrier Resources System Mapper Federal Emergency Management Agency (FEMA) Map Service Center Natural Resources Conservation Service (NRCS) Web Soil Survey USFWS iPaC Report TPWD Species List Kentucky Flood Hazard Portal Sole Source Aquifer Map National Wetlands Inventory National Parks Service - River Inventory Map SHPO - State Historic Preservation Office

List of Permits Obtained:

Public Outreach [24 CFR 58.43]:

The FONSI will be published on the City of Henderson's website, open to public comments for 14 days.

[Fairground Lane Sidewalk ROF-No Significant Impact.pdf](#)

Cumulative Impact Analysis [24 CFR 58.32]:

This project involves the installation of pedestrian infrastructure within existing public rights-of-way in a developed residential area. Its scope is limited and does not include major land use changes, new housing, or commercial development that would induce population growth or significantly increase the demand for public services. The project enhances pedestrian safety, accessibility, and connectivity within an existing residential area, particularly for school-aged children, low-income residents, and individuals with disabilities. It promotes and aligns with city's goals to improve the walkability of the city.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

There is no alternative for this project other than no action.

No Action Alternative [24 CFR 58.40(e)]

Under the No Action Alternative, the sidewalk along Arrow Way and Fairground Lane would not be constructed. This would result in continued gaps in pedestrian infrastructure in a residential area with proximity to schools, public services, and potential transit routes.

Summary of Findings and Conclusions:

The environmental review concludes that the sidewalk project qualifies as a Categorical Exclusion Subject to 24 CFR 58.5 and, based on the absence of significant impacts, does not require an Environmental Impact Statement (EIS). The project supports HUD's goals of promoting safe, sustainable, and inclusive communities. Mitigation measures are not required, as all potential impacts are either negligible or addressed through standard construction best practices.

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

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

The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete

Project Mitigation Plan

Mitigation measures are not required, as all potential impacts are addressed through standard construction best practices.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

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

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. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[Attachment A - Location of Airport .jpg](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Barrier Resources

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)	

This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Compliance Determination

This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes
 No

Flood Insurance

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).

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.

Based on the response, the review is in compliance with this section.

Yes

4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?

Yes

No

Screen Summary**Compliance Determination**

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements. This project is located in the FEMA in quad 0228, this quad is included in the National Flood Insurance Program. Part of the project is located in a FIRM panel that has 0.2% Annual Chance Flood Hazard, homeowners are required to have Flood Insurance in quad 0228 but the actual sidewalk project does not require flood insurance.

Supporting documentation

[Attachment B- Fairground Lane FEMA Flood Insurance map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Air Quality

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

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

No

Based on the response, the review is in compliance with this section.

Screen Summary**Compliance Determination**

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.

Supporting documentation**Are formal compliance steps or mitigation required?**

Yes

No

Coastal Zone Management Act

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

This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.

Screen Summary

Compliance Determination

This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Contamination and Toxic Substances

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.onecpd.info/environmental-review/site-contamination		

1. How was site contamination evaluated?* Select all that apply.

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

None of the above

* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.

For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

2. Were any on-site or nearby toxic, hazardous, or radioactive substances* (excluding radon) found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)

Provide a map or other documentation of absence or presence of contamination** and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

✓ No

Explain:

Exempt, residential subdivision, no toxic, hazardous, or radioactive substances at project location.

Yes

* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

** Utilize EPA's Enviromapper, NEPAssist, or 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.

3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions* from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?

✓ Yes

Explain:

Exempt, residential subdivision.

No

* Notes:

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.
- Buildings tested within five years of the submission of application for HUD assistance:

test results document indoor radon levels are below current the EPA's recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is exempt from radon consideration. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

[EPA Map for Contamination an Toxic Substances.jpg](#)

Are formal compliance steps or mitigation required?

Yes

No

Endangered Species

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

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.

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

- ✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

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

- ✓ 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. Document and upload all documents used to make your determination below. 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.

Screen Summary

Compliance Determination

This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. See attachment C - US Fish and Wildlife species list showing project location does not overlap with any critical habitat of endangered species.

Supporting documentation

[Attachment C- US Fish and Wildlife Species List.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Explosive and Flammable Hazards

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

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

No

Yes

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.

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Farmlands Protection

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

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

No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Project does not include new construction on land that could convert to agricultural land to non-agricultural use.

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[Soil Report.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Fairground-Lane-Sidewalk-
Project

Henderson, KY

900000010485981

Floodplain Management

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 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD's floodplain management regulations in Part 55?

✓ Yes

- (a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).
- (b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.
- (c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is placed on the property's continued use for flood control, wetland protection, open space, or park land, but only if:
 - (1) The property is cleared of all existing buildings and walled structures; and
 - (2) The property is cleared of related improvements except those which:
 - (i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);
 - (ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and
 - (iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.
- (d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance,

or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

✓ (g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

This project is located in FEMA quad 0228. Part of the project is located in a FIRM panel with 0.2-percent-annual-chance (500-year) floodplain means the area, including the base flood elevation (BFE), subject to inundation from a flood having a 0.2 percent chance or greater of being equaled or exceeded in any given year.

No

Screen Summary

Compliance Determination

The following exception applies, therefore the project is in compliance with Executive Orders 11988 and 13690: 55.12(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not

including the floodway, LiMWA, or coastal high hazard area), but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) The proposed project will not result in any new construction in or modifications of a wetland.

Supporting documentation

[Attachment D- Kentucky Flood Hazard Portal.png](#)

[Attachment B- Fairground Lane FEMA Flood Insurance map\(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Historic Preservation

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" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

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.)

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)].

- Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

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

- State Historic Preservation Offer (SHPO) Completed

Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

Other Consulting Parties

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

SHPO and eClearinghouse was completed with no adverse effects

Document and upload all correspondence, notices and notes (including comments and objections received below).

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

Yes

No

Step 2 – Identify and Evaluate Historic Properties

1. Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:

The project will start on the east side of Arrow Way approximately 95 linear south of intersection of Fair Street/Fairground Lane/Arrow Way continuing along the east side of Arrow Way then Fairground Lane to the southeast corner of the of intersection with Sand Lane (KY136).

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

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

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
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Additional Notes:

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

Yes

No

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 guidance on direct and indirect effects.

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

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

- No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

[Attachment I- eClearinghouse 36496-ECHletter.pdf](#)

[Attachment H- SHPO.pdf](#)

Are formal compliance steps or mitigation required?

Yes

- No

Fairground-Lane-Sidewalk-
Project

Henderson, KY

900000010485981

Noise Abatement and Control

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

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

New construction for residential use

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision 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

None of the above

Screen Summary**Compliance Determination**

Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.

Supporting documentation**Are formal compliance steps or mitigation required?**

Yes

Fairground-Lane-Sidewalk-
Project

Henderson, KY

900000010485981

✓ No

Sole Source Aquifers

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

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

Yes
 No

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

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.

No

Based on the response, the review is in compliance with this section. Document and upload 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, below.

Yes

Screen Summary

Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

[Attachment E- Sole Source Aquifers map.jpg](#)

Are formal compliance steps or mitigation required?

Yes

No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages 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.

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

✓ Yes

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. Document and upload a map or any other relevant documentation below which explains your determination

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

Screen Summary

Compliance Determination

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. The project crosses through a PFO1A at the intersection of Sand Lane and S Alves however, the project will not affect any wetlands. This project will create accessible sidewalks for citizens; there is no alternative for this project. Best management practices will be utilized to protect adjacent wetlands.

Supporting documentation

[Attachment F- National Wetlands Inventory .jpg](#)

Are formal compliance steps or mitigation required?

Yes

No

Wild and Scenic Rivers Act

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

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

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

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

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. See attached map.

Supporting documentation

[Attachment G- NPS River Inventory Map.jpg](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

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	

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

No

Based on the response, the review is in compliance with this section.

Screen Summary

Compliance Determination

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No



U.S. Department of Housing and Urban Development
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Washington, DC 20410
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espanol.hud.gov

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

Project Information

Project Name: Fairground-Lane-Sidewalk-Project

HEROS Number: 900000010485981

Start Date: 07/23/2025

Project Location: 1400 Fairground Ln, Henderson, KY 42420

Additional Location Information:

The project will start on the east side of Arrow Way approximately 95 linear south of intersection of Fair Street/Fairground Lane/Arrow Way continuing along the east side of Arrow Way then Fairground Lane to the southeast corner of the of intersection with Sand Lane (KY136) at an existing sidewalk. Continuing from the northwest corner of the intersection of Sand Lane (KY136) and S. Alves Street with a 5-1/2-foot-wide sidewalk with header curb and connecting to an existing 5-1/2-foot-wide sidewalk with a header curb approximately 126+ feet along west side of S. Alves

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

This project will include, the installation of approximately 763+ linear feet of new 5-foot-wide sidewalk from including six driveway entrances as indicated including approximately 126+ of new 5-1/2-foot-wide sidewalk and header curb from; shall include clearing and grubbing, saw cutting, sidewalk removal, excavation, embankment, header curb, ADA curb ramps, crosswalk stripping, concrete gravity retaining wall, handrail, storm pipe extension, channel lining, fine grading and seeding.

Funding Information

Grant Number	HUD Program	Program Name	
B-24-MC-21-0007	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	\$229,102.35
B-25-MC-21-0007	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	\$150,394.40

Estimated Total HUD Funded Amount: \$379,496.75

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$379,496.75

Summary of Findings and Conclusions:

Mitigation Measures and Conditions

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)(1)]
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)]
The project may significantly affect the quality of the human environment.

Preparer Signature: Jeannie Grathwohl Date: 7/29/25

Name/Title/Organization: Jeannie Quattrocchi

Project Coordinator, City of Henderson

Name/Title: Bradley S. Staton, Mayor

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).