

**Environmental Review for Activity/Project that is  
Categorically Excluded Subject to Section 58.5  
Pursuant to 24 CFR 58.35(a)**

**Project Information**

**Project Name:** 503-Plum-Street--42420

**HEROS Number:** 900000010490469

**Start Date:** 08/14/2025

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

**State / Local Identifier:**

**RE Preparer:** Breasha Pruitt

**Certifying Officer** Bradley Staton  
**r:**

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Point of Contact:**  
**Consultant (if applicable):**

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:** 503 Plum St, Henderson, KY 42420

**Additional Location Information:**

The project will be located on the owners property lot of 503 Plum Street Henderson KY 42420 .

**Direct Comments to:**

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

The project involves the complete reconstruction of a residential property utilizing Community Development Block Grant ( CDBG) funds. The ground will require significant ground disturbance due to demolition, excavation, and new construction activities. Prior to demolition, the existing structure will be inspected for asbestos- containing materials. The owners will have their existing home demolished and replaced with newly constructed, single - story residence designed to meet modern standards of accessibility, safety and livability. Location: Corner lot within the designated project area. Structure Type: Single-family home. Square Footage: Approximately 1,600 square feet. Bedrooms: 3 Bathrooms: 2 Parking: 3-car concrete parking pad Accessibility: ADA-complaint features integrated throughout the home. Exterior Finish: Vinyl siding with decorative shutters . Foundation: Concrete masonry unit ( CMU) foundation.

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

[503 plum Street .png](#)

**Level of Environmental Review Determination:**

**Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:**

58.34(a)(12)

58.35(a)(3)(i)

**Determination:**

✓	This categorically excluded activity/project converts to <b>EXEMPT</b> per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; <b>Funds may be committed and drawn down after certification of this part</b> for this (now) EXEMPT project; OR
---	--

	This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, <b>publish NOI/RROF and obtain "Authority to Use Grant Funds"</b> (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
	This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

**Approval Documents:**

[Signature Page 503 Plum Street.pdf](#)

**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
B25MC210007	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	\$250,000.00

**Estimated Total HUD Funded, Assisted or Insured Amount:** \$250,000.00

**Estimated Total Project Cost:** \$250,000.00

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

<b>Compliance Factors:</b> 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		
<b>Airport Hazards</b> 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. The Henderson City-County Airport, is approximately 24,409.40 feet from the site which is beyond the 2,500-foot evaluation threshold for civil airports.
<b>Coastal Barrier Resources Act</b> 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.
<b>Flood Insurance</b> 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.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
<b>Air Quality</b> 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. 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. The project is the new construction of one unit of single-family detached housing.
<b>Coastal Zone Management Act</b> 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.
<b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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. Radon or consideration of radon will occur following construction. Testing will occur before and or after the project If anything is found: The steps of removal would consist of: Excavation and removal of contaminated soil. Bioremediation (using microorganisms to break down contaminants). Chemical treatment (like soil flushing or stabilization). Groundwater remediation (such as pump-and-treat systems or in situ techniques). Containment and barrier systems to prevent contaminant spread.
<b>Endangered Species Act</b> 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 due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. This project is in compliance with the Endangered Species Act. This is an activity governed by the 2023-2028 Categorical Consultation Agreement between Kentucky Housing Corporation and the Kentucky Field office of the U.S. Fish and Wildlife Service for Certain HUD-funded Projects and therefore the project is in compliance with this related law and authority. The covered activity is: Funding for the construction of scattered-site homes, provided that the construction occurs on a "prepared homesite," which is a site that has been cleared of natural vegetation and filled and graded in the normal course of

		preparation for housing construction prior to and independent of a HUD-funded activity.
<b>Explosive and Flammable Hazards</b> 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.
<b>Farmlands Protection</b> 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. This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies. In Google Earth Pro aerial map, there are more than 30 structures in the 40 acres surrounding the project site, therefore the land is considered already committed to urban development as defined by 7 CFR 658.2(a) and exempt from farmlands protections.
<b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690.
<b>Historic Preservation</b> 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 the project will have No Adverse Effect on historic properties. Conditions: Avoidance, Other. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106. The letter from the Kentucky Heritage Council (SHPO) states "Based on the information provided, an archaeological survey is not warranted for this undertaking. 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.

		The subject property was previously identified as being located within an NRHP-Eligible African American/worker historic district. The new home will be a similar size to the existing residences in the neighborhood.
<b>Noise Abatement and Control</b> 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	The Preliminary Screening identified no noise generators in the vicinity of the project. The project is in compliance with HUD's Noise regulation. The individual sources' DNL calculation was included in the combined total DNL calculation for all noise sources of 62 dB. The National Transportation Noise Map for the project site shows that it is beyond the 60 dB threshold.
<b>Sole Source Aquifers</b> 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. There are no sole source aquifers in Kentucky.
<b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5	<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 this section. The project is in compliance with Executive Order 11990. The project will not impact on- or off-site wetlands. The USFWS National Wetlands Inventory map shows there are no wetlands on or adjacent to the project site.
<b>Wild and Scenic Rivers Act</b> 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. Per Google Earth Pro, the project site is 220.04 miles from the Wild and Scenic portions of the Red River, Kentucky's only Wild and Scenic River. Per the Nationwide Rivers Inventory Map, the site is 23.3 miles from the Wabash River, the nearest Nationwide Rivers Inventory body. Study Rivers: There are no study rivers in Kentucky.
<b>HUD HOUSING ENVIRONMENTAL STANDARDS</b>		

ENVIRONMENTAL JUSTICE		
<b>Environmental Justice</b> 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 confirming that the proposed activities will not disproportionately affect low-income or minority communities in the surrounding area. The assessment found no evidence of increased pollution, displacement, or negative health outcomes for vulnerable populations. In accordance with Executive Order 12898, which mandates federal agencies to address environmental justice in minority and low-income communities, the project incorporates targeted mitigation measures to prevent undue burdens. These measures were designed to uphold the principles of fairness and equitable treatment, ensuring that all residents benefit from the project without experiencing disproportionate environmental or health risks.

**Mitigation Measures and Conditions [40 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
Contamination and Toxic Substances	Testing will occur before and or after the project If anything is found: The steps of removal would consist of: Excavation and removal of contaminated soil.	N/A		



	Bioremediation (using microorganisms to break down contaminants). Chemical treatment (like soil flushing or stabilization). Groundwater remediation (such as pump-and-treat systems or in situ techniques). Containment and barrier systems to prevent contaminant spread.			
--	---	--	--	--

**Project Mitigation Plan**

Testing will occur before and or after the project. If anything is found: The steps of removal would consist of: Excavation and removal of contaminated soil. Bioremediation (using microorganisms to break down contaminants). Chemical treatment (like soil flushing or stabilization). Groundwater remediation (such as pump-and-treat systems or in situ techniques). Containment and barrier systems to prevent contaminant spread. The company who performs the testing will be responsible for monitoring and carrying out all measures and conditions. The time frame will be 2-3 weeks. The construction will not proceed until mitigation has been completed.

**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. The Henderson City-County Airport, is approximately 24,409.40 feet from the site which is beyond the 2,500-foot evaluation threshold for civil airports.

**Supporting documentation**

[Airport Attachment .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.**

**Screen Summary****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.

#### **Supporting documentation**

[Flood Insurance.png](#)

#### **Are formal compliance steps or mitigation required?**

Yes

503-Plum-Street--42420

Henderson, KY

900000010490469

✓ 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. 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. The project is the new construction of one unit of single-family detached housing.

**Supporting documentation**

[Air Quality.jpg](#)

**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		
<a href="https://www.onecpd.info/environmental-review/site-contamination">https://www.onecpd.info/environmental-review/site-contamination</a>		

**1. 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:

N/A

Yes

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]

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

\*\* Utilize EPA's Enviromapper, NEPAAssist, 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.

**2. 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:

✓ 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.

**3. Is the proposed project new construction or substantial rehabilitation where testing will be conducted but cannot yet occur because building construction has not been completed?**

✓ Yes

Compliance with this section is conditioned on post-construction testing being conducted, followed by mitigation, if needed. Radon test results, along with any needed mitigation plan, must be uploaded to the mitigation section within this screen.

No

## **7. Mitigation**

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

For instances where radon mitigation is required (i.e. where test results demonstrated radon levels at 4.0 pCi/L and above), then you must include a radon mitigation plan\*.

**Can all adverse environmental impacts be mitigated?**

No, all adverse environmental impacts cannot feasibly be mitigated.  
Project cannot proceed at this location.

- ✓ Yes, all adverse environmental impacts can be eliminated through mitigation, and/or consideration of radon and radon mitigation, if needed, will occur following construction.  
Provide all mitigation requirements\*\* and documents in the Screen Summary at the bottom of this screen.

\* Refer to CPD Notice [CPD-23-103](#) for additional information on radon mitigation plans.

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

**8. 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 controls\*, or use of institutional controls\*\*.**

Testing will occur before and or after the project If anything is found: The steps of removal would consist of: Excavation and removal of contaminated soil. Bioremediation (using microorganisms to break down contaminants). Chemical treatment (like soil flushing or stabilization). Groundwater remediation (such as pump-and-treat systems or in situ techniques). Containment and barrier systems to prevent contaminant spread.

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

Complete removal

Risk-based corrective action (RBCA)

- ✓ Other

\* Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, caps, covers, dikes, trenches, leachate collection systems, radon mitigation systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, slurry walls and ground water pumping systems.

\*\* 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.

### **Screen Summary**

#### **Compliance Determination**

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. Radon or consideration of radon will occur following construction. Testing will occur before and or after the project If anything is found: The steps of removal would consist of: Excavation and removal of contaminated soil. Bioremediation (using microorganisms to break down contaminants). Chemical treatment (like soil flushing or stabilization). Groundwater remediation (such as pump-and-treat systems or in situ techniques). Containment and barrier systems to prevent contaminant spread.

#### **Supporting documentation**

[Contaminations and Toxics.png](#)

[Toxics pic 2.png](#)

#### **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.

This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.

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

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.

## Screen Summary

### Compliance Determination

This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. This project is in compliance with the Endangered Species Act. This is an activity

governed by the 2023-2028 Categorical Consultation Agreement between Kentucky Housing Corporation and the Kentucky Field office of the U.S. Fish and Wildlife Service for Certain HUD-funded Projects and therefore the project is in compliance with this related law and authority. The covered activity is: Funding for the construction of scattered-site homes, provided that the construction occurs on a "prepared homesite," which is a site that has been cleared of natural vegetation and filled and graded in the normal course of preparation for housing construction prior to and independent of a HUD-funded activity.

**Supporting documentation**

[20250815 NE TA FedLoanGrant- Endangered species verification.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.)	<a href="#">7 CFR Part 658</a>

**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:

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. This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies. In Google Earth Pro aerial map, there are more than 30 structures in the 40 acres surrounding the project site, therefore the land is considered already committed to urban development as defined by 7 CFR 658.2(a) and exempt from farmlands protections.

**Supporting documentation**

[Soil Map - 503 Plum Street.png](#)

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

Yes

✓ No

## 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 place on the property's continued use for flood control, wetland projection, 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:

✓ No

**2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.**

Yes

Describe:

✓ No

**3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination**

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information<sup>1</sup> to determine flood elevation. Include documentation and an explanation of why this is the best available information<sup>2</sup> for the site. Note that newly constructed and substantially improved<sup>3</sup> structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

- ✓ CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

<sup>1</sup> Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood 'experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

<sup>2</sup> If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

<sup>3</sup> Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

**Screen Summary****Compliance Determination**

This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690.

**Supporting documentation**

[Flood Hazard.png](#)

**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" <a href="https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf">https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf</a>

### 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).

#### Threshold (b). Document and upload the memo or explanation/justification of the other determination below:

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

### Screen Summary

#### Compliance Determination

Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: Avoidance, Other. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106. The letter from the Kentucky Heritage Council (SHPO) states "Based on the information provided, an archaeological survey is not warranted for this undertaking. 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. The subject property was previously identified as being located within an NRHP-Eligible African American/worker historic district. The new home will be a similar size to the existing residences in the neighborhood.

**Supporting documentation**

[FULLY Executed Res 24 25 MOA between Heritage 503 plum street pdf.pdf](#)  
[SHPO CDBG New Construction December 2021.pdf](#)  
[Above Ground Survey - Cardno INC.pdf](#)

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

Yes

✓ No

## 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

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.

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

**4. 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. Document and upload a map showing the location of the project relative to any noise generators below.

Noise generators were found within the threshold distances.

**Screen Summary****Compliance Determination**

The Preliminary Screening identified no noise generators in the vicinity of the project. The project is in compliance with HUD's Noise regulation. The individual sources' DNL calculation was included in the combined total DNL calculation for all noise sources of 62 dB. The National Transportation Noise Map for the project site shows that it is beyond the 60 dB threshold.

**Supporting documentation**

[Noise Abatement.png](#)

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

Yes

✓ No

**Sole Source Aquifers**

General requirements	Legislation	Regulation
<b>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.</b>	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

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

Yes



No

**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. There are no sole source aquifers in Kentucky.

**Supporting documentation**

[Sole Source Aquifers.png](#)

**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

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

Yes

**Screen Summary****Compliance Determination**

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. The project will not impact on- or off-site wetlands. The USFWS National Wetlands Inventory map shows there are no wetlands on or adjacent to the project site.

**Supporting documentation**

[Wetlands Protection.png](#)

**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. Per Google Earth Pro, the project site is 220.04 miles from the Wild and Scenic portions of the Red River, Kentucky's only Wild and Scenic River. Per the Nationwide Rivers Inventory Map, the site is 23.3 miles from the Wabash River, the nearest Nationwide Rivers Inventory body. Study Rivers: There are no study rivers in Kentucky.

**Supporting documentation**

[Wild and Scenic Rivers Act.png](#)

**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 confirming that the proposed activities will not disproportionately affect low-income or minority communities in the surrounding area. The assessment found no evidence of increased pollution, displacement, or negative health outcomes for vulnerable populations. In accordance with Executive Order 12898, which mandates federal agencies to address environmental justice in minority and low-income communities, the project incorporates targeted mitigation measures to prevent undue burdens. These measures were designed to uphold the principles of fairness and equitable treatment, ensuring that all residents benefit from the project without experiencing disproportionate environmental or health risks.

**Supporting documentation**

[poverty rate.png](#)

[Race data.png](#)

[Air Quality\(1\).jpg](#)

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

Yes

✓ No



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://espanol.hud.gov)

**Environmental Review for Activity/Project that is  
Categorically Excluded Subject to Section 58.5  
Pursuant to 24 CFR 58.35(a)**

**Project Information**

**Project Name:** 503-Plum-Street--42420

**HEROS Number:** 900000010490469

**Start Date:** 08/14/2025

**State / Local Identifier:**

**Project Location:** 503 Plum St, Henderson, KY 42420

**Additional Location Information:**

The project will be located on the owners property lot of 503 Plum Street Henderson KY 42420 .

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

The project involves the complete reconstruction of a residential property utilizing Community Development Block Grant ( CDBG) funds. The ground will require significant ground disturbance due to demolition, excavation, and new construction activities. Prior to demolition, the existing structure will be inspected for asbestos- containing materials. The owners will have their existing home demolished and replaced with newly constructed, single -story residence designed to meet modern standards of accessibility, safety and livability. Location: Corner lot within the designated project area. Structure Type: Single-family home. Square Footage: Approximately 1,600 square feet. Bedrooms: 3 Bathrooms: 2 Parking: 3-car concrete parking pad Accessibility: ADA-complaint features integrated throughout the home. Exterior Finish: Vinyl siding with decorative shutters . Foundation: Concrete masonry unit ( CMU) foundation.

**Level of Environment Review Determination:**

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:

58.34(a)(12)

58.35(a)(3)(i)

**Funding Information**

Grant Number	HUD Program	Program Name	
B25MC210007	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	\$250,000.00

**Estimated Total HUD Funded Amount:** \$250,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$250,000.00

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Contamination and Toxic Substances	<p>Testing will occur before and or after the project</p> <p>If anything is found: The steps of removal would consist of:</p> <p>Excavation and removal of contaminated soil.</p> <p>Bioremediation (using microorganisms to break down contaminants).</p> <p>Chemical treatment (like soil flushing or stabilization).</p> <p>Groundwater remediation (such as pump-and-treat systems or in situ techniques).</p> <p>Containment and barrier systems to prevent contaminant spread.</p>	N/A	

**Determination:**

<input checked="" type="checkbox"/>	This categorically excluded activity/project converts to <b>EXEMPT</b> per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; <b>Funds may be committed and drawn down after certification of this part</b> for this (now) EXEMPT project; OR
<input type="checkbox"/>	This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, <b>publish NOI/RROF and obtain "Authority to Use Grant Funds"</b> (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
<input type="checkbox"/>	This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature: Breasha Pruitt Date: 08/18/25

Name / Title/ Organization: Breasha Pruitt / / HENDERSON

Responsible Entity Agency Official Signature: [Signature] Date: 8/18/25

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 Environment Review Record (ERR) for the activity / project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).