## NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

November 16, 2026

Kentucky Housing Corporation
1231 Louisville Road
Frankfort, KY 40601
502-564-7630

On or about November 25, 2026, Kentucky Housing Corporation (KHC) will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of HOME Investment Partnerships Program (HOME) funds under Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended, to undertake a project known as 19-Maple-Seed-Ln-Vicco-KY-HDA-HB25 for the purpose of the new construction of one unit of single-family detached housing for sale to an income-eligible homebuyer.

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|---|---|
| **Project Title:** | 19-Maple-Seed-Ln-Vicco-KY-HDA-HB25 |
| **Project Location:** | 19 Maple Seed Ln. Vicco, KY 41773<br>(geographic coordinates: 37.210963, -83.057135) |
| **Purpose of Project:** | The project consists of the new construction of one unit of affordable, energy-efficient, single-family detached housing. |
| **Project Cost:** | $180,000 in HOME funds with a total development cost of $200,000. |
| **Applicant/Recipient Agency:** | Housing Development Alliance, Inc.<br>2871 North Main St. Hazard, KY 41701; 606-436-0497 |

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at https://www.kyhousing.org, https://hdahome.org/ and https://cpd.hud.gov/cpd-public/environmental-reviews, or at the offices of Housing Development Alliance, Inc., (2871 North Main St. Hazard, KY 41701, 606-436-0497) or KHC at the address at the top of this notice (502-564-7630). The ERR is available for public examination and copying, upon request, between the hours of 8 A.M. and 4:30 P.M., Monday through Friday at Housing Development Alliance, Inc. or between the hours of 8 A.M. and 5 P.M., Monday through Friday at KHC.

## PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments via US Mail to KHC, Attn. Jeremiah Myers, at the address at the top of this notice or via email to environmentalreview@kyhousing.org. All comments received by November 24, 2026, will be considered by KHC prior to authorizing submission of a request for release of funds. Comments should specify which notice they are addressing.

## ENVIRONMENTAL CERTIFICATION

Kentucky Housing Corporation certifies to HUD that Curtis A. Stauffer in his capacity as Managing Director-Housing Contract Administration consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Kentucky Housing Corporation to use Program funds.

## OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and KHC's certification for a period of fifteen (15) days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of KHC; (b) KHC has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to U.S. Department of HUD; Office of Community Planning and Development; HUD Louisville Field Office; Attn: Lisa Coffman, Director via email at LouisvilleRROF@hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.

**Curtis A. Stauffer, Managing Director-Housing Contract Administration**

**U.S. Department of Housing and Urban Development**
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
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:** 19-Maple-Seed-Ln-Vicco-KY-HDA-HB25

**HEROS Number:** 900000010549072

**Start Date:** 08/05/2026

**Responsible Entity (RE):** KENTUCKY HOUSING CORPORATION, 1231 Louisville Rd Frankfort KY, 40601

**State / Local Identifier:** HB25-0422-01

**RE Preparer:** Jeremiah Myers

**Certifying Officer:** Curtis A. Stauffer

**Grant Recipient (if different than R esponsible 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 consultant, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

**Project Location:** 19 Maple Seed Ln, Vicco, KY 41773

**Additional Location Information:**
37.210963, -83.057135

**Direct Comments to:** Kentucky Housing Corporation
1231 Louisville Road
Frankfort, KY 40601
Attn: Jeremiah Myers
environmentalreview@kyhousing.org

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

Housing Development Alliance, a Community Housing Development Organization (CHDO) located in Hazard, KY will construct a one story, 3-bedroom, 2-bathroom, single-family detached home with a shingle roof, hardy board siding, and crawl space on an approximately half-acre vacant lot located at 19 Maple Seed Lane, Vicco, Perry County, KY, 41773 (geographic coordinates: 37.210963, -83.057135) for sale to an income-eligible home buyer.

**Maps, photographs, and other documentation of project location and description:**
Aerial Map-19 Maple Seed Ln.pdf
Site Photos_19 Maple Seed(1).pdf

**Level of Environmental Review Determination:**
**Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:**
58.35(a)(4)(i)

**Determination:**

| | |
|---|---|
| | This categorically excluded activity/project converts to **EXEMPT** 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; **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR |

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|---|---|
| ✓ | 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, **publish NOI/RROF and obtain "Authority to Use Grant Funds"** (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:**
HEROS Signature Pages_HDA_19 Maple Seed Ln_2026-11-16.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 |
|---|---|---|---|
| M24SG210100 | Community Planning and Development (CPD) | HOME Program | $180,000.00 |

**Estimated Total HUD Funded, Assisted or Insured Amount:** $180,000.00

**Estimated Total Project Cost:** $200,000.00

## 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**<br>Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D | ☐ Yes ☑ 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 project site is 15.85 miles from Wendell H. Ford Airport, the nearest airport. |
| **Coastal Barrier Resources Act**<br>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | ☐ Yes ☑ 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**<br>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | ☐ Yes ☑ No | The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. 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. According to the FEMA FIRMette, the project area is within Zone X- area of minimal flood hazard (Panel #21193C0335E eff. 8/14/2024). A serach of the FEMA Flood Map Service Center Search all Products database documents that there were no amendments, revisions, or revalidations for Vicco, KY. |
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5** | | |
| **Air Quality**<br>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 | ☐ Yes ☑ 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. This project consists of the new construction of one unit of single-family detached housing. |
| **Coastal Zone Management Act**<br>Coastal Zone Management Act, sections 307(c) & (d) | ☐ Yes ☑ 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**<br>24 CFR 50.3(i) & 58.5(i)(2)] | ☑ Yes ☐ 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 analysis indicated elevated levels of radon or consideration of radon will occur following construction. Adverse radon impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements. A NEPAssist search, as documented in a NEPAssist Report, found one EPA-regulated facility within 3,000 feet of the project site. The ECHO report for that facility documents that it has had no violations in the last 13 quarters and that its permit expired on 11/30/2024. To ensure compliance with HUD CPD Notice 23-103, Kentucky Housing Corporation has adopted the following Radon Policy. A passive radon reduction venting system is required for all newly constructed single-family units. The radon vent pipe shall pass through a heated portion of the structure and an accessible attic space and chase which will allow adequate working space to possibly install an inline fan. Electrical provisions shall be roughed in, in an accessible attic or chase, for possible future installation of an inline fan. Post-construction: radon testing must occur post construction but before occupancy. The University of Kentucky Geologically Based Indoor Radon Potential Map for the project site documents that it is in the 2.7-4.0 pCi/L zone, therefore testing will be required upon completion of construction to determine if radon levels exceed 4.0 pCi/L, which would require further radon mitigation |

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| | | measures installed by a National Radon Proficiency Program (NRPP)-certified professional. If testing shows levels below 4.0 pCi/L, mitigation is not required. |
| **Endangered Species Act**<br>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 | ☐ Yes ☑ No | This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. 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, which states "The following activities are included in the terms of this agreement and, if not excluded by the 'Special Conditions' section of this agreement, may be undertaken without additional review by the Service...4. 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." The project consists of the new construction of one unit of single-family detached housing on a vacant previously cleared homesite, as documented in the attached site photos. |
| **Explosive and Flammable Hazards**<br>Above-Ground Tanks)[24 CFR Part 51 Subpart C | ☐ Yes ☑ No | There is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements. Using |

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| | | Google Earth Pro aerial maps, one aboveground storage tank was identified within a 1-mile radius of the project site. That tank is a water tank located approximately 2,205.55 feet from the project site and will pose no threat to the project site. |
| **Farmlands Protection**<br>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 | ☐ Yes ☑ No | The project includes activities that could convert agricultural land to a non-agricultural use, but "prime farmland","unique farmland", or "farmland of statewide or local importance" regulated under the Farmland Protection Policy Act does not occur on the project site. The project is in compliance with the Farmland Protection Policy Act. According to the USDA Web Soil Survey Map, the project area was found to be 100% Shelocta Cutshin-Gilpin complex, 20 to 75 percent slopes, very stony, which is not prime farmland. |
| **Floodplain Management**<br>Executive Order 11988, particularly section 2(a); 24 CFR Part 55 | ☐ Yes ☑ No | This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. The FIRMette map for the project site (Panel #21193C0335E, effect 8/14/2024) has the 0.2% Annual Chance Flood Hazard Area mapped, The FIRMette map documents that the project site is located in Zone X- Area of Minimal Flood Hazard and does not occur in the FFRMS floodplain. A search of the FEMA Flood Map Service Center Search All Products Database documents that there are no preliminary or pending FIRM panels for Vicco, KY. No FEMA letters of Map Amendment are present. the project area is within an area of minimal flood hazard (Panel #21193C0335E eff. 8/14/2024). There were not amendments, revisions, or revalidations for this FIRM. |

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| **Historic Preservation**<br>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800 | ☐ Yes ☑ 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. In a letter dated August 12, 2026, the Kentucky Heritage Council (SHPO) stated "We would concur with a finding of No Historic Properties Affected." Kentucky Housing Corporation invited the tribes identified in the HUD TDAT search results for Perry County, KY, (the Cherokee Nation and the Eastern Band of Cherokee Indians) to becoming consulting parties on the Section 106 review of this project in letters sent via email on 8/7/2026. The tribes did not respond within the 30-day threshold established by HUD CPD Notice 12-006. |
| **Noise Abatement and Control**<br>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B | ☐ Yes ☑ No | A Noise Assessment was conducted. The noise level was acceptable: 47.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation. Noise generators were found within the threshold distances specified by HUD. Roads: One road was found within 1000 ft of the project site. Montgomery Creek Road is approximately 242.93 ft away from the project site. Historical traffic counts indicated a downward trend in AADT data. As such, the most recent AADT of 548 was used for the DNL calculation. No truck data was available. Railways: One Railroad was found within 3000 ft of the project site. A CSX Railroad that runs through the town of Vicco is approximately 2935.83 ft away. Airports: There were no airports within 15 miles of the project site, the closest being the Wendell H. Ford Airport at 15.85 miles away. Overall, the DNL calculation revealed a noise level of 47 dB, which is below the moderately unacceptable 65 dB threshold.. The National Transportation Noise Map |

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| | | shows that the project site is beyond the 45 dB threshold. |
| **Sole Source Aquifers**<br>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149 | ☐ Yes ☑ No | The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. This project site is located in Kentucky, a state that does not have sole source aquifers. |
| **Wetlands Protection**<br>Executive Order 11990, particularly sections 2 and 5 | ☐ Yes ☑ No | The project will not impact wetlands. The project is in compliance with Executive Order 11990. According to the National Wetlands Inventory Mapper, there are no known wetlands on or adjacent to the project site. The project site is not on land with hydric soil, as demonstrated by the USDA NRCS Web Soil Survey Tool. |
| **Wild and Scenic Rivers Act**<br>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c) | ☐ Yes ☑ No | This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. The Nationwide Rivers Inventory Map documents that the project site is 18.05 miles away from the Bad Branch River, the closest Nationwide Rivers Inventory body and 46.98 miles away from the Wild and Scenic sections of the Red River, the Kentucky's only Wild and Scenic River. There are no study rivers in Kentucky. |
| **HUD HOUSING ENVIRONMENTAL STANDARDS** | | |

## 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 | The University of Kentucky Geologically Based Indoor Radon Potential map shows | N/A | Testing will occur post construction | |

| | | | | |
|---|---|---|---|---|
| | that the project site is in the 2.7-4.0 picocuries per liter (pCi/L) zone, therefore post-construction radon testing is required. If post-construction radon testing document levels of 4.0 pCi/L or more, mitigation measures shall be installed by a National Radon Proficiency Program (NRPP)-certified professional according to the most current version of ANSI/AARST CCAH (American National Standards Institute/American Association of Radon Scientists and Technologists CCAH Reducing Radon in New Construction of 1 & 2 Family Dwellings and Townhouses). If testing shows radon levels below 4.0 pCi/L, mitigation is not required. | | and a radon mitigation system will be installed by a licensed professional. The radon mitigation system will be maintained by the licensed professional. | |

**Project Mitigation Plan**

Upon completion and before residency, the unit will be tested for radon by a radon professional certified by the National Radon Proficiency Program (NRRP) program. If radon levels are above 4.0 pCi/L, a certified mitigation specialist will install an inline fan in the previously installed radon vent pipe. They will also provide a mitigation plan. The unit will be retested two weeks after installation and ongoing operation of the inline fan. If radon levels are still above 4.0 pCi/L, Habitat will work with the radon mitigation specialist to install further mitigation methods as required until the unit reaches acceptable ranges. All test results including test date, the test method, detailed explanation of the test (doors shut, windows shut, time of testing), testing conductor, and test results will be emailed to environmentalreview@kyhousing.org. Chris Doll, HDA Assistant Director, will be responsible for insuring radon testing and mitigation if necessary are implemented.

Radon Mitigation Plan for ERR.pdf

**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 project site is 15.85 miles from Wendell H. Ford Airport, the nearest airport.

**Supporting documentation**

Distance to Wendell H Ford Airport_19 Maple Seed Ln.pdf
NEPAssist Map_15000ft buffer_19 Maple Seed Vicco.pdf

**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.

✓ Yes

**2. Upload a FEMA/FIRM map showing the site here:**

FIRMette- 19 Maple Seed Ln.pdf

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

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

✓ No

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**

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. 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. According to the FEMA FIRMette, the project area is within Zone X- area of minimal flood hazard (Panel #21193C0335E eff. 8/14/2024). A serach of the FEMA Flood Map Service Center Search all Products database documents that there were no amendments, revisions, or revalidations for Vicco, KY.

**Supporting documentation**

FEMA Flood Map Service Center _ Search All Products_19 Maple Seed(1).pdf
FIRMette- 19 Maple Seed Ln(1).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. This project consists of the new construction of one unit of single-family detached housing.

**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. 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:

A NEPAssist search, as documented in a NEPAssist Report, found one EPA-regulated facility within 3,000 feet of the project site. The ECHO report for that facility documents that it has had no violations in the last 13 quarters and that its permit expired on 11/30/2024. A physical inspection of the subject property revealed no on-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of the project occupants or conflict with the intended use of the property.

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, 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.

**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**.**

The University of Kentucky Geologically Based Indoor Radon Potential map shows that the project site is in the 2.7-4.0 picocuries per liter (pCi/L) zone, therefore post-construction radon testing is required. If post-construction radon testing document levels of 4.0 pCi/L or more, mitigation measures shall be installed by a National Radon Proficiency Program (NRPP)-certified professional according to the most current version of ANSI/AARST CCAH (American National Standards Institute/American Association of Radon Scientists and Technologists CCAH Reducing Radon in New Construction of 1 & 2 Family Dwellings and Townhouses). If testing shows radon levels below 4.0 pCi/L, mitigation is not required.

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 analysis indicated elevated levels of radon or consideration of radon will occur following construction. Adverse radon impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements. A NEPAssist search, as documented in a NEPAssist Report, found one EPA-regulated facility within 3,000 feet of the project site. The ECHO report for that facility documents that it has had no violations in the last 13 quarters and that its permit expired on 11/30/2024. To ensure compliance with HUD CPD Notice 23-103, Kentucky Housing Corporation has adopted the following Radon Policy. A passive radon reduction venting system is required for all newly constructed single-family units. The radon vent pipe shall pass through a heated portion of the structure and an accessible attic space and chase which will allow adequate working space to possibly install an inline fan. Electrical provisions shall be roughed in, in an accessible attic or chase, for possible future installation of an inline fan. Post-construction: radon testing must occur post construction but before occupancy. The University of Kentucky Geologically Based Indoor Radon Potential Map for the project site documents that it

is in the 2.7-4.0 pCi/L zone, therefore testing will be required upon completion of construction to determine if radon levels exceed 4.0 pCi/L, which would require further radon mitigation measures installed by a National Radon Proficiency Program (NRPP)-certified professional. If testing shows levels below 4.0 pCi/L, mitigation is not required.

**Supporting documentation**

KHC_Radon_Testing_and_Mitigation_Policy_revised_2024-07-09.pdf
KY Geological Survey_Indoor Radon Potential Map_19 Maple Seed Lane.pdf
Buckhorn Breathitt Interconnect Facility Report- Maple Seed Lane.pdf
NEPAssist Report- 19 Maple Seed Lane.pdf
Buckhorn Breathitt Interconnect ECHO Report- 19 Maple Seed Lane.pdf

**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 *et seq*.); particularly section 7 (16 USC 1536). | 50 CFR Part 402 |

**1. Does the project involve any activities that have the potential to affect specifies 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

Explain your determination:

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.

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

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 based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local

HUD office. 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, which states "The following activities are included in the terms of this agreement and, if not excluded by the 'Special Conditions' section of this agreement, may be undertaken without additional review by the Service...4. 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." The project consists of the new construction of one unit of single-family detached housing on a vacant previously cleared homesite, as documented in the attached site photos.

**Supporting documentation**

Site Photos_19 Maple Seed.pdf
Categorical Consultation Letter.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

✓ Yes

**3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:**

- **Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR**
- **Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.**

**If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes."**

No

✓ Yes

**4. Based on the analysis, is the proposed HUD-assisted project located at or beyond the required separation distance from all covered tanks?**

✓ Yes

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

No

**Screen Summary**

**Compliance Determination**

There is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements. Using Google Earth Pro aerial maps, one aboveground storage tank was identified within a 1-mile radius of the project site. That tank is a water tank located approximately 2,205.55 feet from the project site and will pose no threat to the project site.

**Supporting documentation**

Ky Water Mapping_AST 1.pdf
Google Earth Pro_Distance to Water Tank_19 Maple Seed Road.pdf
1 mile Tank Radius- Maple Seed Lane.pdf

**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

**2. Does your project meet one of the following exemptions?**

- Construction limited to on-farm structures needed for farm operations.
- Construction limited to new minor secondary (accessory) structures such as a garage or storage shed
- Project on land already in or committed to urban development or used for water storage. (7 CFR 658.2(a))

Yes

✓ No

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

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

✓ No

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

Yes

**Screen Summary**

**Compliance Determination**

The project includes activities that could convert agricultural land to a non-agricultural use, but "prime farmland","unique farmland", or "farmland of statewide or local importance" regulated under the Farmland Protection Policy Act does not occur on the project site. The project is in compliance with the Farmland Protection Policy Act. According to the USDA Web Soil Survey Map, the project area was found to be 100% Shelocta Cutshin-Gilpin complex, 20 to 75 percent slopes, very stony, which is not prime farmland.

**Supporting documentation**

USDA Web Soil Survey Map_Farmland Classification_19 Maple Seed Lane.pdf

**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<br>* Executive Order 13690<br>* 42 USC 4001-4128<br>* 42 USC 5154a<br>* 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[1] to determine flood elevation. Include documentation and an explanation of why this is the best available information[2] for the site. Note that newly constructed and substantially improved[3] 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.

[1] 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.

[2] 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.

[3] 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. The FIRMette map for the project site (Panel #21193C0335E, effect 8/14/2024) has the 0.2% Annual Chance Flood Hazard Area mapped, The FIRMette map documents that the project site is located in Zone X- Area of Minimal Flood Hazard and does not occur in the FFRMS floodplain. A search of the FEMA Flood Map Service Center Search All Products Database documents that there are no preliminary or pending FIRM panels for Vicco, KY. No FEMA letters of Map Amendment are present. the project area is within an area of minimal flood hazard (Panel #21193C0335E eff. 8/14/2024). There were not amendments, revisions, or revalidations for this FIRM.

**Supporting documentation**

FEMA Flood Map Service Center _ Search All Products_19 Maple Seed.pdf
FIRMette- 19 Maple Seed Ln(2).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)]. |
| | |
| | No, because the project consists solely of activities covered by the ACHP's PROGRAM COMMENT ON CERTAIN HOUSING, BUILDING AND TRANSPORTATION UNDERTAKINGS, as demonstrated in the ACHP PC Checklist. |
| | |
| ✓ | 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)

| | |
|---|---|
| ✓ Cherokee Nation | Response Period Elapsed |
| ✓ The Eastern Band of Cherokee Indians | Response Period Elapsed |

Other Consulting Parties

**Describe the process of selecting consulting parties and initiating consultation here:**
Housing Development Alliance initiated consultation with the Kentucky Heritage Council (SHPO) who responded with a letter dated August 12, 2026. Kentucky Housing Corporation invited the tribes identified in the HUD TDAT search results for Perry County, KY (the Cherokee Nation and the Eastern Band of Cherokee Indians) to become consulting parties on the Section 106 review of this project in letters sent via email on August 7, 2026.

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:**
   19 Maple Seed Lane, Vicco, KY, 41773.

   **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 |
|---|---|---|---|
| 19 Maple Seed Lane, Vicco, KY, 41773 | Not Eligible | Yes | ✓ Not Sensitive |

**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. In a letter dated August 12, 2026, the Kentucky Heritage Council (SHPO) stated "We would concur with a finding of No Historic Properties Affected." Kentucky Housing Corporation invited the tribes identified in the HUD TDAT search results for Perry County, KY, (the Cherokee Nation and the Eastern Band of Cherokee Indians) to becoming consulting parties on the Section 106 review of this project in letters sent via email on 8/7/2026. The tribes did not respond within the 30-day threshold established by HUD CPD Notice 12-006.

**Supporting documentation**

SHPO Consultation Packet.pdf
Tribal Consultation Packet_19 Maple Seed Lane.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<br><br>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.

✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

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

Indicate noise level here: 47

Based on the response, the review is in compliance with this section. Document and upload noise analysis, including noise level and data used to complete the analysis below.

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

Unacceptable: (Above 75 decibels)

**Screen Summary**

**Compliance Determination**

A Noise Assessment was conducted. The noise level was acceptable: 47.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation. Noise generators were found within the threshold distances specified by HUD. Roads: One road was found within 1000 ft of the project site. Montgomery Creek Road is approximately 242.93 ft away from the project site. Historical traffic counts indicated a downward trend in AADT data. As such, the most recent AADT of 548 was used for the DNL calculation. No truck data was available. Railways: One Railroad was found within 3000 ft of the project site. A CSX Railroad that runs through the town of Vicco is approximately 2935.83 ft away. Airports: There were no airports within 15 miles of the project site, the closest being the Wendell H. Ford Airport at 15.85 miles away. Overall, the DNL calculation revealed a noise level of 47 dB, which is below the moderately unacceptable 65 dB threshold.. The National Transportation Noise Map shows that the project site is beyond the 45 dB threshold.

**Supporting documentation**

KYTC Traffic Counts_Station 097280_Nearest 19 Maple Seed.pdf
DNL Calculations_19 Maple Seed.pdf
National Transportation Noise Map- Maple Seed Lane.pdf
Inventory Report CSX Railroad Vicco- Maple Seed Ln.pdf
Accident Report CSX Railroad Vicco- Maple Seed Lane.pdf
Distance to nearest railroad- 19 Maple Seed.pdf
Distance to nearest Road- Maple Seed Ln.pdf
Distance to Wendell H Ford- Maple Seed Ln(1).pdf
3000 ft railroad radius- 19 Maple Seed Ln.pdf
1000 ft road radius- 19 Maple Seed Ln.pdf

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

Yes

✓ 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

**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. This project site is located in Kentucky, a state that does not have sole source aquifers.

**Supporting documentation**

KY Sole Source Aquifer.pdf

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

Yes

✓ No

## Wetlands Protection

| General requirements | Legislation | Regulation |
|---|---|---|
| Executive Order 11990 requires avoiding to the extent possible the long and short term adverse impacts associated with the destruction or modification of wetlands, and avoiding actions that directly or indirectly support new construction in wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory must be used as a primary screening tool, but observed or known wetlands not delineated on NWI maps must also be evaluated. | 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 24 CFR 55.10 and referenced in Executive Order 11990? The term "new construction" shall include grading, clearing, draining, dredging, channelizing, filling, diking, impounding, and related activities for any structure or facilities, including the siting of new manufactured housing units.**

No

✓ Yes

**2. Will the new construction activities directly impact an onsite 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, prairie potholes, wet meadows, river overflows, mud flats, and natural ponds. This definition includes those wetland areas separated from their natural supply of water as a result of activities such as the construction of structural flood protection methods or solid fill roadbeds and activities such as mineral extraction and navigation improvements. This definition includes both wetlands subject to and those not subject to Section 404 of the Clean Water Act as well as constructed wetlands.

✓ No, an onsite wetland will not be directly impacted by new construction activities, as defined in 24 CFR 55.10.

Yes, there is an onsite wetland that will be directly impacted by new construction activities, as defined 24 CFR 55.10.

**3. Will the proposed project indirectly affect wetlands by modifying the flow of stormwater, releasing pollutants, or otherwise changing conditions that contribute to wetlands viability?**

Yes, wetlands may be indirectly affected by changing conditions that contribute to wetlands viability.

✓ No, wetlands will not be indirectly affected by changing conditions that contribute to wetlands viability.

**4. Will the proposed project indirectly affect off-site wetlands?**

Yes, off-site wetlands may be indirectly affected.

✓ No, off-site wetlands will not be indirectly affected by changing conditions that contribute to wetlands viability.

**Screen Summary**

**Compliance Determination**

The project will not impact wetlands. The project is in compliance with Executive Order 11990. According to the National Wetlands Inventory Mapper, there are no known wetlands on or adjacent to the project site. The project site is not on land with hydric soil, as demonstrated by the USDA NRCS Web Soil Survey Tool.

**Supporting documentation**

National Wetlands Inventory Map_19 Maple Seed Lane.pdf
USDA NRCS Web Soil Survey Hydric Soil Map-19 Maple Seed Lane.pdf

**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. The Nationwide Rivers Inventory Map documents that the project site is 18.05 miles away from the Bad Branch River, the closest Nationwide Rivers Inventory body and 46.98 miles away from the Wild and Scenic sections of the Red River, the Kentucky's only Wild and Scenic River. There are no study rivers in Kentucky.

**Supporting documentation**

NWSRS Study Rivers as of 2026-11-13.pdf
NWSRS Red River Webpage.pdf
NRI Map_Distance to WS Red River- 19 Maple Seed Ln.pdf
NRI Map_Distance to NRI Bad Branch- 19 Maple Seed Ln.pdf

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

Yes

✓ No