



**Guide for Completion of HUD Environmental Review in HEROS:
HOME Single-Family**

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REVISED August 22, 2023

A. HUD Environmental Review Online System (HEROS) Overview

1. All activities funded via the 2020 competitive application (and later) **must use the HEROS system** (<https://heros.hud.gov>) to submit Environmental Review Records to KHC.
2. All activities submitting setups after August 1, 2020 regardless of funding year must use the HEROS system for Environmental Review Records.
3. Instructions on HEROS usage can be found on the [HCA Partner Agency Portal](#) under the Homebuyer Development (HOME/AHTF) header, HEROS-HUD ENVIRONMENTAL REVIEW ONLINE SYSTEM subheader.
4. Follow the instructions in this guide for developing supporting documentation to submit with each Related Laws and Authority section in HEROS. The HEROS Related Laws and Authority screens replace the worksheets for each subject.
 - a. ***Be sure to enter narrative describing the findings for each related law and authority in the “Compliance Determination” box after the auto-generated language.***
5. Assign Environmental Review Record to Jennifer Oberlin in HEROS.

B. Environmental Review Project Information (HEROS Initial Screen and Project Summary)

1. Complete all requested data. Include a project description with sufficient detail to document proposed project activities.
2. Initial Screen
 - a. HUD Funding Source
 - i. Grant/Project Identification Number: enter M##SG210100. Use one year behind your KHC grant number after M. (e.g. M20SG210100 for HB21 grants.)
 - ii. HUD Program: Select “Community Planning and Development”
 - iii. Program Name: Select “HOME Program)
 - iv. Click “Add Another Funding Source” if you are also using another HUD source, such as Community Development Block Grant (CDBG) or Self-Help Homeownership Opportunity Project (SHOP)
 - b. Only answer “Yes” to “Does this project anticipate the use of funds or assistance from another Federal agency in addition to HUD?” only if such funding, such as USDA-RD, will be used for construction/development costs. If only providing homebuyer mortgage, do not include in the Environmental Review Record.
 - c. State / Local Identifier: enter your KHC grant number (e.g. HB20-9876-01)
 - d. Certifying Officer Information: enter Curtis A. Stauffer
 - e. Grant Recipient Information: select “None”. KHC is the grant recipient. Developers are subrecipients.
 - f. Enter consultant information if you are using a third-party consultant to prepare the environmental review.
3. Project Summary (50/58) Screen
 - a. Description of the Proposed Project
 - i. Describe your organization (e.g., Main Street Developer, Inc., a Community Housing Development Organization based in Frankfort, KY, will construct a new single-family detached home for sale to a low-income homebuyer.”
 - ii. Include sufficient detail to describe the unit(s) to be developed, including bedrooms, bathrooms, square footage, lot size, infrastructure work, utility connections, etc.

- b. Project Location
 - i. Enter the project site address.
 - ii. Include the project site's decimal latitude/longitude coordinates in the "Location Information" section
 - 1. Locate the project site on Google Maps
 - 2. Double click on the center of the project site. This will bring up a small pop up box in the bottom center of the map with the decimal longitude coordinates.
 - 3. For example, the coordinates for 1231 Louisville Road in Frankfort are 38.177614, -84.899908.
 - iii. Upload a Google Maps aerial map of the project site and a plat map if one exists.
- c. Inspector Information
 - i. Please include the name and title of the last agency employee who visited the project site and the date of the site inspection.
 - ii. Upload any site photos you may have.
- d. What activities are involved in the project?
 - i. Be sure to select all activities that will be included in the total development costs for the project, including acquisition and soft costs if applicable.

C. Level of Review (58)

1. Select the level of review for the project that is the most demanding, even if you have activities in the project that are in a less demanding level of review. The levels of review are listed from least to most demanding below:
 - a. Exempt
 - b. Categorical exclusion not subject to the Federal laws and authorities cited in §58.5 (CENST)
 - c. Categorical exclusion subject to the Federal laws and authorities cited in §58.5 (CEST)
 - d. Environmental Assessment (EA)
 - e. Environmental Impact Statement (EIS)
2. ***Most single-family new construction projects will be classified as Categorical exclusion subject to the Federal laws and authorities cited in §58.5 (CEST) as an Individual Action because they four units or less. If your project is 5 contiguous units or more (e.g. a subdivision), you must complete an Environmental Assessment. Contact KHC if that is the case.***

D. Airport Hazards (50/58)

- 1) Measure the distance from the property to any airport, civilian or military. Record the distance to the nearest airport and document with a printed map.
 - a) Using Google Maps, enter the property address.
 - b) Click the “Nearby” button and search “airports”
 - c) Zoom map to the closest level where both the property and the nearest airport are in view.
 - d) Switch to Satellite view
 - e) Right click on property and select “measure distance.”
 - f) Left click on the nearest part of the runway at the nearest airport (if map view allows you to determine, if not click on airport marker point). Distance will appear in a pop-up box on the map.
 - g) Print the page for scanning or save page as a PDF.
 - h) Upload a PDF for the map to the Compliance Determination section.
- 2) Is the property within 2,500 ft. of the nearest Civilian Airport or 15,000 ft of the nearest military airport?
 - a) If no, the project is in compliance with this related law and authority. Include a copy of the map with the Airport Hazards worksheet. Include a sentence documenting the distance to the nearest airport after the auto-generated language in the Compliance Determination section (e.g., The project site is 2.4 miles from Wendell H. Ford Airport, the nearest airport.”
 - b) If yes, then potential Airport Hazard compliance is necessary.
 - i) Contact the airport to obtain a copy of the Airport Clear Zone and/or Runway Protection Zone map. (These are posted online for many airports and may be found using a Google search). Airport contact information can be found at https://www.faa.gov/airports/airport_safety/airportdata_5010/menu/contacts.cfm?Region=&District=&State=KY&County=&City=&Use=&Certification
 - (1) Include a copy of the airport’s map showing the location of the property with the Airport Hazards worksheet.
 - ii) Is the project within the Airport Clear Zone or Runway Protection Zone for the airport?
 - (1) If no, the project is in compliance with this related law and authority. Include a copy of the map with the Airport Hazards worksheet.
 - (2) If yes, a written notice must be signed by the prospective buyers regarding airport hazards and notifying them that the subject property is in an airport clear zone. <https://www.hudexchange.info/resources/documents/Notice-Prospective-Buyers-Properties-in-Runway-Clear-Zones.pdf>. Upload a copy of the signed notice to the Compliance Determination section.

E. Coastal Barrier Resources (50/58)

- 1) Kentucky is a state that does not contain CBRS units. No action is necessary in this section.

F. Flood Insurance (50/58)

- 1) Go to the FEMA Flood Map Service Center website <http://msc.fema.gov/portal> to search if the property is located within a 100-year floodplain.
 - a) Enter the property address into the search bar.
 - b) Click the “Dynamic Map” link.
 - c) Print or save as PDF a copy of the FIRMette map.
 - d) Draw the boundaries of your project site on the FIRMette map (using a pen and a scanner OR using the Adobe Acrobat Pro “Polygon” tool found under the “Shapes” icon in the “Comment” function.)
- 2) Answer “Yes” to “Does this project involve mortgage insurance, refinance, acquisition, repairs, rehabilitation, or construction of a structure, mobile home, or insurable personal property?”
- 3) Upload a PDF of the FIRMette map using the “Upload FEMA/FIRM” map button.
- 4) Answer “No” to “Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?” if the FIRMette map show that the site is NOT within the floodplain.
 - a) Include the panel number and effective date in the narrative after the auto-generated language in the Compliance Determination section (e.g., “The FIRMette Map for the project site documents that it is an area of minimal flood hazard (Panel #21121C0105F, eff. 3/26/2015)
- 5) If the project site is in the floodplain but has received a Letter of Map Adjustment (LOMA) from FEMA, please upload the LOMA in the Compliance Determination section and detail the LOMA date of issuance in the Compliance Determination section after the auto-generated language.
- 6) **If the project site is in the floodplain without a LOMA contact KHC.**
 - a) Flood insurance is required and the 8-step process for Floodplain Management must be undertaken. **KHC strongly discourages development in a floodplain.**
 - b) If proceeding in a floodplain, include upload a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance.

G. Air Quality (50/58)

- 1) Because most KHC-funded HOME single-family developments are single-address, single-unit developments, the project should be in compliance with this related law and authority.
- 2) Select “no” as an answer to question 1.
- 3) Enter “This homeownership development project is less than five dwelling units.” after the auto-generated language in the Compliance Determination section.
- 4) If the project consists of 5 or more contiguous units (regardless of funding source), Air Quality should be assessed as part of an Environmental Assessment. Contact KHC for guidance.

H. Coastal Zone Management Acts (50/58)

- 1) Kentucky is a state that does not participate in the Coastal Zone Management Program. No action is necessary in this section

I. Contamination and Toxic Substances (Single Family Residential Properties)

- 1) Answer “1. Evaluate the site for contamination. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property?” based on site assessment and the use of EPA reports.
 - a) If there are any indications of toxic chemicals on or adjacent to the subject property- such as toxic chemical smell, stained soil or pavement, drums or dumped material, Submit a project site assessment report for the project site.
 - b) Search the NEPA website using the project address or decimal latitude/longitude coordinates in the search tool. <https://www.epa.gov/nepa/nepassist>.
 - c) When the map loads, click on "EPA Facilities" under "Select Map Contents". Select all of the "EPA facilities" types listed (e.g., Hazardous Waste, Air Pollution, Water Discharges, Toxic Releases, Superfund, Brownfields, RADInfo, and Toxic Substances Control Act).
 - d) Click on the property and a "project details" box shows up.
 - i) Type in address in "Name" box so that when map is printed with report address will show. If you do not, the address will not be on the printed map.
 - ii) Next to "Buffer" change to show 3,000 feet and click add to map
 - iii) Click “NEPAssist Report” to bring up a report in a new window on facilities within the project radius. Click “Save as PDF” to save a copy for inclusion with the Contamination and Toxic Substances worksheet.
 - iv) Zoom the map as close in so the whole buffer is still visible. Review the map for EPA facilities within the 3,000-foot buffer zone.
 - (1) If there are no "EPA facilities" within the buffer, then no further compliance is necessary for this related law and authority.
 - (a) Upload the NEPAssist report to the Compliance Determination section.
 - (b) Describe the NEPAssist findings in the “Explain” box below question 1 (e.g., “The NEPAssist report for the project site shows that there are no EPA-regulated facilities withing a 3,000-foot radius of the project site.”) Include this same language following the auto-generate language in the Compliance Determination section.
 - (2) If any EPA facilities fall within the boundary on the map, click on the facility and print out or save as PDF both the Facility Report and the EPA Enforcement and Compliance History (ECHO) report (ECHO data is also available at <https://echo.epa.gov>). *Note: you may have to zoom in very close to get separation of multiple sites close to each other.* If you cannot access a facilities ECHO report on NEPAssist because there are multiple sites associated with a facility marker, search the facility on <https://echo.epa.gov>. If a facility has multiple Facility Reports due to having multiple types of permits, include all facility reports as uploads to HEROS.
 - (a) Review the ECHO report(s) for all properties in the buffer zone to identify any instances of non-compliance within the last 12 quarters. Upload the ECHO Reports and EPA Facility Reports for all EPA facilities in the buffer zone in the Compliance Determination section.
 - (b) If ECHO Report(s) show no violations and the property is in compliance, then no further action is necessary. Include a brief narrative summarizing the findings of your NEPAssist/ECHO search in the “Explain” box below question 1 (e.g., “The

NEPAssist report for the project site shows that there are 13 EPA-regulated facilities within a 3,000-foot radius of the project site. ECHO Reports for all 13 facilities show no violations within the last 12 quarters.”) Include this same language following the auto-generate language in the Compliance Determination section.

- (c) If there is a brownfield in the search radius, review the Brownfields Property Progress Profile report accessible by clicking the “Get Facility Report” link from the NEPAssist site.
 - (i) Determine if the report indicates the property is safe and ready for redevelopment. If this is the case, detail this in your narrative in the Contamination and Toxic Substances Worksheet.
 - (ii) If you cannot determine the risks posed by the brownfield, from the Brownfields Property Progress Profile report, you will need to request ASTM Phase 1 and ASTM Phase 2 reports (if completed) for the brownfield from the Kentucky Energy & Environment Cabinet. You can see if Phase I or Phase II reports were completed on the Brownfields Property Progress Profile report under the “Assessment Activities” heading.
 1. Request Phase I and Phase II reports for the brownfield from the Energy and Environment cabinet by emailing an open records request to EEC.KORA@ky.gov detailing the brownfield name and address and the dates of the Phase I and Phase II reports as identified in the EPA Brownfield report.
 2. When you receive the report(s), review the findings and see if you can determine if there are any existing risks to residents living the project site’s distance away from the brownfield. E-mail envhelp@ky.gov or call the Brownfield Help Desk: 502-564-0323 with questions about Phase I or Phase II interpretation and existing risk if you need help in doing so.
- (d) If ECHO reports show that there have been recent violations or ongoing noncompliance with an EPA facility within the search radius, then potential contamination is a concern.
 - (i) If potential contamination is a concern, call the Kentucky Energy and Environment Cabinet, Department of Environmental Protection (DEP) for more information about the site, including if an ASTM Phase 1 or ASTM Phase 2 report was completed for the EPA facility in question. DEP Division of Enforcement contact information can be found at <https://eec.ky.gov/Environmental-Protection/Enforcement/Pages/division-directory.aspx>
 - (ii) If contamination from an EPA facility is an ongoing risk to the project site as determined by DEP, contact KHC for further guidance. Alternative site selection may be necessary.
- (e) Describe your findings about nearby facilities with violations and if they will pose no threat to residents at the project site in the “Explain” box below question 1 and in after the auto-generated language in the Compliance Determination section. Include map(s) documenting the distance from the project site to the facility(ies) with violations in the Compliance Determination section.

J. Endangered Species Act (50/58)

- 1) The project site must be assessed to determine if it is a habitat for any of the endangered species as specified by the US Fish and Wildlife Service (USFWS).
- 2) 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* governs endangered species compliance for certain activities listed under “Activities Covered Under this Agreement”. If not excluded by the "Special Conditions" section of this agreement, those activities may be undertaken without additional review by USFWS. The agreement is available for download on the HCA Partner Agency Portal website under the Homebuyer Development (HOME/AHTF) header, HOME ENVIRONMENTAL REVIEW DOCUMENTS sub-header as [Endangered Species: 2023-2028 Categorical Consultation Agreement between USFWS and KHC](#). **Please note that if the construction activity will involve the removal of trees or “other natural vegetation,” the project cannot use the *Categorical Consultation Agreement*.**
 - a) If the project is included as a covered activity, the project is in compliance with this related law and authority. Select “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” in response to “1. Does the project involve any activities that have the potential to affect species or habitats?”
 - i) Write “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.” In both the “Explain your determination” box in question 1 and after the auto-generated language in the Compliance Determination section.
 - ii) Additionally, reference which covered activity your project site falls under. For example: The project site is a previously prepared homesite with water and sewer hookups already in place prior to developer purchase.
- 3) If the project activity is not governed by the Categorical Consultation Agreement or falls under one of its special conditions, project site must be assessed to determine if it is a habitat for any endangered species. **In these cases, KHC must initiate consultation with the USFWS.**
 - a) Submit the USFWS consultation request as soon as the site has been selected for construction. It is a best practice to submit the USFWS consultation request along with a tribal consultation request for historic review, if applicable.
 - b) Email environmentalreview@kyhousing.org requesting consultation with USFWS with the following site-specific information:
 - i) Address including latitude and longitude
 - ii) Plat Map/ Survey Map showing lot lines, lot size, and measurements.
 - iii) Type of construction
 - (1) If new construction include: predicted timeline of construction; size of the house to be built; describe infrastructure to be installed (e.g. sewer/septic, water, electricity, roads/driveways, sidewalks, etc.) and existing site infrastructure; details about the existing lot landscape and vegetation (is there a creek, stream, trees, rock structures, caves, etc.) specifying what existing trees will be removed during construction); and description of ground disturbance that will occur.

- (2) If rehab, include the size of the house, estimated rehab scope, rehab timeline, and description of the lot including the existing lot landscape and vegetation and existing site infrastructure. Be sure to indicate if the rehab project will involve any ground disturbance, and, describe if so.
- iv) Date of last site inspection, name and title of inspector, and if any bats were seen on site during inspection (in an existing structure or in trees).
- v) History of lot maintenance (site is occasionally mowed for hay by previous owner).
- vi) Aerial map
- vii) Photos of the lot
- c) KHC project specialists will initiate consultation with USFWS and provide developer with a determination letter. Upload this determination letter in HEROS and update narrative to reflect determination.

K. Explosive and Flammable Hazards (50/58)

- 1) Answer “No” to “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)?”
- 2) Will your project increase consist of new construction, residential rehabilitation where the unit density is increased, rehabilitation of an existing residential property that will increase residential densities, and/or land use conversion (e.g., commercial to residential, agricultural to residential, etc.)?
 - a) If no, your project is in compliance with this related law and authority. Include a sentence describing the project after the auto-generated language in the Compliance Determination section (e.g., “The project consists of the acquisition, rehabilitation, and resale of an existing single-family housing unit.”)
 - b) If yes, the site must be assessed for the presence current *or planned* stationary aboveground storage containers within 1 mile of the project sit that are either a) of more than 100-gallon capacity, containing common liquid industrial fuels *OR* b) Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels.
 - i) Submit a project site assessment report that notes if there are any above ground storage tanks are visibly located on or adjacent to the subject property.
 - ii) Using Google Earth Pro satellite view, conduct an aerial search for above ground storage tanks within a mile radius of the project site, using the Measure Tool (ruler icon), Circle tab.
 - iii) Using the Google Maps measurement tool, measure the distance from the property to above ground storage tank. Save and print a map documenting the distance between the project site to the above ground storage tank.
 - iv) Tanks within the mile radius will require further research.
 - (1) To get information about an above ground storage tank, try contacting the company that owns the tank.
 - (a) Request the data needed to complete the HUD ASD Calculator found at <https://www.hudexchange.info/programs/environmental-review/asd-calculator>
 - (2) If the company that owns the tank is nonresponsive, you can complete an open records request form for the Public Protection Cabinet Department of Housing, Buildings, and Construction.

- (a) Download the form at <http://ppc.ky.gov/Documents/HBC%20Open%20Records%20Form.pdf>
 - (b) Request all information about the tank(s) needed to use the HUD Acceptable Separation Distance (ASD) Calculator found at <https://www.hudexchange.info/programs/environmental-review/asd-calculator>
 - (c) Submit the form to Tori Short via email (tori.short@ky.gov) and cc Whitney Hockensmith (Whitney.Hockensmith@ky.gov) on the submission. (Contact information verified July 2020.) Call the State Fire Marshall's Office at 502-573-1702 to get submission information if this contact information is no longer valid.
 - (d) **NOTE: If the container does not contain a flammable substance (e.g., water tower, grain silo, sewage tank), there is no need to calculate ASD.**
- (3) You can also search for Aboveground Storage Tank Data available in Kentucky Energy and Environment Cabinet permit documentation by following the instructions available at <https://kyhmis.zendesk.com/hc/en-us/articles/17920977234331-Aboveground-Storage-Tank-Data-Guidance-When-tank-owners-are-not-responsive->
 - (4) Upon obtaining this information, calculate the Acceptable Separation Distance (ASD), using the HUD ASD Calculator found at <https://www.hudexchange.info/programs/environmental-review/asd-calculator>
 - (a) If the container is within an acceptable separation distance, document the ASD with the Explosives and Flammable Hazards worksheet.
 - (b) If the container is NOT within an acceptable separation distance from the property, the project either has to be moved to another location or a barrier will be required to mitigate the project. The utilization of a third-party resource (licensed engineer) will be necessary to determine an appropriate barrier.
 - (5) Include a summary of your findings and upload all appropriate documents (maps, ASD calculations, correspondence with tank owners/state officials, etc.) in the Compliance Determination section.

L. Farmlands Protection (50/58)

- 1) If your project includes new construction answer "Yes" to "Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land Tooltip to a non-agricultural use?"
 - a) Only answer "No" if the project is the acquisition, rehabilitation, and resale of an existing unit with no additions or ground disturbance.
- 2) Assess if your project site meets the 7 CFR 658.2(a) exemption definition of land already in or committed to urban development.
 - a) Use Google Earth Pro "measure" tool to create a circle with a 40-acre area around the project site.
 - i) If there are more than 30 structures in the 40-acre area, the land is considered to be "committed to urban development." Answer "Yes" to "2. Does your project meet one of the following exemptions?" and upload a PDF of the Google Earth Pro map.
 - ii) If there are less than 30 structures, assess the project site for presence of "important farmland"
- 3) To determine if "important farmland" occurs on the site, go to the USDA's Web Soil Survey website: <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

- i) Under the Area of Interest (AOI) tab, enter the address of the project site and click view. Click on the red rectangle button or the red triangle "polygon" button in the toolbar above the map to select an "Area of Interest" that mirrors your project site boundaries.
- ii) Click on the Soil Data Explorer tab and click on "Land Classifications", then select "Farmland Classification". Click "View Rating". Determine if any of the soils located on the project are rated as "prime farmland" or "farmland of statewide importance".
- iii) Print the page for scanning or save page as a PDF.
- iv) If there are no "important farmlands" located on the project site, no further action is necessary, and the project is in compliance with this related law and authority. In the Compliance Determination section, upload a PDF of the Web Soil Survey map to the and include language describing the soils identified in the project site, noting that those soils are not prime farmland or farmland of statewide importance in after the auto-generated language.
- v) If there are "important farmlands" on site, you must contact the USDA Natural Resources Conservation Services Soil Scientist to inquire about the conversion of the site.

(1) As of June 2020, the Soil Scientist responsible for farmland conversion assessment in Kentucky is:

Perri Pedley Brown, USDA NRCS Soil Scientist
Perri.Brown@ky.usda.gov
 (270) 356-8140
 USDA NRCS Technical Support Office for Soils
 1000 Commonwealth Dr.
 Mayfield, KY 42066

- (2) Please provide the Soil Scientist a copy of the Web Soil Survey Map, a description of the proposed project, and a site map showing the location of the house on the lot.
- vi) The USDA NRCS Soil Scientist may require that you complete the AD-1006 form found at https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf.
- (1) You must complete Section I of the form before submitting to the Soil Scientist, who will then complete Sections II, III, IV, and V.
 - (2) Once you have received the AD-1006 form back from the USDA NRCS Soil Scientist, the form must be submitted to KHC (acting as the Responsible Entity for HUD) via environmentalreview@kyhousing.org for review and completion of Section VI.
 - (a) **Before submitting to KHC**, review the *Farmland Conversion Rating Guidance for Form AD-1006* found on the [HCA Partner Agency Portal](#) under "Home Single Family," "HOME Single-Family Program-Related Tools and Documents."
 1. Based on your review of the *Farmland Conversion Rating Guidance*, with your submission of the form please provide guidance and documentation on how to best answer questions in Section VI related to local issues and conditions, particularly question numbers (the questions are in bold) 3, 4 (especially any local government policies/programs), 6, 8 (confirm percentage of lot to be disturbed for construction), 9 (provide a definition and discussion local resources), 10, and 11.

M. Floodplain Management

- 1) Select “None of the above” for” 1. Do any of the following exceptions apply? Select the applicable citation.”
- 2) The FIRMette map uploaded for the Flood Insurance screen should already be present in the Floodplain Management screen section “2. Upload a FEMA FIRM (or ABFE) map showing the site here:”
- 3) Check to see if there is a preliminary flood map for the project site.
 - a) On <https://msc.fema.gov/portal/home> click the “Search All Products” link.
 - b) Select Kentucky for the State and the County for your project site. Under “Community” select “[County Name] All Jurisdictions” and click “Search.”
 - c) If the search results show that there are any “Preliminary Products” (there will be number next to “Preliminary Products”) click the folder link.
 - d) Click “Preliminary FIRM Panels”
 - e) Review the available panel number to see if there is a Preliminary FIRM Map for the Panel # identified in your project site’s FIRMette map. The only difference between the FIRMette Panel # and the Preliminary FIRM Panel # will be the letter at the end of the Panel #. (e.g., if FIRMette Panel # is 21121C0105F, Preliminary FIRM Map Panel # will be Panel #21121C0105G)
 - f) If available, download the Preliminary FIRM Map for your project site and draw the lot boundaries on the map.
- 4) Is the property in a floodplain according to the FIRMette or the Preliminary FIRM Map?
 - a) If no, the project is in compliance with this related law and authority.
 - i) Include the panel number and effective date in the narrative after the auto-generated language in the Compliance Determination section (e.g., “The FIRMette Map for the project site documents that it is an area of minimal flood hazard (Panel #21121C0105F, eff. 3/26/2015).” If there is a Preliminary FIRM Map available, also include a description of that map. (e.g., “FEMA has also issued a Preliminary FIRM Map for the project site ((Panel #21121C0105G, issued 10/7/2022) that also documents that it is an area of minimal flood hazard.”
 - b) If yes and the project involves a one-four family property (e.g., single family, duplex, etc.) and consists of only minor repairs (e.g., does not meet "substantial improvements" as defined below). Document the scope of work in the Floodplain Management worksheet to document that no further action is necessary.
 - c) If yes and the project consists of new construction OR "substantial improvements" (defined as rehab with a cost that is equal to or exceeds 50% of the property's market value prior to rehab, or a rehab that increases the number of units by a minimum of 20%) then the 8-step process must be followed, as outlined below. Go to <https://www.hudexchange.info/resource/3190/floodplain-management-8-step-decision-making-process/> for additional information about the 8-step process.
 - i) Issue a public notice regarding the proposed project to be located in a floodplain to be posted for a minimum of 15 days. Public notice is to be printed in the local paper to be printed once at the beginning of the public notice period, sent to local, state and federal agencies involved with floodplain management and wetlands protection. and posted at public buildings in the community affected by the project.
 - ii) Identify and evaluate alternatives to locating the project in a floodplain.

- iii) Identify and evaluate the direct and indirect impacts to the floodplain associated with the project.
- iv) Design and/or modify the project to minimize potential adverse effects
- v) Re-evaluate the proposed project to determine if still practical given proposed impacts and alternative sites.
- vi) If re-evaluation determines no practical alternative to locating the project in the floodplain, issue a final public notice providing the reasons why the project must be located in the floodplain and mitigation measures to be taken. See public notice procedure at 4.12.2.1.
- vii) Upload all documentation from each step of the process in the Compliance Determination section and include detailed narrative describing results of 8 step process.
- viii) **NOTE: KHC strongly discourages any development in a flood plain.**

N. Historic Preservation (50/58)

- 1) To read an overview from HUD on the Section 106 Historic Preservation process, go to <https://www.hudexchange.info/resources/documents/Historic-Preservation-Basics.pdf>.
- 2) The Kentucky Heritage Council, the State Historic Preservation Office (SHPO), must be consulted to determine if your project has the potential to adversely impact historic properties.
 - a) The consultation process is outlined at <https://heritage.ky.gov/compliance/Pages/general-application.aspx>.
- 3) As applicable, appropriate Tribal Historic Preservation Officers also must be consulted or an exemption form must be submitted. HUD has provided guidance on Tribal Consultation in *Notice CPD-12-006: Process for Tribal Consultation in Projects that are Reviewed Under 24 CFR Part 58* at <https://www.hudexchange.info/resources/documents/Notice-CPD-12-006-Tribal-Consultation-Under-24-Cfr-Part-58.pdf>.
 - a) Use Appendix A from *Notice CPD12-2006, "When To Consult With Tribes Under Section 106,"* to determine if Tribal consultation is necessary. Upload a copy of Appendix A to the Historic Preservation Screen in HEROS. This Tribal Consultation Checklist is also saved on the HCA Partner Agency Portal under Homebuyer Development (HOME/AHTF)-HOME ENVIRONMENTAL REVIEW DOCUMENTS.
 - b) If Tribal consultation is necessary, **please request that KHC initiate consultation** with the tribe(s). Per the HUD Exchange, "only the agency official – HUD program staff or the certifying official of the Responsible Entity - may initiate tribal consultation; other parties like consultants, PHAs, lenders, or non-profit grantees *may not* initiate tribal consultation."
 - i) Search by the project site address on the HUD Tribal Directory Assessment Tool at (<https://egis.hud.gov/tdat/>) to identify the tribe(s) that must be consulted for your project. Include contact information for the tribe(s) in your request for consultation. Please note that the Eastern Band of Cherokee Indians Chief's email is incorrect on the TDAT tool and should be the following: richsnee@nc-chokeee.com
 - ii) Include a project description with project address, including decimal latitude and longitude of the project site, with your consultation request.

- iii) **Please submit this consultation request via environmentalreview@kyhousing.org as soon as a project site address is finalized (submit this at the same time when you submit your Kentucky Heritage Council requestor earlier).** Do not wait until you are ready to submit a project set up packet with a complete Environmental Review.
 - iv) KHC must give Tribal authorities 30 -days' notice to decide if they wish to consult on a Section 106 Review of a HUD-funded project. **Release of funds cannot be granted until at least 30-days after KHC has granted notice to Tribal authorities on projects where consultation is required.**
- 4) Instructions for completing HEROS Historic Preservation Screen
- a) For "Is Section 106 review required for your project?" select "Yes, because the project includes activities with potential to cause effects (direct or indirect)."
 - b) Under "Step 1-Initiate Consultation":
 - i) Check "State Historic Preservation Offer (SHPO) Status" and select "Completed" for "Status of Consultation" to document that you have received your clearance letter from the Kentucky Heritage Council."
 - ii) Select "Not Required" for " for "Status of Consultation" for "Advisory Council on Historic Preservation Status."
 - iii) If Tribal Consultation is required per the "When To Consult With Tribes Under Section 106" Tribal Consultation Checklist (all new construction and any rehab projects with ground disturbance):
 - (1) check "Indian Tribes including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)"
 - (2) List the name(s) of the Tribes identified for the project county in the HUD Tribal Directory Assessment Tool
 - (a) If you have more than one tribe, use the ADD Tribe or NHOS button to add additional tribes.
 - (b) Select "In progress" for "Status of Consultation" for each tribe unless you have already been provided a copy of the tribal consultation letter sent to the tribe by KHC and 30 days have passed since the letter was sent. If 30 days have passed since KHC sent the consultation letter, select "Response Period Elapsed."
 - (c) Under "Describe the process of selecting consulting parties and initiating consultation here:" write "[Name of your organization] initiated consultation with the Kentucky Heritage Council (SHPO). Kentucky Housing Corporation invited [names of tribe(s) identified in in the HUD Tribal Directory Assessment Tool] to be a consulting party in a letter sent via email on [date of tribal consultation letter]"
 - c) Complete "Step 2 - Identify and Evaluate Historic Properties"
 - i) Use information from your SHPO letter to define the Area of Potential Effect (APE). If the Heritage Council has not defined any areas of potential effect beyond the project site, list only the project address.
 - ii) Select "No" for "2. Was a survey of historic buildings and/or archeological sites done as part of the project?" unless the SHPO has required that one be completed.
 - d) Complete "Step 3 - Assess Effects of the Project on Historic Properties"
 - i) Use the findings from the SHPO letter to ""Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect" and provide narrative for the selection if required.
 - e) Complete "Compliance Determination" section
 - i) After the auto-generated language, write a summary of the SHPO letter findings and tribal consultation

- ii) At minimum, upload the following documents:
 - (1) SHPO letter
 - (2) Tribal Consultation Checklist
 - (3) Tribal Consultation Letter(s) from KHC (if applicable)
 - (4) HUD Tribal Directory Assessment Tool results for the project site county (if applicable)

O. Noise Abatement and Control (50/58)

If your project is not classified as a CEST review in the Part 58 Level of Review Determination Checklist, please contact KHC for further direction.

- 1) Select *either* “New construction for residential use” or “Rehabilitation of an existing residential property” for “1. What activities does your project involve? Check all that apply:”.
- 2) Complete the Preliminary Screening to identify potential noise generators in the vicinity of the project site.
 - a. Use an online mapping tool to determine if the property is within 1,000 feet of any expressways, highways or roads where state traffic counts are available, within 3,000 feet of any railroads, or within 15 miles of an airport.
 - b. If there are no noise generators within the threshold distances, upload maps documenting the distance to the nearest noise generator in each category as created using directions for each category below. Include a description of the distances to each in the Compliance Determination screen.
 - c. **If the property meets any of these criteria, then a noise calculation must be completed.**
- 3) **National Transportation Noise Map**
 - a. For all project sites, include a printout of the National Transportation Noise Map available at <https://maps.dot.gov/BTS/NationalTransportationNoiseMap/>
 - b. Search the project site address or nearest recognized street address in the search bar
 - c. Select Satellite in the Map section.
 - d. Mode: highlight the first box to capture all noise generators.
 - e. Zoom into the project site.
 - f. Print or save as PDF a copy of the map showing the site’s transportation noise levels. Include a copy of the map with the Noise worksheet. Any site showing greater than 65dB exposure may require noise attenuation measures.
- 4) **Roads (1,000-foot radius)**
 - a. ***NOTE: HUD has updated their road noise assessment criteria as of November 2019 to make assessment standards more stringent. [Follow this link to review the HUD Noise Standards Update training slides](#) on the on the HCA Partner Agency Portal for more information.***
 - i. In the past, HUD has only required assessment of noise from “Major Roadways,” “that may or may not have been defined as Average Daily Traffic (ADT) of 10,000 vehicles per day or more.”
 - ii. This is no longer the case because HUD has determined a small roadway with ADT of 4,000 (or less in some circumstances) can generate Normally Unacceptable noise levels as far away as 37 feet.
 - iii. **HUD now requires evaluation of noise from any roadway within 1,000 feet of the project site for which traffic data is available.**

- b. To help identify roads within the evaluation threshold distance, use Google Earth Pro to create a map with a 1,000-foot radius around the project site using the Measure Tool (ruler icon), Circle tab.
- c. Use the Kentucky Transportation Cabinet (KYTC) Traffic Counts Interactive Map at <https://maps.kytc.ky.gov/functionalclass/> to identify roads within the 1,000 foot radius, measure distances from the project site to those roads, and get applicable road data from KYTC.
 - i. Use the Search (Address or Place) bar to find your project site by address or longitude, latitude decimal coordinates (longitude first).
 - ii. Check for available average daily trips (AADT) traffic data for the roads within the 1,000-foot radius of the project address by using the “Road Info” tool (icon of a road with lane stripes within a “targeting” logo in the upper right of the tool bar) to see if there is ADT data for a nearby road.
 - 1. Click on the road to get road information to pop up.
 - 2. If there is any data in the “AADT” line of the pop-up screen, print the screen from your browser to save it as a PDF supporting documentation labeled “KYTC Road Data- [Road Name]. If there is no data in the AADT line, you can ignore this road.
 - 3. If the road has traffic count data, look for the nearest Traffic Count Station ID in red on the map [example Format #695(19) Sta:B03]. Make sure that the first number in the station ID matches your AADT from the popup screen. If it does not, find the nearest Station ID on the road that does.
 - a. Determine the Traffic Count Station ID number
 - i. Find the route code for the station by clicking on the road nearest the station using the Road Info tool. Take the first three numbers from “RT Unique” in the pop-up screen and add the three digits from the Station label ID on the map (after “Sta:” to get your Station ID number (Example: 061B03)
- b. Go to http://datamart.business.transportation.ky.gov/EDSB_SOLUTIONS/CTS/
 - i. Click Station ID and enter the station ID identified.
 - ii. Click on the “Details” link in the search result to bring up the Historic Traffic Volume Summary Report.
 - 1. This report will provide detailed current and historic traffic data.
 - iii. Print the Historic Traffic Volume Summary report to save it as a PDF. R. You also have the option to save it as an Excel spreadsheet which is helpful for calculating projected road noise.
 - iv. HUD is now requiring that you use projected ADT data for DNL calculations based on historic data, if available.
 - 1. Calculate the difference between the most current ADT data and that from 10 years prior.

2. Add (if an increase) or subtract (if a decrease) this amount to the current AADT data to get your 10-year projected AADT for use in the DNL calculation.
 3. If historic data is not available, use the current ADT.
- iii. Use the "Measure" tool on the map to measure the distance from the project site to the closest point of the any roads with AADT data within the 1,000-foot radius. Record this distance so it can be entered on the worksheet and in the HUD DNL Calculator if within 1,000 feet. Print a PDF of the screen from your browser (don't use the print icon) with the active measurement and label it "Distance to [Road Name]-[project address].
- d. Is the property within 1000 feet of a road with AADT data?
 - i. If no, then no further action is necessary. Document this by uploading the map in the Compliance Determination section and note in the narrative after the auto-generated language that there are no roads with traffic data within 1,000 feet of the project site.
 - ii. If yes, complete a Road Noise calculation.
 1. Use the AADT data captured (including truck percentage) for each road within a 1,000-foot radius to calculate road noise.
 2. Complete HUD's DNL Calculation for Road Noise at <https://www.hudexchange.info/environmental-review/dnl-calculator/>
 - a. First, enter in the site ID (address), date, and user name. If there is a ROAD noise source, then click on "Add Road Source". Check the applicable types of vehicles (cars, medium trucks and heavy trucks) that would utilize the road. In general, for major arterials cars and medium trucks would utilize the road, while all three would utilize expressways/highways.
 - b. Enter in the following information for each vehicle type:
 - i. Effective Distance
 1. The distance between the property and the road for which the calculation is being performed.
 - ii. Distance to Stop Sign
 1. If the distance to the nearest stop sign or traffic light on the subject road is greater than 600 feet or not applicable, then leave blank. To determine this distance, measure from the subject property to the nearest intersection. To determine if the intersection has a stop sign, search for the intersection on Google Maps. Use the "street view" on Google Maps to look for a stop sign.
 - iii. Average Speed
 1. If the posted speed limit is not available from the road's KYTC data, use an average speed of 25 MPH for local roads, 35 MPH for a major arterial, and 55 MPH for expressways/highways.
 - iv. Average Daily Trip
 1. Listed as AADT in the road's KYTC data.

2. Use the truck percentage to calculate the truck AADT count from the AADT number
 3. Subtract the calculated truck count from the AADT number to determine the car AADT count.
 4. Unless data separates medium trucks and heavy trucks, treat all trucks as “heavy.”
- v. Night Fraction of AADT
1. Default value is 15. Use default value, unless provided in the road’s KYTC data.
- vi. Road Gradient
1. Use topographic maps to calculate the slope of the road over 2,000 feet closest to the project site.
 - a. Example: Over 2,000-foot “run,” the road “rises” 80 feet in elevation $80/2000 = .04 = 4\%$ grade
 - b. Go to USGS Topoviewer (<https://ngmdb.usgs.gov/topoview/viewer/#4/40.00/-100.00>) and search for the project site by address or latitude/longitude coordinates separated by a comma. Print the screen using your browser to save a PDF labeled “US Topo Map-[address].”
 - c. Click on the starting point of the 2,000-foot road run to determine the elevation (it will appear in the right sidebar below the round icons). Print the screen using your browser and save as a PDF labeled “Start of 2000ft run-[road name]- [elevation] ft”
 - d. Click on the end point of the 2,000-foot road run to determine the elevation (it will appear in the right sidebar below the round icons). Print the screen using your browser and save as a PDF labeled “Start of 2000ft run-[road name]- [elevation] ft”
 - e. Calculate the grade.
 - f. Save a PDF copy of the Topoviewer map zoomed in as close as possible. Include the grade calculation on the map or in a separate PDF document.
 2. You can also use the KYTC Functional Class mapping tool to document elevation.
 - a. Locate your project site using <https://maps.kytc.ky.gov/functionalclass/>

- b. Using the “Measurement” tool (ruler icon) identify the points on the road(s) being assessed 1,000 feet in either direction from the point on the road closest to the project site.
- c. Using the “Road Info” tool, click on one point 1,000 feet away from the point on the road closest to the project site.
- d. The elevation at that point will be included in the “Road Info” pop up data.
- e. Take a screen shot of the browser and save as a PDF labeled “[ROAD NAME] Elevation 1000 ft [compass direction of road- eg N, S, E, W]] of [project site]”
- f. Repeat for the point 1,000 feet in the other direction.

vii. Calculate the road DNL.

viii. Add additional road sources if necessary.

4) Railroads (3,000-foot radius)

a. Document the distance to the nearest railroad.

- i. Go to <https://fragis.fra.dot.gov/FRA-PopupViewer/index.html> to create a Federal Railroad Administration (FRA) online map for your project site and determine the site’s distance to the nearest railroad
 - 1. Enter the project site address or longitude/latitude decimal coordinates (longitude first) into the search bar in the lower left-hand corner and hit search. This will zoom the map to the site location.
 - 2. Click on Map Content tool (the Earth icon in the upper right-hand toolbar.)
 - a. Click on Layers, make sure ALL layers have eye logos opened and not crossed.
 - b. Click on Basemaps, select “Imagery Hybrid.”
 - c. Close the Map Content pop-up screen.
 - 3. Zoom out until you see a railroad feature identified on the map.
 - 4. Use the “Measure” tool (the arrow icon in the tool bar) to measure the distance from your project site to the nearest railroad.
 - a. Click “Measure distance between two or more points” tool (the zig-zag line icon). If that doesn’t bring up a “Start to measure by clicking in the map to place your first point” pop-up message, click the “measure area” tool (dotted square with rounded corner) then click the zig-zag line icon again.
 - b. Click on your project site
 - c. Double click on the portion of the railroad closest to your project site to get the measurement. Change the unit in the measurement box to “Feet.”
 - 5. Print the screen from your browser to save as a PDF and label “Distance to Nearest Railroad-[Project Address].”

- b. Is the property within 3,000 feet of any railroads?
- i. If no, then no further action is necessary. Document this by uploading FRA and Google distance maps in the Compliance Determination section and include narrative describing distance to the nearest railroad after the auto-generated language.
 - ii. If yes, complete a Railroad Noise calculation and include the FRA and Google distance maps with the Noise worksheet,
 1. Obtain information regarding railroad noise using the FRA Online Map you created for the site as described in Noise Section 3(a)(i) above. Administration (FRA) website at <http://fragis.fra.dot.gov/FRA-PopupViewer/index.html>.
 - a. Click on the "Grade Crossing" (yellow dot) that is nearest to the subject property. An information box will pop up. Click on the "more info" link next to INV_LINK AND ACC_LINK. This will bring up an Inventory Report and an Accident Report. Print both of these reports. These will be used for the DNL Calculation.
 2. Complete HUD's DNL Calculation for Railroad Noise at <https://www.hudexchange.info/environmental-review/dnl-calculator>.
 - a. First enter in the site ID (address), date and user name.
 - b. Click on "Add Rail Source".
 - c. Check the applicable types of trains - should be Diesel.
 - d. Enter in the following information for each vehicle type:
 - i. Effective Distance
 1. The distance between the property and the railroad for which the calculation is being performed.
 - ii. Average Train Speed
 1. Obtain this information from the report from the FRA website.
 - iii. Engines per Train
 1. Default is 2 per diesel and 1 per electric. Use Default Value, unless report provides different number.
 - iv. Railway Cars Per Train
 1. Default is 50 per diesel and 8 per electric. Use Default Value, unless report provides different number.
 - v. Average Train Operations
 1. From the FRA report, use the number from the "total day thru trains" plus "total night thru trains".
 - vi. Night Fraction of ATO
 1. From the FRA report use the number from the "total night thru trains".

- vii. Railway Whistles or Horns
 1. This information can be obtained from the 2nd page of the FRA report.
- viii. Bolted Tracks
 1. This information can be obtained from the 2nd page of the FRA report. If no information available, check “bolted.”

5) Airports (15-mile radius)

- a. For reference, a list of Kentucky Airports can be found at https://en.wikipedia.org/wiki/List_of_airports_in_Kentucky
- b. Document the distance to the nearest airport(s) using Google Maps.
 - i. Search the project site’s address or latitude/longitude coordinates.
 - ii. Click the “Nearby” button and search “airports”
 1. Zoom map to the closest level where both the property and the nearest airport are in view.
 2. Right click on property and select “measure distance.”
 3. Left click on the nearest part of the runway at the nearest airport (if map view allows you to determine, if not click on airport marker point). Distance will appear in a pop-up box on the map.
 4. Print the page for scanning or save page as a PDF to include with Noise documentation.
- c. Is the property within 15 miles of any airports?
 - i. If no, then no further action is necessary. Document this by including map with the Noise worksheet.
 - ii. If yes, complete an Airport Noise calculation.
 1. Is the nearest airport Louisville International Airport or Cincinnati/Northern Kentucky Airport?
 - a. If yes, obtain a copy of the Noise Exposure Map Zone map. The map will display noise contours with a decibel (dB) level. Include a copy of the map with the Noise worksheet.
 - i. Louisville Map- <http://sdfnoisestudy.com/images/2008.pdf>
 - ii. Cincinnati Map-go to page 10 of <http://www.airportsites.net/cvgpart150mpu/Documents/j-Chpt%203%20Baseline%20Noise.pdf>
 2. Determine where the property falls in the decibel level contours.
 3. Complete HUD’s DNL Calculation for Airport Noise at <https://www.hudexchange.info/environmental-review/dnl-calculator>
 - i. First enter in the site ID (address), date and user name, and then enter decibel level from the Noise Exposure Map next to "Airport Noise Level".
 - ii. If the decibel level does not exceed 65 dB when combined with any required road and rail noise measurements, then no further action is necessary. Include the DNL Calculations with the Noise worksheet.

2. For all other airports, complete the HUD Airport Noise Worksheet by following all instructions on the sheet.
 - a. HUD Airport Noise Worksheet PDF:
<https://www.hud.gov/sites/documents/AIRPORTNOISEWKSHT.PDF>
 - b. HUD Airport Noise Worksheet Word:
<https://www.hud.gov/sites/dfiles/State/documents/SmallAirportNoiseWorksheet2018.docx>
 - c. If required, complete HUD's DNL Calculation for Airport Noise at <https://www.hudexchange.info/environmental-review/dnl-calculator> as specified above
 - d. If an airport's data is not found in the online database reference in the HUD Airport Noise Worksheet, it is a private field with insufficient traffic for assessment. Note this on the Noise Worksheet.
 - e. For larger volume airports, such as Lexington Blue Grass Airport, Paducah Barkley Regional Airport, Owensboro-Daviess County Regional Airport, Bowling Green-Warren County Airport, or Ashland Regional Airport you can use the National Transportation Noise Map to demonstrate airport noise contours.
- 6) If the combined DNL Calculation for road, railroad, and airport noise shows that the noise level for a project site is above 65dB, an Environmental Assessment or an Environmental Impact Statement is required for the project. Consult with KHC immediately if this is the case.**
- a. If the decibel level is above 65 dB, but does not exceed 75 dB, the project will have to incorporate noise attenuation measures (see <https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control/> for more information) as part of the scope of work.
 - b. When revisions are received, include DNL calculation with revised scope of work with noise attenuation measures with Noise worksheet.
 - c. If the decibel level exceeds 75 dB, then an Environmental Impact Statement is required.
 - d. ***KHC strongly recommends that alternative sites be considered if noise levels exceed 65 dB.***

P. Sole Source Aquifers (50/58)

- 1) This related law and authority is not applicable to the State of Kentucky, as there are no sole source aquifers in the state); therefore, no compliance or mitigation is required for any project.
- 2) A map is still required to be included with the Environmental Review Record to document that there are no sole source aquifers are located in Kentucky.
 - a) Download the [KY Sole Source Aquifers Map](#) from the HCA Partner Agency Portal under the Homebuyer Development (HOME/AHTF) header, HOME Environmental Review Documents subheader.
 - b) Upload the map to the Compliance Determination section and write "There are no sole source aquifers in Kentucky," after the auto-generated language.

Q. Wetlands Protection (50/58)

- 1) Complete section "1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance?"
 - a) If the project is only the acquisition, rehabilitation, and resale of an existing home with no ground disturbance, select "No" and write "The project consists of the acquisition, rehabilitation, and resale of an existing single-family detached home." after the auto-generated language in the Compliance Determination section.
 - b) Select "Yes" for new construction
 - i) Go to USFWS wetlands mapping website:
<https://www.fws.gov/wetlands/Data/Mapper.html>.
 - ii) Click on "Find Location" in the toolbar and enter the property address.
 - iii) Click the "Measure" tool then click the location button (the right icon) to mark the center of the project site on the map.
 - iv) Click on "Print" in the toolbar to print out a map (or save as a PDF) to show nearest wetland to site entering the site address on the title bar.
 - v) Is the property located in a wetland?
 - (1) If no, the project is in compliance with this related law and authority. Upload PDF the map with the project site marked on it in the Compliance Determination section and write "Per the USFWS Wetlands map, there are no wetlands on the project site." after the auto-generated language..
 - (2) If yes, consult with KHC because the 8-step process must be followed, as outlined below. Go to <https://www.hudexchange.info/resource/3190/floodplain-management-8-step-decision-making-process/> for additional information about the 8-step process.
 - (a) Issue a public notice regarding the proposed project to be located in a floodplain to be posted for a minimum of 15 days. Public notice is to be printed in the local paper to be printed once at the beginning of the public notice period, sent to local, state and federal agencies involved with floodplain management and wetlands protection. and posted at public buildings in the community affected by the project.
 - (b) Identify and evaluate alternatives to locating the project in a wetland.
 - (c) Identify and evaluate the direct and indirect impacts to the wetland associated with the project
 - (d) Design and/or modify the project to minimize potential adverse effects
 - (e) Re-evaluate the proposed project to determine if still practical given proposed impacts and alternative sites
 - (f) If re-evaluation determines no practical alternative to locating the project in the wetland, issue a final public notice providing the reasons why the project must be located in the wetland and mitigation measures to be taken. See public notice procedure at 4.12.2.1.
 - (i) For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

- (ii) Upload all documentation from each step of the process to the Compliance Determination Section and include a detail narrative after the auto-generated language

R. Wild and Scenic Rivers Act (50/58)

- 1) This related law and authority applies to federally designated Wild and Scenic Rivers **and** rivers listed on the Nationwide Rivers Inventory.
- 2) There is only one Wild and Scenic River in Kentucky: 19.4 miles of the Red River in Wolfe County.
 - a) Boundaries of Wild & Scenic portions of the Red River:
 - i) Western: the confluence with Schoolhouse Branch adjacent to Hwy. 613 (N. Fork Road) at the coordinates of [37.844048, -83.675812](#).
 - ii) Eastern: Hwy 746 bridge northwest of Trent at the coordinates of [37.798754, -83.489493](#).
 - b) Go to <https://www.rivers.gov/river/red> for a map of the protected portions of the river.
 - i) Determine the distance of your project property to the Wild and Scenic portions of the Red River.
 - (a) Using Google Maps, enter the property address.
 - (b) Zoom map to the closest level where both the property and the Red River are in view.
 - (c) Right click on property and select “measure distance.”
 - (d) Left click on the nearest part of the Wild & Scenic portions of the Red River. Distance will appear in a pop-up box on the map.
 - (e) Print the page for scanning or save page as a PDF.
 - ii) Is your property within a ½ mile of the Red River?
 - (1) If no, your project is in compliance with the Wild and Scenic Rivers portion of the related law and authority. In the Compliance Determination section upload both the map showing the distance from your project site to the Red River and the [Red River Kentucky NWSRS Map](#) (download from the HCA Partner Agency Portal under the Homebuyer Development (HOME/AHTF) header, HOME Environmental Review Documents subheader).
 - (2) If yes, consultation must be initiated with the regional representative from the National Parks Service (NPS) about the potential impact of the project on the river as specified in section 4 below.
 - c) If it is not near the Red River go to <https://www.rivers.gov/kentucky.php> and print or save the screen as PDF to demonstrate that your project is not near a Wild and Scenic River. Upload the printout of this map and screen with the Wild and Scenic Rivers worksheet.
- 3) Search for rivers in the National Rivers Inventory near your project.
 - a) Go to <https://www.nps.gov/subjects/rivers/nationwide-rivers-inventory.htm> and click on the map to access the searchable, interactive map.
 - i) If there are issues with this website, you can also use the ArcGIS Nationwide Rivers Inventory Official searchable map found at <https://www.arcgis.com/home/webmap/viewer.html?useExisting=1&layers=105a104d5a3043b0ba2a25e31ecf3ff1>. This map is an easiest way to document the distance to the nearest Nationwide Rivers Inventory body.

- b) Enter your project address in the search bar.
 - c) Zoom the map out to the 3000 ft. level.
 - i) Are there any National Rivers Inventory bodies near your project? (they are highlighted in blue on the map)
 - (1) If no, print or save as PDF a copy of the map with the address clearly visible in the search box.
 - ii) If yes, Determine the distance of your project property to the National Rivers Inventory river(s)
 - (a) Using Google Maps, enter the property address.
 - (b) Zoom map to the closest level where both the property and the river (s) are in view.
 - (c) Right click on property and select “measure distance.”
 - (d) Left click on the nearest part of the Nationwide Rivers Inventory body. Distance will appear in a pop-up box on the map.
 - (e) You can also use the measure tool at <https://www.arcgis.com/home/webmap/viewer.html?useExisting=1&layers=105a104d5a3043b0ba2a25e31ecf3ff1> to document the distance to the nearest Nationwide Rivers Inventory body.
 - iii) Print the page for scanning or save page as a PDF.
 - iii) Is your property within a ½ mile of a National Rivers Inventory body?
 - (1) If no, your project is in compliance with the Wild and Scenic Rivers portion of the related law and authority. Include the map showing the distance to the Red River with your Wild and Scenic Rivers worksheet.
 - (2) If yes, consultation must be initiated with the regional representative from the National Parks Service (NPS) about the potential impact of the project on the river as specified in section 4 below.
- 4) Consultation with the National Park Service if your project is within ½ mile of the Red River or a National Rivers Inventory River.
- c) Contact the regional representative from the National Parks Service (NPS) to initiate consultation about the potential impact of the project on the river. Include a brief description of your project in an email to NPS.
 - d) As of June 2020, the regional NPS representative is:
 - Jeffrey R. Duncan, PhD
 - National Park Service-Southeast Region
 - Science and Natural Resources Division-Fisheries and Aquatic Resources
 - 100 West Martin Luther King, Jr. Blvd Suite 215
 - Chattanooga, TN 37402
 - 423-987-6127
 - Jeffduncan@nps.gov

You can verify NPS Wild and Scenic Rivers contact name at <https://www.nps.gov/orgs/1912/contactus.htm>.
 - e) If the Park Service representative does not respond within 30 days, approval is assumed.
 - f) Upload correspondence with NPS to document compliance in the Compliance Determination section and include a description of the results of the consultation after the auto-generated language.

S. Environmental Justice (50/58)

- 1) After completing all other worksheets, have any adverse environmental impacts been identified that would affect a low-income or minority community?
 - a) If no, the project is in compliance with this related law and authority.
 - b) If yes, compliance with Environmental Justice would be necessary.
 - i) To determine if the project is located in a low-income or minority community, go to <https://ejscreen.epa.gov/mapper>.
 - (i) Enter the project address into the search tool bar to zoom into the location of the project.
 - (ii) Click the "Add Maps" button on the toolbar.
 - (iii) Click "EJSCREEN Maps", click "Demographic Indicators" and then click "Demographic Index" then click "Add to Map".
 - (iv) If the project is in an area above the 50th percentile, then compliance with this statute is necessary.
 - ii) If a low-income or minority community is negatively and disproportionately affected (compliance with statute is required), community engagement is required that achieves meaningful participation. Meaningful participation includes the following:
 - (1) decision makers seeking out and facilitating involvement of those potentially affected;
 - (2) people having an opportunity to participate early in the scoping and alternatives development process; and
 - (3) the public's contribution having the ability to influence the Responsible Entity's or HUD's decision.
 - iii) After defining the geographic boundaries of the impacted area, gather information on the community and the impact of the project through meaningful community participation. Existing forums, such as resident or neighborhood meetings, zoning hearings, or consolidated planning efforts can be used for community outreach.
 - iv) Through community engagement with the affected community, negotiation of mitigation efforts to address the Environmental Justice Impact Mitigation measures should be worked out with the affected community. Mitigation could include a variety of activities and approaches, based on the community's values and needs. Intangible mitigation may not directly equate to the adverse impact. Any balancing of indirect or compensatory mitigation for impacts should only be done in partnership with the affected residents
 - v) The Environmental Review Record should show that Environmental Justice is included as part of the environmental review, and that findings of the Environmental Justice analysis are included and supported with documentation. The decision should be reasonable-not arbitrary and capricious. A finding of Environmental Justice is not automatic project elimination- mitigation and alternative sites are always options.