



**U.S. Department of Housing and Urban
Development**

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

Project Information

Project Name: Spring Branch, Kelse Holland Fork and Becky Patton Water Line Project

Responsible Entity: City of Campton

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: KY201908081084

Preparer: Lisa Napier

Certifying Officer Name and Title: Katherine May, Mayor

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable):

Direct Comments to:

**Lisa Napier
KY River Add
941 N. Main Street
Hazard, KY 41701
lisa@kradd.org**

Project Location: Spring Branch Road, Pryce Fork, Kelse Holland Fork Road, Becky Patton South in Campton, KY 41301

GPS Coordinates: Latitude: 37°40'03"N Longitude: -83°26'46"W; Latitude: 37°39'48"N

Longitude: -83°26'38"W; Latitude: 37°42'00"N Longitude: -83°28'13"W; Latitude: 37°40'36"N

Longitude: -83°28'14"W

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

This project will extend water into an unserved area of The City of Campton. The City will construct 12,123 linear feet of 3” PVC and 5,981 linear feet of 4” PVC waterline, as well as 450 linear feet of 6” HDPE Directional Drill along Spring Branch Road, Pryce Fork, Kelse Holland Fork Road, and Becky Patton South of Campton. Additionally, the project will install eight flushing hydrants, four 4” gate valves and boxes, six 3” gate valves and boxes, and two combination air relief valves. There are 19 households in the project area that will now have access to new potable water service. These households are currently depending on well water which can be unreliable and fail at any time. Wells can become contaminated from outside sources and make the water unsafe for consumption and use. The unreliability of the wells can lead to customers having to purchase bottled water for drinking, cooking, and other day-to-day tasks. By constructing the new waterlines these households will be provided with healthy, reliable, and potable water.

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

The residents in this project area currently have well water which is subject to going dry during summer droughts. Many of these wells are influenced from mining seepage and other contaminants. The project will provide a safe reliable source of water for drinking, cooking and bathing. The project will improve the overall health of the residents in the project area.

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

The project is located in Wolfe County, Kentucky in various locations. The project will provide first time potable water service to 19 households in the project area. There will be some ground disturbance with this project, mostly in highway right of way which has been previously disturbed.

Funding Information

Grant Number	HUD Program	Funding Amount
ARC 19A-048		\$600,000.00

Estimated Total HUD Funded Amount: \$ 600,000.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$600,000.00

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

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

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

Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<i>There are no airports on or near any of the proposed project areas. No Impact.</i>
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Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<i>Campton, Wolfe, Kentucky has no Coastal areas. No Impact.</i>
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Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<i>The City of Campton does participate in the National Flood Insurance Program. The City of Campton has completed the eight-step process per the required 24 CFR 55 since a section of the water project appears to be located within the bounds of the 100-year floodplain. The Floodplains and Wetlands Early Public Notice was originally supposed to be ran in the April 3rd, 2020 edition of the Wolfe County News but wasn't ran until the April 10th, 2020 edition. Therefore, the Floodplains and Wetlands Early Public Notice ran in the May 1st, 2020 edition of the Wolfe County News with a note at the bottom explaining that in order to comply with federal guidelines this is a supplemental notice to the original Floodplains and Wetlands Early Public Notice that ran in the April 10th, 2020 edition of the Wolfe County News. The Floodplain and Wetland Notice of Explanation ran in the, 2020 edition of the Wolfe County News. No public comments were received.</i>
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STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5

<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>The project was submitted for comments on May 18, 2020 and no comments have been received at this time. This project will follow all NAAQS and local government regulations. The following strategies will be utilized: Utilizing alternatively fueled equipment. Utilizing other emission controls that are applicable to the equipment utilized in the project. Reducing idling time on equipment.</i></p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>There are no coastal areas within Campton, Wolfe County, Kentucky. No Impact.</i></p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>The US EPA web site database was searched in order to identify any listed contamination areas, none were noted. No Impact.</i></p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>No Impact. According to Jennifer Garland letter dated February 28,, 2020, “Significant impacts to federally-listed species are not likely to result from this project as currently proposed.”</i> <i>According to Dan Stoelb, KDFWR, in a letter dated March 25, 2020 indicated “due to the location and nature of the project, KDFWR does not anticipate impacts to federally or state-listed threatened/endangered species, critical habitats, unique natural areas, or any other sensitive habitats.” To minimize indirect impacts to the aquatic environment, the KDFWR recommends that erosion control measures be developed and implemented prior to construction to reduce siltation into waterways located within the project area. Such erosion control measures may include, but are not limited to silt fences, staked straw bales, brush barriers, sediment basins, and diversion ditches. Erosion control measures will need to be installed prior to construction and should be inspected and repaired regularly as needed”.</i></p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>No Impact. There will no above ground storage tanks with explosive and/or flammable materials on or near the project.</i></p>

<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>No impact. Per letter dated 3/31/2020 from Perri Pedley, Soil Scientist, NRCS, “no conversion of agricultural lands (Prime or Statewide Important Farmland) will occur or be negatively impacted by the proposed undertaking. Therefore, this office has no other concerns at this time.”</i></p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>No Impact. Per DOW comments dated 9/12/2019 “This proposed project does not require a Kentucky DOW Application for Permit to Construct Across or Along a Stream.” Per Army Corps of Engineer comments dated 6/1/2020 “Based on the submitted statement that all crossings will be directional bore, it does not appear that a permit would be required for this project.” The City of Booneville has completed the eight-step process per the required 24 CFR 55 since a section of the water project appears to be located within the bounds of the 100-year floodplain. The City of Booneville does participate in the National Flood Insurance program. The Floodplain and Wetlands Early Public Notice ran in the April 1, 2020 edition of the Booneville Sentinel. The Floodplain and Wetland Notice of Explanation ran in the April 29, 2020 edition of the Booneville Sentinel. No public comments were received.</i></p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>No Impact. Per letter dated 4/17/2020 Craig A. Potts, Executive Director and SHPO, “Our review indicates that the proposed project will not impact any properties or sites that are listed in or eligible for the National Register of Historic Places.”</i></p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>The project is not located in a high noise area. The project will have minimal and limited noise due to construction equipment. The construction will be carried out in order to minimize the potential impact.</i></p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>No Impact. There were no sole source aquifers identified by the City of Booneville during field visits, or according to any records obtained from state or federal resources.</i></p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>No Impact. There were no wetlands located near the identified project area. The City of Booneville has completed the eight-step process per the required 24 CFR 55 since a</i></p>

		<i>section of the water project appears to be located within the bounds of the 100-year floodplain. The City of Booneville does participate in the National Flood Insurance program. The Floodplain and Wetlands Early Public Notice ran in the April 1, 2020 edition of the Booneville Sentinel. The Floodplain and Wetland Notice of Explanation ran in the April 29, 2020 edition of the Booneville Sentinel. No public comments were received.</i>
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<i>No Impact. There are no wild and scenic rivers located in the project area or in Owsley County, Kentucky.</i>
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<i>No Impact. The project will benefit all area residents regardless of any protected class. The City of Booneville is an equal opportunity provider and will serve all potential customers equally.</i>

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

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		

Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The City of Booneville has no zoning ordinance in place. The project is anticipated to have a positive impact to the proposed area by improved sewer service.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The project has some areas of moderate to steep slope. Appropriate erosion control measures and silt barriers will be utilized to minimize potential impacts.
Hazards and Nuisances including Site Safety and Noise	2	Any construction along state and county road right-of-way must have adequate safety measures in place to protect motorists and construction workers.
Energy Consumption	2	The project is located in a rural city area. No impact anticipated. The contractor must use EPA compliant equipment during construction activities.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	The availability of a dependable wastewater system has the potential of increasing the economic development in the community.
Demographic Character Changes, Displacement	2	No Impact. The project will not displace any families nor will it require residents to relocate.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	1	With a dependable wastewater system, school age children will have improved learning abilities.
Commercial Facilities	2	There are no commercial facilities located in the project area. No Impact.
Health Care and Social Services	1	A safe, reliable wastewater system will improve the overall health of area residents located in the project area.
Solid Waste Disposal / Recycling	2	All federal and state regulations will be followed in the disposal of any generated solid waste. No Impact.
Waste Water / Sanitary Sewers	1	The project will improve the existing waste water systems in Owsley County by rehabilitating the system.

Water Supply	2	The project will not impact existing water system in Owsley County, Kentucky.
Public Safety - Police, Fire and Emergency Medical	2	The project is located within a rural area with access to adequate policing services, fire services, and emergency services. The project will not impact emergency services to area residents.
Parks, Open Space and Recreation	1	The project will have minor beneficial impact as it will improve waste water services to parks, open space and recreation for area residents.
Transportation and Accessibility	2	The contractor(s) must comply with all safety regulations and assure adequate measures for traffic and workers.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	1	There are no unique natural features located at the project site or within close proximity to the project site. The waste water system in the area will improve as the project will rehabilitate the existing system.
Vegetation, Wildlife	2	According to Jennifer Garland letter dated March 30, 2020, "Significant impacts to federally-listed species are not likely to result from this project as currently proposed." No Impact Anticipated.
Other Factors	2	No other factors have been identified.

Field Inspection (Date and completed by): **February 18, 2020 by Ken Reid, Nesbitt Engineering**

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

- KY State Clearing house, Lee Nalley
- Department for Environmental Protection, Louanna Aldridge
- DOW, Daniel Fraley
- US Fish and Wildlife, Jennifer Garland
- Natural Resources Conversation Services, Perri Pedley
- State Historic Preservation Officer, Craig A. Potts
- Division of Waste Management
- KY Division of Water, Chloe Brantley
- KY Infrastructure Authority, Don Schierer
- KY River ADD, Jennifer McIntosh
- KY Transportation Cabinet, Jason Blackburn
- KY Heritage Council, Yvonne Sherrick
- Division of Water, Benjamin Currens.
- KY Fish and Wildlife, Dan Stoelb

- Division of Enforcement, Tim Harrod
- Army Corps of Engineers, Justin Branham

Public Outreach [24 CFR 50.23 & 58.43]:

- April 3, 2020 Floodplains and Wetlands Early Public Notice Activity in a 100-year Floodplain
- April 29, 2020 Floodplain and Wetland Notice of Explanation Activity in a 100-year Floodplain

Cumulative Impact Analysis [24 CFR 58.32]:

It is highly anticipated that the project will have a positive impact on the proposed area by providing dependable waste water system for homes and businesses. The City of Booneville has determined that the project will have no significant impact on the human environment. Erosion and sedimentation control will be required as needed. No significant adverse impacts to federally listed endangered or threatened species are anticipated.

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

Alternative 1: Do nothing-risk pump failure(s) resulting in sanitary sewer overflows in violation of KPDES wastewater permit conditions and producing negative environmental impacts.

Alternative 2: Rehab individual pump stations as City budget allows. This would not be feasible as the budget would not allow for multiple pumps to be rehabbed.

Alternative 3: Eliminate pump stations and replace with gravity system. This would not be feasible because of the excessive expense.

No Action Alternative [24 CFR 58.40(e)]: This is the least preferred alternative of doing nothing. Due to age and use, pump stations need to be rehabbed to ensure proper operation and prevent overflows.

Summary of Findings and Conclusions: The proposed project will have an overall positive environmental impact. All required mitigation actions must be strictly adhered to.

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

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

Law, Authority, or Factor	Mitigation Measure
KY Fish and Wildlife	<i>Prior to construction erosion control measures must be developed and implemented to reduce siltation into waterways located within the project area. Erosion control measures may include, but not limited to silt fences, staked straw bales, brush barriers, sediment basins, and diversion ditches.</i>

Determination:

Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27]
 The project will not result in a significant impact on the quality of the human environment.

Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27] The project may significantly affect the quality of the human environment.

Preparer Signature: _____ Date: _____

Name/Title/Organization: _____

Certifying Officer Signature: _____ Date: _____

Name/Title: _____

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