



U.S. Department of Housing and Urban Development
451 Seventh St., SW
Washington, D.C. 20410
www.hud.gov
espanol.hud.gov

Attachment 2-12
Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58

Project Information

Project Name: City of Caneyville Water System Improvements

Responsible Entity: City of Caneyville, KY

Grant Recipient (if different than Responsible Entity): n/a

State / Local Identifier: SAI: KY201905240722; KYCDBG#: 19-028

Preparer: Ashley Willoughby, Lincoln Trail Area Development District

Certifying Officer Name & Title: James Embry, Mayor, City of Caneyville

Grant Recipient (if different than Responsible Entity): n/a

Consultant (if applicable): Lincoln Trail Area Development District
P.O. Box 604
Elizabethtown, KY 42702-0604

Direct Comments to:

The City of Caneyville, KY
P.O. Box 69
Caneyville, KY 42721
Ph: 270-879-9701
Email: clerk@cityofcaneyville@yahoo.com

ENVIRONMENTAL REVIEW RECORD

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Environmental Assessment

Project Location: 304 East Maple Street, City of Caneyville, KY 42721

Description of the Proposed Project (24 CFR 50.12 & 58.32; 40 CFR 1508.25): The City of Caneyville is proposing to replace existing aging and problematic cement-asbestos water mains in the City. The proposed improvements will replace existing parts of the original water distribution system that includes old water mains that are composed of asbestos cement materials. The replacement will include the installation of new mains within the City. The new mains will reduce water loss from leaking and problematic mains and eliminate the need for working on or repairing the potential dangerous asbestos lines that require special care during repairs. The project is proposing to utilize funding from USDA Rural Development Water and Wastewater Loan and Grant program and Community Development Block Grant. The proposed improvements are planned for the spring and summer of 2021.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: The current water main distribution system in the City has a large amount of asbestos cement lines installed as part of the original system in the late 1960's and early 1970's. The mains are now deteriorating and are prone breaks and leaks that contribute to high water loss and costly repairs. Repairs to breaks and leaks (when they can be found) require special techniques to safely handle the material. Breaks also lead to costly disruptions in service for residents and businesses in the City. Since Caneyville purchases all their water from a wholesale supplier, the water loss is both detrimental to the City's financial condition and the local environment. Replacement will reduce these effects greatly and help the City to continue to provide vital services to the public.

Existing Conditions and Trends [24 CFR 58.40(a)]: The City of Caneyville is a small community of approximately 600 persons in Central Kentucky. The City's central distribution system is nearing its useful life and needs replacement. The system is primarily residential and small business with no industry or high-water users. The City does not foresee any significant growth or decline.

Alternatives Considered: The City reviewed the possibility of replacing smaller portions as they break or during a much longer time-frame, as funds allow. This alternative appears to be more expensive, less efficient, and less impactful.

Funding Information

16.214 HUD Program
Community Development Block Grants/State's Program

Estimated Total HUD Funded Amount: \$507,000

Estimated Total Project Cost (HUD and non-HUD funds)[24 CFR 58.32(d)]:
\$1,507,000: \$507,000 in CDBG and \$1,000,000 in USDA RD funding

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 or approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24CFR 58.5 & 58.6	Are formal compliance steps or mitigation required?	Compliance Determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24CFR 50.4 AND 58.6		
Airport Hazards 24 CFR Part 51 subpart D	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No commercial or military airfields are within 25 miles of the project area.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No impacts to Coastal Barrier Resources are anticipated as there are no coastal areas present in Kentucky.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5145a]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The City participates in the NFIP and minimal improvement activities are proposed in the floodplain.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24CFR 50.4 AND 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, & 93	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Project is not located in an area of air quality concern (see Map Exhibit). Project activities are not designed to emit any regulated air pollution.
Coastal Zone Management Coastal Zone Management Act, sections 307 (c) & (d)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No coastal zones present (see Map Exhibit).
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.(i)(2)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Project will not disturb or contact any known contaminated or toxic substances or sites. (see EPA Enviro data)
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No impacts to locally threatened or endangered species (see Federal Consultations -US Fish & Wildlife Service).
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	A review of the project area indicated no known above ground explosive or flammable hazards present.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) & 1541; 7 CFR Part 658	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Since the project takes place in an urbanized environment, no impacts to Prime Farmlands are anticipated. (see Federal Consultations – USDA Soil Conservation Service).
Floodplain Management Executive Order 11988, particularly sections 2(a); 24 CFR Part 55	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	A review of FIRM mapping indicates a portion of the project area is within the 100 year floodplain (see mapping – firmette). The City will review alternatives.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Project activities should not impact known historic resources. (see Federal Consultations -State Historic Preservation Office)
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Review of project activities indicates no noise disruption, except for minor construction noise during normal working hours. Outside noise

Communities Act of 1978; 24 CFR Part 51 Subpart B		will not impact the project. No railways or noise generating land uses are located in the community.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	A review of sole source aquifers in the region indicates none are present in the project area (see Map Exhibit- Sole Source Aquifers).
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	A review of mapped wetlands indicates no impacts in the project area (see Mapping Exhibit & Federal Consultations - US Fish & Wildlife)
Wild and Scenic Rivers Wild and Scenic Rivers Act of 108, particularly section 7(b) and (c)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	A review of Wild and Scenic River areas in KY revealed no potential impact to Wild and Scenic Rivers, or KY Wild Rivers (see Map Exhibit and Federal Consultations – US Fish & Wildlife).
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	A review of US Census demographic information indicated no disparate impact to any minority or low-income groups. There are no residential concentrations adjacent to the project site. It is expected that all residents will benefit from replacements to the system as a whole.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 150.27] 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 impacts 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	2	The City of Caneyville does not have local planning or zoning. Review of local land uses revealed no conflicts (see Local Consultations).
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	1	Best Management Practices will be followed during construction to prevent any runoff. Project expects to improve storm water runoff into the sanitary sewer system (see Local Consultations).

Hazards and Nuisances including Site Safety and Noise	2	Temporary construction activities will be marked and protected from public access. (see Local Consultations).
Energy Consumption	1	The proposed project is expected to result in more efficient wastewater treatment plant operations due to a reduction in infiltration and inflow, reducing operational time. (see Local Consultations)

SOCIOECONOMIC

Employment and Income Patterns	2	The project is not expected to impact employment or income in any significant way other than to help hold wastewater treatment costs lower for the community (see Local Consultations).
Demographic Character Changes, Displacement	2	The project is not expected to result in any impact to local demographics and will not displace any households or businesses (see Local Consultations).

COMMUNITY FACILITIES AND SERVICES

Educational and Cultural Facilities	1	No impacts are anticipated to educational and cultural facilities (see Local Consultations).
Commercial Facilities	1	The project is expected to have no impact on commercial facilities except to insure provision of water services within the City (see Local Consultations).
Health Care and Social Services	2	The project is not expected to have any direct impact to health care or social services (see Local Consultations).
Solid Waste Disposal / Recycling	2	The project is not expected to generate any solid waste or recyclable material (see Local Consultations).
Waste Water / Sanitary Sewers	1	The project is expected to have little to no impact to the wastewater system. Some infiltration and inflow may be reduced from leaking waterlines.
Water Supply	1	The project is expected to have a beneficial impact to the water quality due to reduced water loss and a more efficient system. (see Local Consultations).
Public Safety Police	2	No impacts are anticipated to public safety resources (see Local Consultations).
Fire	2	No impacts are anticipated to public safety resources (see Local Consultations).
Emergency Medical	2	No impacts are anticipated to public safety resources (see Local Consultations).
Open Space and Recreation Open Space	2	No impacts are anticipated to open space resources (see Local Consultations).
Recreation	1	No impacts are anticipated to recreational resources (see Local Consultations).
Transportation and Accessibility	2	No impacts are anticipated to transportation facilities or accessibility (see Local Consultations).

NATURAL FEATURES

Unique Natural Features, Water Resources	2	No unique natural features have been identified as potentially impacted. Water resources may benefit from reduced finished water introduced into the environment from leaks (see Local Consultations).
Vegetation and Wildlife	2	Since all project areas are previously disturbed ground in the existing community, no impacts to vegetation and wildlife are anticipated (see Local Consultations).

Other Factors	2	No other federal, state, or local Factors have been identified. (see Local Consultations)
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Additional Studies Performed: Preliminary Engineering Report – Water Management Services, Inc.

Field Inspection (Date and completed by): Multiple site visits Ashley Willoughby, LTADD Water Resource Coordinator during 2018 and 2019.

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

Local Consultations- Caneyville Mayor James Embry; Jacob Crume, Caneyville Public Works; Roger Boyers, P.E., Water Management Engineers; Ashley Willoughby, LTADD Water Resource Coordinator; Kevin Shaw, Grayson County Water District

List of Permits Obtained: pending any Section 404 requirements and KYTC Encroachment needed.

Public Outreach [24 CFR 50.23 & 58.43]: The project has been discussed at numerous City Council meetings and a Public Hearing for CDBG funding in 2018 and 2019.

Cumulative Impact Analysis [24 CFR 58.32]: No cumulative effects have been noted from past, present, or future impacts. Overall, the project should be beneficial to the human and natural environment.

Alternatives Considered [24 CFR 58.40(e); 40 CFR 1508.9]: Replacement of asbestos cement lines as they break (one at a time) would be highly inefficient and costly and pose continued technical and safety problems for staff.

No Action Alternative [24 CFR 58.40(e)]: Doing nothing will result in continued high water loss, costly repairs, potentially dangerous tasks for staff and poor system efficiency.

Summary of Findings and Conclusions: The proposed project should provide an overall benefit to the community by providing a more reliable, safer, and efficient distribution system for public water.

Mitigation Measures and Conditions [40 CFR 1505.2(c) 1]

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

No mitigation measures have been identified.

Determination:

XX

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)(1); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: _____ Date: _____

Name / Title / Organization: Ashley Willoughby / Community Development Specialist / Lincoln Trail

Area Development District

Certifying Officer Signature: _____ Date: _____

Name / Title / Organization: James P. Embry / Mayor / City of Caneyville, KY

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: 24CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program.

ENVIRONMENT REVIEW STATUS

Caneyville Water System Improvements Project CDBG# 19-028

Exempt

- Administrative activities necessary to ensure compliance with applicable regulations
- Environmental review
- Engineering / Planning

Categorically Excluded

- Interim financing / RD Loan application

Assessment (project activities aggregated for environmental assessment)

- Replacement, repair, upgrade of existing water main facilities (replacement of 4 & 6 inch water mains and appurtenances)

Environmental Certifying Officer

Date



MATTHEW G. BEVIN
GOVERNOR

DEPARTMENT FOR LOCAL GOVERNMENT
OFFICE OF THE GOVERNOR
100 AIRPORT ROAD, 3rd FLOOR
FRANKFORT, KENTUCKY 40601-8204
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WWW.kydlgweb.ky.gov

SANDRA K. DUNAHOO
COMMISSIONER

June 20, 2019

Ms. Connie Gootee
City of Caneyville
P.O. Box 69
Caneyville, KY 42721

RE: Caneyville Water System Rehabilitation
WX21085035
SAI# KY201905240722
CFDA# 10.760, 14.228

Dear Ms. Gootee:

The Kentucky State e-Clearinghouse is the official designated Single Point of Contact (SPOC) for the Commonwealth pursuant to Presidential Executive Order 12372, and supported by Kentucky Statutes KRS 45.03. The primary function of the SPOC is to streamline the review aforementioned process for the applicant and the funding agency. This process helps in vocalizing the statutory and regulatory requirements. Information in the form of comments, if any, will be attached to this correspondence.

This proposal has been reviewed by the appropriate state agencies in the e-Clearinghouse for conflicts with state or local plans, goals and objectives. After receiving this letter, you should make it available to the funding agency and continue with the funding agencies application process. This e-clearinghouse SPOC letter signifies only that the project has followed the state reviewing requirements, and is neither a commitment of funds from this agency or any other state or federal agency. Please remember if any federal reviews are required the applicant must follow through with those federal agencies.

The results of this review are valid for one year from the date of this letter. If the project is not submitted to the funding agency or not approved within one year after the completion of this review, the applicant can request an extension by email to Lee.Nalley@ky.gov. If the project changes in any way after the review, the applicant must reapply through the eclearinghouse for a new review. There are no exceptions.

If you have any questions regarding this letter or the review process please contact the e-Clearinghouse office at 502-573-2382, ext. 274.

Sincerely,

A handwritten signature in blue ink that reads "Lee Nalley".

Lee Nalley, SPOC
Kentucky State Clearinghouse

Attachment

Department for Environmental Protection

Louanna Aldridge

Joel Murphy - Endorse with Comments The proposed project is subject to Division of Water (DOW) jurisdiction because the following are or appear to be involved: water lines and appurtenances. Prior approval must be obtained from the DOW before construction can begin. The applicant must cite the State Application Identifier (SAI #KY201905240722) when submitting plans and specifications.

The City of Caneyville is proposing to replace several existing water lines within the city, most of which are suspected to be aging asbestos concrete lines. The replacement will provide increased reliability, reduce water loss, and make normal repairs and connections safer and easier to complete. The replacements will include approximately 23,100 linear feet of 6-inch water lines and approximately 5,250 linear feet of 4-inch water line. The project will also replace any existing hydrants and valves that are not functioning properly as well as cap abandoned lines. Expected replacements will be along portions of South Main, Cherry, Morgantown Road, Center Street, Mill Street, East Maple, North Main, Walnut Grove Road, Campbell Street, Watershed Road, and City Lake Road.

There are no objections to the proposed project. Plans and specifications along with hydraulic analysis (replacement of same size, length and pipe materials, only hydraulic calculation may be waived) of the proposed project must be submitted to the DOW's Water Infrastructure Branch by a registered professional engineer in Kentucky. The applicant must receive a written approval from the DOW prior to the beginning of the construction. Questions should be directed to Abbas Pourghasemi, Engineering Section, (502) 782-7041, Abbas.Pourghasemi@ky.gov.

This project will help to improve system capacity. There are no concerns with proposed project; however, the deficiency noted as a result of the most recent Sanitary Survey (March 2019) will need to be addressed. Additionally, recommendations listed within the Sanitary Survey results letter (dated April 16, 2019) are highly advised. Questions should be directed to Jennifer Taimi, Municipal Planning Section, (502) 782-7087, Jennifer.Taimi@ky.gov.

Best management practices should be utilized to reduce runoff from project construction activities into nearby waters. Questions should be directed to Andrea Fredenburg, Water Quality Branch, (502) 782-6950, Andrea.Fredenburg@ky.gov.

The proposed project is not within a designated Source Water Protection Area. The Water Supply Section strongly supports this project that prioritizes water loss, which is reportedly 28% for Caneyville Water System. Questions should be directed to Chloe Brantley, Water Supply Section, (502) 782-6898, Chloe.Brantley@ky.gov.

Endorse. Questions should be directed to Daniel Fraley, Field Operations Branch, (606) 783-8655, Daniel.Fraley@ky.gov.

The proposed work is endorsed by the Groundwater Section of the Watershed Management Branch. However, the proposed work is located in an area with a high potential for karst development where groundwater is susceptible to direct contamination from surface activities. It is our recommendation that proposed work be made aware of the requirements of 401 KAR 5:037 and the need to develop a Groundwater Protection Plan (GPP) for the protection of groundwater resources within that area. Questions should be directed to Kurtis Spears, Groundwater Section, (502) 782-7119, Kurtis.Spears@ky.gov or David Jackson, Groundwater Section, (502) 782-6986, DavidA.Jackson@ky.gov.

For pipeline stream crossings that are not covered under 401 KAR 4:050, a Kentucky DOW Application for Permit to Construct Across or Along a Stream must be submitted. Questions should be directed to Ron Dutta, Floodplain Management Section, (502) 782-6941, Ramendra.Dutta@ky.gov.

The Division of Enforcement does not object to the project proposed by the applicant. Questions should be directed to Tim Harrod, Division of Enforcement, (502) 782-6858, Timothy.Harrod@ky.gov.

If the construction area disturbed is equal to or greater than 1 acre, the applicant will need to apply for a Kentucky Pollutant Discharge Elimination System (KPDES) storm water discharge permit.

Utility line projects that cross a stream will require a Section 404 permit from the US Army Corps of Engineers and a 401 Water Quality Certification from DOW.

The Kentucky Division of Water supports the goals of EPA's Sustainable Infrastructure Initiative. This Initiative seeks to promote sustainable practices that will help to reduce the potential gap between funding needs and spending at the local and national level. The Sustainable Infrastructure Initiative will guide our efforts in changing how Kentucky views, values, manages, and invests in its water infrastructure. This website, www.epa.gov/waterinfrastructure/, contains information that will help you ensure your facility and operations are consistent with and can benefit from the aims of the Sustainable Infrastructure Initiative. Leslie Poff - Endorse with Comments 401 KAR 63:010, Fugitive Emissions, states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth-moving equipment to be deposited onto a paved street or roadway. Please note the Fugitive Emissions Fact Sheet located at <http://air.ky.gov/SiteCollectionDocuments/Fugitive%20Dust%20Fact%20Sheet.pdf>

401 KAR 63:005 states that open burning shall be prohibited except as specifically provided. Open Burning is defined as the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Brochure located at <http://air.ky.gov/Pages/OpenBurning.aspx>

The Division would like to offer the following suggestions on how this project can help us stay in compliance with the NAAQS. These air quality control strategies are beneficial to the health of citizens of Kentucky.

- ? Utilize alternatively fueled equipment.
- ? Utilize other emission controls that are applicable to your equipment.
- ? Reduce idling time on equipment.

The Division also suggests an investigation into compliance with applicable local government regulations.

Division of Enforcement

Tim Harrod

The Division of Enforcement does not object to the project proposed by the applicant.

Tim Harrod, Enforcement Specialist
Division of Enforcement
Timothy.Harrod@ky.gov

Division of Water
Andrea Fredenburg

Best management practices should be utilized to reduce runoff from project construction activities into nearby waters.

Division of Water
Abba Pourghasemi

No objections to the proposed project. Plans and specifications along with hydraulic analysis (replacement of same size, length and pipe materials, only hydraulic calculation may be waived) of the proposed project must be submitted to the Division of Water's Water Infrastructure Branch by a registered professional engineer in Kentucky. Must receive a written approval from the Division of Water prior to the beginning of the construction.

Division of Water
Jennifer Taimi

This project will help to improve system capacity. No concerns with proposed project; however, the deficiency noted as a result of the most recent Sanitary Survey (March 2019) will need to be addressed. Additionally, recommendations listed within the Sanitary Survey results letter (dated April 16, 2019) are highly advised.

DOW
Daniel Fraley

Endorse

Fish and Wildlife
Dan Stoelb

Based on the information provided, the Kentucky Department of Fish & Wildlife Resources has no comments concerning the proposed project. Please contact Dan Stoelb @ 502-892-4453 or Daniel.Stoelb@ky.gov if you have further questions or require additional information.

Kentucky Division of Water
Chloe Brantley

Project filed.

Kentucky Infrastructure Authority
Don Schierer

This project was reviewed in the WRIS Portal by KIA staff.

Kentucky Transportation Cabinet (4)

Kevin Young (D4)

If any work is to be performed on State right of way, the applicant must obtain the required encroachment permit before doing any work. Please contact Mr. Jake Riggs in the Permits Section of the Department of Highways, District Four Office in Elizabethtown at 270-766-5066.

KY Department of Housing Buildings and Construction

Duane Curry

The Kentucky Department of Housing, Buildings and Construction approves with no comments.

KY Division of Water

Allan Shingleton

For pipeline stream crossings that are not covered under 401 KAR 4:050, a Kentucky Division of Water Application for Permit to Construct Across or Along a Stream must be submitted. Questions should be directed to Ron Dutta at 502-782-6941 or Ramendra.Dutta@ky.gov.

The proposed project is not within a designated Source Water Protection Area. Questions should be directed to Chloe Brantley at 502-782-6898 or Chloe.Brantley@ky.gov.

The Water Supply Section strongly supports this project that prioritizes water loss, which is reportedly 28% for Caneyville Water System. Questions should be directed to Chloe Brantley at 502-782-6898 or Chloe.Brantley@ky.gov.

KY Heritage Council

Yvonne Sherrick

To receive a review from the KY Heritage Council/State Historical Preservation Office (SHPO) you must follow the instructions located on their website at <http://www.heritage.ky.gov/siteprotect/>. There you will find the required documents for the Section 106 Review and Compliance for 36 CFR Part 800. This Section 106 submission process to SHPO will assist applicants and agencies in providing the appropriate level of information to receive comments from SHPO. If you have any questions please contact Yvonne Sherrick, Administrative Specialist III, (502) 564-7005, Ext. 113, yvonne.sherrick@ky.gov.

Please note: If your project is funded through Transportation Alternative (TAP), Transportation Enhancements (TE), Congestion, Mitigation, Air Quality (CMAQ), or Safe Routes to School (SRTS) you will need to send this information to Michael Jones, Historic Preservation Program Administrator with the Kentucky Transportation Cabinet via email MichaelR.Jones2@ky.gov or hard copy to Michael Jones, Office of Local Programs, KY Transportation Cabinet, 200 Mero Street Frankfort, KY 40622. Do not send materials directly to SHPO if your project involves funding from these four sources as it will cause delays in the review process. Michael Jones will consult directly with the SHPO on projects with these funding sources to complete the Section 106 review.

KY. Division of Water

Kurtis Spears

The proposed work is endorsed by the Groundwater Section of the Watershed Management Branch. However, the proposed work is located in an area with a high potential for karst development where groundwater is susceptible to direct contamination from surface activities. It is our recommendation that proposed work be made aware of the requirements of 401 KAR 5:037 and the need to develop a Groundwater Protection Plan (GPP) for the protection of groundwater resources within that area. Questions should be directed to Kurtis Spears (502-782-7119) or Section Supervisor David Jackson (502-782-6986).

Lincoln Trail ADD

Mike Skaggs

Endorse

LOCAL / OTHER CONSULTATIONS

ENVIRONMENTAL ASSESSMENT

WATER SYSTEM IMPROVEMENTS PROJECT CDBG 19-028 WX21085035

Interviews/discussions conducted by Ashley Willoughby, Water Resource Coordinator, LTADD; Mayor James Embry; Mr. Roger Boyers, P.E., Water Management Services, Inc.; Mr. Jacob Crume, Public Works Director.; Ms. Connie Gootee, City Clerk; Mr. Joe Bailey, Water Management Services; Mr. Kevin Shaw, Grayson Co. Water District. Interviews were conducted in person and by telephone during Fall 2019 and Spring 2020.

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

Airport Hazards- No military or commercial aviation fields lie within 15,000 ft of the project area (Topographic mapping).

Coastal Barrier Resources- There are no coastal zones in KY.

Flood Insurance- The majority of Caneyville project facilities are not within the 100 year floodplain. A small section of piping crosses a floodplain (creek). Caneyville does participate in the NFIP. (FEMA Firmette Map)

Clean Air- The project is not anticipated to impact air quality. The project will not result in new emissions or be impacted by existing emissions (KY State Clearinghouse consultation; Non-attainment Air Quality map).

Coastal Zone Management- There are no coastal zones in KY.

Contamination and Toxic Substances- No known hazardous, toxic or radioactive materials are within or adjacent to the project site, except the asbestos cement lines being replaced. The project will produce no hazardous substances (based upon review of EPA listing of regulated facilities within community). The old lines will be marked and left in place and pose no friable air danger underground.

Endangered Species- The project is located in an urban area. No impact is anticipated to threatened or endangered species or habitats. An analysis of potential threatened or endangered species from US Fish & Wildlife consultation revealed no likely conflicts.

Explosive and Flammable Hazards- A visual review and inspection of the project area revealed no visible explosive or flammable hazards (no above ground storage tanks).

Farmlands Protection- The project is located within a previously developed urban area. No impact to prime farmlands is expected (US Soil Conservation Service consultation).

Floodplain Management- The project site is adjacent to and crosses the 100 year floodplain but it is not expected to impact flood prone areas (FEMA Firmette map). No new services will be added and will result only in replacement of existing lines.

Historic Preservation- The applicant consulted with the State Historic Preservation Office regarding potential historic properties and potential impacts. Due to the nature of the project (repair of existing sewer features within the current footprint), no impacts are anticipated to any historic resources (SHPO consultation).

Noise Abatement and Control- The project will not contribute significantly to community noise levels (temporary construction noise) and will not be adversely affected by any significant noise (Jacob Crume, Pub. Works; Roger Boyers, Water Management Services).

Sole Source Aquifers- There are no sole source aquifers in the project area (see EPA Region IV Sole Source Aquifers map).

Wetlands Protection- No known wetlands were identified within the existing sewer facilities slated for upgrade (US Fish & Wildlife Consultation, Wetlands mapping). No impacts are anticipated.

Wild and Scenic Rivers- No wild and scenic river areas were identified within the project area. No impacts are anticipated (Wild & Scenic River map).

Environmental Justice- The project will serve all populations equally and no population subgroups (low to moderate income or minority) or residential areas have been identified as being disparately impacted (US Census information).

State or Local Statutes—No conflicts have been identified with present statutes (Mayor James Embry, City Clerk Connie Gootee).

Environmental Assessment Factors

Conformance with Comprehensive Plans and Zoning-- The project will not change land uses and will complement existing land uses by improving sewer service within the existing sewer system. The City does not currently have formal planning or zoning (Mayor James Embry, City Clerk Connie Gootee).

Soil Suitability / Slope/ Erosion / Drainage / Storm Water Runoff- The project design will account for soil suitability, slope, erosion, and drainage. Best Management Practices (BMP's) will be utilized during construction to prevent erosion and runoff (State Clearinghouse consultation; Roger Boyers, P.E., Water Management Services).

Hazards and Nuisances, Including Site Safety—No hazards or nuisances have been identified in the project area or will result because of the proposed project (visual review, EPA Hazardous sites review).

Energy Consumption-- The project will result no new energy consumption. It is anticipated that the water distribution system may run more efficiently, reducing electrical demand for pumping from the source (Jacob Crume, Pub. Works Director).

Employment & Income Patterns - The proposed project should have no impact on employment or income patterns since it will not involve any new development (Ashley Willoughby, LTADD).

Demographic, Character Changes, Displacement- The project should have no impact on demographic or community character. No households or businesses will be displaced as a result of the project (Ashley Willoughby, LTADD).

Educational and Cultural Facilities- The proposed project should have a beneficial impact on educational or cultural facilities as the project will improve water service in the area. (Mayor James Embry, City Clerk Connie Gootee).

Commercial Facilities- Minor beneficial impact is anticipated to commercial facilities since more adequate water service will be available to businesses. (Mayor James Embry, City Clerk Connie Gootee).

Health Care and Social Services- No impact is anticipated to health care or social services or their delivery (Mayor James Embry, City Clerk Connie Gootee).

Solid Waste Disposal / Recycling-- No impact is anticipated, as the project will not generate any new waste (Mayor James Embry, City Clerk Connie Gootee).

Waste Water / Sanitary Sewers – The project is expected to have a potentially beneficial impact to the wastewater system by reducing inflow and infiltration from leaking finished water in the area (Roger Boyers, P.E., Water Management Services).

Water Supply – The project will improve water quality by reducing leaks and service disruptions from repairs and water loss (Ashley Willoughby, LTADD).

Police, Fire, & Emergency Medical - No impact is anticipated to any police, fire or public safety units. The project is not expected to create any new development (Mayor James Embry, City Clerk Connie Gootee).

Parks, Open Space and Recreation - The project is not expected to impact any open space, parks, or recreational areas within Caneyville (Mayor James Embry, City Clerk Connie Gootee).

Transportation and Accessibility - No impact is anticipated to any transportation facilities other than temporary work where sewer lines are adjacent to the roadway (Jacob Crume, Public Works Director).

Unique Natural Features and Water Resources—A review of the area and known water resources indicates the project is not expected to impact any unique natural features or water resources (Ashley Willoughby, LTADD).

Vegetation and Wildlife- No vegetation or wildlife resources have been identified as being impacted as the project will disturb only existing sewer facilities in the urban area (US Fish & Wildlife consultation).

Other Factors – No other factors have been identified as potentially impacted by the project.

**Floodplains and Wetlands Early Public Notice
Activity in a 100-year Floodplain**

To: All interested Agencies, Groups, and Individuals

This is to give notice that the City of Caneyville, under 24 CFR Part 58, has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential effect that its project in the floodplain will have on the human environment for the Caneyville Water System Improvements project under KY CDBG #19-028.

The proposed project will replace approximately 27,000 linear feet of existing water mains in the City area. The proposed project will help reduce breaks, leaks, and disruptions of service. A portion of the existing lines around the railway area and a portion of East Maple St. area are within the 100-year Floodplain and serve existing facilities.

Written comments on the proposed actions must be received by the City of Caneyville at the following address on or before October 15, 2020: City of Caneyville, P.O. Box 69, Caneyville, KY 42721; Phone 270-879-9701; Attention: Mayor James Embry; during normal hours of operation (8:00 a.m. to 4:30 p.m., M-F, EDT). Comments may also be submitted via email at: cityclerkcaneyville@yahoo.com.

**Floodplains and Wetlands Notice of Explanation
Activity in a 100-year Floodplain**

To: All interested Agencies, Groups, and Individuals

This is to give notice that the City of Caneyville, under 24 CFR Part 58, has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential effect that its project in the floodplain will have on the human environment for the Caneyville Water System Improvements project under KY CDBG #19-028.

The proposed project will repair, replace, and/or rehabilitate approximately 27,000 linear feet of existing water mains in the central city area. The proposed project will help reduce breaks, leaks, and disruptions of service. A portion of the existing lines around the Railway area and East Maple St. are within the 100-year Floodplain and serve existing facilities.

The City of Caneyville has considered the following mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: repair and replacement construction will follow "Best Management Practices" to avoid and/or reduce runoff from disturbed areas.

The City of Caneyville has re-evaluated the alternatives to construction in the floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with Steps 3 through 6 of Executive Order 11988 are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments. This activity will have no significant impact on the environment for the following reasons:

The project will repair and/or replace only existing water main facilities that function inadequately and will not add new lines or new services or additional development in the floodplain.

Written comments on the proposed actions must be received by the City of Caneyville at the following address on or before November 2, 2020: City of Caneyville, P.O. Box 69, Caneyville, KY 42721; Phone 270-879-0704; Attention: Mayor James Embry; during normal hours of operation (8:00 a.m. to 4:30 p.m., M-F, CT). Comments may also be submitted via email at: cityclerkcaneyville@yahoo.com

**MEMORANDUM REGARDING DOCUMENTATION FOR FLOODPLAINS AND
WETLANDS EIGHT-STEP PROCESS**

To: Files – KY CDBG Project No. 19-028

From: James Embry, Mayor

Date: October 15, 2020

Subject: Compliance with Exe. Order 11988 / 11990
Caneyville Water System Improvements Project KYCDBG 19-028
Caneyville, Grayson County, Kentucky

The following constitutes compliance with the “Eight-step” process to document compliance with Executive Order 11988.

- Step 1: The Caneyville Water Improvements Project is located in Caneyville, KY. A portion of the sewer lines to be repaired are located in a 100-year floodplain, Federal Insurance Rate Map, Panel 262 and 264 of 400 (Community Map Number 21085C0211C) dated Sept., 19, 2012 for Grayson County, Kentucky.
- Step 2: A copy of the Early Public Notice is attached and has been published in a local newspaper and made available for public comment.
- Step 3: This project is being considered because there are no practicable alternatives. The existing sewer facilities provide inadequate function and not repairing them would deny residents of New Haven properly functioning wastewater collection and treatment facilities and would lead to continued penetration of groundwater from the floodplain into the sewer treatment system, reducing overall water quality in the stream basins.
- Step 4: Two areas of concern were evaluated regarding potential impacts by the proposed action. 1) The Floodplain upon the proposed project was evaluated as to potential impact to lives and property. The City of New Haven participates in the National Flood Insurance Program and has adopted development regulations to help protect lives and property in the Floodplain. 2) The impact of the proposed action upon the floodplain was evaluated. Due to the nature of the proposed action (repair of existing sewer lines within previously developed areas), and the inclusion of Best Management Practices (erosion control) in construction contracts will produce little impact upon the floodplain.

Step 5: The City of New Haven will observe all recommended actions to minimize impacts to the Floodplain. The City will comply with all local, state and federal standards. The repair of the existing sewer collection system will reduce inflow and infiltration of groundwater within the floodplain from entering the sewer treatment system and will help improve overall water quality in the area from reduced overflows caused by high water events.

Step 6: After careful re-evaluation of the proposed project and potential impacts, repair of the sewer collection lines and reduction of groundwater flows into the sewer treatment system appear to yield much greater benefits than potential negative impacts to both the human and natural environments.

Step 7: A Public Notice explaining this action has been published in the local newspaper and has been made available for comment. A copy is attached.

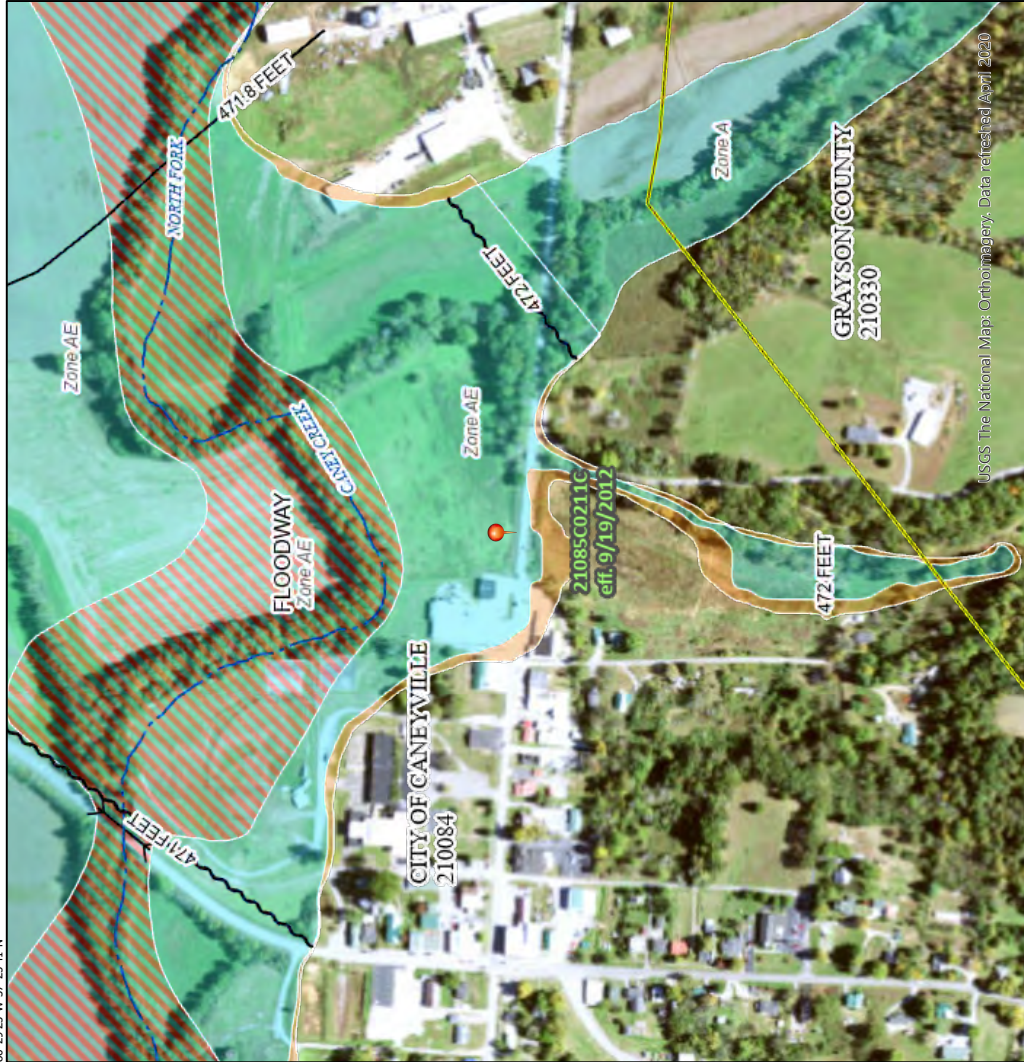
Step 8: The proposed action may now be implemented.

Attachments: Proposed project mapping (with 100-yr Floodplain)
FIRM maps of the project area
Listing of community participation in NFIP
Copy of the Early Public Notice and any comments received.
Copy of the Notice of Explanation and any comments received.
Copy of Army Corps of Engineers consultation regarding U.S. Waters (including Wetlands).

National Flood Hazard Layer FIRMette



86°29'23"W 37°25'41"N



86°29'45"W 37°25'12"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone AE, AD, AH, VE, AR
- With BFE or Depth
Zone AE, AD, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one square mile
Zone X
- Future Conditions 1% Annual Chance Flood Hazard
Zone X
- Area with Reduced Flood Risk due to Levee, See Notes, *Zone X*
- Area with Flood Risk due to Levee
Zone D

OTHER AREAS

- NO SCREEN
Zone X
- Area of Minimal Flood Hazard
Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard
Zone D

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance
- Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHR data provided by FEMA. This map was prepared on **10/13/2020 at 8:50 AM** and does not represent a current condition. The NFHR data is subject to change and may become superseded by new data over time.

This map image is valid if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Kentucky Ecological Services Field Office
J C Watts Federal Building, Room 265
330 West Broadway
Frankfort, KY 40601-8670
Phone: (502) 695-0468 Fax: (502) 695-1024
<http://www.fws.gov/frankfort/>

In Reply Refer To:

December 13, 2019

Consultation Code: 04EK1000-2020-SLI-0306

Event Code: 04EK1000-2020-E-00772

Project Name: City of Caneyville Water System Rehab Project

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

Your concern for the protection of endangered and threatened species is greatly appreciated. The purpose of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.) (ESA) is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. The species list attached to this letter fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the ESA to provide information as to whether any proposed or listed species may be present in the area of a proposed action. This is not a concurrence letter; additional consultation with the Service may be required.

The Information in Your Species List:

The enclosed species list identifies federal trust species and critical habitat that may occur within the boundary that you entered into IPaC. For your species list to most accurately represent the species that may potentially be affected by the proposed project, the boundary that you input into IPaC should represent the entire “action area” of the proposed project by considering all the potential “effects of the action,” including potential direct, indirect, and cumulative effects, to federally-listed species or their critical habitat as defined in 50 CFR 402.02. This includes effects of any “interrelated actions” that are part of a larger action and depend on the larger action for their justification and “interdependent actions” that have no independent utility apart from the action under consideration (e.g.; utilities, access roads, etc.) and future actions that are reasonably certain to occur as a result of the proposed project (e.g.; development in response to a new road). If your project is likely to have significant indirect effects that extend well beyond the project footprint (e.g., long-term impacts to water quality), we highly recommend that you

coordinate with the Service early to appropriately define your action area and ensure that you are evaluating all the species that could potentially be affected.

We must advise you that our database is a compilation of collection records made available by various individuals and resource agencies available to the Service and may not be all-inclusive. This information is seldom based on comprehensive surveys of all potential habitats and, thus, does not necessarily provide conclusive evidence that species are present or absent at a specific locality. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please note that “critical habitat” refers to specific areas identified as essential for the conservation of a species that have been designated by regulation. Critical habitat usually does not include all the habitat that the species is known to occupy or all the habitat that may be important to the species. Thus, even if your project area does not include critical habitat, the species on the list may still be present.

Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and associated information. To re-access your project in IPaC, go to the IPaC web site (<https://ecos.fws.gov/ipac/>), select “Need an updated species list?”, and enter the consultation code on this letter.

ESA Obligations for Federal Projects:

Under sections 7(a)(1) and 7(a)(2) of the ESA and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

If a Federal project (a project authorized, funded, or carried out by a federal agency) may affect federally-listed species or critical habitat, the Federal agency is required to consult with the Service under section 7 of the ESA, pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). Recommended contents of a Biological Assessment are described at 50 CFR 402.12. For projects other than major construction activities, the Service suggests that a biological evaluation

similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat.

ESA Obligations for Non-federal Projects:

Proposed projects that do not have a federal nexus (non-federal projects) are not subject to the obligation to consult under section 7 of the ESA. However, section 9 of the ESA prohibits certain activities that directly or indirectly affect federally-listed species. These prohibitions apply to all individuals subject to the jurisdiction of the United States. Non-federal project proponents can request technical assistance from the Service regarding recommendations on how to avoid and/or minimize impacts to listed species. The project proponent can choose to implement avoidance, minimization, and mitigation measures in a proposed project design to avoid ESA violations.

Additional Species-specific Information:

In addition to the species list, IPaC also provides general species-specific technical assistance that may be helpful when designing a project and evaluating potential impacts to species. To access this information from the IPaC site (<https://ecos.fws.gov/ipac/>), click on the text “My Projects” on the left of the black bar at the top of the screen (you will need to be logged into your account to do this). Click on the project name in the list of projects; then, click on the “Project Home” button that appears. Next, click on the “See Resources” button under the “Resources” heading. A list of species will appear on the screen. Directly above this list, on the right side, is a link that will take you to pdfs of the “Species Guidelines” available for species in your list. Alternatively, these documents and a link to the “ECOS species profile” can be accessed by clicking on an individual species in the online resource list.

Next Steps:

Requests for additional technical assistance or consultation from the Kentucky Field Office should be submitted following guidance on the following page <http://www.fws.gov/frankfort/PreDevelopment.html> and the document retrieved by clicking the “outline” link at that page. When submitting correspondence about your project to our office, please include the Consultation Tracking Number in the header of this letter. (There is no need to provide us with a copy of the IPaC-generated letter and species list.)

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Kentucky Ecological Services Field Office

J C Watts Federal Building, Room 265

330 West Broadway

Frankfort, KY 40601-8670

(502) 695-0468

Project Summary

Consultation Code: 04EK1000-2020-SLI-0306

Event Code: 04EK1000-2020-E-00772

Project Name: City of Caneyville Water System Rehab Project

Project Type: WATER QUALITY MODIFICATION

Project Description: The proposed project includes the replacement of existing water lines within the City of Caneyville. The existing lines are mostly asbestos cement lines which are difficult and hazardous to maintain. Replacement lines will be installed within existing easements and right of ways. The project will replace approximately 28,000 lf. of existing 6 and 4 inch water mains within the City limits. The project will not add any new services or expand distribution or capacity.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/37.428113910780134N86.48676641092823W>



Counties: Grayson, KY

Endangered Species Act Species

There is a total of 14 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 13 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.
-

Mammals

NAME	STATUS
<p>Gray Bat <i>Myotis grisescens</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/6329</p> <p>General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/21/office/42431.pdf</p>	Endangered
<p>Indiana Bat <i>Myotis sodalis</i></p> <p>There is final critical habitat for this species. Your location is outside the critical habitat.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ The project area includes 'potential' habitat. All activities in this location should consider possible effects to this species. <p>Species profile: https://ecos.fws.gov/ecp/species/5949</p> <p>General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/1/office/42431.pdf</p>	Endangered
<p>Northern Long-eared Bat <i>Myotis septentrionalis</i></p> <p>No critical habitat has been designated for this species.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ The specified area includes areas in which incidental take would not be prohibited under the 4(d) rule. For reporting purposes, please use the "streamlined consultation form," linked to in the "general project design guidelines" for the species. <p>Species profile: https://ecos.fws.gov/ecp/species/9045</p> <p>General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/10043/office/42431.pdf</p>	Threatened

Clams

NAME	STATUS
Clubshell <i>Pleurobema clava</i> Population: Wherever found; Except where listed as Experimental Populations No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ The species may potentially occur in suitable habitat within the following rivers: Little, Pond, Rough, and Tradewater; and their larger tributaries. Species profile: https://ecos.fws.gov/ecp/species/3789 General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/352/office/42431.pdf	Endangered
Fanshell <i>Cyprogenia stegaria</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ The species may potentially occur in suitable habitat within the following rivers: Little, Pond, Rough, and Tradewater; and their larger tributaries. Species profile: https://ecos.fws.gov/ecp/species/4822 General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/368/office/42431.pdf	Endangered
Northern Riffleshell <i>Epioblasma torulosa rangiana</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ The species may potentially occur in suitable habitat within the following rivers: Little, Pond, Rough, and Tradewater; and their larger tributaries. Species profile: https://ecos.fws.gov/ecp/species/527 General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/374/office/42431.pdf	Endangered
Orangefoot Pimpleback (pearlymussel) <i>Plethobasus cooperianus</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ The species may potentially occur in suitable habitat within the following rivers: Little, Pond, Rough, and Tradewater; and their larger tributaries. Species profile: https://ecos.fws.gov/ecp/species/1132 General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/340/office/42431.pdf	Endangered
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ The species may potentially occur in suitable habitat within the following rivers: Little, Pond, Rough, and Tradewater; and their larger tributaries. Species profile: https://ecos.fws.gov/ecp/species/7829 General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/331/office/42431.pdf	Endangered

NAME	STATUS
<p>Purple Cat's Paw (=purple Cat's Paw Pearlymussel) <i>Epioblasma obliquata obliquata</i></p> <p>Population: Wherever found; Except where listed as Experimental Populations No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ The species may potentially occur in suitable habitat within the following rivers: Little, Pond, Rough, and Tradewater; and their larger tributaries. <p>Species profile: https://ecos.fws.gov/ecp/species/5602 General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/323/office/42431.pdf</p>	Endangered
<p>Rabbitsfoot <i>Quadrula cylindrica cylindrica</i></p> <p>There is final critical habitat for this species. Your location is outside the critical habitat. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ The species may potentially occur in suitable habitat within the following rivers: Little, Pond, Rough, and Tradewater; and their larger tributaries. <p>Species profile: https://ecos.fws.gov/ecp/species/5165 General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/3645/office/42431.pdf</p>	Threatened
<p>Ring Pink (mussel) <i>Obovaria retusa</i></p> <p>No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ The species may potentially occur in suitable habitat within the following rivers: Little, Pond, Rough, and Tradewater; and their larger tributaries. <p>Species profile: https://ecos.fws.gov/ecp/species/4128 General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/341/office/42431.pdf</p>	Endangered
<p>Rough Pigtoe <i>Pleurobema plenum</i></p> <p>No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ The species may potentially occur in suitable habitat within the following rivers: Little, Pond, Rough, and Tradewater; and their larger tributaries. <p>Species profile: https://ecos.fws.gov/ecp/species/6894 General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/338/office/42431.pdf</p>	Endangered
<p>Sheepnose Mussel <i>Plethobasus cyphus</i></p> <p>No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ The species may potentially occur in suitable habitat within the following rivers: Little, Pond, Rough, and Tradewater; and their larger tributaries. <p>Species profile: https://ecos.fws.gov/ecp/species/6903 General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/7816/office/42431.pdf</p>	Endangered
<p>Spectaclecase (mussel) <i>Cumberlandia monodonta</i></p> <p>No critical habitat has been designated for this species.</p>	Endangered

NAME	STATUS
<p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none">▪ The species may potentially occur in suitable habitat within the following rivers: Little, Pond, Rough, and Tradewater; and their larger tributaries. <p>Species profile: https://ecos.fws.gov/ecp/species/7867</p> <p>General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/4490/office/42431.pdf</p>	

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

City of Caneyville Water System Improvements– WX21085035

Proposed Project Description:

The City of Caneyville is proposing to replace approx.. 27,000 l.f. of 4" & 6" existing water main within the City limits. The existing water mains are aging asbestos cement lines prone to frequent breaks and leaks. The existing lines will be abandoned in place and new lines installed adjacent to them. The result will be greatly reduced water loss (finished water leaking into the ground) and improved efficiency and safety to the City. Lines encroaching on the floodplain or within a stream crossing will utilize existing underground bores or use new bores to minimize any disturbance to fresh water / waterways. The project is proposing to utilize funding from USDA Rural Development Water and Wastewater Loan and Grant program and Community Development Block Grant.

Federally-Protected Species and Critical Habitats in the Project Area from Official Species List October 2020 (attached):

Mammals

Gray Bat (*Myotis grisescens*) - Endangered
Indiana Bat (*Myotis solalis*) - Endangered
Northern Long-eared Bat (*Myotis septentrionalis*) - Threatened

Clams

Clubshell (*Pleurobema clava*) - Endangered
Fanshell (*Cyrpogenia stegaria*)- Endangered
Northern Riffleshell (*Epioblasma torulosa rangiana*) - Endangered
Pink Mucket (*Lampsilis abrupta*)- Endangered
Purple Cat's Paw (*Epioblasma obliquata obliquata*)- Endangered
Rabbitsfoot (*Quadrula cylindrica cylindrica*) – Threatened
Ring Pink (*obovaria retusa*) - Endangered
Rough Pigtoe (*Pleurobema plenum*)– Endangered
Sheepnose Mussel (*Plethyobasus cyphus*) – Endangered
Spectaclecase (*Cumberlandia monodonta*) - Endangered

Effects Analysis:

Direct Effects- No direct effects are anticipated as the proposed project activities are limited to existing water system components (replacement of 4-inch & 6-inch water mains on the site of the existing facilities are not likely to impact or disturb any species or habitats listed).

- Bats- No trees are planned for removal and no caves are slated for disturbance. The project activities will take place within the City of Caneyville on existing streets and rights of way.

- **Clams-** The City will use directional boring to minimize any disturbance to any streams and other riparian areas. The construction will utilize Best Management Practices and accepted techniques to minimize disturbance to any upstream soil or ground cover. Most work will take place in the street or adjacent right of way with minimal disturbance to natural areas.

Indirect Effects- The proposed project should have a positive effect on local water quality as the project aims to reduce finished water from leaking into the ground.

Cumulative Effects- The project is not anticipated to increase the size or capacity of the water distribution system or lead to increased development since it only targets rehabilitation of existing components. No cumulative effects are anticipated.

Determinations: A Determination Key was utilized for examining the Gray Bat and is attached. The project is not likely to have any significant impacts to other endangered or threatened species or their habitats, known or suspected to exist in the project area due to its limitation as only replacement of existing lines.



October 19, 2020

613 College St. Rd.
P.O. Box 604
Elizabethtown, KY 42702
Phone: 270-769-2393
Fax: 270-769-2993
TDD: 800-247-2510
Equal opportunity
employer M/F/D

Mr. Lee Andrews
US Department of the Interior
Fish & Wildlife Service Frankfort Field Office
J.C. Watts Federal Building
330 West Broadway, Room 265
Frankfort, KY 40601

RE: Consultation Code: 04EK1000-2020-SLI-0306
Event Code: 04EK1000-2020-E-00772
Project Name: City of Caneyville Water System Rehab Project

Dear Mr. Andrews:

We are presently in the process of conducting an environmental review on the above referenced project. I am requesting your office review the project for any concerns regarding the following Federal regulations, Executive Orders and applicable State legislation or regulations:

1. Wetlands Protection - Executive order 11990;
2. Endangered Species Act of 1973 as amended;
3. Wild and Scenic River Act of 1968 as amended;
4. Fish and Wildlife Coordination Act (16 USC 661 666c).

The proposed project will include the repair and replacement of existing water mains (approximately 22,000 L.F. of 6-inch and 5,300 L.F. of 4-inch asbestos cement lines) in the oldest sections of the system. The project will also include reconnection of 12 services and replacement of any existing hydrants and valves that are not functioning properly. The purpose of the project is to eliminate the problematic asbestos cement lines that are prone to breaks as they age and require increased safety measures for any repairs. The asbestos cement lines do not pose any danger to customers but are very difficult to work on and can be hazardous to repair.

The existing lines also have an increasing failure rate resulting in high water loss and disruptions in service to customers. The City is proposing to abandon the existing lines in place and install new pvc lines adjacent. The project is

proposing to utilize funding from the KY Community Development Block Grant program and Rural Development Water and Wastewater.

Included with this letter is a Threatened and Endangered Species list generated through the IPAC process. Also included with this letter you will find topographic map of the project location. Since the project will only affect existing lines, within the City limits, and does not include any new facilities, the applicant does not foresee any direct or indirect impacts to natural habitats, endangered species, Wild or Scenic rivers, or wetlands. The City will utilize existing bores or directional boring when crossing any streams, thereby minimizing any contact with any stream bed.

Any comments from your agency would be greatly appreciated in the next 30 days. Thanks for your assistance and if you have any questions, please contact me at the Lincoln Trail ADD office (270-769-2393 or awilloughby@ltadd.org).

Sincerely,



Ashley Willoughby
Community Development Specialist

Enc.

Cc: Roger Boyers, Water Management Services

January 25, 2020

Mr. Craig Potts
Executive Director
Kentucky Heritage Council
410 High Street
Frankfort KY 40601

RE: City of Caneyville Water Line Replacement Project (WX21085035)
CDBG 19-028

Dear Mr. Potts:

Enclosed, please find information regarding the above referenced project for your agency's Section 106 Review and Compliance process. I have tried to include all of the pertinent information needed for the review including the Site Identification list and pictures of any adjacent historical structures. Please note that the project is confined to rehabilitation of existing water lines and components (hydrants) located in the right of ways and streets. The water system was constructed in the 1970's (resulting in previously disturbed ground).

Due to the nature of the project, we do not believe it will have any effect on historic properties or historic sites in the area and should not disturb any archeological resources. If I can provide anything else your agency needs, please feel free to contact me.

Thank you for your assistance.

Sincerely,

Ashley Willoughby
Community Development Specialist

Enc.
CC: Connie Gootee, Clerk



ANDY BESHEAR
GOVERNOR

MIKE BERRY
SECRETARY

**TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL
THE STATE HISTORIC PRESERVATION OFFICE**

410 HIGH STREET
FRANKFORT, KENTUCKY 40601
PHONE (502) 564-7005
FAX (502) 564-5820
www.heritage.ky.gov

CRAIG A. POTTS
EXECUTIVE DIRECTOR
& STATE HISTORIC
PRESERVATION OFFICER

February 26, 2020

Ms. Ashley Willoughby
Lincoln Trail ADD
Post Office Box 604
Elizabethtown, Kentucky 42702

Re: *City of Caneyville waterline replacement project*

Dear Ms. Willoughby,

Thank you for your submission of documentation pertaining to the above referenced project for consideration and comment. We understand this project proposes to replace existing water lines and hydrants. We further understand that these replacements will occur in previously disturbed areas.

Taking these factors into consideration, we believe no additional above-ground survey or archaeological survey is warranted. We would likely concur with a determination of *No Historic Properties Affected* for this undertaking.

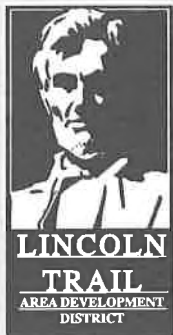
Should the project plans change, or should additional information become available regarding cultural resources or citizens' concerns regarding impacts to cultural resources, please submit that information to our office as additional consultation may be warranted. Should you have any questions, feel free to contact Yvonne Sherrick of my staff at yvonne.sherrick@ky.gov.

Sincerely,

Craig A. Potts,
Executive Director and
State Historic Preservation Officer

CP:jr/7 KHC # 56966/57044





613 College St. Rd.
P.O. Box 604
Elizabethtown, KY 42702
Phone: 270-769-2393
Fax: 270-769-2993
TDD: 800-247-2510
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employer M/F/D

September 13, 2019

Mr. Nathan Lind
NRCS
Leitchfield Service Center
119 Commerce Dr
Leitchfield, KY 42754-9148

RE: City of Caneyville Water Line Replacement Project
WX21085035

Dear Mr. Lind:

We are presently in the process of conducting an environmental review on the above referenced project. I would welcome any comments your agency may have relative to the following Federal regulations or Executive Order and applicable State legislation or regulations:

1. Farmland Protection Policy Act of 1981
2. Soil Stability and Slope Erosion

The proposed project will include the repair and replacement of existing water mains (approximately 22,000 L.F. of 6-inch and 5,300 L.F. of 4-inch asbestos cement lines) in the oldest sections of the system. The project will also include reconnection of 12 services and replacement of any existing hydrants and valves that are not functioning properly. The purpose of the project is to eliminate the problematic asbestos cement lines that are prone to breaks as they age and require increased safety measures for any repairs. The asbestos cement lines do not pose any danger to customers but are very difficult to work on and can be hazardous to repair.

The existing lines also have an increasing failure rate resulting in high water loss and disruptions in service to customers. The City is proposing to abandon the existing lines in place and install new pvc lines adjacent. The project is proposing to utilize funding from the KY Community Development Block Grant program and Rural Development Water and Wastewater.

Comments previously received from the Kentucky State Clearinghouse are attached for your reference. Also included with this letter you will find topographic and image maps of the project location. Since the project is proposed on existing lines, within the City limits, the applicant does not foresee any significant impacts to farmlands or undisturbed soils.

Any comments from your agency would be greatly appreciated within the next thirty days. Thanks for your assistance and if you have any questions, please contact me at the Lincoln Trail ADD office (270-769-2393 or awilloughby@ltadd.org).

Sincerely,

A handwritten signature in dark ink, appearing to read "Ashley Willoughby". The signature is fluid and cursive, with the first name "Ashley" written in a larger, more prominent script than the last name "Willoughby".

Ashley Willoughby
Community Development Specialist

Enc.

Cc: Roger Boyers, Water Management Services



613 College St. Rd.
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employer M/F/D

September 13, 2019

Mr. Russell Townsend
Historic Preservation Specialist
Eastern Band of Cherokee Indians
P.O. Box 455
Cherokee, NC 28719

Dr. Andrea Hunter
Tribal Historic Preservation Officer
Osage Nation
627 Grandview Avenue
Pawhuska, OK 74056

RE: City of Caneyville, KY Water Line Replacement Project
Project No. WX21085035 Consultation under Section 106

To Whom It May Concern:

The City of Caneyville, Kentucky is considering undertaking the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD) and USDA Rural Development. Under HUD regulation 24 CFR 58.4, Caneyville has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The City of Caneyville will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify any tribes that may have historic, religious and or culturally significant properties in the project area, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

Enclosed are topographic and other maps depicting the project area. The proposed project will include replacement of approximately 27,000 l.f. of existing water lines within the City of Caneyville. A more detailed project description is included as well.

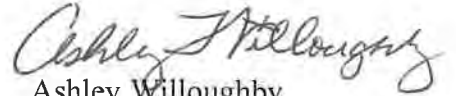
Additional information on Kentucky's Section 106 review process is available at http://www.comcon.org/sites/default/files/historic_preservation/ and HUD's process for tribal consultation under Section 106 is described in a Notice available at http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/atec.

Based upon the nature of the project being restricted to repair of existing water lines within the City, we do not anticipate any impacts relative to any historic resources. We would, however, welcome any input from your agency regarding the project.

To meet project timeframes, if your agency has comments regarding the project, we would ask that you let us know of your interest within the next 30 days. If you have any initial concerns with impacts of the project on religious or cultural properties, or if you do not wish to participate in the process, please note that in your response. We value your assistance and look forward to working with your office to preserve any historic properties of religious and cultural significance in our region.

If you have any questions regarding this correspondence, please feel free to contact me at 270-769-2393 or awilloughby@ltadd.org.

Sincerely,



Ashley Willoughby
Community Development Specialist

Enc.

cc: Roger Boyers, Water Management Services

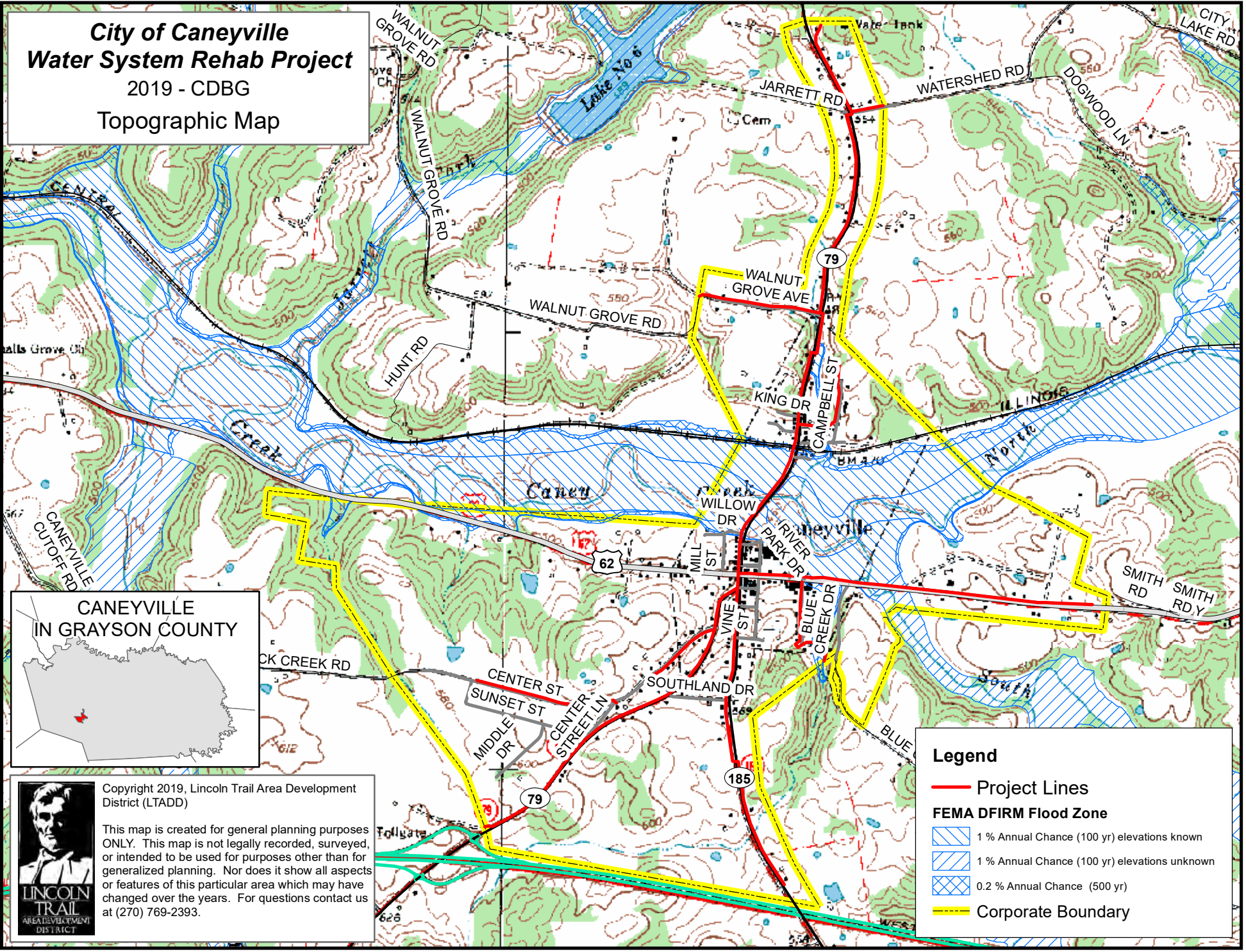
Caneyville Water Main Replacement Project WX21085035

Project Brief:

The proposed project will include the repair and replacement of existing water mains (approximately 22,000 L.F. of 6-inch and 5,300 L.F. of 4-inch asbestos cement lines) in the oldest sections of the system. The project will also include reconnection of 12 services and replacement of any existing hydrants and valves that are not functioning properly. The purpose of the project is to eliminate the problematic asbestos cement lines that are prone to breaks as they age and require increased safety measures for any repairs. The asbestos cement lines do not pose any danger to customers but are very difficult to work on and can be hazardous to repair.

The existing lines also have an increasing failure rate resulting in high water loss and disruptions in service to customers. The City is proposing to abandon the existing lines in place and install new pvc lines adjacent. The City of Caneyville has over 52% of residents that are from Low-to-Moderate Income households and this project will help reduce the burden of high water rates.

City of Caneyville Water System Rehab Project 2019 - CDBG Topographic Map



Copyright 2019, Lincoln Trail Area Development District (LTADD)

This map is created for general planning purposes ONLY. This map is not legally recorded, surveyed, or intended to be used for purposes other than for generalized planning. Nor does it show all aspects or features of this particular area which may have changed over the years. For questions contact us at (270) 769-2393.

Legend

— Project Lines

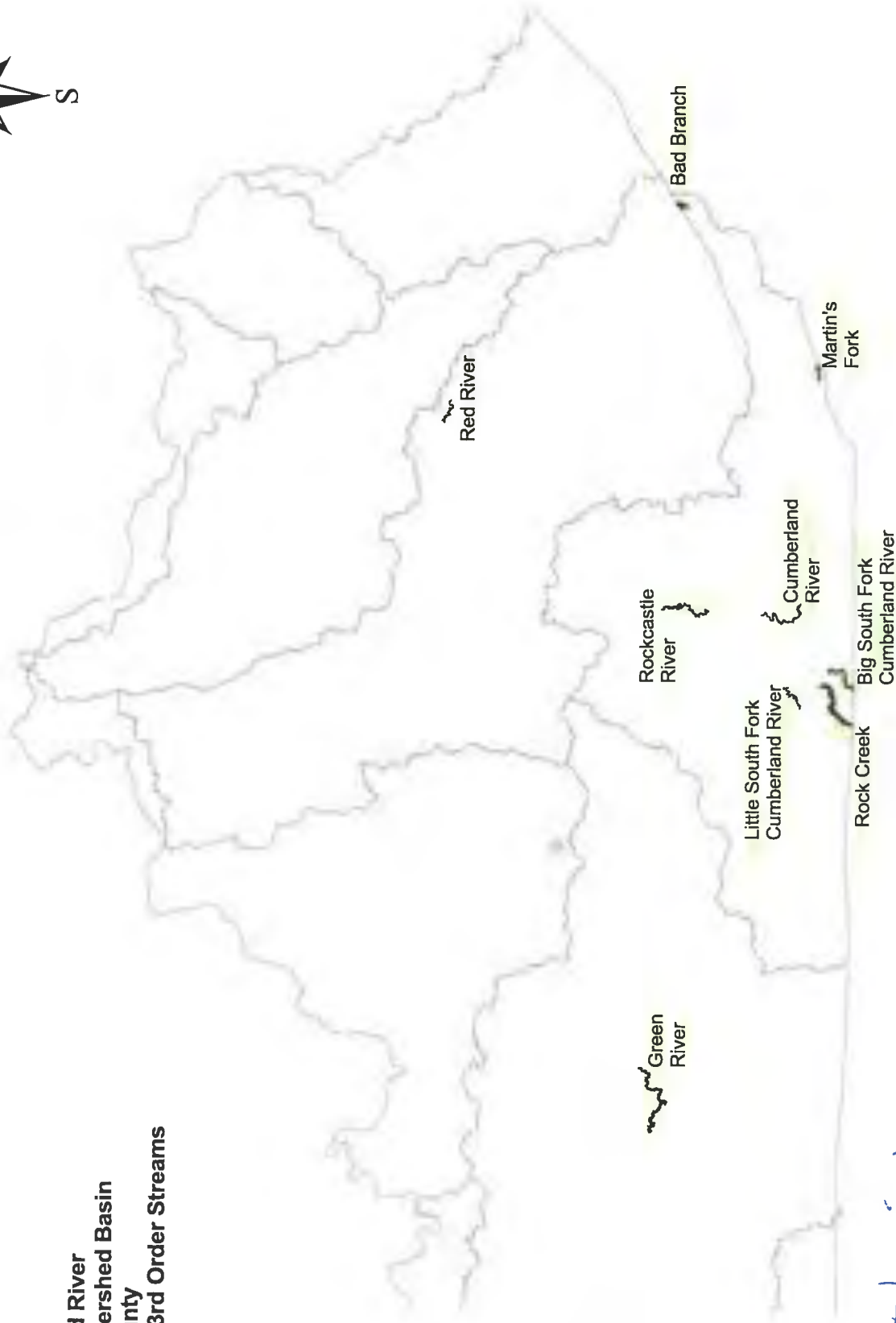
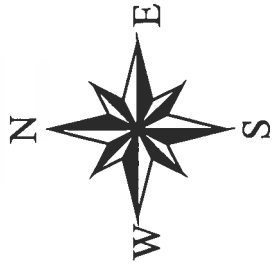
FEMA DFIRM Flood Zone

- 1 % Annual Chance (100 yr) elevations known
- 1 % Annual Chance (100 yr) elevations unknown
- 0.2 % Annual Chance (500 yr)

— Corporate Boundary

401 KAR 4:100. Wild Rivers locations.

- Wild River
- Watershed Basin
- County
- \geq 3rd Order Streams



Project Location

80 Miles

0

80

Sole Source Aquifers



• Approx. project locations

Areas of Air Quality Concern in KY

2015 8-hour ozone**:



Nonattainment Area

Attainment/Unclassifiable Area

2012 PM2.5:



Nonattainment Area

Attainment/Unclassifiable Area



• - Approx. project location

**The 2015 8-hour ozone NAAQS includes the counties of Jefferson, Oldham, Bullitt, and partial counties of Boone, Kenton, and Campbell.

As of March 2019

**COMBINED NOTICE
NOTICE TO PUBLIC OF NO SIGNIFICANT IMPACT ON THE ENVIRONMENT
AND NOTICE TO PUBLIC OF REQUEST FOR RELEASE OF FUNDS**

October 22, 2020

City of Caneyville, KY

P.O. Box 69, Caneyville, KY 42721

270-879-9701

(711 for Deaf or TTY Users)

These notices shall satisfy two separate but related procedural requirements for the activities to be undertaken by the City of Caneyville, KY.

TO ALL INTERESTED AGENCIES, GROUPS, AND PERSONS:

Request for Release of Funds

On or about **November 9, 2020**, the City of Caneyville will submit a request to the Department for Local Government for the release of Community Development Block Grant (CDBG) funds under Title 1 of the Housing and Community Development Act of 1974 (PL 93-383) to undertake the following project:

**Caneyville Water Improvements Project CDBG 19-028
Replacement / repair of original water mains in the City,
Caneyville, Grayson County, Kentucky
Census Tract: 210855950600**

Finding of No Significant Impact

The City of Caneyville has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) (PL-91-190) is **not** required. An Environmental Review Record (ERR) respecting the within project has been made by the City of Caneyville, which documents the environmental review of the project and more fully sets forth the reasons why such Statement is not required. This Environmental Review Record is on file at the Caneyville City Hall, P.O. Box 69, 304 E. Maple St., Caneyville, KY 42721 and is available for public examination and copying, and online at <https://todd.org/wp-content/uploads/2020/10/Caneyville-Enviro-Assessment.pdf>. No further environmental review of such project is proposed to be conducted.

Public Comments

All interested agencies, groups, and persons disagreeing with the ERR decision are invited to submit written comments for consideration by the City of Caneyville to the Mayor's Office. Such written comments should be received at Caneyville City Hall, P.O. Box 69, Caneyville, KY 42721, on or before **November 6, 2020**. All such comments so received will be considered prior to authorizing submission of a request for a release of funds or taking any administrative action on the within project prior to the date specified in the preceding sentence. Comments should specify which Notice they are addressing.

Environmental Certification

The City of Caneyville will undertake the project described above with Block Grant funds from the Department for Local Government under Title 1 of the Housing and Community Development Act of 1974. The City of Caneyville is certifying to the state that Caneyville and James Embry, in his official capacity as Mayor, consent to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision making, and action; and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval the City of Caneyville may use the Block Grant funds and the state and HUD will have satisfied their responsibilities under the National Environmental Policy Act of 1969 and related laws and authorities.

Objection to Release of Funds

The state will accept objections to its release of funds and the City of Caneyville's certification **for a period of fifteen days following the anticipated submission date (November 9, 2020) or its actual receipt for the request (whichever is the later)** only if they are on one of the following bases:

- (a) The certification was not, in fact, executed by the Caneyville Certifying Officer.
- (b) The City of Caneyville has failed to make one of the two findings pursuant to §§578.57, 58.53 or 58.64 for the project, as applicable.
- (c) The City of Caneyville has omitted one or more of the steps set forth at Subparts F and G for the preparation and completion of an EA.
- (d) No opportunity was given to the Advisory Council on Historic Preservation or its Executive Director to review the effect of the project on a property listed on the National Register of Historic Places, or found to be eligible for such listing by the Secretary of the Interior, in accordance with 36 CFR Part 800.
- (e) The 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 the release of funds and approval of the Environmental Certification by HUD or the State.
- (f) 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 the Department for Local Government, Office of Federal Grants, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Objections to the release of funds on bases other than those stated above will not be considered by the state. No objection received after **November 24, 2020**, will be considered by the state. Potential objectors should contact the Department for Local Government to verify the actual last day of the state Comment period.

**James Embry, Mayor
P.O. Box 69,
Caneyville, KY 42721**