

**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

City of Covington, KY
20 West Pike Street
Covington, KY 41011
859-292-2163

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

REQUEST FOR RELEASE OF FUNDS - On or about August 21, 2023 the City of Covington, KY will submit a request on behalf of the Housing Authority of Covington to the U.S Department of Housing and Urban Development (HUD)- Louisville Field Office for the release of Public Housing Capital funds under 24 CFR, Chapter IX to undertake a project known as 2111-2143 Donaldson Avenue for the purpose of receiving HUD approval to proceed with the acquisition of the vacant parcel of land known as 2111-2143 Donaldson Avenue, Covington, KY. After acquisition, the Housing Authority will construct two new buildings on the site to serve as maintenance and storage facilities.

FINDING OF NO SIGNIFICANT IMPACT - The City of Covington, KY 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) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the City of Covington, 20 West Pike Street, Covington, KY 41011 and may be examined or copied weekdays 8:00 A.M to 4:00 P.M. The ERR can also be viewed online at: <https://cpd.hud.gov/cpd-public/environmental-reviews>

PUBLIC COMMENTS - Any individual, group, or agency may submit written comments on the ERR to the City of Covington. All comments received by August 20, 2023 will be considered by the City of Covington, KY prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION - The City of Covington, KY certifies to HUD/Louisville Field Office that Joseph U. Meyer in his capacity as Mayor consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD/Louisville Field Office's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City of Covington, KY to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS - HUD/Louisville Field Office will accept objections to its release of funds and the City of Covington's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Covington, KY; (b) the City of Covington, KY has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD/Louisville Field Office; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD/Louisville Field Office at 601 W Broadway, Room 110, Louisville, KY 40202. Potential objectors should contact HUD/Louisville Field Office to verify the actual last day of the objection period.



U.S. Department of Housing and Urban
Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

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

Project Information

Project Name: 2111-2143-Donaldson-Avenue

HEROS Number: 900000010341677

Project Location: 2111 Donaldson Ave, Covington, KY 41014

Additional Location Information:

The site consists of lots from 2111-2143 Donaldson Avenue

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

Acquisition and Development of Site contingent upon HUD approval: the Housing Authority of Covington is proposing to acquire a vacant parcel of land located at 2111-2143 Donaldson Avenue, Covington, KY. After acquisition, HAC will construct a new maintenance facility and purchasing warehouse on the site. The maintenance facility will be approx. 5,500 sf and the warehouse will be approx. 3,000 sf. The maintenance facility will house the offices of the maintenance and renovation staff as well as storage for small tools and large equipment such as bobcats, backhoe, etc. The purchasing warehouse will contain parts for maintenance and renovation repairs for the PHA's housing stock. Purchasing will also contain the Material Specialist's office and a loading dock for deliveries. Parking for staff, visitors, and maintenance/renovation vehicles will be on site. The construction type is preliminary defined as a Pre-Engineered Metal Building with decorative brick facing public visibility areas. The development is likely less than an acre of land disturbance for the improvements and parking. The maintenance and purchasing building maybe one or two stories and one large building or two separate ones dependent on design.

Funding Information

Grant Number	HUD Program	Program Name
KY36P002501-20	Public Housing	Public Housing Capital Fund (including CFFP and other grants)
KY36P002501-22	Public Housing	Public Housing Capital Fund (including CFFP and other grants)
KY36P002501-23	Public Housing	Public Housing Capital Fund (including CFFP and other grants)
KY36P002501-24	Public Housing	Public Housing Capital Fund (including CFFP and other grants)
KY36P002501-25	Public Housing	Public Housing Capital Fund (including CFFP and other grants)

		grants)
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Estimated Total HUD Funded Amount: \$4,000,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$4,000,000.00

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

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

Law, Authority, or Factor	Mitigation Measure or Condition
Contamination and Toxic Substances	This site is a former brownfield site. The property has been assessed and cleanup activities are complete. The site has an approved KDEP Environmental Covenant in place. The plan for development on the site has been conditionally approved by the KY Energy and Environment Cabinet. Approval letter is attached.
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	All development will require permitting and approval at the City and County levels.
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	All development will require permitting and approval at the City and County levels.
Hazards and Nuisances including Site Safety and Site-Generated Noise	This project will not generate any hazards or noise that are above and beyond normal, small-scale new construction.
Energy Efficiency	No mitigation is required.
Employment and Income Patterns	No mitigation is required.
Demographic Character Changes / Displacement	No mitigation is required.
Educational and Cultural Facilities (Access and Capacity)	No mitigation is required.
Commercial Facilities (Access and Proximity)	No mitigation is required.
Health Care / Social Services (Access and Capacity)	No mitigation is required.
Solid Waste Disposal and Recycling (Feasibility and Capacity)	No mitigation is required.
Waste Water and Sanitary Sewers (Feasibility and Capacity)	No mitigation is required.
Water Supply (Feasibility and Capacity)	No mitigation is required.
Public Safety - Police, Fire and Emergency Medical	No mitigation is required.
Parks, Open Space and Recreation (Access and Capacity)	No mitigation is required.
Transportation and Accessibility (Access and	No mitigation is required.

Capacity)	
Unique Natural Features /Water Resources	No mitigation is required.
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	No mitigation is required.
Climate Change	No mitigation is required.
Environmental Justice EA Factor	No mitigation is required.
Other Factors 1	No mitigation is required.
Other Factors 2	No mitigation is required.
Permits, reviews, and approvals	Building and zoning permitting will be required at the City and County levels.

Project Mitigation Plan

The Housing Authority of Covington is the lead entity on this project with ~~the Housing Authority~~ as the project coordinator. They will be oversee all aspects of the project and will monitor all required mitigation.

the Procurement officer / Capital Asset Manager

Determination:

<input checked="" type="checkbox"/>	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
<input type="checkbox"/>	Finding of Significant Impact

Preparer Signature: *Jeremy Wallace* Date: 8-2-23

Name / Title/ Organization: Jeremy Wallace / / COVINGTON

Certifying Officer Signature: *Joseph U Meyer* Date: 8-2-23

Name/ Title: JOSEPH U-MEYER / MAYOR

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

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

Project Information

Project Name: 2111-2143-Donaldson-Avenue

HEROS Number: 900000010341677

Responsible Entity (RE): COVINGTON, HOUSING DEVELOPMENT COVINGTON KY,
41011

RE Preparer: Jeremy Wallace

State / Local Identifier:

Certifying Officer: Joseph U. Meyer

Grant Recipient (if different than Responsible Entity): Housing Authority of Covington, KY

Point of Contact: Procurement Officer/Capital Asset Manager

Consultant (if applicable):

Point of Contact:

Project Location: 2111 Donaldson Ave, Covington, KY 41014

Additional Location Information:

The site consists of lots from 2111-2143 Donaldson Avenue

2111-2143-Donaldson-
Avenue

Covington, KY

900000010341677

Direct Comments to: jwallace@covingtonky.gov
20 West Pike Street
Covington, KY 41011

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

Acquisition and Development of Site contingent upon HUD approval: the Housing Authority of Covington is proposing to acquire a vacant parcel of land located at 2111-2143 Donaldson Avenue, Covington, KY. After acquisition, HAC will construct a new maintenance facility and purchasing warehouse on the site. The maintenance facility will be approx. 5,500 sf and the warehouse will be approx. 3,000 sf. The maintenance facility will house the offices of the maintenance and renovation staff as well as storage for small tools and large equipment such as bobcats, backhoe, etc. The purchasing warehouse will contain parts for maintenance and renovation repairs for the PHA's housing stock. Purchasing will also contain the Material Specialist's office and a loading dock for deliveries. Parking for staff, visitors, and maintenance/renovation vehicles will be on site. The construction type is preliminary defined as a Pre-Engineered Metal Building with decorative brick facing public visibility areas. The development is likely less than an acre of land disturbance for the improvements and parking. The maintenance and purchasing building maybe one or two stories and one large building or two separate ones dependent on design.

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

The City Heights' development is in the disposition process due to its physical condition, isolated location, crime, and other factors making it no longer suitable for public housing purposes. HUD has agreed that no reasonable program of modifications is cost effective to return the development to useful life. The property will likely be sold in 2024 once the remaining public housing residents have been relocated to their new homes. The maintenance facility for the Housing Authority of Covington (HAC) is located at City Heights and will need a new home so it can continue servicing the remaining HAC developments. The Donaldson Avenue location was chosen by HAC for acquisition and development pending HUD approval. The development of this site will include construction of a new maintenance facility which will house maintenance and renovation staff, small tools, large equipment and vehicles needed for maintenance and upkeep of the public housing units. This site was selected due to its centralized location to the remaining public housing developments which will increase productivity, minimal acquisition cost from the City of Covington, proximity to the main office, etc. The site was also selected since it is large enough to construct a new purchasing department as well. The existing purchasing department is located at the Latonia Terrace development and houses parts typically used for maintenance and renovations. The acquisition and development of the project site will allow both facilities at a common location which will permit the Housing Authority of Covington to better service and manage their housing stock and optimize staff productivity. Furthermore, the existing maintenance facility and purchasing

department each had multiple additions over the years so a new facility will allow a more efficient architectural design and reduced footprint.

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

The project area is currently a vacant lot that was previously a brownfield. Some of the hazardous conditions have been mitigated. However, there are still restrictions regarding any possible development of the site. The proposed project has been conditionally approved by the State of KY as an eligible use of the site. This development will include non-residential structures that will be constructed and located on the site per the mitigating condition requirements from the State of KY. This project will enable to Housing Authority of Covington to better manage and maintain their public housing stock. Without this project development, the management and maintenance of the public housing stock would continue to be sub-optimal.

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

Determination:

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Approval Documents:

[2111-2143 Donaldson signature page.pdf](#)

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name
KY36P002501-20	Public Housing	Public Housing Capital Fund (including CFFP and other grants)
KY36P002501-22	Public Housing	Public Housing Capital Fund (including CFFP and other grants)

KY36P002501-23	Public Housing	Public Housing Capital Fund (including CFFP and other grants)
KY36P002501-24	Public Housing	Public Housing Capital Fund (including CFFP and other grants)
KY36P002501-25	Public Housing	Public Housing Capital Fund (including CFFP and other grants)

Estimated Total HUD Funded, Assisted or Insured Amount: \$4,000,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$4,000,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		

<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Site contamination was evaluated as follows: Remediation or clean-up plan. On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. The adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements.</p>
<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project has been determined to have No Effect on listed species. This project is in compliance with the Endangered Species Act without mitigation.</p>
<p>Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.</p>
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.</p>
<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.</p>
<p>Historic Preservation National Historic Preservation Act of</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Based on the project description the project has No Potential to Cause</p>

1966, particularly sections 106 and 110; 36 CFR Part 800		Effects. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used 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	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible	2	This project is for land acquisition and small scale new construction	All development will require permitting

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Land Use and Zoning / Scale and Urban Design		on a current vacant parcel. The land is currently zoned for "light industrial". This use will conform with current zoning and land use.	and approval at the City and County levels.
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	This development will occur on a currently vacant parcel of land. The parcel slopes slightly north to south. The development will attempt to utilize the flat portions of the site. There are no conditions present that would be detrimental to slope, erosion, drainage or storm water runoff.	All development will require permitting and approval at the City and County levels.
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	This project is for land acquisition and small scale new construction on a current vacant parcel.	This project will not generate any hazards or noise that are above and beyond normal, small-scale new construction.
SOCIOECONOMIC			
Employment and Income Patterns	1	This project is construction of one or two buildings dependent on design for use by the local Housing Authority. This construction will increase the service levels of the agency.	No mitigation is required.
Demographic Character Changes / Displacement	2	This project will occur on a currently vacant parcel of land. There will be no demographic changes or displacement.	No mitigation is required.
Environmental Justice EA Factor	2	This project is for land acquisition and small scale new construction on a current vacant parcel.	No mitigation is required.
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	This project is for land acquisition and small scale new construction on a current vacant parcel.	No mitigation is required.
Commercial Facilities (Access and Proximity)	2	This project is construction of two buildings for use by the local Housing Authority.	No mitigation is required.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Health Care / Social Services (Access and Capacity)	1	This project is construction of one or two buildings dependent on design for use by the local Housing Authority. This construction will increase the service levels of the agency.	No mitigation is required.
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	This project is construction of one or two buildings dependent on design for use by the local Housing Authority.	No mitigation is required.
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	This project is construction of one or two buildings dependent on design for use by the local Housing Authority.	No mitigation is required.
Water Supply (Feasibility and Capacity)	2	This project is construction of one or two buildings dependent on design for use by the local Housing Authority.	No mitigation is required.
Public Safety - Police, Fire and Emergency Medical	2	This project is construction of one or two buildings dependent on design for use by the local Housing Authority.	No mitigation is required.
Parks, Open Space and Recreation (Access and Capacity)	2	This project is construction of one or two buildings dependent on design for use by the local Housing Authority.	No mitigation is required.
Transportation and Accessibility (Access and Capacity)	2	This project is construction of one or two buildings dependent on design for use by the local Housing Authority.	No mitigation is required.
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	This project is for land acquisition and small scale new construction on a current vacant parcel.	No mitigation is required.
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	This project is for land acquisition and small scale new construction on a current vacant parcel.	No mitigation is required.
Other Factors 1	2	This project is for land acquisition and small scale new construction on a current vacant parcel.	No mitigation is required.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Other Factors 2	2	This project is for land acquisition and small scale new construction on a current vacant parcel.	No mitigation is required.
CLIMATE AND ENERGY			
Climate Change	2	This project is for land acquisition and small scale new construction on a current vacant parcel.	No mitigation is required.
Energy Efficiency	2	This project is for land acquisition and small scale new construction on a current vacant parcel.	No mitigation is required.

Supporting documentation

Additional Studies Performed:

Field Inspection [Optional]: Date and completed by:

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

Kentucky Heritage Council- State Historic Preservation Office ; KY State Ecological Office; KY Energy and Environment Cabinet.

List of Permits Obtained:

Building and zoning permitting will be required at the City and County levels.

Public Outreach [24 CFR 58.43]:

The FONSI and RROF will be advertised and disseminated and the full environmental review will be made available for public comment per 24 CFR 50.23 & 58.43.

Cumulative Impact Analysis [24 CFR 58.32]:

This project is a stand-alone project and is not related to any other projects that could have an adverse environmental impact.

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

This proposed project is acquisition and small scale development on a currently vacant lot. The parcel of land was selected because it is a former brownfield site that can only be utilized for certain types of development. The parcel is also in close proximity to the current Housing Authority main offices and public housing developments. This project will not create any adverse environmental conditions. Because of these factors, other sites and/or other types of development were not considered.

No Action Alternative [24 CFR 58.40(e)]

The no action alternative would simply result in the parcel of land to continue to be under-utilized. This is small-scale new construction which will not create any adverse environmental impacts.

Summary of Findings and Conclusions:

The project will not result in a significant impact on the quality of the human environment.

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Contamination and Toxic Substances	This site is a former brownfield site. The property has been assessed and cleanup activities are complete. The site has an approved KDEP Environmental Covenant in place. The plan for development on the site has been conditionally approved by the KY Energy and Environment Cabinet. Approval letter is attached.	N/A	Final project design and plans will be submitted to the State for review and approval.	
Conformance with Plans / Compatible Land Use and	All development will require permitting and approval at the City and County levels.	N/A	All required permits	

Zoning / Scale and Urban Design			will be obtained.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	All development will require permitting and approval at the City and County levels.	N/A	No mitigation is required.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	This project will not generate any hazards or noise that are above and beyond normal, small-scale new construction.	N/A	No mitigation is required.	
Employment and Income Patterns	No mitigation is required.	N/A	No mitigation is required.	
Demographic Character Changes / Displacement	No mitigation is required.	N/A	No mitigation is required.	
Environmental Justice EA Factor	No mitigation is required.	N/A	No mitigation is required.	
Educational and Cultural Facilities (Access and Capacity)	No mitigation is required.	N/A	No mitigation is required.	
Commercial Facilities (Access and Proximity)	No mitigation is required.	N/A	No mitigation is required.	
Health Care / Social Services (Access and Capacity)	No mitigation is required.	N/A	No mitigation is required.	
Solid Waste Disposal and Recycling	No mitigation is required.	N/A	No mitigation is required.	

(Feasibility and Capacity)				
Waste Water and Sanitary Sewers (Feasibility and Capacity)	No mitigation is required.	N/A	No mitigation is required.	
Water Supply (Feasibility and Capacity)	No mitigation is required.	N/A	No mitigation is required.	
Public Safety - Police, Fire and Emergency Medical	No mitigation is required.	N/A		
Parks, Open Space and Recreation (Access and Capacity)	No mitigation is required.	N/A	No mitigation is required.	
Transportation and Accessibility (Access and Capacity)	No mitigation is required.	N/A	No mitigation is required.	
Unique Natural Features /Water Resources	No mitigation is required.	N/A	No mitigation is required.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	No mitigation is required.	N/A	No mitigation is required.	
Other Factors 1	No mitigation is required.	N/A	No mitigation is required.	
Other Factors 2	No mitigation is required.	N/A	No mitigation	

			is required.	
Climate Change	No mitigation is required.	N/A	No mitigation is required.	
Energy Efficiency	No mitigation is required.	N/A	No mitigation is required.	

Project Mitigation Plan

The Housing Authority of Covington is the lead entity on this project with the Procurement Officer/Capital Asset Manager. They will oversee all aspects of the project and will monitor all required mitigation.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[2111 Donaldson to Lunken.JPG](#)

[2111 Donaldson to CVG.JPG](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Compliance Determination

This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance.

Yes

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

[FIRMETTE_28dfdb43-5502-4856-b90a-d7a12f0a597c.pdf](#)

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

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

No

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

Yes

4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?

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Yes

✓ No

Screen Summary

Compliance Determination

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

Yes

No

Air Quality Attainment Status of Project’s County or Air Quality Management District

2. Is your project’s air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

No, project’s county or air quality management district is in attainment status for all criteria pollutants.

Yes, project’s management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

Screen Summary

Compliance Determination

The project’s county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.

Supporting documentation

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Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.

Screen Summary

Compliance Determination

This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

1. **How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.**

American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)

ASTM Phase II ESA

- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening
- None of the Above

2. **Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

No

- Yes

3. **Mitigation**

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

Can adverse environmental impacts be mitigated?

Adverse environmental impacts cannot feasibly be mitigated.

- ✓ Yes, adverse environmental impacts can be eliminated through mitigation.
Document and upload all mitigation requirements below.

4. Describe how compliance was achieved in the text box below. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls, or use of institutional controls.

This site is a former brownfield site. The property has been assessed and cleanup activities are complete. The site has an approved KDEP Environmental Covenant in place. The plan for development on the site has been conditionally approved by the KY Energy and Environment Cabinet. Approval letter is attached.

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

Complete removal

- ✓ Risk-based corrective action (RBCA)

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: Remediation or clean-up plan. On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. The adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements.

Supporting documentation

[52425 Approval of Preliminary Site Plan.pdf](#)

Are formal compliance steps or mitigation required?

- ✓ Yes

No

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Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect species or habitats?

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

- ✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

2. Are federally listed species or designated critical habitats present in the action area?

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

- ✓ Yes, there are federally listed species or designated critical habitats present in the action area.

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

- ✓ No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat. in the action area.

Document and upload all documents used to make your determination below. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate

May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

Mitigation as follows will be implemented:

- ✓ No mitigation is necessary.

Explain why mitigation will not be made here:

Letters of concurrence regarding the determinations of "no affect" to listed endangered species is attached. IPaC website was utilized to conduct the project review.

Screen Summary
Compliance Determination

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This project has been determined to have No Effect on listed species. This project is in compliance with the Endangered Species Act without mitigation.

Supporting documentation

[Species List_Kentucky Ecological Services Field Office.pdf](#)
[NE Consistency Letter_Northern Long-eared Bat Rangewide Determination Key 2023-08-01.pdf](#)
[NE Consistency Letter_Kentucky State-wide Determination Key 2023-08-01.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

Yes

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

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

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes

No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

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

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- 55.12(c)(11)

None of the above

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

[FIRMETTE_28dfdb43-5502-4856-b90a-d7a12f0a597c.pdf](#)

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

Does your project occur in a floodplain?

No

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

Yes

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Screen Summary

Compliance Determination

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

- No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)
- ✓ No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].
- Yes, because the project includes activities with potential to cause effects (direct or indirect).

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

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

Screen Summary

Compliance Determination

Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106.

Supporting documentation

[231520 HUD Cov New Maintenance Building Kenton cond NAE- SHPO conditional approval memo.pdf](#)

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Are formal compliance steps or mitigation required?

Yes

No

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

1. **What activities does your project involve? Check all that apply:**

New construction for residential use

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

None of the above

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

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✓ No

Sole Source Aquifers

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

Screen Summary

Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.

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Supporting documentation

[Sole Source Aquifers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

No

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

Yes

Screen Summary

Compliance Determination

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[Rivers Trails and Conservation Program.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?

Yes

No

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

Screen Summary

Compliance Determination

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No