

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

Project Information

Project Name: Andrew-County-Water-Improvements

HEROS Number: 900000010470871

Start Date: 05/15/2025

Responsible Entity (RE): Andrew County, 411 Court St Savannah MO, 64485

RE Preparer: Timothy Fobes

State / Local Identifier:

Certifying Officer: Brad Jarvis

Grant Recipient (if different than Responsible Entity): Mo-Kan Regional Council

PHA Code:

Point of Contact: Trevor Tutt

Consultant (if applicable): Mo-Kan Regional Council

Point of Contact: Timothy Fobes

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

- ✓ By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

Project Location: 411 Court St, Savannah, MO 64485

Additional Location Information:

Four projects in Andrew County. Address shown above is the Responsible Entity (Andrew County Commission) physical location. Maps project locations are attached to this EA. City of Fillmore: Proposed and existing water tower located south of the intersection of East Kenyon Street and South Summit Street. Other related infrastructure such as meters planned throughout the city. PWSD 1: New tank and pump station proposed along Route DD 2.2 miles south of Savannah, MO. PWSD 2: Along the east side of US Hwy 169 from Avenue City 2.6 miles to the northeast. PWSD 3: Located on the south side of US 59, about 0.5 mile northwest of the Hwy 71/59 interchange. A single off-site construction laydown area is being considered at five alternative locations.

Direct Comments to:

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

The grant consists of four water projects. The projects include water system improvements in the City of Fillmore, and Public Water Supply Districts 1, 2, and 3, all of which are located within Andrew County, Missouri. The City of Fillmore will be constructing a new water tower to replace their current one, as well as upgrading the water distribution system. The proposed system improvements include new piping and main line hydrants, as well as road crossings, valves, flushing hydrants service line to residents, service meter pits and meters and a new master meter pit at their connection with Andrew Public Water Supply District 3. Andrew Public Water Supply District 1 is constructing a new 300,000-gallon elevated water tower and pump station. Andrew Water Supply District 2 is replacing a water main along Highway 169, which will improve the capacity of the water distribution system in this area. Andrew Water Supply District 3 is constructing a new 200,000-gallon water tower to stabilize water pressure within the district and serve as an emergency backup.

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

City of Fillmore: The purpose of this project is to replace and upgrade aging existing infrastructure in the distribution system. It is needed due to a badly rusted water tank that leaks, along with aging distribution piping that is weak with risk of scaling and mineral deposit buildup and low pressure issues. Scaling represents a health risk of biofilm and bacterial growth that are difficult to mitigate with routine flush, as there is limited hydrants and flushing devices available. PWSD 1: The purpose of this project is to improve water reliability and distribution in the district. Periods of low water

pressure occur to its customers. PWSD 2: The purpose of this project is to replace an aging main water line. It is needed because of many past breaks, to maintain reliable distribution pressure and add capacity in the future. PWSD 3: The purpose of this project is to improve water reliability and distribution in the district.

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

All four projects are located in rural areas of Andrew County. Andrew County is predominately agricultural based with significant amounts of cropland, pasture and undeveloped areas such as wooded stream and river corridors, and farmsteads. Rural highways and/or local city streets offer access to the project locations. Without the projects, trends in water supply for the projects that are likely to continue are on a spectrum from reduced reliability and leaks, to increased risk of bacterial growth and human health risks, to catastrophic failure of the tank in Fillmore, MO, which is critical need of replacement. Without the projects, the four project sites and Andrew County in general are expected to remain a predominantly agricultural economy in the future and remain largely rural across the landscape. Population is expected to remain relatively stable in Andrew County without the projects.

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

[Andrew CO Projects Map Set.pdf](#)

[Photo log of sites\(2\).docx](#)

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:

7015.15 certified by Certifying Officer
on:

7015.16 certified by Authorizing Officer
on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
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B-24-CP-MO-1272	Other	Community Project Funding	\$7,592,860.00
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Estimated Total HUD Funded, \$7,592,860.00
Assisted or Insured Amount:

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$7,592,860.00

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	None of the four project sites are not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The National Plan of Integrated Airport Systems (2025-2029) map for the state of Missouri was consulted. The closest airport is in St. Joseph, Missouri more than 10 miles from the nearest project, which is PWSD 1 water and pump station. The USEPA NEPASSIST tool was used to verify the closest airport to the closest project, which is PWSD 1. The distance from Rosecrans Memorial Airport to this project is about 13 miles.
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	Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is exempted from flood insurance. While flood insurance may not be mandatory in this instance,

		<p>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. The only project in the floodplain is PWSD 2 replacement line, which would be installed below the floodplain underground either in an open cut trench or directionally bored under streams. Open cut trenches will be backfilled to pre-construction contours. No structures would be constructed in the floodplain areas. See attached NEPASSIST map. None of the other three projects are located in floodplain areas. The Commission requested comments from FEMA on the project. FEMA did not respond to the request.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5</p>		
<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. See attached Missouri DNR map showing which counties are in attainment and non-attainment. Andrew County is in attainment. The counties in non-attainment are in the St. Louis area over 200 miles east of Andrew County. U.S. EPA provided general BMP practices for air quality at construction sites, see the attached letter.</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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or</p>

		conflict with the intended use of the property were not found. The project is exempt from radon consideration. The project is in compliance with contamination and toxic substances requirements.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The USFWS responded to our consultation request on July 29th, 2025. The Deputy Field Supervisor indicated the project is Not Likely to Adversely Affect, listed bat species, and informal consultation was concluded. The Deputy Field Supervisor determined the project and its effects on proposed species for listing, the tri-colored bat, monarch butterfly and western regal fritillary butterfly, while not protected under Section 9 ESA take provision, is not likely to jeopardize the continued existence of the species. This project is in compliance with the Endangered Species Act without mitigation. Missouri Department of Conservation commented on each project regarding state and federally listed species, see the attached four responses. A bald eagle record was identified within 1 mile of the Andrew PWSD # 2 project. If bald eagles or their nests are found in or within 660 feet of project activities for this project, USFWS guidance provided by MDC for avoiding incidental take will be followed. For the project work in Fillmore, MDC identified records of the proposed endangered tri-colored bat within 5 miles of the project area. While the tri-colored bat is not yet formally regulated under the Endangered Species Act, contractors will be made aware of this species, and bat species in general, during construction. MDC provided records of various state listed species for each project located within proximities of 5 miles or less. While state species are largely unregulated from incidental take, contractors will be

		made aware to minimize impacts to vegetation for overall consideration to fish and wildlife.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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. See attached maps confirming no known explosive or flammable hazard issues, which was confirmed by on-site windshield surveys of each project site.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This grant includes projects and activities that could potentially convert agricultural land to a non-agricultural use, but exemptions apply. USDA NRCS has determined three projects (Fillmore, PWSD # 1, and PWSD # 3) are exempt to FPPA requirements (see attached email from NRCS), and one project (PWSD # 2) doesn't constitute a permanent FPPA conversion provided soils are restored to crop production upon construction completion (see attached email from NRCS). The project is in compliance with the Farmland Protection Policy Act. No form AD-1006 analysis is necessary per NRCS determinations.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The following exception applies, therefore the project is in compliance with Executive Orders 11988 and 13690: 55.12(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area), but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements; and (2) The proposed project will not result in any new construction in or modifications of a

		wetland. (3) The proposed projects for Andrew PWSD # 1 and # 3, and for the city of Fillmore, would not occur in FFRMS floodplains. (4) The proposed project for Andrew PWSD # 2 would be directionally drilled and open cut trenched in two short distance FFRMS floodplain crossings, but these are consider incidental portions exempt from compliance. Missouri SEMA was requested to comment on the project. They responded that the projects must meet local floodplain ordinances since Andrew County is a participant in the NFIP. This would include compliance and permits as needed for work in Special Flood Hazard Areas. A local floodplain development permit could be required for work in the floodplain. The Commission believes the work in the floodplain for Andrew PWSD # 2 is exempt from floodplain development regulation, but as final design plans are developed, the County's floodplain administrator will review the project to determine if a floodplain development permit is necessary.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The Missouri SHPO reviewed the projects and provided a No Historic Properties Affected determination. Almost all tribes contacted did not respond to request for review and comment. The Iowa Tribe of Kansas and Nebraska responded with no objections to the projects, see attached. Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
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. No sensitive noise receptors

		are known based on site visit, nor would the construction and operation of any of the four water projects result in the need for noise abatement and control. See attached photo log.
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. There are no sole source aquifers in the state of Missouri. 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	A desktop review of NWI mapping and aerial photography, along with site visits, was conducted at each project location. No wetlands were identified in the Fillmore Missouri footprint, nor in the Andrew PWSD's # 1 and 3 footprints, as these are all upland areas. Within the Andrew PWSD # 2 footprint, an NWI mapped forested wetland was identified along Long Branch Creek near US Hwy 169. Upon close inspection of dormant (off-leaf cover) season aerial photography available through Andrew County's online interactive GIS service, this NWI wetland polygon was verified on aerial photography, but it is about 150 feet further south than the NWI polygon indicates (locational errors are common in the NWI mapping system). This wetland is not over the replacement line footprint. It will be avoided. Two other stream crossings were identified on the Andrew PWSD # 2 footprint from the NWI map. No wetlands were identified on aerial photography adjacent to these two crossing. Of the five potential alternative construction laydown sites for Andrew PWSD # 2, all are located in upland areas; therefore, no wetland impacts would occur. The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. Stream crossings in the project area will be horizontally directionally drilled with new piping;

		therefore, no impacts to streams are anticipated. No CWA Section 404 is anticipated for the project for wetlands or streams. The use of avoidance with horizontal directional drilling under streams would avoid impacts to streams. Comments about the project were requested from the USACE regulatory office. The USACE responded on 07/30/2025 they were intending to respond by August 5th, one week after the 30-day comment period ended. As of August 7th, 2025 they have not provided comments. Therefore the Commission assumes the USACE has no comments or doesn't have the time to respond.
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 nearest NWSRS is in southern Missouri, about 6 hours southeast of the project locations. 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. Under current Presidential Executive Order, considerations for Environmental Justice are no longer required to be considered by federal agencies.

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 Land Use and Zoning / Scale and Urban Design	1	All four projects will have a beneficial impact to the communities they serve with potable water improvements, but will have no adverse impact to land development factors.	N/A
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	No impacts to these factors are anticipated at each project site.	Fillmore and Andrew PWSD # 2 will need to obtain Missouri DNR stormwater land disturbance permits for construction and implement stormwater management BMPs like silt fence and rock checks to manage erosion and stormwater and sediment runoff during construction. Andrew PWSD # 1 and # 3 may or may not need to obtain a DNR land disturbance permit, depending on the final acre of land disturbance needed. One acre or greater requires a permit under federal law.
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	No impacts from these factors are anticipated from project operations at each project site.	N/A
SOCIOECONOMIC			
Employment and Income Patterns	2	No impacts to these factors are anticipated at each project site. Long term employment and income is not expected to increase or decrease.	N/A
Demographic Character Changes / Displacement	2	No impacts to these factors are anticipated at each project site. Demographics will remain	N/A

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		the same after the projects are built, and displacements will not occur.	
Environmental Justice EA Factor	2	N/A per recent Presidential EO.	N/A
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	No educational or cultural facilities exist on or in close proximity to each project footprint. No impacts to these are anticipated at each project site.	N/A
Commercial Facilities (Access and Proximity)	2	There are no known commercial facilities on or near each projects construction areas. In Fillmore, no active open store fronts were observed along Main Street. No impacts to commercial facilities are anticipated at each project site.	N/A
Health Care / Social Services (Access and Capacity)	2	There are no known health care/social service facilities on or near each projects construction areas. No impacts to these factors are anticipated at each project site.	N/A
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	No impacts to these factors are anticipated at each project site. Placement location of residential solid waste and recycling bins in Fillmore may be altered if active water line construction is occurring near driveway entrances where bins are commonly placed. This is considered an inconsequential impact.	N/A
Waste Water and Sanitary Sewers	2	No impacts to waste water and sanitary sewers are	N/A

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
(Feasibility and Capacity)		anticipated at each project site.	
Water Supply (Feasibility and Capacity)	1	Minor beneficial water supply impacts to the communities these water projects would serve is anticipated with more reliable water service and water pressure.	N/A
Public Safety - Police, Fire and Emergency Medical	2	No impacts to these factors are anticipated at each project site. Roads and driveways would be kept open during construction to facilitate normal first responder access.	N/A
Parks, Open Space and Recreation (Access and Capacity)	2	No impacts to these factors are anticipated at each project site. No parks, open space or recreational occur in each of the four project sites construction areas.	N/A
Transportation and Accessibility (Access and Capacity)	2	No impacts to these factors are anticipated at each project site. Roads and driveways would be kept open during construction to facilitate normal public access and capacity.	N/A
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	No unique natural features exist in the construction areas of each of the four project sites. No water resource features are present in the construction areas in Fillmore, nor on Andrew PWSD # 1 and # 3 sites. Several stream crossing water resources exist on the Andrew PWSD # 2 site, but would be horizontally directional drilled to avoid impacts. No impacts to these	N/A

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		factors are anticipated at each project site.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	3	Impacts to vegetation and wildlife at each project site is expected to be minimal. Some tree clearing or removal may be required to install water lines. The contractor shall be made aware to minimize vegetation clearing and be aware of wildlife in the area such as bald eagles or bats.	Contractor shall notify the Commission if bald eagles or bats are observed in or near any of the project construction sites.
Other Factors 1			
Other Factors 2			
CLIMATE AND ENERGY			
Climate Change	2	N/A per recent Presidential EO.	N/A
Energy Efficiency	2	N/A per recent Presidential EO.	N/A

Supporting documentation

Additional Studies Performed:

None

Field Inspection [Optional]: Date and completed

by:

Tim Fobes

6/12/2025 12:00:00 AM

[Photo log of sites\(2\).docx](#)

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

See attached agency and tribal comment request letters and responses.

List of Permits Obtained:

The Andrew PWSD # 2 project may require a Missouri DNR land disturbance permit prior to construction.

Public Outreach [24 CFR 58.43]:

A public meeting was conducted for the projects on August 14th, 2025 at the Andrew County Courthouse in Savannah, Missouri. The purpose of the meeting was to gather input and comments from citizens in Andrew County. The public notice for the meeting was published in the Savannah Reporter, a newspaper in Andrew County. In addition, the meeting notice was announced by the City of Fillmore, and Andrew PWSD # 2 and Andrew PWSD # 3. The Commission provided an agenda and a sign-in sheet recorded those in attendance. In summary, there was no direct objection to any of the projects. The people attending supported the projects. Two individuals from PWSD # 2 had questions about administering the grant funding and was there concern that if an environmental issue developed on one project, would it prevent grant funding on the other three projects. There were also representatives from Amazonia, Missouri and the City of Savannah who had questions about matters other than the projects being project. Both entities were denied funding requests from Representative Graves office and were wondering how the Commission ended up getting funded for the four water projects. Several individuals representing the four projects said they had applied for USDA funding were just as surprised to get the projects funding through HUD. It was recommended by Mo-Kan that Amazonia and Savannah reach out to Representative Graves office for feedback.

[Andrew PWSD 3 08142025 Public Notice.pdf](#)

[Andrew PWSD 2 08142025 Public Notice.pdf](#)

[Fillmore Public Meeting Notice 08142025.pdf](#)

[Newspaper Public Notice 08142025.pdf](#)

[Sign In Sheet 08142025.pdf](#)

[Commission Agenda 08142025.pdf](#)

Cumulative Impact Analysis [24 CFR 58.32]:

Cumulative impacts include more reliable water pressure and service, collectively, to the people served by each of the four water providers in Andrew County. Having reliable pressure and service helps maintain stable human population levels in Andrew County, but is not expected to induce additional growth whether planned or not. No future actions are known. No other cumulative impacts were identified.

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

No alternatives or other courses of actions are available for any of the four water projects proposed. The work for Andrew PWSD # 2 and Fillmore MO is largely replacement of aging infrastructure, and the other two projects are improvements to existing distribution systems that need better pressure and overall reliability to customers. There are no alternative technologies or courses of action available to accomplish each project.

No Action Alternative [24 CFR 58.40(e)]

The no action alternative consists of not constructing any of the four proposed projects. Future conditions in Fillmore include potential catastrophic failure of their water tower, along with worsening water pressure and increased human health risks from system deterioration. Future conditions for Andrew PWSD # 2 include increased water main breaks and leaks. Future conditions for Andrew PWSD # 1 and # 3 include limitations to maintain adequate system water pressure and overall reliability.

Summary of Findings and Conclusions:

The ERR identified no adverse impacts to resource areas considered. The ERR identified the need (dire in some cases) of water infrastructure improvements due to aging infrastructure. The projects would have a beneficial impact to water customers in each of the four project district/service areas by providing more reliable service and better water pressure. Temporary disturbance impacts to soil would occur from construction activities, but soils would be restored to pre-construction contours upon completion of construction work activities.

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
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	N/A	N/A		
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	Fillmore and Andrew PWSD # 2 will need to obtain Missouri DNR stormwater land disturbance permits for construction and implement stormwater management BMPs like silt fence and rock checks to manage erosion and	N/A	Apply for land disturbance permits, require contractors to deploy and maintain	

	stormwater and sediment runoff during construction. Andrew PWSD # 1 and # 3 may or may not need to obtain a DNR land disturbance permit, depending on the final acre of land disturbance needed. One acre or greater requires a permit under federal law.		erosion and sediment control measures including the development of a stormwater management plan.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	N/A	N/A		
Employment and Income Patterns	N/A	N/A		
Demographic Character Changes / Displacement	N/A	N/A		
Environmental Justice EA Factor	N/A	N/A		
Educational and Cultural Facilities (Access and Capacity)	N/A	N/A		
Commercial Facilities (Access and Proximity)	N/A	N/A		
Health Care / Social Services (Access and Capacity)	N/A	N/A		
Solid Waste Disposal and Recycling (Feasibility and Capacity)	N/A	N/A		

Waste Water and Sanitary Sewers (Feasibility and Capacity)	N/A	N/A		
Water Supply (Feasibility and Capacity)	N/A	N/A		
Public Safety - Police, Fire and Emergency Medical	N/A	N/A		
Parks, Open Space and Recreation (Access and Capacity)	N/A	N/A		
Transportation and Accessibility (Access and Capacity)	N/A	N/A		
Unique Natural Features /Water Resources	N/A	N/A		
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	Contractor shall notify the Commission if bald eagles or bats are observed in or near any of the project construction sites.	N/A	None proposed.	
Climate Change	N/A	N/A		
Energy Efficiency	N/A	N/A		
Farmland Policy Protection Act	For Andrew PWSD # 2, all excavated soils shall be returned to pipe trench and soils of statewide importance or prime farmland shall be returned to pre-construction	N/A	Project design plan sheets to note restore soils to pre-construction	

	use for crop (or other ag) production.		contours and use conditions.	
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Project Mitigation Plan

The Responsible Entity will require each water supplier to report permits needed and to provide copies of permits prior to construction.

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

None of the four project sites are not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The National Plan of Integrated Airport Systems (2025-2029) map for the state of Missouri was consulted. The closest airport is in St. Joseph, Missouri more than 10 miles from the nearest project, which is PWSD 1 water and pump station. The USEPA NEPASSIST tool was used to verify the closest airport to the closest project, which is PWSD 1. The distance from Rosecrans Memorial Airport to this project is about 13 miles.

Supporting documentation

[ARP NPIAS 2025 thru 2029 Appendix B.pdf](#)
[Airport Distance Measurement.jpg](#)

Are formal compliance steps or mitigation required?

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?

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.

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

Yes

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

Yes

- ✓ No

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is exempted from flood insurance. 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. The only project in the floodplain is PWSD 2 replacement line, which would be installed below the floodplain underground either in an open cut trench or directionally bored under streams. Open cut trenches will be backfilled to pre-construction contours. No structures would be constructed in the floodplain areas. See attached NEPASSIST map. None of the other three projects are located in floodplain areas. The Commission requested comments from FEMA on the project. FEMA did not respond to the request.

Supporting documentation

[PWSD 2 NEPASSIST MAP.jpg](#)

Are formal compliance steps or mitigation required?

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. See attached Missouri DNR map showing which counties are in attainment and non-attainment. Andrew County is in attainment. The counties in non-attainment are in the St. Louis

area over 200 miles east of Andrew County. U.S. EPA provided general BMP practices for air quality at construction sites, see the attached letter.

Supporting documentation

[2022 03 02 current nonattainment area map.pdf](#)

[EPA NEPA Response\(1\).pdf](#)

Are formal compliance steps or mitigation required?

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?

No

Contamination and Toxic Substances

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

1. How was site contamination evaluated?* Select all that apply.

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

☒ None of the above

* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.

For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

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

Provide a map or other documentation of absence or presence of contamination** and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

✓ No

Explain:

Using online maps and databases from both USEPA NEPAAssist and Missouri DNR ESTART, for each project site, it was determined no on-site or nearby toxic, hazardous, or radioactive substances/sites exist that could affect the health and safety of project occupants or conflict with intended uses of properties.

Yes

* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

** Utilize EPA's Enviromapper, NEPAAssist, or state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions* from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?

✓ Yes

Explain:

No buildings will be affected by the construction of any of the four projects.

No

* Notes:

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with

program requirements.

- Buildings tested within five years of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA's recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is exempt from radon consideration. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

[PWSD 2 NEPASSIST\(4\).pdf](#)

[Photo log of sites.docx](#)

[MDNR ESTART Fillmore MO.jpg](#)

[MDNR ESTART PWSD 1.jpg](#)

[MDNR ESTART PWSD 3.jpg](#)

[MDNR ESTART PWSD 2.jpg](#)

[PWSD 3 NEPASSIST Map.jpg](#)

[PWSD 3 NEPASSIST.pdf](#)

[PWSD 2 NEPASSIST Map.jpg](#)

[PWSD 1 NEPASSIST Map.jpg](#)

[Fillmore NEPASSIST Map.jpg](#)

[PWSD 1 NEPASSIST.pdf](#)

[Fillmore NEPASSIST.pdf](#)

Are formal compliance steps or mitigation required?

No

Endangered Species

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

- ✓ 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.

4. Informal Consultation is required

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?

- ✓ Yes, the Service(s) concurred with the finding.

Based on the response, the review is in compliance with this section. Document and upload the following below:

- (1) A biological evaluation or equivalent document
- (2) Concurrence(s) from FWS and/or NMFS
- (3) Any other documentation of informal consultation

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

No, the Service(s) did not concur with the finding.

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:

The USFWS did not request mitigation in the form of seasonal tree clearing restrictions for the listed bat species. Confirmation of no mitigation (i.e. no tree clearing restrictions) is in the attached email from USFWS Deputy Supervisor.

Screen

Summary

Compliance Determination

The USFWS responded to our consultation request on July 29th, 2025. The Deputy Field Supervisor indicated the project is Not Likely to Adversely Affect, listed bat species, and informal consultation was concluded. The Deputy Field Supervisor determined the project and its effects on proposed species for listing, the tri-colored bat, monarch butterfly and western regal fritillary butterfly, while not protected under Section 9 ESA take provision, is not likely to jeopardize the continued existence of the species. This project is in compliance with the Endangered Species Act without mitigation. Missouri Department of Conservation commented on each project regarding state and federally listed species, see the attached four responses. A bald eagle record was identified within 1 mile of the Andrew PWSD # 2 project. If bald eagles or their nests are found in or within 660 feet of project activities for this project, USFWS guidance provided by MDC for avoiding incidental take will be followed. For the project work in Fillmore, MDC identified records of the proposed endangered tri-colored bat within 5 miles of the project area. While the tri-colored bat is not yet formally regulated under the Endangered Species Act, contractors will be made aware of this species, and bat species in general, during construction. MDC provided records of various state listed species for each project located within proximities of 5 miles or less. While state species are largely unregulated from incidental take, contractors will be made aware to minimize impacts to vegetation for overall consideration to fish and wildlife.

Supporting documentation

[MDC Response_PWSD 1.pdf](#)

[MDC Response_PWSD 3.pdf](#)

[MDC Response_PWSD 2.pdf](#)

[USFWS Clearance Documentation Clarification Email.pdf](#)

[MDC Response Fillmore.pdf](#)

[USFWS Letter w Attachments.pdf](#)

[USFWS Clearance Documentation.pdf](#)

Are formal compliance steps or mitigation required?

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. See attached maps confirming no known explosive or flammable hazard issues, which was confirmed by on-site windshield surveys of each project site.

Supporting documentation

[Fillmore NEPASSISTMap.jpg](#)
[MDNR ESTART Fillmore MO\(1\).jpg](#)
[MDNR ESTART PWSD 1\(1\).jpg](#)
[MDNR ESTART PWSD 2\(1\).jpg](#)

[MDNR ESTART PWSD 3\(1\).jpg](#)
[PWSD 1 NEPASSIST Map\(1\).jpg](#)
[PWSD 2 NEPASSIST Map\(2\).jpg](#)
[PWSD 3 NEPASSIST Map\(1\).jpg](#)

Are formal compliance steps or mitigation required?

No

Farmlands Protection

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

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

✓ Yes

No

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

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

✓ Yes

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

No

Screen Summary**Compliance Determination**

This grant includes projects and activities that could potentially convert agricultural land to a non-agricultural use, but exemptions apply. USDA NRCS has determined three projects (Fillmore, PWSD # 1, and PWSD # 3) are exempt to FPPA requirements (see attached email from NRCS), and one project (PWSD # 2) doesn't constitute a permanent FPPA conversion provided soils are restored to crop production upon construction completion (see attached email from NRCS). The project is in compliance with the Farmland Protection Policy Act. No form AD-1006 analysis is necessary per NRCS determinations.

Supporting documentation

[NRCS Email Response of Exemption from Farmland Conversion.pdf](#)

Are formal compliance steps or mitigation required?

Yes

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 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD's floodplain management regulations in Part 55?

✓ Yes

(a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).

(b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property's continued use for flood control, wetland projection, open space, or park land, but only if:

(1) The property is cleared of all existing buildings and walled structures; and

(2) The property is cleared of related improvements except those which:

(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);

(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and

(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance,

or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

✓ (g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

(1) The proposed project sites do not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements and; (2) The proposed project will not result in any new construction in or modifications of a wetland. (3) The proposed projects for Andrew PWSD # 1 and # 3, and for the city of Fillmore, would not occur in FFRMS floodplains. (4) The proposed project for Andrew PWSD # 2 would be directionally drilled and open cut trenched in two short distance FFRMS floodplain crossings, but these are consider incidental portions exempt from compliance.

No

Screen Summary
Compliance Determination

The following exception applies, therefore the project is in compliance with Executive Orders 11988 and 13690: 55.12(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area), but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements; and (2) The proposed project will not result in any new construction in or modifications of a wetland. (3) The proposed projects for Andrew PWSD # 1 and # 3, and for the city of Fillmore, would not occur in FFRMS floodplains. (4) The proposed project for Andrew PWSD # 2 would be directionally drilled and open cut trenched in two short distance FFRMS floodplain crossings, but these are consider incidental portions exempt from compliance. Missouri SEMA was requested to comment on the project. They responded that the projects must meet local floodplain ordinances since Andrew County is a participant in the NFIP. This would include compliance and permits as needed for work in Special Flood Hazard Areas. A local floodplain development permit could be required for work in the floodplain. The Commission believes the work in the floodplain for Andrew PWSD # 2 is exempt from floodplain development regulation, but as final design plans are developed, the County's floodplain administrator will review the project to determine if a floodplain development permit is necessary.

Supporting documentation

[SEMA Response.pdf](#)

[PWSD 2 NEPASSIST Map\(1\).jpg](#)

Are formal compliance steps or mitigation required?

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).

Step 1 – Initiate Consultation

Select all consulting parties below (check all that apply):

- ✓ State Historic Preservation Offer (SHPO) Completed

- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

- ✓ Apache Tribe of Oklahoma Response Period Elapsed
- ✓ Iowa Tribe of Kansas and Nebraska Completed
- ✓ Iowa Tribe of Oklahoma Response Period Elapsed

✓ Miami Tribe of Oklahoma	Response Period Elapsed
✓ Omaha Tribe of Nebraska	Response Period Elapsed
✓ Osage Nation	Response Period Elapsed
✓ Otoe-Missouria Tribe of Indians, Oklahoma	Response Period Elapsed
✓ Sac & Fox Nation of Missouri in KS and NE	Response Period Elapsed
✓ Sac & Fox Nation Oklahoma	Response Period Elapsed
✓ Sac & Fox Tribe of the Mississippi in Iowa	Response Period Elapsed

Other Consulting Parties

Describe the process of selecting consulting parties and initiating consultation here:

TDAT database was utilized to select consulting parties.

Document and upload all correspondence, notices and notes (including comments and objections received below).

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

Yes
No

Step 2 – Identify and Evaluate Historic Properties

1. Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:

Multiple APEs were reviewed. Maps are uploaded.

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
----------------------------------	-----------------------------	------------------	--------------------------

Additional Notes:

2. Was a survey of historic buildings and/or archeological sites done as part of the project?

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

✓ No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

✓ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

The Missouri SHPO reviewed the projects and provided a No Historic Properties Affected determination. Almost all tribes contacted did not respond to request for review and comment. The Iowa Tribe of Kansas and Nebraska responded with no objections to the projects, see attached. Based on Section 106 consultation there

are No Historic Properties Affected because there are no historic properties present.
The project is in compliance with Section 106.

Supporting documentation

[Omaha Tribe of Nebraska.pdf](#)
[Osage Nation\(4\).pdf](#)
[Miami Tribe of Oklahoma.pdf](#)
[Iowa Tribe of Kansas and Nebraska\(1\).pdf](#)
[Iowa Tribe of Oklahoma.pdf](#)
[Apache Tribe of Oklahoma.pdf](#)
[Osage Nation - Fillmore MO Project.pdf](#)
[Osage Nation - Andrew PWSD 1 Project.pdf](#)
[Osage Nation - Andrew PWSD 2 Project.pdf](#)
[Osage Nation - Andrew PWSD 3 Project.pdf](#)
[Andrew CO - City of Fillmore Revised.pdf](#)
[Andrew CO PWD 1 Revised.pdf](#)
[Andrew CO PWD 2 Revised.pdf](#)
[Andrew CO PWD 3 Revised.pdf](#)
[Iowa Tribe of Kansas and Nebraska Response.pdf](#)

Are formal compliance steps or mitigation required?

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. No sensitive noise receptors are known based on site visit, nor would the construction and operation of any of the four water projects result in the need for noise abatement and control. See attached photo log.

Supporting documentation

[Photo log of sites\(1\).docx](#)

Are formal compliance steps or mitigation required?

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. There are no sole source aquifers in the state of Missouri. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

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

✓ Yes

2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."

✓ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

Screen Summary

Compliance Determination

A desktop review of NWI mapping and aerial photography, along with site visits, was conducted at each project location. No wetlands were identified in the Fillmore Missouri footprint, nor in the Andrew PWSD's # 1 and 3 footprints, as these are all upland areas. Within the Andrew PWSD # 2 footprint, an NWI mapped forested wetland was identified along Long Branch Creek near US Hwy 169. Upon close inspection of dormant (off-leaf cover) season aerial photography available through Andrew County's online interactive GIS service, this NWI wetland polygon was verified on aerial photography, but it is about 150 feet further south than the NWI polygon indicates (locational errors are common in the NWI mapping system). This wetland is not over the replacement line footprint. It will be avoided. Two other stream crossings were identified on the Andrew PWSD # 2 footprint from the NWI map. No wetlands were identified on aerial photography adjacent to these two crossing. Of the five potential alternative construction laydown sites for Andrew PWSD # 2, all are located in upland areas; therefore, no wetland impacts would occur. The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. Stream crossings in the project area will be horizontally directionally drilled with new piping; therefore, no impacts to streams are anticipated. No CWA Section 404 is anticipated for the project for wetlands or streams. The use of avoidance with horizontal directional drilling under streams would avoid impacts to streams. Comments about the project were requested from the USACE regulatory office. The USACE responded on 07/30/2025 they were intending to respond by August 5th, one week after the 30-day comment period ended. As of August 7th, 2025 they have not provided comments. Therefore the Commission assumes the USACE has no comments or doesn't have the time to respond.

Supporting documentation

[EPA NEPA Response.pdf](#)

[Andrew CO Projects Map Set\(1\).pdf](#)

Are formal compliance steps or mitigation required?

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 nearest NWSRS is in southern Missouri, about 6 hours southeast of the project locations. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

Are formal compliance steps or mitigation required?

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. Under current Presidential Executive Order, considerations for Environmental Justice are no longer required to be considered by federal agencies.

Supporting documentation

Are formal compliance steps or mitigation required?

No