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Request for Release of Funds

On or about July 31, 2025, the City of Cumberland will submit a request to the Department for Local Government for the release of Community Development Block Grant Disaster Recovery (CDBG-DR) funds under Title I of the Housing and Community Development Act of 1974 (PL 93-383), as well as Appalachian Regional Commission (ARC) funds, to undertake the following project:

Project Title:
Cumberland 10 Inch Waterline Upgrade

Project Description:
This project will install new water infrastructure, including a 10-inch waterline, storage tank, and pump station, to improve water service in the City of Cumberland and extend potable water access to underserved areas near the Harlan–Letcher County line.

Location:
Mastin Drive, Cumberland, Harlan County, KY

Census Tract:
9707

Funding:
The project is supported by a \$500,000 grant from the Appalachian Regional Commission (ARC), in addition to CDBG-DR funds from the Department for Local Government.

Finding of No Significant Impact

The City of Cumberland has determined, based on the completed Environmental Assessment (EA), that the proposed project will have no significant impact on the human environment. Therefore, preparation of an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (NEPA) (PL 91-190) is not required.

Documentation supporting this finding is available in the Environmental Assessment file, located at Cumberland City Hall, P.O. Box 402, Cumberland, KY 40823, and may be reviewed during regular business hours, 8:00 A.M. to 4:00 P.M.

Public Comments

All interested agencies, groups, and persons disagreeing with this determination are invited to submit written comments for consideration by the City of Cumberland. Comments should be directed to City of Cumberland, P.O. Box 402, Cumberland, KY 40823, or by email to travis.hall@kradd.org no later than July 31, 2025. Comments must specify which notice they address.

Environmental Certification

The City of Cumberland will undertake the project described above with CDBG-DR and ARC funds. In doing so, the City is certifying that it has carried out the environmental review process and accepts the jurisdiction of federal courts if action is brought to enforce environmental responsibilities. Upon approval of the certification, the City of Cumberland may use the funds and the State and HUD will be considered to have fulfilled their responsibilities under NEPA and related laws and authorities.

Objection to Release of Funds

The State will accept objections to the release of funds and the City of Cumberland's certification for a period of fifteen days following submission or actual receipt of the request (whichever is later), but only on the following bases:

(a) The certification was not executed by the City of Cumberland's Certifying Officer.

(b) The City failed to make required findings under 24 CFR 58.41 or determinations under 58.52, 58.53, or 58.64.

(c) The City omitted steps in Subparts F and G related to the EA process.

(d) The Advisory Council on Historic Preservation was not given an opportunity to review effects on eligible historic properties.

(e) Funds were committed or actions taken before HUD or State approval.

(f) A Federal agency submitted a finding that the project is unsatisfactory in terms of environmental quality.

Objections must be submitted per 24 CFR 58.76 and directed to:

Department for Local Government
Office of Federal Grants
1024 Capital Center Drive, Ste. 340
Frankfort, KY 40601

Objections received after August 15, 2025 will not be considered. Contact the Department to confirm the deadline.

Charles Raleigh, Mayor
City of Cumberland
402 W Main St, Cumberland, KY 40823

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Attachment 10_2A

NOTICE OF INTENTION TO MINE

Pursuant to Application Number 848-5644 Amendment #1

(1) In accordance with KRS 350.070, notice is hereby given that Nally & Hamilton Enterprises, Inc., P.O. Box 157; Bardstown, Kentucky 40004 has applied for an Amendment to an existing underground coal mining and reclamation operation located 1.8 miles northeast of Cawood, KY in Harlan County. The amendment [will add 4.37 acres of surface disturbance] making a total area of 22.14 acres within the revised permit boundary.

(2) The proposed amendment area is approximately 2.1 miles northeast from KY 3001 junction with KY 1137 and located 0 miles east of Crummies Creek.

(3) The proposed amendment is located on the Everts U.S.G.S. 7.5 minute quadrangle map. [The surface area to be disturbed by the amendment is owned by Nathan & Nancy Brown, Fred & Joanna Bursoe, Jack & Pricilla Carter, Martha Carter, Euel & Helen Carter, Jimmie Carter.]

(4) The amendment application has been filed for public inspection at the Division of Mine Reclamation and Enforcement Middlesboro Regional Office, 1804 East Cumberland Avenue, Middlesboro, Kentucky 40965. Written comments, objections, or requests for a permit conference must be filed with the Director, Division of Mine Permits, 300 Sower Blvd. Frankfort, KY 40601.

(5) This is the final advertisement of the application. All comments, objections, or requests for a permit conference must be received within thirty (30) days of today's date.

Attachment 10_2A

NOTICE OF INTENTION TO MINE

Pursuant to Application Number 848-0377 AM-04

(1) In accordance with the provisions of KRS 350.070, notice is hereby given that Nally & Hamilton Enterprises, Inc., P.O. Box 157; Bardstown, Kentucky 40004 (Phone: 502-348-0084), has applied for an amendment to an existing surface coal mining and reclamation operation located 2.65 miles northeast of Cranks, Ky. in Harlan County. This amendment proposes to add 138.05 acres of surface area making 1,405.55 acres total within the revised permit boundary.

(2) The proposed operation is approximately 2.65 miles northeast from US 421's junction with KY 568 and located approximately 0.52 miles West of Cranks Creek and 0.31 miles East of Crummies Creek.

(3) The proposed operation is located on the Everts U.S.G.S. 7.5 minute quadrangle map. The surface area is owned by Penn Virginia Operating Company, LLC, Makenna Jackson, Walter Burkhardt, Nally & Hamilton Enterprises, Inc., John Roberts, Binnie Ruth & John Faulkner, Melissa & David Caldwell, EP Browning, LLC., Alfred & Marvernia Link, Richard Robbins, and Mary Helen Coal Corporation.

(4) The application has been filed for public inspection at the Department for Surface Mining, Reclamation and Enforcement's Middlesboro Regional Office, 1804 East Cumberland Avenue, Middlesboro, Kentucky 40965. Written comments, objections, or requests for a permit conference must be filed with the Director, Division of Permits, 300 Sower Blvd, 2nd floor; Frankfort, Kentucky 40601.