

**PUBLIC NOTICE  
FINDING OF NO SIGNIFICANT IMPACT (FONSI) &  
INTENT TO REQUEST RELEASE OF FUNDS (NOI / RROF)**

**Date of Notice: February 10, 2022**

**Responsible Entity:  
County of Lexington  
212 South Lake Drive  
Lexington, SC 29072  
(803) 785-8121**

**Subrecipient:  
Joint Municipal Water and Sewer Commission  
Post Office Box 2555  
Lexington, South Carolina 29072  
(803) 359-8373**

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken. The Joint Municipal Water and Sewer Commission (JMWSC), as subrecipient, has completed an Environmental Assessment under the provisions of the National Environmental Policy Act and U.S. Department of Housing & Urban Development regulations at 24 CFR Part 58 for a project known as “Old Orangeburg Sewer Upgrade”. The JMWSC intends to use approximately \$336,022 in Community Development Block Grant (CDBG) Program funds appropriated by the US Department of Housing and Urban Development (HUD) and provided by the County of Lexington to fund the project. The proposal involves replacing approximately 1,250 linear feet of existing 16-inch gravity sewer line with 24-inch gravity sewer line installed along the same alignment in Red Bank, SC. The gravity sewer shares a 40-foot-wide easement with an existing 14-inch force main. No further environmental review of the proposal is to be conducted prior to the Request for Release of Funds.

**FINDING OF NO SIGNIFICANT IMPACT (FONSI)**

The JMWSC has determined that this proposal will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 is not required.

The reasons for the decision not to prepare an EIS are: 1) an ERR prepared for this proposal documents that the project will not have a significant effect on the human environment and that compliance with related federal environmental laws and standards has been achieved; 2) the project size is well below the 2,500 unit EIS threshold level established by Federal regulation at 24 CFR 58.37; 3) the project will have no adverse effects on public health or safety, nor will it have adverse effects on any ecologically sensitive areas; 4) the project is in compliance with Federal, State and local laws pertaining to the protection of the environment and conforms to the zoning and Master Plan of the County; 5) mitigating measures have been required with respect to stormwater runoff that adequately address the effects the project is deemed to have or be exposed to; and 6) mitigating measures for the protection of nearby historic properties have been required according to a Memorandum of Agreement signed by the State Historic Preservation Officer on November 20, 2017. Additional project information is contained in the Environmental Review Record (ERR) on file at 2546 Two Notch Road, Lexington, SC 29072, which may be examined or copied weekdays from 9:00 a.m. to

4:00 p.m.

#### PUBLIC COMMENTS

Any individual, groups or agency disagreeing with this determination or wishing to comment on the proposal may submit written comments to the JMWSC. All written comments received within fifteen days from the date of this notice will be considered and the JMWSC will not take any action on the proposal prior to this date.

#### REQUEST FOR RELEASE OF FUNDS (NOI / RROF)

At least one day after the termination of the public comment period for the NOI/RROF, the County of Lexington will submit a request to the US Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant funds under Title I of the Housing and Community Development Act of 1974, as amended, to undertake a project known as "Old Orangeburg Sewer Upgrade" for the purpose of replacing approximately 1,250 linear feet of existing 16-inch gravity sewer line with 24-inch gravity sewer line installed along the same alignment in Red Bank, SC. The Lexington County Community Development Block Grant will provide \$336,022 toward this project.

#### RELEASE OF FUNDS

The County of Lexington certifies to HUD that Lynn Sturkie, in his capacity as the County Administrator, 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 those responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the County of Lexington to use Program Funds.

#### OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the County of Lexington'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 County of Lexington; (b) the County of Lexington 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 has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; 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) and shall be addressed to: Bradley S. Evatt, Director, CPD, HUD, 1835 Assembly Street, Columbia, SC 29201-2480. Potential objectors should contact HUD to verify the actual last day of the objection period.

**Jay Nicholson, General Manager**  
**Joint Municipal Water and Sewer Commission**