

Draft Environmental Assessment
Section 340 Water Extension Project
Lower Mud River
Lincoln County, West Virginia



U.S. Army Corps of Engineers
Huntington District
Huntington, West Virginia
April 2014

Draft Environmental Assessment
Section 340
Water Extension Project
Lower Mud River
Lincoln County, West Virginia

Executive Summary

The Lincoln County Public Service District is proposing to provide a source of potable water by means of the West Virginia American Water Company to the communities of Lower Mud River, Laurel Creek, Straight Fork, Buffalo Creek, Little Buffalo Creek, and surrounding areas of Lincoln County, West Virginia. All residents and businesses within the proposed project area obtain their water from privately owned wells. This has resulted in health and safety issues associated with water quality and quantity problems of existing wells.

The Proposed Action Alternative would entail construction of approximately 93,600 linear feet of 8-inch and small diameter water main, one 100,000 gallons storage tank, one 100 gallons per minute (gpm) booster station, 51 fire hydrants, valves, individual customer services and other related appurtenances.

The vast majority of the proposed project would be constructed in disturbed areas along shoulders and ditches of existing roads.

The proposed project involves a partnership agreement between the Lincoln County Public Service District and the US Army Corps of Engineers, established under the authority of Section 340 of the Water Resources Development Act of 1992. This is a program for providing environmental assistance to non-Federal interests in southern West Virginia. Assistance under this program may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development, including projects for wastewater treatment and related facilities, water supply and related facilities, and surface water resource protection and development. No other cooperating Federal agencies are involved in this project. Funding, as established under Section 340, shall be shared 75% Federal and 25% Non-Federal (State and Local). This Environmental Assessment is prepared pursuant to the National Environmental Policy Act, Council on Environmental Quality Regulations (40 CFR 1500-1508), and USACE implementing regulation, ER 200-2-2.

The Draft Environmental Assessment has concluded there are no significant impacts to the human environment associated with the implementation of the proposed Lower Mud River Water Extension Project. A Finding of No Significant Impact is anticipated for the project.



SECTION 340 LOWER MUD
WATER EXTENSION PROJECT
LINCOLN COUNTY, WEST VIRGINIA

TABLE OF CONTENTS

1.0	Project Description	1
1.1	Project Background	1
1.2	Purpose, Need and Authorization	1
2.0	Proposed Actions and Alternatives	1
2.1	Proposed Action	1
2.2	No Action Alternative	2
3.0	Alternatives Dismissed From Further Consideration	2
3.1	Bottled or Trucked Water Alternative	2
3.2	New Wells and/or Home Treatment Alternative	2
3.3	New Water Treatment Plant	3
3.4	Town of West Hamlin Alternative	3
4.0	Environmental Setting and Consequences	3
4.1	Location	3
4.2	Land Use	3
4.3	Physiography	4
3.2	Terrestrial Habitat	4
3.3	Floodplains	4
3.4	Prime and Unique Farmland	5
3.5	Aquatic Habitat	5
3.6	Wetlands	5
3.7	Wild and Scenic Rivers	6
3.8	Hazardous, Toxic, and Radioactive Wastes	6
3.9	Cultural Resources	7
3.10	Threatened and Endangered Species	7
3.11	Air Quality	8
3.12	Noise	8
3.13	Socioeconomic Conditions	10
3.14	Aesthetics	10
3.15	Transportation and Traffic	10
3.16	Health and Safety	10



3.17	Cumulative Effects	11
5.0	Status of Environmental Compliance	12
6.0	Required Coordination	13
6.1	Public Involvement	13
6.2	Required Agency Coordination	13
5.0	Conclusion	13

List of Tables

Table 1	Permissible Non-Department of Defense Noise Exposures	9
Table 2	Status of Environmental Compliance	12

List of Appendices

Appendix A	Exhibits
Appendix B	Agency Coordination
Appendix C	Mailing List
Appendix D	HTRW Memorandum



The brief and concise nature of this document is consistent with the 40 CFR requirements of the National Environmental Policy Act (NEPA) to reduce paperwork and delay by eliminating duplication with existing environmental documentation, incorporating pertinent material by reference and by emphasizing interagency cooperation. The majority of data collection and analysis in this document was performed by E.L. Robinson in conjunction with the U.S. Army Corps of Engineers (USACE).

1.0 PROJECT DESCRIPTION

1.1 Project Background

This DEA examines the potential environmental impacts of the Lower Mud River water extension project as proposed by the Lincoln Public Service District. The project is located in the Lincoln County communities of Lower Mud River, Laurel Creek, Straight Fork, Buffalo Creek, Little Buffalo Creek and surrounding areas. The purpose of the DEA is to analyze the potential environment impacts of the proposed project, and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

1.2 Purpose, Need, and Authorization

The purpose of the proposed project is to provide potable water service to the communities of Lower Mud River, Laurel Creek, Straight Fork, Buffalo Creek, Little Buffalo Creek and surrounding areas of Lincoln County, West Virginia. All residents and businesses within the proposed project area currently obtain their water from privately owned wells. The need for the water system in the proposed project area is to address health and safety issues associated with water quality of existing wells and quantity problems.

The proposed project is a partnership agreement between the Lincoln Public Service District and USACE established under the authority of Section 340 of the Water Resources Development Act (WRDA) of 1992 (Public Law No. 102-580), which provides authority for the USACE to establish a program to provide environmental assistance to non-Federal interests in southern West Virginia. This law provides assistance and construction of water-related environmental infrastructure and resource protection and development projects in southern West Virginia, including projects for waste water treatment and related facilities, water supply, storage, treatment, and distribution facilities, and surface water resource protection and development.

This EA is prepared pursuant to NEPA, Council on Environmental Quality (CEQ) Regulations (40 CFR 1500-1517), and USACE implementing regulation, ER 200-2-2.

2.0 PROPOSED ACTIONS AND ALTERNATIVES

2.1 Proposed Action Alternative (PAA)

The PAA would provide a source of potable water by means of the West Virginia American Water Company. The PAA consists of the construction of approximately 93,600 linear feet of 8-inch and small diameter water main, one 100,000 gallons storage tank, one 100 gallons per



minute (gpm) booster station, 51 fire hydrants, valves, individual customer services and other related appurtenances. The waterline extension would follow County Route 1, and branch off into County Routes 1/2, 1/6, 3/11, 1/4 and 6. The waterline extending along County Route 6 would branch off into County Routes 6/4 and 6/2. The waterline extension would tie into the existing main near the intersection of State Route 3 and County Route 1 just east of Hamlin, WV.

2.2 No Action Alternative (NAA)

Under the NAA, the proposed project would not be constructed. This would result in continued use of existing wells resulting in low quality and quantity of water supply. This alternative was considered unacceptable due to obvious health hazards for the communities in the proposed project area.

3.0 ALTERNATIVES DISMISSED FROM FURTHER CONSIDERATION

3.1 Bottled or Trucked Water Alternative

This alternative involves providing bottled and trucked water to each of the 147 individual homes and businesses in the proposed project area. This alternative would not require additional construction or upgrades which would minimize land disturbance and erosion. However, the logistics of delivering bottled or trucked water over a long period of time, the inconvenience for the customer to utilize such water for cleaning, bathing, etc., increased operation and maintenance cost would have to be maintained for home storage, pumping, and chlorinated units, increased risk of contamination due to water handling and delivery systems, and no fire protection makes this alternative impractical. Therefore, this alternative was dismissed from further consideration.

3.2 New Wells and/or Home Treatment Alternative

This alternative would result in the LPSD constructing individual wells and/or home treatment units for 147 homes and businesses in the proposed project area. This alternative would decrease construction of water mains and other distribution components, which would minimize land disturbance. Disadvantages associated with this alternative include increased construction at individual homes and businesses which would decrease usable acreage and increase erosion. Operation and Maintenance (O&M) costs would be greater due to the large number of individual systems, discharge units would have to be obtained, monitored, and renewed for each of the home treatment unit backwash water discharges, the increased probability of pollution due to multiple discharges into area streams, and small home lots would have an increased probability of septic system cross contamination.

Home treatment units are not reported to be completely successful at removing all the contaminants reported to exist in wells within the proposed project area. Also, home treatment units would have to be maintained and replaced over the period of time until ground water quality significantly improves. The replacement of wells within the proposed project area is not a feasible solution. Residents have indicated poor ground water quality is consistent throughout



the proposed project area. New wells drilled would likely produce the same poor quality water as current wells. Therefore, this alternative was dismissed from further consideration.

3.3 New Water Treatment Plant

The construction of a new water treatment plant was not evaluated because two existing water systems are located relatively near the proposed project area. This alternative was dismissed from further consideration because of the close proximity of existing water systems and the cost associated with the construction of a new treatment system.

3.4 Town of West Hamlin Alternative

This alternative would provide a source of potable water for resale from the Town of Hamlin's water distribution system. This alternative would tie-in to the West Hamlin distribution system waterline located along County Route 6 approximately one mile from the end of the project at Buffalo Creek.

The Town of West Hamlin's water treatment plant is reported to have sufficient hydraulic and treatment capacity to supply the anticipated daily demand of the proposed project. This alternative would require the construction of an additional 5,300 linear feet of six-inch waterline and related appurtenances to transport water to the proposed project area. The cost of purchasing the water is anticipated to be approximately \$2.21 per thousand gallons.

This alternative would avoid potential significant purchase water rate increases from the West Virginia American Purchase Water Agreement or Resale Tariff if deemed applicable and avoid construction of a new plant which would decrease usable acreage in the area. However, there are several disadvantages, as the Town of West Hamlin has a higher bulk rate, higher construction costs due to the cost of an additional 5,300 feet of 6-inch main needed for the construction. This alternative was dismissed from further consideration due to higher project and Operation and Maintenance Cost (O&M) which would result in increased cost per customer.

4.0 ENVIRONMENTAL SETTING AND CONSEQUENCES

4.1 Location

The proposed project area is located in the Lincoln County communities of Lower Mud River; Laurel Creek, Straight Fork, Buffalo Creek, Little Buffalo Creek, and surrounding areas. The waterline extension would follow County Route 1, and branch off onto County Routes 1/2, 1/6, 3/11, 1/4 and 6. The waterline extending along County Route 6 would branch off into County Routes 6/4 and 6/2. The waterline extension would tie into the existing main near the intersection of State Route 3 and County Route 1, just east of Hamlin, WV.

4.2 Land Use

Land use in the vicinity of the proposed project is rural and previously disturbed, consisting of residential and small commercial properties, as well as agricultural fields. The vast majority of



the proposed water lines would be constructed in disturbed areas along shoulders and ditches of existing roads. After construction of the waterline, disturbed areas would be returned to preexisting contours. The storage tank and the booster station would both be located in previously disturbed areas, resulting in no change in land use.

There would be no impacts to land use as a result of either the PAA or NAA.

4.3 Physiography

The proposed project area is located in the Appalachian Plateau physiographic province which consists of relatively flat-lying rocks. It is also located within the Central Allegheny Plateau and the Cumberland Plateau and Mountains, which are part of the larger Appalachian physiographic division. The proposed project area is characterized by a dissected landscape and is located on both the east and west sides of the Mud River. Tributaries of the Mud River traverse the proposed project area.

Soils are classified as Gilpin-Usher and Rayne-Gilpin-Matewan (Jones 2007). The Gilpin-Usher classification is characterized by “moderately deep and deep, moderately steep to very steep, well drained soils that have a loamy or clayey subsoil” (Jones 2007:14). The Rayne-Gilpin-Matewan soil association is characterized by “moderately deep and deep, very steep and steep, well drained and somewhat excessively drained soils that have a loamy or channery loamy subsoil (Jones 2007:10).

There would be no impacts to physiography as a result of either the PAA or NAA.

4.2 Terrestrial Habitat

The majority of the PAA would be constructed on previously disturbed area, including road right-of-ways; therefore, potential impacts to vegetation would be minimal and temporary. Disturbed areas would be graded and reseeded with original grasses in order to be returned to pre-construction conditions upon completion of construction activities. Only short-term minimal impacts during construction are anticipated to occur from the PAA.

No impacts to vegetation are anticipated as part of the NAA.

3.3 Floodplains

Executive Order 11988 requires Federal agencies to consider the potential effects of their proposed actions to floodplains. In order to determine the PAA’s potential floodplain impact, the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) was reviewed and 500 and 100-year elevations vary throughout the proposed project area. The proposed water distribution system will be buried, resulting in no change in grade or elevation. No flood sensitive components, such as the storage tank or the booster station, will be located in the 100-year floodplain. No impacts to floodplains are anticipated to occur from the PAA or NAA.



3.4 Prime and Unique Farmland

The Farmland Protection Policy Act (FPPA) requires Federal agencies to minimize the conversion of prime and unique farmland to non-agricultural uses. Prime or unique farmlands do not exist within the project area. The project area follows highways, road right-of-ways, and previously disturbed areas. A Farmland Conversion Impact Rating was completed by the Natural Resource Conservation Service (NRCS). Based upon this review it has been determined the PAA would have no impact on Prime or Unique, Statewide, or Locally important farmland (Appendix B).

There are no impacts to Prime and Unique Farmland anticipated as part of the NAA.

3.5 Aquatic Habitat/Water Quality

The Mud River is listed on West Virginia's 2012 Section 303(d) list of impaired waters. Implementation of the PAA would not result in any new discharges of a pollutant. Best Management Practices (BMPs) would be used throughout the project to prevent construction runoff. Silt fencing and appropriate restoration would be part of project construction and detailed in contract documents.

The PAA includes approximately 20 stream crossings along Mud River and its tributaries. Seven stream crossings on the Mud River will be constructed using directional drilling and the remaining 13 stream crossings along tributaries of the Mud River will be constructed utilizing open cut methods. All in-stream work is to be performed during periods of low stream flows and in accordance with guidelines of the WV Public Land Corporation and the USACE. Construction activity associated with the stream crossings will fall under Nationwide Permit #12 Utility Line Activities (Appendix B).

Potential localized and short-term impacts to water quality may occur as a result of construction of the PAA. However, with implementation of BMPs, such as erosion control, directional boring techniques, and timely reseeding of disturbed area, impacts would be minimal and temporary. Under the NAA, water quality would remain impaired.

Impacts to aquatic habitat will be avoided at the seven stream crossings where directional drilling will be utilized. However, the standard open cut method will be utilized at 13 stream crossings, resulting in minor and temporary impacts to aquatic habitat. There are no aquatic impacts associated with the NAA.

3.6 Wetlands

National Wetland Inventory Maps (NWI) were reviewed for the proposed project area and a site reconnaissance was conducted to determine validity of NWI Maps. NWI maps indicated that there were wetlands adjacent to the project area; therefore, a site reconnaissance was needed to determine if the project would impact wetlands. The site reconnaissance indicated no wetlands would be impacted by the construction of the PAA; therefore no impacts to wetlands are anticipated as part of the PAA or NAA.



3.7 Wild and Scenic Rivers

No designated State Wild or Scenic Rivers are present within the Project Area. Therefore, no impacts to these resources are anticipated as part of the PAA or NAA.

3.8 Hazardous, Toxic, and Radioactive Waste (HTRW)

A Phase 1 HTRW Environmental Site Assessment was conducted for the Lower Mud River Waterline Extension Project, to identify environmental conditions and to identify the potential presence of HTRW contamination located in the project's construction work limits. Below are the following Phase 1 HTRW findings:

- Tri-County Transit Authority. The Tri-County Transit Authority is located within the industrial park. Vehicle maintenance is performed at the Transit Authority facility. An oil/water separator and associated UST, along with a Safety-Kleen parts washer, is located on the property. No gasoline or diesel fuel aboveground storage tanks (ASTs) or underground storage tanks (USTs) are located on the property. There is no record of spills or releases to the environment from this facility.
- Pressure Reducing Station. The proposed pressure reducing station is located near the sewage treatment plant, to the west, and is adjacent to/or on property where the Lincoln County 911 Call Center is located. This property where the 911 call center is located was owned by the Lincoln County Board of Education. A transportation building for Lincoln County Schools was located on the 911 call center property until the building was vacated in 1979. Maintenance activities for Lincoln County schools were performed at this building, although no gasoline or diesel fuel ASTs or USTs were located at the building. According to the Director of Support Services for Lincoln County Schools, the Lincoln County school system has not owned or operated a structure in the area where the pressure reducing station is to be located. The site was re-graded during construction of the 911 call center and installation of the existing water line. There is no record of impacted soil having been encountered at the site. No environmental concerns were noted for this property.
- Sewage Treatment Plant. The sewage treatment plant is adjacent to the industrial park. Although sludge is generated at the treatment plant, no sludge is disposed or land-farmed within the project area.
- Pleasant Hill Chapel Area. A UST for farm use is located in the Pleasant Hill Chapel area, to the south. No records of any petroleum spills or releases were found at the site. This tank was designated as an environmental concern, although it is not expected that the tank will impact the project area.
- Curry Chapel Area. The property for proposed construction of the *water storage tank* is located in the Curry Chapel Area, to the east. No environmental concerns were noted for the property.
- No environmental concerns were noted for the project areas along the following WV County Routes: 1/4, 6, 6/2, 6/3, 6/4, 3/11, 1/1, 1/6, 1/7, 1/2.



Although the UST for farm use in the Pleasant area was listed as an environmental concern, this tank is not expected to impact the project. Therefore, the Huntington District's HTRW staff determined the Phase 1 HTRW is sufficient and no further HTRW action is required. The clearance memorandum is included in Appendix D.

The NAA would not result in ground disturbing activities, and would not disturb areas of HTRW contamination. Therefore, there are no HTRW impacts associated with the PAA or the NAA.

3.9 Cultural Resources

Coordination with the West Virginia State Historic Preservation Office (WV SHPO) under Section 106 of the National Historic Preservation Act (NHPA) was initiated by E.L. Robinson. WV SHPO determined there are no architectural resources within the proposed project area which would be impacted by the proposed project. However, they did request a Phase I archaeological survey based upon two recorded sites within the proposed project area and the potential for previously unrecorded sites.

The Phase I Cultural Resources Report was provided to WV SHPO by Archaeological Consultants of the Midwest on June 15, 2012. The report concluded one of the two previously recorded sites is located outside of the proposed project area and the other is within the proposed project area. However, the portion of the site located within the proposed project area had already been disturbed. Additional sites were not identified through the Phase I testing, therefore no further work is required.

In a letter dated July 16, 2010, WV SHPO concurred with the Phase I determination that no further consultation under Section 106 of the NHPA is necessary unless the proposed project boundaries were to expand.

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the District has made the determination that no historic properties will be affected by the proposed undertaking. Consequently, no impacts to historic or cultural resources would occur as a result of the PAA. Additionally, there would be no impacts associated with the NAA.

3.10 Threatened and Endangered Species

According to the U.S. Fish and Wildlife website, there are two listed species in Lincoln County, West Virginia. They are the Red Knot (*Calidris canutus rufa*) and the Indiana Bat (*Myotis sodalists*), listed as proposed threatened and endangered, respectively. In correspondence dated February 16, 2010, the U.S. Fish and Wildlife Service stated "we have made a 'no effect' determination that the project will not effect federally listed endangered or threatened species" (Appendix B). No biological assessment or further Section 7 consultation under the Endangered Species Act is required.

No impacts to threatened or endangered species are anticipated to occur from the NAA



3.11 Air Quality

According to West Virginia Department of Environmental Protection (WVDEP), Lincoln County, West Virginia is classified as “in attainment” for all criteria pollutants. Emissions from construction equipment would occur during the construction period. Water spraying for fugitive dust would be implemented as needed. Contractors would operate all equipment in accordance with local, state and federal regulations. The PAA is exempted by 40 CFR Part 93.153 from making a conformity determination, since estimated emissions from construction equipment would not be expected to exceed *deminimis* levels, direct emissions of a criteria pollutant, or its precursors. Any impacts would be short-term, localized, and would occur only during construction phase activities. Impacts to air quality under the PAA would be temporary during construction, and minor.

There would be no impacts to air quality as part of the NAA.

3.12 Noise

Noise associated with the PAA would be limited to that generated during construction. The noise associated with construction would be short in duration and would only occur during daylight hours. Noise is measured as Day Night average noise levels (DNL) in “A-weighted” decibels that the human ear is most sensitive to (dBA). There are no Federal standards for allowable noise levels. According to the Department of Housing and Urban Development Guidelines, DNLs below 65 dBA are normally acceptable levels of exterior noise in residential areas. The Federal Aviation Administration (FAA) denotes a DNL of 65 dBA as the level of significant noise impact. Several other agencies, including the Federal Energy Regulatory Commission, use a DNL criterion of 55 dBA as the threshold for defining noise impacts in suburban and rural residential areas. According to Dr. Paul Schomer in his 2001 Whitepaper, while there are numerous thresholds for acceptable noise in residential areas, research suggests an area’s current noise environment, which has experienced noise in the past may reasonably expect to tolerate a level of noise about 5 dBA higher than the general guidelines. The Corps Safety and Health Requirements Manual provides criteria for temporary permissible noise exposure levels (see Table 3.1 below), for consideration of hearing protection or the need to administer sound reduction controls.



Table 1 - Permissible Non-Department of Defense Noise Exposures

Duration/day (hours)	Noise level (dBA)
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105

Construction noise would be similar to that of farm equipment and other small machinery used in the local area. A backhoe, end loader, road grader and/or vibratory roller are examples of equipment that is likely to be used during construction. Each emits noise levels around 85 dBA at 45 feet. Construction equipment would be operated for approximately 8 hours, generating noise during the daytime (approximately 7am-6pm) when many residents are at work. Therefore, a reasonable exposure time of two hours would be expected during the time residents may be home during the day. Peak outdoor noise levels ranging from 78-90 dBA would occur during the time in which equipment is directly in front of or in proximity to homes (within 25-100 feet). A maximum noise exposure of approximately 98 dBA, for one hour could occur if equipment were within 10 feet of homes. The noise projections do not account for screening objects, such as trees, outbuildings or other objects that muffle and reduce the noise being emitted. The outdoor construction noise would be further muffled inside the home. While the construction noise generated would be considered unacceptable according to HUD and FAA standards, these limited exposures and time intervals are still within allowable Corps safety levels. Further, they are similar to typical neighborhood noise generated by gas powered lawnmowers in the local area, which could range from 90-95 dBA at three feet and 70-75 dBA at 100 feet. Residents being exposed to these noise levels would occur if/when residents are home and outdoors. Elevated noise levels proximate to homes should be limited to a few days and human exposure to such noise levels would likely be limited to a few hours.

Due to daytime construction and the short and limited duration of elevated noise levels associated with the PAA, impacts from noise to local residences should be minor. There would be no change in noise with the NAA.



3.13 Socioeconomic Conditions

According to the U.S. Census Bureau, the 2012 population estimate for Lincoln County, West Virginia was 21,627 and does not contain significant minority populations. The 2012 census indicates Lincoln County is 98.9% white and has a median household income of \$34,066 compared with \$40,400 for the state of West Virginia. Individuals residing in the county below the poverty level is 26.9% compared to 17.6% statewide.

Service provided by the water distribution lines and appurtenances would serve approximately 147 customers whose present source of water consists exclusively of wells. Implementation of the PAA would provide the community with acceptable water service while eliminating the threat of contamination through tainted well water. The most immediate environmental impact would be an increase in the reliable and safe drinking water for residents in the proposed project area. No homes or buildings would be impacted by the proposed project. Therefore, the project meets the directive of EO 12898 by avoiding any disproportionately high adverse human health or environmental effects on minority or low income populations.

No impacts to minority and low income populations are anticipated to occur from the NAA.

3.14 Aesthetics

The project area is rural, consisting of residential and small commercial properties, as well as agricultural fields. Temporary disturbance of the local aesthetics would be anticipated during construction of the PAA; however after construction, the contractor would be required to fill, re-grade, and re-vegetate excavated sites to original conditions.

No impacts to aesthetics are anticipated to occur from the NAA

3.15 Transportation and Traffic

Existing traffic patterns in the area consist of local residents' access to homes and businesses, in addition to through traffic along County Route 1 and portions of County Route 1/2, 3/11, 1/4, and 6. Construction of the PAA in and along existing road rights-of-way would involve some delays in the normal traffic flow. Construction on or near road surfaces would be in compliance with West Virginia Department of Highways (WVDOH) guidelines. All appropriate WVDOH guidelines for traffic control would be implemented. Temporary street closures, if necessary, would have appropriate detours marked and prior notification of appropriate officials would be required. Impacts anticipated to occur from the PAA would be minimal and temporary.

No impacts to transportation and traffic are anticipated to occur from the NAA.

3.16 Health and Safety

The PAA has been designed to eliminate failing water supplies, thereby minimizing health hazards to drinking water in the communities of Lower Mud River, Laurel Creek, Straight Fork, Buffalo Creek, and Little Buffalo Creek. Residents in the area cite water quality and quantity



problems. Complaints include: well water contains iron, corrodes pipes and fixtures, stains clothes, and has a strong sulfur odor and a bad taste. The County Commission has received several reports that wells in the area are low or go dry during certain times of the year. Providing a constant, reliable source of safe drinking water is necessary to prevent further health and safety problems. The PAA will provide an overall health benefit to the serviced communities by providing safe and reliable drinking water; therefore, the PAA is anticipated to have a long term beneficial impact on health and safety.

Under the NAA, current unsafe and unreliable drinking water in the proposed project area would continue, perpetuating health and safety concerns.

3.17 Cumulative Effects

The USACE must consider the cumulative effects of the proposed project on the environment as stipulated in the National Environmental Policy Act (NEPA). Cumulative effects are "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such actions". Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR Part 1508.7 Council on Environmental Quality [CEQ] Regulations).

The cumulative effects analysis is based on the potential effects of the proposed project when added to similar impacts from other projects in the region. An inherent part of the cumulative effects analysis is the uncertainty surrounding actions that have not yet been fully developed. The CEQ regulations provide for the inclusion of uncertainties in the analysis and states that "when an agency is evaluating reasonably foreseeable significant adverse effects on the human environment...and there is incomplete or unavailable information, the agency shall always make clear that such information is lacking" (40 CFR 1502.22).3.17

Temporal and geographical limits for this project must be established in order to frame the analysis. These limits can vary by the resources that are affected. The construction of the waterline would have temporary and insignificant negative impacts of the environment. Resources which would show long term beneficial effects from the project would be health and safety and the quality of drinking water. The temporal limits for assessment of this impact would initiate in 1972 with the passage of the Clean Water Act and end 50 years after completion of this project. The geographical extent would be broadened to consider effects beyond the PAA. The geographical extent considered is the Lower Mud River watershed.

The Mud River is a tributary of the Guyandotte River and is listed on West Virginia's 2012 Section 303(d) list of impaired waters due to selenium and other unknown causes. In the past, actions such as continued growth in both population and encroachment on the riparian corridor and floodplain of the Lower Mud River have occurred (USACE, 2004). There is limited current information on other programs that are currently targeting the river and its restoration. Currently, no programs are active in the watershed. In the future, watershed programs may address obstruction to stream flow and other maintenance activities. Impairment of the Mud



River is expected to continue. Water quality standards and regulations are expected to remain as stringent today as in the future.

Section 4.0 documents the existing environment and potential environmental effects of the PAA and NAA with respect to existing conditions. The effects, as discussed beforehand, are localized and minor. Past actions that may result in similar effects may include upgrading of other linear utilities in the watershed. No reasonably foreseeable future actions that would have similar impacts as the proposed action were identified. In scoping cumulative effects issues, no resources were identified as having a potential to be significantly affected. Only minor and temporary impacts to ecological resources would be sustained with the implementation of the PAA. These resources would be fully reestablished upon completion of construction.

The availability of Federal funds through programs, such as the 340 Program, to assist communities with installation and construction of water-related environmental infrastructure and resource protection and development projects in southern West Virginia, is an additional benefit. The significance of this action on health and safety would be positive. Given the current program is in place for the foreseeable future and the overall beneficial effect from implementation of the PAA, there is expected to be a positive, though small, cumulative effect on health and safety based on past, present, and reasonably foreseeable actions.

5.0 Status of Environmental Compliance

Based on the information provided above, full compliance with all local, state, and Federal statutes as well as Executive Orders is complete. This compliance is documented below in Table 3.

Table 2 - Environmental Compliance Status			
Statute/Executive Order	Full	Partial	N/A
National Environmental Policy Act (considered partial until the FONSI is signed)		X	
Fish and Wildlife Coordination Act	X		
Endangered Species Act	X		
Clean Water Act	X		
Wild and Scenic Rivers Act	X		
Clean Air Act	X		
National Historic Preservation Act	X		
Archeological Resources Protection Act			NA
Comprehensive, Environmental Response, Compensation and Liability Act	X		
Resource Conservation and Recovery Act	X		
Toxic Substances Control Act	X		
Quiet Communities Act	X		
Farmland Protection Act	X		
Executive Order 11988 Floodplain Management	X		
Executive Order 11990 Protection of Wetlands	X		
Executive Order 12898 Environmental Justice in Minority Populations and Low-Income Populations	X		



6.0 REQUIRED COORDINATION

6.1 Agencies Contacted

Direct coordination with the U.S. Fish and Wildlife Service and the WV State Historic Preservation Office, as discussed above, was completed prior to publication of the DEA. Agency correspondence is included in Appendix B.

6.2 Public Review and Comments

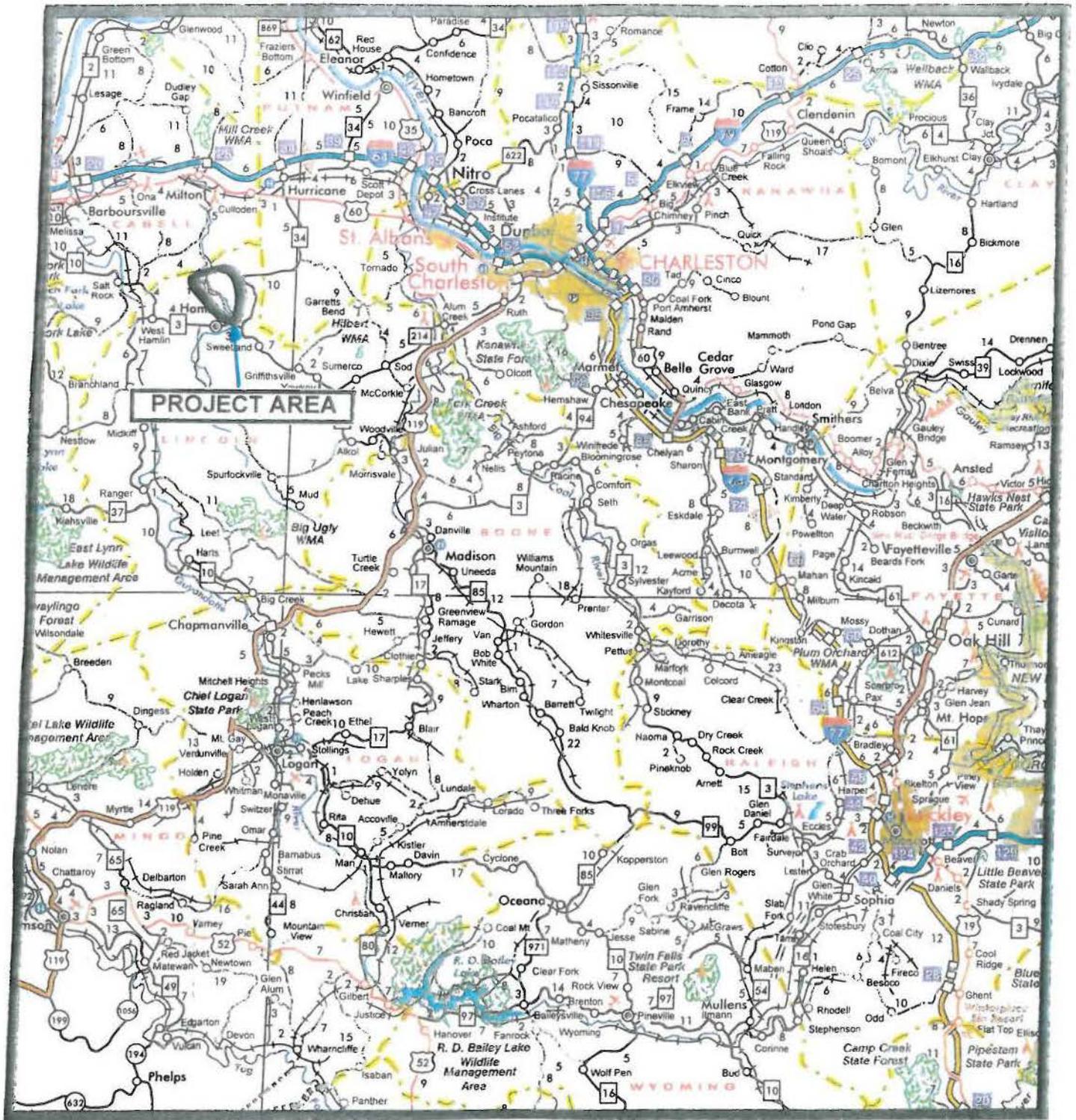
The DEA and draft FONSI will be made available for public review and comment for a period of 30 days, as required under NEPA. A Notice of Availability will be published in the local newspaper, The Lincoln Journal, advising the public this document is available for review and comment. A copy of the DEA will also be placed in the Hamlin Public Library and made available on-line at: <http://www.lrh.usace.army.mil/Missions/PublicReview.aspx>. The mailing list for the DEA is located in Appendix C.

7.0 CONCLUSION

All residents and businesses within the communities of Lower Mud River, Laurel Creek, Straight Fork, Buffalo Creek, Little Buffalo Creek, and the surrounding areas exclusively depend on wells for potable water service. Water quality is poor in the area. The proposed project will provide 147 residences and businesses with reliable, safe drinking water. No significant adverse impacts have been identified as a result of implementation of the proposed water system.

Construction would mainly take place on previously disturbed land. Health and safety, as well as water quality benefits, would be realized immediately with project implementation. Effects associated with construction would be minor and temporary. BMPs would be implemented during construction to minimize impacts to residents and the environment. Therefore, the PAA would not be expected to have significant impacts on the human environment. A FONSI is anticipated for the proposed action.

Appendix A
Exhibits



LOCATION MAP

(Scale: 1" = 12 miles)

LOWER MUD RIVER WATER EXTENSION PROJECT LINCOLN PUBLIC SERVICE DISTRICT

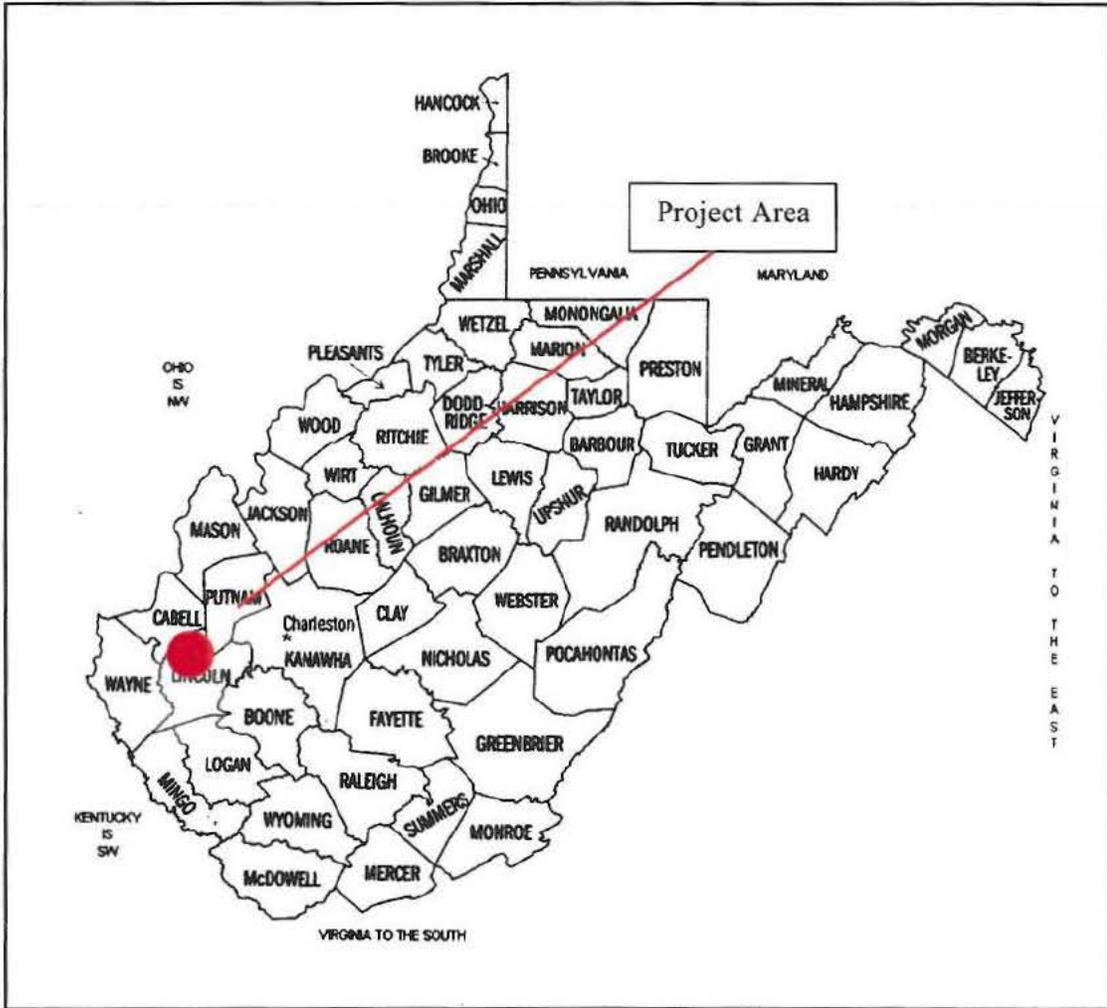
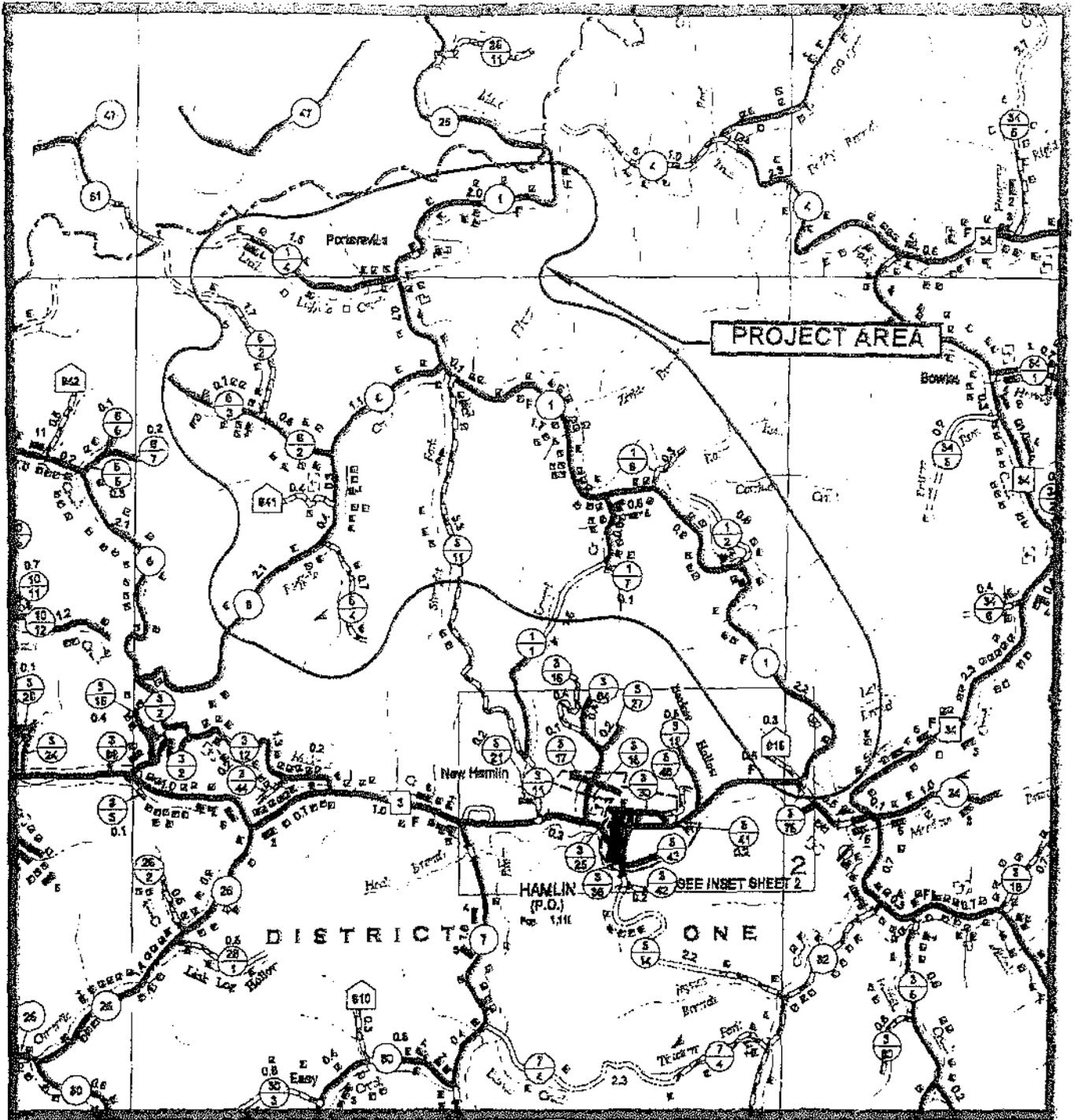


Figure 1. Map of the state of West Virginia showing the general location of the project area.



PROJECT MAP

(Scale: 1" = 1 mile)

LOWER MUD RIVER WATER EXTENSION PROJECT LINCOLN PUBLIC SERVICE DISTRICT



STREAM CROSSING #18
10 LF~6" D.I.P.
N38°19'56.49"
W82°08'13.60"

STREAM CROSSING #16
75 LF~6" D.I.P.
N38°19'48.33"
W82°07'51.69"

STREAM CROSSING #10
20 LF~2" PVC SDR 13.5
N38°19'14.88"
W82°06'35.44"

STREAM CROSSING #15
10 LF~6" D.I.P.
N38°19'09.55"
W82°09'00.95"

STREAM CROSSING #11
10 LF~6" D.I.P.
N38°19'20.40"
W82°08'01.45"

STREAM CROSSING #14
10 LF~2" PVC SDR 13.5
N38°18'57.85"
W82°08'47.92"

STREAM CROSSING #12
18 LF~6" D.I.P.
N38°18'53.41"
W82°08'28.07"

STREAM CROSSING #20
10 LF~6" D.I.P.
N38°18'40.61"
W82°07'41.77"

STREAM CROSSING #19
10 LF~6" D.I.P.
N38°18'47.88"
W82°07'38.17"

STREAM CROSSING #8
60 LF~2" PVC SDR 13.5
N38°18'42.25"
W82°06'28.79"

STREAM CROSSING #9
50 LF~6" D.I.P.
N38°19'04.76"
W82°06'35.57"

STREAM CROSSING #7
110 LF~6" D.I.P.
N38°18'50.25"
W82°05'59.99"

STREAM CROSSING #13
18 LF~2" PVC SDR 13.5
N38°18'23.19"
W82°08'31.58"

STREAM CROSSING #6
60 LF~6" D.I.P.
N38°18'19.62"
W82°05'17.67"

STREAM CROSSING #3
10 LF~8" D.I.P.
N38°17'57.69"
W82°05'26.14"

STREAM CROSSING #2
60 LF~4" STEEL CASING
N38°17'51.58"
W82°05'14.11"

STREAM CROSSING #4
10 LF~2" PVC SDR 13.5
N38°17'56.39"
W82°05'29.57"

STREAM CROSSING #5
18 LF~2" PVC SDR 13.5
N38°17'55.35"
W82°05'33.62"

STREAM CROSSING #17
10 LF~2" PVC SDR 13.5
N38°17'38.21"
W82°04'44.13"

STREAM CROSSING #1
80 LF~6" D.I.P.
N38°17'35.78"
W82°04'47.74"

PLANS PREPARED BY:
ELROBINSON
5088 Washington Street, West
Charleston, West Virginia 25313
Phone: (304) 776-7473, www.elrobinson.com, Fax: (304) 776-6426
Chapmanville, WV Beckley, WV
Dublin, OH Ironton, OH Inverness, FL

NO.	DATE	REVISION	BY

PLANS PREPARED FOR:
LINCOLN PUBLIC SERVICE DISTRICT
LINCOLN COUNTY, WEST VIRGINIA

GRAPHIC SCALE
(UNLESS OTHERWISE NOTED)
1200' 0' 600' 1200' 2400'

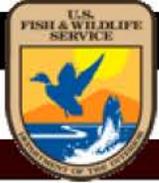
**LOWER MUD RIVER
WATER EXTENSION PROJECT**

STREAM CROSSING LOCATION MAP

PROJECT NUMBER
1009073

DATE
JULY 2013

SHEET NUMBER
2



U.S. Fish and Wildlife Service

National Wetlands Inventory

NWI Map

Mar 19, 2014

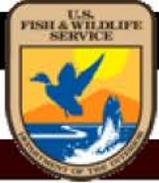


Wetlands

-  Freshwater Emergent
-  Freshwater Forested/Shrub
-  Estuarine and Marine Deepwater
-  Estuarine and Marine
-  Freshwater Pond
-  Lake
-  Riverine
-  Other

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:



U.S. Fish and Wildlife Service

National Wetlands Inventory

Mar 19, 2014



Wetlands

-  Freshwater Emergent
-  Freshwater Forested/Shrub
-  Estuarine and Marine Deepwater
-  Estuarine and Marine
-  Freshwater Pond
-  Lake
-  Riverine
-  Other

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:

Appendix B
Agency Correspondence



The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300

Randall Reid-Smith, Commissioner

Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562

EtO/AA Employer

July 16, 2010

Mr. Rick Roberts
Project Manager
E. L. Robinson
5088 Washington Street West
Charleston, WV 25313

RE: Lincoln PSD - Lower Mud River Waterline
Extension Project
FR#: 10-571-LC-2

Dear Mr. Roberts:

We have reviewed the technical report titled, *A Phase I Archaeological Literature Review and Reconnaissance Survey for the Proposed Mud River Waterline Extension Project near the Town of Hamlin, Lincoln County, West Virginia*, that was prepared by Archaeological Consultants of the Midwest, Incorporated for the above referenced project. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

The report satisfactorily addresses our concerns regarding the presence of cultural resources within the proposed project area. As we indicated in our earlier correspondence dated April 20, 2010, our files noted the presence of 46Lc6 and 46Lc7, prehistoric mounds, within the proposed project area. Systematic survey conducted within the project area did not identify any new archaeological sites. According to the report, the field investigation was able to relocate site 46Lc7, but determined that the site is actually outside of proposed water line corridor and will not be impacted by proposed construction activities. The field investigations also documented the presence of site 46Lc6 within the proposed project area.

Site 46Lc6, a complex containing four to five stone mounds, was originally documented in 1951. Visual inspection of the booster station site, located within the boundaries of 46Lc6, did not produce any evidence of mounds or mound remnants. However, shovel testing did recover two Kanawha Black chert flakes. It is our understanding that the flakes were recovered in two shovel tests from a disturbed context. The consultant concludes that due to the limited nature of the artifact assemblage, the lack of temporally diagnostic artifacts, and the absence of in situ subsurface cultural features, this portion of Site 46Lc6 does not have the potential to provide significant information on the prehistory of the area. We concur with this conclusion and

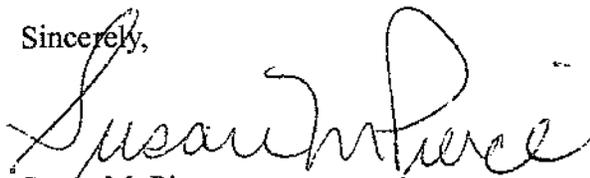
July 16, 2010
Mr. Roberts
FR#: 10-571-LC-2
Page 2

recommend that no further archaeological investigations are necessary within this section of the project area.

In our opinion, there are no archaeological sites located within the proposed project area that are eligible for or listed in the National Register of Historic Places. No further consultation is necessary. However, the boundaries of 46Lc6 may extend beyond the project area to adjacent areas. These areas have not been investigated. If areas adjacent to the proposed project area are incorporated in the future, please notify this office.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Carolyn Kender, Archaeologist, at (304) 558-0240.*

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan M. Pierce". The signature is written in black ink and is positioned above the typed name.

Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/CMK



April 20, 2010

The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300

Randall Reid-Smith, Commissioner

Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562

EEO/AA Employer

Mr. Rick Roberts, PE
Project Manager
E. L. Robinson
5088 Washington Street, West
Charleston, WV 25313

RE: Lincoln PSD - Lower Mud River Waterline Extension Project
FR#: 10-571-LC-1

Dear Mr. Roberts:

We have reviewed the above referenced project to determine potential effects to cultural resources. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

According to submitted information, the Lincoln County Public Service District is proposing to install 93,600 linear feet of eight-inch and smaller diameter water main lines, a 100,000 gallon water storage tank, one booster station, 51 fire hydrants, individual customer services and other related appurtenances. It is our understanding that the proposed water lines will generally follow County Route (CR) 1, and branch off into CR 1/2, 1/6, 3/11, 1/4, 6/4, and 6/2 and the section along CR 6 will branch off into CR 6/4 and 6/2.

Architectural Resources:

Based on submitted information, it is our opinion that no buildings, sites or structures listed or eligible for inclusion in the National Register of Historic Places will be impacted by the proposed project. No further consultation is necessary regarding architecture, however, we do ask that you contact our office if your project should change.

Archaeological Resources:

According to our files, there are two known archaeological sites (46Lc6 and 46Lc7) within the proposed project area and four known prehistoric sites within a one-mile radius. Site 46Lc6 is a series of prehistoric stone mounds, one of which has been partially destroyed. Site 46Lc7 is also reported as a series of stone mounds, the largest of which measured 40x25x3.5 feet. Prehistoric human remains were noted at site 46Lc7. Our records also indicate that there are six additional archaeological sites, including prehistoric habitation sites, a prehistoric lithic scatter, and

April 20, 2010
Mr. Roberts
Fr# 10-571-LC-1
Page 2

prehistoric mounds, within a one-mile radius.

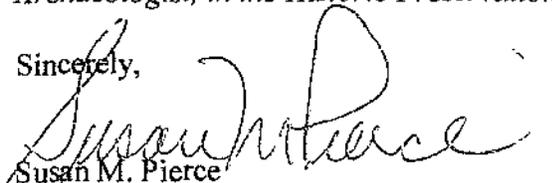
According to project mapping, a majority of the proposed water lines will be installed within existing road rights-of-way. However, there are a number of areas where the lines will deviate from the existing road right-of-way. These areas include proposed water crossings, the tank site, the booster station site, and around existing culverts. The proposed water crossing sites are situated on terrain that is considered by our office to have a moderate to high potential for archaeological deposits, particularly prehistoric deposits. Submitted information indicates that the proposed tank site has been previously disturbed by grading activities, which in our opinion makes it unlikely that there are any intact archaeological deposits present. However, the proposed booster station site is located within the area of site 46Lc6.

Due to the documented presence of archaeological sites within the proposed project area and additional sites within a one-mile radius as well as the nature of the terrain at the proposed water crossing sites, we have concerns that there may be unrecorded archaeological deposits present within the project area. We, therefore, request that a Phase I archaeological survey be conducted on the following areas: the proposed booster station site, the water crossing areas illustrated on Plan Sheets 3, 4, 6, 8, 9, 11, 14, and the area where line installation will deviate from the road right-of-way on Plan Sheet 5. We will provide further comment upon receipt of the technical report.

Please be aware that the archaeologists supervising all phases of the archaeological investigations including the person(s) who will be in the field on a daily basis, must meet the Secretary of the Interior's Professional Qualification Standards as outlined in 36CFR61 (see enclosure). Resumes of all qualified personnel should be requested when seeking bids. If you need help in determining whether an individual is qualified, please contact the staff in the West Virginia State Historic Preservation Office. Resumes of all qualified personnel must be appended to the back of the report documenting the results of the investigations. Failure to do so will result in the report being rejected.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Aubrey Von Lindern, Historian, or Carolyn Kender, Archaeologist, in the Historic Preservation Office at (304) 558-0240.*

Sincerely,


Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/CMK/ACV

Enclosure



west virginia department of environmental protection

Division of Air Quality
601 57th Street SE
Charleston, WV 25304
Phone: 304 926 0475 • FAX: 304 926 0479

Joe Manchin, III, Governor
Randy C. Huffman, Cabinet Secretary
www.wvdep.org

January 25, 2010

Rick Roberts, P.E.
Project Manager
E. L. Robinson
5088 Washington Street, West
Charleston, WV 25313

RE: Lincoln Public Service District, Mud River Waterline Extension Project,
Lincoln County, WV

Dear Mr. Roberts:

This letter responds to your correspondence of January 13, 2010 concerning the project referenced above.

Based upon current regulatory requirements, the project referenced above as outlined in your letter does not appear to require any pre-construction permits, authorizations, or air quality analyses by WVDAQ except to the extent any of the following apply:

1. It is necessary to burn land clearing debris in order to complete the project; in which case, approval by the WVDEP Secretary or his or her authorized representative is required to conduct such burning (see 45CSR6) or;
2. The project entails the renovation, remodeling, or demolition, either partially or totally, of a structure, building, or installation, irrespective of the presence or absence of asbestos-containing materials, and is subject to 45CSR15 (the asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP) at 40CFR61, Subpart M). If such is the case, a formal Notification of Abatement, Demolition, or Renovation must be completed and timely filed with the WVDEP Secretary's authorized representative and approval received before commencement of the activities addressed in the Notification.

If the project involves demolition, and/or excavation and transportation of soil/aggregates or the handling of materials that can cause problems such as nuisance dust emissions or entrainment or creation of objectionable odors, adequate air pollution control measures must be applied to prevent statutory air pollution problems as addressed by 45CSR4 and 45CSR17. Copies of all of the WVDAQ rules cited in this letter may be reviewed on the agency's website at <http://www.wvdep.org/daq>. To review the rules click on "Summary of Rules" under "Regulations" after accessing the website.

You may obtain the latest published air quality data summaries and statistics for the WV Division of Air Quality's ambient air monitoring sites on our website (shown above). Simply click on the image for the Air Quality Annual Report. You may also find a document summarizing, in some detail, the attainment status of the 55 counties in West Virginia relative to National Ambient Air Quality Standards (NAAQS) on our website by clicking on the link for [West Virginia Attainment Status for NAAQS](#).

As of January 1, 2010, Lincoln County is designated as attainment for all criteria pollutants.

If you have any questions or need further assistance or information, please contact this office at (304) 926-0475.

Sincerely Yours,



Dee Smith
Planning Section

DAS/dw

E.L. ROBINSON
the Challenge. the Choice.

January 13, 2010

Mr. Thomas R. Chapman
US Fish and Wildlife Service
West Virginia Field Office
694 Beverly Pike
Elkins, WV 26241

RECEIVED
JAN 15 2010
WVFO

Re: Endangered Species Act Review
Lincoln Public Service District
Mud River Waterline Extension Project

Dear Mr. Chapman:

The Lincoln Public Service District hereby requests comments regarding the referenced waterline extension project pursuant to the Endangered Species Act.

The project consists of 93,600 linear feet of 8 inch and smaller diameter water main, one 100,000 gallon storage tank, one booster station, 51 fire hydrants, valves, individual customer services and other related appurtenances. The waterline extension will generally follow County Route 1, and branch off into County Routes 1/2, 1/6, 3/11, 1/4 and 6. The waterline will...



United States Department of the Interior

FISH AND WILDLIFE SERVICE



West Virginia Field Office
694 Beverly Pike
Elkins, West Virginia 26241

In response to your letter above, we have made a "no effect" determination that the project will not affect federally-listed endangered or threatened species. Therefore no biological assessment or further section 7 consultation under the Endangered Species Act is required with the Fish and Wildlife Service. Should project plans change, or if additional information on listed and proposed species becomes available, this determination may be reconsidered.

Definitive determinations of the presence of waters of the United States, including wetlands, in the project area and the need for permits, if any, are made by the U.S. Army Corps of Engineers. They may be contacted at: Huntington District, Regulatory Branch, 502 Eighth Street, Huntington, West Virginia 25701, telephone (304) 599-5710.

Paul Douglas
Reviewer's signature and date

Deborah Carter 2/16/2010
Field Supervisor's signature and date



DIVISION OF NATURAL RESOURCES

Wildlife Resources Section

Operations Center

P.O. Box 67

Elkins, West Virginia 26241-3235

Telephone (304) 637-0245

Fax (304) 637-0250

January 28, 2010

Joe Manchin III
Governor

Frank Jezioro
Director

Mr. Rick Roberts
E.L. Robinson Engineers
5088 Washington Street, West
Charleston, WV 25313

Dear Mr. Roberts:

We have reviewed our files for information on rare, threatened and endangered (RTE) species and sensitive habitats for the areas of the proposed Mingo Central High School and King Coal Highway water and sewer extension project in Mingo County; and the Mud River waterline extension project in Lincoln County.

We have no known records of any RTE species or sensitive habitats within the project areas. The Wildlife Resources Section knows of no surveys that have been conducted in these areas for rare species or rare species habitat. Consequently, this response is based on information currently available and should not be considered a comprehensive survey of the area under review.

The information provided above is the product of a database search and retrieval. This information does not satisfy other consultation or permitting requirements for disturbances to the natural resources of the state. If your project will directly impact the waters of the state or cause a "take" of fish and/or wildlife, consultation may be required. Requests for WV wildlife agency consultation should be directed to Mr. Roger Anderson at the address given in the letterhead or by email at rogeranderson@wvdnr.gov. Database requests for information on RTE species and sensitive habitats should still be directed to me.

Thank you for your inquiry, and should you have any questions please feel free to contact me at the above number, extension 2048. Enclosed please find an invoice.

Sincerely,

Barbara Sargent
Environmental Resources Specialist
Wildlife Diversity Unit

enclosure



Natural Resources Conservation Service
1550 Earl Core Road, Suite 200
Morgantown, WV 26505

(304) 284-7560 (Phone)
(304) 284-4839 (Fax)

March 2, 2010

Harry E. Taylor
State Engineer/Environmental Coordinator
USDA-RD
1550 Earl Core Road, Suite 101
Morgantown, WV 26505

RE: Farmland Conversion Impact Rating, Lincoln PSD, Lower Mud River Waterline Extension
Project, Lincoln County, WV

Dear Mr. Taylor:

This is to acknowledge receipt of a request from you for a Farmland Conversion Impact Rating to be completed by the Natural Resources Conservation Service (NRCS) related to the above referenced project. This Farmland Conversion Impact Rating was requested in order for you to assess the environmental impacts of the subject project in accordance with the National Environmental Policy Act.

The Farmland Protection Policy Act (FPPA – Public Law 97-98, 7 U.S.C. 4201) established the farmland conversion rating system to evaluate the impacts Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are implemented by a Federal agency or with the assistance from a Federal agency. Assistance from a Federal agency includes loans, financial and technical assistance.

Based on a review of the document you submitted, this proposed work does not impact Prime or Unique, Statewide, or Locally Important Farmland. The project area follows highway and road right of ways. Therefore, this project is not subject to FPPA requirements.

If you have questions regarding this matter, please contact Ron Wigal, Environmental Specialist, at 304-284-7566.

Robert N. Pate

ROBERT N. PATE
Resource Soil Scientist

cc: Pamela Yost, ASTC, Programs, NRCS, Morgantown, WV
Ron Wigal, Environmental Specialist, NRCS, Morgantown, WV
Stephen G. Carpenter, State Soil Scientist, NRCS, Morgantown, WV

West Virginia
Open for Business!

WEST VIRGINIA DEVELOPMENT OFFICE

1900 Kanawha Boulevard East • Charleston, WV 25305-0311
(304) 558-2234 • (800) 982-3386 • www.wvcommerce.org

March 10, 2010
File: PNRS-LPSD
SAI-WV100303-009

Mr. Gilmer Mosteller
Chairman
Lincoln Public Service District
240 Little Coal River Road
Alum Creek, West Virginia 25003

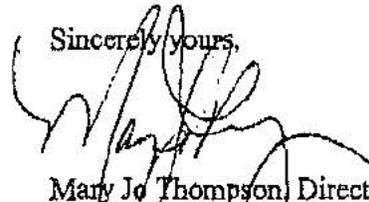
Dear Mr. Mosteller:

RE: CFDA #10.760 Water & Waste Disposal Systems – Rural Communities

The State Clearinghouse has reviewed Lincoln Public Service District's request to the U. S. Department of Agriculture-Rural Utilities Service (USDA/RUS) for financial assistance in the amount of \$4,460,000. If awarded, these funds will be used for the construction of the Lower Mud River waterline extension project that will serve approximately one hundred forty-seven (147) residential and small commercial customers in Lincoln County.

This will certify that the requirements of the State's Intergovernmental Review Process have been met, and the State Process is in concurrence with the project. Clearinghouse approval does not constitute approval of the application by the funding agency.

Sincerely yours,



Mary Jo Thompson, Director
Community Development Division

MJT:ts

cc: USDA/RUS
Region II
E. L. Robinson Eng.

REGION II PLANNING AND DEVELOPMENT COUNCIL POST OFFICE BOX 939, 720 FOURTH AVENUE HUNTINGTON, WEST VIRGINIA 25712 APPLICANT AND ADDRESS: Lincoln Public Servc District 240 Little Coal River Road Alum Creek, WV 25003	REGIONAL CLEARINGHOUSE REVIEW TITLE OF PROJECT: Lower Mud River Road Waterline Extension Project CONTACT: Charles R. Roberts, Jr. P.E. PHONE: (304) 776-7474
--	---

BRIEF DESCRIPTION OF PROJECT (LOCATION IF DIFFERENT FROM ADDRESS)
 The proposed project will extend water service to approximately 147 potential residential and small commercial customers (370 persons) in the Lincoln County communities of Lower Mud River, Laurel Creek, Straight Fork, Buffalo Creek, Little Buffalo Creek and surrounding areas. The project consist of the construction of approximately 93,6000 linear feet of 8-inch and smaller diameter water main, one 100,000 gallon water storage tank, one 100 gpm booster station, 51 fire hydrants, valves, customer meters and related appurtenances.

DATE OF APPLICATION 2/25/2010	BEGINNING DATE/PROJECT PERIOD 04/01/10 to 12/31/12
----------------------------------	---

TYPE OF ACTION: NEW CONTINUATION MODIFICATION

PROPOSED METHOD OF FINANCING (FEDERAL, STATE, LOCAL, OTHER)

AGENCY	GRANT	LOAN	NON-FEDERAL	TOTAL
USDA-RUS	4,060,000.00			4,060,000.00
USDA-RUS		400,000.00		400,000.00
SCBG	1,500,000.00			1,500,000.00
Lincoln County Comm.			100,000.00	100,000.00
TOTAL \$				6,060,000.00

REMARKS/COMMENTS:

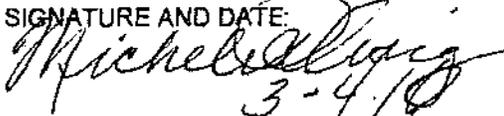
RECOMMENDATION:

PROCEED WITH APPLICATION DO NOT PROCEED WITH APPLICATION
 (SEE REMARKS/COMMENTS)

MAKE CORRECTION - TAKE ACTION AS OUTLINED UNDER REMARKS/COMMENTS

CERTIFICATION: THE REQUIREMENTS OF THE STATE OF WEST VIRGINIA
 INTERGOVERNMENTAL REVIEW PROCESS

HAVE BEEN MET HAVE NOT BEEN MET IGR NO. FY10-009

NAME AND TITLE: Michele P. Craig	SIGNATURE AND DATE:  3-4-10
-------------------------------------	---

From: [Bill Chambers](#)
To: [Stephens, Ashley](#)
Cc: [Rick Roberts, P.E.](#); [Mers, Ricky D LRH](#)
Subject: FW: Lower Mud River Water Extension stream crossings
Date: Monday, March 18, 2013 10:50:22 AM

Ashley,

Would the ACOE agree with the DNR's findings regarding potential mussel issues. See below.

Thanks,

Bill Chambers, LRS

Acacia Environmental Group LLC ®

bchambers@acaciaenvironmental.com <<mailto:bchambers@acaciaenvironmental.com>>

304-340-1396 (office)

304-539-6868 (cell)

304-346-8767 (fax)

www.acaciaenvironmental.com

CONFIDENTIALITY NOTE:

This e-mail message is for the sole use of the intended recipient or recipients and may contain confidential information. Any unauthorized review, use, disclosure, distribution, or other dissemination of this e-mail message and/or the information contained therein is strictly prohibited. If you are not the intended recipient of this e-mail message, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Clayton, Janet L [<mailto:Janet.L.Clayton@wv.gov>]
Sent: Monday, March 18, 2013 10:29 AM
To: Bill Chambers
Subject: RE: Lower Mud River Water Extension stream crossings

The only stream that needs mussels addressed is the Mud River. None of the other tributaries listed need surveys.

Any crossing of the mud river will require a mussel survey unless directional boring under the stream.

Janet L. Clayton

Wildlife Diversity Biologist

WV Division of Natural Resources

Wildlife Resources Section

PO Box 67

Elkins, WV 26241

voice 304-637-0245

cell 304-389-8526 (only used when I am on the road or in the field so if leaving message should leave on office phone as well)

fax 304-637-0250

From: Bill Chambers [<mailto:bchambers@acaciaenvironmental.com>]

Sent: Thursday, March 14, 2013 3:20 PM

To: Clayton, Janet L

Cc: Ashley Stephens; Joyce Gentry; Rick Roberts, P.E.

Subject: Lower Mud River Water Extension stream crossings

Janet,

We discussed stream crossings for the Lower Mud River Water Extension Project located in Lincoln County, WV on March 6. You requested stream crossing locations during our conversations. The locations and additional information regarding the pipelines are included as attachments to this email.

Please let me know which proposed stream crossings, if any, may impact sites with potential or known freshwater mussels. At this time, it is our intent to use directional drilling, for any sites with crossings in areas of potential mussel population concerns. This is based on our assumption that directional drilling would negate the requirement for a mussel survey in the stream area. All sites, regardless of directional drilling or open cut, will be submitted on appropriate forms to the WV Office of Lands and Streams and the Army Corps of Engineers for review and approval. If you need any additional information, let me know.

Thanks,

Bill Chambers, LRS

Acacia Environmental Group LLC ®

bchambers@acaciaenvironmental.com

304-340-1396 (office)

304-539-6868 (cell)

304-346-8767 (fax)

www.acaciaenvironmental.com

CONFIDENTIALITY NOTE:

This e-mail message is for the sole use of the intended recipient or recipients and may contain confidential information. Any unauthorized review, use, disclosure, distribution, or other dissemination of this e-mail message and/or the information contained therein is strictly prohibited. If you are not the intended recipient of this e-mail message, please contact the sender by reply e-mail and destroy all copies of the original message.

From: [Hemann, Richard A LRH](#)
To: [Stephens, Ashley](#)
Subject: RE: [WARNING: MESSAGE ENCRYPTED]Draft Lower Mud River Water Extension Project (UNCLASSIFIED)
Date: Tuesday, October 01, 2013 1:45:39 PM

Classification: UNCLASSIFIED
Caveats: NONE

Ashley,

Yes, it appears this project would qualify for non-notifying NWP #12. Therefore, the work may commence without further contact with this office, providing any other required authorization is obtained.

If you would like a letter indicating the project is authorized please let me know and I will get to work on it. Please note we will require a DA Form 4345 signed by the applicant and agent (Blocks 11 and 27). Thank you,

Rick Hemann
Regulatory Project Manager
USACE Huntington District
Regulatory Division
South/Transportation Branch
(304) 399-5710
Fax (304) 399-5085

Mail to:

U.S. Army Corps of Engineers - Huntington District
Attention: RD-S
502 Eighth Street
Huntington, WV 25701

-----Original Message-----

From: Stephens, Ashley
Sent: Tuesday, October 01, 2013 10:27 AM
To: Hemann, Richard A LRH
Subject: FW: [WARNING: MESSAGE ENCRYPTED]Draft Lower Mud River Water Extension Project (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Rick,

Please see the attached information. This action is for the Lower Mud Infrastructure Project which involves Corps funding and EA work. It appears it may be a non notifying NWP12. Please let me know your thoughts if you concur or if you need additional information.

Thanks,
Ashley

-----Original Message-----

From: Bill Chambers [<mailto:bchambers@acaciaenvironmental.com>]
Sent: Tuesday, August 06, 2013 2:29 PM
To: Stephens, Ashley; Rutherford, Rebecca A LRH
Subject: [WARNING: MESSAGE ENCRYPTED]Draft Lower Mud River Water Extension Project

Ashley and Rebecca,

Attached is the draft U.S. Army Corps of Engineers applications to cross the Mud River and various tributaries of the Mud River for the Lower Mud River Water Extension Project in Lincoln County, WV. After the COE has review the draft application, I will have the document signed by the Lincoln Public Service District representative. If you have any questions or comments, please do not hesitate to contact me.

We plan to have the HTRW report for the entire pipeline completed within approximately 30 days.

Thanks,

Bill Chambers, LRS

Acacia Environmental Group LLC ®

bchambers@acaciaenvironmental.com

304-340-1396 (office)

304-539-6868 (cell)

304-346-8767 (fax)

www.acaciaenvironmental.com <<http://www.acaciaenvironmental.com>>

CONFIDENTIALITY NOTE:

This e-mail message is for the sole use of the intended recipient or recipients and may contain confidential information. Any unauthorized review, use, disclosure, distribution, or other dissemination of this e-mail message and/or the information contained therein is strictly prohibited. If you are not the intended recipient of this e-mail message, please contact the sender by reply e-mail and destroy all copies of the original message.

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

**Lincoln PSD - Lower Mud River Water Extension Project
Stream/River Crossing Locations**

Crossing No.	Description	Stream (or if unnamed Next Major Tributary)	Of River or Creek	County	Taxable District	Closest City of Town	Size Pipeline Crossing Section
1	100' Stream Crossing	Mud River	Of Guyandotte River	Lincoln	Carroll	Hamlin	6" DIP
2	30' Stream Crossing	Mud River	Of Guyandotte River	Lincoln	Carroll	Hamlin	4" Casing
3	30' Stream Crossing	Unnamed Tributary	Of Mud River	Lincoln	Carroll	Hamlin	8" DIP
4	20' Stream Crossing	Unnamed Tributary	Of Mud River	Lincoln	Carroll	Hamlin	2" PVC SDR 13.5
5	40' Stream Crossing	Unnamed Tributary	Of Mud River	Lincoln	Carroll	Hamlin	2" PVC SDR 13.5
6	100' Stream Crossing	Mud River	Of Guyandotte River	Lincoln	Carroll	Hamlin	6" DIP
7	140' Stream Crossing	Mud River	Of Guyandotte River	Lincoln	Carroll	Hamlin	8" DIP
8	100' Stream Crossing	Mud River	Of Guyandotte River	Lincoln	Carroll	Hamlin	2" PVC SDR 13.5
9	100' Stream Crossing	Mud River	Of Guyandotte River	Lincoln	Carroll	Hamlin	6" DIP
10	30' Stream Crossing	Zirkle Branch	Of Mud River	Lincoln	Carroll	Hamlin	2" PVC SDR 13.5
11	20' Stream Crossing	Unnamed Tributary	Of Buffalo Creek	Lincoln	Carroll	Hamlin	6" DIP
12	30' Stream Crossing	Unnamed Tributary	Of Buffalo Creek	Lincoln	Carroll	Hamlin	6" DIP
13	40' Stream Crossing	Unnamed Tributary	Of Buffalo Creek	Lincoln	Carroll	Hamlin	6" DIP
14	30' Stream Crossing	Buffalo Creek	Of Mud River	Lincoln	Carroll	Hamlin	2" PVC SDR 13.5
15	30' Stream Crossing	Unnamed Tributary	Of Buffalo Creek	Lincoln	Carroll	Hamlin	2" PVC SDR 13.5
16	30' Stream Crossing	Unnamed Tributary	Of Buffalo Creek	Lincoln	Carroll	Hamlin	6" DIP
17	100' Stream Crossing	Mud River	Of Guyandotte River	Lincoln	Carroll	Hamlin	6" DIP
18	30' Stream Crossing	Unnamed Tributary	Of Mud River	Lincoln	Carroll	Hamlin	8" DIP
19	30' Stream Crossing	Unnamed Tributary	Of Mud River	Lincoln	Carroll	Hamlin	8" DIP
20	30' Stream Crossing	Little Buffalo Creek	Of Mud River	Lincoln	Carroll	Hamlin	6" DIP

Lincoln PSD - Lower Mud River Water Extension Project

Crossing No.	Location		Property Owner-Address
	Latitude	Longitude	
1	38° 17' 35.78" N	82° 04' 47.74" W	Richard D. and Jacqueline F. Hall; 8154 Sycamore Ave., Hamlin, WV 25523
2	38° 17' 51.58" N	82° 05' 14.05" W	Lena Lovejoy; 84 Lena Lane, West Hamlin, WV 25571
3	38° 17' 57.69" N	82° 05' 26.14" W	Glenn E. Strickler; 419 Lower Mud River Rd., West Hamlin, WV 25571
4	38° 17' 56.39" N	82° 05' 29.57" W	Glenn E. Strickler; 419 Lower Mud River Rd., West Hamlin, WV 25571
5	38° 17' 55.35" N	82° 05' 33.62" W	Glenn E. Strickler; 419 Lower Mud River Rd., West Hamlin, WV 25571
6	38° 18' 19.62" N	82° 05' 17.67" W	James E. Keaton; Rt. 1 Box 387, West Hamlin, WV 25571
7	38° 18' 50.25" N	82° 05' 59.99" W	Ottie Ray and Barbara J. Keaton; 27 Cowhide Br., West Hamlin, WV 25571
			Keith A. and Lauren A. Meadows; 709 Upper Mud River Rd., West Hamlin, WV 25571
8	38° 18' 42.25" N	82° 06' 28.79" W	Timothy W. and Donald P. Keaton (LE); Rt. 1 Box 451, West Hamlin, WV 25571
			Carlos Stratton (LE); 732 Lower Mud River Rd., West Hamlin, WV 25571
9	38° 19' 04.76" N	82° 06' 35.57" W	Carlos Stratton (LE); 732 Lower Mud River Rd., West Hamlin, WV 25571
10	38° 19' 14.88" N	82° 06' 35.44" W	Carlos Stratton (LE); 732 Lower Mud River Rd., West Hamlin, WV 25571
			Charles E. Woodall; 884 Buffalo Creek, West Hamlin, WV 25571
11	38° 19' 20.40" N	82° 08' 01.45" W	Leslie G. Keaton; 4704 Mud River Rd., West Hamlin, WV 25571
12	38° 18' 59.87" N	82° 08' 28.15" W	Gillel and Walter Crawford; Rt. 1 Box 462-A, West Hamlin, WV 25571
13	38° 18' 53.41" N	82° 08' 28.07" W	Charles E. and Deborah C. Woodall 884 Buffalo Creek, West Hamlin, WV 25571
14	38° 18' 23.19" N	82° 08' 31.58" W	Jerry Bias (Ennis Bias Estate); P.O. Box 73, Ashton, WV 25503
15	38° 18' 57.85" N	82° 07' 47.92" W	Tim and Samantha Hightower; 77 Right Fk. Buffalo Creek, West Hamlin, WV 25571
			Daniel and Cynthia D. Lucas; 59 Right Fk. Buffalo Creek, West Hamlin, WV 25571
16	38° 19' 09.55" N	82° 09' 00.95" W	Hurston G. King; 132 Right Fk. Buffalo Creek, West Hamlin, WV 25571
17	38° 19' 48.33" N	82° 07' 51.69" W	Molly Beckett; 61 Abednego, Alkol, WV 25501
			Charles Stephen Beckett; 1234 Lower Mud River Rd., West Hamlin, WV 25571
			Charles Matthew Beckett; RR. 1 Box 440, West Hamlin, WV 25571
			Joseph J. and Judith Ware; Rt. 1 Box 437, West Hamlin, WV 25571
18	38° 20' 22.91" N	82° 07' 45.07" W	Wanda Keaton; Rt. 1 Box 407-B, West Hamlin, WV 25571
19	38° 20' 27.03" N	82° 07' 10.79" W	Winfred Dillon; RR. 2 Box 397, Milton, WV 25541
20	38° 19' 56.49" N	82° 08' 13.60" W	Harold and Beunice Puckett; Rt. 1 Box 441, West Hamlin, WV 25571

Appendix C
Mailing List

**Section 340 Lower Mud River Water Extension Project
Lincoln County, West Virginia
Draft Environmental Assessment
Mailing List**

Federal Agencies and Officials

The Honorable Joe Manchin
United States Senate
900 Pennsylvania Avenue
Suite 629
Charleston, WV 25302

The Honorable Jay Rockefeller
United States Senate
405 Capitol Street
Suite 508
Charleston, WV 25301

The Honorable Nick Rahall
United States House of Representatives
845 Fifth Ave
Huntington, WV 25701

Mr. Robert N. Pate
USDA Natural Resources Conservation
Service
1550 Earl Core Road, Suite 200
Morgantown, WV 26505

Mr. John Schmidt, Field Supervisor
United States Fish and Wildlife Service
West Virginia Field Office
694 Beverly Pike
Elkins, West Virginia 26241

U.S. Environmental Protection Agency
Region III
Methodist Building
1060 Chapline Street, Suite 303
Wheeling, WV 26003

State Agencies and Officials

The Honorable Earl Ray Tomblin
Governor of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Ms. Barbara Sargent, Environmental
Resource Specialist
West Virginia Division of Natural
Resources
P.O. Box 67
Elkins, West Virginia 26241

Ms. Janet Clayton, Wildlife Diversity
Biologist
West Virginia Division of Natural
Resources
P.O. Box 67
Elkins, West Virginia 26241

Ms. Susan Pierce
State Historic Preservation Office
400 South Ruffner Road
Charleston, West Virginia 25314

Ms. Dee Smith
West Virginia Department of Environmental
Protection
601 57th Street, SE, Charleston, WV 25304

County Agencies and Officials

Hamlin-Lincoln County Public Library
7999 Lynn Avenue
Hamlin, WV 25523

Appendix D

HTRW

CELRH-EC- CE (1110)

22 January 2014

Wolfe/5327

gw

MEMORANDUM FOR CELRH-PM-PP-P (Attention: Sherry Adams)

SUBJECT: January 13, 2014 Addendum to the September 14, 2013 Limited Phase I Hazardous, Toxic, and Radioactive Waste (HTRW) Investigation Report for the Lower Mud River Waterline Extension Project, Lincoln County, WV.

1. The January 13, 2014 Addendum to the above referenced report was reviewed by EC-CE and was determined to be acceptable. No further HTRW investigation is necessary at this time.
2. If you have any questions, you may contact Janet Wolfe at x5327.



WYATT H. KMEN

Chief, Environmental and Remediation Section