

DRAFT FINDING OF NO SIGNIFICANT IMPACT

Zoar Levee and Diversion Dam Dam Safety Modification Study Tuscarawas County, Ohio

1. Members of my staff have conducted a Draft Environmental Assessment (DEA), in the overall public interest, which considers potential impacts on the human environment from the proposed implementation of six alternative risk management plans. The purpose and need for the Federal action is to reduce incremental inundation risks identified at Zoar Levee and Diversion Dam to within U.S. Army Corps of Engineers (USACE) tolerable risk guidelines, as set forth in Engineering Regulation 1110-2-1156.
2. Incremental risk is defined as risk (likelihood and consequences) associated with the presence of Zoar Levee and Diversion Dam that can be attributed to its breach prior or subsequent to overtopping, or due to component malfunction or misoperation.
3. Two types of incremental risks were identified at Zoar Levee that are outside of USACE tolerable risk guidelines: risk of inundation due to pump failure; and risk of inundation due to breaching of the levee prior to overtopping.
4. A total of five action alternatives and the No Action Alternative (NAA) were carried forward for detailed evaluation, which produced the following pertinent conclusions:
 - a. Under the NAA, existing annual probabilities of inundation resulting from pump failure will be reduced to be within USACE tolerable risk guidelines; however, annual probabilities of inundation due to breach will not change and remain outside of USACE tolerable risk guidelines. Therefore, the NAA does not meet the purpose and need for Federal action.
 - b. All action alternatives are expected to meet the purpose and need and have similar benefits and impacts to the affected environment.
 - c. With that understanding, Alternative 6A, which consists of an Internal Erosion Interception Trench (IEIT) and a Reverse Filter, was selected as the Preferred Action Alternative (PAA) because it supports the expeditious reduction of risk in the least-costly manner.
5. The Huntington District has taken reasonable measures to assemble and present the known or foreseeable impacts to the human and natural environment in the DEA. Most potential adverse impacts from the PAA are either temporary and/or minor in nature and would occur only during construction. These potential impacts would be further reduced by the implementation of best management practices committed to in the DEA.

- a. Social, Economic, Recreational, and Cultural/Historic Considerations. Most potential adverse impacts from the PAA to social, economic, recreational, and cultural/historic resources are likely to be temporary and/or minor in nature and would occur during construction. These potential impacts would also be further reduced by the implementation of best management practices committed to in the DEA. However, there is a potential for long-term impacts to archeological resources and to Zoar Village associated with altering the integrity of the historic setting. To resolve any adverse effects that may occur to historic properties, pursuant to Section 106 of the National Historic Preservation Act of 1966, a Programmatic Agreement has been executed in accordance with 36 CFR 800.14(b)(1)(ii) "Use of programmatic agreements". Therefore, while adverse effects may be anticipated with cultural or historical resources from implementation of the PAA, they would not be significant.
 - b. Coordination with Resource and Other Agencies. Pursuant to the Fish and Wildlife Coordination Act (FWCA) of 1958 as amended, coordination with the U.S. Fish and Wildlife Service has been conducted. In accordance with the Endangered Species Act of 1970, as amended, the PAA has been coordinated with the U.S. Fish and Wildlife Service to assure there would be no significant effect to listed species. The PAA would be conducted in accordance with Nationwide Permit #3 in compliance with the Clean Water Act. Appropriate measures and best management practices have been identified and incorporated into the plan.
 - c. Other Public Interest Considerations. There has been no opposition to the PAA expressed by state or local governments, or organized environmental groups, and there are no unresolved issues regarding the implementation of the PAA.
6. I find the PAA has been planned in accordance with current authorization as described in the DEA. The PAA is consistent with national policy, statutes and administrative directives. This determination is based on thorough analysis and evaluation of the PAA and 5 other reasonable alternatives, including the NAA. In conclusion, I find that the PAA for the Zoar Levee and Diversion Dam in Tuscarawas County, Ohio, would have no significant adverse effect on the quality of the human and/or natural environment and preparation of an Environmental Impact Statement is not required.

**- DRAFT FOR PUBLIC REVIEW
NOT INTENDED FOR SIGNATURE -**

Leon F. Parrott
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District Engineer