The City of Elkhorn City is proposing to replace a portion of its existing wastewater system located within the city limits in Pike County, Kentucky. The existing lines scheduled for replacement are currently failing. This has resulted in unreliable wastewater treatment as well as wastewater leaching into adjacent surface and ground water sources.

The proposed project consists of the replacement of three manholes and approximately 350 linear feet of 10-inch gravity sewer on Stillhouse Avenue, four additional manholes and approximately 700 linear feet of 10-inch gravity sewer in the Ballpark Road area.

The proposed construction activities would occur within the streets and road rights of way within the City of Elkhorn City. No open space or undisturbed areas would be impacted by the proposed project.

The proposed project is a partnership agreement between the City of Elkhorn City and the USACE, established under the authority of Section 531 of the Water Resources Development Act of 1996. This is a program for providing environmental assistance to non-Federal interests in southern and eastern Kentucky. 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 on this project. Funding, as established under Section 531, shall be shared 75% Federal and 25% Non-Federal (State and Local). This Environmental Assessment (EA) is prepared pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) Regulations (40 CFR 1500-1517), and USACE implementing regulation, ER 200-2-2, 1988.

The Environmental Assessment has concluded that there are no significant impacts to the human environment associated with the implementation of the proposed City of Elkhorn City Wastewater Improvement Project. A Finding of No Significant Impact is anticipated for the project.
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1.0 PROJECT DESCRIPTION

1.1 Project Background
The City of Elkhorn City is proposing to replace a portion of its existing wastewater system located within the city limits in Pike County, Kentucky (maps located in Appendix A). There are two areas – the Stillhouse Avenue Area and the Ballpark Road Area. The project would consist of replacing three manholes and approximately 350 linear feet of 10-inch gravity sewer in the Stillhouse Avenue Area and four additional manholes and approximately 700 linear feet of 10-inch gravity sewer in the Ballpark Road Area.

1.2 Project Authority
The proposed project is a partnership agreement between the City of Elkhorn City and the USACE, established under the authority of Section 531 of the Water Resources Development Act of 1996. This is a program for providing environmental assistance to non-Federal interests in southern and eastern Kentucky. Assistance under this program may be in the form of design and construction assistance for water-related environmental infrastructure, water resource protection and development, and environmental restoration. These projects must address wastewater, water supply and surface water resource and related problems. No other cooperating Federal agencies are involved on this project. Funding, as established under Section 531, shall be shared 75% Federal and 25% Non-Federal (State and Local). This Environmental Assessment (EA) is prepared pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) Regulations (40 CFR 1500-1517), and USACE implementing regulation, ER 200-2-2, 1988.

1.3 Statement of Purpose and Need
The purpose of the project is to replace the current system, which is antiquated with lines in need of repair. The project is needed because it will provide reliable wastewater treatment and prevention of both surface and ground water contamination in the project area.

1.4 Prior National Environmental Policy Act (NEPA) Documentation
No documentation under NEPA has previously been undertaken.

2.0 PROPOSED ACTION AND ALTERNATIVES
Two alternatives were considered: a No Action Alternative and a Remediation Alternative.

2.1 Alternative 1 – No Action Alternative
Under the No Action Alternative (NAA) the US Army Corps of Engineers (Corps) would not provide funding for the project. It is assumed that the sponsor would secure funding from alternative sources, however this would likely delay project implementation.

2.2 Alternative 2 – Remediation Alternative – (Preferred Action Alternative)
Under the Proposed Action Alternative (PAA), the Federal government would provide funding in the amount of $175,000 for the implementation of the wastewater improvements.

Rehabilitation of the existing collection and conveyance lines is the most economically and environmentally sound alternative. The project will replace seven manholes and approximately 1,050 linear feet of 10-inch gravity sewer lines. The replacement will parallel existing residential and commercial streets in the area.
3.0 ENVIRONMENTAL SETTING AND CONSEQUENCES

3.1 Location
The City of Elkhorn City is located in Pike County, Kentucky. Both areas, as described above, are located within the city limits of Elkhorn City and east of the Russell Fork of the Levisa Fork of the Big Sandy River. Project maps are located in Appendix A.

3.2 Land Use
Land use within both areas is best characterized as a combination of commercial, residential and recreational. The Stillhouse Avenue Area is bordered by a church, bank, residences and a former business location. The Ballpark Road Area is bordered by residences and park/recreational facilities.

No impacts to land use are anticipated for the PAA. Sewer line replacement activities would be conducted in sub-surface areas previously disturbed through the installation of the roadways or other utilities.

Additionally there would be no impacts to land use as a result of the NAA.

3.3 Physiography
Topography, Geology and Soils

The proposed project site is located in the Cumberland Plateau physiographic region. This region is characterized be steep, rugged mountains dissected by the V-shaped valleys. Most development occurs along the relatively level stream terraces while the mountain sides are left to second growth hardwood forests. The soils of the study area have been categorized and mapped by the United States Department of Agriculture and include the following:

- Stillhouse Avenue Area
  - Combs fine sandy loam
  - Fedscreek-Gilpin-Marrowbone complex
  - Hayter loam
- Ballpark Road Area
  - Fedscreek-Gilpin-Marrowbone complex
  - Hayter loam
  - Udorthents loamy

Prime and Unique Farmland

As previously stated, the project area is located within the city limits of Elkhorn City in areas dominated by commercial, residential and recreational land uses. Thus, there is no prime and/or unique farmland within the project area.

Considering the Project Area size, location, developed nature, and project scope, no impacts to physiography (topography, geology, soils and prime and unique farmland) are anticipated for either the NAA the PAA. All disturbed areas would be returned to original condition upon completion of construction activities; including grading. No existing farmland would be taken out of production as a result of the PAA or NAA.

3.4 Habitat and Vegetation
The proposed project areas are located in an area dominated by residential, commercial and recreational land uses. Vegetation in the areas consists of grasses, various trees and typical landscaping vegetation. No tree removal or stream impacts are anticipated as part of the PAA.

There are no impacts to habitat or vegetation anticipated as part of the NAA.
3.5 Floodplain
The western portion of the Stillhouse Avenue Area is located within a 0.2% annual chance flood hazard area based on FEMA FIRM No. 21195C0486G, which was revised on May 2, 2008.

The PAA will not adversely affect the flooding potential of the area. Replacement of existing sewer lines will not affect the terrain or elevations within the project area. The post-construction terrain in the wastewater improvement area will be the same as the pre-construction terrain.

There are no floodplain impacts associated with the NAA.

3.6 Regulated Hazardous Contaminants
A Limited Phase I Hazardous, Toxic, and radioactive Waste (HTRW) Investigation has been prepared by Summit Engineering, Inc. Due to the project area's location in a residential and commercial area there is the possibility the proposed project may affect, or be affected by, hazardous or toxic materials such as natural gas, septic tanks and septic tank drain fields within the project areas. Utilizing the Limited Phase I report, the contractor will avoid to the maximum extent possible effecting areas associated with the aforementioned materials. If impacts to natural gas tanks or septic tanks and their associated drain fields occur the contractor will immediately cease work and contact the Huntington District. The Limited Phase I Investigation is available upon request.

The Limited Phase 1 HTRW Investigation was subsequently reviewed by Huntington District Staff and found to be acceptable. Based on the research, site visit, Project Area size, location and project scope, no impacts from regulated hazardous contaminants are anticipated as part of the PAA. The Huntington District’s memo recommending no further HWTR investigations is located in Appendix B.

There are no HTRW impacts associated with the NAA.

3.7 Hydrology
The Project Area is located within the Big Sandy Basin. It is located on the Russell Fork, which is a tributary of the Levisa Fork of the Big Sandy River. The Big Sandy River flows to join the Ohio River.

As all work associated with the PAA would take place in existing rights of way and consists of replacing existing water line, there are no impacts to hydrology associated with the PAA. Impacts will also not be incurred by the NAA.

3.8 Water Quality
The Stillhouse Avenue Area is located approximately 650 feet southeast of the Russell Fork of the Levisa Fork of the Big Sandy River, and the Ballpark Road Area is approximately 1,195 feet east of the Elkhorn Creek, Russell Fork confluence.

Surface Water Quality – The surface waters located nearest the project area are the Russell Fork (at approximately mile point 13) and Elkhorn Creek, which is a tributary of the Russell Fork. Elkhorn Creek is listed on Kentucky’s draft 2012 303(d) list of impaired waters with impairments of fecal coliform, sedimentation/siltation, specific conductance, Total Dissolved Solids, and Total Suspended Solids. Suspected sources of pollution include: on-site treatment systems, package plants or other permitted small flow discharges, and surface mining. The Russell Fork is not included on the list of impaired waters.

Ground Water Quality – The type and depth of a well, character of the aquifer, and topography of the site controls the well yield. Generally, most wells provide adequate supplies for domestic users. Ground water tends to have a high concentration of iron and manganese. Chloride, sulfur, and iron are the most common objectionable constituents in the ground water of the area. The existing sewer lines are in a state of disrepair. It is likely that sewage is leaking into ground water in the project area.

Best Management Practices (BMPs) will be used to prevent non-point sources of water pollution. The use of these BMPs will minimize any adverse impacts on streams. There are positive impacts associated in the PAA due to reduction in sewage leaching into groundwater supplies in the area.
It is anticipated with the NAA that contaminates will continue to adversely impact streams and continue leaching into area groundwater supplies.

3.9 Wetlands
Site reconnaissance did not reveal any wetlands that might be affected by the proposed project. Therefore, it is not anticipated any adverse action to or loss of wetlands would occur as a result of the PAA. Wetlands will also not be impacted by the NAA.

3.10 Endangered Species
As previously stated, the proposed project areas are located in an area dominated by residential, commercial and recreational land use. In response to an April 9, 2012 inquiry, the U.S. Fish and Wildlife Service responded that the project would not adversely impact any federally listed endangered or threatened species.

There are no impacts to Endangered Species associated with the PAA. The NAA has the potential to impact Endangered Species due to continued surface and groundwater impacts associated with current impairment due to the antiquated and failing wastewater system.

3.11 Cultural Resources
In a response dated September 4, 2012, the Kentucky Heritage Council commented, "our review indicates that the proposed project will not impact any National Register properties or sites. In accordance with 36 CFR Part 800.4(d) of the Advisory Council’s revised regulations our finding is that there will be no Historic Properties Affected within the undertaking’s area of potential impacts. Therefore, we have no further comment, and the Agency Official’s responsibility to consult with the State Historic Preservation Office under the Section 106 review process is fulfilled."

Consequently, no impacts to historic or cultural resources would occur as a result of the PAA. Impacts to historic or cultural resources would also not occur under the NAA.

3.12 Scenic Rivers
The PAA would not occur in or near any Wild or Scenic Rivers. Therefore, no impacts to these resources are anticipated as part of the PAA. Impacts would also not occur under the NAA.

3.13 Air Quality
Minimal data regarding air quality within Elkhorn City and the project sites is available. Emissions may occur during the construction period due to trenching equipment used for the installation of the sewer pipeline. Water spraying for fugitive dust will be implemented as needed. Contractors will 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. Any impacts to air quality would be temporary, during construction, and minor.

Under the NAA, impacts to air quality would not occur.

3.14 Noise
The major source of noise associated with the PAA will be from the equipment used in the sewer line replacement. The noise will be short in duration and will only occur during daylight hours. Upon completion of the project, noise will return to former levels.

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 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. (Schomer et al 2001). According to Dr. Paul Schomer in his 2001 Whitepaper, while there are numerous thresholds for acceptable noise in residential areas, research suggests that 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, for consideration of hearing protection or the need to administer sound reduction controls.

### Permissible Non-Department of Defense Noise Exposures

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<tr>
<td>6</td>
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<tr>
<td>1</td>
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</table>

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 equipment that is likely to be used during installation of the sewerline. Each emits noise levels around 85 dBA at 45 feet. Construction equipment would be operated for approximately 8 hours, generating noise during the daytime (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 close 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 (USACE 2003). 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 and temporary in nature. There will be noise impacts associated with the NAA.

### 3.15 Socioeconomic Conditions

Under Executive Order (EO) 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations”, federal agencies are directed to identify, address and avoid disproportionately high and adverse human health or environmental effects on minority and low income populations.

This project would provide a safer supply of potable water by eliminating failing sewer lines that are susceptible to backflow of contaminant sources into the system during depressurization events.
Replacement of the sewer lines is based on the current condition of existing lines. The PPA meets the directive of EO 12898 by not creating adverse human health or environmental effects.

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

3.16 Aesthetics
The Project Area is comprised of residential homes and commercial businesses and limited undeveloped property. Vegetation is comprised of mowed lawns and trees. The existing aesthetics of the City of Elkhorn City is typical of most small, rural communities.

Temporary disturbance of the local area is anticipated during construction of the PAA. No long term adverse impacts would occur as the PAA consists of sewer line replacement and once complete the area would be restored to preconstruction appearance.

No aesthetic impacts are anticipated with the NAA.

3.17 Transportation and Traffic
Transportation to the project area is provided via Kentucky Highways 80 and 197 along with existing city streets. Local traffic using the small streets and access roads in the area may be temporarily rerouted during construction. Necessary warnings and traffic control devices will be used, as necessary, to ensure safety of the public and construction workers. Area ambulance companies, fire departments, police departments and rescue squads will be notified, as necessary, of any new transportation patterns that might affect emergency vehicles entering or leaving the properties. Upon completion of the project, roadways would be repaved and returned to at least pre-construction conditions.

No long term impacts are associated with the PAA. Transportation and traffic impacts are not anticipated with the NAA.

3.18 Health and Safety
Health and safety issues include reducing the likelihood of ground and surface water contamination due to deteriorated sewer lines. Under the PAA health and safety will be improved by eliminating contamination associated with deteriorating lines.

Under the NAA it is likely that project implementation would be delayed as the City seeks funding. This would result in continuing sewer line breaks, and increased potential for ground and surface water contamination, which poses a health risk to residents of the City.

3.19 Cumulative Effects
The Corps must consider the cumulative effects of the proposed project on the environment as stipulated by 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).
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 upgrade of the sewer lines will have temporary and insignificant impacts to the environment. Resources that would show long term effects from the project will be health and safety, as well as water quality. The temporal limits for assessment of this impact would initiate in 1972 with the passage of the Clean Water Act, which is the environmental statute driving the need for the PAA, and end in 2018 or five years after completion of this project. The geographical extent would be approximately 0.25 square miles encompassing both the Stillhouse Avenue Area and the Ballpark Road Area.

Analysis of the potential impacts, both direct and indirect associated with the PAA and NAA, has been performed for resources within the project area. The PAA is intended to minimize the probability of incurring risks associated with ground and surface water contamination due to deteriorated sewer lines that may result from the NAA. The availability of Federal funds through programs, such as the 531 Program, to assist communities with installation and construction of water-related environmental infrastructure and resource protection and development projects in Kentucky, is an additional benefit. The significance of this action on health and safety and water quality will be positive. Given the current programs that are in place for the foreseeable future and the overall beneficial effect implementation of the PAA, there is expected to be a positive cumulative effect on health and safety and water quality to past, present, and reasonably foreseeable actions.

4.0 STATUS OF ENVIRONMENTAL COMPLIANCE

Based on the information provided above, full compliance with all local, state, and federal statues and Executive Orders is anticipated.

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<td>Fish and Wildlife Coordination Act</td>
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<td>Endangered Species Act</td>
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<td>Clean Water Act</td>
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<td>Wild and Scenic Rivers Act</td>
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<td>Clean Air Act</td>
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<td>Executive Order 12898 Environmental Justice in Minority Populations and Low-Income Populations</td>
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5.0 PUBLIC COORDINATION
5.1 Agencies Contacted
Direct correspondence with the Big Sandy ADD, Kentucky State Clearinghouse, Natural Resources Conservation Service (NRCS), and the U.S. Fish & Wildlife Service was completed prior to issuance of the draft Environmental Assessment (DEA). Agency correspondence is included in Appendix B.

5.2 Public Review and Comments
This DEA, and draft Finding of No Significant Impact 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, Appalachian News-Express, advising the public of availability of this document for review and comment. A copy of the DEA will be placed in the Post Office and is also available on-line at: http://www.lrh.usace.army.mil/Missions/PublicReview.aspx. The mailing list for the DEA is located in Appendix C.

6.0 CONCLUSIONS
The proposed installation of sewer lines in the City of Elkhorn City would replace existing lines, which are currently failing and leaching solid waste contamination into ground and surface water. The PAA is not anticipated to produce significant, adverse impacts to the surrounding natural or human environment. The footprint of the PAA is minimal and follows the existing rights-of-way. The effects from excavation (noise, dust, and erosion control) and traffic disruptions during construction of the project would also be minor and temporary. Appropriate management practices would be implemented, by the contractor, during installation to minimize impacts to residents and the environment. Therefore, the PAA would not be expected to have significant impacts on the human environment. A Finding of No Significant Impact is anticipated.
1. Members of my staff have conducted an Environmental Assessment (EA), in the overall public interest, which considers potential impacts on the human environment from the proposed City of Elkhorn City Wastewater Improvement Project, Pike County, Kentucky. The Preferred Action Alternative consists of replacing sewer lines within road rights-of-way throughout the City. The purpose of the proposed project is to provide adequate sewer treatment and minimize sewage leaching into area ground and surface water.

2. The possible consequences of the proposed action have been studied for environmental, cultural, and social well-being effects.

3. The Preferred Action Alternative (PAA) and the No Action Alternative (NAA) were the only alternatives carried forward for detailed evaluation. Primary ecological impacts from the PAA are the effects of excavation (noise, dust and erosion control), which are considered to be minor and temporary, due to the limited nature of the construction design and utilization of best management practices. The PAA is expected to have beneficial impacts on water quality which is currently impacted by deteriorated sewer lines. No threatened or endangered species or any associated critical habitat would be impacted by the PAA.

The NAA would result in a delay in project implementation as the sponsor seeks another funding source. This would result in the continuation of adverse impacts to the community in the form of continued sewage leaching into ground and surface water.

4. An evaluation of the PAA and NAA produced the following pertinent conclusions:

a. Environmental Considerations. The Huntington District has taken reasonable measures to assemble and present the known or foreseeable impacts of the PAA to the human and natural environment in the EA. All potential adverse impacts of the proposed action are temporary and minor.

b. Social Well-Being Considerations. No significant economic or social well-being impacts that are both adverse and unavoidable are foreseen as a result of the PAA. The community would benefit from the proposed action through a reliable wastewater collection system. The PAA would have no effect on sites of significant archaeological or historical importance.

c. 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 and the Kentucky State Clearing House have been made. Appropriate measures and best management practices have been identified and incorporated into the plan. Also, in accordance with the Endangered Species Act of 1970, as amended, the PAA would not have any adverse impacts on listed species.

d. Other Public Interest Considerations. There has been no opposition to the PAA expressed by the state or local governments, or organized environmental groups, and there are no unresolved issues regarding the implementation of the PAA.
5. I find the PAA has been planned in accordance with current authorization as described in the EA. The PAA is consistent with national policy, statutes and administrative directives. This determination is based on thorough analysis and evaluation of the PAA and NAA. In conclusion, I find the proposed wastewater improvement project for the City of Elkhorn City, Kentucky, 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.

______________________________
Stephen T. McGugan
Colonel, Corps of Engineers
District Engineer
EXHIBIT 1
Project Location Map
ELKHORN CITY, KENTUCKY

CITY OF ELKHORN CITY
PROJECT VICINITY
ELKHORN CITY, KY.

BALLPARK ROAD

STILLHOUSE AVENUE
APPENDIX B

AGENCY COORDINATION
APPENDIX C
MAILING LIST

Federal
Honorable Rand Paul
United States Senate
600 Dr. Martin Luther King Jr. Plaza
Room 1072B
Louisville, Kentucky 40202

Honorable Mitch McConnell
United States Senate
601 W. Broadway
Room 630
Louisville, Kentucky 40202

Honorable Hal Rogers
Representative in Congress
110 Resource Court, Suite A
Prestonsburg, Kentucky 41653

Honorable Steve Beshear
Governor of Kentucky
700 Capitol Avenue, Suite 100
Frankfort, Kentucky 40601

State
Kentucky State Clearinghouse
Department for Local Government
1024 Capital Center Drive, Suite 340
Frankfort, Kentucky 40601-8204

Local
Honorable Mike Taylor
Mayor of Elkhorn City
395 South Patty Loveless Drive
Elkhorn City, Kentucky 41522

Elkhorn City Post Office
145 West Russell Street
Elkhorn City, Kentucky 41522