

DRAFT FINDING OF NO SIGNIFICANT IMPACT

Section 202 Levisa Fork Basin Flood Damage Reduction Project Pike County, Kentucky

The U.S. Army Corps of Engineers, Huntington District (Corps) has conducted an environmental analysis in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended. The Corps prepared an Environmental Impact Statement (EIS) in March 2006 with a 2011 Record of Decision for the proposed flood risk management measures in Pike County, Kentucky. Due to availability of funding, a Project Partnership Agreement (PPA) was not executed between the Corps and the Non-Federal Sponsor, Pike County Fiscal Court when the DPR was approved in 2011. The Supplemental Environmental Assessment (SEA), dated June 2020, for the Levisa Fork Basin Flood Damage Reduction Project in Pike County, Kentucky tiers from the previous EIS which was prepared concurrently with the development of the approved study report, referred to as the Detailed Project Report (DPR) and for which a Record of Decision was issued in 2011. The SEA addresses changes to the affected environment within the project area.

The purpose of the Pike Levisa Project is to implement flood risk management measures to protect residents and properties within the floodplain of the Levisa Fork and its tributaries within Pike County, Kentucky which would be impacted by a reoccurrence of the April 1977 flood. In the absence of flood risk management measures for the project area, residents would be subject to future floods and damage that have occurred in previous years and potential life loss.

This SEA has been developed pursuant to NEPA by the Corps Huntington District, to document the potential effects associated with changes to the affected environment which would be impacted through implementation of the project. Section 2.0 of the SEA discusses the proposed action and alternatives. The Proposed Action Alternative includes implementation of structural and nonstructural flood risk management measures as outlined in the DPR. Structural measures include a floodwall at North Pikeville and a levee/floodwall at Coal Run Village and a ringwall around a Millard Middle School Campus. Nonstructural measures include floodproofing or acquisition for approximately 2,000 structures including seven public facilities eligible for relocations, and implementation of an Emergency Evacuation Plan.

SUMMARY OF POTENTIAL EFFECTS:

For all alternatives, the potential effects were evaluated, as appropriate. The evaluation of effects was focused on key resources affected by the proposed alternatives. Given the developed nature of the project area and/or adequate consideration of such resources in previous NEPA documentation, the evaluation of effects in the SEA was limited to only a few resource areas. The resource areas which were excluded from evaluation in this SEA include but are not limited to Land Use and Land Cover, Topography and Drainage, Geology and Soils, Air Quality and Climate, Noise, Aquatic Resources, Surface Water Quality and Groundwater, Wildlife and Wetlands, Socioeconomic Resources and Environmental Justice, Hazardous, Toxic, and Radioactive Waste, Health and Safety, Aesthetic Resources, Infrastructure, and Transportation. A summary assessment of the potential effects of the recommended plan are listed in Table 1:

Table 1: Summary of Potential Effects of the Proposed Action

Resource	Insignificant effects	Insignificant effects as a result of mitigation*	Resource unaffected by action
Floodplains	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terrestrial Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Threatened and Endangered Species	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the proposed action alternative. Best management practices (BMPs) as detailed in the SEA will be implemented, if appropriate, to minimize impacts. For additional details of the proposed action alternative, see Section 3.0 of the SEA.

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the U.S. Army Corps of Engineers determined that the proposed action alternative may affect by is not likely to adversely affect the Grey Bat and Big Sandy Crayfish. The PAA may affect and is likely to adversely affect the Indiana bat and Northern Long-eared Bat. To mitigate for impacts, the Corps is utilizing the Bat Conservation Fund through an agreement with the U.S. Fish and Wildlife Service. Impacts to the Indiana bat and northern long-eared bat were analyzed under the 2015 Biological Opinion: Kentucky Field Office’s Participation in Conservation Memoranda of Agreement for the Indiana Bat and/or Northern Long-eared Bat (BO). The PAA adheres to the Conservation Strategy and the measures associated with the strategy and BO. The project is not likely to jeopardize the continued existence of the Indiana bat or northern long-eared bat or result in the destruction or adverse modification of designated critical habitat for either species. The U.S. Fish and Wildlife Service (FWS) concurred with the Corps’ determination on **DATE OF AGREEMENT**

Pursuant to section 106 of the National Historic Preservation Act of 1966, as amended, the U.S. Army Corps of Engineers determined that historic properties may be adversely affected by the Proposed Action Alternative. The Corps and the Kentucky State Historic Preservation Office entered into a Programmatic Agreement (PA), dated **DATE OF AGREEMENT**. All terms and conditions resulting from the agreement shall be implemented in order to minimize adverse impacts to historic properties.

A 30-day public, state, and agency review of the Draft EA and FONSI was completed on **DATE DEIS COMMENT PERIOD ENDED**.

Technical, environmental, economic, and cost effectiveness criteria used in the formulation of alternative plans were those specified in the Water Resources Council’s 1983 Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies. All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on this report, the reviews by other Federal, State and local agencies, Tribes, input of the public, and the review by my staff, it is my determination that the recommended plan would not cause significant adverse effects on the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

Date

Jason A. Evers
Colonel, Corps of Engineers
District Commander