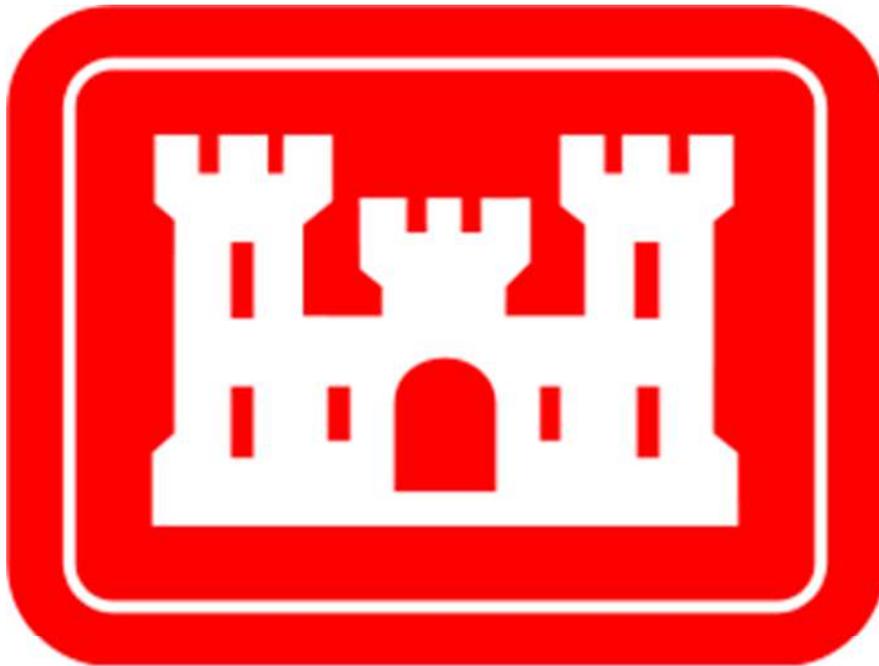




Draft Supplemental Environmental Assessment
Section 202 Dickenson County Nonstructural Project
Haysi Municipal Building Relocation
Dickenson County, Virginia



U.S. Army Corps of Engineers
Huntington District
Huntington, West Virginia
June 2020



**Supplemental Environmental Assessment
Dickenson County Nonstructural Project – Haysi Municipal Building Relocation
Dickenson County, Virginia
Executive Summary**

Since the early 2000s, the U.S. Army Corps of Engineers (Corps) has implemented flood risk management measures in Dickenson County, Virginia to reduce flooding impacts and damages for the residences, businesses and public facilities. In May of 2003, the Detailed Project Report package for the Dickenson County Nonstructural Project was completed. The Final Environmental Assessment (FEA) was incorporated in the report package, and a Finding of No Significant Impact (FONSI) was issued in June of 2003. As part of the approved project, cursory investigations were carried out for several potential school relocation sites, but none were performed addressing the Haysi Municipal Building relocation or its preferred relocation site. A Flood Risk Management Study for Dickenson County Schools was prepared in August 2010, to specifically address schools within the county that were eligible for flood risk management measures.

This Supplemental Environmental Assessment (SEA) has been developed pursuant to the National Environmental Policy Act (NEPA) by the Corps, Huntington District, to document the potential effects associated with alternatives for the Haysi Municipal Building Relocation Site. Upon evaluation and comparison of all reasonable alternatives, the Corps is proposing to relocate the municipal building to Site B (Lower Backbone) which is located along County Route 652 (CR 652) on Backbone Ridge as a result of the high flood risk that exists at its current location, and potential adverse effects on the local population it serves. The proposed action is part of the Dickenson County Nonstructural Project in Dickenson County, Virginia and the SEA tiers from the 2003 FEA.

The municipal building is currently owned by the Town of Haysi and houses both the Haysi Town Hall and Police Station. It is located on Main Street (Virginia State Route 63) opposite the Russell Fork. The building is located in the floodplain along the right descending bank, river mile 25.7 in downtown Haysi, Virginia. The building consists of the police department, council chamber, and offices for the mayor, town clerk, and economic development director, and two miscellaneous offices. Additional on-site amenities include a garage, parking lot, conference room, public and private unisex bathrooms, kitchen areas, and various storage rooms. During periods of local flooding or when there is a loss of power service to the area, the building serves as a local emergency operations center. The building also rents out space on a short-term basis for social, educational, training and other appropriate activities.

The Proposed Action includes the relocation and construction of a building including the Haysi Town Hall, Police Station, and associated amenities at the Lower Backbone Site. The proposed project entails an established Project Partnership Agreement (PPA) between the Dickenson



County Board of Supervisors and the Corps authorized by Section 202 of the Energy and Water Development Appropriations Act of 1981 (Public Law 96-367), as amended. Additional legislation includes Section 367 of the Water Resource Development Act of 1999 (Public Law 106-541) as amended, and Section 107 of the Energy and Water Development Appropriations Act of 2010 (Public Law 111-85), as amended, and the Bipartisan Budget Act of 2018.

This SEA is prepared pursuant to the NEPA, Council on Environmental Quality Regulations (40 CFR 1500-1508), and Corps implementing regulation, ER 200-2-2. The SEA has concluded there are no significant impacts to the human environment associated with the implementation of the proposed relocation of the Haysi Municipal Building for the Dickenson County Nonstructural Project.



SECTION 202
SECTION 202 DICKENSON COUNTY NONSTRUCTURAL PROJECT
HAYSI MUNICIPAL BUILDING
DICKENSON COUNTY, VIRGINIA

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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.

1.0 INTRODUCTION

1.1 Project Background and Authorizations

The Dickenson County Nonstructural Project evolved as a result of the April 1977 Flood in the Levisa Fork Basin. Due to millions of dollars in damages and losses from this flood, the Energy and Water Development Appropriations Act of 1981 (P.L. 96-367) and subsequent legislation provided authorization for development of flood protection measures for the Levisa and Tug Forks of the Big Sandy River Basin. Section 202 of that legislation directed the Secretary of the Army (acting through the Chief of Engineers) to design and construct flood risk management measures in those areas affected by the 1977 Flood. Nonstructural flood control measures implemented would prevent future losses occurring either from a flood equal in magnitude to the April 1977 flood, or the one percent annual chance flood (also known as the 100-year flood), whichever is greater. A Final Environmental Impact Statement (FEIS) for the Levisa Fork Basin/Haysi Dam Flood Damage Reduction Plan, was completed in 1998.

Pursuant to its Section 202 authority, the Corps identified and evaluated alternative flood risk management measures in the “Dickenson County Nonstructural Project Detailed Project Report (DPR), Appendix V, Section 202 General Plan”, dated May 2003. All appropriate levels of review were completed and the Assistant Secretary of the Army for Civil Works approved the DPR in July 2004. Pursuant to the NEPA, 42 U.S.C. § 4321, *et seq.*, as amended, the Corps prepared a FEA in May 2003, for which a FONSI was executed in June 2003 for the Federal action proposed to carry out flood risk management measures in Dickenson County, Virginia.

Due to availability of funding, only portions of the proposed flood risk management measures identified in the approved DPR have been constructed. Flood risk management measures implemented include: construction of the Ridgeview High School/Middle School/Career Technology Center campus (2015), and completion of a county-wide Emergency Evacuation Plan (2015).

In 2018, the Dickenson County Nonstructural Project received supplemental funding to complete flood risk management measures pursuant to the Bipartisan Budget Act of 2018. As a result of this funding, the Corps has the opportunity to complete additional components of the proposed plan as documented in the DPR completed in 2003. However, given the lapse of time, the Corps performed a reevaluation of design, construction, and sequencing. Activities including voluntary floodproofing and acquisition of eligible residential and commercial structures, relocation of the Haysi municipal building, and relocation/consolidation of the elementary schools are included for implementation under the Bipartisan Budget Act funding. These are the anticipated remaining elements proposed for implementation within the authorized project area and these various flood risk management measures that are slated align with the scope identified in the



approved DPR. Due to the lapse in time and adjustments in project design, a SEA is being prepared pursuant to NEPA, Council on Environmental Quality (CEQ) Regulations (40 CFR 1500-1508), and Corps implementing regulation, ER 200-2-2.

The proposed project is being conducted consistent with a PPA between the Dickenson County Board of Supervisors and the Corps. The project is authorized by Section 202 of the Energy and Water Development Appropriations Act of 1981 (Public Law 96-367), as amended; by Section 367 of the Water Resource Development Act of 1999 (Public Law 106-541), as amended; by Section 107 of the Energy and Water Development Appropriations Act of 2010 (Public Law 111-85); and by the Bipartisan Budget Act of 2018.

1.2 Purpose, Need, and Scope

The purpose of the Dickenson County Nonstructural Project is to implement flood risk management measures to reduce flooding impacts and damages for the residences and businesses of Dickenson County, Virginia. In the absence of flood risk management measures for the Project Area, the potential for future development and growth is limited and residents would be subjected to future floods and damage similar to those that have occurred in previous years.

This Supplemental EA is being prepared by the Corps to identify the most effective, socially acceptable, and environmentally sound project alternative and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). This SEA concisely documents environmental considerations and assists in determining whether significant impacts may be associated with the proposal pursuant to 40 CFR 1508.9(a) and tiers pursuant to 40 CFR 1508.28 to the previous EA prepared May 2003. The EA prepared in May 2003 was prepared concurrently with the development of the feasibility study for the Dickenson County Nonstructural Project; a FONSI was issued for that effort in June 2003.

The scope of this Supplemental EA is limited to considerations surrounding the municipal building relocation site. This document will be tiered from the 2003 Final Environmental Assessment and Finding of No Significant Impact (as appropriate) and be, consistent with NEPA when 1) sufficient design information, and investigations progress on other Project components; and 2) when those components are ripe for consideration.

In the approved DPR, the municipal building was described as containing four offices, rest rooms, and a large conference/meeting room. No individual space sizes for the town hall and police station were given in the DPR, and the attached garage was not addressed in the DPR. The DPR proposed a replacement structure of 2,600 square feet, including 1,100 square feet for the Haysi Branch Library, and 1,500 square feet for the town hall and police station. During the reevaluation of the initial design and construction sequencing (as proposed in the DPR), it was determined that the replacement municipal building would contain more floor space due to the addition of office spaces, replacement of the garage, and application of modern guidelines and current practice for office spaces in municipal office buildings and police stations.



1.3 Project Location

The Town of Haysi, Dickenson County, is located in western Virginia. Dickenson County is bordered on the north by Pike County, west by Wise County, south by Russell County, and east by Buchanan County. The Levisa Fork River flows through Dickenson County, where it is fed by one of its major tributaries, Russell Fork. The Town of Haysi, Virginia lies along the banks of Russell Fork. In the past, the Town of Haysi’s close proximity to the confluence of Russell Fork and McClure River make it susceptible to both flooding events from Russell Fork and backwater flooding from the McClure River. Due to the steep topography of the Project Area, the majority of the town lies within the floodplain.

The location of the existing municipal building is located along the right descending bank of the Russell Fork at river mile 25.7 in downtown Haysi, Virginia. It is situated on Main Street opposite of the Russell Fork. It is owned by the Town of Haysi and contains the Haysi Town Hall, Police Station, Community Center, and Emergency Operations Center. The relocation site is located along County Route 652 (CR 652) on Backbone Ridge.



Figure 1: Project Location

1.4 Existing Municipal Building

As mentioned above, the Haysi Municipal Building is owned by the Town of Haysi and houses both the Haysi Town Hall and Police Station.

The existing facility is a two-story, brick and concrete block masonry structure with a built-up



roof. It was constructed in the early 1940s and remodeled in 2008-2009. The police department is located on the first floor, which contains about 3,100 square feet of floor space. There are two full-time officers (chief and assistant chief), three part-time patrolmen, and five auxiliary patrolmen. The chief and assistant chief share a common office. The first floor also contains a 1,000 square feet council chamber with a maximum posted occupancy of 80 people. Additional on-site amenities include restrooms, a storage room for records, evidence, and armaments, an access corridor, and six jail cells.

The town hall occupies a portion of the first floor (council chamber) and the entire second floor, which contains about 3,100 square feet of floor space. It is utilized by two full-time employees and contains offices for the mayor, town clerk, an economic development director (part-time), and two miscellaneous officers, one of which is shared with the police department. The second floor also contains a 500 square feet conference room with a maximum posted occupancy of forty people. Additional on-site amenities include the mechanical room, public and private unisex bathrooms, two kitchen areas, and other various storage rooms. The larger of the kitchens is used by groups renting the conference room, and the smaller is used as an employee lounge.

While the town no longer leases space for use by other entities, it does rent out space on a short-term basis for social, educational, training and other appropriate activities. These rentals do not contribute a significant amount of revenue to the town's budget. The town periodically allows other government agencies to use space in the municipal building at no cost. For example, the town hosts events conducted by the US Department of Agriculture (USDA) as part of that agency's WIC (Women, Infants, and Children) program. In this manner, the current municipal building serves as a community center for the town and surrounding area. The existing municipal building has also served as a local emergency operations center during periods of local flooding or when there is a loss of power service to the area.

The attached garage is shared by both the town's maintenance workers and the police department. The garage is used for storage of tools, lawnmowers, string trimmers, snow blowers etc. used by the town's maintenance workers. The police department uses the garage for storage of an ATV (all-terrain vehicle) used by their off-road response unit. Minor repairs to the town's vehicle fleet are also done in the garage. There is parking next to the building and in an additional lot across Main Street. The combined areas could accommodate approximately twenty-five vehicles. The overall area for the municipal building grounds and its parking lots is approximately 0.3 acres.



Figure 2: Existing Municipal Building

1.5 RELEVANT PRIOR STUDIES, REPORTS, AND AGREEMENTS

1.5.1 Environmental Impact Statement and Mitigation Plan

The Environmental Impact Statement and Mitigation Plan was submitted as Appendix B to the Section 202 Flood Damage Reduction Plan, Levisa Fork Basin/Haysi Dam Project in February 1997. The General Plan which the Environmental Impact Statement addresses is a supplement to the Section 202 General Plan for Implementation. This report was referenced because it provides information regarding availability of decent, safe, and sanitary housing.

1.5.2 Detailed Project Report

The Detailed Project Report submitted as Appendix V of the Section 202 General Plan, titled US Army Corps of Engineers, Huntington District, Dickenson County Nonstructural Project, provides a detailed analysis of alternative flood risk management measures for the flooding problems in the Levisa Fork of the Big Sandy River in Dickenson County. The report was approved in July 2004.

1.5.3 Final Environmental Assessment

In conjunction with the Detailed Project Report, the Corps prepared a FEA in May 2003 evaluating and documenting impacts on the proposed Dickenson County Nonstructural Project,



involving various non-structural flood risk management measures for eligible residential and non-residential structures. A FONSI for the Federal action proposed to carry out flood risk management measures in Dickenson County, Virginia was executed in June 2003.

1.5.4 Project Cooperation Agreement

A Project Cooperation Agreement (PCA) was executed on 6 January 2006 with the Dickenson County Board of Supervisors (non-Federal Sponsor). Under this agreement the non-Federal Sponsor shall provide all lands, easements, and rights-of-way, including suitable borrow and dredged or excavated material disposal areas, and perform all relocations determined by the Government to be necessary for implementation, operation, and maintenance of the Project.

1.5.5 Memorandum of Agreement

A Memorandum of Agreement (MOA) was executed on 6 January 2006 with the non-Federal Sponsor. This agreement provides that the Government shall, on behalf of the non-Federal Sponsor, acquire all lands, easements, and rights-of-way, including suitable borrow and dredged or excavated material disposal areas, and perform all relocations determined by the Government to be necessary for implementation, operation, and maintenance of the Project.

2.0 FORMULATION, EVALUATION AND COMPARISON OF ALTERNATIVES

This section documents the formulation of reasonable alternatives to the proposed plan followed by an initial screening of the plans.

2.1 Alternatives Plan Description

The Alternative Sites considered as well as the No Action alternative are described in detail below.

No Action Alternative: This alternative consists of implementation of design as documented in the 2003 DPR which would leave the municipal building in its current location. The Haysi Municipal Building relocation site design elevation is required to provide protection against the one (1) percent annual chance flood on Russell Fork, which is approximately 1296.54 feet above mean sea level. Currently, the municipal building has a first floor elevation of approximately 1260.5 feet above mean sea level. At the proposed design elevation, this structure would be 36.04 feet below the surrounding fill. Therefore if left in place, it is expected the community would be subjected to future floods and flood damages; similar to those that have occurred in previous years.

This alternative was considered unacceptable due to the potential safety hazards resulting from future floods and flood damages. However, it is included in the alternatives analysis to establish a baseline condition for existing human and natural environmental conditions, to allow comparison between future without and with project actions, and to determine potential environmental effects of proposed project alternatives.

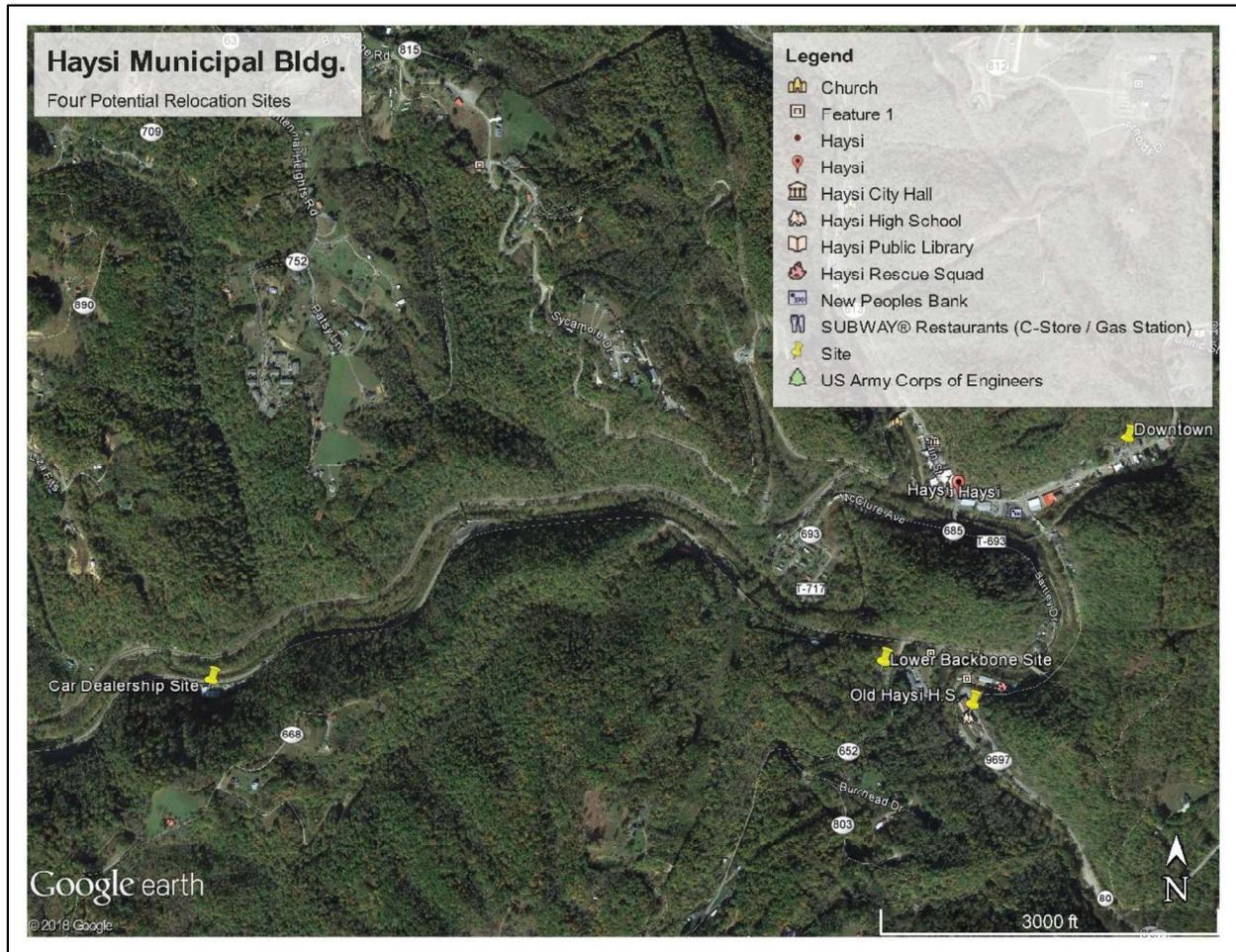


Figure 3: Alternative Sites

Alternative Site A (Old Haysi High School): This alternative site is located off VA State Route 80 (VA SR 80) on Tiger Circle and is approximately 0.70 miles from the existing municipal building. The site contains about 14 acres and is occupied by the old Haysi High School. The school was constructed in 1954-55 and closed in 2015. The property was then conveyed to the Dickenson County Board of Supervisors. The Dickenson County Administrator has advised there are currently no plans for development or disposition of the property. The site is significantly higher than the 100-Year Flood elevation at this location. It is relatively level; site work required for the replacement municipal building would primarily be the demolition and removal of some of the old school buildings. Power, water, sewer, telephone, and internet services are available at or nearby the site. Real Estate Division, as part of preparation of screening level appraisals, has identified two potential sites here.

- **Site A-1:** This site is located at the north end of the old high school property and contains about 1.10 acres. The site would also include 110 linear feet of rights-of-way easement over Tiger Circle for access from VA SR 80. Utilization of this site would require



demolition and removal of the old high school's gymnasium and sealing up the exterior wall of an adjacent building where it is connected to the gymnasium via an enclosed walkway. The gymnasium is a 70 ft x 130 ft brick masonry structure with built-up roof and a basement/crawl space area.

- **Site A-2:** This site is located at the south end of the old high school property and contains about 0.79 acres. This site would include 675 linear feet of rights-of-way easement over Tiger Circle for access from VA SR 80. There is a 9 ft x 70 ft single-story concrete block structure with shingle roof that would require demolition and removal.

Alternative Site B (Lower Backbone): This alternative site is located along CR 652 on Backbone Ridge and is approximately 1.0 mile from the existing municipal building. The site was appraised at a size of 1.26 acres and is currently unoccupied. The central portion of the site is fairly level, and there is an existing gravel access loop off CR 652 that provides easy access to the site. It is well above the 100-Year Flood elevation. Earthwork would be required to develop sufficient level area for the new building, garage, and parking area. Power, telephone, cable TV, water, and sewer services are available nearby.

The proposed municipal building would include the following: administrative offices for the mayor, town clerk, and economic development director; a council chamber that would also serve as a multi-purpose room and community center; offices for the police department; restrooms; various storage rooms; mechanical and electrical spaces; and a garage. The minimum area for the proposed facility would be 3,110 square feet in addition to a 576 square feet garage and parking that includes an appropriate number of handicap accessible parking spaces. It is anticipated that the facility would have a brick veneer exterior, shingled roof, and concrete sidewalks.

Alternative Site C (Downtown): This alternative site is located along VA SR 80 and is approximately 0.40 miles from the existing municipal building. It is in downtown Haysi, opposite Russell Prater Creek and adjacent to the BB&T bank. The site is currently occupied by one commercial structure. The base flood elevation at this location is 1275 feet, while the existing ground elevation is about 1269 feet. Constructing a replacement structure here would require the placing of about three to four feet of fill, with a corresponding architectural block retaining wall to maximize the usable area. A permit would be required from the Federal Emergency Management Agency (FEMA) to place this fill in the floodplain. The permit application would have to be accompanied by an engineering analysis that demonstrates this fill would not induce flood damages elsewhere. The site contains about 0.34 acres which is considered insufficient room for the building, garage, and parking. Use of this site would require constructing a two-story replacement facility with a footprint of about 1270 SF. The available area of this site severely limits the number of parking spaces that can be provided.

Alternative Site D (Dealership): This alternative site is located along VA State Route 83 (VA SR 83) and is approximately 1.6 miles from the intersection of VA SR 83 and VA SR 80. The site contains about 26.8 acres and is occupied by an automobile showroom which will have to be demolished and removed. It also contains a two-story, two-bay garage which will have to be demolished. All utilities are readily available nearby. Utilization of this site will require an 8500



LF extension of the town’s fiber optic network. As a car dealership, there is a significant chance that additional HTRW studies would be required to determine the viability of this property. Real Estate Division, as part of preparation of screening level appraisals, has identified two potential sites here.

- **Site D-1:** This site contains about 1.17 acres and is occupied by a slab on grade, two-story, metal commercial building with shingled roof. The building is considered to be in poor condition due to its age and type of construction.
- **Site D-2:** This site contains about 1.0 acre and is occupied by a slab on grade, single-story, metal commercial automobile showroom. The building also contained the dealership’s business offices. This building will have to be demolished and removed to accommodate a replacement municipal building. Site D was recently purchased for commercial use, and a profitable business has been established here.

All alternative sites would provide a replacement municipal building at the proposed locations. Relocation would include the town hall, police station, and associated amenities. In accordance with the Engineer Federal Acquisition Regulation Supplement (EFARS), as amended, where in fact a substitute facility is necessary, just compensation for the acquisition of a facility owned by an agency of local government currently used in the performance of a local governmental function is a current standard replacement facility that “will as nearly as practicable serve the same manner and reasonably as well as does the existing facility.” (EFARS, Appendix Q, Paragraph Q-73-106).

It is anticipated that the Government would enter into a contract with the Dickenson County Board of Supervisors, which would obligate the Government to design and construct the replacement municipal building. Construction of the facility is anticipated to be accomplished by a Design Build contract. Design shall meet current-day replacement standards for the facilities replaced and be Americans with Disabilities Act (ADA) compliant. This contracting mechanism would facilitate the construction of the facility in a timely manner to allow for the residents to be relocated before temporary housing would be required. Once relocated, the existing municipal building (built in the early 1940’s) would be demolished and disposed of in accordance with all state and Federal regulations. The approximate costs associated with relocating the facility is expected to cost \$2.2-3.3M.

2.2 Initial Evaluation and Screening of Alternatives

Alternative Site A (Old Haysi School) has been eliminated as an alternative due to insufficient size or usable area. In addition, Site A has been “off the tax books” for several decades and now could be the most valuable commercial real estate in Haysi.

Alternative Site C (Downtown) has been eliminated as an alternative due to insufficient size or usable area. In addition, utilization of Site C would require a permit from FEMA for placing fill in the floodplain.



Alternative Site D (Dealership) has been eliminated as an alternative due to its development into a profitable business and contributions to the town’s tax base.

Table 1: Comparison of Alternative Plans

Alternative Site	Comparison Criteria				
	Property Size	Development Costs	Location in Town	Displacement	Known Deed Restrictions
A-1 Old Haysi High School	Sufficient	Moderate	Suitable	No	No
A-2 Old Haysi High School	Insufficient	N/A	N/A	No	No
B Lower Backbone	Sufficient	Moderate	Suitable	No	No
C Downtown	Insufficient	N/A	N/A	One	Yes
D-1 Car Dealership	More Than Sufficient	High	Less Suitable	One	No
D-2 Car Dealership	More Than Sufficient	Moderate	Less Suitable	One	No
No Action					



Alternative Sites A, B, C, D, and the No Action Alternative were compared and evaluated relative to cost, constructability, environmental acceptability, effectiveness, efficiency, acceptability, and completeness. Alternative Sites A, C, and D (in red) have been excluded from further consideration due to property size, development costs, location, displacement and known deed restrictions. Alternative Site B (Proposed Action) (in green) and the No Action Alternative (in yellow) have been moved on to the final array of plans for this project.

3.0 ENVIRONMENTAL CONSEQUENCES

3.1 Introduction

This section identifies potential direct and indirect effects of the final alternatives including both the No Action Alternative and the Alternative Site B. Each resource section below presents the environmental effects, as well as any associated mitigation measures, which, when implemented, would reduce the level of identified impacts to acceptable levels. When necessary, mitigation measures are proposed to avoid, reduce, minimize, or compensate for any significant effects. In determining the effects, the consequences of the proposed action are compared to the consequences of taking no action.

3.2 Land Use

Land use at the existing site is a mixture of commercial and residential, and the proposed project would only entail demolition of the existing municipal building. Land use at the relocation site is primarily undeveloped, but the site has been used for residential refuse collection and parking for heavy equipment operators in the past. The area east of the relocation site consists of commercial properties. Impacts to land use would be minor. Therefore, no significant adverse impacts to land use are anticipated as part of the Proposed Action Alternative (PAA).

There would be no impacts to land use as a result of the No Action Alternative (NAA).

3.3 Terrestrial Habitat

The following utilities would have to be installed for the municipal building: electrical service; telephone, internet, cable TV; fiber optic network; water service; and sewer service. Appalachian Power Company (APCO) would extend aerial 3-phase service from an electrical pole on the northeast corner of the Haysi Medical Center property located just above the top of the river bank along the north side of VA SR 83, and then along the west side of CR 652 to the northeast corner of the relocation site. Telephone, internet, and cable TV extensions would be underbuilt on the new poles set by APCO. Extension of the fiber optic network would require approximately 1,700 linear feet of new 192-fiber cable on power company poles to the site. There is a 6-inch ductile iron water main that runs behind the medical center and turns up the bank to a point on CR 652 across from the southeast corner of the relocation site. A fire hydrant would be set here. The water service line to the new municipal building would be a 2-inch line and require a pressure reducing valve. There is a 6-inch force main sewer running along the north edge of the VA SR 83 in this area. A small lift station would be installed near the



northeastern corner of the relocation site, and a 3-inch force main would be installed along the west edge of CR 652, under VA SR 83, and tied into the 6-inch force main. It is anticipated that limited tree clearing would be needed at the relocation site. The invasive species, kudzu, is also present at the relocation site and would be removed as needed.

The existing municipal building is located in an area which has been previously disturbed, and the proposed work would only entail demolition of the existing facility. There would be no tree clearing required at the existing site. The PAA would be constructed primarily within previously disturbed areas; therefore, potential impacts to vegetation would be minimal and temporary. Only minor impacts during construction are anticipated to occur as the contractor would be required to return all areas disturbed during construction back to pre-existing condition. Therefore, no significant long-term impacts to terrestrial habitat are anticipated as part of the PAA.

As the selection of the NAA would entail no changes to the project area, there are no impacts to terrestrial habitat anticipated as part of the NAA.

3.4 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 FEMA Flood Insurance Rate Maps (FIRM) were reviewed and the proposed construction work limits for the relocation site are located within the area of minimal flood hazard (<https://www.fema.gov/floodplain-management/flood-zones>). The existing municipal building is located in Zone AE, which is the regulatory floodway.

Under the PAA, the existing Haysi Municipal Building would be relocated from the regulatory floodway to Site B (Lower Backbone), which is located within an area of minimal flood hazard and would therefore eliminate the flood risk hazard. Underground infrastructure such as waterlines would result in no adverse impact to floodplain areas. The only above ground components would be the municipal building and associated amenities, which would be constructed above the base flood elevation and would not impede flood waters. Based on the findings and determination discussed in this report, the selected alternative is in compliance with EO 11988. Coordination with the floodplain manager for Dickenson County is on-going and will be completed prior to execution of the Finding of No Significant Impact.

Therefore, no significant impacts to floodplains are anticipated to occur from the PAA or NAA.

3.5 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. The entirety of the project is located in "Udorthents-Urban land complex, 0 to 80 percent slopes". The Huntington District has determined that due to the majority of the area being pre-disturbed and/or urban lands, the FPPA would not apply to this proposed project and no impacts on prime or unique, statewide or locally



important farmland is expected to occur. Coordination under the FPPA is on-going and will be completed prior to execution of the Finding of No Significant Impact.

3.6 Aquatic Habitat/Water Quality

The proposed project area is located along the Russell Fork, part of the Big Sandy Watershed. Russell Fork is listed in the Virginia Department of Environmental Quality's (DEQ) 305(b)/303(d) Water Quality Assessment Integrated 2018 Report as impaired due to the presence of pathogens such as E. coli. Implementation of the PAA would not result in any new discharge of pollutants. Construction of the PAA would include implementation of best management practices (e.g., silt fencing, erosion control, etc.) so there would be no in-stream impacts, and no stream crossings would be needed.

Under the NAA, no aquatic impacts would occur and water quality in the project area would remain unchanged.

3.7 Wetlands

National Wetland Inventory Maps (NWI) were reviewed for the proposed project area and a site reconnaissance field investigation was conducted to determine the validity of NWI maps. NWI mapping only identified riverine habitat and did not identify any wetlands within the project area. A site reconnaissance was conducted to determine the validity of the NWI maps that confirmed that no wetlands are located within the proposed project area.

No impacts to wetlands are anticipated as part of the PAA or NAA.

3.8 Wild and Scenic Rivers

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

3.9 Hazardous, Toxic, and Radioactive Waste (HTRW)

A Limited Phase 1 HTRW Environmental Site Assessment was conducted for the Town of Haysi Municipal Building Relocation Site. The relocation site at one time had several dumpsters placed near the entrance for residential refuse collection. It has also been rented on several occasions to heavy equipment operators so that they could park their equipment near the entrance. There has been no known hazardous material disposal on the relocation site.

The Huntington District HTRW staff reviewed environmental database records and conducted a site inspection on 19 August 2019 to reassess the tracts planned for construction of the Haysi Municipal Building. The intent of the database review and site inspection was to determine if any RECs or HTRW contamination were present within the project's construction work limits. Findings from the Phase 1 HTRW ESA were:



The Corps' HTRW staff determined there were no recognized environmental conditions (RECs) or potential presence of HTRW within the relocation site. Only a small dump, consisting of roof shingles and miscellaneous wood construction materials was found in a limited area on the property; however, these materials are considered a *de minimus* issue and not a REC. Therefore, no impacts to HTRW are anticipated with the PAA. A clearance re-assessment memorandum was provided by Corps HTRW staff on 1 April 2020.

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

3.10 Cultural Resources

Proposed work to address the relocation of the Haysi Town Hall under Section 202(a) P.L. 96-367 requires compliance under 36 CFR Part 800; the regulations implementing Section 106 of the National Historic Preservation Act (NHA) of 1966 (54 U.S.C. 306108). Pursuant to 36 CFR Part 800.3(a)(1), the Huntington District (District) has determined the Undertaking will have no potential to cause effects to historic resources. As defined in 36 CFR Part 800.16(l)(1), a historic resource is a prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in the National Register of Historic Places (NRHP). Although a potential historic resource, the Haysi High School, is near the project area, the structure will not be directly or indirectly affected by construction. Additionally, no known archeological resources are within or adjacent to the project area. Due to the steep sloping topography and previous disturbance caused by utility line placement and grading by the city, it is unlikely archeological resources will be encountered. Due to the level of disturbance and steep topography, the Undertaking is a type of activity that does not have the potential to cause effects to historic properties.

If unanticipated archeological deposits or human remains are discovered, all work near the location of the discovery shall cease and the District Archeologist shall be contacted immediately. The Virginia State Police, Dickenson County Coroner, and the VASHPO (Virginia State Historic Preservation Office) shall also be notified immediately if human remains are discovered.

There would be no archeological impacts associated with the NAA.

3.11 Threatened and Endangered Species

According to the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) tool, there are three threatened and endangered species listed within the vicinity of the project. They are the Big Sandy crayfish (*Cambarus callainus*), Indiana bat (*Myotis sodalis*), and northern long-eared bat (*Myotis septentrionalis*).

The proposed project would occur in previously disturbed land, and it is anticipated that limited tree clearing would be required at the relocation site. As a precaution, tree clearing would only



take place during the designated clearing window (November 1 through March 31), although according to the Virginia Department of Game and Inland Fisheries there are no known hibernacula or maternity roost trees within Dickenson County where the proposed project is located. In addition, the type of trees present at the relocation site consist of mixed hardwood species. Approximately 0.15 to 0.20 acres of trees would be removed at the relocation site, which is considered minimal tree removal since it is less than one acre. Therefore, the Corps' Huntington District has determined that the project 'may affect, but is not likely to adversely affect', the Indiana bat and northern long-eared bat.

With regard to the Big Sandy crayfish, the species is found in the Russell Fork and critical habitat for the species has been proposed within Dickenson County. However, no construction related activities would take place with the proposed action that would directly disturb surface water resources, and no stream crossings would occur. Therefore, the Corps' Huntington District has determined that there would be 'no effect' to the Big Sandy crayfish. Coordination under Section 7 of the Endangered Species Act and Fish and Wildlife Coordination Act is on-going and will be completed prior to execution of the Finding of No Significant Impact.

The NAA would not result in additional ground disturbing activities. Therefore, there would be no effect to Threatened and Endangered Species associated with the NAA.

3.12 Air Quality

According to the U.S. Environmental Protection Agency (USEPA) website, Dickenson County is classified as "in attainment" for all criteria pollutants. Under the PAA, emissions from construction equipment would occur during the construction period. Contractors would be required to operate all equipment in accordance with local, state and Federal regulations. The PAA is exempt through 40 CFR Part 93.153 from making a conformity determination, since estimated emissions from construction equipment would not be expected to exceed *de minimis* levels, or have direct emissions of a criteria pollutant or its precursor. Any impacts would be short-term, localized and would occur during construction activities. Impacts to air quality under the PAA would be temporary during construction and would be considered minor.

No impacts to air quality are anticipated as part of the NAA.

3.13 Noise

Ambient noise around the project area is representative of mixed commercial and residential. Noise associated with the PAA would be limited to sounds 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 above 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 2 below), for consideration of hearing protection or the need to administer sound reduction controls.

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

Construction would temporarily increase ambient noise levels due to the operation of construction equipment. The noise levels at the site would fluctuate depending on the types of equipment that are in use, the way the equipment is operated, real estate acquisition, and construction sequencing. Therefore noise levels would be variable throughout the workday and project duration. Construction projects are usually executed in stages, each having its own combination of equipment and noise characteristics and magnitudes. Construction activities of the proposed project area expected to be typical of similar construction projects and will include mobilization, site preparation, limited excavation, equipment movement, etc.

The majority of the noise in the project area would be associated with demolition of the existing municipal building and construction of the proposed municipal building. Noise impacts would temporarily occur to local residences and businesses. Actual peak noise levels and associated vibration would vary at any given location during construction. Relatively high peak noise levels in the range of 78-90 dBA would occur on the active construction site, decreasing with distance from the construction area. Indirect impacts include noise from worker commuting and material transport, increasing noise levels. In addition, indoor noise levels would be expected to be 15-25 dB lower than outdoor levels. Short term noise impacts would be further mitigated to the extent feasible using Best Management Practices (i.e. mufflers on all construction equipment, monitoring) and complying with applicable state regulations. Therefore, impacts to noise from the PAA would be temporary and minor.

There would be no change in noise and thus no impact under the NAA.



3.14 Environmental Justice and Protection of Children

Executive Order (E.O.) 12898 requires Federal actions to address environmental justice in minority populations and low-income populations. Historically, Dickenson County’s population has mirrored the growth and decline of the coal mining industry. Population growth occurred between 1900 and 1950 at varying rates and peaked in 1940 at 623. Since 1950, however, population has declined due to occupational shifts and decrease in mining activities. Census data indicates Dickenson County has a population of 14,318 and is 98.3% white and has a median household income of \$29,226 compared with the median household income of \$71,564 for the State of Virginia. Individuals residing in the county below the poverty level is 25.2% compared to the 10.7% statewide.

The Town of Haysi community has an estimated total population of 474, compared to a population of 186 in 2000. Race within the community is 96% white and all other races make up 4% of the total population. The median income for a household is \$24,167. Out of the total population, 32.3% are living below the poverty level. A majority of the population in Dickenson County, approximately 38.3%, is employed in educational services, health care, and social assistance. Only 2.6% of the population is involved in mining, quarrying, and oil and gas extraction.

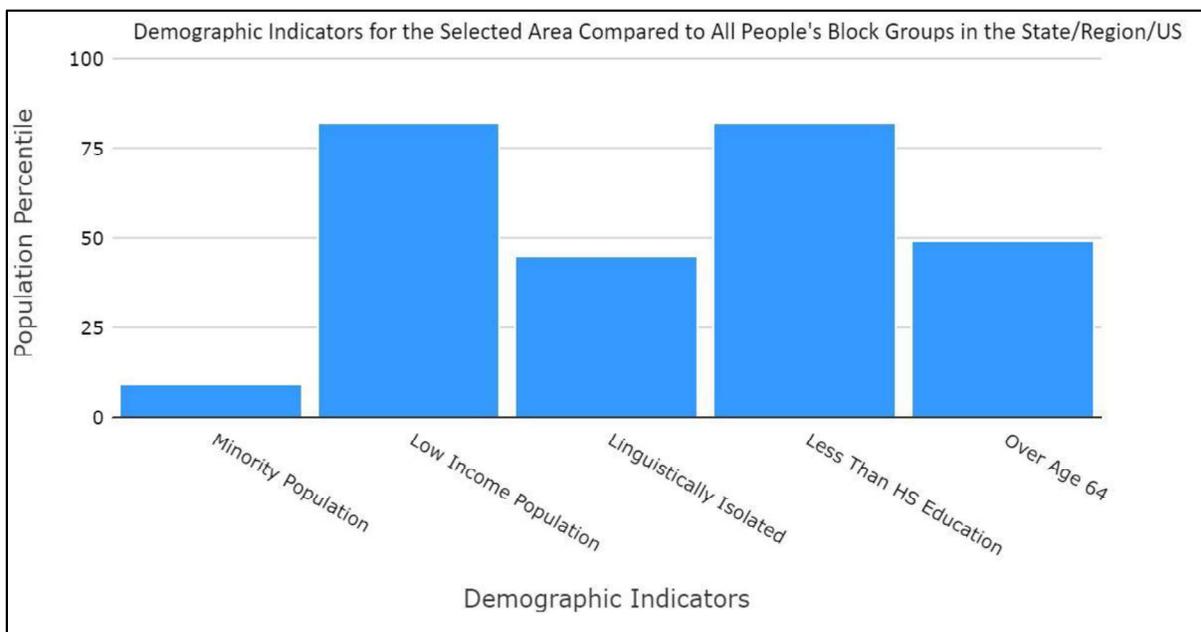


Figure 4: Demographic Indicators for the Town of Haysi, Virginia (EJSCREEN. EPA)

Of the housing units available within the town, 28% are renter occupied and the remaining 72% are owner occupied. The Levisa Fork Basin FEIS identified that historically, housing resources in the basin have been fair to poor in quality with needs for decent, safe, and sanitary housing being greater than supply, and that repeated flooding has been a major factor causing accelerated attrition in the quality and quantity of housing and public infrastructure. Furthermore, the FEIS states that eligible state or local government structures required for the continuing performance



of a governmental function and located on property owned by the government entity are either protected in place or relocated under the relocation provisions of the Engineer Federally Acquisition Regulation Supplement (EFARS).

Additionally, EO 13045 requires each Federal agency “to identify and assess environmental health risks and safety risks that may disproportionately affect children” and “ensure that its policies, programs, activities, and standards address disproportionate risks to children that result from environmental health risks or safety risks.” This EO was prompted by the recognition that children, still undergoing physiological growth and development, are more sensitive to adverse environmental health and safety risks than adults. The potential for impacts on the health and safety of children is greater where projects are located near residential areas.

Implementation of the PAA would provide a safe and reliable municipal building for the community. No homes or buildings would be adversely impacted by the proposed project; therefore the PAA meets the directive of EO 12989 and EO 13045 by avoiding any disproportionately high adverse human health or environmental effects on minority or low income populations or children.

Under the NAA, no additional flood risk management measures would be implemented. Periodic flooding would continue and flood damage could cause hardship for the community. Relocation of the municipal building would not occur, and the existing facility would remain intact.

3.15 Aesthetics

The project area is rural, consisting of commercial and residential properties. Disturbance of local aesthetics would be anticipated during construction due to the relocation and demolition of the Haysi Municipal Building. Following construction, it is anticipated the relocation site would contain the Haysi Municipal Building and its associated amenities, and the existing site would be vacant. Therefore, the PAA would not have any adverse impacts to local aesthetics.

There are no impacts to local aesthetics under the NAA.

3.16 Transportation and Traffic

The project area is located within 1.0 mile of the centroid of Haysi, Virginia. VA SR 63 is identified by the Virginia Department of Transportation as part of the state’s secondary system with classification as a major collector, rural, urban route. The existing municipal building is situated on Main Street (VA SR 63). The location of the Haysi Municipal Building relocation site is located along CR 652 and is currently not utilized. The site was appraised at a size of 1.26 acres, and the central portion of the site is fairly level. There is an existing gravel access loop off CR 652 that provides easy access to the site.

During construction of the proposed municipal building, the contractor would utilize CR 652 and the gravel access loop for access to the relocation site. Construction of the PAA would involve intermittent and temporary lane closures during routing of the proposed utilities. If detours would



occur, they would be relatively minor and temporary in nature. Construction on or near road surfaces would be in compliance with standard traffic controls to minimize traffic disruptions and avoid public safety problems. Impacts anticipated to occur from the PAA would be minimal and temporary in nature.

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

3.17 Health and Safety

The PAA has been designed to provide a safe, reliable municipal building to serve residents in the project area that are currently utilizing a facility that could not withstand the 100-year flood. Therefore, the PAA is anticipated to have a long-term beneficial impact on health and safety of the residents in the project area.

Under the NAA, residents would continue to utilize the existing municipal building, which poses health and safety concerns that could cause minor to potentially significant negative impacts on the community.

3.18 Cumulative Effects

The Corps must consider the cumulative effects of the proposed project on the environment as stipulated by NEPA. Per 40 CFR Part 1508.7 Council on Environmental Quality [CEQ] Regulations, 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.

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 construction of the proposed municipal building would have minimal and insignificant negative impacts on the environment. Long-term benefits to the community would result from the proposed action. The temporal limits for assessment of this impact would initiate in 1981 with the passage of the Section 202 of the Energy and Water Development Appropriations Act and end 50 years after completion of this project. The geographical extent would be broadened to consider effects beyond the Proposed Action and is considered to be the Big Sandy Watershed.



Russell Fork is listed in Virginia DEQ’s 305(b)/303(d) Water Quality Assessment Integrated 2018 Report where it is listed as impaired for pathogens. In the past, flood risk management measures under the Section 202 authority has occurred. Additionally, other nonstructural and structural measures have occurred under the Section 202 authority in the Big Sandy Watershed. These past actions had similar temporary impacts but no significant cumulative impact. The Russell Fork is part of the Big Sandy Watershed. The Dickenson County Public Service Authority (PSA) is a regional planning organization that serves residents in Dickenson County, Virginia and the surrounding counties. The PSA performs services in development, maintenance, and supply of water and wastewater services. In the future, watershed programs may address obstruction to stream flow and other maintenance activities. Impairment of the Russell Fork is expected to continue as a result of existing contributing factors.

Section 4.0 documents the environmental effects of the Proposed Action and No Action Alternative with respect to existing conditions. The effects of the Proposed Action, as discussed beforehand, are localized and temporary. Past actions that may have resulted in similar effects include nonstructural and structural actions as well as construction of the redevelopment site. Past, present, and reasonably foreseeable projects outside of the immediate area have produced, or would likely produce, noise disturbances of various degrees. The additional traffic and construction equipment associated with the construction of the proposed municipal building and the demolition of the existing municipal building would increase noise in the project area. Impacts would be moderate and temporary. Through compensation of a facility relocation, long-term cumulative socioeconomic and Environmental Justice benefits would be realized. In the future, implementation of additional flood risk management measures in the project area for the Dickenson County Nonstructural Project would be constructed. These actions would have similar impacts as the proposed action and actions identified in the 2003 FEA.

The availability of Federal funds through the 202 Program is an additional benefit to assist an area that has in the past received numerous flooding and damages. Given the current program is in place for the foreseeable future and the overall beneficial effect from implementation of the Proposed Action, there is expected to be a positive cumulative effect on populations based on past, present, and reasonably foreseeable actions.

4.0 STATUS OF ENVIRONMENTAL COMPLIANCE

The Proposed Action will be in full compliance with all local, state, and Federal statutes as well as Executive Orders prior to issuance of a FONSI. Compliance is documented below in Table 3.

Table 3 - 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		



Table 3 - Environmental Compliance Status			
Clean Air Act	X		
National Historic Preservation Act	X		
Archeological Resources Protection Act			N/A
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		
Executive Order 13045 Protection of Children	X		

*Would be in compliance prior to execution of the FONSI

5.0 AGENCY AND PUBLIC REVIEW

The SEA and FONSI was made available for agency and public review and comment for a period of 30 days, as required under NEPA. A Notice of Availability was published in the local newspaper, The Dickenson Star, advising the public of this document’s availability for review and comment. A copy of the SEA was also placed in the Haysi Community Library and will be made available on-line at:

<http://www.lrh.Corps.army.mil/Missions/PublicReview.aspx>.

The mailing list for the SEA is located in Attachment A.

6.0 CONCLUSION

The proposed relocation of the Haysi Municipal Building would provide a safe, reliable facility for the community of Haysi, Virginia. No significant adverse impacts have been identified as a result of the implementation of the proposed relocation project. The majority of construction would take place on previously disturbed lands. Effects associated with construction would be minor. 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.

7.0 REFERENCES

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<https://www.quickfacts.census.gov>

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2020 Information for Planning and Conservation website:
<https://www.fws.gov/ipac>

Virginia Department of Game and Inland Fisheries
NLEB Winter Habitat and Roost Trees
[https://dgif-
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