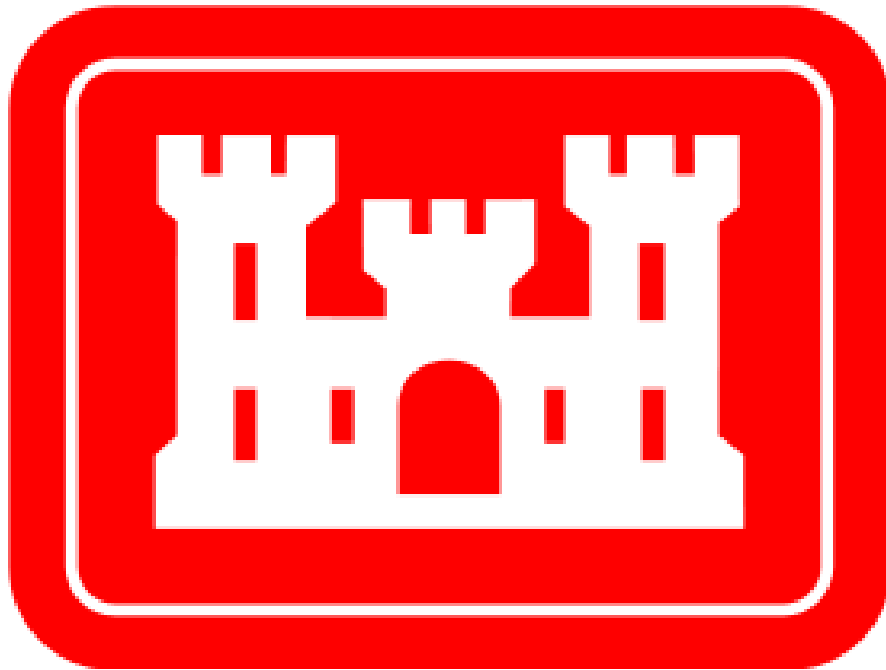


**Draft Environmental Assessment**

**Section 340 Town of Fort Gay  
Wastewater System Improvements  
Project  
Wayne County, West Virginia**



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

**April 2021**



## Executive Summary

The Town of Fort Gay is proposing to design and construct a wastewater system improvements project. Improvements to the existing infrastructure are required to achieve compliance with the Consent Decree issued by the United States District Court for the Southern District of West Virginia. The original wastewater collection system is believed to have been built in the 1930s. Permit records at the West Virginia Department of Health and Human Resources indicate that several sewer extensions/improvements were completed in the 1980s. This area is currently served by unsanitary and unsafe conditions created by malfunctioning sewer pump stations, lack of fencing around existing pump stations, and lack of proper treatment at the wastewater treatment plant due to failing equipment. The proposed infrastructure would address the unsanitary and unsafe conditions as listed in the Consent Decree.

The Proposed Action Alternative would consist of mapping the collection system for rehabilitation of existing manholes; replacement of approximately 2,500 linear feet (LF) of 8-inch gravity sewer; performing a sewer system evaluation study; various upgrades and rehabilitation to 9 existing wastewater pump stations and 3 existing wastewater grinder pump stations; and replacement of the lagoon with a new modernized concrete wastewater treatment plant. The sewer system evaluation study would determine if additional improvements are needed in the existing wastewater collection system. All construction areas would be returned to preexisting conditions through soil grading and seed planting.

The proposed project is a partnership agreement between the Town of Fort Gay and the U.S. Army Corps of Engineers (Corps), established under the authority of Section 340 of the Water Resources Development Act of 1999 (Public Law 106-109), as amended, which provides authority for the Corps to establish a program to provide environmental assistance to Non-Federal entities in southern West Virginia. This law provides design and construction assistance for water related environmental infrastructure projects to Non-Federal interests in southern West Virginia. Funding, as established under Section 340, shall be shared 75% Federal and 25% Non-Federal (State and Local).

This Environmental Assessment is prepared pursuant to the National Environmental Policy Act, Council on Environmental Quality Regulations (40 CFR 1500-1508) and the Corps Implementing regulation, ER-200-2-2.

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### **Acronyms**



BMPs- Best Management Practices  
CEQ – Council on Environmental Quality  
CFR – Code of Federal Regulations  
Corps – U.S. Army Corps of Engineers  
DNL – Day Night Average Noise Levels  
EA – Environmental Assessment  
ECSP – Erosion Control and Sediment Plan  
EIS – Environmental Impact Statement  
EO – Executive Order  
FAA – Federal Aviation Administration  
FEMA – Federal Emergency Management Agency  
FIRM – Flood Insurance Rate Map  
FONSI – Finding of No Significant Impact  
FPPA – Farmland Protection Policy Act  
HTRW – Hazardous, Toxic, and Radioactive Waste  
NAA – No Action Alternative  
NEPA – National Environmental Policy Act  
NRCS – Natural Resource Conservation Service  
NWI – National Wetland Inventory Map  
PAA – Proposed Action Alternative  
SHPO – State Historic Preservation Office  
SSES – Sewer System Evaluation Study  
UPUS - Unrestricted Portable Use Standard  
USDA – United States Department of Agriculture  
USEPA – U.S. Environmental Protection Agency  
USFWS – U.S. Fish and Wildlife Service  
WRDA – Water Resource Development Act  
WVDEP – West Virginia Department of Environmental Protection  
WVDHHR – West Virginia Department of Health and Human Resources  
WVDOH – West Virginia Division of Highways  
WWTP – Wastewater Treatment Plant



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

## **1.0 PROJECT DESCRIPTION**

### **1.1 Project Background**

The Town of Fort Gay (Town) is located in Wayne County, West Virginia. The Town's original wastewater collection system construction history is not available; however, it is believed to have been built in the 1930s. The Town's current wastewater system is deteriorating and experiences excessive inflow and infiltration problems and treatment concerns during wet weather events. It is in a state of disrepair and requires an upgrade to ensure the Town is able to comply with the consent decree issued by the U.S. Southern District Court of West Virginia.

This Environmental Assessment (EA) examines the potential environmental impacts of the wastewater system improvements project as proposed by the Town of Fort Gay. The purpose of this EA is to analyze the potential environmental impacts of the proposed project and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI), but it is anticipated that an EIS would not be required. An EIS is typically conducted where significant human or natural resources exist and the implementation of a proposed project may have significant effects to those resources. An EA typically involves projects where no significant resources occur, or the project is expected to have less than significant impacts to the human and natural environment. In both EISs and EAs, additional project actions can be implemented to help avoid, minimize, or mitigate for potential project impacts.

### **1.2 Purpose, Need, and Authorization**

The purpose of the proposed project would be to improve existing wastewater system infrastructure. Currently, residents in the area are subject to unsanitary and unsafe conditions created by malfunctioning sewer pump stations, lack of fencing around existing pump stations, and lack of proper treatment at the wastewater treatment plant (WWTP) due to failing equipment. These conditions affect the operations of the wastewater system and could pose health and safety risks to residents if complete failure would occur. The project would improve and repair the wastewater collection and treatment system for the Town of Fort Gay. The need for improving the wastewater system is to provide residents with reliable and safe wastewater system infrastructure.

The proposed project is a partnership agreement between the Town and the Corps established under the authority of Section 340 of the Water Resources Development Act (WRDA) of 1992 (Public Law 102-580), as amended, which provides authority for the Corps to establish a



program to provide environmental assistance to Non-Federal entities in southern West Virginia. This law provides design and construction assistance for water related environmental infrastructure projects to Non-Federal interests in southern West Virginia, including projects for wastewater treatment plants and related facilities, water supply, water storage, water treatment, water distribution facilities and surface water resource protection and development.

This EA is prepared pursuant to the NEPA, Council on Environmental Quality (CEQ) Regulations (40 CFR 1500-1508), and Corps implementing regulation, ER 200-2-2.

## **2.0 PROPOSED ACTION AND ALTERNATIVES**

### **2.1 Proposed Action Alternative (PAA)**

The PAA would consist of mapping the collection system for rehabilitation of existing manholes; replacement of approximately 2,500 LF of 8-inch gravity sewer; performing a sewer system evaluation study (SSES); various upgrades and rehabilitation to 9 existing wastewater pump stations and 3 existing wastewater grinder pump stations; and replacement of the lagoon with a new modernized concrete WWTP. The SSES would determine if additional improvements are needed in the existing wastewater collection system. These additional improvements would potentially include replacement of the existing flow meter, flow meter calibration, replacement of 6 existing surface aerators in the lagoon, purchase of a spare surface aerator, cleaning of the lagoon, installation of 2 new floating baffle dividers, installation of a new T-simmer, security fence repair, installation of dichlorination drip feed, and cleaning the existing chlorine tank. Following construction, all areas would be returned to preexisting conditions through soil grading and seed planting.

### **2.2 No Action Alternative (NAA)**

Under the NAA, the Corps would not provide funding for the project. Additionally, the Town of Fort Gay would not improve the wastewater system and the community would continue to be subject to unsanitary and unsafe conditions. As a result, the wastewater system would deteriorate further and result in excessive inflow and infiltration problems and treatment concerns during wet weather events. Health and safety risks could become a possibility due to unreliable infrastructure. 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 with project alternatives.

## **3.0 ENVIRONMENTAL SETTING AND CONSEQUENCES**

This section discusses the existing conditions by resource category and any potential environmental impacts associated with the No Action Alternative (NAA) as well as with implementation of the Proposed Action Alternative (PAA).



The Corps took context and intensity into consideration in determining potential impact significance, as defined in 40 CFR part 1508.27. The intensity of a potential impact is the impact's severity and includes consideration of beneficial and adverse effects, the level of controversy associated with a project's impacts on human health, whether the action establishes a precedent for future actions with significant effects, the level of uncertainty about project impacts and whether the action threatens to violate federal, state, or local laws established for the protection of the human and natural environment. The severity of an environmental impact is characterized as none/negligible, minor, moderate, significant, or beneficial. The impact may also be short-term or long-term in nature.

- **None/negligible** – No measurable impacts are expected to occur.
- **Minor** – A measurable and adverse effect to a resource. A slight impact that may not be readily obvious and is within accepted levels for permitting, continued resource sustainability, or human use. Impacts should be avoided and minimized if possible but should not result in a mitigation requirement.
- **Significant** – A measurable and adverse effect to a resource. A major impact that is readily obvious and is not within accepted levels for permitting, continued resource sustainability, or human use. Impacts likely result in the need for mitigation.
- **Adverse** – A measurable and negative effect to a resource. May be minor to significant, resulting in reduced conditions, sustainability, or viability of the resource.
- **Beneficial** – A measurable and positive effect to a resource. May be minor to major, resulting in improved conditions, sustainability, or viability of the resource.
- **Short-Term** – Temporary in nature and does not result in a permanent long-term beneficial or adverse effect to a resource. For example, temporary construction-related effects (such as, an increase in dust, noise, traffic congestion) that no longer occur once construction is complete. May be minor, significant, adverse, or beneficial in nature.
- **Long-Term** – Permanent (or for most of the project life) beneficial or adverse effects to a resource. For example, permanent conversion of a wetland to a parking lot. May be minor, significant, adverse, or beneficial in nature.

The Corps used quantitative and qualitative analyses, as appropriate, to determine the level of potential impact from proposed alternatives. Based on the results of the analyses, this EA identifies whether a particular potential impact would be adverse or beneficial, and to what extent.

### 3.1 Location

The affected area is located in the Town of Fort Gay in Wayne County, West Virginia (see Figure 1). The project includes replacement of existing sewer trunk lines along various portions of Cass Street, Vancouver Street, and Louisa Street, and various upgrades and repairs to the existing wastewater system. The WWTP is located along Cass Street. See Appendix A for project location maps.



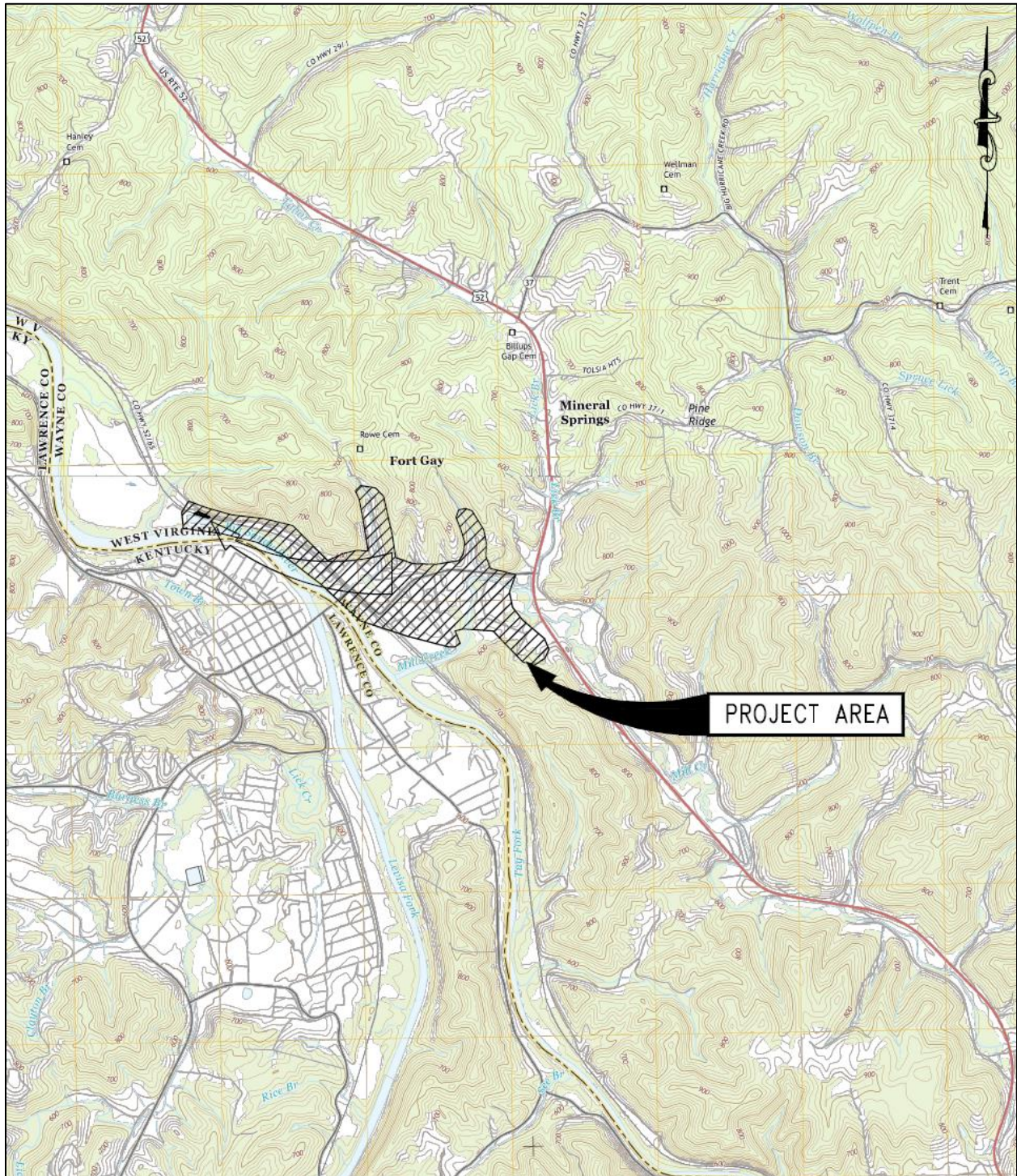


Figure 1 – Proposed Locations of Wastewater System Improvements





### **3.2 Land Use**

Land use in the immediate area is a mixture of commercial and residential properties in a rural type setting. The proposed gravity sewer replacements and various upgrades to the pump stations would take place in existing rights-of-way, which are previously disturbed areas. The proposed improvements to the WWTP would occur on land that has been previously disturbed by construction activities and is owned by the Town. Due to the previously disturbed nature of the area, land use is not anticipated to be adversely impacted.

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

### **3.3 Climate**

Fort Gay experiences seasonal weather patterns with typical summer conditions of hot and humid days and winters being mild to moderate cold temperatures with snowfall. Winter is typically the driest season, while summer is typically wetter. Summer months are May to September, and the hottest month is typically July with an average high of 85.8 degrees. The coldest season lasts for three months from December to March and average seasonal snowfall of 20.2 inches. The coldest month is typically January with an average low of 22.9 degrees Fahrenheit. Average rainfall is 43.5 inches.

Only short duration, minor discharges of carbon-based pollutants would occur during construction activities that could contribute to greenhouse gases. The NAA or PAA would not involve any activity that could significantly affect the environment in regard to climate change and would not likely be influenced by future changes in climate. Therefore, no significant adverse impacts to climate or climate change would occur as a result of the PAA or NAA.

### **3.4 Terrestrial Habitat**

The PAA would be constructed primarily on previously disturbed areas, including rights-of-way and the existing WWTP. No tree clearing would be required. Potential impacts to vegetation would be minimal. Areas would be returned to pre-construction conditions upon completion of construction activities through soil grading and grass seeding. Only minor impacts to existing vegetation during construction are anticipated to occur. Therefore, no significant long-term impacts to terrestrial habitat are anticipated as part of the PAA.

Selection of the NAA would result in minor and temporary impacts to terrestrial habitat. No significant adverse impacts to terrestrial habitat would occur as a result of the NAA.

### **3.5 Floodplains**

Executive Order 11988 requires Federal agencies to consider the potential effects of their proposed actions to floodplains. In order to determine the PAA's potential floodplain impact, the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) were reviewed for portions of the proposed project that would be located within the floodplain of the



Big Sandy River, Tug Fork, and Mill Creek (<https://www.fema.gov/floodplain-management/flood-zones>). Project components to be located in Zone AE, 1-percent change of a flood event in a given year, include the Cass Street A, Water Plant Bridge Street, Bridgemart, Orchard Street, Route 37, Cedar Heights A and Cedar Heights B Pump Stations, and a portion of the Cass Street gravity sewer replacement.

Underground infrastructure such as the gravity sewer lines will result in no adverse impact to floodplain areas. Modifications to the existing pump stations would consist of submersible pumps, new concrete tops, new controls, and new elevated control platforms. The submersible pumps and tops are not anticipated to adversely impact the floodplain. The above ground components would be the pump station control panels and platforms, which would be constructed above the base flood elevation and would not impede flood waters. Prior to construction, submission of a Floodplain Development Permit Application would be required. Coordination with the floodplain manager for Wayne County is included in Appendix B. The PAA meets the intent of EO 11988 and no significant impacts to floodplains are anticipated to occur from the PAA.

As no construction related activities would be implemented, no impacts to floodplains are anticipated to occur from the NAA.

### **3.6 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 majority of the project is within previously disturbed areas. The Corps' Huntington District has determined that due to the majority of the area being pre-disturbed 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 with the Natural Resources Conservation Service (NRCS) will be completed prior to issuance of the FONSI (see Appendix B).

Likewise, there are no direct impacts to Prime and Unique Farmland anticipated as part of the NAA.

### **3.7 Aquatic Habitat/Water Quality**

The project is within the Lost Creek-Tug Fork Watershed (HUC 050702010609). In 2016, the West Virginia Department of Environmental Protection (WVDEP) listed the Tug Fork River as impaired. The 2002 U.S. Environmental Protection Agency's (USEPA) Tug Fork Watershed Total Maximum Daily Load (TMDL) report identified the major sources of impairment as metals such as aluminum and iron. Surface water has been degraded throughout the watershed due to discharge of improperly treated sewage, alkaline mine drainage, acid mine drainage, and excess sediment erosion. Implementation of the PAA would not result in new discharge of pollutants and is expected to have a positive effect on the aquatic habitat and water quality within the project area.



There would be no stream crossings during construction; therefore, there would be no impacts to aquatic habitat or discharges of materials into waters. It is anticipated that a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act, Section 404 permit (individual or Nationwide), and associated Section 401 permit under the Clean Water Act will not be required. If conditions change and it is determined that waters may be impacted coordination with the Huntington District Corps' Regulatory Branch will be required and all applicable permits shall be obtained.

Prior to construction, a National Pollutant Discharge Elimination System (NPDES) permit would be required due to the size of the construction area. These construction related impacts would be short-term and minor and mitigated through the use of Best Management Practices (BMPs) throughout the project area to prevent runoff into adjacent surface waters. Based on the above, implementation of the PAA would not result in significant adverse short or long-term environmental impacts to aquatic habitat and water quality.

Under the NAA, no aquatic impacts would occur and water quality in the project area would remain unchanged. However, without the proposed project, it is likely that water quality continue to be negatively impacted by surface water runoff.

### **3.8 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 maps identified approximately 5.48 acres of Freshwater Emergent Wetland just outside the Town's corporate boundary. A site reconnaissance confirmed that the wetland is located outside the proposed project area.

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

### **3.9 Wild and Scenic Rivers**

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

### **3.10 Hazardous, Toxic, and Radioactive Waste (HTRW)**

A Limited Phase 1 HTRW Environmental Site Assessment was conducted by S&S Engineers in November 2019 for the project to identify environmental conditions and to identify the potential presence of HTRW contamination located in the project's construction work limits. During their assessment, no recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs), historical recognized environmental conditions (HRECs), or de minimis conditions were found.

After review of the Limited Phase I HTRW investigation, Corps' HTRW staff determined that no further investigation or action is required. Therefore, no impacts to HTRW are anticipated



with the PAA. A clearance memorandum was signed by Corps' HTRW staff on 17 June 2020 and is included in Appendix B.

The NAA would not result in ground disturbing activities. Therefore, no direct construction related HTRW impacts would be associated with the NAA.

### 3.11 Cultural Resources

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800), the West Virginia Division of Culture and History (WVDCH) was consulted regarding the proposed project. On 7 July 2017, the WVDCH determined “no archaeological historic properties would be affected by the proposed project” and that the proposed project will “affect no architectural properties eligible for or included in the National Register of Historic Places”. WVDCH records did indicate that the Stephen Bartram Cemetery (46-WA-322) is located within the project’s Area of Potential Effect (APE) for visual effects on the campus of the Fort Gay K-8 School; however, the WVDCH determined that the proposed project “will not directly impact this resource and will not introduce any substantial new visual elements into the landscape”. No further cultural resources coordination is required unless the scope of the project changes. Therefore, in accordance with 36 CFR 800.4(d)(1)(i), the Huntington District has fulfilled its obligation under Section 106. See Appendix B for coordination letters.

If unanticipated archaeological deposits or human remains are discovered during construction, all work near the location of the discovery shall cease and the Project Manager and Huntington District Archaeologist shall be contacted immediately. The West Virginia State Police, the Wayne County Coroner, and WVDCH must also be notified immediately if human remains are discovered.

Under the NAA, no construction related actions would be implemented, so no significant detrimental impacts to cultural resources would occur.

### 3.12 Threatened and Endangered Species

According to the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) tool, the project area is within the range of the Gray bat (*Myotis grisescens*), Indiana bat (*Myotis sodalis*), Northern long-eared bat (*Myotis septentrionalis*), Clubshell (*Pleurobema clava*), Snuffbox mussel (*Epioblasma triquetra*), and Big Sandy crayfish (*Cambarus callainus*).

The project sponsor coordinated with the USFWS on 26 May 2017 (FWS File #2017-I-0647). The USFWS provided the following comments in a letter dated 20 June 2017: “The Service does not anticipate that this project is likely to adversely affect the Indiana bat”. Additionally, in regard to the Northern long-eared bat, the USFWS determined that the “proposed project is not located within any of these radii around known hibernacula or roost trees and will not affect any known NLEB hibernacula”.



The proposed project would primarily occur in previously disturbed areas, and it is anticipated that no tree clearing, in-water work or stream crossings would be required. Therefore, the Corps' Huntington District has determined that the proposed project will not affect the Gray bat, Indiana bat, Northern long-eared bat, Clubshell, Snuffbox mussel, or Big Sandy crayfish. No further coordination with USWFS under Section 7 of the Endangered Species Act and Fish and Wildlife Coordination Act is required. However, if conditions change additional coordination may be required.

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

### 3.13 Air Quality

According to the West Virginia Department of Environmental Protection (WVDEP) Division of Air Quality, Wayne County is considered an attainment area 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.

### 3.14 Noise

Noise associated with the PAA would be limited to constructed related sounds generated during construction. The noise associated with construction would be short in duration and would only occur during daylight hours and on weekdays. 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 *A White Paper: Assessment of Noise Annoyance*, while there are numerous thresholds for acceptable noise in residential areas, research suggests an area's current noise environment, which has experienced noise in the past, may reasonably expect to tolerate a level of noise about 5 dBA higher than the general guidelines. The Corps Safety and Health Requirements Manual provides criteria for temporary permissible noise exposure levels (see Table 3.1 below), for consideration of hearing protection or the need to administer sound reduction controls.



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

Construction noise would be similar to that of farm equipment and other small machinery used in the local area. A backhoe, end loader, road grader and/or vibratory roller are examples of equipment that is likely to be used during construction. Each emits noise levels around 85 dBA at 45 feet. Construction equipment would be operated during daylight hours; therefore, a reasonable exposure time of two hours would be expected during the time residents may be home during day. Peak outdoor noise levels ranging from 78-90 dBA would occur during the time in which equipment is directly in front of or in proximity to homes and businesses (within 25-100 feet). A maximum noise exposure of approximately 98 dBA, for one hour should occur if equipment were within 10 feet of homes and business. 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 while residents are inside their homes. While the construction noise generated would be considered unacceptable according to HUD and FAA standards, these limited exposures and time intervals are still within allowable Corps safety levels. Further, they are similar to typical neighborhood noise generated by gas powered lawnmowers in the local area, which could range from 90-95 dBA at three feet and 7-75 dBA at 100 feet. Residents being exposed to these noise levels would occur if and/or when residents are home and outdoors.

Due to daytime construction and the short and limited duration of elevated noise levels associated with the PAA, impacts from the noise to local residences would be temporary and minor. No long-term significant noise impacts are expected with the PAA.

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

### **3.15 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. According to the U.S. Census Bureau, the 2018 population estimate for Fort Gay was 924 and does not contain significant minority population. The census indicates Fort Gay is 94% white and has a medium household income of \$16,419 compared with the median household income of \$44,921 for the State of West Virginia. Individuals residing in the Town below the poverty level is 38.3% compared to 17.8% statewide.





In addition, 28.3% of individuals residing in the Town are under the age of 18 compared to 20.3% statewide.

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.

Improvements provided by the Town of Fort Gay Wastewater System Improvements Project would serve residents who currently experience frequent overflow events during wet weather conditions, resulting in contaminant sources into surface water during such events. Implementation of the PAA would provide residents and children with a safe, reliable wastewater system, thereby improving the living conditions in the service area. 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, residents would continue to experience unsanitary and unsafe conditions, perpetuating health and safety concerns.

### **3.16 Aesthetics**

The project area is a rural community consisting primarily of residential and commercial properties. Temporary disturbance of the local aesthetics would be anticipated during construction of the PAA wastewater improvements; however, after construction the excavated areas would be restored to original conditions.

Neither the PAA nor NAA would significantly impact local aesthetics.

### **3.17 Transportation and Traffic**

The proposed project would be within the rights-of-way and previously disturbed areas. Construction of the PAA in and along rights-of-way would involve some delays and potential detours in the normal traffic flow. 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.

### **3.18 Health and Safety**





The PAA has been designed to provide a safe, reliable wastewater system to serve residents in the project area that are currently utilizing an aged system. Providing improvements to residents is necessary to reduce inflow and infiltration problems as well as operation and maintenance issues. 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 rely on inadequate individual water systems, which pose health and safety concerns that could cause minor to potentially significant negative impacts to the community.

#### 4.0 Status of Environmental Compliance

The PAA will be in full compliance with all local, state, and Federal statutes as well as Executive Orders prior to the issuance of a FONSI. Compliance is documented below in Table 2.

<b>Table 2 - Environmental Compliance Status</b>			
<b>Statute/Executive Order</b>	<b>Full</b>	<b>Partial</b>	<b>N/A</b>
National Environmental Policy Act (considered partial until the FONSI is signed)*		X	
Fish and Wildlife Coordination Act*	X		
Endangered Species Act*	X		
Clean Water Act	X		
Wild and Scenic Rivers Act	X		
Clean Air Act	X		
National Historic Preservation Act	X		
Archeological Resources Protection Act			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		

#### 5.0 REQUIRED COORDINATION

##### 5.1 Agencies Contacted

Direct coordination with the Corps' Regulatory Division, WVDCH, WV Division of Natural Resources, USFWS, WVDEP and Wayne County floodplain manager was completed. Coordination with the NRCS is on-going and will be completed prior to issuance of the FONSI. Agency correspondence is included in Appendix B.



## 5.2 Public Review and Comments

The EA and FONSI will be made available for public review and comment for a period of 30 days, as required under NEPA. A Notice of Availability will be published in the local newspaper, The Herald Dispatch, advising the public of this document's availability for review and comment. A copy of the EA will also be placed in the Fort Gay District Public Library and made available on-line at <http://www.lrh.Corps.army.mil/Missions/PublicReview.aspx>. The mailing list for the EA is located in Appendix C.

## 6.0 CONCLUSION

The Town of Fort Gay is proposing to improve the wastewater collection and treatment system. The current wastewater system suffers from significant inflow and infiltration problems during wet weather events as well as overflow events at multiple pump stations due to their aging and deteriorating conditions. The NAA was considered unacceptable due to the unsanitary and unsafe conditions and potential health hazards resulting from these failures. By providing a safe and reliable wastewater system, the proposed project is anticipated to have long-term beneficial impacts on health and safety for residents in the project area and surrounding area and assist with bringing the Town into compliance with the Consent Decree. No significant, adverse, short-term, or long-term impacts have been identified as a result of implementation of the proposed extension project.

The proposed project would take place on previously disturbed land. Health and safety benefits would be realized immediately with project implementation. Effects associated with construction would be minor and temporary. BMPs would be implemented during construction to minimize impacts to residents and the environment. Therefore, the PAA would not be expected to have significant adverse impacts on the human or natural environment.

## 7.0 LIST OF INFORMATION PROVIDERS AND PREPARERS

The following agencies were involved in preparation of the EA.

S&S Engineers  
501 Eagle Mountain Road  
Charleston, WV 25311

U.S. Army Corps of Engineers Huntington District  
Planning Branch  
502 Eighth Street  
Huntington, WV 25701

## 8.0 REFERENCES

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