

## DRAFT FINDING OF NO SIGNIFICANT IMPACT

### Section 202 Town of Martin Nonstructural Project Floyd County, Kentucky

The U.S. Army Corps of Engineers, Huntington District (Corps) has conducted an environmental analysis in accordance with the National Environmental Policy Act of 1969, as amended. The Supplemental Environmental Assessment (SEA) dated 15 November 2019, for the Town of Martin Nonstructural Project addresses the Phase II flood risk management measures in Martin, Kentucky. The purpose of the Section 202 Town of Martin Nonstructural Project is to implement flood risk management measures to reduce flooding impacts and damages for the residences and businesses of Martin, Kentucky. The SEA tiers from previous environmental documentation, Final Environmental Assessment of July 2000, which was prepared concurrent with the development of the approved study report, referred to as the Detailed Project Report (DPR), for the Section 202 Town of Martin Nonstructural Project, and for which a Finding of No Significant Impact was issued on 8 August 2000.

This SEA has been developed pursuant to the National Environmental Policy Act (NEPA) by the Corps Huntington District, to document the potential effects associated with Phase II flood risk management measures proposed for implementation. Section 2.0 of the SEA discusses the proposed action and alternatives. The Proposed Action Alternative includes continued acquisition/demolition of structures; creation of a second redevelopment site; inclusion of land underlying the low-income housing facility into the project area; raising Kentucky State (KY) Route 1428, Ice Plant Hollow Road, and Emergency Access Road; creation of a green space access road and a detour road; removing the Water Street Bridge, and installation of utilities.

#### **SUMMARY OF POTENTIAL EFFECTS:**

For all alternatives, the potential effects were evaluated, as appropriate. The evaluation of effects was focused on key resources affected by the proposed alternatives. Given the developed nature of the project area and/or adequate consideration of such resources in previous NEPA documentation, the evaluation of effects in the SEA was limited to only resource areas affected by the proposed alternative. The resource areas which were excluded from evaluation in this SEA include but is not limited to: Prime and Unique Farmland, Health and Safety, Recreation, and Climate. A summary assessment of the potential effects of the recommended plan are listed in Table 1:

**Table 1: Summary of Potential Effects of the Proposed Action**

Resource	Insignificant effects	Insignificant effects as a result of mitigation*	Resource unaffected by action
Aesthetics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Noise levels	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Socio-economics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental justice	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aquatic resources/wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fish and wildlife habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Threatened/Endangered species	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Resource	Insignificant effects	Insignificant effects as a result of mitigation*	Resource unaffected by action
Cultural Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transportation and Traffic	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floodplains	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous, toxic & radioactive waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Land use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the U.S. Army Corps of Engineers determined that the proposed action alternative may affect but is not likely to adversely affect the following federally listed species or their designated critical habitat: Indiana bat, Grey bat, and Northern Long-eared bat. There would be no effect to the listed Big Sandy crayfish. The U.S. Fish and Wildlife Service (FWS) concurred with the Corps' determination on 24 January 2020.

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

Pursuant to the Clean Water Act of 1972, as amended, the discharge of dredged or fill material associated with the recommended plan has been found to be compliant with section 404(b)(1) Guidelines (40 CFR 230). The Clean Water Act Section 404(b)(1) Guidelines evaluation is found in Appendix E of the SEA. A water quality certification pursuant to section 401 of the Clean Water Act will be obtained from the Kentucky Division of Water prior to construction.

A 30-day public, state, and agency review of the Draft EA and FONSI was completed on 28 February 2020. All comments submitted during the public review period were responded to in the Final SEA and FONSI.

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

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Date

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Jason A. Evers  
Colonel, Corps of Engineers  
District Commander