

U.S. Army Corps of Engineers Baltimore District

DRAFT ENVIRONMENTAL ASSESSMENT

CENTRAL HAMPSHIRE PUBLIC SERVICE DISTRICT, SOUTHWESTERN HAMPSHIRE COUNTY WATER EXTENSION PROJECT – PHASE III

PURGITSVILLE, WEST VIRGINIA

SECTION 571 ENVIRONMENTAL INFRASTRUCTURE PROGRAM

July 2024

Prepared by:

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FINDING OF NO SIGNIFICANT IMPACT (FONSI) Central Hampshire Public Service District Southwestern Hampshire County Water Extension Phase III

In accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, the U.S. Army Corps of Engineers (USACE), Baltimore District, assessed the environmental effects of the Central Hampshire Public Service District Southwestern Hampshire County Water Extension Phase III, located in the Town of Purgitsville, Hampshire County, West Virginia. The Baltimore District is cost sharing the project with the Central Hampshire Public Service District, the non-Federal sponsor. This project will extend a previous Section 571 project (Central Hampshire Public Service District – Southwestern Hampshire County Water Extension Phase II) to encompass more residents in the area. Phase III of the water system project will provide public drinking water access to 49 new customers in the areas of Russelldale Road, Mud Run Road, Huffman Road, and Route 220 north and south of Rada. The Phase III project will consist of the installation of approximately 5,000 linear feet (LF) of 6-inch water lines, 20,000 LF of 4-inch water lines, 16,000 LF of 3-inch water lines and 10,000 LF of 2-inch water lines, including all necessary valves and appurtenances. In total, the project would install approximately 51,000 linear feet of new water line located within existing rights-of-way (ROWs) and previously disturbed areas.

The Northern West Virginia Environmental Infrastructure and Resource Protection and Development Program was authorized by Section 571 of the Water Resources Development Act (WRDA) of 1999 (Public Law [PL] 106-53), as amended, by Section 5155 of WRDA 2007 (PL 110-114), Section 352(b)(13) of WRDA 2020 (PL 116-260), and Section 8373 (PL 117-263) of WRDA 2022. The primary objective of the Section 571 Program is to provide design and construction assistance to non-Federal interests carrying out water-related environmental infrastructure and resource protection and development projects in counties within northern West Virginia. The environmental assessment (EA) was prepared in compliance with 40 Code of Federal Regulations (CFR) parts 1500-1508, NEPA Implementing Regulation Revisions, dated 16 July 2020, and 20 May 2022, and USACE Engineering Regulation 200-2-2, Procedures for Implementing NEPA. A proposed action alternative and a no-action alternative were analyzed in the EA. The proposed action alternative would consist of the installation of approximately 51,000 LF of PVC water line, ranging from 6-inches to 2-inches in diameter, as well as all necessary valves and appurtenances. A water meter would be installed at or near the property line of each property owner that chooses to access the public water line.

Potential impacts to the human and physical environment were assessed. Short-term, minor, adverse impacts from the proposed project include dust, land use, air emissions, soil disturbance, noise from construction activities, and potential disruption of traffic during construction. Short-term, minor, adverse impacts, i.e., detectable and localized, may occur to waterways in the form of excess sedimentation caused by adjacent earth removal and soil disturbance. However, appropriate steps to minimize potential adverse impacts, such as the implementation of best management practices will be incorporated into the project. The proposed project may have temporary adverse effects to

surface water quality. It is the non-Federal sponsor's responsibility to coordinate with the state of West Virginia Department of Environmental Protection and with USACE Baltimore District -Regulatory Branch, as it pertains to the Clean Water Act (Sections 401, 402, and 404), Waters of the U.S. and to secure and comply with the respective permits needed for the project. As of June 2024, the necessary permits have not been secured but it is the non-federal sponsors responsibility to ensure the project is compliant with the Clean Water Act before the start of construction. The U.S. Fish and Wildlife Service determined that the project would have "No Effect" on the Indiana bat (Myotis sodalis) and "No Effect" on the northern long-eared bat (Myotis septentrionalis). Informal consultation with USFWS for the northern long-eared bat and Indiana bat was completed on 30 May 2024, to confirm the "No Effect" determinations. No other adverse effects are anticipated to occur to threatened or endangered species or their critical habitat as none exist in the immediate project area. No impacts to cultural resources or National Register of Historic Places properties are expected. West Virginia State Historic Preservation Office concluded that the project would result in a "no adverse effect" to architectural or archeological resources. Tribal consultation has also been completed and tribal interests will not be affected by this undertaking. The Council on Environmental Quality Climate and Economic Justice Screening Tool identified one census tract within the project area as disadvantaged. Although the communities may experience minor and temporary effects from noise and traffic, upgrading the waterline and adding a public utility would benefit the community with clean, potable water.

The accompanying environmental assessment, which will be made available for a 30-day public review, supports the conclusion that the project does not constitute a major Federal action significantly affecting the quality of the human environment. Therefore, an environmental impact statement is not necessary.

Date

Esther S. Pinchasin Colonel, U.S. Army Commander and District Engineer

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1 Introduction

1.1 Project Authority

The Northern West Virginia Environmental Infrastructure and Resource Protection and Development Program was authorized by Section 571 of the Water Resources Development Act (WRDA) of 1999 (Public Law [PL] 106-53), as amended, by Section 5155 of WRDA 2007 (PL 110-114), Section 352(b)(13) of WRDA 2020 (PL 116-260) and Section 8373 of WRDA 2022 (PL 117-263) (Section 571 Program). The primary objective of the Section 571 Program is to provide design and construction assistance to non-Federal interests carrying out water-related environmental infrastructure and resource protection and development projects in counties within northern West Virginia (WV). This project is located within Hampshire County, WV. The U.S. Army Corps of Engineers (USACE), Baltimore District is cost sharing the project with the Central Hampshire Public Service District (PSD), the non-Federal sponsor, in accordance with the Section 571 Program.

1.2 Project Description

The proposed project includes the installation of new water lines along several county roads connected to US Route 220 from the Hardy County line in the south to the community of Rada, WV in the north. The local watershed for this project is the South Branch of the Potomac River (U.S. Geologic Survey [USGS] HUC8 watershed 02070001). See Appendix A for project location maps.

Currently, customers in the proposed project area rely on private wells and cisterns whose water quality has been poor. Tests for iron, methane, lead, and arsenic in private well water conducted in early 2019 show at least one location with lead and concerning levels of arsenic and methane. These tests quantified concerns that the residents have maintained for years regarding the quality and safety of their private water sources. This data was collected through private well testing and a grassroots initiative from the residents of the community. Please see Attachment C within Appendix C for more details regarding this data. This testing and local research has generated a strong demand and urgency for public water service in the area. Additionally, the project extents are within a disadvantaged community (Tract Area 54027968400) according to the Council on Environmental Quality (CEQ) Climate and Economic Justice Screening Tool (CEJST) Version 1.0, November 2022.

The Phase III Project includes the installation of approximately 5,000 linear feet (LF) of new 6inch PVC water lines, 20,000 LF of 4-inch PVC water lines, 16,000 LF of 3-inch PVC water lines, and 10,000 LF of 2-inch PVC water lines, including all necessary valves and appurtenances. In total, the project would install approximately 51,000 linear feet of new water line located within existing rights-of-way (ROWs) and previously disturbed areas. The water transmission lines will be pressure tested and chlorinated to ensure sanitary drinking water reaches the residents. Public water service will be run to each customer's property line and, for the property owners that choose to connect to the water line, a water meter will be installed at or near their property line.

"In the interest of safety and convenience to the customer, and as a measure of economic operation to the utility, it is required that all meters should be located at or near the property line: provided that when such location is impractical meters shall be placed outside of the customer's building as near as possible to where the "Point of Service" joins the "Customer's Service Pipe": provided, further, if neither of the foregoing requirements can be complied with on account of physical, economic, or climatic conditions, the meter may be placed within the building, preferably in the cellar, and when so placed within the building, the meter shall be so located that it will be easily accessible for reading, maintenance and protected from freezing and mechanical damage" (WV Code of Regulations, 2023).

All areas within the limits of disturbance are required to be restored to pre-construction conditions, pursuant to WV Department of Environmental Protection (DEP) regulations. For purposes of this Environmental Assessment (EA), the study area was expanded to 20-feet on either side of the proposed water line (40-feet total) to assess existing environmental resources potentially affected by the proposed action. This project extends a previous USACE Section 571 Project that is currently under construction in the same area, to reach and serve an additional 49 customers. The previous phases (I & II) of the project are scheduled to be completed by June 2024 (https://www.nab.usace.army.mil/571Program/).

USACE Huntington District informed USACE Baltimore District that this project was selected under the Section 571 Program for reimbursement, and that the project is located within USACE – Baltimore District's area of responsibility. The non-Federal share of the project costs (25 percent) will be funded, in total, through the WV Infrastructure and Jobs Development Council (WVIJDC) District 2 Grant, an Economic Enhancement Grant through the WV Water Development Authority, and a partnership with the USACE through its Section 571 Program. The Federal share of the project costs (75 percent) will be reimbursed with appropriations made available through the USACE Section 571 Program. The project would be implemented under one contract which will include site prep, construction of the water line, and installation of a water meter for each customer that chooses to connect their property to public water. Construction, and disposal areas (LERRDs) will be obtained through a third-party entity through project funds overseen by USACE – Baltimore District.

1.3 Purpose and Need

The purpose of the proposed project is to provide safe drinking water to the residents of PurgitsvillFe, WV and the surrounding neighborhoods and towns. Currently, the residents of this area rely on private wells and cisterns for drinking water. Water quality tests have shown these sources, in parts, have elevated levels of iron, lead, arsenic, and high levels of methane (Attachment C within Appendix C). This draft EA and Finding of No Significant Impact (FONSI)

have been prepared by USACE – Baltimore District and Cerrone Associates, on behalf of the Central Hampshire County PSD, pursuant to 40 Code of Federal Regulations (CFR) parts 1500-1508, National Environmental Policy Act (NEPA) Implementing Regulation Revisions, dated 16 July 2020, and 20 May 2022, and USACE Engineering Regulation 200-2-2: Procedures for Implementing NEPA. This EA evaluates the potential environmental, cultural, and socioeconomic impacts from construction and general operation of the proposed project.

1.4 Public and Agency Coordination

In compliance with NEPA, coordination was conducted with Federal, state, and local resource agencies (Appendix B). A public notice of availability (NOA) will be posted by the non-Federal sponsor in a local newspaper or website, which will be published for general circulation in Hampshire County, WV. The USACE will also post a public NOA on the USACE – Baltimore District's public notice website. The public will have 30 days to provide comments after the public NOA is posted.

Cerrone Associates coordinated with the WV State Historic Preservation Office (SHPO) in a letter, dated 20 December 2023, to ensure compliance with Section 106 of the National Historic Preservation Act (Appendix B). Consultation letters were electronically mailed on 3 May 2024 and 6 May 2024 by the USACE to the Delaware Nation, Delaware Tribe of Indians, Osage Nation, and Shawnee Tribe. Responses were not received after 30 days by the beforementioned tribes; therefore, it is assumed there would be no impacts to tribal nations within the project extents.

A listed species report was obtained from the U.S. Fish and Wildlife Service (USFWS) Information, Planning, and Consultation (IPaC) online system on 12 March 2024, and IPaC-assisted determinations for the northern long-eared bat and the Indiana bat were obtained on 4 April 2024. Additionally, a letter generated by the WV Department of Natural Resources (DNR) Natural Heritage Program regarding the presence of rare, threatened, and endangered species was obtained on 12 March 2024 (Appendix B).



Figure 1 – Purgitsville Phase III Study Area

2 Alternatives Considered

2.1 Proposed Action Alternative (PAA)

The PAA includes the installation of approximately 51,000 LF of PVC water line, ranging from 6-inches to 2-inches in diameter, as well as all necessary valves and appurtenances. This water line will be installed along multiple county roads to extend the previous Section 571 (Phase I and II) funded project, which brought potable water to the project area. The water transmission lines will be pressure tested and chlorinated to ensure sanitary drinking water reaches the residents.

3.2 No Action Alternative (NAA)

Under the NAA, USACE would not provide funding for the project. Large portions of the community would not be given access to safe public drinking water. Funding would be reassessed, and the objective and extent of the project would be reduced extensively. Any resident not living along State Route 220 from the Hardy County line to the community of Rada would not be given access to public water as part of Phase III of this project. Health risks for these residents will continue to be elevated as compared to those not drinking from their local sources, which water quality tests have shown may contain elevated levels of iron, lead, high levels of methane, and arsenic. This alternative was considered unacceptable and an environmental justice issue due to the potential health hazards resulting from the local water sources and its continued risk and impacts on known environmental justice communities in the project area. However, it is included in the alternatives analysis to establish a baseline condition for existing human and natural environmental conditions and to allow comparison of environmental effects between the future without and with project actions.

3.3 Evaluation of Alternatives

This project is the third phase of a water line extension project throughout the Purgitsville area. Phases I and II are currently under construction (June 2024) and were found to be the best alternatives to provide clean drinking water to the residents of this area. Given the existing infrastructure designed to incorporate Phase III is in place, any other alternative would result in an insufficient use of time and resources, and potentially cause unnecessary environmental impacts by not tying into the previously installed infrastructure. As such, there are no other alternatives that meet the project purpose and need that are not already covered by the PAA and NAA. The schedule for construction is estimated to start at bid opening in October 2024, and construction is expected to be completed in September 2025.

4 Existing Conditions and Project Impacts

This section describes the existing conditions (the affected environment for NEPA purposes) and the potential project impacts on the natural and socioeconomic resource categories that are applicable to the area affected by the project alternatives. Each environmental, cultural, and social resource category was reviewed for its applicability to the project.

4.1 Land Use

Land use in the immediate project is a mix between residential and agricultural. The proposed water lines would primarily be installed within county and state public road ROWs with minor temporary impacts occurring on local residential properties, farmlands, and county and state public road ROWs. These previously disturbed areas include local residences, farmlands, and county and state public road ROWs. Land contours would be reclaimed upon completion of the installation. There would be short-term impacts to land use while construction is taking place on local residential property and/or farmland. However, land use will be returned to pre-existing conditions after construction is completed and no adverse cumulative effects to land use as a result of the PAA or NAA.

4.2 Terrestrial Habitat

The PAA would be constructed primarily on previously disturbed areas, including existing road ROWs. Removal of grass and vegetation may occur within areas where open trenching and directional boring/drilling for the waterlines are implemented. Potential impacts to vegetation would be minimal and temporary. It is anticipated that no tree removal would be needed for this contract/phase of the water line extension project. Areas would be returned to pre-construction conditions upon completion of construction activities through soil grading and grass seeding. Only direct, short term adverse impacts to existing vegetation during construction are anticipated to occur. No indirect or cumulative impacts are expected to occur as a result of the PAA. There would be no direct, indirect, or cumulative effects to terrestrial habitat from the NAA.

4.3 Floodplains

Executive Order (EO) 11988 requires Federal agencies to consider the potential effects of their proposed actions to floodplains. 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 Elm Lick Creek, Mill Creek, and its tributaries which are part of the South Branch Potomac River watershed. FIRM maps reviewed include: 54027C0360C, 54027C0355C and 54027C0220C (Appendix A).

USACE Baltimore District reviewed the 8-Step Process for Floodplain Management in accordance with EO 11988. The project components are located within Zone X and A. Zone X is an area of minimal flood hazard while Zone A is an area subject to inundation by the 100-year flood event. Underground infrastructure such as water lines will result in no adverse impact to floodplain areas as they would be buried and result in no change in grade or elevation. Due to the level of work in the proposed action, and the short-term, minor, adverse impacts to the 100-year floodplain, the PAA meets the intent of EO 11988 and no direct, indirect short- or long-term adverse impacts and no cumulative adverse impacts to floodplains are anticipated to occur from the PAA or NAA.

4.4 Soils

The soil is predominantly various silt loams with small pockets of stony loam and rock outcrops (Appendix A). Most of the topography within the project area consists of rolling hills, with two thirds of the soil types at a slope greater than 15 percent, and approximately 15 percent of the soil types are at a slope greater than a 35 percent (Appendix A). Excavated soil would be replaced inkind after the installation of the below-ground water line. Areas of earth disturbance and grading would be restored and seeded after construction. There would be no adverse impacts to the existing grade or slope of soils as a result of the PAA. Soils would not be disturbed under the NAA.

4.5 Prime and Unique Farmland and Soils

The Farmland Protection Policy Act (FPPA) requires Federal agencies to minimize the conversion of prime and unique farmlands and soils to non-agricultural uses. Most of the project is along roads, and/or road ROWs. There may be areas of new water line that intersect soils of prime, unique, statewide, or locally important farmlands, but impacted areas will be returned to preconstruction conditions, and no conversion or permanent adverse impacts would occur. Therefore, the PAA would result in minor, short-term, direct impacts, but would have no indirect and cumulative impact on prime or unique farmlands or their soils. No impact to prime or unique farmland are anticipated from the NAA.

4.6 Aquatic Habitat/Water Quality

The project is within the South Branch Potomac River Watershed. Part of the project area flows south toward Old Fields, WV and reaches the South Branch Potomac River before it flows into "The Trough". The northern portion of the project flows north toward the community of Junction, WV and the town of Romney, WV. The portion adjacent to the project flows into Mill Creek and joins the South Branch Potomac River just east of Romney, WV. From Romney, the South Branch Potomac River flows north approximately 16 miles to its confluence with the Potomac River, outside of the town of Green Spring, WV. There are no Sole Source Aquifers in the project area (EPA aquifers, 2023).

Implementation of the PAA may result in the temporary discharge of pollutants, as the waterlines are anticipated to be bored/directionally drilled underneath and across streams of various sizes throughout the project area. Mill Creek, a WV DNR high-quality warm water fishery, is located within the project limits and will be 'crossed' to achieve the project goals. All personnel on site, during directional drilling operations, will be trained to detect and respond to any spilling prior to the commencement of any drilling operations, containment, and cleanup provision. Sandbags, spill booms, portable pumps, vac trucks, etc. will be on site or nearby, ready for deployment within 15 minutes as indicated in the construction plans and specifications. Minimal risk exists for impacts to aquatic habitats and resources due to the size of the project footprint in these areas, avoidance measures (not excavating the stream channel) and applying erosion and sediment control best management practices (BMPs) would be implemented. In addition, a NOI will be submitted to the WV DEP. It is the non-Federal sponsors responsibility to coordinate with the state of WV DEP

and USACE, Baltimore District – Regulatory Division as it pertains to the Clean Water Act and Waters of the U.S. permits. Indirect impacts associated with sediment-laden runoff and erosion due to the installation of water lines may temporarily impact water quality in the area. Construction related impacts would be short-term and mitigated with BMPs, such as placement of silt fences throughout the project area to prevent runoff into adjacent surface waters. Based on the above, implementation of the PAA would not result in adverse short or long-term environmental impacts to aquatic habitat and water quality. No direct or cumulative impacts are expected from the PAA. No impacts to aquatic habitat and/or water quality are expected from the NAA.

4.7 Wetlands

The USFWS, National Wetland Inventory Maps (NWI) were reviewed for the proposed project area and a site reconnaissance field investigation was conducted in the July 2021 to determine the validity of NWI maps. The site reconnaissance field investigations confirmed the NWI maps, which indicated that wetlands are located within the project area but will not be impacted by the project. Alternative pathways were considered and used in the design and layout of the water transmission lines to avoid any wetlands. NWI maps are included in Appendix A of this EA. No direct or indirect, short term or long-term impacts, and no cumulative impacts to wetlands are anticipated as part of the PAA or NAA.

4.8 Wild and Scenic Rivers

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

4.9 Hazardous, Toxic, and Radioactive Waste (HTRW)

The U.S. Environmental Protection Agency's (USEPA) NEPA Assist database and the Resource Conservation and Recovery Act (RCRA) information database indicated the presence of two hazardous waste RCRA facilities within six miles from the project area. These are the closest hazardous waste RCRA facilities. According to the RCRA info database, the facilities are the Mill Creek Saw Shop and a West Virginia Division of Highways (WVDOH) Hardy County Spill Site. The Mill Creek Saw Shop is located along US Route 220 between the towns of Burlington, WV and Junction, WV, and is North America Industry Classification System (NAICS) coded as Home and Garden Equipment Repair and Maintenance. The Hardy County Spill Site is located approximately 1.5 miles northwest of the town of Old Fields, WV along Old Fields Road. This site has not been inspected since 2012 and does not have a NAICS code. Under the PAA, no construction related actions would be implemented near the listed hazardous sites; therefore, no direct, indirect, or cumulative impacts are anticipated. No impacts to HTRW are expected from the NAA. More information can be found in the Phase I Environmental Site Assessment (Appendix C).

4.10 Cultural Resources

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800), the WV SHPO was consulted regarding the proposed project. A Phase I Archaeological Survey was completed and on 20 December 2023 and it was determined that the PAA would have no adverse direct, indirect, or cumulative impacts on cultural resources (Appendix D). Under the NAA, no construction related actions would be implemented therefore, no impacts to cultural resources would occur.

4.11 Threatened and Endangered Species

The WV DNR and the USFWS IPaC System website were consulted to identify Federally listed species potentially occurring in the project area. According to correspondence from WV DNR in a letter dated 12 March 2024, it was determined that the project is located within a sensitive habitat area, Mill Creek, which is a WV DNR designated high quality warm water fishery. The waterline will be bored underneath Mill Creek and several other streams to avoid and minimize potential impacts to these resources. See typical detail below (Figure 1).



Figure 2 – Typical stream crossing detail

The WV DNR determined that there are no bats, rare, threatened, or endangered species, reproducing trout streams, or other sensitive habitats within the project buffer based on a database search and retrieval. It was also indicated that two bald eagle (*Haliaeetus leucocephalus*) nests occur within a two-mile buffer of the project site (Appendix B).

Through additional USFWS IPaC service coordination, an Endangered Species Act species list was generated on 12 March 2024 (Appendix B). Five species were identified as potentially occurring within the project area (Table 1).

Common Name	Scientific Name	Status
Indiana Bat	Myotis sodalis	Endangered
Northern Long-eared Bat	Myotis septentrionalis	Endangered
Tricolored Bat	Perimyotis subflavus	Proposed
		Endangered
Green Floater	Lasmigona Subviridis	Proposed
		Threatened
Monarch Butterfly	Danaus plexippus	Candidate

Table 1: WV DNR and USFWS Endangered Species Act Species

Indiana Bat – found in a wide range of habitats, including deciduous forests, mixed forests, and agricultural lands. It is most commonly found in areas with large, mature trees that provide suitable roosting sites (USFWS, 2023b). The USFWS IPaC-generated letter dated 30 May 2024, determined that the project would have "No Effect" to the Indiana bat based on the information provided by the USFWS IPaC (Appendix B). The USFWS WV Field Office concurred with this effect determination, and no further coordination is required with USFWS for the Indiana bat.

Northern Long-eared Bat – hibernates in caves and mines during the winter months and swarms in surrounding wooded areas in the autumn. The northern long-eared bat roosts behind loose pieces of bark within cavities and crevices of live and dead trees during the warmer months (USFWS, 2023c). The USFWS IPaC-generated letter dated 30 May 2024, determined that the project would have "No Effect" to the northern long-eared bat based on the information provided by the USFWS IPaC. (Appendix B). The USFWS WV Field Office concurred with this effect determination, and no further coordination is required with USFWS for the Indiana bat.

Tricolored Bat – hibernates in caves and mines during the winter months and primarily roosts among leaves of live or recently dead deciduous hardwood trees during the summer months. They may also be found roosting in pine trees and occasionally human structures (USFWS, 2023d). The PAA would have no direct, indirect, or cumulative impacts on the tricolored bat due to all work being performed in existing roadway ROWs.

Green Floater – On 25 July 2023, the USFWS announced a proposal to list the green floater as threatened under the ESA with a simultaneous critical habitat proposal and Section 4(d) rule. Green floaters are often found in sand or small gravel substrates where they establish a foothold and bury themselves as deep as 15 inches. They have limited mobility, and fast-flowing currents or high-water events can cause them to be washed downstream (USFWS, 2023a). The project location is not expected to overlap any critical habitat for the green floater. The PAA would have no direct, indirect, or cumulative impacts to the green floater due to all work being performed in existing roadway ROWs.

Monarch Butterfly - Due to the project's footprint being limited to impervious surfaces or maintained/mowed grass-dominated areas, no direct, indirect, or cumulative impacts to the Monarch Butterfly are expected from the construction of the PAA.

Migratory Birds and Birds of Conservation Concern (BCC)

Certain birds are protected under the Migratory Bird Treaty Act of 1918 and the Bald and Golden Eagle Protection Act of 1940. As indicated in the 12 March 2024, letter from the WV DNR, two bald eagles are located within a two-mile buffer of the project area. Bald eagles are not considered BCC, but their potential presence in the project area warrants attention. No tree clearing is expected to occur for Phase III of the project; therefore, no time of year restrictions would need to be followed as it pertains to migratory birds and BCC. Construction noise may temporarily displace some migratory birds or BCC, but normal conditions will return after construction. The project is well outside the recommended nest buffers for Bald Eagles per USFWS National Bald Eagle Management Guidelines (USFWS, 2007). Please see Appendix B for further details.

4.12 Air Quality and Greenhouse Gas Emissions

There are no National Ambient Air Quality Standards (NAAQS) nonattainment areas within the project area. 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. 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 direct, indirect, or cumulative impacts to air quality are anticipated as part of the PAA. No impacts to air quality are expected from the NAA.

The USEPA regulates greenhouse gas emissions (GHGs) through mobile source emission standards and permitting requirements under the Title V Operating Permits program. These regulations include fuel efficiency and renewable fuel standards on light-duty, medium-duty, and heavy-duty vehicles. The heating effect from these gases is considered the probable cause of the global warming observed over the last 50 years (USEPA, 2009). However, localized incremental emissions from construction vehicles and equipment are unlikely to have a measurable effect on climate change. The only permanent emission sources currently present within the project area include residential homes and small businesses. Motor vehicles are the predominant mobile sources.

Emissions from the PAA would not pose a significant risk to the environment, the health of workers or the public because they would be minor in quantity and short-term. Emissions from the PAA would cease once construction stops and no new stationary emission sources would be created.

4.13 Noise

Noise levels are measured in decibels (dBA) for regulatory purposes. The threshold of human hearing is 0 dBA, with values above 85-90 dBA considered as loud and as potentially harmful to hearing if given sufficient exposure time. Noise levels above 140 dBA can cause damage to hearing

after a single exposure (OSHA, n.d.). The project area is adjacent to both residential and commercial areas. A common source of noise within the project area includes vehicular traffic.

Noise generated during construction is expected to come from construction vehicles, backhoes, excavators, saws for cutting existing water lines, and jackhammering, to name a few. There would be no permanent changes to the noise levels in the project area; however, some of these construction activities may exceed values above 85-90 dBA during construction. Due to the relatively close proximity of the project to residential areas, prior notification of the hours/dates of construction would be given and measures to minimize noise, such as equipment mufflers, would be used. The rise in noise levels would be minor and temporary, and primarily during the daylight hours of construction. Protective equipment would be recommended to protect workers from excessive noise levels during construction.

Noise associated with the PAA would be limited to heavy machinery and related sounds generated during construction. Construction noise would be similar to that of farm equipment and other small machinery used in the local area. 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. Temporary noise activities may cause displacement of wildlife; however, with the daytime construction and short and limited duration of elevated noise levels associated with the PAA, the indirect and cumulative impacts from construction noise to local residences and wildlife would be temporary. No long-term indirect noise impacts are expected with the PAA. There would be no long-term change in noise from the existing condition and thus, no impact to permanent noise levels in the area under the PAA. Since no construction would be taking place under the NAA, no impacts to noise outside of normal, daily noises would be expected under that alternative.

4.14 Environmental Justice and Protection of Children

Executive Order 12898 requires Federal actions to address environmental justice in minority populations and low-income populations. According to the U.S. Census Bureau, the 2019 population estimate for Hampshire County was 20,203 including low minority populations. The census indicates Hampshire County is 96.6% white and has a median household income of \$48,528, compared with the median household income of \$48,037 for the State of West Virginia. Individuals residing in the county below the poverty level is 13.7% compared to 16.9% statewide.

Portions of the project area are identified as disadvantaged as defined by the Council on Environmental Quality Climate and Economic Justice Screening Tool (CEJST), Version 1.0 (November 22, 2022). The indicators of burden in these communities identified through CEJST include health (heart disease), transportation (transportation barriers), water and wastewater (wastewater discharge) and low-income. Poverty rates in Hampshire County (17.9%) are slightly higher than the state of West Virginia's poverty level which is at 16.9% (USCB, 2021b).

EO 14096, Revitalizing our Nation's Commitment to Environmental Justice for All, expands on EO 12898 to also include Tribal affiliation and disability in the definition of environmental justice. Environmental justice analyses are performed to identify potential disproportionate adverse effects

from proposed actions and to identify alternatives that might mitigate these effects. American Community Survey (ACS) data (2016-2020) was evaluated for disability characteristics (Table 2).

Category	United States	West Virginia	Hampshire County	
Percent Population with Disability	13%	19%	25%	
Source: 2021: ACS 5-Year Estimates Disability Characteristics Table S1810 (USCB, 2021a)				

Table 2: Percent of Population with Disabilities

Executive Order 13045 requires each Federal agency "to identify and assess environmental 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. The waterline extension would environmentally improve the lives of all residents of Purgitsville, WV and surrounding neighborhoods.

Implementation of the PAA would provide residents, including children, with access to safe, quality public drinking water, thereby improving the living conditions in the service area. Therefore, the PAA would have direct beneficial impacts on disadvantaged residents. Construction of the PAA would result in increases in noise and traffic during construction, resulting in temporary indirect and cumulative impacts on disadvantaged residents. No long-term adverse direct, indirect, or cumulative impacts are expected from the PAA. Therefore, the PAA meets the directive of EO 12898 by avoiding any disproportionately high adverse human health or environmental effects on minority or low-income populations. The NAA does not meet the directive of EO 13045 since children will continue to be exposed to unsafe drinking water if they drink from private wells, which have been proven to have elevated levels of potential cancer-causing elements.

4.15 Aesthetics

The project area is a rural community consisting primarily of residential properties and small commercial and agricultural properties. Temporary direct disturbance of the local aesthetics would be anticipated during construction of the PAA water line extension and replacement; however, after construction the excavated areas would be restored to original conditions. The PAA would have no indirect or cumulative impacts on aesthetics. Neither the PAA nor NAA would permanently impact local aesthetics. Effects to local aesthetics would be minor, temporary, and confined to project construction activities.

4.16 Transportation and Traffic

The majority of the proposed waterlines would be within the road ROWs. Construction of the PAA along road ROWs would involve some delays and potential detours in the normal traffic flow. WV Department of Transportation (DOT) reports that traffic flow along Federal Highway 220 in the

Purgitsville area averages 1,718 Annual Average Daily Traffic (AADT). All other public roads in the project area report less than 99 AADT. If detours would occur, they would be relatively minor and temporary in nature. Construction on or near road surfaces would comply with standard traffic controls to minimize traffic disruptions and avoid public safety concerns. Impacts anticipated to occur from the PAA would be direct, minor, and temporary. No indirect or cumulative impacts to traffic would occur from the PAA. No impacts to transportation and traffic are anticipated to occur under the NAA.

4.17 Health and Safety

The PAA has been designed to supply safe, reliable, drinking water to the residents of Purgitsville, WV and the surrounding neighborhoods. Private wells and cisterns have been tested and proven to contain elevated levels of iron, lead, methane, and arsenic. The PAA is anticipated to have a long-term beneficial impact on the health and safety of residents in the project area. Under the NAA, residents would continue to rely on private water sources, which pose health and safety concerns that could cause negative health impacts on the community.

4.18 Safe Drinking Water Act

The Safe Drinking Water Act (SDWA) was originally passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply. The law was amended in 1986 and 1996 to protect drinking water and its sources, which include, rivers, lakes, reservoirs, springs and groundwater wells. The SDWA authorizes the USEPA to set national health-based standards for drinking water to protect against both naturally occurring and man-made contaminants that may be found in drinking water. Outside threats such as chemicals, the use of herbicides and pesticides, animal, and human waste, wastes injected underground, and naturally occurring substances can all contaminate drinking water. To ensure drinking water is safe, the SWDA sets up barriers against pollution that include, source water protection, treatment, distribution system integrity, and public information (USEPA, 2004). Central Hampshire County PSD is responsible and is expected to maintain compliance with the SDWA for their water distribution system (including this project). Negative impacts in regard to access to safe and clean water would continue to persist under the NAA.

5 Status of Environmental Compliance

5.1 Summary

The Phase III project would consist of the installation of approximately 5,000 LF of 6-inch water lines, 20,000 LF of 4-inch water lines, 16,000 LF of 3-inch water lines and 10,000 LF of 2-inch water lines, including all necessary valves and appurtenances. In total, the project would install approximately 51,000 linear feet of new water line located within existing ROWs and previously disturbed areas. The Project would provide benefits to socio-economic conditions as it would increase distribution and access to safe drinking water. No impacts, during or post construction of

the PAA, are expected to occur to land use; wetlands; Wild and Scenic Rivers; Federal or state listed species including the tri-colored bat, green floater, and the candidate species monarch butterfly; or cultural resources within the project area. Some direct and indirect, temporary, adverse impacts are expected to occur to air quality, noise, water quality, floodplains, bald eagles, northern long-eared bat and the Indiana bat, disadvantaged communities, and traffic/transportation during the construction phase of the PAA. However, once construction is complete, these impacts will cease to occur. No direct, indirect, or cumulative long-term impacts are expected to occur as a result of the PAA. Additionally, no hazardous waste is expected to be produced as a result of construction of the PAA. Upgrading the waterline and adding a public utility would benefit the disadvantaged community with clean, potable water.

Table 3 summarizes the level of compliance of the PAA with environmental protection statutes and other environmental regulations and executive orders. Based on the evaluation of environmental effects described in Section 4, no significant adverse direct, indirect, or cumulative impacts are expected from the PAA, and a Draft FONSI has been prepared.

Federal Statutog Executive Orders (EQs) and Memoranda	Level of
rederal Statutes, Executive Orders (EOS), and Memoranda	Compliance
Archeological and Historic Preservation Act	Full
Bald and Golden Eagle Protection Act	Full
Clean Air Act	Full
Clean Water Act	*Partial
Comprehensive Environmental Response, Compensation and Liability Act	Full
Consultation and Coordination with Indian Tribal Governments (EO 13175)	Full
Endangered Species Act	Full
Environmental Justice in Minority and Low-Income Populations (EO 12898)	Full
Farmland Protection Policy Act	Full
Fish and Wildlife Coordination Act	Full
Floodplain Management (EO 11988)	Full
Invasive Species (EO 13112)	Full
Migratory Bird Treaty Act	Full
National Historic Preservation Act	Full
National Environmental Policy Act	*Partial
Prime and Unique Farmlands (Memorandum, CEQ, 11 August 1980)	Full
Protecting Public Health and the Environment and Restoring Science to Tackle the	Full
Climate Crisis (EO 13990)	1 011
Protection of Wetlands (EO 11990)	Full
Revitalizing our Nation's Commitment to Environmental Justice for All (EO 14096)	Full
Safe Water Drinking Act	Full
Tackling the Climate Crisis at Home and Abroad (EO 14008)	Full
Watershed Protection and Flood Prevention Act	Full
Wild and Scenic Rivers Act	N/A

 Table 3. Compliance of the Proposed Action Alternative with Environmental Protection

 Statutes and Other Environmental Requirements

*Partial – Level of compliance will become full once the necessary regulatory permits are completed.

6 Conclusion

The Central Hampshire PSD is proposing to extend its water line infrastructure. By providing access to safe and reliable drinking water, the proposed project is anticipated to have long-term beneficial impacts on health and safety for residents in the project area by eliminating private wells and cisterns, of which test results showed elevated levels of iron, lead, methane, and arsenic. No direct, adverse, long-term impacts have been identified as a result of implementation of the proposed improvement project. The majority of the proposed project would take place on previously disturbed land. Health and safety benefits would be realized immediately with project implementation. Indirect and cumulative effects associated with construction would be minor and temporary. BMPs would be implemented during construction to minimize impacts to the environment. Therefore, the PAA would not be expected to have significant adverse impacts on the human or natural environment.

7 List of Information Providers and Preparers

The following agencies were involved in preparation of the EA.

U.S. Army Corps of Engineers, Baltimore District 2 Hopkins Plaza Baltimore, Maryland 21201

Cerrone Associates Inc. 97 14th Street Wheeling, West Virginia 26003

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