Draft
Environmental Assessment for the Jennings Randolph Lake Master Plan

Garrett County, Maryland and Mineral County, West Virginia

January 2019

BALTIMORE DISTRICT
Proud Past
Dynamic Future

DRAFT FINDING OF NO SIGNIFICANT IMPACT

ENVIRONMENTAL ASSESSMENT FOR THE JENNINGS RANDOLPH LAKE MASTER PLAN

GARRETT COUNTY, MARYLAND, AND MINERAL COUNTY, WEST VIRGINIA

In accordance with the National Environmental Policy Act of 1969 (NEPA), including guidelines in 33 Code of Federal Regulations (CFR), Part 230 (Procedures for Implementing NEPA), the Baltimore District of the U.S. Army Corps of Engineers (USACE) has assessed the potential impacts of the 2019 Jennings Randolph Lake Reservoir Master Plan (Master Plan).

The Master Plan will provide guidance for stewardship of natural resources and management for long-term public access to, and use of, the natural resources of Jennings Randolph Lake, including the land use classification of the USACE-managed lands. The Master Plan provides a comprehensive description of the project, a discussion of factors influencing resource management and development, new resource management objectives, a synopsis of public involvement and input into the planning process, descriptions of existing development, and consideration of future development activities.

Under the No Action Alternative, the USACE would take no action, which means no new resources analysis or land use reclassifications would occur. The operation and management of Jennings Randolph Lake would continue as outlined in the 1997 Master Plan.

The Proposed Action includes adopting a Master Plan to reflect changes in land management and land uses, USACE regulations and guidance that have occurred since the 1997 Master Plan, and coordination with the public. The 2019 Master Plan refines land classifications to meet authorized project purposes and current resource objectives. This includes a mix of natural resource and recreation management objectives that are compatible with regional goals, recognize outdoor recreation trends, and are responsive to public comment. Table S-1 identifies the required land and water surface classification changes associated with the Proposed Action.

Table S-1. Proposed Changes to Land Use Classifications at Jennings Randolph Lake

Classification	1997 Master Plan (acres)	2019 Master Plan (acres)	Description
Project Operations	178	78	Lands are associated with the dam and spillway structures that are operated and maintained for fulfilling the flood risk management, water supply, and water storage missions of Jennings Randolph Lake. Although the mission-support areas of the project have not changed since the 1997 Master Plan, the land fitting the new criteria totals 78 acres (land providing direct support to the operations of the project's primary missions).
High-Density Recreation	450	74	Lands are currently developed for intensive recreational activities and include boat launches, day-use areas, and campgrounds. The new criteria for this land use classification has a more conservative definition of recreation areas; those areas developed specifically to support recreation. This land use classification has been developed to support concentrated visitation and use of the recreational facilities they host. Dependent on available space, funding, and public demand, these areas may support additional outdoor recreation development in the future.

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Multiple Resource Management Land			
Low-Density Recreation	3,357	22	Management of this land use classification calls for maintaining a healthy, ecologically adapted vegetative cover to reduce erosion and improve aesthetics while also supporting low-impact recreational opportunities such as bank fishing, hiking, wildlife viewing, and for access to the shoreline. Hunting may also be allowed in select areas that are a reasonable and safe distance from high-density recreational areas, dam operations, and adjacent residential properties. The new land use classification criteria exclude vegetation and wildlife management areas, leaving only areas with minimal development to support passive recreation use (i.e. primitive camping, hunting, trails, wildlife viewing, etc.). Future plans for existing low-density recreation lands include improving, extending, and adding designated natural surface multiuse trails, improving and enhancing the overlook areas, and establishing hike-in and boat-in camping areas.
Wildlife Management	1	0	This land use classification was considered in the 1997 Master Plan, however, is not being considered in the 2019 Master Plan. The vegetative management land use classification (below) includes wildlife management considerations.
Vegetative Management	0	2,782	This land use classification was not considered in the 1997 Master Plan. This land use classification includes an ecosystem-based management approach and is designated for stewardship of forest, prairie, and other native vegetative cover. These lands may or may not be protected from development. In general, vegetative resources on USACE lands are managed for multiple purposes including wildlife habitat, recreational activities in parks, landscape aesthetics, and timber.
Future Recreation Area	0	65	This land use classification includes areas that either have site characteristics compatible with potential future development or are currently closed recreation areas. Lands within these areas would be managed as Multiple Resource Management Lands – Vegetative Management until opportunities to develop or reopen them arise. This classification includes a total of 65 acres identified in the Master Plan to support future recreation development involving four key areas: Big Bend Recreation Area; a boat-in primitive camping area on Peninsula B; a potential (long-range) campground on Hogback Ridge; and the Deep Run Fishing Access project to include a fishing/kayak-entry area and parking lot/turnaround.
Water Surface			
Designated No-Wake	0	18	Designated No-Wake areas are intended to protect environmentally sensitive shorelines and improve boating safety near key recreational water access areas such as boat ramps. Designated No-Wake areas at Jennings Randolph Lake include areas surrounding the two boat ramps and are typically marked with standard U.S. Coast Guard regulatory buoys. This change reflects new classification criteria and no actual change in water use.
Restricted	0	12	Restricted water surface includes those areas where recreational boating is prohibited or restricted for project operations, safety, and security purposes. The Restricted water surface at Jennings Randolph Lake includes a small area around the dam and intake tower. Designated swimming beaches are also classified as Restricted water surface. These areas are normally marked with standard U.S. Coast

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			Guard regulatory buoys stating that boats are excluded from the area. In some instances, physical barriers may be in place on the water. This change reflects new classification criteria and no actual change in water use. This area includes the vicinity of the intake tower and spillway.
Open Recreation Area	0	938	Open Recreation areas include all water surface areas available for year-round or seasonal water-based recreational use. This change reflects new classification criteria and no actual change in water use. This area includes all remaining water surface areas outside of the restricted and No-Wake zones.

USACE chose the Proposed Action because it would meet regional goals associated with good stewardship of land and water resources, meet regional recreation goals, and allow for continued use and development of project lands without violating national policies or public laws.

USACE used the Environmental Assessment (EA) and comments received from other agencies to determine whether the Proposed Action requires the preparation of an Environmental Impact Statement (EIS). This included assessment of all environmental, social, and economic factors that are relevant to the recommended alternative considered in this assessment. The EA determined negligible impact would occur to the following resources: air quality, greenhouse gases and climate, noise, geology, cultural resources, groundwater, wild and scenic rivers, utilities, hazardous materials and waste, socioeconomics and environmental justice, and traffic and transportation (see Section 3.1 of the EA). Minor impacts could occur to water resources, minor to moderate impacts could occur to soils and biological resources, and beneficial impacts would occur to land use and recreation (see Sections 3.2 through 3.5 of the EA).

Based on the summary of effects evaluated in the EA, I have determined that the Proposed Action alternative, which I have selected, will not have a significant effect on the human environment. For this reason, no Environmental Impact Statement needs to be prepared.

_____ _____

Date

John T. Litz, PMP
Colonel, U.S. Army
Commander and District Engineer

ENVIRONMENTAL ASSESSMENT ORGANIZATION

This Environmental Assessment (EA) evaluates the effects to the natural and human environment from the 2019 Jennings Randolph Lake Master Plan. The EA will facilitate the decision-making process regarding the Proposed Action and alternatives.

CHAPTER 1 INTRODUCTION, PURPOSE, NEED, AND SCOPE summarizes the purpose of and need for the Proposed Action, provides relevant background information, and describes the scope of the EA. This Chapter also includes public involvement and agency coordination efforts conducted during preparation of the EA.

CHAPTER 2 PROPOSED ACTION AND ALTERNATIVES examines alternatives for implementing the Proposed Action and describes the recommended alternative.

CHAPTER 3 ENVIRONMENTAL SETTING AND CONSEQUENCES describes the existing natural and human environments, and identifies the potential effects of implementing the Proposed Action and alternatives.

CHAPTER 4 CUMULATIVE EFFECTS describes the impact on the environment that may result from the incremental impact of the action when added to other past, present, and reasonably foreseeable actions.

CHAPTER 5 COMPLIANCE WITH ENVIRONMENTAL LAWS provides a listing of environmental protection statutes and other environmental requirements.

CHAPTER 6 IRRETRIEVABLE AND IRREVERSIBLE COMMITMENT OF RESOURCES identifies any irreversible and irretrievable commitments of resources that would be involved in the Proposed Action should it be implemented.

CHAPTER 7 SUMMARY OF ENVIRONMENTAL CONSEQUENCES summarizes the potential environmental consequences of implementing the Proposed Action and alternatives.

CHAPTER 8 REFERENCES provides bibliographical information for cited sources.

CHAPTER 9 LIST OF PREPARERS identifies persons who prepared the document and their areas of expertise.

APPENDIX A PUBLIC AND AGENCY INVOLVEMENT provides relevant documentation of correspondence with the public and agencies.

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ACRONYMS

Acronym	Definition
AhB	Allegheny fine sandy loam
AMD	Acid Mine Drainage
BMP	best management practice
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CuD	Cookport very stony silt loam
DgC	Dekalb very stony loams
DgD	Gilpin very stony loams
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EP	Engineering Pamphlet
ER	Engineering Regulation
FE	federally endangered
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Maps
FT	federally threatened
FPPA	Farmland Protection Policy Act
GIS	Geographical Information System
GlB	Gilpin silt loam
MBTA	Migratory Bird Treaty Act
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NPDES	National Pollution Discharge Elimination System
NRCS	Natural Resources Conservation Service
NWI	National Wetlands Inventory
Ps	Pope silt loam
ROI	region of influence
SME	subject matter expert
SrF	Ernest very stony silt loam

Acronym	Definition
T/A/Y	tons per acre per year
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service

DRAFT ENVIRONMENTAL ASSESSMENT

JENNINGS RANDOLPH LAKE MASTER PLAN

GARRETT COUNTY, MARYLAND, AND MINERAL COUNTY, WEST VIRGINIA

CHAPTER 1 INTRODUCTION, PURPOSE, NEED, AND SCOPE

1.1 INTRODUCTION

The Master Plan is the strategic land use management document that guides the comprehensive management and development actions related to all project recreational, natural, and cultural resources throughout the life of the water resource project. Specific to this Environmental Assessment (EA), the project includes Jennings Randolph Lake which was authorized and constructed for the primary purposes of controlling floods originating on the North Branch Potomac River, providing an adequate supply of water for domestic and industrial uses, and increasing downstream water quality in the North Branch Potomac River.

The U.S. Army Corps of Engineers (USACE) produces and uses the Master Plan to guide the responsible stewardship of USACE-administered lands and resources for the benefit of present and future generations. The Master Plan presents an inventory and analysis of land resources, resource management objectives, land use classifications, resource use plans for each land use classification, current and projected park facility needs, an analysis of existing and anticipated resource use, and anticipated influences on overall project operation and management. Specific to Jennings Randolph Lake, the Master Plan presents an evaluation of the assets, needs, and potentials of Jennings Randolph Lake and provides direction for appropriate management, use, development, enhancement, protection, and conservation of the natural and man-made resources at the project.

The USACE is proposing adoption of a new Master Plan at Jennings Randolph Lake to reflect changes that have occurred to the project site, in the region, in recreation trends, and in USACE policy since the 1997 Master Plan. This EA considers the potential impacts to the natural and human environment from implementation of the 2019 Jennings Randolph Lake Master Plan (herein referred to as the "Master Plan").

1.1.1 Project Location and Setting

Jennings Randolph Lake is in Garrett County, Maryland, and Mineral County, West Virginia, on the North Branch of the Potomac River, approximately 8 miles upstream of the Savage River confluence near Bloomington, Maryland (see Figure 1-1). The nearest town is Elk Garden, West Virginia, which is located approximately 5 miles south and downstream of the project. The surface area of the lake is approximately 952 acres. Project lands (including the lake and surrounding property) occupy approximately 4,500 acres (USACE 2018).

The project is located in a narrow, winding valley typical of the many streams and rivers in the central Appalachian area. The slopes forming the shoreline are wooded and steep, severely limiting the development of recreation areas adjacent to the seasonal pool. The rugged topography in and around the lake discourages the construction of access roads, particularly on the Maryland shore.

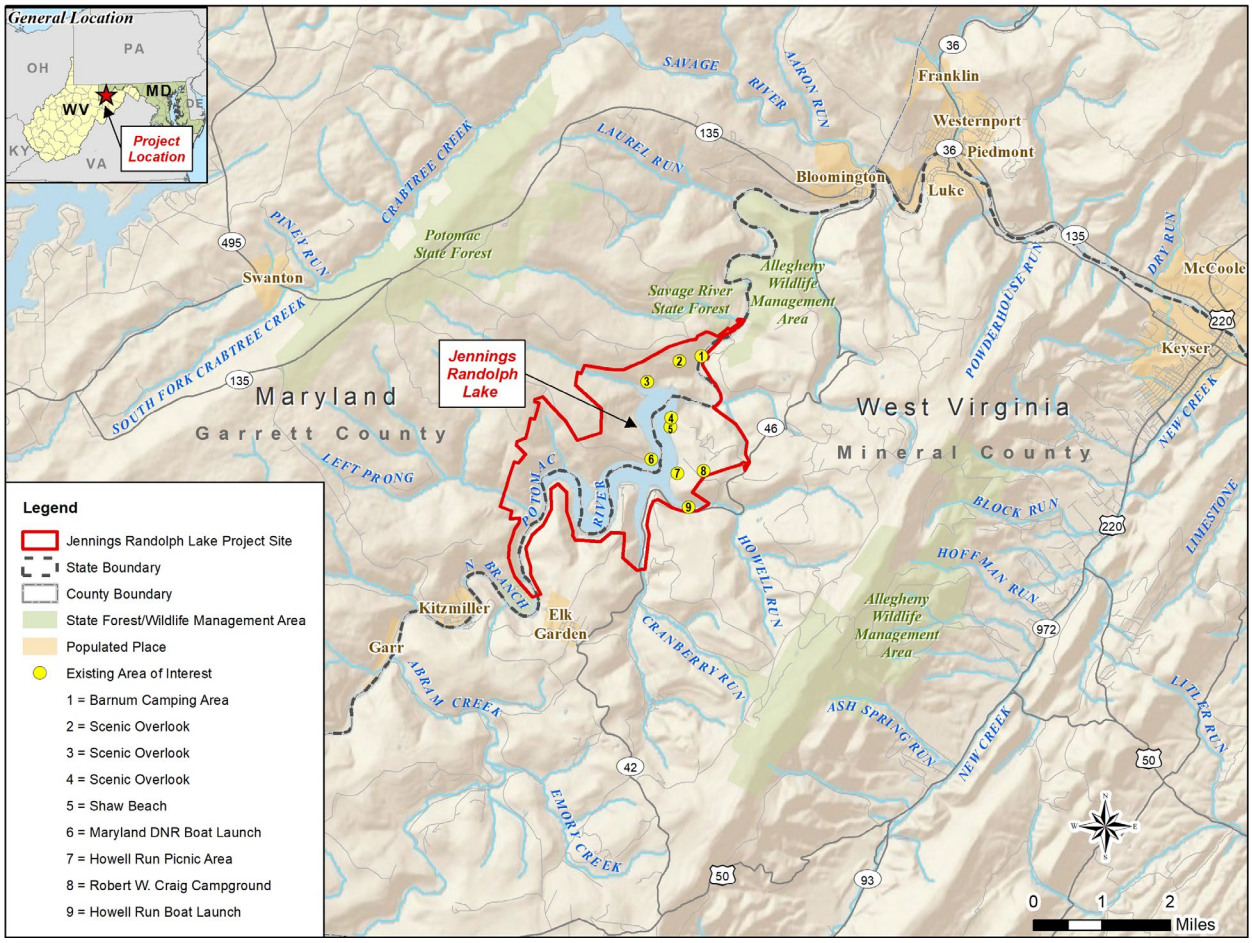

Figure 1-1. Project Location Map

1.1.2 Project Background

The Flood Control Act of October 23, 1962 (Public Law 87-874, substantially in accordance with House Document 469, 87th Congress, 2nd Session) authorized the Jennings Randolph Lake Project, located on the North Branch Potomac River. The USACE completed the Jennings Randolph Lake project in 1981 for the primary purposes of controlling floods originating on the North Branch Potomac River, providing an adequate supply of water for domestic and industrial uses, and increasing downstream water quality in the North Branch Potomac River. A major secondary use of the project lands and waters is recreation and environmental stewardship of natural and cultural resources. The project area is heavily utilized by individuals and groups from near and far who participate in a variety of activities, like camping, boating, fishing, hiking, picnicking, and enjoying the great outdoors.

The dam consists of rolled earth and rockfill, rising 296 feet from the streambed and extends 2,130 feet across the valley. The project controls a drainage area of 263 square miles, and with a full conservation pool, the lake is about 5.5 miles long and has a surface area of 952 acres. Of the 130,900 acre-feet of storage available, 36,200 acre-feet is allotted to flood control, 92,000-acre feet is used for downstream water quality improvement, and 2,700 acre-feet is dead storage. The project also contributes to Executive Order (EO) 13508 goals to protect habitat and water quality and expand public access within the Chesapeake Bay Watershed (USACE 2018).

1.2 PURPOSE AND NEED FOR THE ACTION

The purpose of the Proposed Action is to ensure that the conservation and sustainability of the land, water, and recreational resources at Jennings Randolph Lake comply with applicable environmental laws and regulations and to maintain quality land for future use. The Master Plan is intended to serve as a comprehensive land and recreation management plan for the next 15 to 25 years, which reflects changes in outdoor recreation trends, regional land use, population, legislative requirements, USACE management policy, and wildlife habitat that have occurred since 1997 at Jennings Randolph Lake.

The need for the Proposed Action is to bring the Jennings Randolph Master Plan in accordance with January 2013 updates to the Engineer Regulation (ER) and Engineering Pamphlet (EP) 1130-2-550.

1.3 SCOPE OF THE EA

The USACE prepared this EA pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 Code of Federal Regulations [CFR] 1500–1517), and the USACE implementing regulations, Policy and Procedures for Implementing NEPA, ER 200-2-2 (USACE 1988) to evaluate existing conditions and potential impacts of implementing the 2019 Jennings Randolph Lake Master Plan. Alternatives considered within this EA focus on the proposed land use classifications as presented in the Master Plan and the types of future development projects that could occur within the land use classifications. The EA does not consider implementation of specific projects identified within the Master Plan during the master planning process as these projects are conceptual in nature. The USACE would conduct further NEPA analysis on projects identified within the Master Plan once funding is available and detailed project planning and design occur.

In accordance with the above regulations, the USACE intends to use this EA to meet USACE's regulatory requirements under NEPA and provide USACE with the information needed to make an informed decision about the potential effects to the natural and human environment from implementing the Proposed Action.

1.4 PUBLIC AND AGENCY INVOLVEMENT

The USACE invites public participation in the NEPA process. Consideration of the views of and information provided by all interested persons and stakeholders promotes open communication and enables better decision-making. USACE coordinated with agencies, organizations, and members of the public with a potential interest in the Proposed Action during development of the Master Plan and in preparation of this EA. Appendix A provides a record of public involvement and agency coordination related to this EA.

Prior to the development of this EA, and as part of the master planning process, USACE held a series of public outreach meetings (see Table 1-1). A Public Notice was sent to interested parties on October 22, 2018, announcing that USACE was preparing an EA for the Master Plan update (see Appendix A). This included members of the Friends of Jennings Randolph Lake, the Director of Mineral County Parks and Recreation Commission, Executive Director of Garrett Trails, and the Maryland Department of Natural Resources regarding the boat launch leases.

The USACE also intends to hold a Town Hall Meeting on the Draft Master Plan and EA. The meeting will be advertised in local newspapers (Garrett County Republican and the Mineral Daily News-Tribune) and online at the project's website: https://www.nab.usace.army.mil/JRL-Master-Plan-Revision/.

Table 1-1. Summary of Public and Agency Involvement for the Jennings Randolph Lake 2019 Master Plan Update

Date	Description
25 September 2018	USACE hosted a public outreach meeting in Keyser, West Virginia. This meeting included presentation of maps depicting existing conditions, proposed development alternatives, and open discussion.
22 October 2018	USACE sent a notice of intent to interested parties on announcing the preparation an EA for the Master Plan update.
29 October 2018	USACE hosted a second public outreach meeting in Keyser, West Virginia. The purpose of this meeting was to brief the public on the proposed 2019 Jennings Randolph Lake Master Plan and solicit feedback from stakeholders and residents of surrounding communities.

1.4.1 Public Review

The EA process includes a 30-day public review period. A notice of availability was published in the Garrett County Republican and the Mineral Daily News-Tribune regarding the availability of the Draft EA (see Appendix A). Hard copies of the Draft EA are available at the Ruth Enlow Library – Kitzmiller, Maryland, and the Keyser-Mineral Public Library, West Virginia. This document has also been placed for review on the project's website at the following URL address: https://www.nab.usace.army.mil/JRL-Master-Plan-Revision/. Public comments received during the 30-day public comment period will be considered in preparation of the Final EA and will be made part of the Administrative Record.

1.4.2 Agency Coordination

USACE has distributed this Draft EA to the following agencies for review and comment during the 30-day comment period:

- U.S. Fish and Wildlife Service (USFWS) – Region 5
- Maryland State Clearinghouse
- West Virginia Department of Environmental Protection
- West Virginia Department of Natural Resources

The USACE also coordinated with the USFWS and Maryland Department of Natural Resources in preparation of this EA regarding the presence and potential affects to protected species. Information on protected species is included in Section 3.5. According to the West Virginia Department of Natural Resources, West Virginia does not currently have state threatened and endangered species legislation; the only species listed as either threatened or endangered in the state are those found on the USFWS's list of federally threatened and endangered species.

Copies of agency correspondence are included in Appendix A of this EA.

CHAPTER 2 PROPOSED ACTION AND ALTERNATIVES

2.1 DEVELOPMENT OF ALTERNATIVES

USACE identified alternatives considered within this EA as part of the master planning process. This Chapter describes the master planning process, screening criteria for alternative development, and the alternatives carried forth for detailed analysis within this EA.

2.1.1 Master Planning Process

USACE guidance recommends the establishment of resource goals and objectives for purposes of development, conservation, and management of natural, cultural, and man-made resources at a project location. Goals describe the desired end state of overall management efforts, whereas objectives are concise statements describing measurable and attainable management activities that support the stated goals. Goals and objectives are guidelines for obtaining maximum public benefits while minimizing adverse impacts on the environment and are developed in accordance with 1) authorized project purposes, 2) applicable laws and regulations, 3) resource capabilities and suitability, 4) regional needs, 5) other governmental plans and programs, and 6) expressed public desires.

USACE conducted public outreach through a series of planning workshops and solicited comments for consideration during development of the Master Plan. The Master Plan establishes the following management goals for Jennings Randolph Lake:

- **Goal A** – Provide the best management practices to respond to regional needs, resource capabilities and capacities, and expressed public interests consistent with authorized project purposes.
- **Goal B** – Protect and manage project natural and cultural resources through sustainable environmental stewardship programs.
- **Goal C** – Provide public outdoor recreation opportunities that support project purposes and public interests while sustaining project natural resources.
- **Goal D** – Recognize the unique qualities, characteristics, and potentials of the project.
- **Goal E** – Provide consistency and compatibility with national objectives and other state and regional goals and programs.

The master planning process identified three courses of action (concepts) for meeting goals outlined in the Master Plan. Table 2-1 summarizes the differences among concept.

Table 2-1. Growth Concepts Identified within the Master Plan

Growth Concept	Description	Characteristics	Timeframe
Enhance Existing Assets	Improve existing assets and amenities but not include any growth of existing assets or development of new assets.	✓ Predominantly confined to existing footprints ✓ Improves reliability of infrastructure (e.g., repaving roads, expanding parking lots, adding lighting, and providing local water sources) ✓ Requires little infrastructure or construction (e.g., primitive camping areas and trails)	Short-range (within the next 5 years)

Table 2-1. Growth Concepts Identified within the Master Plan

Growth Concept	Description	Characteristics	Timeframe
Moderate Growth	Improve existing assets and amenities and include modest growth to existing developed areas.	✓ Encompasses enhancement of existing assets ✓ Builds upon existing assets through identification of projects to expand existing amenities ✓ Several of these projects build upon the addition of low-density recreation opportunities (e.g., more developed camping areas, improved vehicular access, and construction of bridges, docks, and viewing platforms)	Mid-range (within the next 6 to 10 years)
High Growth	Improve existing assets and amenities, include modest growth to existing developed areas, and target new areas for development.	✓ Encompasses enhancement of existing assets and moderate growth ✓ Targets new areas for development of assets ✓ Several of these projects include the addition of new high-density recreation opportunities and major renovations to on-site facilities ✓ Projects would require an ample amount of funding, planning, and coordination including Infrastructure and access	Long-range (to occur 11 or more years into the future)

2.1.2 Screening Criteria

For an alternative to be considered viable, it must be compatible with the primary project missions of flood risk management, water quality control, and water supply. In addition, the alternative must meet management goal objectives and USACE-wide Environmental Operating Principles as described in Chapter 3 of the Master Plan. Based on these criteria, this EA considers the No Action Alternative (Section 2.2) and the Proposed Action Alternative (Section 2.3).

2.2 ALTERNATIVE 1: NO ACTION ALTERNATIVE

The No Action Alternative serves as a basis for comparison to the anticipated effects of the other action alternatives, and its inclusion in this EA is required by NEPA and CEQ regulations (40 CFR § 1502.14(d)). Under the No Action Alternative, the USACE would take no action and would not adopt the 2019 Master Plan. The operation and management of Jennings Randolph Lake would continue as outlined in the current 1997 Master Plan. No new land use classifications would occur and a framework for future development at Jennings Randolph Lake would not occur.

2.3 ALTERNATIVE 2: PROPOSED ACTION ALTERNATIVE (PREFERRED ALTERNATIVE)

Under Alternative 2, the USACE would implement the 2019 Master Plan and associated changes in land management in compliance with USACE regulations and guidance. This alternative would revise the land classifications to USACE standards and include resource objectives that reflect current and projected needs compatible with regional goals. Required changes associated with the Proposed Action include reclassifications of land, classification of the water surface, and adoption of new resource management and recreation objectives. Figure 2-1 depicts the proposed new land use classifications within the Master Plan. Table 2-2 quantifies the proposed land and water surface reclassifications and provides a description of the land use classification along with types of future projects that could occur within each land use classification, as applicable.

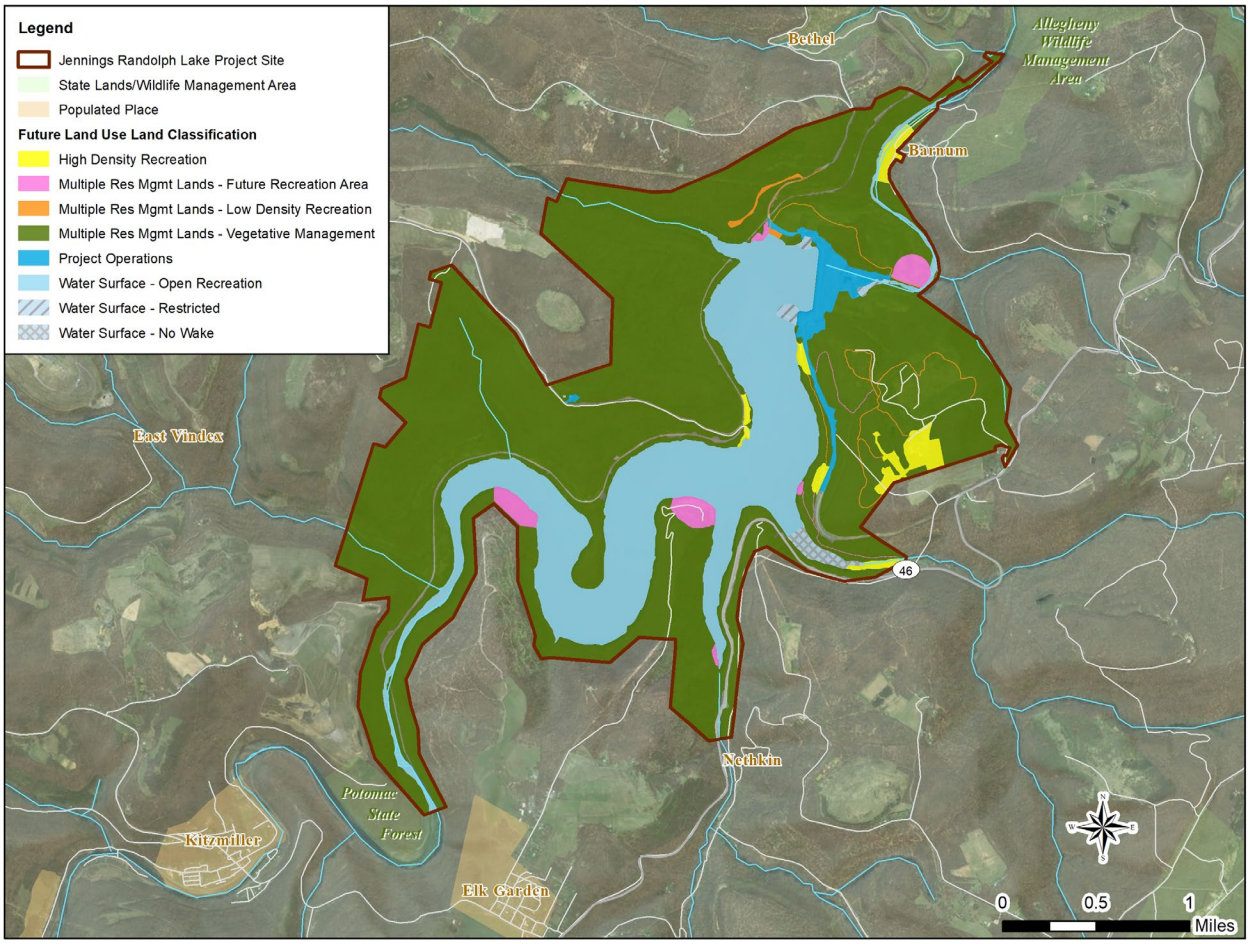

Figure 2-1. Proposed Jennings Randolph Master Plan Reclassification Map

Table 2-2. Proposed Changes to Land Use Classifications at Jennings Randolph Lake

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Project Operations	178	78	Lands are associated with the dam and spillway structures that are operated and maintained for fulfilling the flood risk management, water supply, and water storage missions of Jennings Randolph Lake. Although the mission-support areas of the project have not changed since the 1997 Master Plan, the land fitting the new criteria totals 78 acres (land providing direct support to the operations of the project's primary missions).
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Wildlife Management	1	0	This land use classification was considered in the 1997 Master Plan, however, is not being considered in the 2019 Master Plan. The vegetative management land use classification (below) includes wildlife management considerations.
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Water Surface			
Designated No-Wake	0	18	Designated No-Wake areas are intended to protect environmentally sensitive shorelines and improve boating safety near key recreational water access areas such as boat ramps. Designated No-Wake areas at Jennings Randolph Lake include areas surrounding the two boat ramps and are typically marked with standard U.S. Coast Guard regulatory buoys. This change reflects new classification criteria and no actual change in water use.
Restricted	0	12	Restricted water surface includes those areas where recreational boating is prohibited or restricted for project operations, safety,

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Classification	1997 Master Plan (acres)	2019 Master Plan (acres)	Description
			and security purposes. The Restricted water surface at Jennings Randolph Lake includes a small area around the dam and intake tower. Designated swimming beaches are also classified as Restricted water surface. These areas are normally marked with standard U.S. Coast Guard regulatory buoys stating that boats are excluded from the area. In some instances, physical barriers may be in place on the water. This change reflects new classification criteria and no actual change in water use. This area includes the vicinity of the intake tower and spillway.
Open Recreation Area	0	938	Open Recreation area includes all water surface areas available for year-round or seasonal water-based recreational use. This change reflects new classification criteria and no actual change in water use. This area includes all remaining water surface area outside of the restricted and No-Wake zones.

The Proposed Action would bring the Master Plan compliant with ER and EP 1130-2-550, and meet goals and objectives outlined in the Master Plan. Therefore, this alternative is the Preferred Alternative and will carry forward as the Proposed Action.

2.4 ALTERNATIVES ELIMINATED FROM FURTHER CONSIDERATION

The USACE initially considered other alternatives to the Proposed Action as part of the master planning charette process and the scoping process for this EA. However, none met the purpose of and need for the Proposed Action or the USACE regulations and guidance. Furthermore, no other alternatives addressed public concerns. As such, no other alternatives beyond the No Action and Preferred Alternative are being carried forward for analysis in this EA.

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CHAPTER 3 ENVIRONMENTAL SETTING AND CONSEQUENCES

3.1 INTRODUCTION

This Chapter describes the natural and human environments that exist at the project and the potential impacts of the No Action Alternative and Proposed Action (Preferred Alternative), outlined in Chapter 2. The description of baseline data sources and approach for analyzing impacts are discussed in Sections 3.1.1 and 3.1.2, respectively.

Several resources were determined not to be affected by the Proposed Action; therefore, a detailed analysis of these topics is not presented in this chapter. Section 3.1.3 provides a discussion of resources carried through for further analysis within the EA, and justification for those resources dismissed from further analysis.

3.1.1 Description of Baseline Data and Data Sources

The EA used the following types of data to characterize the affected environment of the project area:

- Geographical Information System (GIS), including waters and wetlands inventory, floodplain mapping, and vegetation
- Aerial photography: U.S. Department of Agriculture (USDA), National Agriculture Imagery Program
- Regional and local reports: including Natural Resources Conservation Service (NRCS) Soil Surveys and previous studies conducted at Jennings Randolph Lake (Garrett County, Maryland, and Mineral County, West Virginia)
- Agency databases including USFWS and the U.S. Environmental Protection Agency (USEPA)
- Information presented within the 2019 Master Plan
- Agency consultation

3.1.2 Approach for Analyzing Impacts

Impacts (consequence or effect) can be either beneficial or adverse and can be either directly related to the action or indirectly caused by the action. Direct effects are caused by the action and occur at the same time and place (40 CFR § 1508.8[a]). Indirect effects are caused by the action and are later in time or further removed in distance but are still reasonably foreseeable (40 CFR § 1508.8[b]). As discussed in this chapter, the alternatives may create temporary (less than 1 year), short-term (up to 3 years), long-term (3 to 10 years following the Master Plan), or permanent effects.

Whether an impact is significant depends on the context in which the impact occurs and the intensity of the impact (40 CFR § 1508.27). The context refers to the setting in which the impact occurs and may include society as a whole, the affected region, the affected interests, and the locality. Impacts on each resource can vary in degree or magnitude from a slightly noticeable change to a total change in the environment. This analysis classifies the intensity of impacts as beneficial, negligible, minor, moderate, or significant. The intensity thresholds are defined as follows:

- Beneficial – Impacts would improve or enhance the resource.
- Negligible – A resource would not be affected, or the effects would be at or below the level of detection, and changes would not be of any measurable or perceptible consequence.

- Minor – Effects on a resource would be detectable, although the effects would be localized, small, and of little consequence to the sustainability of the resource. Mitigation measures, if needed to offset adverse effects, would be simple and achievable.
- Moderate – Effects on a resource would be readily detectable, long-term, localized, and measurable. Mitigation measures, if needed to offset adverse effects, would be extensive and likely achievable.
- Significant – Effects on a resource would be obvious and long-term and would have substantial consequences on a regional scale. Mitigation measures to offset the adverse effects would be required and extensive, and success of the mitigation measures would not be guaranteed.

As stated in Section 1.3, Scope of the EA, the analysis focuses on the proposed land use classifications as presented in the Master Plan and the types of future development projects that could occur within each land use classification. Specific future projects contained within the Master Plan are qualitatively considered within this EA, as these projects are conceptual in nature. The USACE would conduct further NEPA analysis on projects identified within the Master Plan once funding is available and detailed planning and design occur. As illustrated in Table 2-1, these projects would occur within three periods: short-range (within the next 5 years); mid-range (within the next 6 to 10 years); and long-range (11 or more years into the future).

3.1.3 Level of Resource Area Analysis

All potentially relevant resource areas were initially considered for analysis in this EA. Consistent with NEPA implementing regulations and guidance, USACE focused the analysis on topics with the greatest potential for environmental impacts. This sliding-scale approach is consistent with NEPA (40 CFR 1502.2(b)), under which impacts, issues, and related regulatory requirements are investigated and addressed with a degree of effort commensurate with their importance. Some resource topics are limited in scope due to the lack of direct effect from the Proposed Action on the resource or because that resource is not located within the project area. For example, no body of water in the Jennings Randolph Lake watershed is designated as a federally wild or scenic river, so this resource will not be discussed. Table 3-1 provides justification for whether the EA carries a resource area through for detailed consideration.

In conducting this analysis, a qualified subject matter expert (SME) reviewed the potential direct and indirect effects of the No Action Alternative and the Proposed Action relative to each environmental resource. The SME carefully analyzed and considered the existing conditions of each resource area within the Proposed Action's region of influence (ROI). Through this analysis, it was determined that, for several resource areas, negligible adverse effects would occur. This included air quality, greenhouse gases and climate, noise, geology, groundwater, cultural resources, wild and scenic rivers, utilities, hazardous materials and waste, socioeconomics and environmental justice, and traffic and transportation (see Table 3-1).

Table 3-1. Environmental Resource Area Assessment Criteria and Level of Assessment

Resource Area	ROI	Thresholds of Significance	Dismissed from further Analysis?	Rationale for Level of Assessment
Air Quality	Cumberland-Keyser-Air Quality Control Region	Significant impacts to air quality would occur if the Proposed Action generated emissions that: • Exceed the general conformity rule *de minimis* (of minimal importance) threshold values; or • Contribute to a violation of any federal air regulation.	Yes	Jennings Randolph Lake is in an area meeting attainment for all criteria pollutants, and therefore, the General Conformity Rule does not apply (USEPA 2018). Changes to land use classifications under the Proposed Action would not affect air quality. Implementation of future master planning projects would generate temporary emissions from construction activities, including particulate matter and other criteria pollutants. Future development and increased recreational opportunities could also generate increased visitation and corresponding vehicle emissions. These increases, however, would be insignificant and would not affect air quality. Increases could also be offset by people travelling less distance to obtain recreational experiences previously not offered at the project. As a result, this resource area is not further discussed in this EA.

Table 3-1. Environmental Resource Area Assessment Criteria and Level of Assessment

Resource Area	ROI	Thresholds of Significance	Dismissed from further Analysis?	Rationale for Level of Assessment
Greenhouse Gases and Climate	Garrett County, Maryland, and Mineral County, West Virginia	Significant impacts to greenhouse gases would occur if the Proposed Action contributes to substantial greenhouse gas emissions and climate change.	Yes	Jennings Randolph Lake is in Climate Zone 5 with an average annual temperature of 47.5°F (U.S. Climate Data 2018). Changes to land use classifications under the Proposed Action would not affect greenhouse gas emissions or climate. Implementation of future master planning projects would generate temporary emissions from construction activities, including greenhouse gases. Future development and increased recreational opportunities could also generate increased visitation and corresponding greenhouse gas emissions from vehicles. These increases, however, would be insignificant to greenhouse gas levels and to climate change contribution. Increases in greenhouse gas emissions could also be offset by people travelling less distance to obtain recreational experiences previously not offered at the project. As a result, this resource area is not further discussed in this EA.
Geology and Topography	Geology and topography within and adjacent to (i.e., within 50 feet) master planning project footprints	Significant impacts would occur to geology and topography if the Proposed Action is located on a geologic unit or contains topography that is unstable, or would become unstable due to the project, potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.	Yes	The project area falls within the Allegheny Plateau physiographic province, which is a deeply dissected plateau generally characterized by steep slopes. Changes to land use classifications under the Proposed Action would not affect geology or topography. Construction activities associated with future development would not affect the geology and siting and design of future projects would consider the steep topography. As a result, this resource area is not further discussed in this EA.

Table 3-1. Environmental Resource Area Assessment Criteria and Level of Assessment

Resource Area	ROI	Thresholds of Significance	Dismissed from further Analysis?	Rationale for Level of Assessment
Water Resources	Watersheds, state-designated stream segments, wetlands, and groundwater aquifers associated with Jennings Randolph Lake	Significant impacts would occur to water resources if the Proposed Action: • Violates any water quality standards or waste discharge requirements; • Results in an excess sediment load in adjacent waters, affecting impaired resources; • Results in unpermitted direct impacts to waters of the United States; • Violates policies, regulations, and permits related to wetlands conservation and protection; • Substantially affects surface water drainage or stormwater runoff, including floodwater flows; or • Substantially affects groundwater quantity or quality.	No (surface water and wetlands) Yes (groundwater)	Jennings Randolph Lake is in the North Branch Potomac watershed, Hydrologic Unit Code, 02070002. Changes to land use classification and future master planning projects could have the potential to adversely impact surface waters and wetlands. As a result, these resources are further discussed in Section 3.2. Changes to land use classification and construction of future master planning projects are not anticipated to adversely affect the quality or availability of groundwater. Although future master planning projects include providing local sources of water to campgrounds and picnic areas and development of new amenities could increase the demand water, adverse effects to groundwater operations are anticipated to be less than significant. Assessment of water use (including potential groundwater sources) would be performed during detailed project-specific planning. Therefore, groundwater is not further discussed in this EA.
Soils	Soils within and adjacent to (i.e., within 50 feet) master planning project footprints	Significant impacts would occur to soils if the Proposed Action results in substantial soil erosion or topsoil loss.	No	Changes to land use classification and future master planning projects could affect soils susceptible to erosion and Prime Farmland soils. As a result, this resource area is further discussed in Section 3.3.

Table 3-1. Environmental Resource Area Assessment Criteria and Level of Assessment

Resource Area	ROI	Thresholds of Significance	Dismissed from further Analysis?	Rationale for Level of Assessment
Biological Resources	Biological resources within and adjacent to the Jennings Randolph Lake	Significant impacts would occur to biological resources if the Proposed Action causes: • Substantial and permanent conversion or net loss of habitat at the landscape scale; • Long-term loss or impairment of a substantial portion of local habitat (species-dependent); • Loss of populations of species; or • Unpermitted or unlawful "take" of species protected under the Endangered Species Act, the Bald and Golden Eagle Protection Act, or the Migratory Bird Treaty Act.	No	Changes to land use classification and future master planning projects have the potential to impact biological resources from loss of habitat and habitat degradation. As a result, this resource area is further discussed in Section 3.4.
Noise	Jennings Randolph Lake and adjacent lands	Significant noise impacts would occur if the Proposed Action: • Violates any federal, state, or local noise ordinance; • Creates incompatible land uses for areas with sensitive noise receptors outside the project area; or • Creates noise loud enough to threaten or harm human health.	Yes	Jennings Randolph Lake is in a physical setting characterized as rural. In rural areas most noise comes from transportation, and human and animal sources (Engineering Toolbox 2013). Changes to land use classifications under the Proposed Action would not change the existing noise environment. Construction of future master planning projects would produce temporary construction noise. Impacts to sensitive receptors (e.g. adjacent residences and campers) would be minimized as these activities would be restricted to the daytime and would be temporary in nature. Operational activities would be consistent with current noise levels. As a result, this resource area is not further discussed in this EA.

Table 3-1. Environmental Resource Area Assessment Criteria and Level of Assessment

Resource Area	ROI	Thresholds of Significance	Dismissed from further Analysis?	Rationale for Level of Assessment
Land Use and Recreation	Land use within and directly adjacent to Jennings Randolph Lake	Significant impacts would occur to land use and recreation if the Proposed Action: • Conflicts with applicable land use plans, policies, or regulation of an agency with jurisdiction over the project; • Conflicts with applicable habitat conservation plan or natural community conservation plan; or • Diminishes existing recreational opportunities.	No	As the Proposed Action implements changes to land use classifications and identifies future recreational projects within and adjacent to Jennings Randolph Lake, these resource areas are further discussed in Section 3.5.
Cultural Resources	Cultural resources within and adjacent to (i.e., within 50 feet) master planning project footprints	Significant impacts to cultural resources would occur if the Proposed Action: • Causes substantial adverse change in the significance of historical or archaeological resources as defined in the NHPA; or • Disturbs any human remains, including those buried outside of formal cemeteries.	Yes	There are no known historic structures or archaeological sites in the project boundary that are eligible for or listed on the National Register of Historic Places (NRHP). Structures present before the project were razed as part of dam construction, and past strip-mining activities have disturbed archaeological sites in the area (USACE 2001). The area, at the time of European contact, was inhabited by the Susquehannock or the Monacan Native American groups. Per the facility's Integrated Cultural Resources Management Plan, if any human remains or cultural items are found within or adjacent to Jennings Randolph Lake that may be demonstrably related to one of the recognized tribal entities, then Public Law 101-601, The Native American Grave Protection and Repatriation Act, would be implemented and the affected group would be contacted (USACE 2001). As a result, this resource area is not further discussed in this EA.

Table 3-1. Environmental Resource Area Assessment Criteria and Level of Assessment

Resource Area	ROI	Thresholds of Significance	Dismissed from further Analysis?	Rationale for Level of Assessment
Utilities	Utilities within and near the Jennings Randolph Lake	A significant impact would occur if the Proposed Action were to result in a substantial increase in any utility consumption to the extent that generation capacity is exceeded, based on currently available projections, or unacceptable demands are placed on infrastructure supply and distribution systems.	Yes	Changes to land use classifications under the Proposed Action would not affect utilities. Future master planning projects include providing water and electricity to campgrounds and picnic areas, which would result in an increased demand for utilities. Overall demand on utilities from future master planning projects, however, are anticipated to be less than significant. An assessment of utilities would be performed during detailed project-specific planning. Therefore, utilities are not further discussed in this EA.
Hazardous Materials and Wastes	Areas within and adjacent to (i.e., within 50 feet) of master planning project footprints	A significant impact would occur if the project were to create a significant hazard to the public or the environment through release of hazardous materials into the environment.	Yes	No known contaminated sites occur at Jennings Randolph Lake (USEPA 2018). Changes to land use classifications under the Proposed Action would not affect hazardous materials and wastes. Construction-related debris from future master planning projects would be managed, disposed, and recycled in accordance with state and federal requirements. Future development and related increased visitation could result in corresponding minor increases of waste generation, however, any waste generated during operations would be comparable to existing types generated and would be properly managed in accordance with state, and federal requirements. As a result, this resource area is not further discussed in this EA.

Table 3-1. Environmental Resource Area Assessment Criteria and Level of Assessment

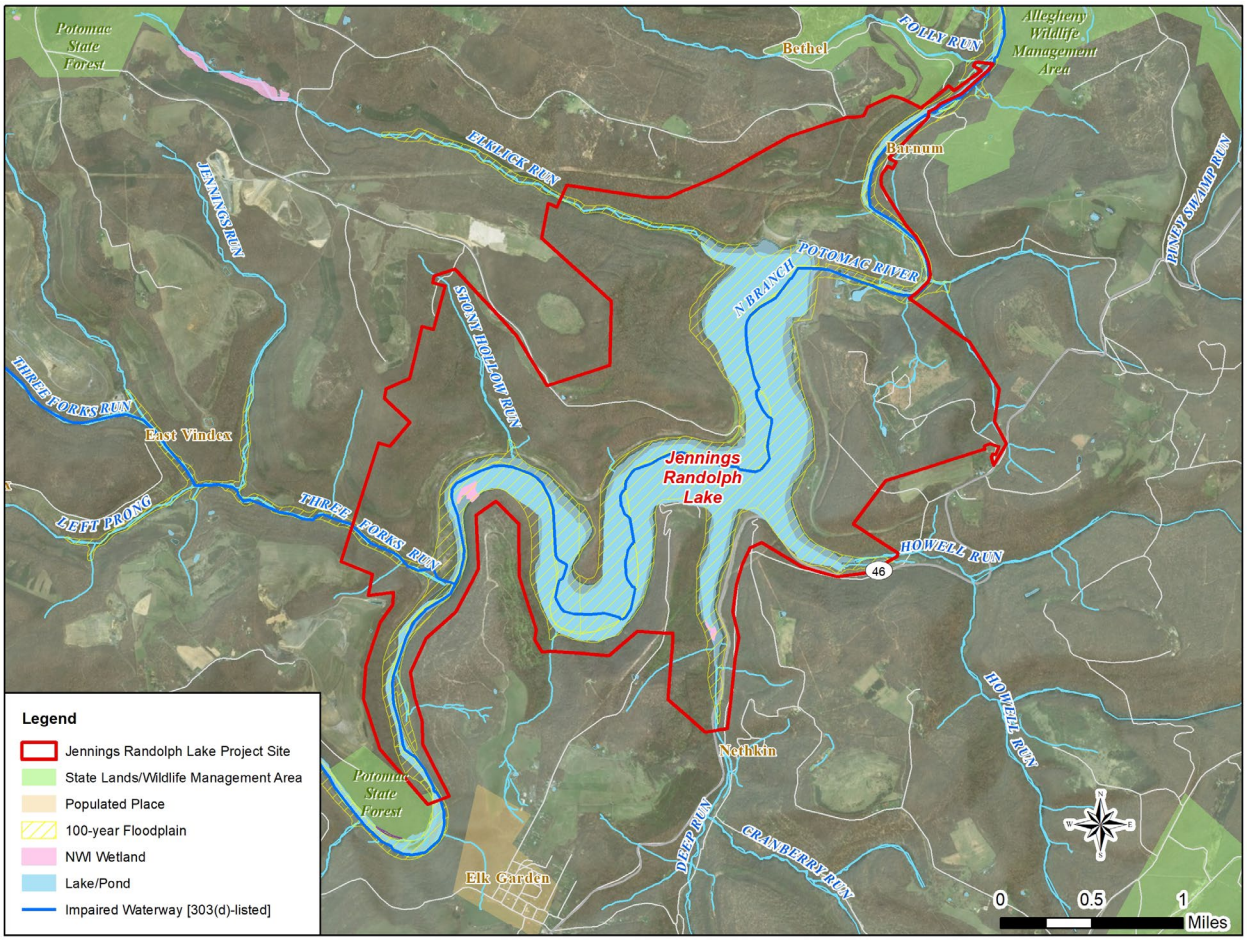
Resource Area	ROI	Thresholds of Significance	Dismissed from further Analysis?	Rationale for Level of Assessment
Socio-economics and Environmental Justice	Areas within Jennings Randolph Lake and immediate surrounding communities and counties	Significant impacts to socioeconomics and environmental justice would occur if the Proposed Action: • Causes substantial change to the sales volume, income, employment or population of the surrounding ROI; • Displaces substantial numbers of existing housing units or people, necessitating the construction of replacement housing elsewhere; • Causes disproportionate adverse economic, social, or health impacts on minority or low-income populations; or • Causes disproportionate health or safety risk to children.	Yes	The Proposed Action would not result in any appreciable effects to the local or regional socioeconomic environment. Changes to land use classification would have no impact on socioeconomics or environmental justice. Construction of future master planning projects would have minor beneficial effects associated with temporary employment of construction personnel and transportation of goods and materials to the construction sites. There would be no effects on environmental justice since the Proposed Action would be located within federal lands and projects would benefit local residences by enhancing recreational opportunities. Potential effects from construction and operation of future master planning projects would not result in disproportionate adverse environmental or health effects on low-income or minority populations or children. As a result, socioeconomics and environmental justice are not discussed further in this EA.
Traffic and Transportation	Public roadways and key access points within and near Jennings Randolph Lake	Significant impacts to traffic and transportation would occur if Proposed Action: • Causes an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; • Substantially increases hazards due to a design feature; • Noticeably hinder emergency access; or • Overwhelm existing parking capacity.	Yes	Changes to land use classification would have no impact on traffic and transportation. Future master planning projects would result in temporary increased truck traffic during construction to haul materials and wastes to and from the construction sites. Road closures, if applicable, would be limited during construction. Future development and increased recreational opportunities could generate increased visitation and corresponding increased traffic and parking demand, however, increases would be negligible and existing infrastructure would be sufficient to handle any increases. As a result, traffic and transportation are dismissed from this EA.

3.2 WATER RESOURCES

3.2.1 Affected Environment

3.2.1.1 Surface Waters and Wetlands

Jennings Randolph Lake is in the North Branch Potomac River watershed, which covers approximately 230 square miles. The watershed is predominantly forested land use, followed by agricultural, mining and residential. Figure 3.2-1 shows the location of surface water and wetlands within the project.



Source: USFWS 2007, 2018a; FEMA 2013a, 2013b; USGS 2018; USDA-FSA 2017.

Figure 3.2-1. Surface Waters and Wetland Resources at Jennings Randolph Lake

Jennings Randolph Lake is the predominant surface water feature within the project (see Section 3.2.1.2 regarding water quality and use designations). Numerous tributaries flow into the lake. The primary tributaries include the North Branch Potomac River, Three Forks Run, Stony Hollow Run, Elklick Run, Howell Run, Deep Run, and several unnamed minor tributaries. No designated wild and scenic rivers are located at or near Jennings Randolph Lake.

The presence of wetlands within project lands is limited due to the steep terrain. Wetlands are restricted to relatively flat, low-lying areas along the lake at the mouths of tributary streams and have also become established directly downstream of the dam as a result of the dam construction and incidental seepage and runoff. There are fifteen wetlands on the project lands totaling approximately 10 acres or approximately 0.2 percent of the project's land area (USACE 2018b).

Wetlands are protected under Section 404 of the Clean Water Act and EO 11990 Protection of Wetlands. In accordance with the Clean Water Act, disturbance to, or filling in, of potential wetlands at the project are avoided to the highest degree possible, but if necessary, the USACE Regulatory Branch is consulted for jurisdictional determination and possible permitting for wetlands disturbance.

3.2.1.2 Water Quality

Since the early 1900's, the region has been strip-mined for bituminous coal, resulting in wide-ranging environmental impacts. This activity has created continuous problems of erosion, sedimentation, and acid mine drainage (AMD), thereby degrading river water quality. For many years, the North Branch Potomac River suffered from high acid content, the result of drainage from old, abandoned coal mines and poorly treated wastes from cities, towns, and industries. The major characteristics of AMD are the presence of sulfuric acid, heavy metals, and high dissolved solids (USACE 1997).

One of the primary purposes of the Jennings Randolph Lake is to provide water quality control in the river downstream of the dam. The regulation of Jennings Randolph Lake for water quality improvement provides numerous benefits to both the in-lake and downstream environment and water users. This regulation produces uniform water quality downstream by eliminating extreme variations in pH and acidity. The impoundment traps and stores sediments and precipitates, allowing better quality water to be released, although the quality is no better than the long-term average quality of the existing river (USACE 1997). Jennings Randolph Lake is a recipient of AMD from numerous tributaries that drain directly to the lake and from tributaries well upstream of the lake (in both Maryland and West Virginia). Although the lake was designed to manage an expected acidic layer, data show that acidic stratification did not occur. The lowest pH levels in the lake are rarely acidic and water quality below the dam is good enough to support a trout hatchery in the tailwaters of the dam. As AMD is managed upstream of the lake, pH levels should continue to improve, helping to increase productivity and support designated use for fishing (MDE 2018).

The Clean Water Act requires that states report on water quality of their waters. Through ambient water quality monitoring, states determine if a waterbody satisfies the water quality criteria associated with each state's designated uses. Section 401 of the Clean Water Act requires applicants of a federal license or permit provide a certification that any discharges from the facility would comply with the act, including state-established water quality standard requirements. When a state-defined designated use is not met or supported by the waterbody, it is deemed impaired. Designated uses are defined on a state-by-state basis and documented according to the reporting requirements of Clean Water Act Sections 303 and 305. Table 3.2-1 contains information on impaired waters within the project area. This includes the Upper North Branch Potomac River, Jennings Randolph Reservoir (Lake), and Three Forks Run (see Figure 3.2-1 for locations).

Table 3.2-1. Impaired Waterbodies at Jennings Randolph Lake

Waterbody	Designated Use/Criteria Affected	Impairment	Cause
Upper North Branch Potomac River	Aquatic Life and Wildlife	Sulfates	Acid Mine Drainage
Jennings Randolph Reservoir	Fishing Impoundments	Mercury in Fish Tissue	Atmospheric Deposition
Three Forks Run	Conditions Not Allowable - Biological	Iron (trout)	Unknown

Source: MDE 2018; WVDEP 2016

3.2.1.3 Floodplains

Floodplains are areas of land adjacent to rivers and streams that convey overflows during flood events. The Federal Emergency Management Agency (FEMA) defines a floodplain as being any land area susceptible

to being inundated by water from any source (FEMA 2017). FEMA prepares Flood Insurance Rate Maps (FIRMs) that delineate flood hazard areas, such as floodplains, for communities. These maps are used to administer floodplain regulations and to reduce flood damage. Typically, these maps indicate the locations of 100-year floodplains, which are areas with a 1 percent chance of flooding occurring in any single year. EO 11988, Floodplain Management, states that actions by federal agencies are to avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplain development wherever there is a practicable alternative.

The National Flood Insurance Program (NFIP) requires local jurisdictions to issue permits for all development in the 100-year floodplain, as depicted on maps issued by FEMA. Development is broadly defined to include any man-made change to land, including grading, filling, clearing, dredging, extraction, storage, subdivision of land, and construction and improvement of structures and buildings. For any development to take place, all necessary permits must be obtained, which may include federal and state permits, as well as the local permit. To be properly permitted, proposed development may not increase flooding or create a dangerous situation during flooding, especially on another person's property. If a structure is involved, it must be constructed to minimize damage during flooding.

The Water and Science Administration of the Maryland Department of Environment acts as the Coordinating Office for the NFIP in Maryland and is responsible for issuing floodplain development permits. The West Virginia Division of Homeland Security and Emergency Management is responsible for issuing floodplain development permits in West Virginia.

Figure 3.2-1 shows the locations of the 100-year floodplain for Jennings Randolph Lake. Floodplains are primarily restricted to the immediate shores of Jennings Randolph Lake and at the confluences of Three Forks Run, Elklick Run, Howell Run, and Deep Run. FEMA classifies this area as Zone A (no base flood elevations determined).

3.2.2 No Action – Environmental Consequences

Under the No Action Alternative, USACE would not implement the 2019 Master Plan and no new land use classifications or future development projects contained within the proposed Master Plan would occur. The operation and management of Jennings Randolph Lake and USACE lands would continue as outlined in the 1997 Master Plan. Although this alternative does not result in a Master Plan that meets current regulations and guidance, there would be no significant impacts to water resources on project lands.

3.2.3 Proposed Action – Environmental Consequences

The reclassifications required for the Proposed Action would result in negligible to minor adverse and beneficial water resource impacts. Table 3.2-2 summarizes potential effects to surface waters and wetlands based on the proposed changes to land use classifications.

Table 3.2-2. Potential Water Resource Impacts from Changes to Land Use Classifications

Classification	1997 Master Plan (acres)	2019 Master Plan (acres)	Potential for Impact
Project Operations	178	78	**No impact**. This land use reclassification would designate lands associated with the direct support for flood control operations, including dam and spillway structures. This includes a net reduction of 100 acres. No new projects are proposed within this land use.

Table 3.2-2. Potential Water Resource Impacts from Changes to Land Use Classifications

Classification	1997 Master Plan (acres)	2019 Master Plan (acres)	Potential for Impact
High-Density Recreation	450	74	**Minor impact**. This land use reclassification recognizes lands currently developed for intensive recreational activities. This includes a net reduction of 376 acres from the 1997 Master Plan. Future projects would occur within and adjacent to existing developed and intensively used areas, specifically to support recreation. No surface water or wetland resources are located within this land use classification, however, use within these areas could indirectly affect surface water quality through erosion and sedimentation or increased runoff due to increased impervious surface. Additionally, approximately 25.1 acres of floodplain exists primarily along the shores of Jennings Randolph Lake. Potential impacts, however, would be concentrated within high-density recreation areas and offset by the reduction of 376 acres of high-density recreation. Construction and operations of future master planning projects would use best management practices (BMPs) associated with prevention of erosion and control of stormwater runoff. This includes obtaining a National Pollution Discharge Elimination System (NDPES) permit for projects involving 5,000 square feet or more and 100 cubic yards or more disturbance (Maryland) or 1 acre or greater (West Virginia). Surface waters and wetlands, if present, would be avoided or permitted through the Section 404 process. USACE would consider the presence of the 100-year floodplain in design and siting future master planning projects within floodplain areas.
Multiple Resource Management Land			
Low-Density Recreation	3,357	22	**Negligible impact**. This land use reclassification focuses on areas suitable for supporting low-impact and passive recreational opportunities such as bank fishing, hiking, wildlife viewing, and for access to the shoreline. The new land use classification criteria exclude vegetation and wildlife management areas, with a net reduction of 3,335 acres. Future projects would have negligible impacts on water resources, primarily resulting from potential minor erosion due to trail use, use of primitive hike-in and boat-in camping areas, and access to shoreline areas. Designated trails and shoreline access points, however, would reduce erosion elsewhere at the project by establishing additional designated access points. Construction and operations of future master planning projects would use BMPs associated with prevention of erosion. Siting of hiking trails and shoreline access points would avoid disturbance to surface waters and wetlands. Any unavoidable impacts would be permitted through the Section 404 process.
Wildlife Management	1	0	**No impact.** This land use classification was considered in the 1997 Master Plan, however, is not being considered in the 2019 Master Plan. No impacts to water resources would occur from loss of this land use classification.
Vegetative Management	0	2,782	**No Impact**. This land use reclassification was not considered in the 1997 Master Plan and includes 2,782 acres of ecosystem-based management designated for stewardship of forest, prairie, and other native vegetative cover. No direct impacts to water resources would occur, however, reclassification of portions of land use previously designated for project operations and

Table 3.2-2. Potential Water Resource Impacts from Changes to Land Use Classifications

Classification	1997 Master Plan (acres)	2019 Master Plan (acres)	Potential for Impact
			recreation could indirectly benefit water resources by restricting types of activities within this land use.
Future Recreation Area	0	65	**Minor Impact.** This land use reclassification was not considered in the 1997 Master Plan and includes 65 acres that either have site characteristics compatible with potential future development or are currently closed recreation areas. No surface water or wetland resources are located within this land use classification, however, approximately 17.4 acres of floodplain exists primarily along the shores of Jennings Randolph Lake associated with Peninsula B, Hogback Ridge, and the Deep Run Fishing Access project. Construction and operations of future master planning projects would use BMPs associated with prevention of erosion and control of stormwater runoff. This includes obtaining a NPDES permit for projects involving 5,000 square feet or more and 100 cubic yards or more disturbance (Maryland) or 1 acre or greater (West Virginia). USACE would consider the presence of the 100-year floodplain in design and siting future master planning projects within floodplain areas.
Water Surface			
Designated No-Wake	0	18	**Beneficial Impact.** Designated No-Wake areas would protect environmentally sensitive shorelines and prevent shoreline degradation and erosion from boat traffic.
Restricted	0	12	**No Impact.** Restricted water surface includes those areas where recreational boating is prohibited or restricted for project operations, safety, and security purposes. No impacts to water resources would occur.
Open Recreation Area	0	938	**No Impact.** Open Recreation areas include all water surface areas available for year-round or seasonal water-based recreational use. This change reflects new classification criteria and no actual change in water use, therefore, no impact would occur.

3.3 SOILS

3.3.1 Affected Environment

According to the soil survey for Garrett County, Maryland, soils within the Maryland side of the Project are mapped as relatively steep sloped Dekalb and Gilpin very stony loams (DgC and DgD), the relatively steep Cookport and Ernest very stony silt loam, 8 to 25 percent slope (CuD) and stony land, steep (SrF). These soils are very stony, on moderate to steep slopes, are moderately well drained, and vary in depth to bedrock from 1.5 to 3.5 feet (NRCS 2007a). Similar soils are found on the West Virginia side of Jennings Randolph Lake (NRCS 2007b).

Prime Farmland

The President and Congress enacted the Farmland Protection Policy Act of 1981 to minimize the extent to which federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses (Public Law 97-98). Prime farmland is defined by the NRCS as "having the best combination of chemical and physical characteristics for producing food, feed, forage, fiber, and oilseed

crops and is also available for these uses" (NRCS 2018). Undeveloped land with high crop production potential may be classified as "prime farmland."

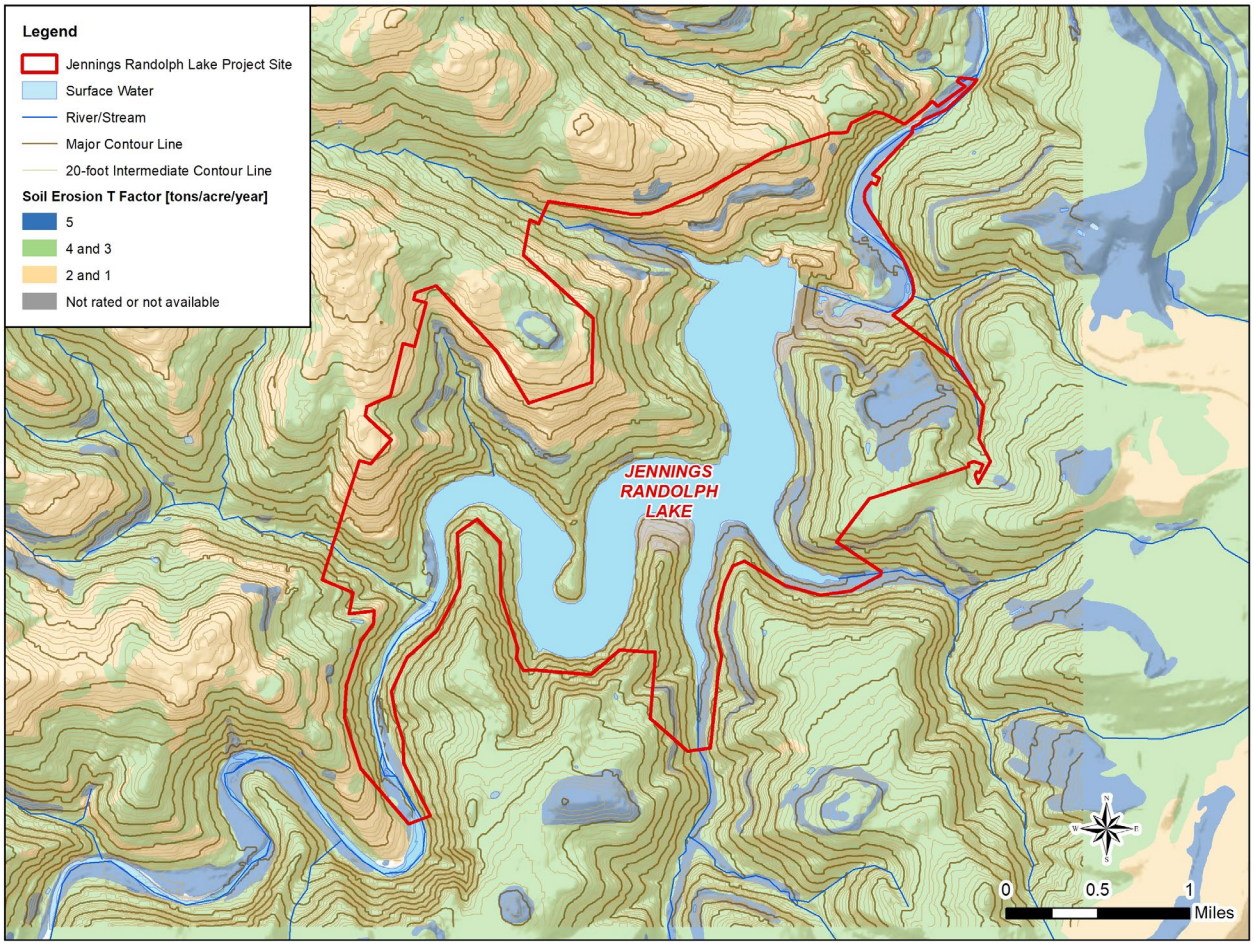
NRCS designates the following four soil units, totaling 63.4 acres, as Prime Farmland at Jennings Randolph Lake (Source: NRCS 2007a, 2007b):

- Allegheny fine sandy loam, 0 to 8 percent (AhB)
- Gilpin silt loam, 3 to 8 percent slopes (GlB)
- Pope silt loam (Ps)

Soil Erosion

Soil erosion is a factor at Jennings Randolph Lake due to the steep topography. Soil particles and organic matter can become detached from the soil column by the impact of rain water, and the steep topography can result in erosion. The force of wind can also contribute to the potential for soil erosion. At the moment soil particles become suspended in the runoff or in the air, soil changes from being a natural resource supporting plant growth to being a pollutant – sediment or dust. The EA considers two soil classifications (discussed below) used by the NRCS to determine erosion potential at Jennings Randolph Lake. Areas of existing soil erosion problems are outlined in the Master Plan.

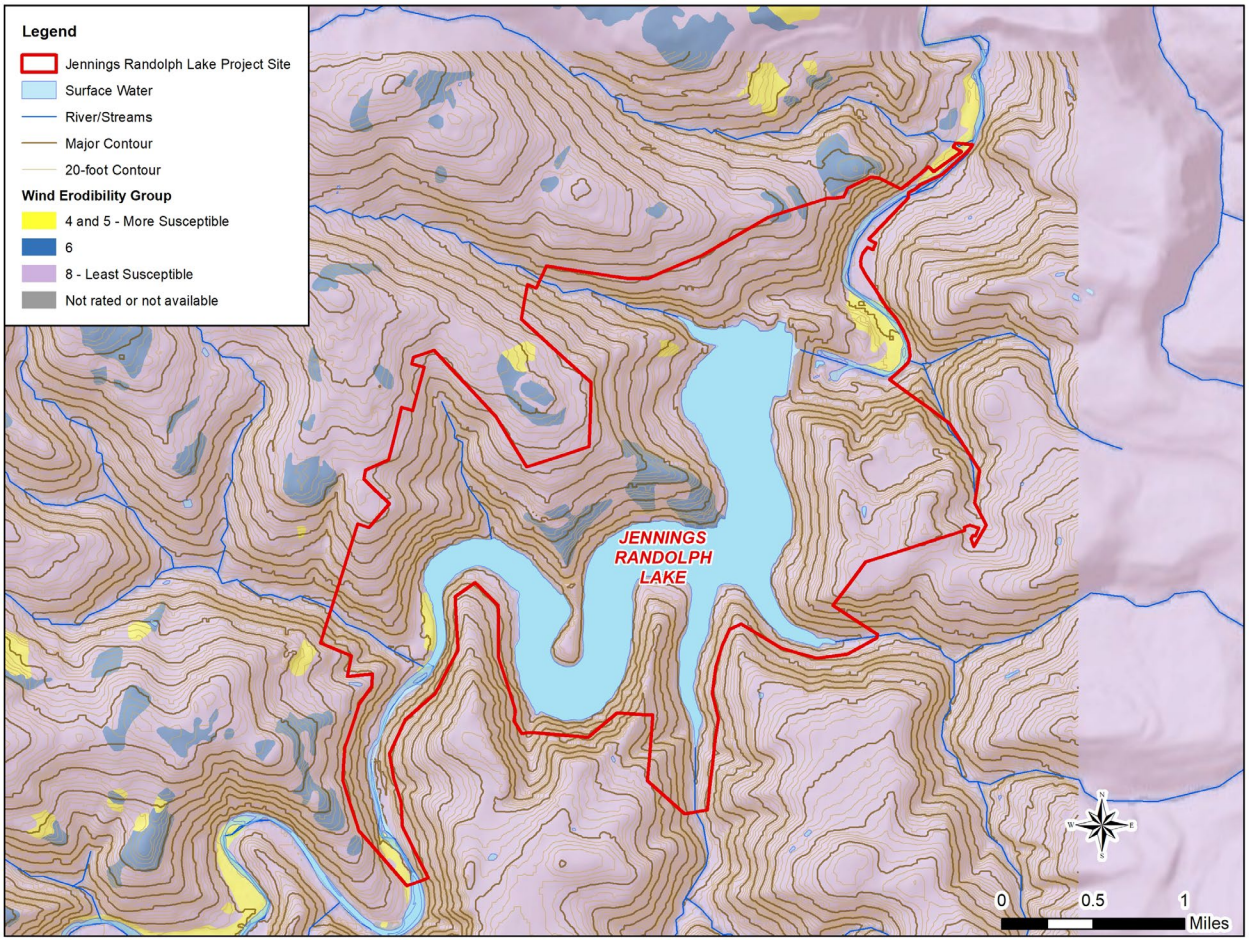
Erosion T Factor is an estimate of the maximum average annual rate of soil erosion by wind or water that can occur on a soil unit without affecting crop productivity (e.g., vegetation growth and cover) over a sustained period. The rate is in tons per acre per year (T/A/Y). A soil with a T Factor rating of 5 T/A/Y can tolerate 5 times as much erosion without a loss in productivity compared to a soil with a T Factor rating of 1 T/A/Y. While crops are not growing at Jennings Randolph Lake, erosion T Factor is a good indicator of the overall soil erosion tolerance, and of the effect of erosion on a soil's ability to support plant growth, and can be used for understanding the various soil units' capacity for supporting plant growth following disturbance. As shown in Figure 3.3-1, much of the project is classified by a 4 or 3 erosion T Factor, meaning the soils are moderately resilient to erosion. Areas classified with a 2 or 1 T Factor are most susceptible to erosion following a disturbance and are found along the West Virginia side of the project associated with the steep terrain.



Source: NRCS 2007a, 2007b

Figure 3.3-1. Soil Erosion Potential Considering T Factor

Wind Erodibility Groups (Figure 3.3-2) are also used to determine erosion potential. Wind erodibility groups are assigned to soils based on their inherent susceptibility to wind erosion based on soil properties, primarily soil texture and structure. The group scale runs from Group 1 (being the most susceptible) to Group 8 (being the least susceptible). As shown on Figure 3.3-2, most of Jennings Randolph Lake is characterized by wind erodibility Group 8, being least susceptible to wind erosion.



Source: NRCS 2007a, 2007b

Figure 3.3-2. Soil Erosion Potential Considering Wind Erodibility Groups

3.3.2 No Action – Environmental Consequences

Under the No Action Alternative, USACE would not implement the 2019 Master Plan and no new land use classifications or future development projects contained within the proposed Master Plan would occur. The operation and management of Jennings Randolph Lake and USACE lands would continue as outlined in the 1997 Master Plan. Although this alternative does not result in a Master Plan that meets current regulations and guidance, there would be no significant impacts to soil resources on project lands.

3.3.3 Proposed Action – Environmental Consequences

The reclassifications required for the Proposed Action would result in negligible to potentially moderate adverse and beneficial soil resource impacts. Table 3.3-1 summarizes potential effects to soil resources based on the proposed changes to land use classifications.

Table 3.3-1. Potential Soil Impacts from Changes to Land Use Classifications

Classification	1997 Master Plan (acres)	2019 Master Plan (acres)	Potential for Impact
Project Operations	178	78	**No impact**. This land use reclassification would designate lands associated with the direct support for flood control operations, including dam and spillway structures. This includes a net reduction of 100 acres. No new projects are proposed within this land use.
High-Density Recreation	450	74	**Minor impact**. This land use reclassification recognizes lands currently developed for intensive recreational activities. This includes a net reduction of 376 acres from the 1997 Master Plan. Future projects would occur within and adjacent to existing developed and intensively used areas, specifically to support recreation. Use within these areas could directly impact soils through compaction and increased erosion potential due to recreational use and loss of soils from future development projects. Approximately 32.7 acres are highly susceptible to erosion based on the T Factor. Potential impacts, however, would be concentrated within high-density recreation areas and offset by the reduction of 376 acres of high-density recreation. Besides erosive soils, approximately 1.2 acres of Prime Farmland soil occurs within this land use classification, which could be lost from development or expansion of recreational amenities. This loss, however, would be less than significant and offset by the overall reduction of acres designated for high-density recreation and project operations. Construction and operations of future master planning projects would use BMPs associated with prevention and control of erosion. USACE would consider the potential for erosion and occurrence of Prime Farmland soils in design and siting future master planning projects.
Multiple Resource Management Land			
Low-Density Recreation	3,357	22	**Minor impact**. This land use reclassification focuses on areas suitable for supporting low-impact and passive recreational opportunities such as bank fishing, hiking, wildlife viewing, and for access to the shoreline. The new land use classification criteria exclude vegetation and wildlife management areas, with a net reduction of 3,335 acres. Future projects would have minor impacts on soil resources, primarily resulting from potential minor erosion due to trail use, use of primitive hike-in and boat-in camping areas, and access to shoreline areas. Designated trails and shoreline access points, however, would reduce erosion elsewhere at the project by establishing additional designated access points. Construction and operations of future master planning projects would use BMPs associated with prevention of erosion.
Wildlife Management	1	0	**No impact.** This land use classification was considered in the 1997 Master Plan, however, is not being considered in the 2019 Master Plan. No impacts to soil resources would occur from loss of this land use classification.
Vegetative Management	0	2,782	**Beneficial Impact**. This land use reclassification was not considered in the 1997 Master Plan and includes 2,782 acres of ecosystem-based management designated for stewardship of forest, prairie, and other native vegetative cover. Beneficial impacts to soil resources would occur as reclassification of portions of land use previously designated for project operations

Table 3.3-1. Potential Soil Impacts from Changes to Land Use Classifications

Classification	1997 Master Plan (acres)	2019 Master Plan (acres)	Potential for Impact
			and recreation would be classified for vegetation management serving as a protective cover for soils.
Future Recreation Area	0	65	**Minor to Moderate Impact.** This land use reclassification was not considered in the 1997 Master Plan and includes 65 acres that either have site characteristics compatible with potential future development or are currently closed recreation areas. Future projects within this area could directly impact soils through compaction and increased erosion potential due to recreational use, and loss of soils from development of future projects. Approximately 11.4 acres of soil are classified as moderately susceptible to wind erosion and 0.2 acres as highly susceptible to erosion based on the T Factor. Besides erosive soils, approximately 3.2 acres of Prime Farmland soil occurs within this land use classification, which could be lost from development of recreational amenities. This loss, however, would not be significant and would be offset by the overall reduction of acres designated for high-density recreation and project operations. Construction and operations of future master planning projects would use BMPs associated with prevention and control of erosion. USACE would consider the potential for erosion and occurrence of Prime Farmland soils in design and siting future master planning projects.
Water Surface			
Designated No-Wake	0	18	**Beneficial Impact.** Designated No-Wake areas would protect environmentally sensitive shorelines and prevent shoreline erosion from boat traffic.
Restricted	0	12	**No Impact.** Restricted water surface includes those areas where recreational boating is prohibited or restricted for project operations, safety, and security purposes. No impacts to soil resources would occur.
Open Recreation Area	0	938	**No Impact.** Open Recreation areas include all water surface areas available for year-round or seasonal water-based recreational use. No impacts to soil resources would occur.

3.4 BIOLOGICAL RESOURCES

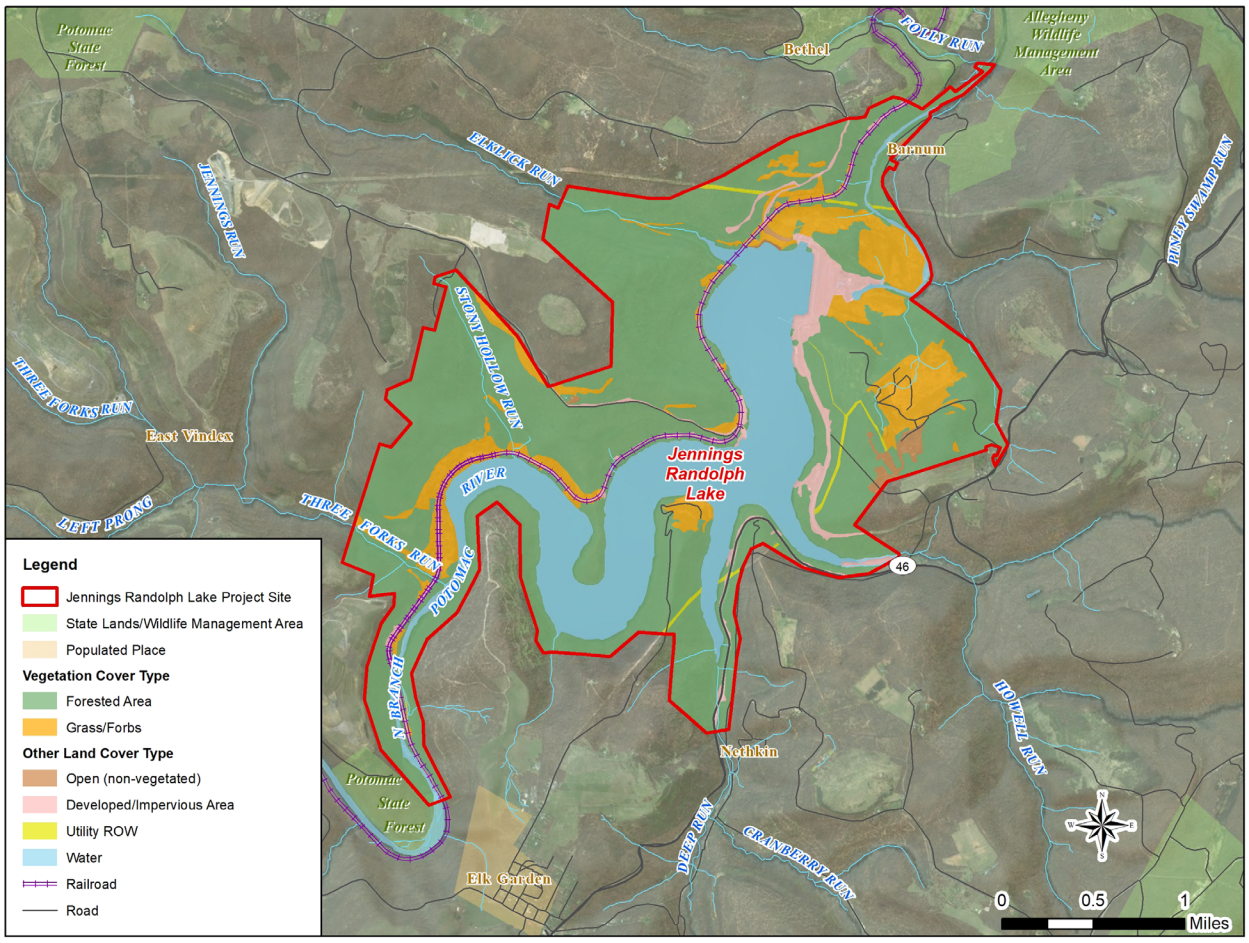
3.4.1 Affected Environment

3.4.1.1 Vegetation

Jennings Randolph Lake is in Ecoregion 69 (Central Appalachians), which includes parts of south-central Pennsylvania, eastern West Virginia, western Maryland, and southwestern Virginia. This ecoregion is influenced by higher elevations with a shorter growing season, greater amounts of rainfall, and extensive forest cover. In lower, less rugged areas, more dairy and livestock farms occur, but they are still interspersed with woodland. Specifically, the project is in Ecoregion 69b (Uplands and Valleys of Mixed Land Use) which is characterized by a mosaic of woodland and agriculture. Historically, the natural vegetation within this region was primarily Appalachian Oak Forest dominated by white oak (*Quercus alba*) and red oak (*Quercus rubra*) and Mixed Mesophytic Forest. Scattered glades composed of sphagnum moss, black spruce (*Picea mariana*), and tamarack (*Larix laricina*) also occurred. Today, about 60-70 percent of the ecoregion is forested in evergreen tree plantations or reverting to woodland. The remaining land primarily consists of dairy farming and livestock raising (USEPA 2009).

Figure 3.4-1 shows the distribution of forested versus grassland communities at the project. Approximately 80 percent of the land cover on the project property is deciduous forest. The most common species are American basswood (*Tilia Americana*), tulip poplar (*Liriodendron tulipfera*), sugar and red maple (*Acer saccarinum and Acer rubrum*), and red, white, and chestnut oaks (*Quercus rubra, Quercus alba and Quercus montana*). Some vegetation species unique to the Mid-Atlantic Region, like black maple (*Acer nigrum*), smooth azalea (*Rhododendron aborescens*), winterberry (*Ilex verticillata*), redbud (*Cercis canadensis*), great Solomon seal (*Polygonatum biflorum*), black ash (*Fraxinus nigra*), burning bush (*Euonymus alatus*), serviceberry (*Amelanchier arborea*), and flowering dogwood (*Cornus florida*), are also found on the project lands. The forest resources at the project are not particularly well suited to timber production due primarily to steep slopes and potential aesthetic impacts. The forest management program is aimed at protecting and enhancing forest lands for wildlife (USACE 1997).

Herbaceous rangeland comprises the remaining 20 percent of the terrestrial habitat of the project lands. Grasses and forbs predominate, but shrub/brush vegetation also occurs. Species found within this habitat are tulip poplar, black locust (*Robinia pseudoacacia*), fire cherry (*Prunus pensylvanica*), blackberry (*Rubus fruticosus*), sweet clover (*Melilotus officinalis*), thistle (*Silybum marianum*), and crown vetch (*Securigera varia*). Many wildflowers are also found in the area, including snow trillium (*Trillium nivale*), jack-in-the-pulpit (*Arisaema triphyllum*), violets (*Viola sp.*), painted trillium (*Trillium undulatum*), and fireweed (*Chamaenerion angustifolium*) (USACE 1997).



Source: JRLP 2007

Figure 3.4-1. Vegetation Communities at Jennings Randolph Lake

3.4.1.2 Wildlife and Fisheries

The common species of mammals at Jennings Randolph Lake are white-tailed deer (*Odocoileus virginianus*), black bears (*Ursus americanus*), gray, red, flying and fox squirrels (*Sciurus carolinensis, Tamiasciurus hudsonicus, Glaucomys Volans, Sciurus niger*), gray and red foxes (*Urocyon conereoargenteus, Vulpes vulpes*), skunks (*Mephitis sp.*), raccoons (*Procyon lotor*), opossums (*Didelphis virginiana*), ground hogs, (*Marmota monax*) bobcats (*Lynx rufus*), and cottontail rabbits (*Sylvilagus floridanus*). Beaver (*Castor canadensis*), mink (*Neovison vison*), and muskrats (*Ondatra zibethicus*) are attempting to inhabit the reservoir but are finding the often-radical fluctuations of the pool to be a major obstacle. They have, however, found no problems inhabiting the tributaries leading into the reservoir (USACE 1997). Bat species are also present in the region.

Birds such as woodcock (*Scolopax sp.)*, grouse (*Tetraoninae sp.*), and a variety of songbirds inhabit the area. Bald eagles (*Haliaeetus leucocephalus*) breed at Jennings Randolph Lake (USACE 1997).

Fish populations have been increasing due to improvements in regional water quality. Both upstream and downstream, the fish population, especially trout, is plentiful. The water release from the dam remains cold all summer, so the river can support a trout fishery year-round. The tailwater area of the dam is also stocked with several thousand trout annually. In addition to stocked trout, the downstream area of North Branch Potomac River also supports natural reproduction of wild brook trout (*Salvelinus fontinalis*) and brown trout (*Salmo trutta*) as well as some small quantities of rainbow trout (*Oncorhynchus mykiss*). Other fish species also inhabit the lake and river, including small mouth bass (*Micropterus dolomieu*), lake trout (*Salmonidae namaycush*), white sucker (*Catostomus commersonii*), and walleye (*Sander vitreus*) (USACE 1997).

3.4.1.3 Species of Conservation Concern

Federally Protected Species

As of 2018, two federally listed endangered or threatened species protected under the Endangered Species Act are known to exist within the project impact area: the Indiana Bat (*Myotis sodalist*) and the Northern Long-Eared Bat *(Myotis septentrionalis*). USFWS records also indicate the potential presence of the rusty patched bumble bee (*Bombus affinis*) within the region (see Appendix A). Table 3.4-1 provides information on these species.

Table 3.4-1. Federally Protected Threatened, Endangered, and Protected Species that Could Occur at Jennings Randolph Lake

Common Name	Status	Habitat	USFWS Records[1]
Indiana Bat	FE	Hibernates during winter in caves or abandoned mines. Migrates to wooded areas in spring where it usually roosts under loose tree bark on dead or dying trees, typically greater than 5 inches at diameter breast height.	Jennings Randolph Lake is located outside of designated critical habitat. The project is also not within a known-use area, but potentially occupied habitat may exist. The USFWS West Virginia Field Office recommends clearing potential habitat seasonally (between November 15 and March 31) when bats are not present on the landscape to avoid adverse effects.
Northern Long-Eared Bat	FT	Hibernates in high-humidity caves and mines. During the summer, forested areas, including riparian corridors, provide habitat (e.g., decaying trees, loose bark, tree	No known hibernacula or maternity roost trees occur within the project area. The northern long-eared bat 4(d) rule prohibits incidental take that may occur from tree removal activities within 150 feet of a known

Table 3.4-1. Federally Protected Threatened, Endangered, and Protected Species that Could Occur at Jennings Randolph Lake

Common Name	Status	Habitat	USFWS Records[1]
		snags and stumps) for roosting, feeding and maternity colonies.	occupied maternity roost tree during the pup season (June 1 to July 31).
Rusty Patched Bumble Bee	FE	Needs areas that provide nectar and pollen from flowers, nesting sites (underground and abandoned rodent cavities or clumps of grasses), and overwintering sites for hibernating queens (undisturbed soil).	There are no extant occurrences (2007-2016) of the rusty patched bumble bee in Maryland. As a result, the Chesapeake Bay Field Office does not conduct Section 7 consultations for the rusty patched bumble bee. USFWS West Virginia Field Office records indicate the potential presence of this species within the West Virginia side of the project.

[1] See Appendix A for USFWS species list information.

Bald eagles, a previously listed federally endangered species, were removed from the federal list in August 2007 and Maryland's list in April 2010. Although this species is not listed as an endangered or threatened species, it is protected under the Bald and Golden Eagle Protection Act, as noted by USFWS. Bald eagles, including nesting bald eagles, have been observed at Jennings Randolph Lake (USACE 2018).

A review of the USFWS Information for Planning and Conservation database identified 11 species of migratory birds of conservation concern that have the potential to occur at Jennings Randolph Lake (USFWS 2018b). This includes the bald eagle, black-billed cuckoo (*Coccyzus erythropthalmus*), black-capped chickadee (*Poecile atricapillus practicus*), bobolink (*Dolichonyx oryzivorus*), Canada warbler (*Cardelina canadensis),* Cerulean warbler (*Dendroica cerulea*), golden-winged warbler (*Vermivora chrysoptera*), Kentucky warbler (*Oporonis formosus*), northern saw-whet owl (*Aegolius acadicus acadicus*), wood thrush (*Hylocichla mustelina*), and yellow-bellied sapsucker (*Sphyrapicus varius*).

The Migratory Bird Treaty Act (MBTA) (16 U.S. Code 703-712) prohibits the take (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect), or the attempt to engage in any such conduct, of any migratory bird without authorization from the USFWS. All migratory birds (identified in 50 CFR 10.13) are protected under the MBTA. The U.S. Department of the Interior's Office of the Solicitor issued Memorandum M-37050 on December 22, 2017, which adopts the position that the MBTA prohibition on the "taking" or "killing" of migratory birds applies only to deliberate acts intended to take a migratory bird (U.S. Department of Interior 2017). The legal opinion reverses the position of prior administrations that the MBTA prohibits not only the intentional take of migratory birds but also the take of migratory birds that is incidental to otherwise lawful activity (i.e., unintentional). Unintentional take includes disturbance to species and nests during ground-clearing activities, such as clearing, where unobserved nests of migratory birds could be located. The breeding season ranges among species with the earliest having a start of April 10th and latest end of October 10th (USFWS 2018b).

State Protected Species

The USACE contacted the Maryland Department of Natural Resources Natural Heritage Program regarding the potential presence of state-protected species at the project (see Appendix A). To date, no response has been received. USACE will update the Final EA based on agency correspondence.

According to the West Virginia Department of Natural Resources, West Virginia does not currently have state threatened and endangered species legislation; the only species listed as either threatened or endangered in the state are those found on the USFWS's list of federally threatened and endangered species.

3.4.1.4 Invasive Species

Invasive species are defined as non-native species whose introduction into an ecosystem is likely to cause environmental, human, or economic harm. Non-native, or exotic, species have not evolved the natural checks and balances that normally keep population growth in check, thus they can spread rapidly and completely take over natural areas. These species are often difficult and expensive to control.

Established invasive species can spread quickly throughout a water body and once spread, can be both ecologically and economically expensive. One such species, which currently has not been found at Jennings Randolph Lake, but occurs within nearby Garrett County, Maryland, is the didymo algae (*Didymosphenia geminate*). Didymo can coat the bottom of rivers and lakes and smother the habitat and food supply of fish. The species hitchhikes from stream to stream on boats, fishing gear, and the bottom of felt boots and waders. To prevent the widescale didymo infestation, the Maryland Department of Natural Resources installed washing stations at popular boating spots and fishing sites so that visitors could clean their waders and gear and prevent the transport of algae into other bodies of water (USACE 2018b).

Two exotic beetles have been found at Jennings Randolph Lake: the emerald ash borer (*Agrilus planipennis*) and Asian longhorned beetle (*Anoplophora glabripennis*). Emerald ash borer is an exotic beetle that has killed hundreds of millions of ash trees in North America. Adult beetles cause little damage, but the larvae feed on the inner bark of ash trees, which disrupts the tree's ability to transport water and nutrients. Asian longhorned beetle feeds on a wide variety of trees across the United States resulting in tree death after 10 to 15 years (USACE 2018b).

3.4.2 No Action – Environmental Consequences

Under the No Action Alternative, USACE would not implement the 2019 Master Plan and no new land use classifications or future development projects contained within the proposed Master Plan would occur. The operation and management of Jennings Randolph Lake and USACE lands would continue as outlined in the 1997 Master Plan. Although this alternative does not result in a Master Plan that meets current regulations and guidance, there would be no significant impacts to biological resources on project lands.

3.4.3 Proposed Action – Environmental Consequences

The reclassifications required for the Proposed Action would result in negligible to minor adverse and beneficial biological resource impacts. Table 3.4-2 summarizes potential effects to biological resources based on the proposed changes to land use classifications.

Table 3.4-2. Potential Biological Resource Impacts from Changes to Land Use Classifications

Classification	1997 Master Plan (acres)	2019 Master Plan (acres)	Potential for Impact
Project Operations	178	78	**No impact**. This land use reclassification would designate lands associated with the direct support for flood control operations, including dam and spillway structures. This includes a net reduction of 100 acres. No new projects are proposed within this land use.
High-Density Recreation	450	74	**Minor impact**. This land use reclassification recognizes lands currently developed for intensive recreational activities. This includes a net reduction of 376 acres from the 1997 Master Plan. Future projects would occur within and adjacent to existing developed and intensively used areas, specifically to support recreation. Approximately 24.2 acres of this area is currently forested, and the remaining acres are characterized as developed or previously disturbed. Land use within these areas could

Table 3.4-2. Potential Biological Resource Impacts from Changes to Land Use Classifications

Classification	1997 Master Plan (acres)	2019 Master Plan (acres)	Potential for Impact
			directly impact vegetation and wildlife habitat from recreational development and use. Potential impacts, however, would be concentrated within high-density recreation areas and offset by the reduction of 376 acres of high-density recreation. Up to 24.2 acres of forested land could be permanently lost due to recreational development. Additionally, increased use could increase the potential for invasive species introduction and spread. Establishing a high-density recreation area, however, would focus management and control of invasive species in higher-use areas which would have the greater potential for presence of invasive species. Construction and operations of future master planning projects would use BMPs associated with prevention of impacts to sensitive species, including removal of vegetation outside of nesting seasons for bird species of conservation concern discussed in Section 3.4.1.3 (April 10 – October 10) and removal of trees (greater than 5 inches in diameter) which could serve as roosting habitats for bat species outside of the roosting season (April 1 to November 15). The high-density recreation projects are not likely to adversely affect protected bat species based on the nature and location of the proposed activities and seasonal tree removal restrictions.
Multiple Resource Management Land			
Low-Density Recreation	3,357	22	**Minor impact**. This land use reclassification focuses on areas suitable for supporting low-impact and passive recreational opportunities such as bank fishing, hiking, wildlife viewing, and for access to the shoreline. The new land use classification criteria exclude vegetation and wildlife management areas, with a net reduction of 3,335 acres. Future projects would have minor impacts on biological resources, primarily resulting from potential minor amounts of vegetation crushing due to trail use, use of primitive hike-in and boat-in camping areas, and access to shoreline areas. Designated trails and shoreline access points, however, would reduce vegetation disturbance, habitat degradation, and spread of invasive species elsewhere at the project by establishing additional designated access points. Construction and operations of future master planning projects would use BMPs associated with prevention of impacts to sensitive species, including removal of vegetation outside of nesting seasons for bird species (April 10 – October 10) and removal of trees (greater than 5 inches in diameter) which could serve as roosting habitats for bat species outside of the roosting season (April 1 to November 15). The low-density recreation projects are not likely to adversely affect protected bat species based on the nature of the proposed activities and seasonal tree removal restrictions.
Wildlife Management	1	0	**No impact.** This land use classification was considered in the 1997 Master Plan, however, is not being considered in the 2019 Master Plan. No impacts to biological resources would occur from loss of this land use classification; wildlife management in included in the vegetative management land use classification (below).
Vegetative Management	0	2,782	**Beneficial Impact**. This land use reclassification was not considered in the 1997 Master Plan and includes 2,782 acres of

Table 3.4-2. Potential Biological Resource Impacts from Changes to Land Use Classifications

Classification	1997 Master Plan (acres)	2019 Master Plan (acres)	Potential for Impact
			ecosystem-based management designated for stewardship of forest, prairie, and other native vegetative cover. Beneficial impacts to biological resources would occur as reclassification of portions of land use previously designated for project operations and recreation would be classified for vegetation management using an ecosystem-based approach with a focus on native vegetation cover. This would include indirect benefits to the rusty patched bumble bee by maintaining habitat utilized by the species (meadows with native vegetation).
Future Recreation Area	0	65	**Minor to Moderate Impact.** This land use reclassification was not considered in the 1997 Master Plan and includes 65 acres that either have site characteristics compatible with potential future development or are currently closed recreation areas. Approximately 23.2 acres of this area is currently forested, and 37.4 acres are grassland. Undisturbed areas would be permanently disturbed by projects developing new recreational amenities and infrastructure, however, these impacts would be less than significant and concentrated within this land use classification. Increased use of these areas would also increase the potential for invasive species introduction, however, management for invasive species would be concentrated within designated developed areas, reducing the potential of invasive species spread in vegetation management areas. Although not known to occur at Jennings Randolph Lake, the disturbance to areas with native grassland would potentially reduce the available habitat for the rusty patched bumble bee. This reduction would be offset by the reclassification of the 3,316 acres of land into vegetative management which would include management of meadow habitats. Construction and operations of future master planning projects would use BMPs associated with prevention of impacts to sensitive species, including removal of vegetation outside of nesting seasons for bird species (April 10 – October 10) and removal of trees (greater than 5 inches in diameter) which could serve as roosting habitats for bat species outside of the roosting season (April 1 to November 15). The high-density recreation projects are not likely to adversely affect protected bat species based on the nature and location of the proposed activities and seasonal tree removal restrictions. Construction of future master planning projects near active bald eagle nests would maintain a buffer of at least 660 feet (200 meters) between project activities and the nest. If the activity is closer than 660 feet, all construction activities within 660 feet of the nest would occur outside the nesting season (generally from mid-December to June for states in the Chesapeake Bay region).
Water Surface			
Designated No-Wake	0	18	**Beneficial Impact.** Designated No-Wake areas would protect environmentally sensitive shorelines and prevent shoreline erosion from boat traffic. Aquatic habitat and species would indirectly benefit from this classification.
Restricted	0	12	**No Impact.** Restricted water surface includes those areas where recreational boating is prohibited or restricted for project operations, safety, and security purposes. No impacts to biological resources would occur.

Table 3.4-2. Potential Biological Resource Impacts from Changes to Land Use Classifications

Classification	1997 Master Plan (acres)	2019 Master Plan (acres)	Potential for Impact
Open Recreation Area	0	938	**No Impact.** Open Recreation areas include all water surface areas available for year-round or seasonal water-based recreational use. This change reflects new classification criteria and no actual change in water use, therefore, no impact would occur.

3.5 LAND USE AND RECREATION

3.5.1 Affected Environment

USACE operates and maintains 12 recreation areas at Jennings Randolph Lake, including a campground, a primitive campsite, three overlooks, a picnic area, a trail system, an archery range, a covered pavilion/basketball court, a beach, and two boat launches. The Water Resources Development Act of 1988 added downstream recreation, including whitewater rafting and fishing, as an authorized project purpose. The USACE conducts annual whitewater releases in the April-May time frame, if conditions permit. The Mineral County Park and Recreation Commission signed a lease for 12 acres in March 1990 to develop, operate, and maintain the whitewater/fishing access downstream of the dam near Barnum, West Virginia. In June 1998, the lease was amended to include an additional 33 acres for a total of approximately 45 acres of land and the development of rustic cabins. The Maryland Department of Natural Resources constructed and operates a boat launch to provide access to the lake from the Maryland side of the project (USACE 2018b).

Most visitors to Jennings Randolph Lake come from the four surrounding counties: Garrett and Allegany counties, Maryland, and Mineral and Grant counties, West Virginia. Camping and hiking are the two most popular recreation activities. The lake also serves as a primary location for water-related recreation, providing the public with a location for boating, sailing, canoeing/kayaking, paddle boarding, waterskiing, and swimming in the area. Jennings Randolph Lake has consistently provided high-quality fishing opportunities for multiple fish species (see Section 3.4) and is regarded as a premier fishing destination in the region as well as for the entire United States (USACE 2018b).

Current developed recreation facilities include the Howell Run and Maryland Department of Natural Resources Boat Launches, the Howell Run Picnic Area, the Robert W. Craig Campground, the Barnum Camping Area, Shaw Beach, the High Timber and Sunset Trails, and the Maryland and West Virginia overlooks.

3.5.2 No Action – Environmental Consequences

Under the No Action Alternative, USACE would not implement the 2019 Master Plan and no new land use classifications or future development projects contained within the proposed Master Plan would occur. The operation and management of Jennings Randolph Lake and USACE lands would continue as outlined in the 1997 Master Plan and there would be no short-, mid-, and long-range planning of future projects for recreational improvements and development at Jennings Randolph Lake. Therefore, the No Action Alternative is anticipated to a have minor impact to land use and recreation. Although this alternative does not result in a Master Plan that meets current regulations and guidance regarding land use classifications, there would be no significant impacts to land use and recreation.

3.5.3 Proposed Action – Environmental Consequences

The reclassifications required for the Proposed Action would result in beneficial impacts to land use and recreation. Table 3.5-1 summarizes potential effects to land use and recreation based on the proposed changes to land use classifications.

Table 3.5-1. Potential Land Use and Recreation Impacts from Changes to Land Use Classifications

Classification	1997 Master Plan (acres)	2019 Master Plan (acres)	Potential for Impact
Project Operations	178	78	**Beneficial impact**. This land use reclassification would consolidate land use classification to those areas associated with the direct support for flood control operations, including dam and spillway structures. The reclassification streamlines project operation lands and opens additional acreage for other uses (e.g., vegetative management, future development, etc.).
High-Density Recreation	450	74	**Beneficial impact**. This land use reclassification recognizes lands currently developed for intensive recreational activities. The reclassification consolidates high-density recreation to those areas associated within and adjacent to existing developed and intensively used areas, specifically to support recreation. It optimizes the siting of future high-density master planning projects and opens additional acreage for other uses (e.g., vegetative management, etc.).
Multiple Resource Management Land			
Low-Density Recreation	3,357	22	**Beneficial impact**. This land use reclassification focuses on areas suitable for supporting low-impact and passive recreational opportunities such as bank fishing, hiking, wildlife viewing, and for access to the shoreline. The reclassification consolidates low-density recreation to those areas suitable for low-density recreation development, while also opening acreage for other uses (e.g., vegetative management, etc.).
Wildlife Management	1	0	**No impact.** This land use classification was considered in the 1997 Master Plan, however, is not being considered in the 2019 Master Plan. No impacts to land use or recreation would occur from loss of this land use classification.
Vegetative Management	0	2,782	**Beneficial Impact**. This land use reclassification was not considered in the 1997 Master Plan and includes areas of ecosystem-based management designated for stewardship of forest, prairie, and other native vegetative cover. This classification would assist USACE with their goal of protection and management of natural resources at Jennings Randolph Lake.
Future Recreation Area	0	65	**Beneficial Impact.** This land use reclassification was not considered in the 1997 Master Plan and includes areas that either have site characteristics compatible with potential future development or are currently closed recreation areas. It would maximize those areas best-suited for future recreational development outside of the high-density recreation classification and would provide for future recreational amenities at the project.
Water Surface			
Designated No-Wake	0	18	**Beneficial Impact.** Designated No-Wake areas would protect environmentally sensitive shorelines and prevent shoreline erosion from boat traffic. This classification would aid to protect shoreline uses, including preservation and recreation.
Restricted	0	12	**Beneficial Impact.** Restricted water surface includes those areas where recreational boating is prohibited or restricted for project

Table 3.5-1. Potential Land Use and Recreation Impacts from Changes to Land Use Classifications

Classification	1997 Master Plan (acres)	2019 Master Plan (acres)	Potential for Impact
			operations, safety, and security purposes. This classification would aid to protect recreational users on the lake.
Open Recreation Area	0	938	**No Impact.** Open Recreation areas include all water surface areas available for year-round or seasonal water-based recreational use. This change reflects new classification criteria and no actual change in water use, therefore, no impact would occur.

CHAPTER 4 CUMULATIVE EFFECTS

As defined by CEQ, cumulative effects are those that "result from the incremental impact of the Proposed Action when added to other past, present, and reasonably foreseeable future actions, without regard to the agency (federal or non-federal) or individual who undertakes such other actions" (40 CFR 1508.7). Cumulative effects analysis captures the effects that result from the Proposed Action in combination with the effects of other actions taken during the duration of the Proposed Action at the same time and place. Cumulative effects may be accrued over time and/or in conjunction with other pre-existing effects from other activities in the area (40 CFR 1508.25); therefore, pre-existing impacts and multiple smaller impacts should also be considered. Overall, assessing cumulative effects involves defining the scope of the other actions and their interrelationship with the Proposed Action to determine if they overlap in space and time.

The NEPA and CEQ regulations require the analysis of cumulative environmental effects of a Proposed Action on resources that may often manifest only at the cumulative level. Cumulative effects can result from individually minor, but collectively significant, actions taking place at the same time, over time. As noted above, cumulative effects are most likely to arise when a Proposed Action is related to other actions that could occur in the same location and at a similar time.

4.1 CURRENT AND REASONABLY FORESEEABLE PROJECTS WITHIN AND NEAR THE ROI

This section identifies reasonably foreseeable projects that may have cumulative, incremental impacts in conjunction with the Proposed Action. Beyond the future master planning projects identified in the Master Plan, only one project was identified at Jennings Randolph Lake involving a hydroelectric system. The proposed project is expected to be constructed within the next 2 years. The project consists of a new tunnel to be bored around the dam and into the left descending abutment to deliver water from a multilevel intake system to a new power house just downstream. Once complete, the system would generate approximately 65 ohms, which is equivalent to powering approximately 6,500 homes. During construction, the lake would have to drop down to elevation 1,420 feet.

Local county plans were reviewed regarding the lands surrounding Jennings Randolph Lake. The Garrett County, Maryland, Comprehensive Plan is currently under the process of being updated, with public engagement opportunities commencing in 2018. The current 2008 Comprehensive Plan emphasizes land conservation in the North Branch Potomac River watershed and designates the Jennings Randolph Lake area as a rural resource (Garrett County 2008). The 2008 Plan did not identify any development activities within the project area, consistent with the rural use designation. No comprehensive plan was identified for Mineral County, West Virginia.

4.2 ANALYSIS OF CUMULATIVE IMPACTS

Impacts on each resource were analyzed according to how other actions and projects within the region of influence might be affected by the No Action Alternative and Proposed Action. Impacts can vary in degree or magnitude from a slightly noticeable change to a total change in the environment. For this analysis the intensity of impacts will be classified as negligible, minor, moderate, or significant (see Section 3.1.2).

As discussed above, minimal growth and development are expected to continue near Jennings Randolph Lake and cumulative adverse impacts on resources would not be expected when added to the impacts of activities associated with the Proposed Action or No Action Alternative. A summary of the anticipated cumulative impacts on each resource is presented below.

4.2.1 Water Resources

As discussed in Section 3.2, the No Action Alternative is not anticipated to have an adverse impact on water resources and the Proposed Action Alternative is anticipated to have negligible to minor adverse and beneficial water resource impacts. Adverse water resource impacts discussed in Section 3.2.3 resulting from changes to land use classification are not anticipated to cumulatively contribute to significant adverse water impacts in combination with potential impacts resulting from the proposed hydroelectric system project. Stipulations within the USACE permit required for construction of the project would avoid and reduce impacts to water resources during construction and prescribe measures to restore temporarily disturbed areas during construction. The project would be constructed with lake elevations below 1,420 feet to reduce impacts to lake water quality and downstream quality.

4.2.2 Soils

As discussed in Section 3.3, the No Action Alternative is not anticipated to have an adverse impact on soil resources and the Proposed Action Alternative is anticipated to have negligible to moderate adverse and beneficial impacts. Adverse soil resource impacts discussed in Section 3.3.3 from changes to land use classification are not anticipated to cumulatively contribute to significant adverse soil resource impacts in combination with potential impacts resulting from the proposed hydroelectric system project. As stated in Section 4.2, the proposed hydroelectric system project would involve the use of existing dam infrastructure, consisting of a new tunnel to a new power house located downstream.

4.2.3 Biological Resources

As discussed in Section 3.4, the No Action Alternative is not anticipated to have an adverse impact on biological resources and the Proposed Action Alternative is anticipated to have negligible to moderate adverse and beneficial impacts. Adverse impacts to biological resources discussed in Section 3.4.3 resulting from changes to land use classification are not anticipated to cumulatively contribute to significant adverse biological resource impacts in combination with potential impacts resulting from the proposed hydroelectric system project. As stated in Section 4.2, the proposed hydroelectric system project would involve the use of existing dam infrastructure, consisting of a new tunnel to a new power house located downstream. This would reduce potential adverse impacts to terrestrial habitat. In addition, as the project would be constructed with lake elevations below 1,420 feet, impacts to aquatic species would be reduced. Projects would adhere to similar requirements discussed in Section 3.4.3, reducing the potential for adverse impacts to protected species.

4.2.4 Land Use and Recreation

As discussed in Section 3.5, the No Action Alternative is anticipated to have minor impacts to recreation and land use and the Proposed Action Alternative is anticipated to have beneficial impacts. Adverse impacts to land use resources discussed in Section 3.5.2 from the No Action Alternative are not anticipated to adversely and cumulatively contribute to significant land use and recreation impacts in combination with potential impacts resulting from the proposed hydroelectric system project. As stated in Section 4.2, the proposed hydroelectric system project would involve the use of existing dam infrastructure, consisting of a new tunnel to a new power house located downstream. This project would not change existing or proposed land use designation at Jennings Randolph Lake.

CHAPTER 5 COMPLIANCE WITH ENVIRONMENTAL LAWS

This EA has been prepared to satisfy the requirements of all applicable environmental laws and regulations, and has been prepared in accordance with the CEQ's implementing regulations for NEPA, 40 CFR Parts 1500 – 1508, and the USACE ER 200-2-2, Environmental Quality: Procedures for Implementing NEPA. The Master Plan is consistent with the USACE's Environmental Operating Principles.

The following is a list of applicable environmental laws and regulations considered and the status of compliance with each (also see Table 5-1 for a summary):

- Anadromous Fish Conservation Act of 1965, as amended – The Master Plan would not affect anadromous fish populations or interfere with measures to conserve, develop, and enhance anadromous fish resources.
- Archeological and Historic Preservation Act of 1974 – There are no known archaeological sites in the project boundary.
- Clean Air Act of 1977 – The USEPA established nationwide air quality standards to protect public health and welfare. Existing operation and management of the project is compliant with the Clean Air Act and would not change with the Master Plan.
- Clean Water Act of 1977 – The Proposed Action complies with all state and federal Clean Water Act regulations and requirements. A state water quality certification pursuant to Section 401 of the Clean Water Act is not required for the Master Plan land use reclassifications. There would be no change in the existing management of the reservoir that would impact water quality. USACE would evaluate future master planning projects contained within the Master Plan and compliance with the Clean Water Act on an individual basis during the design process as projects become funded.
- Endangered Species Act of 1973, as amended – Current lists of threatened or endangered species were compiled for the EA. There would be no adverse impact on threatened or endangered species resulting from the Master Plan.
- Farmland Protection Policy Act (FPPA) of 1980 and 1995 – The FPPA's purpose is to minimize the extent to which federal programs contribute to the unnecessary and irreversible conversion of farmland to non-agricultural uses. USACE would evaluate future master planning projects contained within the Master Plan on an individual basis for development in areas containing Prime Farmland during the design process as projects become funded.
- Fish and Wildlife Coordination Act of 1958, as amended – Because no construction or change in operation of the reservoir is proposed, there is no plan to coordinate under the Act; however, information provided by USFWS and state agencies on fish and wildlife resources has been utilized in the development of this assessment.
- Migratory Bird Treaty Act (MBTA) – The MBTA of 1918 extends federal protection to migratory bird species. The nonregulated "take" of migratory birds is prohibited under this act in a manner similar to the prohibition of "take" of threatened and endangered species under the ESA. The timing of resource management activities and construction of future master planning projects would be coordinated to avoid impacts on migratory and nesting birds.
- National Environmental Policy Act of 1969 – This EA analyzes the potential impacts of implementing the 2019 Master Plan, fulfilling the requirements of the Act. This included public and agency involvement and a 30-day review of the Draft EA.
- National Historic Preservation Act (NHPA) of 1966, as amended – Compliance with the NHPA of 1966, as amended, requires identification of all properties in the project area listed in, or eligible

for listing in, the NRHP. There are no known historic structures or archaeological sites in the project boundary that are eligible for or listed on the NRHP.

- Noise Control Act of 1972 – Changes to land use classifications in the Master Plan would not change the existing noise environment. Temporary noise from construction of future master planning projects would be minimized as these activities would be restricted to the daytime.
- Watershed Protection and Flood Prevention Act – The Master Plan would serve to further prevent erosion, floodwater, and sediment damages in the watersheds. Implementation would not increase overall erosion and sediment within waters and no impacts would occur to floodwaters controlled by the project.
- EO 11514, Protection and Enhancement of Environmental Quality – EO 11514 requires federal agencies provide leadership in protecting and enhancing the quality of the Nation's environment to sustain and enrich human life. The Master Plan would improve natural resource management and recreational opportunities.
- EO 11593, Protection and Enhancement of Cultural Environment – EO 11593 requires federal agencies to administer the cultural properties under their control in a spirit of stewardship and trusteeship for future generations. The Integrated Cultural Resources Management Plan prescribes measures to protect cultural resources. There are no known historic structures or archaeological sites in the project boundary.
- EO 11990, Protection of Wetlands – EO 11990 requires federal agencies to minimize the destruction, loss, or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in executing federal projects. The Proposed Action complies with EO 11990. USACE would evaluate future master planning projects contained within the Master Plan on an individual basis and the protection of wetlands during the design process as projects become funded.
- EO 11988, Floodplain Management – This EO directs federal agencies to evaluate the potential impacts of proposed actions in floodplains. The operation and management of the existing project complies with EO 11988. USACE would evaluate future master planning projects contained within the Master Plan on an individual basis for development in floodplain areas during the design process as projects become funded.
- EO 12898, Environmental Justice – This EO directs federal agencies to achieve environmental justice to the greatest extent practicable and permitted by law, and consistent with the principles set forth in the report on the National Performance Review. Agencies are required to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. The Master Plan would not result in a disproportionate adverse impact on minority or low-income population groups.
- EO 13045, Protection of Children from Health Risks & Safety Risks – This EO directs federal agencies to evaluate environmental health or safety risks that may disproportionately affect children. The Master Plan would not result environmental health or safety risks to children.
- EO 13112, Invasive Species – This EO directs federal agencies to evaluate the occurrence of invasive species, the prevention for the introduction of invasive species, and measures for their control to minimize the economic, ecological, and human health impacts. The Master Plan would not result in an introduction or increase of invasive species. Land use classification would serve for management of vegetation and high-use areas more prone to invasive species.

- EO 13186, Migratory Bird Habitat Protection – Sections 3a and 3e of EO 13186 direct federal agencies to evaluate the impacts of their actions on migratory birds, with emphasis on species of concern, and inform the USFWS of potential negative impacts on migratory birds. The Master Plan would not result in adverse impacts on migratory bird habitat. USACE would evaluate future master planning projects contained within the Master Plan on an individual basis during the design process as projects become funded.
- EO 13508, Chesapeake Bay Protection and Restoration – This EO directs federal agencies to protect and restore the health, heritage, natural resources, and social and economic value of the Chesapeake Bay. The Master Plan would not adversely affect the resources within the Chesapeake Bay region.
- CEQ Memorandum dated August 11, 1980, Prime or Unique Farmlands – Prime Farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses. The Proposed Action involves land classification of high-density and future recreation areas which could impact Prime Farmland soils. USACE would evaluate future master planning projects contained within the Master Plan on an individual basis for development in Prime Farmland soils during the design process as projects become funded.

Table 5-1. Compliance of the Proposed Action with Environmental Protection Statutes and Other Environmental Requirements

Federal Statutes	Level of Compliance[1]
Anadromous Fish Conservation Act	Full
Archeological and Historic Preservation Act	Full
Clean Air Act	Full
Clean Water Act	Full
Coastal Barrier Resources Act	N/A
Coastal Zone Management Act	N/A
Comprehensive Environmental Response, Compensation and Liability Act	N/A
Endangered Species Act	In-Progress
Estuary Protection Act	N/A
Farmland Protection Policy Act	Full
Federal Water Project Recreation Act	N/A
Fish and Wildlife Coordination Act	In-Progress
Land and Water Conservation Fund Act	N/A
Magnuson-Stevens Act	N/A
Marine Mammal Protection Act	N/A
Marine Protection, Research and Sanctuaries Act	N/A
Migratory Bird Treaty Act	Full
National Environmental Policy Act	Full
National Historic Preservation Act	Full
Noise Control Act	Full
Resource Conservation and Recovery Act	N/A
Rivers and Harbors Act	N/A
Safe Drinking Water Act	N/A
Solid Waste Disposal Act	N/A
Toxic Substances Control Act	N/A
Water Resources Planning Act	N/A
Watershed Protection and Flood Prevention Act	Full
Wetlands Conservation Act	N/A
Wild and Scenic Rivers Act	N/A
Executive Orders, Memoranda, etc.	
Protection and Enhancement of Environmental Quality (EO 11514)	Full
Protection and Enhancement of Cultural Environment (EO 11593)	Full
Floodplain Management (EO 11988)	Full
Protection of Wetlands (EO 11990)	Full
Environmental Justice in Minority and Low-Income Populations (EO 12898)	Full
Protection of Children from Health Risks & Safety Risks (EO 13045)	Full

Table 5-1. Compliance of the Proposed Action with Environmental Protection Statutes and Other Environmental Requirements

Federal Statutes	Level of Compliance[1]
Consultation and Coordination with Indian Tribal Governments (EO 13175)	N/A
Indian Sacred Sites (EO 13007)	N/A
Invasive Species (EO 13112)	Full
Migratory Bird (EO 13186)	Full
Facilitation of Cooperative Conservation (EO 13352)	N/A
Chesapeake Bay Protection and Restoration (EO 13508)	Full
Stewardship of the Oceans, Our Coasts and the Great Lakes (EO 13547)	N/A
Streamlining Service Delivery and Improving Customer Service (EO 13571)	N/A
Prime and Unique Farmlands (CEQ Memorandum, 11 Aug 80)	Full

[1]Level of Compliance:
Full Compliance (Full): Having met all requirements of the statute, EO, or other environmental requirements for the current stage of planning.
Non-Compliance (NC): Violation of a requirement of the statute, EO, or other environmental requirement.
Not Applicable (N/A): No requirements for the statute, EO, or other environmental requirement for the current stage of planning.
In Progress: USACE is currently coordinating with agency to achieve full compliance.

CHAPTER 6 IRRETRIEVABLE AND IRREVERSIBLE COMMITMENT OF RESOURCES

NEPA requires that federal agencies identify "any irreversible and irretrievable commitments of resources which would be involved in the Proposed Action should it be implemented" (42 U.S. Code § 4332). An irreversible commitment of resources occurs when the primary or secondary impacts of an action result in the loss of future options for a resource. Usually, this is when the action affects the use of a nonrenewable resource or it affects a renewable resource that takes a long time to renew. The impacts for this project from the reclassification of land or future master planning projects centered on recreation enhancement and development would not be considered an irreversible commitment because much of the land could be converted back to prior use at a future date. An irretrievable commitment of resources is typically associated with the loss of productivity or use of a natural resource (e.g., loss of production or harvest). No irreversible or irretrievable impacts on federally protected species or their habitat is anticipated from implementing the Master Plan.

CHAPTER 7 SUMMARY OF ENVIRONMENTAL CONSEQUENCES

Table 7-1 presents a summary of the environmental consequences by alternative analyzed in this EA. As discussed in Chapter 4, selection of the Proposed Action Alternative would not be anticipated to cause cumulative adverse impacts. Table 7-2 presents conservation measures recommended within Chapter 3.

Table 7-1. Summary of Potential Environmental Effects

Alternative	Intensity of Impact				
	Significant	Moderate	Minor	None/Negligible	Beneficial
Water Resources					
No Action Alternative				X	
Proposed Action Alternative			X		X
Soil Resources					
No Action Alternative				X	
Proposed Action Alternative		X	X		X
Biological Resources					
No Action Alternative				X	
Proposed Action Alternative		X	X		X
Land Use and Recreation					
No Action Alternative			X		
Proposed Action Alternative					X

Table 7-2. Conservation Measures for Future Master Planning Projects

Measure	Resource Protected
Construction and operations of future master planning projects would use best management practices (BMPs) associated with prevention of erosion and control of stormwater runoff. This includes obtaining a National Pollution Discharge Elimination System (NPDES) permit for projects involving 5,000 square feet or more and 100 cubic yards or more disturbance (Maryland) or 1 acre or greater (West Virginia).	Water and Soil Resources
Surface waters and wetlands, if present, would be avoided or permitted through the Section 404 process.	Water Resources
USACE would consider the presence of the 100-year floodplain in design and siting future master planning projects within floodplain areas.	Water Resources
USACE would consider the potential for erosion and occurrence of Prime Farmland soils in design and siting future master planning projects.	Soil Resources
Construction and operations of future master planning projects would use BMPs associated with prevention of impacts to sensitive species, including removal of vegetation outside of nesting seasons for bird species of conservation concern (April 10 – October 10) and removal of trees (greater than 5 inches in diameter) which could serve as roosting habitats for bat species outside of the roosting season (April 1 to November 15).	Biological Resources
Construction of future master planning projects near active bald eagle nests would maintain a buffer of at least 660 feet (200 meters) between project activities and the nest. If the activity is closer than 660 feet, all construction activities within 660 feet of the nest would occur outside the nesting season (generally from mid-December to June for states in the Chesapeake Bay).	Biological Resources
Impacts to sensitive receptors (e.g. adjacent residences and campers) would be minimized as these activities would be restricted to the daytime and would be temporary in nature.	Noise Environment
Per the facility's Integrated Cultural Resources Management Plan, if any human remains or cultural items are found within or adjacent to Jennings Randolph Lake that may be demonstrably related to one of the recognized tribal entities, then Public Law 101-601, the Native American Grave Protection and Repatriation Act, would be implemented and the affected group contacted.	Cultural Resources

CHAPTER 8 REFERENCES

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CHAPTER 9 LIST OF PREPARERS

Robert Naumann
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Melissa Secor
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B.S., Business Management
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B.A., Environmental Studies
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Appendix A
Public and Agency Involvement

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A.1 Scoping Notice

US Army Corps of Engineers
Baltimore District

Planning Division

Public Notice

Jennings Randolph Lake Project Master Plan Revision and Environmental Assessment

All Interested Parties: The U.S. Army Corps of Engineers, Baltimore District (USACE-Baltimore) is in the process of updating the Master Plan for the Jennings Randolph Lake Project (JRL) located in Garrett County, Maryland, and Mineral County, West Virginia. USACE is preparing an Environmental Assessment (EA) in accordance with the National Environmental Policy Act of 1969, as amended, to assess the impact of the Master Plan Revision to the human and natural environment.

JRL was authorized by the Flood Control Act of 1962, and was constructed, and is managed, by USACE for the purposes of flood risk management, recreation, water supply and environmental stewardship. The JRL project consists of a rolled earth and rockfill dam, rising 296 feet from the lake bottom. USACE operates and maintains six recreation areas at JRL including a campground, two overlooks, a picnic area, a beach, and a boat launch.

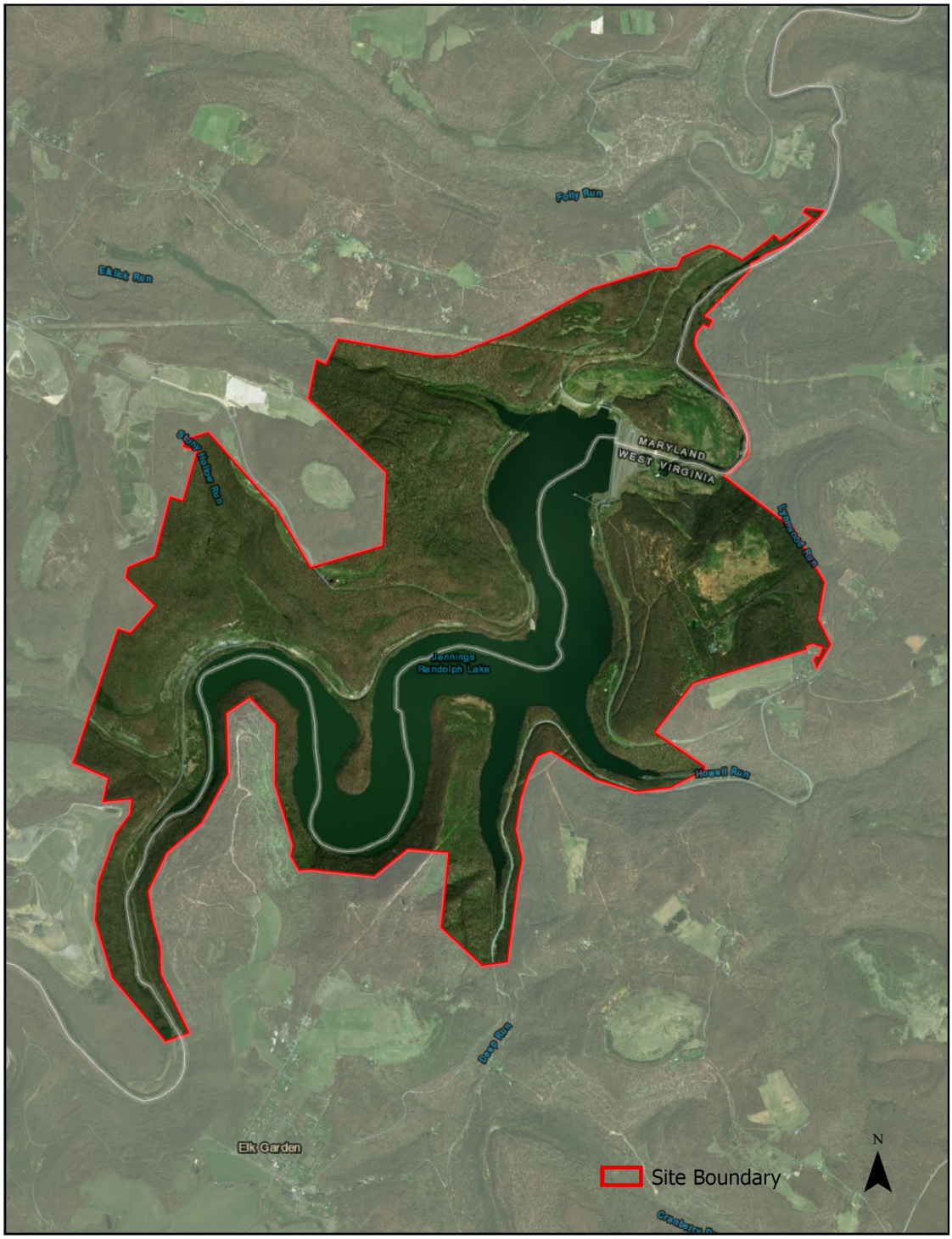
The draft EA is expected to be publicly released in spring 2019. The purpose of this notice is to inform the public of the initiation of the preparation of an EA for the JRL Project Master Plan. We request that federal and state agencies provide information concerning interests within your organization's area of responsibility or expertise, and the public provide information that may be pertinent to this assessment. The public can provide comments or information that may be pertinent to this assessment to the address listed below until November 16, 2018. A timely review of the enclosed map and a written response will be greatly appreciated and will assist us with preparation of the EA.

A public meeting will be held at the Mineral County Health Department on October 29, 2018 from 6-9 p.m. for the purpose of providing the public a better opportunity for submitting their ideas, comments, and feedback on the Master Plan revision and process. All updates regarding the Master Plan Update and public meetings may be found on the following site: http://www.nab.usace.army.mil/JRL-Master-Plan-Revision/.

If you have any questions, please contact Major Terrence Harrington at (410) 962-1846 or at Terrence.G.Harrington@usace.army.mil. Additionally, questions can be mailed to U.S. Army Corps of Engineers, Planning Division, Subject: Jennings Randolph Lake Project, 2 Hopkins Plaza, Baltimore, MD 21201.

Daniel M. Bierly, P.E.
Chief, Civil Project Development Branch

U.S. Army Corps of Engineers, Jennings Randolph Lake Project
Master Plan Revision and Environmental Assessment - Study Area Map



A.2 USFWS Endangered Species List – Chesapeake Bay Ecological Services Field Office

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127
http://www.fws.gov/chesapeakebay/
http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html

In Reply Refer To: December 12, 2018
Consultation Code: 05E2CB00-2019-SLI-0509
Event Code: 05E2CB00-2019-E-01132
Project Name: Jennings Randolph Lake Master Plan Update

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
(410) 573-4599

This project's location is within the jurisdiction of multiple offices. Expect additional species list documents from the following office, and expect that the species and critical habitats in each document reflect only those that fall in the office's jurisdiction:

West Virginia Ecological Services Field Office
90 Vance Drive
Elkins, WV 26241-9475
(304) 636-6586

Project Summary

Consultation Code: 05E2CB00-2019-SLI-0509

Event Code: 05E2CB00-2019-E-01132

Project Name: Jennings Randolph Lake Master Plan Update

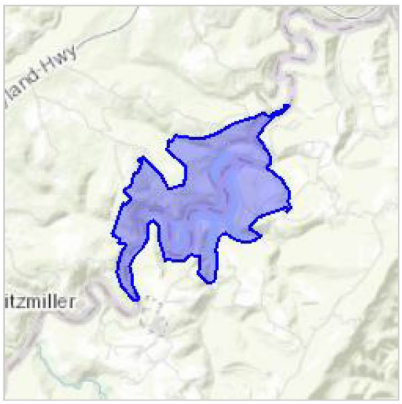
Project Type: Guidance

Project Description: The U.S. Army Corps of Engineers (USACE) Baltimore District is proposing to update their Master Plan for Jennings Randolph Lake and associated changes in land management in compliance with USACE regulations and guidance. Project lands (including the lake and surrounding property) occupy approximately 4,500 acres. The Master Plan is intended to serve as a comprehensive land and recreation management plan for the next 15 to 25 years, which reflects changes in outdoor recreation trends, regional land use, population, legislative requirements, USACE management policy, and wildlife habitat that have occurred since 1997 at Jennings Randolph Lake. Proposed classifications include: Project Operations to reflect lands associated with the dam and spillway structures that are operated and maintained for fulfilling the flood risk management, water supply, and water storage missions of Jennings Randolph Lake; High-Density Recreation to reflect lands that are currently developed for intensive recreational activities and include boat launches, day-use areas, and campgrounds; low-density recreation to support low-impact recreational opportunities such as bank fishing, hiking, wildlife viewing, and for access to the shoreline; vegetative management to include an ecosystem-based management approach and is designated for stewardship of forest, prairie, and other native vegetative cover; and future recreation area to include areas that either have site characteristics compatible with potential future development or are currently closed recreation areas. As part of this effort, USACE is preparing an Environmental Assessment (EA). Alternatives considered within the EA focus on the proposed land use classifications as presented in the Master Plan and the types of future development projects that could occur within the land use classifications. The EA does not consider implementation of specific projects identified within the Master Plan during the master planning process as these projects are conceptual in nature. The USACE would conduct further analysis on projects identified within the Master Plan and resources affected once funding is available and detailed project planning and design occur. USACE is requesting information on protected species at the project for consideration in the

Master Plan and any conservation measures USFWS recommends for the protection of species at the project.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/39.420262365003374N79.1348077417617W



Counties: Garrett, MD | Mineral, WV

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat *Myotis sodalis* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER POND

- PUBHh
- PUBF
- PUBHx

LAKE

- L1UBHh

RIVERINE

- R5UBH
- R4SBC
- R3UBH
- R3USA

A.3 USFWS Endangered Species List – West Virginia Ecological Services Field Office

United States Department of the Interior

FISH AND WILDLIFE SERVICE
West Virginia Ecological Services Field Office
90 Vance Drive
Elkins, WV 26241-9475
Phone: (304) 636-6586 Fax: (304) 636-7824
http://www.fws.gov/westvirginiafieldoffice/

In Reply Refer To: December 12, 2018
Consultation Code: 05E2WV00-2019-SLI-0220
Event Code: 05E2WV00-2019-E-00469
Project Name: Jennings Randolph Lake Master Plan Update

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement.

If the official species list you receive identifies any listed, proposed, or candidate species as potentially occurring in the proposed project area, then further section 7 consultation under the ESA is required with the Fish and Wildlife Service. Please submit a project review request to the West Virginia Field Office. To find out what information needs to be submitted with your project review request go to this link: http://www.fws.gov/westvirginiafieldoffice/projectreview.html

Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you should submit to our office.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be

completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq*.), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). For information on bald and golden eagles in your project area please contact the West Virginia Division of Natural Resources, Natural Heritage Program at P.O. Box 67 Elkins, WV 26241, or call 304-637-0245.

Additionally, wind energy projects should follow the Service's wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html; and http://www.fws.gov/westvirginiafieldoffice/PDF/Communication%20Tower%20Letter%20(1).pdf

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

West Virginia Ecological Services Field Office
90 Vance Drive
Elkins, WV 26241-9475
(304) 636-6586

This project's location is within the jurisdiction of multiple offices. Expect additional species list documents from the following office, and expect that the species and critical habitats in each document reflect only those that fall in the office's jurisdiction:

Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
(410) 573-4599

Project Summary

Consultation Code: 05E2WV00-2019-SLI-0220

Event Code: 05E2WV00-2019-E-00469

Project Name: Jennings Randolph Lake Master Plan Update

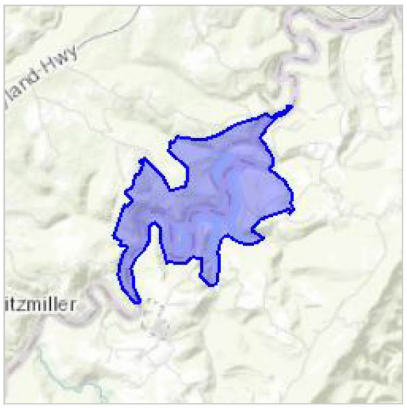
Project Type: Guidance

Project Description: The U.S. Army Corps of Engineers (USACE) Baltimore District is proposing to update their Master Plan for Jennings Randolph Lake and associated changes in land management in compliance with USACE regulations and guidance. Project lands (including the lake and surrounding property) occupy approximately 4,500 acres. The Master Plan is intended to serve as a comprehensive land and recreation management plan for the next 15 to 25 years, which reflects changes in outdoor recreation trends, regional land use, population, legislative requirements, USACE management policy, and wildlife habitat that have occurred since 1997 at Jennings Randolph Lake. Proposed classifications include: Project Operations to reflect lands associated with the dam and spillway structures that are operated and maintained for fulfilling the flood risk management, water supply, and water storage missions of Jennings Randolph Lake; High-Density Recreation to reflect lands that are currently developed for intensive recreational activities and include boat launches, day-use areas, and campgrounds; low-density recreation to support low-impact recreational opportunities such as bank fishing, hiking, wildlife viewing, and for access to the shoreline; vegetative management to include an ecosystem-based management approach and is designated for stewardship of forest, prairie, and other native vegetative cover; and future recreation area to include areas that either have site characteristics compatible with potential future development or are currently closed recreation areas. As part of this effort, USACE is preparing an Environmental Assessment (EA). Alternatives considered within the EA focus on the proposed land use classifications as presented in the Master Plan and the types of future development projects that could occur within the land use classifications. The EA does not consider implementation of specific projects identified within the Master Plan during the master planning process as these projects are conceptual in nature. The USACE would conduct further analysis on projects identified within the Master Plan and resources affected once funding is available and detailed project planning and design occur. USACE is requesting information on protected species at the project for consideration in the

Master Plan and any conservation measures USFWS recommends for the protection of species at the project.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/39.420262365003374N79.1348077417617W



Counties: Garrett, MD | Mineral, WV

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat *Myotis sodalis* There is **final** critical habitat for this species. Your location is outside the critical habitat. This species only needs to be considered under the following conditions: ▪ All activities in this location should consider potential effects to this species. This project is not within a known-use area, but potentially occupied habitat may exist. Please contact the WVFO for additional consultation. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: ▪ No known hibernacula or maternity roost trees occur within the action area. Any 'take' that may occur incidental to this project is not prohibited under the final 4(d) rule. Please submit a Streamlined 4(d) Rule Consultation form to the WVFO. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Insects

NAME	STATUS
Rusty Patched Bumble Bee *Bombus affinis*	Endangered

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/9383

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

A.4 USFWS Response [Placeholder]

A.5 Maryland Department of Natural Resources [Placeholder]