

Final Draft Environmental Assessment

# Proposed Emergency Operations Center, Powell County, KY

Grant #'s: EMA-2010-CA-5250 and 12-KYDES-00486

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**FEMA**

**U.S. Department of Homeland Security**  
**Federal Emergency Management Agency Region IV**  
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Proposed Emergency Operations Center  
Chemical Stockpile Emergency Preparedness Program (CSEPP)  
Final Draft Environmental Assessment  
Powell County, Kentucky

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## ACRONYMS

ACHP	Advisory Council on Historic Preservation
ADT	Average Daily Traffic Count
APE	Area of Potential Effect
BMPs	Best Management Practices
CEQ	[President's] Council on Environmental Quality
CSEPP	Chemical Stockpile Emergency Preparedness Program
dB	Decibels
dBA	Decibels on the A-weighted scale
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EOC	Emergency Operations Center
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FONSI	Finding of No Significant Impact
HMP	Habitat Mitigation Plan
HUC	Hydrologic Unit Code
IRZ	Immediate Response Zone
KDFWR	Kentucky Department of Fish and Wildlife Resources
KHC	Kentucky Heritage Council
KPDES	Kentucky Pollutant Discharge Elimination System
KSNPC	Kentucky State Nature Preserves Commission
LOS	Level of Service
NAAQS	National Ambient Air Quality Standards
NAC	Noise Abatement Criteria
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NPDES	National Pollution Discharge Elimination System
NRCS	National Resources Conservation Service
NRHP	National Register of Historic Places
NWI	National Wetland Inventory

OSHA	Occupational Safety and Health Administration
PAZ	Protective Action Zone
SEPA	State Environmental Policy Act
SHPO	State Historic Preservation Office
SR	State Route
SWMP	Storm Water Management Plan
SWPPP	Storm Water Pollution Prevention Plan
UA	Urbanized Area
UPS	Uninterruptible Power Supply
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
USGS	U.S. Geological Survey
WOUS	Waters of the United States

## 1.0 INTRODUCTION

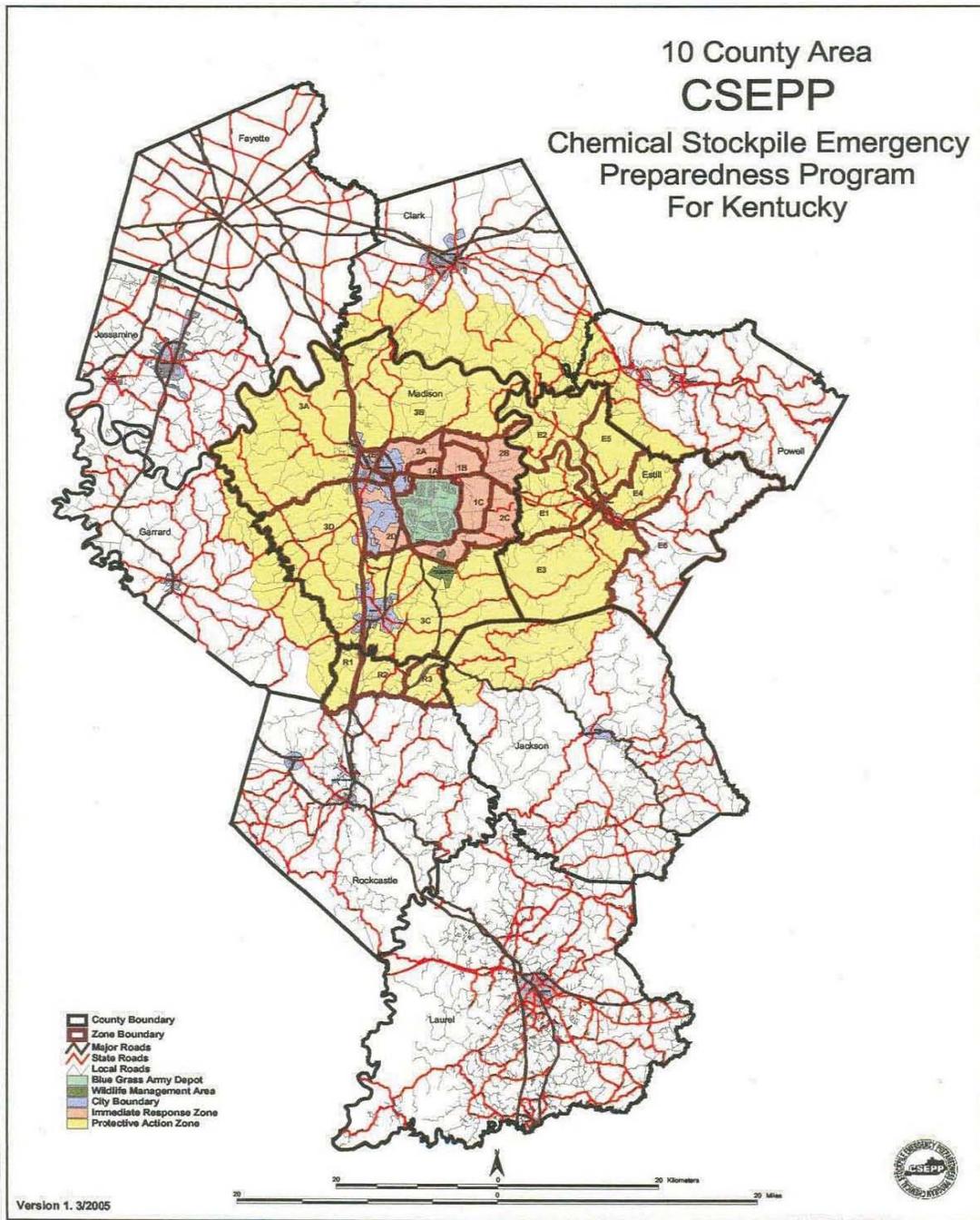
This Final Draft Environmental Assessment (EA) has been prepared on behalf of the Powell County Fiscal Court for the proposed construction and operation of an Emergency Operations Center (EOC) in Stanton, Powell County, Kentucky. On January 18, 2012, the Federal Emergency Management Agency (FEMA), in partnership with the U.S. Department of the Army, provided funding for the Powell County EOC by means of a grant (EMA-2012-CA-5250) through the Chemical Stockpile Emergency Preparedness Program (CSEPP). The CSEPP for this proposed project is administered through the Commonwealth of Kentucky as well as additional FEMA funding under a separate cooperative agreement (12-KY-DES-00486) on March 29, 2012.

The CSEPP was created in 1985 when the U.S. Congress passed a law directing the Army to dispose of its aging chemical weapons inventory with maximum protection of the public and environment as its primary consideration. Since its inception, the primary goal of CSEPP has been to educate and provide emergency preparedness assistance and resources to communities surrounding the Army's chemical warfare agent stockpiles. The last remaining stockpile in Kentucky is located at the Bluegrass Army Depot.

Ten counties in Kentucky have been determined to be in the immediate potential impact area of the chemical stockpile at Bluegrass Army Depot. Madison County, where the Bluegrass Army Depot is located, is considered the CSEPP Immediate Response Zone (IRZ). Clark, Powell, Estill, Jackson, Rockcastle and Garrard counties make up the Protective Action Zone (PAZ). Fayette, Jessamine and Laurel counties are considered Host counties, in which citizens of the IRZ or PAZ may be deployed if a major event occurred at the depot (<http://csepp.ky.gov/>).

Through the help of FEMA and the Army, these communities are expanding emergency plans and capabilities to meet the slight but real threat of a chemical agent emergency. The communities have plans and procedures in place to deal with a stockpile accident (<http://csepp.ky.gov/history/>). These counties also received the grant funding to update their facilities to the required level of the CSEPP (Figure 1).

This Final Draft EA has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, President's Council on Environmental Quality regulations to implement NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508), and FEMA's regulations implementing NEPA (44 CFR Part 10). FEMA must evaluate potential environmental impacts before funding or approving actions and projects. FEMA will use the findings in this EA to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).



**Figure 1. Chemical Stockpile Emergency Preparedness Program Zones**

## 2.0 PURPOSE AND NEED

The purpose of the Proposed Action is to provide an EOC facility adequate to protect and prepare Powell County KY before and during chemical weapons decommissioning, and to support efforts to ensure the community's preparedness and safety in the unlikely event of a chemical agent accident (<http://csepp.ky.gov/history/>).

There are presently no facilities located in Powell County that are adequate to prepare the community for a biological, chemical, and/or physical hazard. Presently, the County EOC is located within the Emergency Management Agency (EMA) office, sharing a facility with the 911 Call Center and the Powell County Ambulance Service. This EOC facility is inadequate for current functions and offers no room for growth.

The proposed EOC would be designed for rapid, flexible, and cohesive disaster management; space to house the 911 Call Center, Emergency Operations Room, a large training room, and administrative staff; and would be equipped with the technology adequate for emergency operations.

## **3.0 ALTERNATIVES ANALYSIS**

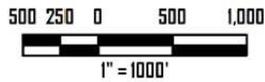
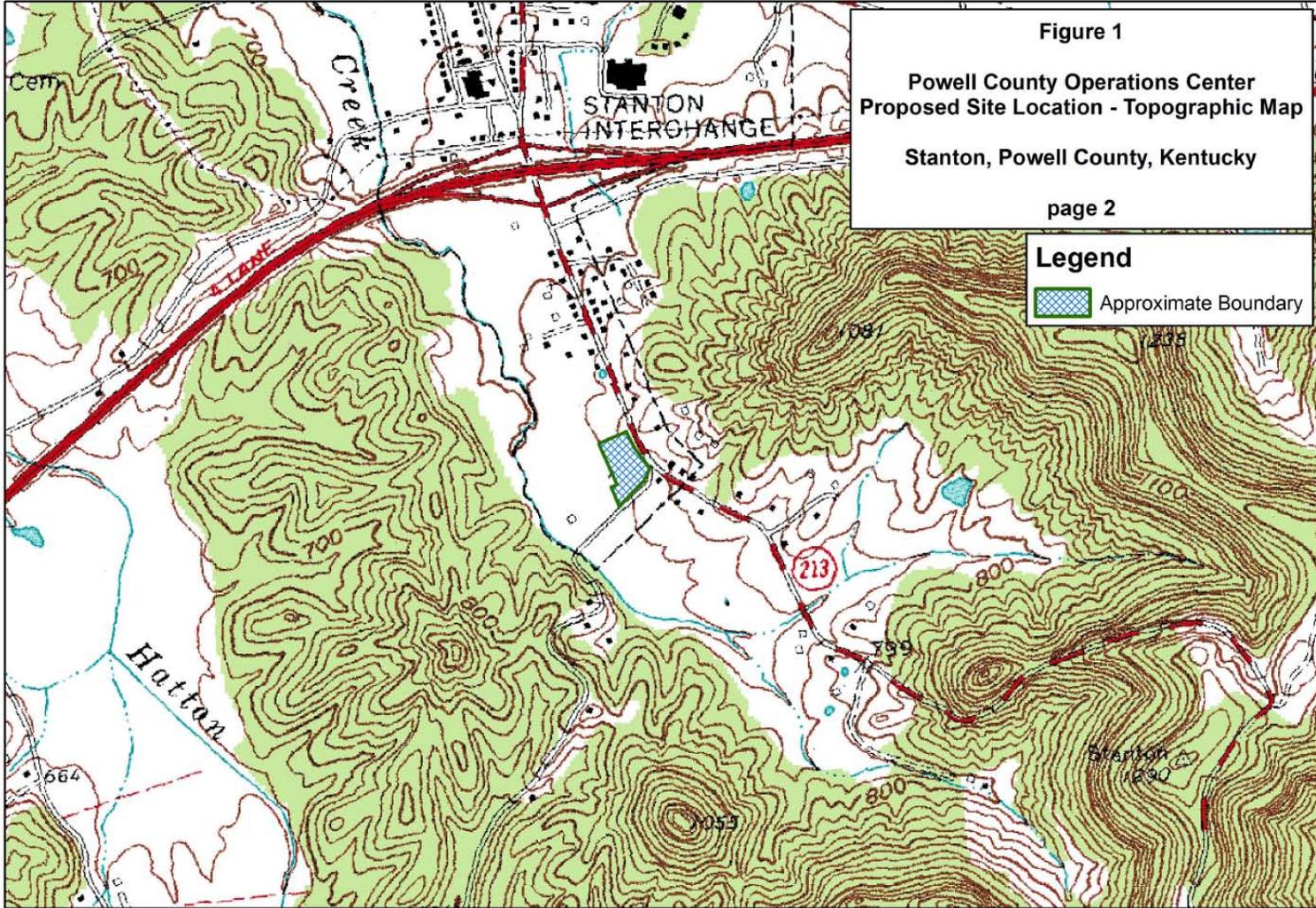
### **3.1 No-Action Alternative**

Under the No-Action Alternative, the new EOC would not be built. There is not enough room available for the necessary CSEPP facilities within the EMA that now houses the EOC. This decreases communications, the ability to prepare and protect the public before and during chemical weapons decommissioning, and the overall level of public safety. In addition, Powell County's emergency preparedness plan would not be in compliance with the goals and objectives for counties within the CSEPP program area.

### **3.2 Proposed Action**

The project would involve constructing an approximately 5,692-square foot building with a dedicated EOC room, training room, reception area, conference room, offices, 911 Call Center, break room, restrooms, shower, a separate 4,290 -square foot future storage building, a 120-foot communications tower, fencing, and a secured parking lot.

The 120-foot free-standing, self-supporting, lattice-style, pad-and-pier communications tower would be installed on the southeast corner of the site (Appendix C). An external, climate-controlled communications shelter to house all radio equipment would be built connected to the tower. A fiber cable would connect the radio equipment to the main equipment room and to the facilities Uninterruptible Power Supply (UPS) and generator.



**Figure 2 Powell County Operations Center Proposed Site Location – Topographic Map, Stanton, Powell County, Kentucky**

## 4.0 AFFECTED ENVIRONMENT AND POTENTIAL IMPACTS

Powell County is located in the Eastern Coal field region of Kentucky. In 2000, the county population was 13,237 in an area of 180.14 square miles, an average of about 73.5 people per square mile. The county seat of Powell County is Stanton (<http://www.powellcounty.ky.gov/about.htm>). The elevation in the county ranges from 570 to 1,450 feet above sea level.

The proposed EOC site is located at 33 Commerce Drive (37.835080, -83.856049), on a 2.69-acre lot within the Powell County Industrial Park, about one-half mile south of the Bert T. Combs Mountain Parkway in Stanton, Kentucky (Figure 2). The site is bordered by Furnace Road to the east, Caudill Road to the south, two undeveloped lots to the west, and Reed Court to the north. No structures are present on the project site, but lots to the northwest within the Industrial Park contain the Power Deck Company, a United Parcel Service facility, and the Clean Tide Container facility.

Resource	No Significant Impact	Significant Impact	Mitigation/ Best Management Practices
Geology and Soils	X		Minor, temporary soil disturbance.
Air Quality	X		BMPs, including proper maintenance of heavy equipment and machinery, watering down the construction area, and covering dirt piles, would be implemented at the project site and staging sites.
Water Quality	X		BMPs, including installation of silt fences and vegetation of soils, would be implemented to minimize soil erosion and off-site sediment transport.
Wetlands	X		None
Floodplains	X		None
Vegetation	X		None
Threatened and Endangered Species and Critical Habitat	X		None. Although consultation with KSNPC indicates that endangered Indiana bat ( <i>Myotis sodalis</i> ), snuffbox ( <i>Epioblasma triquetra</i> ), state-threatened

			American brook lamprey ( <i>Lampetra appendix</i> ), Northern brook lamprey ( <i>Ichthyomyzon fossor</i> ), and coal skink ( <i>Eumeces anthracinus</i> ) occur in the Stanton USGS quadrangle, none are known to exist on or near the proposed project site. USFWS concurrence dated June 1, 2012 indicates that “no significant adverse impacts to wetlands or federally listed endangered or threatened species are anticipated”.
Migratory Birds	X		None. Tower would be 120 feet above ground level, would not require guy wires, and would not be located near any known rookeries, nesting sites, and/or migratory bird flyways.
Historic and Archaeological Resources	X		According to correspondence with the KHC, the Proposed Action would have no effect on cultural resources. However, if any human remains or funerary items are inadvertently discovered, all work must immediately cease and FEMA, the KHC, and the United Keetoowah Band of Cherokee Indians in Oklahoma must be contacted within 24 hours.
Environmental Justice	X		None. The Proposed Action would benefit all populations in Powell County.
Noise	X		All construction activities would take place during normal business hours (between 7 am and 5 pm local time). Equipment and machinery would meet all local, State, and Federal noise regulations. Noise from operating the generator would be mitigated with standard noise shielding.
Traffic	X		Temporary increases in traffic volumes or brief traffic disruptions during construction would only take place during normal business hours (between 7 am and 5 pm local).
Public Service and Utilities	X		None
Public Health and Safety	X		Construction activities onsite will be fenced and appropriate signage will be

			placed for the protection of the residents and children in the surrounding area.
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## 4.1 Physical Resources

### 4.1.1 Geology and Soils

#### *Existing Conditions*

The proposed project site is generally flat and has most likely been disturbed by grading in preparation for the Powell County Industrial Park. Based on the Natural Resource Conservation Service (NRCS) Soil Survey for Powell and Wolfe Counties, Powell County’s elevation ranges from 570 to 1,450 feet; the project site is located on a plateau at roughly 730 feet. Soils within the proposed project site consist primarily of Cotaco silt loam, 2 to 6% slopes (CoB) and some Westbend silt loam, 6 to 25% slopes, eroded (WbD2). Cotaco silt loam consists of moderately well-drained soils found along stream terraces. Its parent material consists of fine-silty alluvium derived from sedimentary rock. This soil is considered partially hydric with the water table being 18 to 30 inches. The typical profile for Cotaco silt loam is: 0 to 16 inches: silt loam; and 16 to 60 inches: loam. Westbend silt loam consists of well-drained soils found on knobs. Its parent material consists of fine-silty colluviums (soil transported to the site) derived from shale and siltstone over residuum (soil formed on the site). This soil is not considered eroded. The typical profile for Westbend silt loam is: 0 to 7 inches: silt loam; 7 to 45 inches: silty clay loam; and 45 to 55 inches: weathered bedrock.

According to the Farmland Protection Policy Act (FPPA), CoB soils are considered prime and unique farmlands. FPPA states that federal agencies must “minimize the extent to which federal programs contribute to the unnecessary conversion of farmland to nonagricultural uses...”

#### *Proposed Action*

The Proposed Action would have no significant impact on existing geological or soil conditions at the project site. There are no unstable soils at the project site. On June 15, 2012, a letter requesting project review was sent to Natural Resources Conservation

Service (NRCS). A response letter from NRCS, dated June 22, 2012, stated the site is considered to have already been converted and that no prime, unique, statewide or local important farmlands would be impacted by the proposed project. A negative declaration has been indicated on the attached AD-1006 form (Appendix B); therefore, the project is consistent with the Farmland Protection Policy Act and no mitigation measures would be required.

#### **4.1.2 Air quality**

##### *Existing Conditions*

The Clean Air Act (CAA) requires that states adopt ambient air quality standards. The standards have been established to protect the public from potentially harmful amounts of pollutants. Under the CAA, the EPA establishes primary and secondary air quality standards. Primary air quality standards protect the public health, including the health of sensitive populations, such as people with asthma, children, and older adults. Secondary air quality standards protect public welfare by promoting ecosystem health and preventing decreased visibility and damage to crops and buildings. The EPA has set National Ambient Air Quality Standards (NAAQS) for the following five major pollutants: carbon monoxide (CO), ozone O<sub>3</sub>, nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>) and particulate matter. (<http://www.epa.gov/cleanairactbenefits/economy.html>)

Powell County has been designated by the U.S. EPA as being in attainment with respect to the NAAQS for the designated criteria pollutants of carbon monoxide, 8-hour ozone, nitrogen dioxide, sulfur dioxide, lead, particulate matter with a diameter of 2.5 microns, and particulate matter with a diameter of 10 microns.

##### *Proposed Action*

The proposed EOC would include a back-up emergency generator to provide emergency power during power outages. This back-up generator would be tested periodically and would operate when power outages occur during the operation of the facility and if the primary generator is disabled. Operation of this back-up generator could result in some localized air pollutant emissions for intermittent, short periods. As such, the proposed project is not expected to have a negative impact on the ambient air

quality of Powell County or the Bluegrass Intrastate Air Quality Control Region. Under the Proposed Action, short-term minor impacts to air quality could occur during the construction period. Typical construction activities may include grading and the addition of fill material to the Powell County EOC project site. To reduce temporary impacts to air quality, Best Management Practices (BMPs) would be in place on the construction area by contractors. These BMPs may include proper maintenance of heavy equipment and machinery, watering down construction area and possibly covering dirt piles if deemed necessary. No long term impacts to air quality are anticipated.

## **4.2 Water Resources**

### **4.2.1 Water Quality**

#### *Existing Conditions*

The Clean Water Act (CWA), as amended in 1977, established the basic framework for regulating discharges of pollutants into surface water resources. According to the U.S. Geological Survey (USGS) Stanton (1966), the elevation of the project site ranges from 895 to 900 feet with the lowest elevations on the south and southwest portion of the property.

No ponds, streams or other surface water resources exist at the project site. The project site is located within the Judy Creek watershed (HUC14 15100204-160-120). From the project site Judy Creek flows approximately 2.7 river miles before entering into the Red River and then eventually into the Kentucky River (HUC8 15100204). Judy Creek is located in a valley surrounded on three sides by hills with 1,000-foot elevations. Since no waters of the United States (WOUS) are located on the project site, no correspondence with U.S. Army Corps of Engineers was warranted. A Storm Water Pollution Prevention Plan (SWPPP) permit for stormwater would be required from Kentucky Division of Water (KDOW) due to the 2.69 acres of disturbance.

#### *Proposed Action*

There are no surface waters on the site, and there would be no impacts to water resources from construction or operation of the proposed EOC. Since the area to be disturbed during construction is greater than one acre, a Storm Water Management Plan

(SWMP) with a SWPPP would be implemented during site development according to the requirements of KDOW. The SWMP/SWPPP has been completed, submitted, and is waiting for approval. These documents include BMPs to minimize erosion of soil from the construction area and reduce off-site sediment transport. Examples of appropriate BMPs required at the construction site, including the installation of silt fences and the vegetation of soils to minimize soil erosion.

The applicant would be required to apply to the KDOW for a Kentucky Pollutant Discharge Elimination System (KPDES) permit for construction activities. KPDES Form NOI-SWCA, associated with Construction Activity under the KPDES General Permit avoids impacts to wetlands, surface waters, and groundwater; therefore, no additional mitigation measures are required. BMPs would consist of erosion control in the form of silt fence, hay bales, etc., to prevent silt as the result of construction from entering Judy Creek and storm drains via surface water transport. Since no WOUS are located on the project site, no correspondence with U.S. Army Corps of Engineers was warranted.

#### **4.2.2 Wetlands**

##### *Existing Conditions*

The U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged and fill material into waters of the United States, including wetlands, pursuant to Section 404 of the CWA. Executive Order (EO) 11990 (Protection of Wetlands) requires federal agencies to avoid, to the extent possible, adverse impacts to wetlands. According to the National Wetlands Inventory (NWI) maps, no wetlands are located within the project site (<http://www.fws.gov/wetlands/>). A site visit conducted by Palmer Engineering in March 2012, confirmed that no wetlands are located within the 2.69-acre project site.

##### *Proposed Action*

Under the Proposed Action, no impacts to WOUS, including wetlands, are anticipated because they are non-existent on the project site.

#### **4.2.3 Floodplains**

##### *Existing Conditions*

Executive Order (EO) 11988 (Floodplain Management) requires federal agencies to avoid to the extent possible the short- and long-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative. Consistent with EO 11988, Flood Insurance Rate Maps (FIRMs) were examined during the preparation of this EA. The entire project site is located in Zone X, outside of the 500-year floodplain ([www.msc.fema.gov](http://www.msc.fema.gov) FIRM Number 211197C0175D; Date February 17, 2010).

The project site is within the Judy Creek watershed and is not located within a 500-year floodplain, according to FEMA's FIRM (FEMA 2010) (Appendix A). The elevation at the project site is roughly 15 feet higher and 800 feet from the nearest stream.

#### *Proposed Action*

Since the project site is outside the 500-year floodplain, project impacts to the 100-year floodplain would be minor. Therefore, mitigation measures are not required.

### **4.3 Biological Resources**

#### **4.3.1 Vegetation**

#### *Existing Conditions*

The project site is a regularly mowed industrial lot. Since the project site has been prepared for future development, no mature trees are present. Grasses, mostly cultivars in the fescue group, and other weedy species that have adapted to disturbed areas dominate the site's vegetation. A few shrubs are located along the east side, and trees are located on the south side of the property, separating the site from Caudill Road. Surrounding areas consist of low-density residential, agricultural, and forested land uses/land covers.

#### *Proposed Action*

All new landscaping would comply with Powell County KY standards. The retention of the surrounding mature vegetation and the installation of additional landscaping would mitigate for potential impacts related to vegetation loss when construction of the EOC's structures and paved areas remove some of the site's present vegetation. As a result, minor impacts to vegetation would occur.

### **4.3.2 Threatened and Endangered Species and Critical Habitat**

#### *Existing Conditions*

The Endangered Species Act (ESA) requires federal agencies to determine the impacts of their actions on federally listed threatened and endangered species and their designated critical habitat. The proposed project site is located within the Powell County Industrial Park, on a regularly maintained, grassed lot. A few shrubs are located along the east side, and trees are located on the south side of the property, separating the site from Caudill Road. Surrounding areas consist of low-density residential, agricultural, and forested land uses/land covers. No aquatic resources are present on the property; the nearest are about 800 feet away. Written consultation with the Kentucky State Nature Preserves Commission (KSNPC) indicated that although the following listed species occur within the Stanton USGS quadrangle: federally endangered Indiana bat (*Myotis sodalis*); snuffbox (*Epioblasma triquetra*); state-threatened American brook lamprey (*Lampetra appendix*); Northern brook lamprey (*Ichthyomyzon fossor*); and coal skink (*Eumeces anthracinus*), none are known to occur within five miles of the project area. No federal or state threatened or endangered species or critical habitats are known to exist on or near the project site (Appendix B).

#### *Proposed Action*

No federally listed endangered, threatened, or candidate species, state species, or their designated critical habitat are known to be present on the project site; therefore, no impacts to species would occur (Appendix B). In a response dated June 1, 2012, USFWS anticipated “no significant adverse impacts to wetlands or federally listed endangered or threatened species” from the Proposed Action (2012-B-0570).

### **4.3.3 Migratory Birds**

#### *Existing Conditions*

Since the project location consists of a regularly mowed parcel within an industrial lot, wildlife habitat is almost non-existent. While there are some mature trees located to the south and west of the project site, none exist on the parcel. Migratory birds may occasionally be temporarily present at the project site, but it would be unlikely due

to the limited vegetation. There are no habitats present on the site that would indicate that the project area would attract migratory birds to any greater degree than any nearby residential property. The project site is not located along a waterway or a ridge line that could be expected to attract migratory birds during migration. There is no portion of the site that would provide critical nesting or foraging cover for migratory birds.

#### *Proposed Action*

Construction of the project would not require the removal of mature trees. The proposed tower would not be expected to pose a hazard to migratory birds based on the USFWS Migratory Bird Program, construction of communication towers guidelines (USFWS 2000). The proposed tower would be approximately 120 feet tall, shorter than the guideline maximum height of 199 feet, and the tower design that would not require guy wires.

The communications tower would be installed on site. The free-standing, self-supporting, lattice-style, pad-and-pier tower is expected to be constructed in the southwest corner of the property. Construction of the project would require the removal of a limited amount of vegetation, mostly cultivar grasses and some weeds, but no trees. Construction activities would not have direct impacts to migratory bird nests during the nesting season due to lack of mature trees on the site. In a response dated June 1, 2012, USFWS anticipated “no significant adverse impacts to wetlands or federally listed endangered or threatened species” from the Proposed Action (2012-B-0570).

## **4.4 Cultural Resources**

#### *Existing Conditions*

The National Historic Preservation Act (NHPA) of 1966, (PL 89-665; 16 USC 470 *et se.*) as amended, outlines Federal policy to protect historic properties and promote historic preservation in cooperation with States, Tribal Governments, local governments, and other consulting parties. The NHPA established the National Register of Historic Places (NRHP) and designated the State Historic Preservation Office (SHPO) as the entity responsible for administering State-level programs. The Kentucky Heritage

Council (KHC) is the SHPO. The NHPA also created the Advisory Council on Historic Preservation (ACHP), the Federal agency responsible for overseeing the Section 106 process and providing commentary on Federal activities, programs, and policies that affect historic properties.

#### *Previous Section 106 Coordination*

The project site is 33 Commerce Drive, Stanton, Kentucky 40380, a 2.69 acre parcel that is part of the Powell County Industrial Park. In 1989, Powell County received a federal grant from the Appalachian Regional Commission and the proposed park was surveyed by Archaeologist Jack Rossen. The report findings are based on a pedestrian survey and shovel probes in selected areas. No significant cultural resources were found and no additional investigations were recommended. The KHC concurred with this finding in correspondence dated April 30, 2012.

#### *Area of Potential Effects*

For archaeological resources, the APE for direct effects is the 2.69 acre parcel where the building, tower, and paved areas would be built. For above-ground resources, the APE is limited to the 2.69 acre parcel; this parcel is next to KY HWY 213, so the area directly visible to the 33 Commerce Drive parcel would be in the APE for indirect effects. Reconnaissance of the immediate area of the proposed project indicates that there are no potentially eligible historic properties in the immediate viewshed/APE.

The proposed project is in compliance with Section 106 of the National Historic Preservation Act (NHPA), which requires consideration of historic properties (archaeological and cultural historic) in federal actions. A “No Historic Properties Affected” finding for Cultural Historic and Archaeological Resources was requested and received from the KHC for the proposed Powell County Emergency Operations Center (Appendix B).

#### **4.4.1 Archaeological Resources**

In 1989 Powell County received a federal grant from the Appalachian Regional Commission and the then proposed Industrial Park was surveyed by Archaeologist Jack

Rossen. No significant cultural resources were encountered and no additional investigations were recommended and KHC concurred with this finding.

*Proposed Action*

No archaeological resources were identified for this project. The KHC was consulted to determine if the “No Effect” findings from the 1989 report are still valid under today’s report specifications. In correspondence dated April 30, 2012, the KHC responded that the report assessment is still valid and no additional survey would be required (Appendix B).

No comments were received from American Indian Tribes on the cultural resources survey results report. In a letter dated June 14, 2012 (Appendix B), KHC concurred that the project would result in “No Historic Properties Affected”, and no mitigation measures would be required.

**4.4.2 Cultural Historic Resources**

Cultural historic reconnaissance of the APE was conducted by Jayne Goddard, Historic Preservation Specialist with Palmer Engineering, on June 13, 2012. Ms. Goddard is qualified under the Secretary of the Interior’s Professional Qualification Standards (36 CFR Part 61) in the discipline of history and architectural history. There are no listed or potentially eligible historic properties in the APE.

*Proposed Action*

On June 14, 2012 (Appendix B), KHC concurred that the project would result in “No Historic Properties Affected”; no mitigation measures would be required.

**4.4.3 Native American Consultation**

In letters to the Eastern Band of Cherokee Indians, the Absentee Shawnee Tribe of Oklahoma, the Cherokee Nation, the Chickasaw Nation, the Eastern Shawnee Tribe of Oklahoma, the Miami Tribe of Oklahoma, the Shawnee Tribe, and the United Keetoowah Band of Cherokee Indians in Oklahoma, dated July 25, 2012, FEMA requested concurrence with their finding of “No Historic Properties Affected”. The only response received was from the United Keetoowah Band of Cherokee Indians in Oklahoma on July 30, 2012, stating that the Tribe had no objection to or comments on the Proposed Action,

but requested that if any human remains or funerary items are inadvertently discovered, all work would cease and they be contacted immediately.

## 4.5 Socioeconomics

### 4.5.1 Environmental Justice

EO 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations) requires federal agencies and those receiving federal funds to consider possible highly disproportionate and adverse environmental effects of their actions on minorities and low-income populations. Socioeconomic and demographic data for the project area were reviewed to determine if the proposed project would have a disproportionate and negative impact on any minority or low-income populations.

The project site is located within the city limits of Stanton in Powell County Kentucky. As of 2010, Powell County had a population of 12,613. Stanton has a poverty level (about 29%) higher than both Powell County and the Commonwealth of Kentucky (USCB, 2010). Stanton also has a minority population level (about 4.9%) slightly higher than that of the county but lower than that of the state.

The project site is located in Census Tract 9701, block group 5, census block 5019. U.S. Census data from 2010 are the most recent data available on the percentage of minority and low-income populations in the project area. Data are available to the census block level for minority populations and to the block group level for low-income populations (US Census Bureau 2010). Detailed demographic information is provided in the table below.

**Table 2 2010 U.S. Census Data for Minority and Low-Income Populations**

	<b>Kentucky</b>	<b>Powell County</b>	<b>City of Stanton</b>
Total population (2010)	4,285,828	35,305	2,800
Annual median household income	\$41,576	\$31,815	\$26,494
% persons below poverty level	17.7	26.3	29.0
% Minority population	11.5	2.2	4.9
% Hispanic (may be of any race)	2.7	0.6	2.0
% of population over 65	13.1	12.7	21.4

Source: 2006-2010 American Community Survey 5-Year Estimates

### *Proposed Action*

Although the residents within the vicinity of the proposed project site represent a minority or low income population greater than the populations within Powell County, all populations would benefit from the emergency management public services that would be provided by the new Powell County EOC. Although minority or low income populations may reside in the project site's vicinity, they would not be disproportionately or adversely affected by the proposed new EOC at the existing Powell County Industrial Park on Commerce Drive. Therefore, there would be no highly disproportionate and adverse impact related to Environmental Justice.

#### **4.5.2 Noise**

Noise is generally defined as unwanted sound. Sound is most commonly measured in decibels (dB) on the A-weighted scale, which is the scale most similar to the range of sounds that the human ear can hear. For this project, two noise standards are used. The first is the Day-Night Average Sound Level (DNL), which is an average measure of sound. The DNL descriptor is accepted by federal agencies as a standard for estimating sound impacts for compatible land uses. EPA guidelines and those of many other federal agencies, state that outdoor sound levels in excess of 55 dB DNL are “normally” unacceptable for noise sensitive land uses including residences (EPA, 1974). The second set of noise standards deals with traffic noise impacts and is found within 23 CFR 772 which was revised in July 2011 by the Federal Highway Administration. For this project noise levels generated by traffic sources impact residences and commercial sites when sound levels are approach or exceed the applicable Noise Abatement Criteria (NAC) of 67 dBA and 72 dBA, respectively.

The project site is located within the Powell County Industrial Park and has low to medium ambient noise sources, including street noise from Mountain Parkway and Furnace Road. The site is located north of Caudill Road and residential property; east of Power Deck Company; south of the United Parcel Service (UPS) shipping and receiving building; southeast of Clean Tide Containers; and west of dispersed residential property across Furnace Road.

### *Proposed Action*

Under the Proposed Action, construction of the EOC would produce minor, temporary noise increases. To reduce noise level impacts to adjacent residences and commercial sites, construction activities would take place during normal business hours, between 7 a.m. and 5 p.m. Equipment and machinery used at the project site would meet all local, State, and Federal noise regulations. No long-term increases in noise levels are anticipated as a result of the proposed project.

EOC operation would not result in significant changes in traffic volumes and therefore would not notably change the normal street noises currently existing at the site. Currently, impacts from traffic volumes within the project area do not exceed the NAC for residences or commercial sites. As future traffic volumes are not impacted by the construction of the EOC, any future impacts relating to traffic noise within the project area would be a result of changes in traffic volumes on existing or new roadway facilities or changes in traffic patterns.

Mechanical air-handling equipment may be placed outside the building, but would have a minimal impact due to the building's distance from any surrounding residences.

A back-up emergency generator would provide emergency power to the EOC during power outages. This generator would be tested periodically and would operate during power outages. Operation of this generator could result in some minor noise impacts for variable and short periods of time. The noise levels would be mitigated with standard noise shielding. Due to the infrequent use of the generator and the use of noise shielding, potential noise impacts would be minor.

### **4.5.3 Traffic and Transportation**

Existing roads near the project site include Furnace Road (KY HWY 213), Reed Court, Commerce Drive, Caudill Road; and Furnace Road (KY HWY 213), a rural major collector east of the project site, with an Average Daily Traffic Count (ADT) of 2,230 cars and a Level of Service (LOS) of C. Level-of-Service C is stable flow of traffic with restricted lanes of about 11 car spaces. This is the targeted LOS for some urban and most rural highways.

Reed Court located to the north, Commerce Drive to the west, and Caudill Road to the south are considered local roads and no traffic data is available for these local roads.

Furnace Road (KY HWY 213), Reed Court, and Commerce Drive service three industrial sites and receive higher truck traffic volumes due to the daily operations of the UPS transfer station, Clean Tide, and Power Deck Company. Caudill Road services primarily residences and agricultural properties.

*Proposed Action*

Access to the proposed EOC would be from Commerce Drive. Peak hours for traffic due to construction are estimated to be from 7 a.m. to 8 a.m. and 3 p.m. to 5 p.m. Caudill Road should not experience any traffic impact during site construction. Operations of the new EOC would not result in a significant increase in traffic along Commerce Drive, Reed Court, or Furnace Road (KY HWY 213). Traffic may be temporarily disrupted on Commerce Drive and Reed road for sewer line placement.

**4.5.4 Public Service and Utilities**

The proposed new EOC area is serviced by Stanton Water Works (Water and Sewer), Delta Natural Gas and Columbia Natural Gas Companies, Clark Energy Cooperative and Jackson Energy, Time Warner Cable, Waste Management, and AT&T phone service.

*Proposed Action*

There are existing utility connections on or near the proposed EOC site. Water connections would be at the southeast corner of the property, on the corner of Furnace Road (KY HWY 213) and Caudill Road. The sanitary sewer connection would be across Commerce Drive on the northwest section of the property to an existing manhole. The electric and telephone connections are at a pole located on the east side of the property near Furnace Road (KY HWY 213).

**4.5.5 Public Health and Safety**

*Existing Conditions*

The present Powell County EOC facility is located within the EMA office. The space is shared with the County's 911 Call Center and Ambulance Service. The present EOC space is inadequate for current functions, including the necessary CSEPP activities

to prepare the public for, and respond to, an incident at the Bluegrass Army Depot. This prevents more effective communications, the ability to prepare and protect the public during chemical weapons decommissioning, and decreases the overall level of public safety.

#### *Proposed Action*

Building the Powell County EOC would provide better protection to county residents through education, preparation, and thorough up-to-date technology that would support rapid mobilization in the event of an emergency during chemical decommissioning. The new EOC would enhance public health and safety by providing more safety features, adequate office, training, and work space, and an area required for a more effective state-of-the-art 911 Call Center.

#### *Construction Related Impacts*

During construction, all activities would be conducted in accordance with the standards specified in the Occupational Safety and Health Administration (OSHA) regulations and by trained qualified personnel. Construction activities onsite would be fenced and appropriate signage would be placed for the protection of the residents and children in the surrounding area.

## 5.0 CUMULATIVE IMPACTS

According to the President’s Council on Environmental Quality (CEQ) regulations, cumulative impacts represent the “impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7).”

In accordance with NEPA, this EA considers the combined effect of the proposed action and other actions occurring or proposed in the vicinity of the project site to evaluate reasonable and practical cumulative impacts. The project area is located within the Powell County Industrial Park, surrounded by light industrial and commercial businesses. At this time, no construction is planned for the other lots within the Powell County Industrial Park. If construction does occur during the time of the proposed project, then there may be minor temporary cumulative impacts to noise, and air quality in the area. No other cumulative impacts are anticipated.

## **6.0 PUBLIC INVOLVEMENT**

FEMA is the lead Federal agency for conducting the NEPA compliance process for the proposed Powell County EOC project in Stanton, Kentucky. The lead agency's goals include expediting NEPA document preparation and review and to respond to community needs and the proposed action's purpose and need while also meeting NEPA's intent and complying with all NEPA provisions. FEMA will post Public Notice on their website and in the "Clay City Times"; provide Final Draft EA copies for public review on their website and at the Powell County Library, 725 Breckenridge Street, in Stanton, KY; and conduct a 7-day Public Comment period starting on the posting date.

## AGENCY COORDINATION AND PERMITS

Coordination was done with the following agencies:

- Federal Emergency Management Agency
- Powell County Fiscal Court
- Powell County Chemical Stockpile Emergency Preparedness Agency
- United States Fish and Wildlife Service
- Kentucky Department of Fish and Wildlife Resources
- Kentucky State Natural Preserves Commission
- Kentucky Department of Energy and Environment
- Kentucky Heritage Commission
- Kentucky State Historic Preservation Office
- Eastern Band of Cherokee Indians,
- Absentee Shawnee Tribe of Oklahoma,
- Cherokee Nation,
- Chickasaw Nation,
- Eastern Shawnee Tribe of Oklahoma,
- Miami Tribe of Oklahoma,
- Shawnee Tribe
- United Keetoowah Band of Cherokee Indians in Okalahoma

There was no response from any of the above agencies regarding any issues and/or negative impacts related to this project.

Each state and locality has specific permits for building projects. The following permits and application would be needed for the proposed EOC construction:

- Kentucky State Building Permit
- City of Stanton Building Permit
- City of Stanton Grading Permit
- Kentucky Pollution Discharge Elimination Permit
- Kentucky Division of Water Sanitary Sewer Permit
- Kentucky Division of Water Waterline Extension Permit
- Stanton Water Works (review water and sewer permit)
- Clark Energy Cooperative
- Delta Natural Gas
- Columbia Natural Gas
- Jackson Energy
- AT&T
- Time Warner Cable

## 7.0 REFERENCES

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