

U.S. ARMY CORPS OF ENGINEERS
NASHVILLE DISTRICT

FINDING OF NO SIGNIFICANT IMPACT

Lee's Ford Resort and Marina Parking Lot Expansion Project
Wolf Creek Dam and Lake Cumberland Project
Pulaski County, Kentucky

1. Lee's Ford Resort and Marina requested approval for a parking lot expansion project. The proposed project consists of the construction of a 4.00 acre parking lot to add 381 parking spaces within the approved lease area of Lee's Ford Marina. In order to construct the additional 1.80 acre parking lot extension, a 1.10 acre borrow area adjacent to the existing parking lot would be utilized. Following completion of construction activities, approximately 0.60 acres of the borrow area would be utilized as additional parking. By constructing the proposed project Lee's Ford Resort and Marina would be better accommodate marina patrons and provide safer access within the lease area.
2. The existing conditions and potential impacts of alternatives available to the U.S. Army Corps of Engineers (Corps) regarding the proposed project were described and evaluated in an Environmental Assessment (EA), prepared pursuant to the National Environmental Policy Act (NEPA), Council for Environmental Quality regulations (40 CFR, 1500-1508) and the Corps implementing regulation, Policy and Procedures for Implementing NEPA, ER 200-2-2, 1988 (33 CFR 230). Lee's Ford Resort and Marina alternatives evaluated include a no action and an approval of the proposed parking lot expansion.
3. The EA evaluated two separate alternatives in detail for the proposed project. These are: Alternative 1 – No Action Alternative and Alternative 2 – Approval of the Proposed Paved Parking Lot Expansion. The EA revealed no direct or indirect impacts for the proposed paved parking lot expansion project on wetlands, or hazardous, toxic, or radioactive wastes. The proposed r paved parking lot expansion project would result in the permanent loss of 1.0 acres of forested habitat. However this loss of habitat is considered minor. Lake Cumberland has large tracts of contiguous forest providing aesthetics and habitat to the area. There would also be a minimal area of the lakebed filled for the parking. Allowing the parking area expansion provides additional access to Lake Cumberland and its amenities and alleviates traffic congestion within the Lee's Ford Resort and Marina area.
4. The proposed action alternatives are in compliance with the Clean Air Act and Executive Order 12898 for Environmental Justice. None of the alternatives described in this environmental assessment would disproportionately place any adverse environmental, economic, social, or health impacts on minority and low-income populations.

5. The EA, along with the unsigned Finding of No Significant Impact (FONSI), was circulated for a 30 day public and agency review. Public comments received during the review period would be considered before finalizing the EA and FONSI.

6. Coordination with U.S. Fish and Wildlife Service (Service) per the Fish and Wildlife Coordination Act (FWCA 48 Stat, 401, as amended; 16 U.S.C. 661 et seq.) and Endangered Species Act (ESA), was initiated by submittal of a habitat assessment of the proposed project area. Two known species, Indiana bat (*Myotis sodalis*) and Northern long-eared bat (*Myotis septentrionalis*) may occur within the proposed project footprint. After further investigation and coordination with the Service, the Corps made the determination that the proposed project “may affect and is likely to adversely affect and Threatened and/or Endangered Species (T&E Species).

In order to mitigate potential impacts Lee’s Ford Marina’s and Service’s signed Memorandum of Agreement (MOA) and Lee’s Ford Marina’s payment into the Kentucky Natural Lands Trust – Indiana Bat Conservation Fund. Therefore compliance with ESA and FWCA is satisfied.

7. Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, and its implementing regulations at 36 CFR 800 require consideration of cultural resources prior to a federal undertaking and requires consultation with the State Historic Preservation Officer (SHPO), Federally recognized tribes with a connection to the project location and other consulting parties defined at Section 800.3. The NHPA only affords protection to sites, buildings structures, or objects listed in or determined eligible for listing in the National Register of Historic Places (NRHP). Archival research for this project involved consulting the NRHP, the Tennessee Historical Commission National Register and structure files, and the Tennessee Division of Archaeology site and survey files. The Section 106 consultation for the proposed action led to a “historic properties affected no adverse effect” determination with the condition that the project is monitored for archaeological deposits during construction.

8. Necessary evaluation and permitting in accordance with Section 404 of the Clean Water Act is being completed through coordination with the Corps Regulatory Branch. A Section 401 of the Clean Water Act would be required from the Kentucky Division of Water prior to initiating construction.

9. I have reviewed the proposed Lee’s Ford Resort and Marina Parking Lot Expansion Project, the public and agency comments, and the EA in light of the general public interest. I have determined that issuing the respective approvals, and allowing the proposed project to be constructed would not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, as

amended. Accordingly, I have concluded that preparation of an Environmental Impact Statement would not be required.

DATE

Stephen F. Murphy
Lieutenant Colonel, U.S. Army
District Commander