



**US Army Corps
of Engineers®**

Pittsburgh District

Planning and Environmental Branch
William S. Moorhead Federal Building
1000 Liberty Avenue
Pittsburgh, Pennsylvania 15222

Public Notice Date: 10 January 2020
Expiration Date: 25 January 2020

NOTICE OF AVAILABILITY

Draft Environmental Assessment

**New Lease for Recreational Trail and New Easement for Sanitary Sewer Line
with the Derry Township Municipal Authority
and Section 408 Request to Alter the Loyalhanna Lake Project
in Westmoreland County, PA**

The U.S. Army Corps of Engineers, Pittsburgh District (USACE) is evaluating a proposed alteration to the Loyalhanna Lake Project and several real estate actions that are necessary to authorize development proposed by Derry Township Municipal Authority.

The USACE invites submission of comments on the environmental impact of the approval of the Section 408 request and the proposed real estate actions. The USACE will consider all submissions received before the expiration date of the public comment period. The nature or scope of the proposal may be changed upon consideration of the comments received.

The draft Environmental Assessment and draft Finding of No Significant Impact are available electronically at:

<https://www.lrp.usace.army.mil/Missions/Planning-Programs-Project-Management/>

Comments can be submitted to the address posted at the top of this notice or to kristi.s.dobra@usace.army.mil. Comments must be received 25 January 2020 to ensure consideration.

DRAFT FINDING OF NO SIGNIFICANT IMPACT

**New Lease for Recreational Trail and New Easement for Sanitary Sewer Line
with the Derry Township Municipal Authority
and Section 408 Request to Alter the Loyalhanna Lake Project
in Westmoreland County, PA**

The U.S. Army Corps of Engineers, Pittsburgh District (Corps) has prepared an environmental assessment (EA) in accordance with the National Environmental Policy Act of 1969, as amended. The Draft EA, dated 9 January 2020, evaluates environmental impacts associated with the proposed issuance of a new lease and easement to the Derry Township Municipal Authority (DTMA) for use of Federal property to construct and maintain a pedestrian/bicycle trail and to install and operate a sanitary sewer line and associated pump station at the Loyalhanna Lake Project in Westmoreland County, PA.

The Draft EA, incorporated herein by reference, evaluated two alternatives regarding the real estate actions and Section 408 Permission for the new lease, easement, and license with DTMA at the Loyalhanna Lake Project. The preferred alternative includes the following six Proposed Federal Actions:

- Issuance of an easement to DTMA to install and operate a sanitary sewer line and associated pump station;
- Issuance of work area license(s) to allow for construction;
- Issuance of a new recreation lease to DTMA to allow for the construction and maintenance of a recreational trail that connects Keystone State Park and the Borough of New Alexandria;
- Modification of an existing lease with the Pennsylvania Game Commission to transfer the area proposed for use as a trail to DTMA;
- Modification of an existing lease with the Borough of New Alexandria (BNA) to transfer the area proposed for use as a trail to DTMA;
- Granting Section 408 Permissions to DTMA to alter the Loyalhanna Lake Project with the proposed trail and sewer line.

In addition to the preferred alternative, a 'No Action' alternative was evaluated. For each alternative, the potential effects were evaluated, as appropriate. A summary assessment of the potential effects of the preferred alternative is provided in the following table:

Environmental Resource	Moderate effect	Minor effect	No effect
Aesthetics	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vegetation and Wildlife Habitat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Threatened/Endangered species	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic and Archaeological Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floodplains	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hazardous, toxic & radioactive waste	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Land use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Traffic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Noise levels	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Resource	Moderate effect	Minor effect	No effect
Socio-economics/ Environmental Justice	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Recreation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water Quality and Fisheries	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Public Safety	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The preferred alternative will result in unavoidable adverse impacts to 0.29 acres of wetlands. To mitigate these adverse impacts, the Corps will ensure that DTMA applies for and receives all applicable Clean Water Act permits prior to the initiation of construction. Clean Water Act permits and verifications will require that federal wetland mitigation requirements are met.

While there may be temporary disruptions to recreation during construction, the trail connecting Keystone State Park to the Borough of New Alexandria is expected to ultimately increase recreational opportunities in the area.

Pursuant to Section 7 of the Endangered Species Act (ESA) of 1973, as amended, the Corps determined that the preferred alternative may affect, but is not likely to adversely affect, threatened or endangered species.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, the Corps determined that the preferred alternative will have no effect on historic or cultural resources.

A 15-day public comment period will occur from 10 January 2020 to 25 January 2020. The Corps will consider all submissions received before the expiration date of the public comment period. The nature or scope of the preferred alternative may change upon consideration of the comments received. If significant effects on the quality of the human environment are identified during public comment which cannot be mitigated, the Corps will initiate an Environmental Impact Statement (EIS), and afford all of the appropriate public participation opportunities attendant to an EIS.

After having carefully evaluated all aspects of the Proposed Federal Actions and based on the Draft EA, I have reasonably concluded that the Proposed Federal Actions do not constitute major federal actions significantly affecting the quality of the human environment. Therefore, an environmental impact statement (EIS) is not required and will not be prepared.

Date

ANDREW J. SHORT
Colonel, Corps of Engineers
District Commander

DRAFT ENVIRONMENTAL ASSESSMENT
New Lease for Recreational Trail and New Easement for Sanitary Sewer Line
with the Derry Township Municipal Authority
and Section 408 Request to Alter the Loyalhanna Lake Project
in Westmoreland County, PA
January 9, 2020

Prepared by: Environmental and Cultural Resources Section, Planning and Environmental Branch, U.S. Army Corps of Engineers (USACE), Pittsburgh District

1. Proposed Actions: This Environmental Assessment (EA) evaluates six Federal actions necessary to authorize development proposed by Derry Township Municipal Authority (DTMA) at the Loyalhanna Lake Project. DTMA proposes to construct and maintain a pedestrian/bicycle trail and to install and operate a sanitary sewer line and associated pump station (Project). The Project, as proposed, requires the U.S. Army Corps of Engineers (USACE), Pittsburgh District, to issue or take six separate, but interrelated authorizations or actions before the Project can proceed. Those actions are: (1) issuance of an easement to install and operate a sanitary sewer line and associated pump station; (2) issuance of work area license(s) to allow for construction; (3) issuance of a recreation lease for construction and maintenance of a pedestrian/bicycle trail; (4) modification of an existing lease with the Pennsylvania Game Commission (PAGC); (5) modification of an existing lease with the Borough of New Alexandria (BNA); and (6) the issuance of USACE permission under 33 USC § 408 authorizing alterations to the Loyalhanna Lake Project (a federally-authorized civil works project) (Proposed Actions). This EA evaluates the environmental impacts associated with each of the Proposed Actions.

The Project's total geographical area of disturbance is approximately 15-acres. Roughly half of this area will be temporarily disturbed during construction, and the other half will be a permanently disturbed, cleared corridor that will be operated and maintained by DTMA.

Sewer Line

DTMA has requested an easement for a thirty-year term from USACE to install, operate, and maintain a sewer line and pump station on USACE property near Loyalhanna Lake. The sewer line will service Keystone State Park adjacent to USACE's property and will run generally northwestward to ultimately tie into the newly completed sewage treatment plant in the Borough of New Alexandria (Figure 1). The sewer line will also provide residential neighborhoods along Flowers Road and State Route (SR) 981 with public sewer access, although these access points will be installed on privately owned land and are not included within the boundaries of the Project.

The easement on USACE land for the sewer line will be twenty feet wide and approximately 14,300 feet long, which includes a 0.43 acre area to be utilized for the pump station. A construction work area license will be needed to facilitate installation, extending the width of the footprint to approximately forty feet (twenty foot width for the construction work area license, and twenty foot width for the easement). The sewer line will be installed under roads and streams using horizontal directional drilling (HDD), and the remaining portions of the line will be installed using open-trenching methods. Trees and vegetation within the easement will be cleared during installation.

Recreational Trail

DTMA has also requested to enter into a lease to construct and maintain a recreational trail that will connect the campgrounds and facilities at Keystone State Park with the Borough of New Alexandria. The lease for the trail will follow the same general corridor as the proposed sewer line easement with only a few divergences (see Figures below). The intent of the trail is to provide recreational opportunities for the local community and to allow for better river access for water recreation (fishing, kayaking, etc.).

The lease will cover an area approximately 14,000 feet long and twenty feet wide. The trail itself will be ten feet wide, constructed with a geotextile fabric base layer covered with six inches of stone. Access points to the trail will be gated to restrict motorized vehicles; the trail is intended only for non-motorized recreational use. The trail will cross Loyalhanna Creek twice and McCune Run five times within the leased area, requiring that seven bridges be built and maintained by DTMA. To allow for safe passage across SR 981, DTMA plans to construct an elevated concrete walkway within an existing arch culvert underneath the road. Trail construction will require filling in wetlands, resulting in permanent wetland impacts (DTMA will have all applicable state and federal permits prior to construction).

2. Authority: The construction of Loyalhanna Lake was authorized by the Flood Control Act of 1936, as amended by the Flood Control Act of 1938. Authorizations subsequent to construction provided for incidental benefits including water quality improvement, fish and wildlife management, and recreational uses of the impoundments and project lands. The authority to lease Federal land at water resource development projects for the benefit of public recreation is codified in 16 USC § 460d. The authority to grant permission for temporary or permanent alterations to federally authorized civil works projects is contained in Section 14 of the Rivers and Harbors Act of 1899 and codified in 33 USC § 408. The authority to grant an easement for a sewer line that is not against public interest is codified in 10 USC § 2668.

3. Location of Proposed Actions: The Proposed Actions are located in Derry Township, Salem Township, and the Borough of New Alexandria, in Westmoreland County, Pennsylvania. The proposed sewer line and trail corridors are generally oriented in a northwest-southeast direction, running from Keystone State Park to the Borough of New Alexandria (Figure 1). The coordinates of the northernmost area are 40.394829°, -79.429549°; coordinates of the southernmost area are 40.375379°, -79.401913°.

In Figure 1, the light blue shaded area is land owned by USACE, and leased by the PAGC. The pink shaded area is owned by USACE, and leased by BNA. Loyalhanna Lake is approximately 4 miles north of the area shown in Figure 1. The proposed trail lease (green line) and sewer easement (red line) begin separately in the northern portion of the figure near the BNA, and then overlap and run along the same corridor for much of the Project. The blue line in Figure 1 represents the corridor containing both the sewer line underground with the trail on top. Further south near the crossing of State Route 981, the sewer line easement and trail lease diverge again briefly to allow for the road crossing and the pump station (yellow polygon), but primarily continue along the same corridor until they meet the boundary of USACE-owned land. It's at this location that the lease and easement end; however, the sewer and trail will continue on to Keystone State Park located in the lower right-hand area of Figure 1.

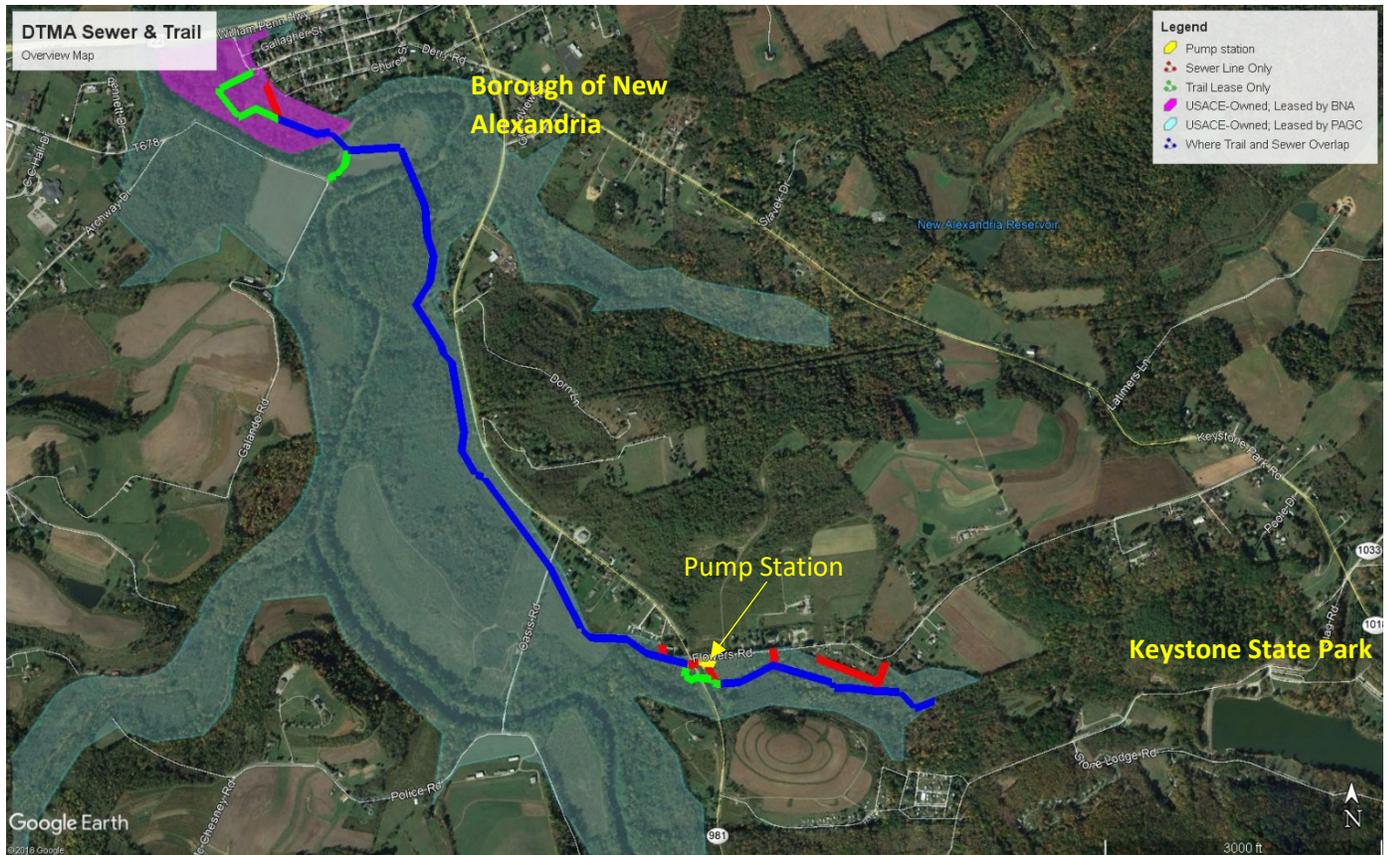


Figure 1: Overview of approximate locations of Proposed Actions. In blue areas, the trail lease and the sewer easement overlap, and the green and red lines are where the footprints diverge, with the trail in green and the sewer in red.

4. Alternatives: Two different Action Alternatives were evaluated in an initial assessment by DTMA, but ultimately only Action Alternative #1 was carried forward for a full environmental assessment due to the infeasibility of Action Alternative #2. Due to topographic issues and cultural resources concerns, Action Alternative #2 was eliminated from consideration early in the evaluation process and environmental impacts related to Action Alternative #2 were not further assessed.

The trail and sewer line have been proposed for construction together within the same corridor to help reduce environmental impacts; separate construction footprints for each would have resulted in greater vegetation and wildlife habitat disturbances, so there are environmental benefits to co-locating the actions.

a. No Action: The No-Action alternative is the denial of the lease, easement, and 408 permission. Denial of the Proposed Actions would prohibit DTMA from installing and operating its sewer line on USACE property and would prevent the construction of the recreational trail on USACE property. PAGC and BNA would maintain their current leases for this area.

b. Action Alternative #1 (Preferred Alternative): Granting the easement, lease, and 408 permission to DTMA would allow for the construction, operation, and maintenance of a sewer line and recreational trail from Keystone State Park to New Alexandria Borough

along the route shown in Figure 1. This alternative also includes lease modifications with PAGC and BNA to terminate their leases with respect to the recreational trail footprint.

c. **Action Alternative #2:** An alternate route for the sewer line and trail were initially evaluated by DTMA, which rather than boring underneath/crossing over Loyalhanna Creek, instead followed alongside Loyalhanna Creek; however, steep gradients along the alternate route raised topographic constraints and Americans with Disabilities Act (ADA) accessibility issues along the trail, thus Action Alternative #2 was considered infeasible. Furthermore, DTMA was informed that the Action Alternative #2 route may potentially disturb a Civil War Cemetery in New Alexandria. As a result of this initial evaluation by DTMA and the determination that this route would not be feasible, the environmental impacts of Action Alternative #2 were not evaluated further. The environmental impacts noted below in Section 6 were assessed only for the No-Action Alternative, and Action Alternative #1.

5. Environmental Setting: The Proposed Actions are located in Westmoreland County, PA, between Keystone State Park and the Borough of New Alexandria. The area consists primarily of tree-dominated, closed canopy deciduous forest, with areas of herbaceous grass/shrub vegetation. Topography varies, and ranges in elevation from 924 to 1014 feet above sea level. The ground is gently to steeply sloping.

The paths of the sewer easement and trail lease will generally follow McCune Run/Keystone Run from the USACE property boundary (just west of Keystone State Park, Figure 3), then will generally continue alongside SR 981 until it crosses over Loyalhanna Creek, ultimately ending in the residential neighborhood of New Alexandria, PA (Figure 2).

Loyalhanna Creek and McCune Run/Keystone Run are both designated as warm water fisheries. Loyalhanna Creek is part of the Kiskiminetas-Conemaugh watershed and has Total Maximum Daily Load (TMDL) limits for metals, pH, siltation, and suspended solids. The watershed is also impacted by abandoned mine drainage. McCune Run/Keystone Run has similar impairments, with TMDL limits for metals, pH, and suspended solids and is also affected by abandoned mine drainage.

The Loyalhanna Dam, operated by USACE, is located approximately 4.5 miles north of the northernmost reach of the proposed trail path. The Loyalhanna Dam is a flood control project to provide flood protection for the lower Loyalhanna Creek and Kiskiminetas River valleys.

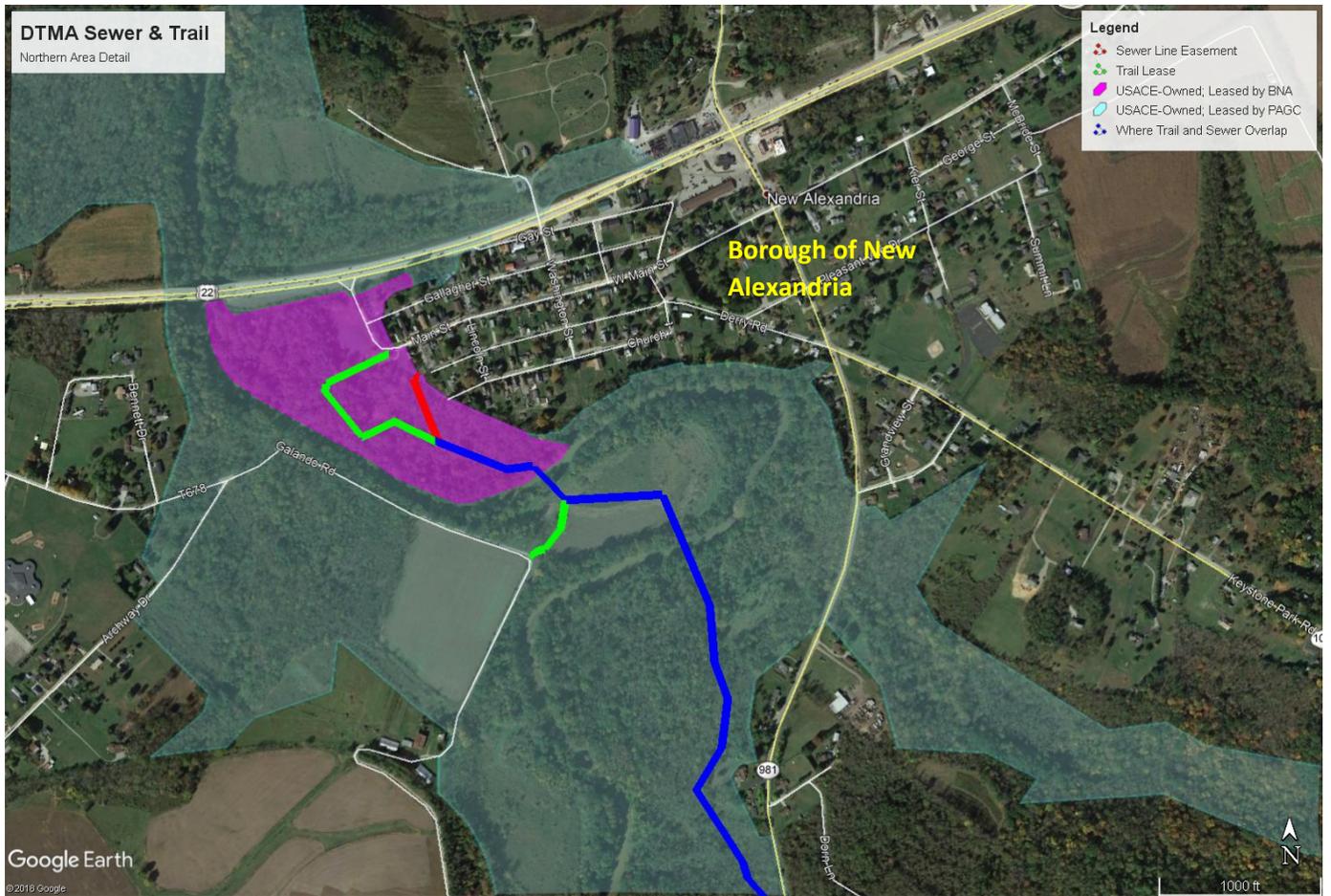


Figure 2: Northern area detail showing where the trail lease and sewer easement connect to the Borough of New Alexandria residential area.

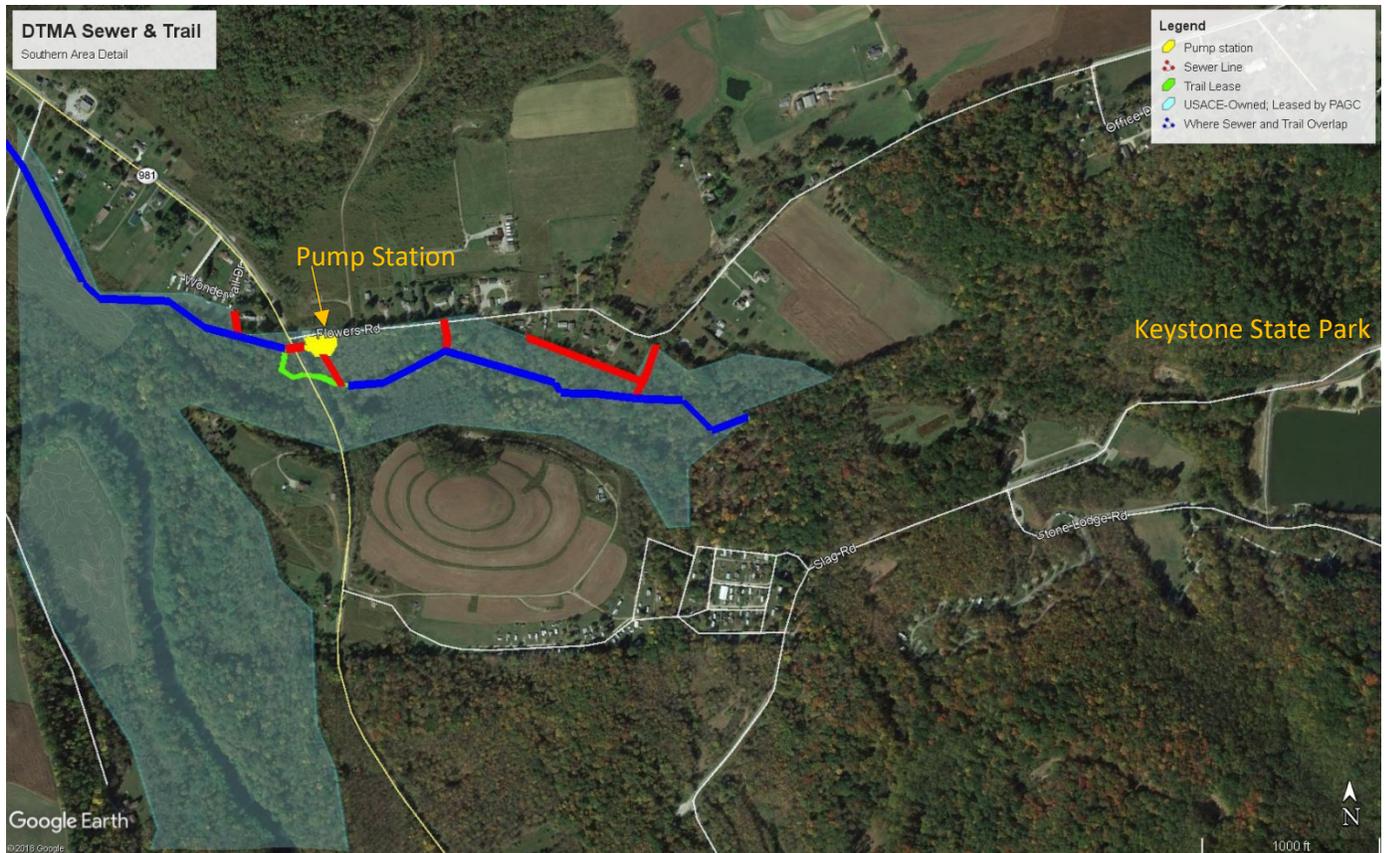


Figure 3: Southern detail showing the pump station location, several of the sewer line spurs in red, and the southern extent of the trail and sewer on USACE-owned property. Note that the trail and sewer line will continue on to Keystone State Park, but these portions are not on USACE property.

6. Environmental Effects of the Proposed Actions: DTMA must acquire all necessary permissions or authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program (Section 10/404 permits) for impacts to Waters of the United States occurring on, as well as off of federal property. USACE permits and/or verifications separately consider any environmental impacts associated with their issuance, commensurate with their scope of analysis.

The sewer and trail project's water crossings are authorized under the Pennsylvania State Programmatic General Permit-5 (PASPGP-5), and the project currently includes nineteen separate verifications (single and complete projects/crossings). Sixteen of the single and complete projects/crossings are on USACE property and three of the single and complete projects/crossings are outside of USACE property.

Table 1. Anticipated impacts of the Proposed Actions. See acronym definitions at the bottom.

Environmental Parameter	No-Action Alternative	Action Alternative #1
<i>Land Use And Socio-Economic/ Environmental Justice Conditions</i>	No effect. Denial of the Proposed Actions would prohibit DTMA from constructing and operating a sanitary sewer line and recreational trail on USACE land, and land use would remain unchanged having no impact on socio-economics or environmental justice.	Minor effect. Granting the easement to DTMA to install and operate a sanitary sewer line would replace individual septic systems within residential neighborhoods, so private land use in this area will no longer be needed to treat wastewater. Most of the sewer infrastructure will be underground, but will require that a 20' width of land is permanently cleared of trees and vegetation, having a minor effect on land use. Only the pump station is aboveground, which would also have a minor effect on the land use in that location. Granting the lease for a recreational trail would allow for more recreational use in the area, primarily hiking and bicycle use, which may be a benefit to local socio-economic conditions. The Proposed Actions were analyzed for potential environmental justice concerns, commonly understood to include an evaluation of the actual or potential lack of fair treatment or marginalized involvement of minority and low-income populations and/or disproportionate impacts to those populations as a result of a proposed action. The US EPA Environmental Justice Screening tool was applied to the Proposed Actions and it indicates that the population of the immediate vicinity (177 residents) of the Proposed Action is made up of 6% minority and 22% low-income, which is lower than the respective percentages statewide of 23% minority and 30% low income. Therefore, it was determined that the Proposed Actions will not disproportionately impact low-income or minority populations.
<i>Vegetation and Wildlife Habitat</i>	No effect. No construction or installation would occur on USACE property if the Proposed Actions were denied, and the vegetation and wildlife habitat would remain as they are.	Minor effect. The Proposed Actions include vegetation and tree clearing along a 40 foot wide corridor within a primarily forested area. Approximately 11.25 acres of closed canopy deciduous forest and 3.75 acres of herbaceous vegetation will be cleared for construction of the sewer line and trail. Approximately half of this (5.6 acres forest, 1.9 acres herbaceous vegetation) will remain permanently cleared after construction. According to the timber appraisal conducted, construction will require the removal of 193 trees, including Red Oak, Cherry, Soft Maple, Walnut, Hickory, and Sycamore Trees. USACE-managed land at Loyalhanna Lake contains approximately 2,700 acres of closed canopy forested land; tree removal for the Proposed Actions would affect approximately 0.4% of the total forested area of USACE-managed property. Furthermore, rural forested land extends beyond the USACE property line into the surrounding area where the land use is generally split between forested and agricultural, with a smaller percentage dedicated to development and residential areas. Trees and herbaceous vegetation will regenerate within the temporary construction work areas. Some of the vegetation that will be permanently removed provides nesting, cover, and foraging habitat for a variety of wildlife in the area. Construction of the pipeline and trail will displace wildlife, with the potential

Environmental Parameter	No-Action Alternative	Action Alternative #1
		for direct mortality of some individuals. In consideration of the Proposed Actions' effects on state-listed species and habitat, a PNDI consultation was conducted that indicated the Proposed Actions would not impact any PA special concern species or resources.
<i>Water Quality and Fisheries</i>	No effect. If the Proposed Actions are denied, the sewer line and trail would not be constructed on USACE property and the status quo would be maintained. The proposed sewer line would provide public sewer access to residences living adjacent to these streams, reducing the potential for sewage discharge to the streams from improperly maintained septic systems over time.	Minor effect. A slight increase in turbidity within Loyalhanna Creek and McCune Run/Keystone Run is expected during construction; DTMA has prepared an erosion and sedimentation control plan as part of its Water Obstruction and Encroachment Permit Application (WOEPA). During the installation of the sewer line under the streams using HDD, drilling fluid (water and bentonite) is under pressure when expended downhole and will follow the path of least resistance. In the drilled cavity, this path may be an existing fracture or fissure in the substrata, a high porosity streak, and/or a pocket of incompetent substrate material being penetrated. These paths could lead to unplanned releases of drilling fluid to Loyalhanna Creek and McCune Run/Keystone Run (Inadvertent Returns). DTMA has prepared an Inadvertent Returns Plan which was submitted as part of their WOEPA. The installation of a public sewer system in this area may help to improve groundwater and surface water quality by eliminating the need for private septic systems and reducing the likelihood that improperly treated sewage will be discharged to the environment. A PNDI database consultation was conducted which indicated that the Proposed Actions would not impact any PA aquatic special concern species or resources.
<i>Wetlands</i>	No effect. Wetlands in the area will be left undisturbed if the Proposed Actions are denied.	Moderate effect. The route of the trail and sewer will cross several wetlands, permanently impacting approximately 0.29 acres of wetlands on USACE property. Clean Water Act permits and verifications will require that federal wetland mitigation requirements are met.
<i>Floodplains</i>	No effect. Denial of the Proposed Actions would maintain the status quo and the floodplain will not change.	Minor effect. Portions of the proposed trail and sewer route are located in the floodplain. The sewer line will primarily be below grade with the exception of the pump house, which is located outside of the floodplain, and so will not impact the floodplain. Most of the proposed recreational trail will match the surrounding grade, with the exception of the bridges and elevated concrete walkway. The bridges and walkway have been evaluated by USACE and it has been determined that they will not adversely impact the floodplain, and will not increase levels of inundation during a flooding event greater than 1 foot in any location (engineering analysis provided under separate cover for the 408 permission review).
<i>Noise</i>	No effect. Denial of the Proposed Actions would maintain the status quo and noise levels would not change on USACE property.	Minor effect. Localized, temporary increases in noise levels are expected during construction. The trail will be restricted to non-motorized access only, so no effects on noise levels are expected after construction has been completed.

Environmental Parameter	No-Action Alternative	Action Alternative #1
<i>Aesthetics</i>	No effect. Denial of the Proposed Actions would maintain the status quo and the aesthetics of the USACE property would not change.	Minor effect. During construction, aesthetic impacts would be greatest where the construction route parallels or crosses roads or the streams, and may be seen by passing motorists or water recreationalists. These effects would be only temporary during the course of construction. Upon completion, the cleared corridor through the wooded area will have an effect on the aesthetics causing the area to appear less 'natural'. Over time, the vegetation within the temporary easement area will grow back but the permanent easement will remain cleared of vegetation. Adding bridges to the previously undisturbed areas will also have an effect on the aesthetics of the area.
<i>Recreation</i>	Minor effect. Denial of the Proposed Actions would prohibit DTMA from constructing a recreational trail on USACE property.	Moderate effect. The trail connecting Keystone State Park to New Alexandria is expected to increase the recreational opportunities in the area, including hiking, biking, kayaking, and fishing. If construction were to overlap with hunting season, construction activities and noise may cause animals to leave the game area, and hunters may have less game to hunt. Regular use of the trail by hikers and bikers could also interfere with hunting opportunities. The trail and sewer routes overlap with the BNA community park (the land for which is owned by USACE and leased by BNA) so temporary closures are expected in some areas of the park, potentially disrupting recreation in that location. Temporary disturbance during bridge construction may affect fishing and other water recreational opportunities in the localized area.
<i>Endangered Species</i>	No effect. Denial of the Proposed Actions would eliminate the need for tree removal in the area, which would therefore have no effect on the northern long-eared bat and Indiana bat.	May affect, not likely to adversely affect. A search of the US Fish and Wildlife Service's Information for Planning and Consultation database indicates the potential presence of two threatened and endangered bat species: the Indiana bat (<i>Myotis sodalis</i>) and the northern long-eared bat (<i>Myotis septentrionalis</i>). To avoid having any effect on these bat species, tree clearing for the trail and sewer line will only occur from 15 November to 31 March.
<i>Historic and Archaeological Resources</i>	No effect. Denial of the Proposed Actions would eliminate any need for ground disturbance and would have no impact on any historic or archaeological resources that are present on Federal property.	No Historic Properties Affected. A total of five archaeological sites and four isolated finds were recorded for the project during the cultural resource investigation for this project. The project was rerouted to avoid all of these sites. The Corps is in the process of consulting with the Pennsylvania Historical & Museum Commission under Section 106 of the National Historic Preservation Act and anticipates their concurrence with our determination of No Historic Properties Affected. In addition, the Corps is consulting with the following Tribes: Absentee Shawnee Tribe of Oklahoma, the Delaware Nation, Delaware Tribe of Indians, the Eastern Shawnee Tribe of Oklahoma, Seneca-Cayuga Tribe of Oklahoma, Seneca Nation of Indians, Shawnee Tribe, and the St. Regis Mohawk Tribe.

Environmental Parameter	No-Action Alternative	Action Alternative #1
<i>Traffic</i>	No effect. Denial of the Proposed Actions would eliminate the need for any construction activities and would therefore not have any impact on the amount of expected traffic in the area or traffic patterns.	Minor effect. A slight increase in traffic during construction would be expected, including larger trucks, drilling equipment, concrete trucks, and other construction equipment. This increase would be temporary, however, and would not persist once construction has been completed. Major maintenance on the trail and sewer line after they have been constructed may cause slight increases in traffic in the localized area. The trail could help to reduce traffic at Keystone State Park and on roads between the State Park and New Alexandria during the warmer recreational season, as more people may choose to utilize the trail system instead of driving.
<i>Public Safety</i>	No effect. Denial of the Proposed Actions would prohibit the construction of a trail and sewer on USACE property, having no impact on public safety.	No effect. The public will be restricted from areas of active construction. The sewer line will be installed underground, and will have no impact on public safety. The trail will be located in the floodplain in some locations, which may periodically be flooded as a result of intense rains or water storage at the USACE Loyalhanna reservoir; however, signage will be posted along the trail route to warn recreationalists of the potential for flooding in the area. The Proposed Actions will not reduce the flood risk protection provided by the Loyalhanna reservoir, and the engineering review related to this assessment is under a separate cover. The surrounding area is currently leased by PAGC and is actively used for hunting; if a lease for the recreational trail is granted, the area on either side of the trail will continue to be leased by PAGC and used for hunting. As a safety measure, signs will be posted in the area to warn recreationalists of the presence of hunters, and vice versa.
<i>Hazardous Wastes</i>	No effect. Denial of the Proposed Actions would have no bearing on hazardous wastes that may be present and would not generate any hazardous wastes.	No effect. A Phase 1 Environmental Site Assessment was conducted by Gibson-Thomas Engineering on behalf of DTMA to support the new lease for the trail. The assessment did not identify the presence of any recognized environmental considerations within the area of the Proposed Actions. The Proposed Actions will not involve the generation of hazardous wastes, and the construction crews are not expected to encounter any hazardous or toxic material during construction. Clean fill will be used for any backfill and grading, and any waste generated during construction will be disposed of appropriately in accordance with all applicable laws and regulations.
<i>Air Quality</i>	No effect. Denial of the Proposed Actions would have no effect on air quality in the vicinity of the Proposed Actions.	Minor effect. De minimis levels of emissions are expected to result from the use of construction equipment during the installation/construction of the sewer line and trail, but are not expected to continue beyond the initial construction phase other than for routine maintenance activities. The total direct and indirect emissions resulting from the Proposed Actions have been analyzed and it was determined that they will not exceed de minimis levels. Therefore a conformity determination under Section 176(c) of the Clean Air Act is not required.

7. Cumulative Effects: Cumulative impacts result from the incremental impacts of an action, when added to other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. Following review of the scale of the Proposed Actions and the resources considered in Table 1, the cumulative effects of the Proposed Actions are expected to be minor. Temporary construction-related increases in noise and emissions, and temporary minor impacts to vegetation, aesthetics, recreation, and traffic would not be significant, even if they were to occur at the same time as other potential construction activities in the surrounding area (such as road maintenance or utility work). The installation of a natural gas pipeline at Loyalhanna Lake is anticipated within the next two years; however, the location of this major construction project is approximately four miles to the north and is not expected exacerbate the effects of the Proposed Actions. Because the proposed trail will be connecting recreational facilities at Keystone State Park to other areas that could previously only be accessed by car, cumulative effects on recreational opportunities in the surrounding area are likely to be positive. The cumulative impacts of the sewer line easement may also similarly have minor positive effects on the socio-economic conditions of the surrounding neighborhoods and park users that will benefit from the utility infrastructure upgrades.

8. Coordination: USACE will provide a copy of this report to the appropriate agencies during the public comment period. A 15-day public comment period will occur from 10 January 2020 through 25 January 2020, consistent with 33 CFR 230.11.

9. Principal Environmental Laws and Executive Orders considered, where applicable, in conjunction with NEPA:

Public Laws

American Indian Religious Freedom Act, 42 U.S.C. § 1996 et seq.
Archeological and Historic Preservation Act, 16 U.S.C. § 469 et seq.
Archeological Resources Protection Act, 16 U.S.C. § 470aa-11, et seq.
Bald and Golden Eagle Protection Act, 16 U.S.C. § 668, et seq.
Clean Water Act, 33 U.S.C § 1251 et seq.
Clean Air Act, as amended, 42 U.S.C. 1857h-7, et seq.
Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601-9675.
Endangered Species Act, 16 U.S.C. § 1531, et seq.
Farmland Protection Policy Act, 7 U.S.C. § 4201, et seq.
Fish and Wildlife Conservation Act, 16 U.S.C § 2901-2911, et seq.
Fish and Wildlife Coordination Act, 16 U.S.C § 661, et seq.
Historic Sites Act, 16 U.S.C § 461-467, et seq.
National Environmental Policy Act, 42 U.S.C § 4321, et seq.
National Historic Preservation Act, 54 U.S.C § 300101 et seq.
Native American Graves Protection and Repatriation Act, 25 U.S.C § 3001, et seq.
Noise Control Act of 1972, 42 U.S.C § 4901-4918.
Resource Conservation and Recovery Act, 42 U.S.C § 6901, et seq.
Rivers and Harbors Act 33, U.S.C § 401, et seq.
Safe Drinking Water Act 42 U.S.C § 300, et seq.
Toxic Substances Control Act, 15 U.S.C § 2601-2671.
Wild and Scenic Rivers Act, 16 U.S.C § 1271, et seq.

Executive Orders

- 11514 Protection and Enhancement of Environmental Quality.
- 11593 Protection and Enhancement of the Cultural Environment.
- 11988 Floodplain Management.
- 11990 Protection of Wetlands.
- 12088 Federal Compliance with Pollution Control Standards.
- 12114 Environmental Effects Abroad of Major Federal Actions.
- 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

Regulations

- Advisory Council on Historic Properties, Protection of Historic and Cultural Properties (36 CFR Part 800 et seq.).
- Council on Environmental Quality, Regulation for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR Parts 1500-1508).
- U.S. Army Corps of Engineers, ER 200-2-2, Procedures for Implementing NEPA (33 CFR 230).
- U.S. Army Corps of Engineers, EC 1165-2-216, Water Resources Policies and Authorities, Policy and Procedural Guidance for Processing Requests to Alter US Army Corps of Engineers Civil Works Projects, Pursuant to 33 U.S.C. § 408.
- U.S. Department of Agriculture, Regulations for Implementing the Farmland Protection Policy Act (7 CFR 658).
- U.S. Environmental Protection Agency, Clean Air Act Implementing Regulations (40 CFR Part 50, et seq.).
- U.S. Environmental Protection Agency, Criteria and Standards for the National Pollutant Discharge Elimination System (40 CFR Part 125).

10. Summary/Conclusion: Based on the analysis above, the Proposed Actions are not major Federal actions that will significantly affect the quality of the human or natural environment, and therefore, they do not require the preparation of an environmental impact statement.