



FINDING OF NO SIGNIFICANT IMPACT

Lackawaxen Tributaries Supplemental Watershed Plan No. 2 for the Rehabilitation of PA-413 (Garrett Dam), PA-415 (Varcoe Dam), PA-419 (Martin Dam) and PA-421 (Finkleday Dam) Lackawaxen Tributaries Watershed Wayne County, Pennsylvania

Introduction

The Lackawaxen Tributaries Watershed is a federally assisted action authorized for planning under Public Law 106-472, the Small Watershed Rehabilitation Act, which amends Public Law 83-566 Section 14, the Watershed Protection and Flood Prevention Act. This act authorizes the Natural Resources Conservation Service to provide technical and financial assistance to local project sponsors. The local sponsors of the Lackawaxen Tributaries Project are the Wayne Conservation District and the Wayne County Commissioners.

An environmental assessment (EA) was undertaken in conjunction with the development of the supplemental watershed plan. This assessment was conducted in consultation with local, State, and Tribal Governments; Federal agencies; and interested organizations and individuals. Data developed during the assessment are available for public review at the following location:

U.S. Department of Agriculture
Natural Resources Conservation Service
359 East Park Drive, Suite 2
Harrisburg, PA 17111

Recommended Action

Proposed is the rehabilitation of four floodwater retarding structures that will sustain continuity of downstream flood damage reduction for Garrett Dam (PA-413), Varcoe Dam (PA-415), Martin Dam (PA-419), and Finkleday Dam (PA-421) in a safe manner while minimizing environmental, economic, cultural, and social impacts for an additional 60, 50, 100, and 100 years, respectively.

Effect of Recommended Action

The EA evaluated both the beneficial and adverse impacts of the proposed action, which is the rehabilitation of Garrett, Varcoe, Martin, and Finkleday dams to meet current applicable USDA NRCS and Pennsylvania design, performance, and safety criteria. The analysis indicates the proposed action will result in long-term beneficial impacts for environmental resources (i.e., soil, air, water, animals, plants, energy, and human resources).

The proposed action will not result in significant adverse effects on public health, safety, or the human environment. Garrett, Varcoe, Martin, and Finkleday dams were designed and constructed to prevent flood damage downstream and are classified as High Hazard Potential Dams. The proposed action will bring all 4 dams into compliance with current USDA NRCS and Pennsylvania design, performance, and safety criteria. The recommended action reduces the threat of loss of life, access for emergency services



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for downstream properties and property owners. The action provides downstream flood protection for the residents in the area, as well as those working, recreating, or traversing within the downstream floodplains.

The proposed action is anticipated to result in short-term and long-term, direct, minor, adverse impacts to wetlands. No vernal pools were identified in the project area.

A cultural resources inventory of the area of potential effects (APE) was undertaken. The NRCS has consulted with the Pennsylvania State Historic Preservation Officer (PA-SHPO), the Delaware Tribe of Indians, Eastern Shawnee Tribe of Oklahoma, and the Stockbridge-Munsee Community Band of Mohican Indians. All these parties agree that no historic property will be adversely affected by the project action. If cultural resources are inadvertently discovered during implementation, all construction will cease until an appropriate investigation is completed.

The recommended action is not anticipated to have adverse long-term effects on floodplains, migratory birds, park lands, prime farmlands, rare, threatened, and endangered species of plants and animals, scenic beauty, wild and scenic rivers, or ecologically critical areas.

No threatened or endangered species in the watershed will be affected by the project.

Fish and wildlife habitats will be temporarily disturbed during installation of the proposed action, but they will be restored to at least their previous value within one growing season of project completion.

The effects of the recommended action are not considered highly uncertain nor involve unique or unknown risks.

The project is not of National Significance and implementing the proposed alternative will not establish a precedent for future actions with significant effects, nor does it represent a decision in principle about future considerations.

The proposed action will not violate Federal, State, or local law requirements imposed for protection of the environment. Consultations required by the Magnuson-Stevens Fishery Conservation and Management Act, Endangered Species Act, National Historic Preservation Act, and Marine Mammal Protection Act have been completed. The recommended action is consistent with the requirements of these laws. The local sponsors will obtain any needed permits before they begin implementation of the project.

The recommended action will not result in significant adverse cumulative impacts. The cumulative effects of this project are very positive for protection of downstream loss of life and property. The planned action is the most practical, complete, and acceptable means of protecting life and property of downstream residents. There are no significant negative short-term or long-term environmental or human impacts associated with the implementation of this action.

Alternatives

The following alternatives were considered in the development of this plan:

1. **No Action/Future Without Federal Interest (FWOFI)**

The FWOFI Alternative describes the most likely future condition that could be expected if NRCS takes no action. It describes what is most likely to happen in the absence of any Federal funding to

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implement the Preferred alternatives described in the plan and there are no changes in law or public policy.

2. *Rehabilitation to Current High Hazard Class Dam Standards*

Rehabilitation Alternatives include federally-assisted upgrading of the existing dam to current applicable USDA NRCS and Pennsylvania design, safety, and performance standards. Three different rehabilitation alternatives were considered for each dam.

3. *Decommissioning of Dam with Nonstructural Measures*

The Decommissioning Alternative includes federally-assisted removal of the entire dam and stabilizing the site as well as hydrologically connecting the stream associated with a dam. This alternative also includes acquisition and demolition of existing residential and public structures in the downstream 100-year floodplain.

4. *Nonstructural Measures (Acquisition or Relocation of At-Risk Structures and Floodproofing)*

This alternative includes acquisition and demolition, relocation, and flood protection of structures in the breach inundation area so that the hazard class can be lowered and less stringent dam safety standards can be evaluated.

The recommended action is the most practical means that will sustain continuity of flood damage reduction for the subject watersheds in a safe manner while minimizing environmental, economic, cultural, and social impacts.

Consultation—Public Participation

Public scoping meetings were held in November 2019 and May 2021 and interdisciplinary efforts were used in all cases. Two Federal agencies (US Army Corps of Engineers and the Environmental Protection Agency), three State agencies (Pennsylvania Department of Environmental Protection Division of Dam Safety, Pennsylvania Fish and Boat Commission, and the Pennsylvania Game Commission), three county agencies, and eighteen members of the general public were involved in part or all of the scoping and planning processes.

Specific consultation was conducted with the PA-SHPO and the Absentee-Shawnee Tribe of Oklahoma, Delaware Nation, Oklahoma, Delaware Tribe of Indians, Eastern Shawnee Tribe of Oklahoma, Onondaga Nation, Shawnee Tribe, and the Stockbridge-Munsee Band of the Mohican Nation of Wisconsin concerning cultural resources and historic properties in the watershed. Comments from the PA-SHPO and the Delaware Tribe of Indians, Eastern Shawnee Tribe of Oklahoma, and the Stockbridge-Munsee Community Band of Mohican Indians were used in the development of this plan.

Public meetings were held throughout the planning process to keep all interested parties informed of the study progress and to obtain public input to the plan and environmental evaluation.

The Draft Supplemental Watershed Plan-EA was transmitted to all participating and interested agencies, tribes, groups, and individuals for review and comment in May 2023. After the review period, comments received on the draft plan were incorporated into the Final Plan, as deemed appropriate.

Agency consultation and public participation to date have shown no unresolved conflicts with the implementation of the selected plan.

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Conclusion

The EA summarized above indicates that this Federal action will not cause significant adverse local, regional, or national impacts to the environment. Therefore, based on the above findings I have determined that an environmental impact statement for the Lackawaxen Tributaries Watershed Plan is not required.

Denise Coleman, State Conservationist

Date