

**Finding of No Significant Impact**

**For the**

**Prichard Intermodal Development Site**

Prichard, Wayne County, West Virginia

**State Project #X050-POR/T10.00**

The Federal Highway Administration has determined that the Prichard Intermodal Development Site Project will have no significant impact on the human and natural environment. This finding is based on the project's Environmental Assessment (EA), approved on October 4, 2011. The EA analysis provides sufficient evidence for determining that an Environmental Impact Statement is not required.

The Prichard Intermodal Development Site Project involves construction of a new intermodal terminal facility in Prichard, West Virginia. The proposed intermodal facility will be a component of the national Heartland Corridor Clearance Project, which will provide double-stack clearance along railroad lines from Roanoke, Virginia to Columbus, Ohio, passing through southern West Virginia.

11/5/2012  
Date

  
\_\_\_\_\_  
West Virginia Division,  
Federal Highway Administration,  
US Department of Transportation

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## Introduction

The West Virginia Department of Transportation (WVDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing a new intermodal terminal facility in Prichard, West Virginia (WV). The intermodal facility will consist of grade-separated and at-grade access roads, storage and support tracks, an office building, a maintenance building, parking areas, and weigh-in motion scales. The construction of a new intermodal facility in Prichard, WV is part of a larger multi-state freight rail improvement initiative known as the Heartland Corridor Clearance Project (Heartland Corridor) (Figure 1). The terminal will provide Prichard and the surrounding markets with direct intermodal access to global markets. Intermodal service will be provided between Prichard and Chicago, Illinois and all points west, as well as the ports in Hampton Roads, Virginia in the east.

The project area is an approximately 100 acre site located adjacent to the Norfolk Southern (NS) railroad in Prichard, Wayne County, WV just west of US 52 and 13 miles south of I-64. The site is bordered by the Big Sandy River on the west, which is also the state line between West Virginia and Kentucky and the NS Railroad to the east (Figure 2).

The purpose of this project is to provide a long term and stable economic stimulus through the construction and operation of an intermodal facility in conjunction with the Heartland Corridor. It has been estimated that such a facility would generate a net increase of between 700 and 1,000 new jobs and a statewide benefit of \$47-69 Million (Gross State Product Impact) by 2025 (West Virginia Public Port Authority [WVPPA], *Economic and Market Analysis for an Inland Intermodal Port*, September 2007).

The objectives of the Prichard Intermodal Site Development Project are to:

- stimulate and support economic development within the region; and
- provide and maintain connections to key regional and national transportation corridors.

## Alternatives Considered

The WVDOT initiated a study in 2000, to explore the feasibility of modifying existing railroad trackage so that the rail routes could accommodate double-stacked containers. This study also investigated sites which could accommodate a rail-truck intermodal terminal. The Prichard site was identified through this analysis. The results of this study are presented in the *Central Corridor Double-Stack Initiative Feasibility Analysis* (Appalachian Transportation Institute, 2003).

A two-phase screening approach was used to identify and evaluate potential alternate sites. This screening is documented in the *Economic and Market Analysis for an Inland Intermodal Port* (September 2007). The alternate locations included all sites 40-acres or larger with direct access to the NS mainline. During the Phase 1 screening, seven potential alternate locations were assessed. These sites were:

- Prichard, Wayne County
- Kenova, Wayne County
- Catlettsburg Refinery Property, Wayne County

- Hammonds Bottom, Wayne County
- Mingo County
- McDowell County
- Bluefield, Mercer County

As a result of the Phase 1 screening, two sites were eliminated. The Phase 2 screening of sites used a relative ranking analysis. Following the two-phased approach, the Prichard site was selected as the preferred alternative for the intermodal facility based on its close proximity to I-64, via US 52; relatively few proximal residential or commercial structures; and low probability of encountering substantial environmental issues.

The Prichard site will require considerable fill material to elevate it “level” with the current railroad and the use of virtually the entire site for parking, storage, and intermodal transfer activities. The intermodal facility at the Prichard site will consist of grade-separated and at-grade access roads, storage and support tracks, an office building, a maintenance building, parking areas, and weigh-in motion scales (Figure 3).

In addition to the preferred alternative, a No-Build Alternative was retained as a baseline for evaluation of the Build Alternative in the EA. Under the No-Build Alternative, existing conditions of the site would remain the same. However, the No-Build Alternative was determined to not meet the project purpose and need.

## **Agency Coordination and Public Opportunity to Comment**

The EA for the Prichard Intermodal Development Site was approved on October 4, 2011 and made available for public and agency review and comment. Notifications of availability of the EA were sent to state and federal agencies. The document was circulated to agencies and at public viewing locations and local libraries. On October 11, 2011 the document was also available electronically on the WVDOT website. A 30-day comment period followed the circulation of the EA. During this period, the public and agencies could comment on alternatives, potential impacts, and proposed mitigation measures. Hard copies of the EA were sent to the following agencies:

- US Environmental Protection Agency (USEPA), Region 3
- US Department of Interior Fish and Wildlife Service, West Virginia Field Office
- West Virginia Division of Culture and History, State Historic Preservation Officer
- West Virginia Division of Natural Resources
- West Virginia Division of Natural Resources, Director
- West Virginia Department of Environmental Protection, Office of Air Quality
- West Virginia Department of Environmental Protection, Water Resources Section
- US Army Corps of Engineers, Huntington District
- West Virginia Department of Environmental Protection, Director
- Wayne County Economic Development Authority, Inc.

WVDOT Division of Highways conducted a workshop public meeting on October 18, 2011, at the Prichard Elementary School. The public meeting was an open house format that included a presentation and informational displays. The presentation provided a summary of the project and the informational displays illustrated the build alternatives and various aspects of the project. A total of 61 attendees signed in at the meeting.

A total of four comments were received from the public. A list of all comments received during the public comment period and responses to those comments are included in Appendix A. Agency comments on the EA were received on November 18, 2011 from the US Environmental Protection Agency (USEPA) Region 3. No other state or Federal agencies provided comments on the EA. A copy of the USEPA comment letter is included in Appendix A along with responses to address the comments.

## **Determination of Findings**

### ***National Environmental Policy Act (NEPA) Finding***

Based upon the analysis presented in the EA, its supporting documents, and the public and agency comments, it is the finding of the FHWA that this project will not have a significant impact upon the human or natural environment. Under 23 CFR 771.130(c) this finding of no significant impact (FONSI) forms the basis that an environmental impact statement (EIS) is not necessary. The record provides sufficient evidence and analysis for determining that an EIS is not required. Specific project impacts are identified in the following sections.

### ***Land Use/Land Cover***

A total of eight parcels will be impacted for this project converting approximately 100 acres to industrial use. A total four residences will be acquired for this project. The project is in an area designated for industrial development and is consistent with local land use plans.

### ***Farmland***

The project will have no significant impact to farmland resources.

### ***Air Quality***

The Build Alternative is listed in the WVDOT State Transportation Improvement Program for federal fiscal years 2011 – 2016 and in the Huntington-Ironton Area Transportation Study Year 2035 Long Range Transportation Plan as an unfunded project and will need to be analyzed for conformity prior to the start of work. Air Quality Conformity will be analyzed in the spring of 2012.

### ***Noise***

Relative to the cumulative noise, the results of the preliminary analysis indicate that even though the predicted increase in sound levels may be perceptible, there will be no impacts based on the DNL or  $L_{eq}$  criteria. Therefore, no additional mitigation is proposed to any current agreements that may already be on record.

### ***Surface Water Resources***

The project will impact 4,616 linear feet of streams to the Unnamed Tributary of the Big Sandy River and the Mill Fall Branch. In addition, the Big Sandy River borders the site but by utilizing best management practices, there will be no increase in pollutant loading to this resource from the Build Alternative. A Section 401 Individual Water Quality Certification will be required from West Virginia Department of Environmental Protection. A Section 404 Individual Permit will be required from the USACE. In addition, a Stream Activity Permit will be required from the Public Lands Corporation.

There are 12 wetlands within the project area. The Build Alternative will impact a total of 1.77 acres of four wetlands.

The project will require portions of the project area to be raised above the 100-year floodplain and to match the elevations of mainline track for connection of the pad, storage, and switching tracks associated with the proposed intermodal terminal. It is estimated that portions of the site will need to be filled with approximately 8 to 20 feet of fill material to raise the site above the base flood elevation. In order to not increase the 100-year base flood elevation a portion of the site near the Big Sandy River will need to be lowered approximately 10 feet.

### ***Biological Resources***

There are no migratory mammals in the project area and thus the intermodal facility will not interfere with any mammalian migratory patterns.

One Federally-listed endangered species the Indiana bat (*Myotis sodalis*) may be present within the project area. However, this project may affect, but is not likely to adversely affect any Federally-listed endangered and threatened species. Direct take of Indiana bats will be avoided by clearing trees between November 15 and March 31, when Indiana bats are in hibernation. The US Fish and Wildlife Service (USFWS) concurred with the “may affect, but is not likely to adversely affect” finding and identified the mitigation. A copy of the USFWS concurrence letter is included in Appendix A of the EA.

### ***Cultural Resources***

The NS Railway Company rail line adjacent to the project area has been determined eligible for the National Register of Historic Places (NRHP).. The tipple that is located over the NS Railway has been recommended by WVDOH as eligible for the NRHP. However, it is anticipated that no adverse effects to NRHP eligible historic or archaeological sites will occur in the project area.

Because the effects on NRHP eligible historic and archaeological properties will not be fully determined prior to approval of the Undertaking, a Programmatic Agreement (PA) among the West Virginia State Historic Preservation Office (WVSHPO), West Virginia Division of Highways (WVDOH), WVPPA, FHWA and the Advisory Council on Historic Preservation, if it chooses to participate, has been developed. The PA in part guarantees that a complete investigation of all archaeological and historic architectural resource reports, findings, and mitigation will take place prior to any construction activities at the Prichard site.

### ***Socioeconomics***

A potential of four occupied residences would be impacted as a result of the project. Other properties may have minor impacts. All relocations will follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Socioeconomic impacts from the project are overall positive and help economic development in Prichard.

### ***Environmental Justice***

The project will not have a disproportionately high and adverse effect on environmental justice populations.

### ***Hazardous and Toxic Materials/Waste***

A Phase I Environmental Site Assessment (ESA) was completed for the project area in September 2011. It was concluded that surface contamination is possible in the vicinity of the barns associated with the farmstead. Debris, equipment, and materials associated with the residences, barns, and dumping area along the Big Sandy River will be handled in accordance with federal and state regulations.

### **Traffic and Access**

The 2007 Economic and Market Analysis report states that Year 2004 average annual daily traffic (AADT) for US 52 through Prichard ranged from 5,000 to 5,300 vehicles per day. The level of service (LOS) E reported for US 52 was due to high percentage of trucks, many “no passing zones,” and the rolling/mountainous terrain.

The project area is connected to I-64 and the major markets in Kanawha and Cabell counties in West Virginia, and to Boyd County in Kentucky by US 52. It is anticipated that the 13 miles of US 52 between the project area and I-64 will support increased traffic volumes as a result of the intermodal terminal. In addition to the diverted units from intermodal transport (87,000-99,600 annually), this route will also support truck movements for operations and maintenance of the terminal and terminal equipment, and the movement of empty trucks repositioning to the project area for outbound loading. Altogether, this is likely to represent approximately 400 additional trucks per day (WVPPA, 2007) for the project. The additional volume of trucks will make US 52's current poor LOS E worse.

### **Section 4(f) Findings**

There are no publically owned parks, recreation areas, and wildlife and waterfowl refuges located within the project area. The NS Railway Company rail line adjacent to the project area has been determined eligible for the NRHP. The tipple that is located over the NS Railway has been recommended by WVDOH as eligible for the NRHP. However, it is anticipated that no adverse effects to NRHP eligible historic or archaeological sites will occur in the project area. This project does not anticipate any impacts to Section 4(f) resources.

### **Project Commitments**

The following commitments and mitigation measures have been developed:

- Section 401 Individual Water Quality Certification
- Section 404 Individual Permit
- Stream Activity Permit
- Final air quality conformity analysis will be completed prior to start of construction.
- Any clearing of trees will be conducted between November 15 and March 31 to prevent the direct take of Indiana bats.
- Any cultural resources identified and assessment of adverse effects will be carried out as outlined in the 2011 Programmatic Agreement.
- Debris, equipment, and materials associated with the residences, barns, and dumping area along the Big Sandy River will be handled in accordance with federal and state regulations.
- Construction documents and final grading procedures will account for the potential for localized surface soil contamination in and around agricultural sheds, barns, and equipment areas. If necessary at the time of construction, mitigation measures for the treatment and/or disposal of impacted soils will be performed. Impacted soils, if encountered, will be handled in accordance with state and federal solid waste regulations.

**Appendix A**

**Public Involvement Comment and Responses  
Resource Agency Comments**



## Environmental Assessment Comments and Responses

### Public Comments from the October 18, 2011 Informational Workshop Public Meeting

*Comment:* Gary and Ronda Fortner, Prichard, WV

Keep area residents more informed of progress step by step as it is to happen.  
US 52 Road improvements due to extra traffic.

*Response:* Project progress will be made available throughout the remaining phases of the project at the WVDOT website.

*Comment:* Dutch McCormick, Prichard, WV

We need to use the Route 52 Access Road to Prichard for all construction activity including fill dirt hauling instead of using the lower Round Bottom Road access that will impact the residents of Prichard.

*Response:* It is unknown at this time where the contractor will haul the fill material for the site from. All hauling will be determined by the contractors' means and methods and will comply with all state and federal laws.

*Comment:* Donna Holland, Wayne, WV; President Fire Department Advisory Board

You will take less homes putting it here, better access to highway and more room for growth here.

*Response:* Comment noted.

*Comment:* Warren Fluty, Prichard, WV

I want to thank you all for holding this public meeting in Prichard concerning the intermodal facility. I thought it was informative and helpful information. I am disappointed that it can't be built sooner. My concern is that Prichard will lose out on industry. I would urge everyone to expedite this project for the sake of our county and our young people. If I can be of any help let me know.

*Response:* The construction is scheduled to begin as early as 2012 and completed in 2015.

## Agency Comments

### United States Environmental Protection Agency, Region III

*Comment:* The need for a project should emphasize the problem that is being addressed by the action. In this case, the need should concentrate on transport of goods, and movement of goods between transport modes in the WV vicinity. If secondary economic benefit is important, it can be discussed; it is unclear if one site provides different benefit in comparison to other locations.

*Response:* Based on the 2007 Economic and Market Analysis for an Inland Intermodal Port feasibility study, the objective of the project is economic development of an intermodal rail terminal as part of the Heartland Corridor Clearance Project and connections to key regional and national transportation corridors.

*Comment:* The heart of the NEPA document, as stated by CEQ, is the alternatives analysis. As the Prichard site poses considerable impacts to aquatic resources, the alternatives analysis is of particular importance. It would be appropriate for the EA to present a few alternatives, to specifically detail current land cover, compare impacts to natural (including floodplain, wetland, stream length, forest) and cultural/historic/social resources. A site where pre-existing or abandoned facility are/were present may be desirable for the intermodal project, if available.

*Response:* The alternatives were evaluated in the 2007 Economic and Market Analysis for an Inland Intermodal Port. A copy of this report can be obtained at the following web site:

<http://www.transportation.wv.gov/ports/prichard/Pages/EconomicandMarketAnalysis.aspx>

*x* This study was incorporated into the EA by reference per NEPA procedures. The alternatives that were evaluated in the 2007 feasibility study were summarized in the EA. This 2007 study utilized previous studies and other publicly available information and considered potential environmental constraints that may affect the site development cost and feasibility. Items considered included hazardous materials, cultural resources, wetlands, and threatened and endangered species. Much of the base information was available from the 1995 Final Environmental Impact Statement for US 52 (Tolsia Highway). In the 2007 study the Prichard, West Virginia site is identified as the most optimal location for an inland intermodal terminal. When the EA was being developed it was recognized that all of the prudent and feasible alternatives that were presented in the 2007 report needed to be reevaluated for the environmental constraints and the original evaluation did not consider all of the environmental resources. The EA expanded the definition of Environmental Constraints to include No affected public facilities, historic structures, contamination sites, high quality streams, prime farmland, wetlands, or threatened and endangered species. At the conclusion of this reevaluation it was found that the Prichard site did not have a disproportionate impact from an environmental constraints standpoint. The EA also concluded that the Prichard site was still the preferred alternative and was the only alternative that fully met the Purpose and Need for the project.

The Prichard site is one that has historically been utilized for industrial uses. This site was used historically as a sawmill and a sand and gravel operation. These previous uses impacted the streams and wetlands on the site and contributed to their low Rapid Bioassessment scores for the stream and a low quality of the wetlands as shown in the stream and wetland report dated August 2011.

*Regardless of the layout of the intermodal facility, the Prichard site must be filled and leveled due to topography and existing railroad layout. The Prichard site will require considerable fill material to elevate it "level" with the current railroad and the use of virtually the entire site for parking, storage, and intermodal transfer activities. The intermodal facility at the Prichard site will consist of grade-separated and at-grade access roads, storage and support tracks, an office building, a maintenance building, parking areas, and weigh-in motion scales. During the initial layout of the project an effort was made to minimize impacts to the streams and wetlands on the site. During final design an additional effort will be made to further minimize the impacts.*

*Comment:* It is unclear if the NEPA process could have begun earlier, to allow more input prior to decisions and agreements for the present site. It is beneficial to the process to have an unbiased assessment of a range of alternatives. For the purposes of permitting of impact to waters of the United States under Section 404 of the Clean Water Act, it will also be necessary to show that alternatives were considered, and this is the least environmentally damaging practicable alternative.

*Response:* The selection of the Prichard site was a result of the 2007 feasibility study and was evaluated for its feasibility among six alternative sites in West Virginia. The two-phase approach that was used to evaluate alternative sites was incorporated into the EA by reference. This 2007 study utilized previous studies and other publicly available information and considered potential environmental constraints that may affect the site development cost and feasibility. Items considered included hazardous materials, cultural resources, wetlands, and threatened and endangered species. Much of the base information was available from the 1995 Final Environmental Impact Statement for US 52 (Tolsia Highway). In the 2007 study the Prichard, West Virginia site is identified as the most optimal location for an inland intermodal terminal.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

November 18, 2011

Mr. Gregory I. Bailey, P.E., Director  
Engineering Division  
West Virginia Division of Highways  
State Capital Complex, Building Five  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0430

Re: Prichard Intermodal Development Site, Environmental Assessment, Wayne County, West Virginia, September 2011

Dear Mr. Bailey,

In accordance with the National Environmental Policy Act (NEPA) of 1969, Section 309 of the Clean Air Act and the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1509), the U.S. Environmental Protection Agency has reviewed the Environmental Assessment (EA) for the Prichard Intermodal Development Site. The EA was prepared by the West Virginia Department of Transportation (WVDOT) in cooperation with the Federal Highway Administration (FHWA) for the proposed facility in Prichard, West Virginia. The intermodal facility is part of the Heartland Corridor Clearance Project, intermodal service between Chicago and Hampton Roads Virginia.

The EA describes the project's potential social, environmental, and physical impacts. The need for the project is generally described as the economic stimulus of the construction and operation of the Prichard facility. The project history is included in the document, and states that in 2007, the West Virginia legislature passed a bill to require the WV Public Port Authority to conduct a feasibility study of the Prichard site; the feasibility study evaluated other sites for comparison. The EA provides a few sentences on several alternatives that were considered, and a small table comparing five sites against six screening parameters. The Prichard site was identified as the preferred alternative.

The Prichard site is approximately 100 acres. Impacts of the proposed project include 1.77 acres of wetland and 4,616 linear feet of stream (Relatively Permanent Waters). The EA states that the total site contains approximately 20 acres of forest and 70 acres pastureland, but it is not clear the amount of forest loss or proposed acres of agriculture pastureland loss (Table 2 seems to combine pasture in two categories).

The NEPA process is designed to allow for informed decision-making by federal agencies, with transparency to the public. The need for a project should emphasize the problem

that is being addressed by the action. In this case, the need should concentrate on transport of goods, and movement of goods between transport modes in the WV vicinity. If secondary economic benefit is important, it can be discussed; it is unclear if one site provides different benefit in comparison to other locations.

The heart of a NEPA document, as stated by CEQ, is the alternatives analysis. As the Prichard site poses considerable impacts to aquatic resources, the alternatives analysis is of particular importance. It would be appropriate for the EA to present a few alternatives, to specifically detail current land cover, compare impacts to natural (including floodplain, wetland, stream length, forest) and cultural/historic/social resources. A site where pre-existing or abandoned facility are/were present may be desirable for the intermodal project, if available.

It is unclear if the NEPA process could have begun earlier, to allow more input prior to decisions and agreements for the present site. It is beneficial to the process to have an unbiased assessment of a range of alternatives. For purposes of permitting of impact to waters of the United States under Section 404 of the Clean Water Act, it will also be necessary to show that alternatives were considered, and this is the least environmentally damaging practicable alternative.

Thank you for the opportunity to provide comments on the Prichard Intermodal Development Site. We would be pleased to discuss these concerns with you at your convenience. Please feel free to contact me at 215-814-3322 or [rudnick.barbara@epa.gov](mailto:rudnick.barbara@epa.gov).

Sincerely,



Barbara J. Rudnick  
NEPA Team Leader



## Figures



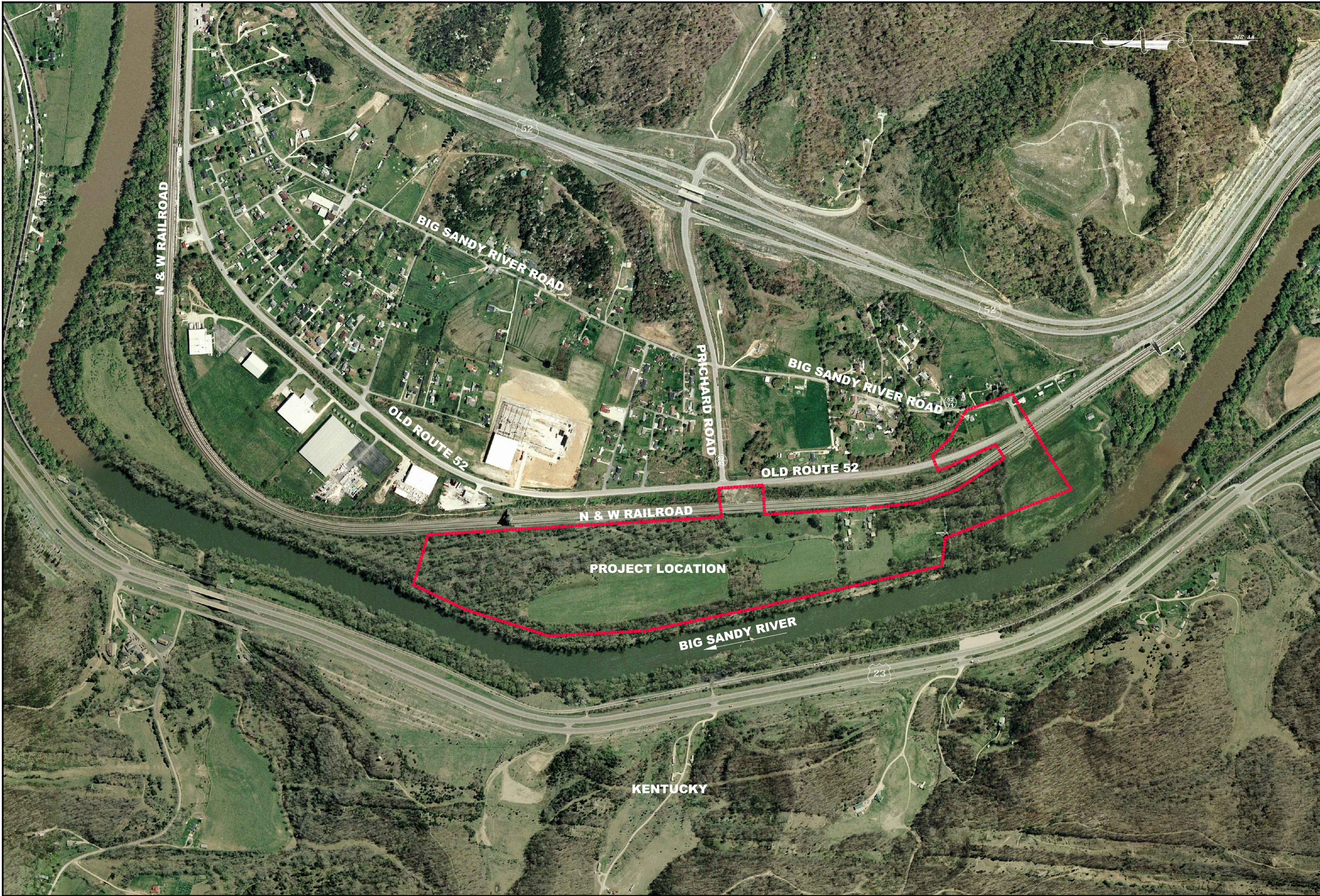
HEARTLAND CORRIDOR OVERVIEW MAP

Source: <http://www.thefutureneedsus.com/latest-news/media/category/heartland-corridor/#>

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W.V. PUBLIC PORT AUTHORITY PRICHARD, W.V. WAYNE COUNTY HEARTLAND CORRIDOR SYSTEM FIGURE 1			
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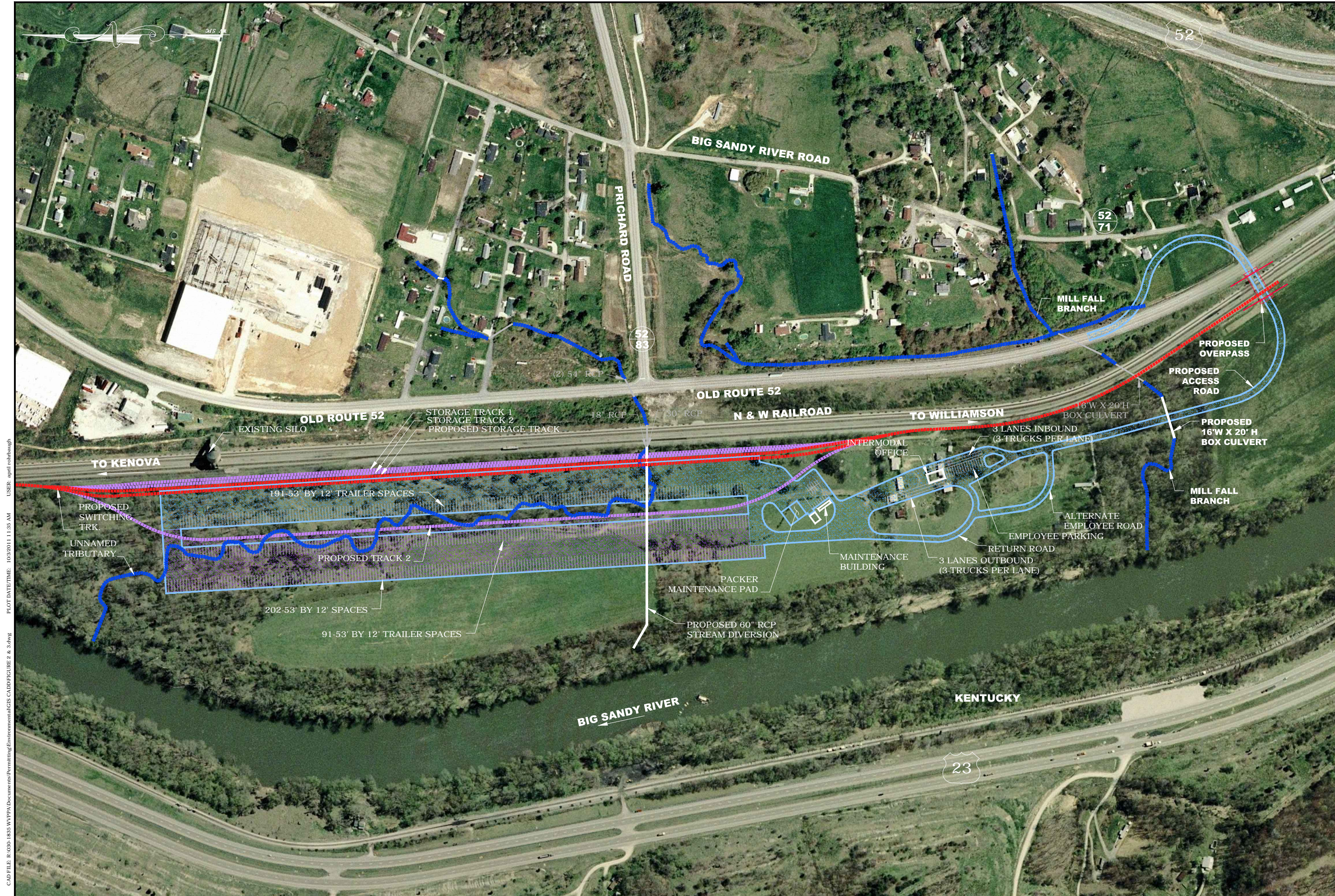




W.V. PUBLIC PORT AUTHORITY PRICHARD, W.V. WAYNE COUNTY PROJECT AREA FIGURE 2		THRASHER ENGINEERING, INC. CIVIL & ENVIRONMENTAL CONSULTING/FIELD SERVICES 30 COLUMBIA BOULEVARD - CLARKSBURG, WV 26301		PHONE (304) 624-1108		FAX (304) 624-7851	
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<p>W.V. PUBLIC PORT AUTHORITY          WAYNE COUNTY, PRICHARD, W.V.          PROPOSED DESIGN OF THE          PROPOSED INTERMODAL FACILITY          FIGURE 3</p>	
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