Finding of No Significant Impact

College Hill Hydroelectric Project
Estill and Madison Counties, Kentucky

U.S. Department of Agriculture
Rural Utilities Service (RUS)

Lock 11 Hydro Partners, LLC

Prepared by:
Environmental and Historic Preservation Division
Rural Utilities Service

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A. INTRODUCTION

Lock 11 Hydro Partners, LLC plans to submit a loan application to the U.S. Department of Agriculture (USDA), Rural Utilities Service (RUS) to secure a direct loan to install turbines in the Kentucky River at Lock 11 to generate hydropower. Prior to taking a federal action (i.e., providing this loan), RUS is required to complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. §§ 4231–4347) and Rural Development's (RD's) NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970).

After completing an independent analysis of an environmental report prepared by Lock 11 Hydro Partners and its consultant, RUS concurred with its scope and content. In accordance with 7 CFR § 1970.102, RUS adopted the report and issued it as the Agency's Environmental Assessment (EA) for the Project. RUS finds that the EA is consistent with federal regulations and meets the standards for an adequate assessment. Lock 11 Hydro Partners published a newspaper notice, announcing the availability of the EA for public review. In addition, RUS considers the Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), (54 U.S.C. §§ 300101 – 306108), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800).

B. PROJECT DESCRIPTION AND PURPOSE / NEED

Lock 11 Hydro Partners is proposing to install four 642-kW Voith 14.9 and two 222-kW Voith 8.95 StreamDiver turbine-generators into the existing lock chamber of Lock and Dam Number 11 at river mile 201.0 on the Kentucky River. Lock and Dam Number 11 is owned by the Commonwealth of Kentucky and operated by the Kentucky River Authority (KRA) for water supply. The existing 208-foot-long fixed crest concrete dam has a 148-foot-long by 52-foot-wide lock chamber. The 482-acre reservoir provides approximately 4,820 acre-feet of storage and only operates at run-of-river levels (i.e., does not draw water from below its crest). Lock 11 Hydro Partners would also construct a canoe portage path, fishing area, and parking lot within the Project Area to fulfill recreational requirements pursuant to the amended Federal Energy Regulatory Commission (FERC) license.

The USDA's purpose and need is to either approve or deny Lock 11 Hydro's application for financing. The USDA's RUS administers programs that provide infrastructure improvements to rural communities. Specifically, the New Empowering Rural America and Powering Affordable Clean Energy (PACE) programs provide grants and loans to rural electric cooperatives so that they can invest in or own clean and affordable energy. Lock 11 Hydro Partners is seeking federal financial assistance for the Project from RUS under the PACE program.

The North American Electric Reliability Corporation (NERC) annually forecasts electrical supply and demand nationally and regionally for a 10-year period. The Project is located in the Central Subregion of the Southeastern Electric Reliability Council (SERC), which is one of six regional reliability councils of NERC. According to NERC's most recent 2022 forecast for the Central Subregion, the total internal demand is projected to grow at an annual rate of 0.9 percent from 2023 through 2033

(NERC 2022).

The Project would provide hydroelectric generation to meet part of the region's power requirements, resource diversity, and capacity needs. The proposed Project would have an installed capacity of 3.01 megawatts (MW) and generate approximately 13,556 megawatt-hour (MWh) per year. The Project would provide low-cost power that could displace generation from non-renewable sources. Power produced will be put into a Clark Energy Rural Electric Cooperative distribution line, wheeled over to the East Kentucky Power Cooperative (EKPC) Union City substation, and then be put into the EKPC system. EKPC will then sell the power to local cooperatives, primarily to Clark Energy members served by the Union City substation.

C. ALTERNATIVES EVALUTED

C.1 No Action Alternative

C.2 Under the No-Action Alternative, RUS would not finance the Project. Lock and Dam Number 11 would continue to exist in their current condition, and no hydropower would be generated. Environmental resources in the Project Area would not be affected from development of hydropower capacity and associated infrastructure. The no-action alternative does not meet the purpose and need of the Project as it would not result in the generation and transmission of a clean source of renewable energy. Proposed Action

Lock 11 Hydro Partners would remove the existing concrete bulkhead and construct a 28.4-foot by 52-foot by 49.5-foot steel and reinforced concrete powerhouse. A 58-foot by 52-foot horizontal trash rack would be installed to sit three feet below the normal pool level from the lock chamber upper sill to the back wall of the powerhouse. An inflatable rubber dam would be installed on top of the powerhouse wall to maintain the pool during normal operating conditions.

Lock 11 Hydro partners would install four turbine-generators into the existing lock chamber of Lock and Dam Number 11. These submersible units directly couple permanent magnet generators with turbines, eliminating the need for a gearbox and associated oil lubrication. A prefabricated steel and reinforced 42-foot by 20-foot by 28-foot concrete control building would be installed atop a concrete foundation at the edge of the existing concrete esplanade and would be connected to the powerhouse via an underground cable trench. The control building would house the switchgear, controls, transformers, and the main circuit breaker for the plant. The control building would also serve as the interconnection point to the existing 12.47-kV, three-phase overhead distribution line in Madison County.

Lock 11 Hydro Partners would also construct a canoe portage path, fishing area, and parking lot within the Project Area to fulfill recreational requirements pursuant to the amended FERC license. These modifications would not receive project financing as part of the PACE program but are included as connected actions in this proposal.

The proposed Project would operate in run-of-river using flows between 196 cubic feet per second (cfs) and 2,636 cfs for power generation. The turbines would be operated sequentially, based on inflow, and would maintain run-of-river operation levels. Lock 11 Hydro Partners proposes to install monitoring equipment in the lock chamber and headwater pool that is designed to shut down the generating units when water levels in the impoundment fall below 617.38 feet.

The proposed Project would generate 13,556 MWh annually. Power would be transmitted from the powerhouse to the Clark Energy/East Kentucky Power Cooperative Hunt Substation. All power generated would be sold to the East Kentucky Power Cooperative at approved tariff rates based on spot-market pricing.

Trash-rack maintenance would be periodically performed by deflating the rubber dam atop the powerhouse and allowing water to wash accumulated debris downstream. Once the trash rack is cleared of debris, the rubber dam would be re-inflated to restore operating pool levels.

C.3 Alternatives Eliminated from Further Consideration

Lock 11 Hydro Partners initially considered implementation of the Project as originally licensed by FERC. This would include the construction of new reinforced-concrete intake channel, powerhouse, and intake-and-headgate structure, installation of two 2.5-MW Pit Kaplan turbine generator units, and construction of an electrical substation and the underground transmission line. However, this design was based on outdated turbine technology and would have included substantially more in-water work, tree clearing, transmission requirements, and disturbance than necessary to fulfill the local demand for hydropower. As such, Lock 11 Hydro Partners dismissed this alternative from detailed analysis.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

The project analyses prepared for the EA did not identify any significant adverse effects to recreation and land use, floodplains, wetlands, water resources, coastal resources, biological resources, cultural and historic resources, noise, human health and safety, geology, and soils. No substantive issues related to aesthetic resources or socioeconomics associated with the Proposed Action were identified; therefore, these resources are not assessed in the EA.

In accordance with the requirements of 7 CFR § 1970.104(b), a summary of anticipated impacts on the human environment is provided below, including any mitigation measures deemed necessary to avoid or minimize impacts. Lock 11 Hydro Partners is responsible for implementing these measures.

D.1 Recreation and Land Use

Construction of the proposed Project facilities would be unlikely to significantly affect recreation near Lock and Dam Number 11. The KRA currently excludes boats from the area 300 feet upstream and 150 feet downstream from the dam. Although boats may be temporarily excluded from a larger area during construction, the disturbance would be minimal and would not affect the quality of the recreational experience outside of the immediate Project Area. Lock 11 Hydro Partners' proposed

recreational enhancements would improve recreational boating access to the Kentucky River in a stretch of the river that has fewer access points than are available in more populous areas downstream. The portage around Lock 11 would make it easier for boaters to through-paddle the Kentucky River, and the picnic tables and composting toilet would encourage use of the site as a waypoint for through-paddlers. The proposed signage directing canoeists to the put-in and take-out locations would improve accessibility and visibility of the site's recreational amenities. These measures would support the continued development of the Kentucky River Water Trail by improving connectivity around the lock and dam.

Constructing, operating, and maintaining the proposed Project, which is located in a relatively rural, agricultural area, may affect both the intensity of land use and the visual characteristics of the Lock and Dam Number 11 site. However, development of hydroelectric facilities would be consistent with the history of industrial use along the Kentucky River. The recreational enhancements and associated change in land use are compatible with the development of the Kentucky River Water Trail and any future designation as a National Water Trail.

D.2 Floodplains

Based on a review of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, the Project is located in an area characterized as a 100-year floodplain. The entire Project boundaries lie within Zone AE, which is identified as a special flood-hazard area regulatory floodway (FEMA 2024). All land development impacts within the floodplain are small, as they are built on/in/under existing human-made structures. Due to construction activities within the river and adjacent floodplain, the Project would require coordination and permitting from both the Kentucky Division of Water, Dam Safety Section, and the Floodplain Management Section. On April 15, 2024, Lock 11 Hydro Partners, LLC received a Floodplain Development Permit from the Estill County floodplain administrator.

Lock 11 Hydro Partners proposes to install crest gates to maintain the existing spillway capacity and to implement an Operating Plan at the Project that would ensure that there is no adverse change in flood risk as a result of the Project. The control building, located within the 100-year floodplain yet above the 500-year flood level, would be carefully designed and constructed to ensure that it does not obstruct water flow or pose any hazards during flooding events. The Project would be operated in a run-of-river mode utilizing a crest gate to maintain the elevation of the upper pool at its current level while maintaining existing spillway capacity in the event of flood conditions.

D.3 Wetlands

A wetland field survey was conducted by ICF on November 22, 2023, to identify and delineate all waters of the United States (e.g., wetlands, rivers, streams, ponds, lakes) within the Project Area. No wetlands were identified in the Project Area during site surveys, and no wetlands are immediately upstream or downstream from the Project. Construction of the proposed control building and most of the canoe portage would be concentrated around the existing concrete esplanade and lock structure and would not disturb wetland or riparian vegetation. Operating the Project in a run-of-river mode would maintain reservoir levels at the crest of the dam when inflows are less than the maximum

hydraulic capacity of the Project. As a result, the average reservoir elevation would be lower, and there would be less frequent fluctuations in water levels in riparian wetlands and vegetation adjacent to the Project impoundment, but Project operation would maintain the same historical minimum and maximum reservoir elevations. As a result, operating the Project in a run-of-river mode would have minimal effect on the distribution and species composition of upstream and downstream wetland communities.

D.4 Water Resources

The Kentucky River has 14 locks and dams, with Lock and Dam Numbers 5 through 14 retired, and all 14 are now conveyed to the Commonwealth of Kentucky. The Commonwealth uses them for domestic water supply, recreation, and hydroelectric power. Municipal water is withdrawn from Pools 3–11 and Pool 14. The College Hill Project's Pool 11 serves as a municipal water source during low-flow and near-drought conditions. Kentucky Department for Environmental Protection's (KDEP) Division of Water or the KRA may request water releases from Pool 11 discharged through low-level drawdown valves, when necessary.

Construction of the proposed Project would be completely contained to the closed lock chamber and would have no impacts on the flow of the river. Under the proposed operating regime, the reservoir elevation would be maintained at 583.2 feet above mean sea level (MSL) or higher at all times during operations. This would ensure that City of Richmond, Irvine, and Ravenna water supply intakes would not be affected by Project operations.

Construction of the proposed Project has the potential to affect water quality in the Kentucky River, both upstream and downstream from the Project Area. Construction of the proposed Project facilities would require in-water construction work (e.g., installation of the turbine pits within the lock) and some limited land-disturbing activities (e.g., staging areas for equipment). Overall, these activities may result in localized increases in turbidity levels within the affected reaches of the Kentucky River. Sediment sampling and testing prior to Project construction would identify potential contaminated sediments within the Project Area. Disposal procedures would be determined on the basis of the extent and concentration of the contamination in order to minimize the potential adverse effects associated with disturbing, removing, and disposing of contaminated sediments.

Passing river flows through the Project's turbines, instead of over the crest of the dam during this period, would reduce aeration and could result in reduced dissolved oxygen (DO) downstream from the powerhouse. However, water quality data for the Mother Ann Lee Project at Lock and Dam Number 7 suggest that the proposed Project operation would not result in violations of the state water quality standards (USGS 2024). Project operations are not expected to affect overall water temperatures because the reservoirs on the Kentucky River are riverine in nature and have moderate turnover rates and short residence times, which likely do not allow for significant stratification to occur.

The following environmental protection and avoidance measures for site-specific provisions and avoidance measures are listed in the EA:

- Develop and implement an Erosion and Sediment-Control Plan (ESCP) to minimize the effects

of Project construction on the Kentucky River.

- Conduct water temperature and DO monitoring upstream and downstream from the Project from June through September, both prior to construction and after post-construction, to verify compliance with water quality standards.
- Operate the Project in a run-of-river mode to maintain the upper pool elevation to ensure that City of Richmond and Irvine–Ravenna Municipal water supply needs are met.
- Implement a Water Quality Monitoring Plan. that includes the following provisions.
    1. Monitor water temperature and DO concentrations in the tailrace from May 1 through October 31.
    2. Report monitoring results annually by March 31 of the following year.
    3. Shut down Project turbines incrementally, to total shutdown as needed, if DO levels fall below 5.0 mg/L over a 24-hour average period, or 4.0 mg/L instantaneously.
- Implement an Operations Compliance Monitoring Plan that includes provisions to cease generation during low-flow restricted periods, as declared by the KDEP's Division of Water.

D.5 Coastal Resources

The Project Area is located in College Hill, Kentucky. The Commonwealth of Kentucky does not have a coastal zone regulated by the Coastal Zone Management Act.

D.6 Federally Listed Species

The U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) website was used to obtain an official list of species and critical habitats (USFWS Project Code: 2024-0023535) that may occur within the vicinity of the proposed Project.

A presence/probable absence survey for listed mussels was conducted on October 7-8, 2024, documenting the presence of a diverse mussel bed extending from the end of the esplanade wall downstream approximately 875 feet. The survey yielded a total of 180 live mussels representing 12 species, including 17 federally threatened round hickorynut and a weathered dead federally endangered sheepnose shell. Most mussels, including federally listed species, were collected on the right descending half of the channel in sandy bed material. No snuffbox or salamander mussels were found.

On April 8, 2025, potential adverse effects to federally listed species that may result from activities associated with proposed Project were evaluated via the USFWS's IPaC system assisted Kentucky Determination Key (Dkey). Based on the IPaC results, USDA determined that the proposed project would have "no effect" on the gray bat, Indiana bat, northern long-eared bat, Virginia big-eared bat, and short's bladderpod and submitted it to the USFWS for concurrence. There is no requirement to request concurrence with a "no effect" determination; however, the KFO acknowledged the determination in an informal consultation letter dated May 27, 2025, and had no additional comments

or concerns regarding those species.

A Biological Assessment (BA) was developed by ICF to address potential adverse effects to listed mussel species as a result of the proposed Project. At the direction of the KFO, and based on the presumed absence in the Project Area, informal Section 7 consultation was requested for the salamander mussel. Due to their documented or assumed presence within the Project Area, formal Section 7 consultation was requested for the round hickorynut, sheepnose, and snuffbox mussels. The BA concluded that effects to the salamander mussel will be discountable and that the proposed Project ***may affect, is not likely to adversely affect*** the species. The BA concluded that potential impacts to the round hickorynut, sheepnose, and snuffbox will be minimized to the extent possible through the use of conservation measures but that adverse effects to these mussel species are expected as a result of the proposed Project. Changes in flow during operation of the Project could cause sediment transport through the lock or scouring of sediment in the immediate vicinity of the Project that may deposit and bury the existing mussel beds and disrupt mussel metabolic processes such as respiration and feeding. Changes in flow conditions could also cause dislodgement of existing mussels and/or alter the likely presence of host fish species. As a result, the effects determination for these three mussel species is ***may affect, likely to adversely affect***.

On May 27, 2025, the USFWS issued a Biological Opinion (BO) for the sheepnose, round hickorynut and snuffbox mussels and concluded that the proposed Action could expose the three mussel species to a number of stressors evaluated in the BO.

Several conservation measures were identified in the BO to avoid and minimize effects from Project activities to listed species and their habitats. Incidental taking of listed species as measured by up to 43,301 square meters of suitable mussel habitat is exempted from the prohibitions against taking under the Endangered Species Act, provided the Action is implemented consistent with the manner identified in the BO. The BO identifies the required conservation measures that Hydro Partners must implement prior to and during construction activities and during the operation of the facility. Specifics on the measures listed below can be found in Appendix B of the Environmental Assessment.

- Implement ESCP measures
- Mussel relocation survey and future monitoring to reduce take.

These measures will be implemented throughout the work area during construction, as necessary and appropriate. The conservation measures are anticipated to help avoid and minimize adverse effects to the mussel species and their habitat; however, these measures are not expected to eliminate all adverse effects that may result from the proposed Action.

D.7 Aquatic Biological Resources

The mainstem of the Kentucky River has more than 70 species of freshwater fish, of which the Kentucky Department of Fish and Wildlife Resources (KDFWR) has documented 52 species in the reservoir behind Lock and Dam Number 11. KDFWR stocks largemouth bass, sauger, muskellunge,

and white bass in the Kentucky River Pool Number 11 to enhance the warmwater fishery. Other

species that are commonly targeted by anglers include walleye, striped bass, catfish, sunfish, and crappie. Thirty-three species of freshwater mussels are currently known to exist in the Kentucky River. Construction activities have the potential to affect the reproductive success of many aquatic species. Physical disturbance in the river could deter fish species from attempting to spawn or block access to preferred spawning habitat. Mussels, fish eggs or larval fish that reside in the sediment or shallow areas could be crushed by the presence of heavy machinery or buried by excess sediment. Construction could require the dewatering of areas resulting in the desiccation of mussels, fish eggs, larvae, or fry that inhabit shallow habitats along streambanks. Lock 11 Hydro Partners would avoid instream work from April through June to prevent disturbance of fish populations in the Project Area during much of the spawning season. However, under this proposal, some spawning could be disrupted in March and July.

Under Lock 11 Hydro Partners' proposed run-of-river operations, the quantity and timing of flows downstream of the dam would not be drastically altered compared to the existing conditions. Although the average elevation of the reservoir would be lower, fluctuations would be minimized and within the current naturally occurring water levels. Therefore, Project-related effects on aquatic habitat would be limited to minor changes but has the potential to affect mussel species through the movement and deposition of sediment that could smother mussels or make habitat unsuitable, causing individuals to move to other areas.

Based on monthly and seasonal entrainment rates (Kleinschmidt 2011), the total number of entrained fish would approach 11,500 fish per year. The Project would entrain approximately 5,700 fish in the spring, representing approximately 50 percent of the total number of fish expected to be entrained annually. A summer estimate of 4,000 entrained fish represents approximately 35 percent of the total number of fish that would be entrained annually. Entrainment would be substantially lower during fall and winter, with estimates of 3 percent and 14 percent, respectively. To minimize impacts on fish from impingement, entrainment, and turbine mortality, Lock 11 Hydro Partners proposes to install a trash rack at a 5.8-degree angle to keep inlet speeds low, with a 1 3/8-inch clear spacing and maximum approach velocity of 1 foot per second

D.8 Terrestrial Biological Resources

The areas surrounding the proposed powerhouse and substation would be temporarily disturbed by the staging of materials and equipment, as well as from construction activities such as vegetation clearing, excavation, stock piling soil, and regrading. Construction of the powerhouse, control building, parking area, and extension of Lock 11 Road would permanently disturb approximately 0.47-acre of mostly maintained grass and herbaceous species. Additional areas near the proposed Project facilities may be temporarily disturbed (e.g., staging areas, soil stockpile and disposal areas). Additionally, approximately 28 square feet of non-woody, riparian vegetation may be permanently cleared at the take-out location (approximately 390 feet upstream of the crest of the dam) to build concrete or stone steps for access from the water to the shoreline and portage.

Overall effects on vegetation during Project construction and operation are expected to be minimal

because the removal of vegetation would be limited. The majority of the Project Area has already been disturbed, so the extent of new intrusions on vegetation communities would be minimized.

D.9 Cultural Resources

Section 106 of the NHPA requires USDA RUS to consider the effects of its actions on historic properties and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on an undertaking. Pursuant to Section 106, RUS must consider whether any historic property could be affected as a result of the financial assistance that it would provide . The APE is determined in consultation with the SHPO and defined as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist.

In consultation with the Kentucky State Historic Preservation Officer (SHPO), the U.S. Army Corps of Engineers (USACE), FERC, Kentucky River Authority, the Cherokee Nation, Eastern Band of Cherokee Indians, Eastern Shawnee Tribe of Oklahoma, the Osage Nation, and the United Keetoowah Band of Cherokee Indians of Oklahoma, and the ACHP, the RUS determined that the proposed undertaking's area of potential effect contained two historic properties, eligible for listing in the National Register of Historic Places. These resources are The Kentucky River Lock and Dam Number 11 (ES 9), individually eligible for the National Register of Historic Places (NRHP), and the Kentucky River Navigation System historic district, to which the Kentucky River Lock and Dam Number 11 is a contributing element

The RUS found that the proposed undertaking would adversely affect the Kentucky River Lock and Dam Number 11, but not adversely affect the Kentucky River Navigation System, and reached concurrence on this finding with the SHPO. Accordingly, the RUS and SHPO executed a Memorandum of Agreement pursuant to 36 CFR § 800.6(b) to resolve adverse effects. This Agreement indicates that the scope of adverse effects resulting from the RUS's undertaking is similar to those already identified during the FERC's consultation in 2016, and include measures to install three permanent historical interpretive panels that would describe (1) the history of commerce and transportation along the Kentucky River, including early attempts at navigational improvements; (2) the history and construction of Kentucky River Lock and Dam Number 11, and; (3) a discussion of how hydropower works and how it qualifies as "green energy".

D.10 Noise

The Project Area is located in a rural portion of Estill County and is largely undeveloped. Only 23 residences are present within 1 mile of the Project Area, and no sensitive receptors are present (Google Earth 2024).

The construction of the Proposed Action would result in short-term, transitory noise from the operation of trucks, cranes, dozers, and workers. Construction activities would be conducted in accordance with local noise ordinances during normal working hours. No construction noises would persist beyond the

duration of the construction period.

Operations would not result in perceptible noise beyond the construction period. The submersible turbines operate completely underwater and do not generate any above-ground noise. Noise emissions associated with the operation period would be limited to transitory maintenance noise from routine maintenance activities.

D.11 Human Health and Safety

The Proposed Action would be conducted in accordance with all federal, state, and local regulations for workplace and public safety. No member of the public would be exposed to potential health impacts from the Project. Site plans include a safety fence that would separate the public from the concrete esplanade and submersible turbines. Furthermore, FERC would conduct annual safety inspections, as conditioned by the operating license. Lock 11 Hydro Partners would also conduct monthly safety inspections.

D.12 Geology and Soil Resources

During construction, Lock 11 Hydro Partners would access the site using the existing Lock 11 Road and install cofferdams at the upstream and downstream ends of the lock on top of the existing gate sills to dewater the lock. The primary substrate identified within the lock chamber is existing concrete; therefore, excavation is expected to be limited to removing loose and weathered material to provide a sound surface of foundation rock on which to cast the new concrete for the powerhouse. The concrete esplanade would be the primary staging area for the heavy equipment (e.g., 60-ton crane) needed to construct the powerhouse and install the turbine-generator units and would avoid clay-capped soils for all construction activities.

Construction of the proposed Project would cause temporary effects on soil erosion, sedimentation, and streambed-material transport. Installation and removal of cofferdams, excavation of the streambed and southern bank, demolition of the lock and esplanade (noted above), excavation for the buried segment of transmission line, construction of the proposed access roads/parking lots, and disposal of excavated materials during construction of the proposed Project would have the potential to cause localized soil erosion, sedimentation, and streambed-material transport. Lock 11 Hydro Partners would develop in consultation with KDEP's Division of Water and Division of Waste Management, an ESCP and BMPs to minimize erosion, including on the riverbanks and impoundment shorelines, during Project construction.

E. PUBLIC AND AGENCY INVOLVEMENT

Local newspaper advertisements announcing the availability of the EA were published in *The Richmond Register* on June 24, 26, & 28, 2025 and *Estill County Tribune* on June 18, & 25, 2025. The EA was available for public review on the RUS website at: https://www.rd.usda.gov/resources/environmental-studies/assessment/college-hill-lock-and-dam-11-hydroelectric-project . The 14-day comment period ended on July 8, 2025. RUS did not receive any comments during the comment period.

F. FINDING OF NO SIGNIFICANT IMPACT

Based on the EA, RUS has concluded that the Project will have no significant effects to recreation

and land use, floodplains, wetlands, water resources, coastal resources, biological resources, cultural and historic resources, noise, human health and safety, geology, and soils. The Project will implement the conservation measures identified in the USFWS BO to avoid and minimize effects from Project activities to listed species and their habitats. Additionally, the Project will mitigate adverse effects to historic properties listed or eligible for listing on the National Register of Historic Places through the terms expressed in its MOA with the Kentucky SHPO.

In accordance with the National Environmental Policy Act, as amended, the Council on Environmental Quality Regulations, and RD's Environmental Policies and Procedures, RUS has determined that the environmental impacts of the Project have been adequately addressed and that no significant impacts to the quality of the human environment will result from construction and operation of the Project. Any final action by RUS related to the Project will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations. Because RUS's action will not result in significant impacts to the quality of the human environment, RUS will not prepare an Environmental Impact Statement for its potential federal action associated with the Project.

G. LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW

This FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notice concludes RUS's environmental review process. The ultimate decision on loan approval depends upon the conclusion of this environmental review process, in addition to financial and engineering reviews. Issuance of the FONSI and publication of notice will allow for these reviews to proceed. The decision to provide financial assistance is also subject to the availability of loan funds for the designated purpose in RUS's budget. There are no provisions to appeal this FONSI or the agency's other environmental determinations. Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act.

H. APPROVAL

This Finding of No Significant Impact is effective upon signature.

Dated:

CHRISTOPHER MCLEAN

Digitally signed by CHRISTOPHER MCLEAN
Date: 2025.07.15 12:55:04 -04'00'

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