

## FINDING OF NO SIGNIFICANT IMPACT

**NAME OF PROPOSED ACTION:** Hideaway Marina Lease Expansion, Table Rock Lake, Galena, Stone County, Missouri.

**PURPOSE AND NEED FOR THE PROPOSED ACTION:** An Environmental Assessment (EA) was prepared by the Marina owners due to a proposed lease expansion in accordance with Corps Regulations ER 405-1-12 "Real Estate Handbook" and ER 200-2-2 "Procedures for Implementing NEPA" (National Environmental Policy Act).

The Hideaway area of Table Rock Lake contains an existing store, marina, boat ramp, dock, road, and parking area. Hideaway Marina proposes to expand the current marina lease area to include the area immediately northwest, which is currently a red zone – limited development. The Marina owners feel that expanding the current marina lease boundaries, which in turn would create a yellow zone – Marina buffer, vs. exercising rights to the area under red zoning would provide a better environmental maintenance of the area while providing more controlled usage. By having more controlled usage and better environmental maintenance, it will allow them more area for utilization of possible dry boat storage in the future.

The proposed action involves lease expansion that is part of a plan that will include the installation of a boat dock that will be used for overnight slip rental to short-term visitors, courtesy boat parking, and weekly wet storage rental for short-term visitors and the addition of four boat docks to be used for long-term annual rentals. Other proposed plans include the addition of wet storage slips as deemed necessary by demand and as allowed with respect to zoning; the addition of a restaurant on private property, near marina zoning; addition of fenced-in open storage area, on private property, for boats and boat trailers with conversion to dry storage facility as deemed necessary by demand; possible charter boat services and lake tours; and possible addition of boat rental services.

**ALTERNATIVES:** Due to the nature of this proposed action (lease expansion); the only other alternative considered in the EA is the "No Action Alternative".

**No Action:** The "No Action Alternative" would not allow the addition of proposed docks provided by the commercial marina. The "No Action Alternative" could result in private floating facilities or community boat docks along the shoreline. If additional private facilities are placed on the shoreline, the potential exists for increased shoreline erosion as well as pollution from boat motors. This could adversely impact water quality and the aquatic habitat. In addition, a commercial dock (proposed action) tends to be more responsive to maintenance issues due to liability issues and an established relationship with the Corps of Engineers.

**PUBLIC REVIEW COMMENTS:** The public review period was held between 08 September and 09 October 2009. A Public Meeting was held on 09 October 2009 at the Cape Fair Community Building at 7pm. An additional 30-day comment period was extended after this meeting to insure that all comments were received. No negative comments were received from any environmental agencies and comments from the public centered around not understanding the difference in "red –limited development" and "yellow-Marina buffer" zoning around the lake and support for additional boat docks that could be made available to the general public. Revisions based on these comments on the Draft EA and those from Corps staff were incorporated into the Final EA.

**ANTICIPATED ENVIRONMENTAL IMPACTS:** Consideration of the effects disclosed in the EA, and a finding that they are not significant, is necessary in order to prepare a Finding of No Significant Impact (FONSI). This determination of significance is required by 40 CFR 1508.13. Additionally, 40 CFR 1508.27 defines significance as it relates to consideration of environmental effects of a direct, indirect or cumulative nature.

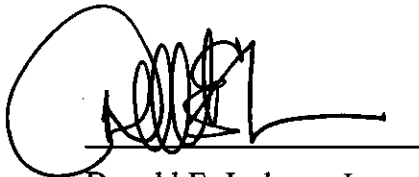
Criteria that must be considered in making this finding are addressed below, in terms of both context and intensity. The significance of both short and long term effects must be viewed in several contexts: society as a whole (human, national); the affected region; the affected interests; and the locality. The context for this determination is primarily local, as shown in the EA. The context for this action is not highly significant geographically, nor is it controversial in any significant way. Consideration of intensity refers to the magnitude and intensity of impact, where impacts may be both beneficial and adverse. Within this context, the magnitude and intensity of impacts resulting from this decision are not significant. The determination for each impact topic is listed below:

1. **The degree to which the action results in both beneficial and adverse effects. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.** The EA indicates that there will be beneficial effects such as more controlled shoreline and increased access for the general public to Table Rock Lake. Affects to the environment are minor and temporary and the environmental agencies concur that no significant impact to the environment should occur.
2. **The degree to which the action affects public health or safety.** No adverse effects to public health or safety will result from the Proposed Action.
3. **The degree to which the action affects unique characteristics of the potentially affected area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.** No such unique characteristics or resources have been identified in the project area.
4. **The degree to which effects on the quality of the human environment are likely to be highly controversial.** The proposed action will potentially benefit the general public by providing boat dock rental and storage space that is greatly needed at Table Rock Lake, therefore the Little Rock District, Corps of Engineers does not regard this activity as controversial, and the general public response to the EA confirms this.
5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The proposed action does not involve any new or untested methodologies that may have unforeseen impacts to the environment. There is also no uncertainty involving the impacts or risks of this action.
6. **The degree to which the action may establish a precedent for future actions with significant impacts.** The proposed action is situation specific and such requests are handled on a case-by-case basis and will not establish any precedent for any future action that has significant impacts.
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** The Proposed Action would not result in any cumulative impacts in regard to any reasonably foreseeable action in the project area

since these types of actions are reviewed and analyzed by Corps staff on case-by-case basis.

8. **The degree to which the action may adversely affect items listed or eligible for listing in the National Register of Historic Places, or other significant scientific, cultural or historic resources.** The Missouri Department of Natural Resources, State Historic Preservation Officer (SHPO) concurs that the Proposed Action would affect no known historic structures or archaeological sites.
9. **The degree to which the action may adversely affect an endangered or threatened species or its critical habitat.** As disclosed in the EA, coordination with the USFWS indicates that no T&E species or critical habitat exist in the project area.
10. **Whether the action threatens a violation of Federal, State or local law or requirements imposed for the protection of the environment.** No such violations are anticipated. A review of all applicable laws and regulations concerning this action and its impact on Corps property reveal that the action is in compliance with Corps regulations.

**CONCLUSIONS:** The impacts identified in the prepared EA have been thoroughly discussed and assessed. No impacts identified in the EA would cause any significant adverse effects to the human environment as defined under NEPA. Therefore, due to the analysis presented in the EA and comments received from a 30-day public review period that began on 08 September and ended on 09 October 2009 with an additional 30-day comment period extension, it is my decision that the preparation of an Environmental Impact Statement (EIS) as required by NEPA is unwarranted and a "Finding of No Significant Impact"(FONSI) is appropriate. The signing of this document indicates the Corps final decision of the proposed action as it relates to NEPA. The EA and FONSI will be held on file in the Planning and Environmental Division for future reference.



Donald E. Jackson, Jr  
Colonel, US Army  
District Commander

18 Apr 10

Date