



U.S. Department of Justice

Federal Bureau of Prisons

Washington, DC 20534

December 8, 2022

Public Scoping Meeting Held to Initiate the Environmental Impact Statement Process for the Proposed Federal Correctional Institution/Federal Prison Camp in Letcher County, Kentucky

On November 17, 2022, representatives of the Federal Bureau of Prisons (Bureau) held a Public Scoping Meeting at Letcher County Central High School in Whitesburg, Kentucky. Approximately 150 individuals attended in person with many providing written and verbal comments at that time. Additional individuals who attended remotely were able to see and hear the Bureau's presentation including many of the verbal comments provided during the meeting. The meeting was also recorded with the recording posted to the project website: <https://www.proposed-fci-leitchercountyky.com/>. During the days that followed the Public Scoping Meeting, additional written comments were submitted for agency consideration.

Bureau officials wish to express their appreciation to those who attended the meeting and expressed their interest and concerns about the proposed project and the Environmental Impact Statement (EIS). We also wish to acknowledge and thank the many individuals who submitted written comments during the public scoping period which ended on November 30, 2022. Comments and questions received during the scoping period are undergoing review and will be addressed in the Draft EIS which is currently in preparation. However, during an initial review of the comments and questions received, it was apparent that many of the comments concerned a relatively small number of topics. While a comprehensive review of the comments continues, initial responses to the more frequently-cited topics are provided below.

- **Purpose and Need for a new Federal Correctional Institution must be well-defined:** Several commentors requested the Bureau to demonstrate the need for a new medium-security Federal Correctional Institution (FCI) and explain why other alternatives to new prison construction are insufficient or inadequate to meet its needs.
Response: Among the key components of every Draft EIS are the Purpose and Need for a project or action and Alternatives to the action as proposed. The Draft EIS will document the Bureau's purpose for developing the proposed facility and how its construction will help meet its needs in the face of increasingly aged facilities and infrastructure. In addition, among the alternatives to be analyzed in the EIS will be the ability/inability to expand other existing medium-security facilities or develop an entirely new facility at other locations within the Bureau's Mid-Atlantic Region.
- **Public Safety:** Commentors noted the risk of inmate escapes from a federal correctional facility unnecessarily endangers members of the public who live nearby.
Response: Among federal inmates, all escape attempts in recent years have occurred at minimum-security prison camps housing the lowest-risk offenders who are considered to pose minimal risk to the community. The Draft EIS will provide information to address the risk of public safety.



- Consider no new prison construction in Letcher County or elsewhere:** Commentors expressed concerns that the U.S. has too many prisons and too many individuals confined in its prison systems. Others recommended increasing funding for addiction treatment and mental health care as an alternative to new prison construction.

Response: Among the Draft EIS alternatives to be considered (as mandated by the National Environmental Policy Act) is the “No Action” Alternative. The analysis of the “No Action” alternative will assume no new prison construction, thereby providing a benchmark against which decision-makers and the public can compare the levels of environmental effects of each “Action” alternative. The funds appropriated by Congress can only be used for new prison construction; providing funds for addiction treatment, mental health care, and similar community needs, can only be done by Congress.
- Economic Opportunities:** Many commentors expressed their unequivocal support or opposition to development of a new federal correctional facility in Letcher County. Backers based their support on the potential economic benefits that could be realized by Letcher County and Eastern Kentucky while opponents expressed concern that the economic and employment benefits would not be realized in addition to the potential environmental impacts.

Response: All commentors agreed that Letcher County needs sustainable, lasting, economic development, especially in light of the floods that devastated the people and economy of Eastern Kentucky in 2022. The Draft EIS will address the potential economic and employment opportunities associated with the proposed project and the likelihood of those benefits accruing to the area in and surrounding Letcher County.
- Redirect Prison Funds to Other Priorities:** In light of the recent storms that devastated Eastern Kentucky, many commentors recommended using the funds already allocated to prison construction (~\$500 million) to rebuild homes, businesses, and infrastructure damaged or lost as a result of the flooding. Others proposed applying the funds to build and operate the prison for other area priorities such as improving education, expanding social and health care programs, and responding to the opioid crisis.

Response: In Fiscal Year (FY) 2006 Congress appropriated funds to the Bureau to be used for site planning and development of a Federal Correctional Institution in Letcher County, KY. In FY 2015, 2016, and 2017, additional funds were appropriated for costs related to construction of new facilities. Reallocating those funds, or appropriating additional funds for other community needs, can only be done by Congress and not by the Bureau.
- Programming, Training, and Rehabilitation:** Commentors expressed a willingness to accept a facility that will provide inmates with programs, education, and job skills to help them upon their release.

Response: The Bureau intends to expand and enhance its traditional programming, training, and rehabilitation activities at the proposed facility to help reduce recidivism and assist inmates to become productive members of society. Plans for enhanced programming will be described in the Draft EIS.
- Environmental Quality and Impacts:** Many commentors noted that the EIS must take into account the severity of the degradation of the site where the facility is proposed to be built. The cumulative effects of over a century of timber, coal, oil, and gas extraction has left the area ecologically devastated, affecting ground and surface water quality, the stability of the soil, and the habitat of endangered and rare species. In addition, site conditions pose a threat to the health of construction workers, Bureau employees, and inmates.



Response: Environmental baseline conditions at the proposed sites in Letcher County have been well-documented and assessed in the previous Draft EIS (2015), Final EIS (2015), Revised Final EIS (2016), Draft Supplemental Revised Final EIS (2017), and Final Supplemental Revised Final EIS (2017). Nonetheless, , the potential environmental impacts (individual and cumulative) will be reviewed, reassessed, and revised as necessary to ensure a complete and accurate assessment of all potential environmental impacts at the proposed sites in this EIS. The EIS will also determine if mitigation measures, such as site remediation, are necessary to address potential health and environmental impacts. Furthermore, a key tenet of the Bureau’s mission is to provide a safe and healthy environment for all facility occupants.

- **Users of the Remote Meeting Option:** Since the Bureau was forced to end the remote meeting option early, the Bureau should hold another Scoping Meeting.
Response: Since the pandemic in 2020, the Bureau and other federal agencies have increasingly relied upon remote meeting platforms to hold public meetings successfully and without incident. In this instance, the Scoping Meeting began at 6:00 pm EST and at time the remote meeting option was terminated (7:06 pm EST), Bureau representatives had concluded their remarks and were in the midst of hearing from members of the public who had attended the meeting in-person at the Letcher County Central High School. Those monitoring the virtual meeting (using the “Zoom” platform) witnessed several malicious parties using the virtual meeting option to disrupt the proceedings. After considerable effort to maintain control, it became necessary to disconnect all those who had joined the meeting remotely per Bureau policy. Bureau officials wish to express their disappointment and regret for having to terminate the virtual meeting before hearing from those using the remote option. However, the in-person meeting, which was being recorded, continued without incident with the recording posted to the project website shortly thereafter. The Bureau will not hold another scoping meeting as remote meeting participants were still able to submit written comments to the Bureau.

Again, thanks to all who participated during the public scoping process and expressed their interest and concerns about the proposed project. To receive future project-related information including how to access the Draft EIS once published, please send your name, affiliation (if any), mailing address, and email address to:

- Kimberly S. Hudson, Site Selection Specialist
Construction & Environmental Review Branch
Federal Bureau of Prisons
320 First Street, NW, Room 901-5 West
Washington, DC 20534
Email: kshudson@bop.gov.

