

# **DRAFT**

## **FINDING OF NO SIGNIFICANT IMPACT**

### **BENDWAY WEIR CONSTRUCTION – MISSISSIPPI RIVER AT FAIR LANDING (RIVER MILE 634R AHP) PHILLIPS COUNTY, ARKANSAS**

The U.S. Army Corps of Engineers, Memphis District, intends to install six bendway weirs along the right descending bank of the Mississippi River near Fair Landing at River Mile 634R above head of passes (AHP) in Phillips County, Arkansas. Point bar accretion across from this outside bend is narrowing the navigation channel and directing swift currents along the riverbank. The swift currents and high water velocities pull towboats toward the banks making it extremely difficult and hazardous for the towboats to safely navigate the river bend from either direction.

The proposed work includes placement of approximately 360,000 tons of Graded Stone A in six bendway weirs. Crown widths of the bendway weirs will be approximately 14 feet, and the weirs will extend riverward from the right descending bank for a distance of approximately 400-500 feet. Rock paving consisting of Graded Stone C will extend approximately 200 feet upstream and 200 feet downstream of the centerline weir number two (the second most upstream weir) for stability. Revetment currently exists along the bank within the work reach; thus, no additional bank paving will be required. The tops of all weirs would be constructed to an elevation of 30 feet below the Low Water Reference Plane (i.e. -30 LWRP). The LWRP is a computed water surface elevation profile based on low discharge statistics for a long period of daily gage records (i.e. the 97 percent exceedance discharge over a 20-year period of record). In other words, there would be at least 30 feet or more of water over the tops of the weirs even at low river stages to ensure safe navigation.

A draft Environmental Assessment (EA) was prepared to determine the potential impacts of the proposed work on wildlife; wetlands; threatened and endangered species; cultural resources; socio-economic resources; environmental justice; air quality; water quality and hydrology; aquatic resources and fisheries; navigation; hazardous, toxic, and radioactive waste (HTRW); cumulative impacts; and the human environment.

The proposed project is part of the Channel Improvement Program for the Mississippi River and Tributaries Project. The potential for adverse effects on the federally endangered interior least tern (*Sterna antillarum athalassos*), pallid sturgeon (*Scaphirhynchus albus*), and fat pocketbook mussel (*Potamilus capax*) resulting from this program, including bendway weir construction, are addressed in the 2013 formal consultation with the U.S. Fish and Wildlife Service, pursuant to Section 7 of the Endangered Species Act. The U.S. Fish and Wildlife Service does not believe that the proposed work would result in jeopardy to federally listed species. Investigations into HTRW activities near the project area revealed that no known HTRW sites would be impacted by the proposed project. Pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act, a joint public notice and Section 404(b)(1) Evaluation were completed, and Section 401 water quality certification was requested from the State of Arkansas. Since all work will be conducted from the river, no known sunken vessels are in the project locations, and no grading will be conducted on the bank, there is not a

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possibility of affecting a significant cultural resource. The Arkansas State Historic Preservation Officer (SHPO) concurred that the proposed actions would not affect listed or eligible historic properties.

A joint public notice, Section 404(b)(1) Evaluation, and Draft Environmental Assessment describing the proposed actions were posted on the Memphis District's website (<http://www.mvm.usace.army.mil/About/Offices/Regulatory/PublicNotices.aspx>) and distributed to a wide list of interested parties including appropriate state and federal agencies.

After review of the documentation, I have determined this project is not a major Federal action significantly affecting the human environment nor does it indicate significant new circumstances or information relative to environmental concerns or bearing on the proposed action or its impacts. Therefore, I have determined that an environmental impact statement is not required.

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Date

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Jeffery A. Anderson  
Colonel, Corps of Engineers  
District Commander