DRAFT
FINDING OF NO SIGNIFICANT IMPACT
Mississippi River Levee Maintenance
New Madrid to Sikeston Ridge (Farrenburg) Levee Rehabilitation
New Madrid County, Missouri

The U.S. Army Corps of Engineers (USACE), Regional Planning and Environmental Division South, Memphis District (MVM), is proposing the rehabilitation of the entire length of the New Madrid to Sikeston Ridge (Farrenburg) Levee in New Madrid County, Missouri. The Farrenburg Levee was constructed by the USACE in the 1930s before the National Environmental Policy Act of 1969 (NEPA) was implemented. An environmental assessment (EA) entitled **"***Mississippi River Levee Maintenance, Farrenburg Levee Culvert Replacement, Near Levee Milepost 10 (LMP 10), New Madrid County, Missouri***"** was completed in August 2014 to evaluate the potential impacts associated with emergency replacement of a severely damaged culvert passing through the Farrenburg Levee. The proposed action requires clearing wetland habitat that was not previously covered by NEPA regulations, an EA was prepared to evaluate potential impacts associated with the proposed project action.

The proposed project would rehabilitate the entire length of the Farrenburg Levee in multiple phases of construction. Proposed work would include tree clearing within the 15-foot vegetation-free zone (VFZ) on each side of the levee and maintenance of existing culverts, both pursuant to USACE Levee Safety Program standards; repairing levee slides and sinkholes, and re-grading and/or raising the levee to the authorized elevation of 309' in low or eroded areas and at road crossings. A gap in the levee caused by a non-functional stop log structure at an old railroad crossing would be closed and the levee built to grade. Gravel would be placed on the levee crown as part of the project to provide a 15-foot access road for inspections and routine maintenance. Gravel road construction and repair of sinkholes and levee slides would not impact wetlands or require tree clearing.

Eighteen culverts are located within the project area. Of those eighteen, it has been determined that three culverts (1, 5, and 6) are currently repairable to a functioning state until they are replaced sometime in the future; two require immediate replacement (3 and 4), and one has been replaced at Highway P which was previously cleared in the August 2014 "*Mississippi River Levee Maintenance, Farrenburg Levee Culvert Replacement, Near Levee Milepost 10 (LMP 10), New Madrid County, Missouri*" EA. The remainder of the culverts (7-17) are under investigation to determine the appropriate type of maintenance required to provide the required drainage. Eventually, every culvert (including those that are determined to be currently repairable) would be replaced with 36-inch, 48-inch, 60-inch or 72-inch reinforced concrete pipe (RCP) depending on the amount of flow expected at each site; therefore, compensatory mitigation is proposed for replacement of all eighteen culverts in Farrenburg Levee as well as tree clearing in the 15-foot VFZ, and the levee gap closure at the old railroad. Culvert repairs or removal would occur where it is determined in the best interest of the public.

A total of approximately 25.8 acres of forested wetlands would be impacted by the proposed project. Approximately 24.5 of those acres would be impacted due to planned and future culvert replacements, and 1.3 acres would be impacted due to tree clearing within the 15-foot VFZ on each side of the levee. Compensatory mitigation would occur at a ratio of 3:1 to offset the impacts of

clearing 25.8 acres of BLH forested wetlands, resulting in approximately 77.4 acres of prior converted or non-wet agricultural land being restored to BLH forested wetland or a comparable amount of forested wetland mitigation credits would be purchased from an approved mitigation bank. The recently completed emergency replacement of the culvert at Highway P impacted 0.9 acres of forested wetland and mitigation of 2.7 acres of compensatory mitigation is required, but has not yet been completed as it was determined that all impacts for the Farrenburg Levee rehabilitation would be mitigated with the largest contiguous tract possible. An additional 9.7 acres of tree clearing would occur on land that was determined not wet based on higher elevations and a site visit conducted by USACE Memphis District Regulatory Branch and Environmental Compliance Section. Tree clearing in these areas would be mitigated at a lower ratio of 2:1 for a total of 19.4 acres, as they are not within wetlands, and are largely within a tree line that is overgrown with various woody vines, isolated on the levee, or are a very small part of the forested area on the flood side of the levee, and not providing a great deal of wildlife habitat. These areas would be mitigated at a 2:1 ratio due to the scarcity of forested habitat in the general area. A total of 99.5 acres of compensatory mitigation is proposed to offset impacts to wetlands and wildlife usage, and an active search is underway for appropriate land from a willing seller(s).

USACE biologists conducted a survey for threatened and endangered species within the proposed Farrenburg Levee project area. Potential summer roosting habitat for the federally endangered Indiana bat (*Myotis sodalis*) and threatened northern long-eared bat (*Myotis septentrionalis*) was observed within proposed project limits. An acoustic survey of the phase 1 construction limits was conducted by MVM staff from 10-14 August 2015. The survey indicated the likely presence of northern long-eared and gray bats. Upon coordination with the U.S. Fish and Wildlife Service it was determined that all tree clearing for phase 1 construction could be completed during the winter hibernation period while these species are not present in the area to avoid the potential for direct take of any federally threatened or endangered bats. Based on the project location, amount of habitat to be disturbed and the survey provided, the proposed work may affect, but is not likely to adversely affect the gray and northern long-eared bats, if implemented with seasonal tree-cutting restrictions (November 1-March 31). No other habitat suitable for federally threatened or endangered species was observed within the project area.

A cultural resources survey of the project rights-of-way for the proposed Farrenburg Levee culvert replacement work area was conducted in March 2014 and August 2015 by an MVM archeologist. No cultural resources were found during the survey and no previously recorded cultural resources were found in the State of Missouri data base. As earthen material to repair the levee would be obtained from previously stockpiled dredged material, no cultural sites would be disturbed to obtain the borrow material. No further archeological work is recommended. A Cultural Resource Assessment-Section 106 Review was received from the Missouri State Historical Preservation Officer on September 28, 2015 indicating that an adequate cultural resource survey was completed and no historic properties would be affected by the proposed actions.

Requirements for Section 404 of the Clean Water Act are fulfilled by the Nationwide Permit Section 3 Maintenance (a). The proposed project action also meets the requirements set forth in the State of Missouri, Clean Water Act Section 401 Water Quality Certification, 2012 General and Specific Conditions. The project does not trigger any new permit requirements set forth in the conditions noted in the Missouri Nationwide Permit Regional Conditions for all Nationwide

Permits. In particular, the wetlands within the proposed culvert replacement project area are not designated as a priority watershed by the State of Missouri.

Based on a review of the analysis performed in the environmental assessment and supporting documentation, I have determined the proposed action is not a major Federal action significantly affecting the quality of the human environment. Therefore, I have determined that an environmental impact statement is not required.

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Date

Jeffery A. Anderson
Colonel, Corps of Engineers
District Engineer