



**US Army Corps
of Engineers** ®
Memphis District

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PUBLIC NOTICE

EXPIRATION DATE: April 16, 2018

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
and
STATE OF ARKANSAS

**Availability of Draft Environmental Assessment (EA), Draft Finding
of No Significant Impact (FONSI), and 404 (b)(1) Evaluation**

REPLY TO:

ATTN: Mike Thron

Environmental Compliance Branch

U.S. ARMY CORPS OF ENGINEERS

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Memphis, Tennessee 38103-1894

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TITLE: Bendway Weir Construction Phase 2 – Mississippi River at Barfield (River Mile 812R AHP)

AUTHORITY: This project is authorized by the Flood Control Act of 15 May 1928, Public Law No. 391-70, as amended and supplemented by subsequent Acts of Congress. This Act authorized the Mississippi River and Tributaries (MR&T) Project, which included channel improvement and stabilization works for stabilizing the channel to provide an efficient navigation alignment and protection of flood control features in the Lower Mississippi River LMR.

LOCATION: The proposed project area is located along the right descending bank of the Mississippi River near River Mile 812 AHP in Mississippi County, Arkansas (Figure 1). This reach of the Mississippi River consists of a sharp river bend.



Figure 1. Project map of the three proposed bendway weirs included in Phase 2 construction located along the right descending bank of the Mississippi River near River Mile 812 above head of passes (AHP) in Mississippi County, Arkansas.

TO WHOM IT MAY CONCERN: An environmental assessment and finding of no significant impact were completed in 2017 for five bendway weirs immediately downstream; however, USACE determined during further analysis that three additional weirs (Phase 2 construction) are needed to obtain the desired channel alignment. Pursuant to Section 10 of the Rivers and Harbors Act, Sections 401 and 404 of the Clean Water Act (CWA), and the National Environmental Policy Act of 1969, as amended, the U.S. Army Corps of Engineers (USACE), Memphis District, is issuing this notice of the intention to install three additional bendway weirs in this reach of the Mississippi River, and obtain water quality certification from the State of Arkansas.

PURPOSE: The purpose of this project is to create a safer navigation channel in the Mississippi River by reducing the strong drafting currents that presently exist.

ALTERNATIVES: Several alternatives were investigated for the proposed channel improvement at Barfield, Arkansas. For the purposes of NEPA, the no-action alternative serves as the baseline against which impacts and benefits of the action alternatives are evaluated. A description of each alternative is included below.

Alternative 2.1 - No action. The no-action alternative is defined as termination of the proposed project. The encroaching point bar would further narrow the navigation channel allowing for swifter currents along the outside bends. The unsafe navigation conditions through this river bend would continue to worsen increasing the risk of a towboat accident.

Alternative 2.2 - Increase dredging in this river reach. Increasing dredging along this river reach to maintain safe navigation would be costly. Current estimates of dredging at the project location is approximately \$90,000 per day. Navigation traffic would also be temporarily disrupted during dredge activities due to work within the narrow navigation channel. The amount of sand that would be required to be removed from the encroaching sandbar could not be moved in sufficient time to stabilize the channel prior to the next high river stage. The sandbar would be expected to redevelop soon after dredging ceases, thus negating the dredging efforts and expenses. Annual dredging would likely be needed at the project location.

Alternative 2.3 - Install High Dikes Along the Outside Banks. High dikes would rise above the water surface at low and intermediate river stages and extend out into the navigation channel in these narrow bends. The dikes would efficiently direct the river currents away from the outside banks; however, at low and intermediate river stages, the dikes would create an even narrower navigation channel and would be hazardous to navigation. Some minor grading would also be required to tie the dikes into the banks. Temporary disruption of navigation traffic would occur due to construction activities within the narrow navigation channel during low water events.

Alternative 2.4 - Install underwater bendway weirs. Bendway weirs would redirect the swift currents away from the riverbanks. This would make for safer towboat transit of this outside river bend. The weirs would remain 30 feet or more underneath the towboats so there would be no navigation hazards. Any disruption of navigation traffic would be temporary and only during active construction. The weirs would eventually remove small portions of the sandbar

encroaching from across the river. This would widen the channel and reduce the swift currents along the toe of the revetted river bank. Both navigation channel and river currents would be modified sufficiently such that dredging needs would be reduced or eliminated. No grading or excavation would be required for this work. Installing underwater weirs would be less costly than building high dikes or increased dredging operations in this river reach.

The no action alternative was determined to be unacceptable because of the increasing risks of accidents at the project location. Alternative 2.2 would require work on a near-annual basis and likely disrupt navigation traffic as a result. Alternative 2.3 would result in temporary disruption of navigation traffic during construction and would result in a narrower channel during low and intermediate river stages when the dikes were exposed. Alternative 2.4 would result in a temporary disruption of navigation traffic during active construction; however, it would allow navigation traffic to safely pass over the structures at all river stages upon completion. Alternative 2.4 offered the best compromise of environmental impacts and project costs, and thus was selected as the proposed action.

DESCRIPTION OF WORK: The proposed work includes placement of approximately 90,800 tons of Graded Stone A in three bendway weirs in Mississippi County, Arkansas. Crown widths of the bendway weirs will be approximately 6 feet, and the weirs will extend riverward from the right descending bank for a distance of approximately 600-700 feet. A 3-ft. thickness of rock paving consisting of Graded Stone C will extend approximately 100 feet upstream and 300 feet downstream of each weir where it ties into the bank for stability totaling approximately 37,200 tons. 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). 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. All rock work would be conducted from the water. Draglines would be used to pull rock from floating barges for the placement of rock.

WATER QUALITY CERTIFICATION: By copy of this public notice, a modification to the existing water quality certification (ADEQ No. 20170333 dated 12 September 2017) to include these three weirs (Phase 2 construction) is being requested from the Arkansas Department of Environmental Quality that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341 (a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto.

SECTION 404 (b)(1) EVALUATION AND SECTION 10 OF THE RIVERS AND HARBORS ACT: The impact of the activity on the public interest is being evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. The Section 404(b)(1) Evaluation is included in the appendix of the draft EA.

ENDANGERED SPECIES: The proposed project is part of the Channel Improvement Program for the MR&T 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 (USFWS), pursuant to Section 7 of the Endangered Species Act (ESA). The proposed activities are not likely to jeopardize the continued existence of the interior least tern, pallid sturgeon, and fat pocketbook mussel. The USFWS has been coordinated with, and requirements of Section 7 of the ESA have been fulfilled. However, obligations under Section 7 of the ESA will be reconsidered if new information reveals that the proposed action may affect listed species in a manner or to an extent not previously considered, the proposed action is subsequently modified to include activities which were not considered during this review, or new species are listed or critical habitat designated that might be affected by the proposed action.

Although no longer listed as endangered or threatened, bald eagles are protected under the Bald and Golden Eagle Protection Act. A bald eagle nest is located approximately 630 feet downstream of Weir #3U. Construction activities are planned to occur in late summer after bald eagle young have fledged minimizing the potential for any adverse impacts. No construction activities would occur within 660 feet of the bald eagle nest during the nesting season, extending from 15 December to 30 June, without a disturbance permit in accordance with the National Bald Eagle Management Guidelines.

CULTURAL RESOURCES: Pursuant to 36 CFR 800.3(a)(1), the District Archaeologist has determined that this project has no potential to cause effects to historic properties eligible for the National Register of Historic Places. Thus, no further Section 106 (National Historic Preservation Act) consultation is required. However, if prehistoric or historic artifacts, human bones, or other archaeological materials subject to the Native American Graves Protection and Repatriation Act (NAGPRA) are found during construction, all activities would cease immediately in that area and the Memphis District Archaeologist would be contacted. State Historic Preservation Office and tribal NAGPRA representatives, the local sheriff, etc., will be contacted as required by state and federal law.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the proposed activities and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision to proceed with this project will be based on an evaluation of the probable impact, including cumulative impacts, of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The potential benefits that reasonably may be expected to accrue from the activity must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to modify or condition the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of the final environmental assessment and/or draft environmental impact statement pursuant to the National Environmental Policy Act and are also used to determine the overall public interest of the proposed activity. **The draft EA, draft FONSI, and Section 404(b)(1) Evaluation will be circulated to agencies and any other parties that respond to this notice requesting copies. Copies of these documents have been placed on the District's website at:**

<http://www.mvm.usace.army.mil/About/Offices/Regulatory/PublicNotices.aspx>.

PUBLIC HEARING: Any person may request in writing, within the comment period specified in this notice, that a public hearing be held to consider this proposed project. Requests for a public hearing shall clearly state the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed in order to reach a decision on the project.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: Send comments to the Corps of Engineers, Memphis District and Arkansas Department of Environmental Quality. Comments may be sent via mail or E-mail to the following:

U.S. Army Corps of Engineers Memphis
District
ATTN: Mike Thron
167 North Main Street, Room B-202
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Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. Anonymous comments will not be considered. All submissions from organizations or businesses, and from individuals identifying themselves as representatives of officials of organizations or businesses, will be made available for public inspection in their entirety.

If you wish to obtain additional information or to submit comments on this proposal, contact Mike Thron at the U.S. Army Corps of Engineers, Environmental Compliance Branch, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone 901/544-0708.

Comments should be forwarded to this office by April 16, 2018.

Sincerely,



Edward P. Lambert
Chief, Environmental Compliance Branch,
Regional Planning and Environmental Division South