



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

ISSUE DATE: April 5, 2019

EXPIRATION DATE: May 5, 2019

PUBLIC NOTICE

**U.S. Army Corps of Engineers
Memphis District**

**Availability of draft Environmental Assessment
and draft Finding of No Significant Impacts**

TITLE: Mississippi River Levee Construction, White River Backwater Levee Seepage Remediation, Phillips County, Arkansas.

AUTHORITY: The project is authorized as part of the Flood Control Act of 1928, as amended.

LOCATION: The proposed seepage control measures are located along the White River Backwater Levee, Phillips County, Arkansas (Figure 1).

TO WHOM IT MAY CONCERN: Pursuant to the National Environmental Policy Act of 1969, as amended, the U.S. Army Corps of Engineers (USACE), Memphis District (MVM), is issuing this notice of the proposed installation of seepage remediation measures along White River Backwater Levee, Phillips County, Arkansas.

PURPOSE: Seepage under the White River Backwater Levee that occurs during flood conditions on Big Creek and the White River needs to be controlled to ensure that the levee system does not fail during a project flood event. Seepage could undermine the levee causing it to breach if unabated and flood the surrounding lands and residential areas. A levee breach would threaten the lives and property of residents within the flooded areas.

DESCRIPTION OF PROPOSED ACTION: The proposed project would involve constructing an earthen berm adjacent to the landside levee slope, installing 71 relief wells, construction of new collector ditches and modification of existing drainage systems to accommodate additional seep water, placement of rip-rap to prevent potential scour, installation of a new culvert, and clearing vegetation from existing ditches. Access to the project areas would be from Phillips County Roads 607, 612, and 619. Additionally, an access road from the levee would be modified to accommodate the new berm. Specialized drill rigs would be used to drill the holes along the levee, and cranes would be used to install the relief wells. A bulldozer and excavator would be used to construct the seepage berm and to modify the existing ditches. The location of each proposed action is presented in Figure 2. As a result of these proposed actions, it is anticipated that approximately 12 acres of bottomland hardwood forest would be cleared and utilized as a borrow source for the proposed berm. Compensatory mitigation for these impacts is addressed in the Mitigation Section below.

Alternatives Considered

Two alternatives were considered: Alternative 1 (No Action); and Alternative 2 (Construct a Landside Berm and Install Relief Wells with Associated Drainage Work).

1) No Action: In the future without project condition (no-action), the proposed action would not be constructed. The no-action alternative would result in continued seepage during flood conditions. Sands and silts would be carried under the levee, potentially causing sand boils. This could eventually lead to a levee failure during a major flood event. Failure of the levee could result in property damage, human injuries and/or loss of life.

2) Construct a Landside Berm and Install Relief Wells with Associated Drainage Work: This alternative consists of constructing a berm along the landside toe of the White River Backwater Levee, installing 71 relief wells, modifying existing drainage systems and construction of new collector ditches, placement of rip-rap to prevent potential scour, installation of a new culvert, and vegetation removal from existing ditches. However, it is anticipated that these actions would result in approximately 12 acres of bottomland hardwoods being cleared and utilized as a borrow source for the proposed berm.

After careful consideration of the alternatives, it was determined that alternative 1 (no-action) was unacceptable because of risks to human life and property. If seepage problems are not addressed, levee failure resulting in catastrophic impacts could ultimately result. All factors considered, alternative 2 is the most practical solution for seepage control and is the preferred alternative for the proposed project.

MITIGATION: Mitigation requirements would consist of planting bottomland hardwood species and restoring hydrology, if applicable, within tracts of cleared agricultural land. The environmental review team (IAT) was consulted and concluded that a mitigation ratio of 3:1 would sufficiently offset project impacts. Therefore, approximately 36 acres of cleared agricultural land would be restored to bottomland hardwood forest. In coordination with the IAT, a mitigation plan for the tract would be developed and followed. Mitigation success would not be declared until conditions specified in the mitigation plan are achieved.

WATER QUALITY CERTIFICATION: Impacts to water quality within the adjacent Big Creek and White River would be minimal or have no effect because these streams normally carry a heavy sediment load, and the project action would be conducted during dry or low water periods. Thus, no significant impacts to water quality would occur as a result of the proposed project. As no fill material would be placed into wetlands, a Section 404(b)(1) Evaluation and state water quality certification would not be required.

PROTECTED SPECIES: In January 2019, USACE biologists conducted a site assessment of the proposed project area. Proposed impact areas were examined for the presence of, as well as suitable/potential habitat for, the piping plover. Pursuant to Section 7 of the Endangered Species Act, as amended, USACE has determined that the proposed project may affect, but is not likely to affect the ivory-billed woodpecker and piping plover. Furthermore, based on location of the project and surveys of the project area, USACE has determined that the proposed project would have no effect on the fatpocketbook, pink mucket, rabbitsfoot, scaleshell mussel, and pallid sturgeon. Additionally, no evidence of bald eagles, or their nests, were observed at any project location. On 01 April 2019, the U.S. Fish and Wildlife Service concurred with the USACE determination.

CULTURAL RESOURCES: A literature review and cultural resources survey within the project's Area-of-Potential-Effect (APE) were completed by the MVM archaeologist in the spring of 2019. The investigation revealed a previously identified site within the APE, site 3PH0017. Although Site 3PH0017 is within the APE, it is not believed to fall within the proposed construction footprint. However, the site boundaries have not been delineated. Therefore, USACE is currently conducting ground penetrating radar (GPR) and magnetometer analyses to ensure the boundary of Site 3PH0017 does not overlap with the proposed construction footprint. Results of the GPR will be coordinated with the Arkansas State Historic Preservation Office (SHPO), and an effect determination regarding cultural resources would be made. Should results indicate the site is within the construction footprint, coordination would occur with the Arkansas SHPO and potentially affected federally recognized tribes to determine the most appropriate path forward. Additionally, throughout the remainder of the project area, there are no other historic properties listed in or determined potentially eligible for inclusion in the National Register of Historic Places in the project's APE. Therefore, at this time, it is anticipated that there would be no historic properties affected as a result of the proposed project.

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. This notice is being circulated to federal, state and local environmental agencies. The decision to proceed with the proposed modifications 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 of the activity must be balanced against its reasonably foreseeable detriments. Potential direct, indirect, and cumulative effects of the activity on the human environment will be considered.

The USACE is soliciting comments from the public, federal, state, and local agencies and officials; Indian Tribes; and other interested parties to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by MVM to determine whether to proceed with the proposed action. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors. Comments are also used in preparation of the final EA pursuant to the National Environmental Policy Act and to determine the overall public interest of the proposed activity. The draft Environmental Assessment and draft Finding of No Significant Impact have been completed and will be circulated to agencies and any other party that responds to this notice requesting a copy. A copy has been placed on the District's website at: <http://www.mvm.usace.army.mil/About/Offices/Regulatory/Public-Notices/>.

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 action. Requests for a public hearing should 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 to reach a decision on the project. Should any agency or individual decline comment on this notice, it will be interpreted by MVM to mean that there is no objection to the proposed work.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: Send comments to the U.S. Army Corps of Engineers, Memphis District. Comments may be sent via mail or email to the following:

U.S. Army Corps of Engineers – Memphis District
ATTN: Joshua Koontz
167 North Main St., Room B-202
Memphis, TN 38103-1894
e-mail: joshua.m.koontz@usace.army.mil
phone: (901)544-3975

Comments must be received by the expiration date listed on page one of this notice.

Sincerely,



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

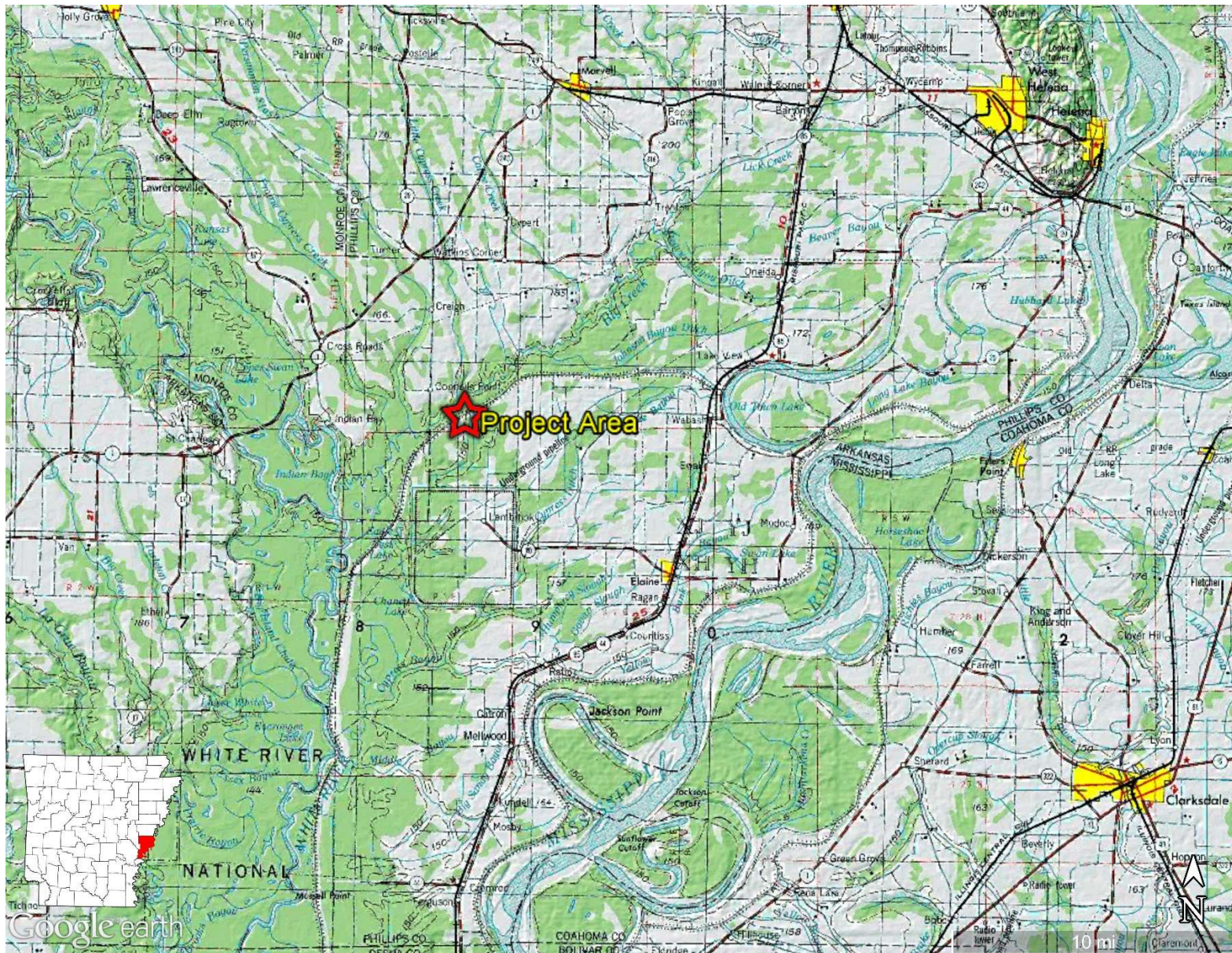


Figure 1. Location of proposed seepage control measures along the White River Backwater Levee, Phillips County, Arkansas.

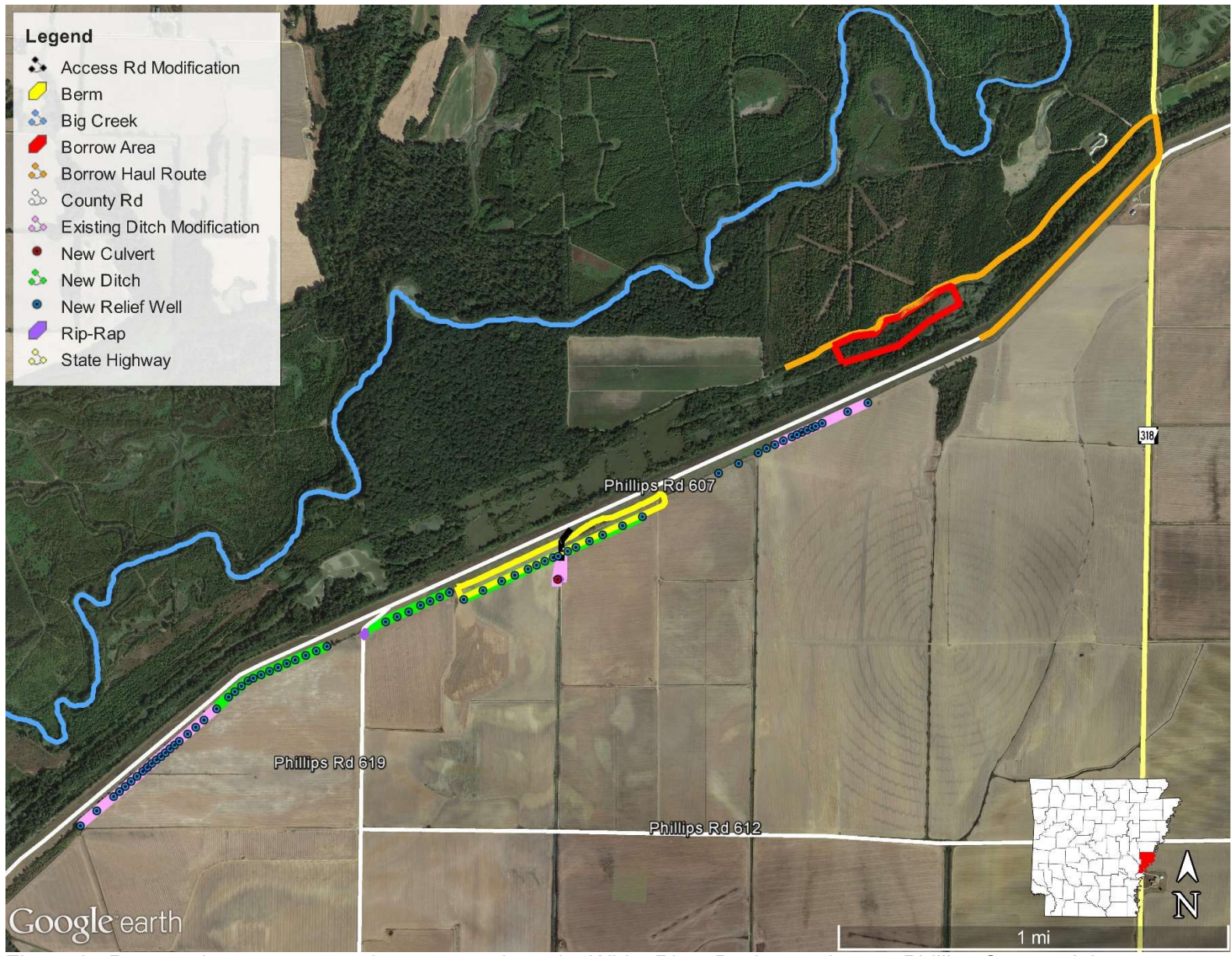


Figure 2. Proposed seepage control measures along the White River Backwater Levee, Phillips County, Arkansas.