



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

ISSUE DATE: December 7, 2017

EXPIRATION DATE: January 7, 2018

PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

**Availability of draft Environmental Assessment (EA) and
draft Finding of No Significant Impact (FONSI)**

REPLY TO:

ATTN: Mark Smith, Environmental Compliance Section
U.S. Army Corps of Engineers
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Memphis, Tennessee 38103-1894
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TITLE: Bayou Meto Basin, Arkansas General Reevaluation Report, Post General Reevaluation Design Modification, Phase 3.1

AUTHORITY: The Grand Prairie-Bayou Meto Project was reauthorized by the Water Resources Development Act of 1996 with a broadened scope of work, to include ground water protection and conservation, agricultural water supply, and waterfowl management. Congressional language contained in the Energy and Water Appropriations Act, 1998, directed the Corps to initiate a reevaluation of the Bayou Meto Basin. The Record of Decision was signed by Major General Riley, Director of Civil Works, in November 2007, authorizing the project as designed.

LOCATION: The proposed project modifications are located in Pulaski County near the town of Scott, Arkansas, on the east bank of the Arkansas River (Figure 1).

TO WHOM IT MAY CONCERN: Pursuant to the National Environmental Policy Act (NEPA) of 1969 as amended, the U.S. Army Corps of Engineers (USACE), Memphis District, is issuing this notice to update environmental coordination on the proposed modifications to the authorized project.

PURPOSE: The project as described in the EIS and 404(b)(1) evaluation included construction of main canal 1000 and associated structures, including impacts to vegetation within and adjacent to the right-of-way (ROW). However, it was determined during detailed planning for phase 3.1 of the canal design that the most efficient method to maintain the existing drainage through the Dry Bayou area would be cleaning out the Dry Bayou channel to more efficiently drain low areas within canal 1000 ROW and to improve drainage for agricultural land to the north of the canal. The impacts to the existing bayou channel were not addressed in the final EIS (*Bayou Meto Basin, Arkansas General Reevaluation, 2010*) or more recent NEPA documents. In addition, it was determined that an additional temporary construction ROW, impacting 0.1 acres of probable wetland habitat, would be required in order to most efficiently construct a culvert under Scott Road. A similar need to more efficiently construct a siphon west of Highway 15 would temporarily impact approximately 0.2 acres of agricultural land (non-wetlands). The proposed project modifications are found in Figure 2.

It is important to note that this EA covers all project changes to the canal 1000 design to date. Detailed designs for other project construction items are at various stages of development. No changes to the project, in addition to those disclosed in this EA are anticipated. However, the project will continually be reviewed in order to ensure compliance with NEPA.

DESCRIPTION OF THE PROPOSED ACTIONS:

Dry Bayou. The existing stream known as Dry Bayou would be altered to ensure that sufficient capacity is available to drain the low area that exists within the canal 1000 ROW and to provide adequate drainage for agricultural land to the north of the canal. A total of approximately 3.5 acres of a mix of mature cypress trees along the stream bank and understory of sub-canopy trees, vines, and shrubs covering the rest of the area would be disturbed (Figure 2).

Temporary construction easement.

In order to remove an existing culvert under Scott Road and replace it with a larger culvert more suited to the drainage, 0.1 acres of existing vegetated area would be temporarily impacted on the south side of the road (Figure 2). Vegetation consists primarily of shrubs and grasses at this location. The construction of a siphon west of Highway 15 would impact 0.2 acres of non-wet agricultural land, the location of which is shown in Figure 2.

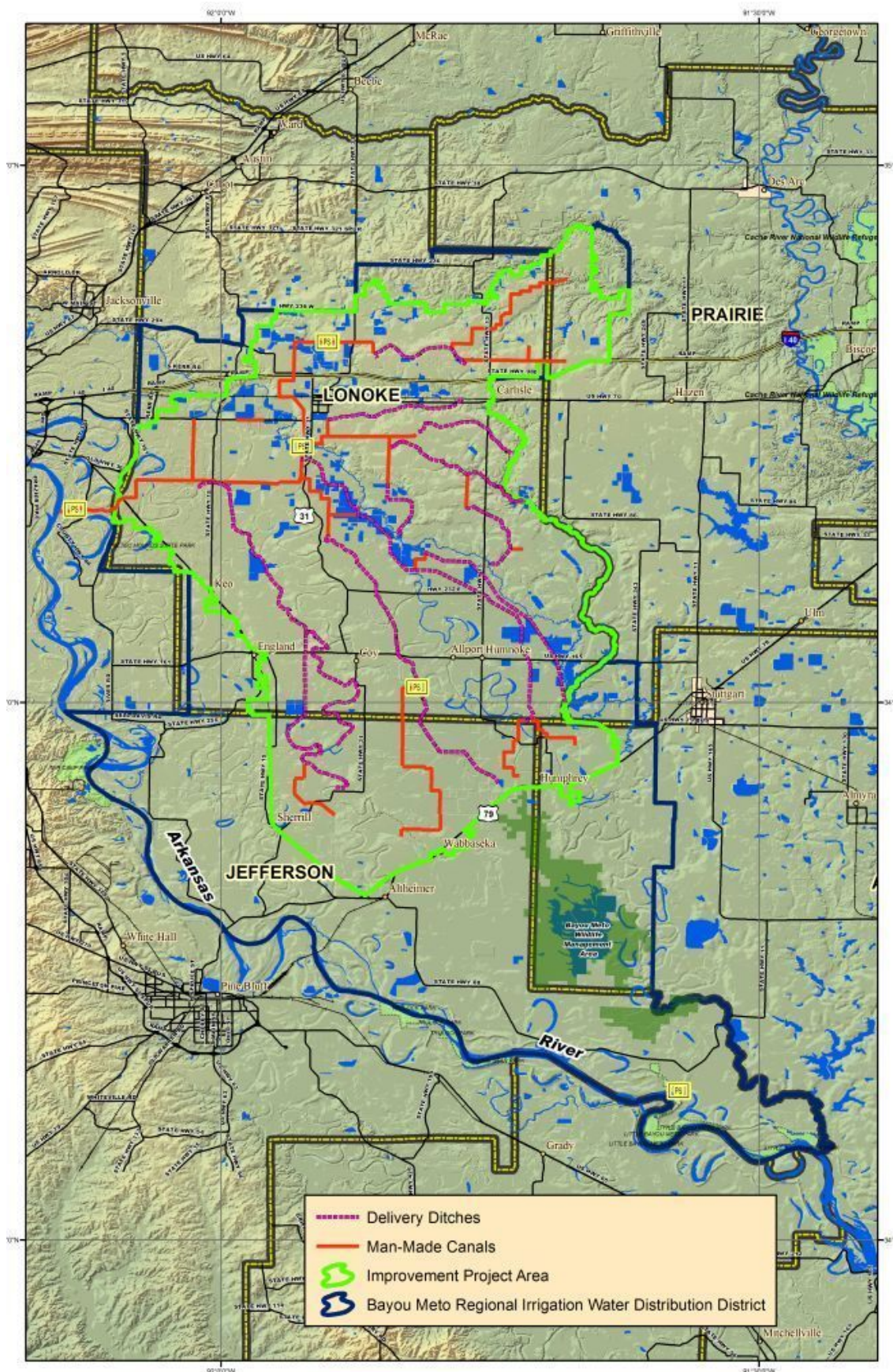


Figure 1. Location of the Bayou Meto Basin, Arkansas Project in east-central Arkansas.

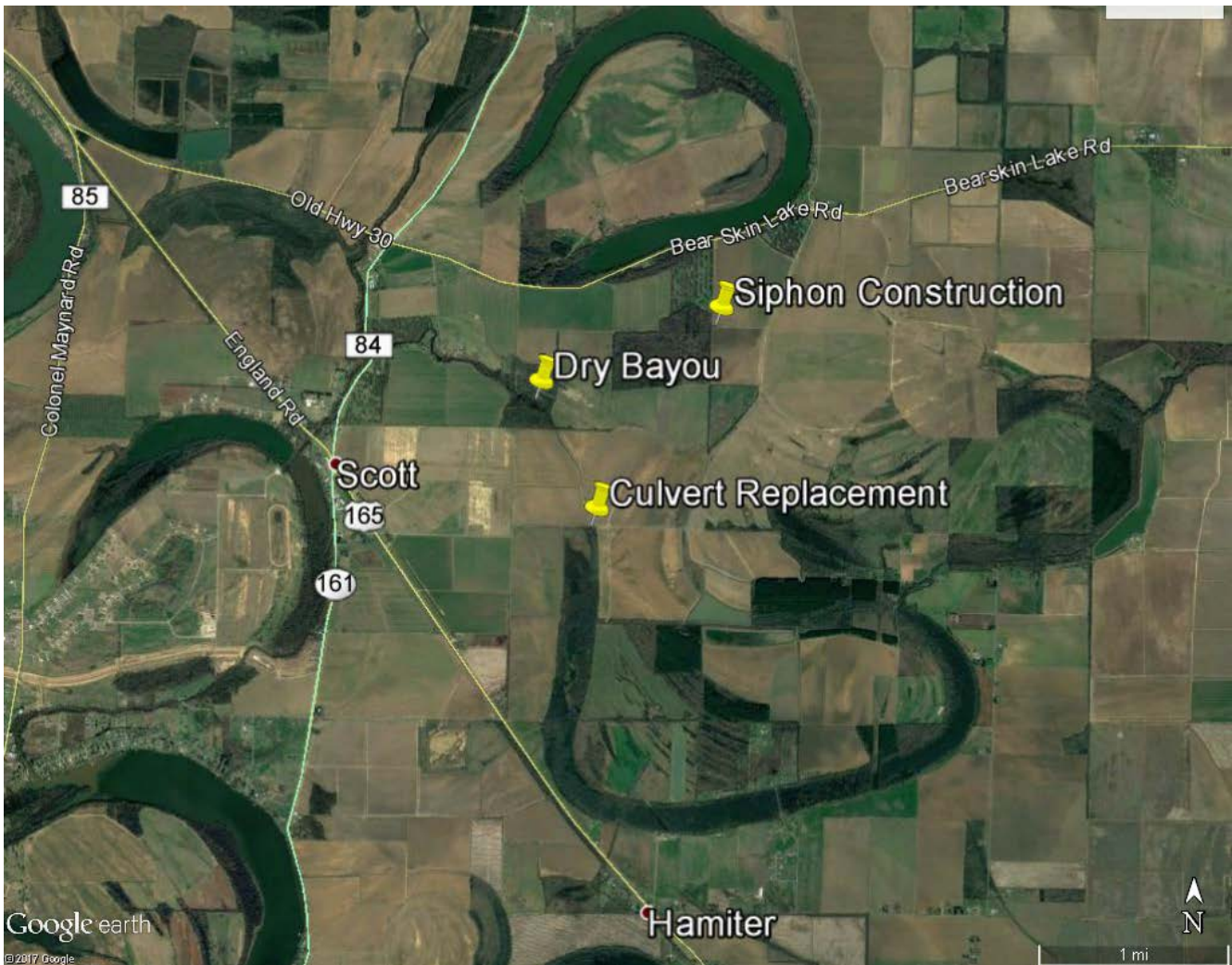


Figure 2. Locations of the proposed project modifications to the Bayou Meto Basin, Arkansas Project in east-central Arkansas.

PROPOSED PROJECT MODIFICATIONS

MODIFICATION 1 – Alteration of Dry Bayou Ditch to allow for more efficient movement of surface water.

1. **No Action** - With the no action alternative, the bayou channel would not have the capacity to adequately drain the surface water from the area of concern. Stream flows would likely back up onto agricultural land and may induce flooding as a result of canal 1000 construction.
2. **Increase depth and width of Dry Bayou** – The alteration of the Dry Bayou channel would allow for the efficient drainage of water from the low area within the canal 1000 ROW. This alternative was selected for implementation. Approximately 3.5 acres of BLH would be impacted during the modification of Dry Bayou.

MODIFICATION 2 - Acquisition of temporary easements for construction of a culvert and siphon.

1. No Action - With the no action alternative, construction of the culvert and siphon would be made much more difficult and time consuming, as adequate work space would not be present. This would potentially inconvenience users of the roadway and increasing project costs.

2. Acquire temporary construction easements. The efficient construction of a project siphon and culvert requires temporary construction easements at two locations. Only 0.1 acres of vegetated wetlands would be temporarily impacted by the culvert construction and native vegetation would be allowed to regrow post construction. Only 0.2 acres of non-wet agricultural land would be impacted by the siphon construction. This alternative was selected for implementation.

WATER QUALITY CERTIFICATION: State water quality certification for The Bayou Meto Basin, Arkansas project was obtained during the GRR. None of the modifications proposed in this EA would negatively impact water quality in either the Arkansas River or the Bayou Meto Basin. The Arkansas Department of Environmental Quality has confirmed that the Section 401 certification for the Bayou Meto Basin, Arkansas project is still valid.

Threatened and Endangered Species

One endangered species, the interior least tern, is known to occur within the Bayou Meto Basin, Arkansas project area. The interior least tern received protection under the endangered species act on June 27, 1985. The interior least tern is a migratory, colonial shorebird. The ivory-billed woodpecker, reportedly a rediscovered endangered species, is thought to inhabit the forests in the Cache River Basin, Arkansas but has not been found in the project area and would not be impacted by the proposed modifications. The fish and mussel studies conducted during the general reevaluation did not identify any endangered species within or adjacent to the project area (Volume 10, Appendix D, Section XII).

Bald and Golden Eagle Protection Act

Two active bald eagle nests were reported in the southern portion of the project area; however, there is no project related construction proposed within 0.5 miles of these sites, and the proposed modifications would be many miles from these nests.

CULTURAL RESOURCES: The cultural resources survey previously conducted for the projects final Environmental Impact Statement and General Reevaluation Report covered the area of effect for the inlet channel and flow regulating reservoir. Due to the nature of the proposed project actions, 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 (NHPA) 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 are to cease immediately in that area and the Memphis District Archaeologist, Pamela Lieb (901-544-0710), shall be contacted. SHPO and tribal NAGPRA representatives, the local sheriff, etc., will be contacted as required by state and federal law.

MITIGATION: The Memphis District, in coordination with the environmental interagency team, determined that the appropriate mitigation for the impacts resulting from the proposed project modifications would be 4.7 acres of BLH restoration, to be included in the on-going concurrent mitigation for the overall project.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the proposed modifications 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 modify 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 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.

U.S. Army Corps of Engineers, Memphis District, 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 aid in determining 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 used in preparation of the final Environmental Assessment pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity. **The draft environmental assessment and draft finding of no significant impact (FONSI) will be circulated to agencies and any other parties that respond to this notice requesting a copy. A copy has been placed on the District's website at: <http://www.mvm.usace.army.mil/regulatory/public-notices/pn.htm>**

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. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on this proposal, please contact Mark Smith at the U.S. Army Corps of Engineers, Regional Planning Division South, Environmental Compliance Branch, Upper Delta Environmental Compliance Section (PDC-UDC), 167 North Main Street RM B-202,

Memphis, Tennessee 38103-1894, at 901-544-0670. **Comments should be forwarded to this office by January 7, 2018.**

Sincerely,

Edward P. Lambert
Chief, Environmental Compliance Branch

Attachments