

PUBLIC NOTICE



US Army Corps of Engineers
Kansas City District

Project No: 2019-005-CW
Issue Date: October 8, 2019
Close Date: November 20, 2019

INTRODUCTION: The U.S. Army Corps of Engineers, Kansas City District (USACE), has prepared a Draft Environmental Assessment (EA) and associated Finding of No Significant Impact (FONSI) in accordance with the National Environmental Policy Act (NEPA) of 1968, as amended, for the proposed Grand River Ecosystem Restoration Feasibility Study. The Draft EA was prepared to assess and document potential effects to the human and natural environment of the project's Tentatively Selected Plan (TSP). The USACE has made a preliminary determination that the proposed project would not result in significant degradation to the environment and therefore supports preparation of a Draft FONSI. The Draft EA, FONSI, and supporting information are provided with issuance of this Public Notice on 8 October 2019 to initiate the 30-day public review and comment period.

This Public Notice and project related information are being provided to solicit public input on the proposed action. Any interested party is invited to submit to this office written facts or objections relative to the proposed project, both favorable and unfavorable in nature. All comments will be accepted and made part of the public record. Copies of all comments, including names and addresses of commenters, may be provided to applicants upon request. The USACE will consider all pertinent comments in preparing final documentation for completion of the NEPA process through signature of the FONSI by the USACE Kansas City District Commander.

This public notice is issued jointly with the Missouri Department of Natural Resources, Water Pollution Control Program. The Missouri Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification.

CONTACT INFORMATION: The Draft documents for this project are available for review at the USACE, Kansas City District office and on line at the following web pages:

[http://www.nwk.usace.army.mil/Media/Public-Notices/Planning-Public-Notices/nwk.usace.army.mil/Missions/Civil-Works/Civil-Works-Programs-And-Projects/Grand-River-Basin/.](http://www.nwk.usace.army.mil/Media/Public-Notices/Planning-Public-Notices/nwk.usace.army.mil/Missions/Civil-Works/Civil-Works-Programs-And-Projects/Grand-River-Basin/)

The USACE will review comments received in response to this Public Notice to complete project evaluation for compliance with the requirements of NEPA, and other Federal, state, and local regulations. Project information may also be obtained by contacting Mr. Michael V. Snyder, Environmental Resource Specialist, U.S Army Corps of Engineers, Kansas City District, ATTN: Environmental Resources Section, 601 East 12th Street, Kansas City, Missouri 64106, by email at michael.v.snyder@usace.army.mil at GrandRiver@usace.army.mil, or by telephone at (816) 389-3141. All comments to this public notice should be directed to the above address on or before 7 November 2019.

PROJECT LOCATION: Components of the TSP would be located on and around Pershing State Park, Fountain Grove Conservation Area (Fountain Grove CA), and Swan Lake National Wildlife Refuge (NWR) in Carroll, Chariton, Linn and Livingston counties in north central Missouri (**Figure 1**). The TSP also includes implementation of approximately 316 bank stabilization projects in the upper portion of the Locust Creek sub-basin. Projects may be implemented in the following HUC-10 watersheds: Watkins Creek-Locust Creek (excluding the portion in Iowa); East Locust Creek; West Locust Creek; and Locust Creek.

AUTHORITY: This feasibility study was authorized by resolution of the Committee on Environment and Public Works of the United States Senate during the 108th Congress 2nd Session on June 23, 2004. The authorization stated:

That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Grand River and Tributaries, Missouri and Iowa, published as House Document 241, 89th Congress, First Session, and other pertinent reports, to determine whether any modifications of the recommendations contained therein are advisable at the present time in the interest of flood damage reduction, municipal and industrial water supply, recreation, fish and wildlife conservation, or environmental restoration in the Grand River Basin, Iowa and Missouri.

ACTIVITY: The TSP is composed of actions within the three focus study areas: Locust Creek (LC), Fountain Grove (FG), and Yellow Creek (YC). The Locust Creek TSP features include a diversion berm across the Locust Creek floodplain and extending into the Locust Creek channel upstream of Pershing State Park. The floodplain portion of the berm would serve to prevent the progression/formation of additional avulsions that might divert water and bypass the sediment detention basin. The in-channel portion of the berm would serve to divert flows into the sediment basin while also allowing water to continue downstream on Locust Creek and Higgins Ditch. Construction of the sediment detention basin would require raising/construction of a perimeter levee around the sediment detention basin. Two spillways were included in the levee raise to allow water to overtop in a controlled manner. A pilot/diversion channel into the sediment detention basin would be excavated to convey sediment and logs away from the diversion berm and reduce the risk of plugging the mouth of the diversion. A portion of the existing levee on the east bank of Locust Creek would be notched to allow flow into the sediment detention basin. In addition, several existing levees within the sediment detention basin would be notched. Log capture features would be incorporated into the sediment detention basin. Water would exit the sediment detention basin through three 6-foot by 6-foot concrete box culverts located on the south side of the sediment detention basin. On-going removal of logs from the basin or log jams in locations adversely impacting the effectiveness of the sediment detention basin would be necessary.

The Locust Creek TSP also includes four grade control structures. Two would be located on Locust Creek, one would be constructed along Higgins Ditch, and one on Muddy Creek upstream of its connection with the sediment detention basin to prevent head-cutting. Approximately 23,500 feet of Muddy and Locust creeks would be dredged to provide channel dimensions sufficient to accommodate the historic bankfull flow and provide appropriate slope. Dredge material would be used to perform small levee modifications and habitat enhancements. Dredged material would be spoiled along a portion of Locust Creek to create an avulsion spoil berm. The partial removal of the levee separating the east and west sides of the Locust Creek floodplain south of Highway 36 would help restore floodplain connectivity between Higgins Ditch and the Locust Creek channel.

Bank stabilization measures would be implemented in the Locust Creek watershed upstream of the sediment detention basin. It is estimated that approximately 316 bank stabilization projects

would be implemented to achieve a 14% reduction in quantified risk associated with uncertainties in forecasted sediment loading. Projects may be implemented in the following HUC-10 watersheds: Watkins Creek-Locust Creek (excluding the portion in Iowa); East Locust Creek; West Locust Creek; and Locust Creek. Although specific project sites are not known, it is anticipated these project would be relative small in magnitude and plan formulation assumed small bank stabilization sites of approximately 250 feet in length with 12-foot high banks.

The Fountain Grove TSP features a suite of actions to enhance wetlands through increased natural ecosystem form and function, improved habitat development, and improved water management. The bank of the channel downstream of the Pool 3 Levee water control structure (WCS), referred to as Jackson's Ditch, would be armored to prevent erosion on the neighboring property. This measure allows for opening the gates at Pool 3 Levee WCS to increase the drainage rate from Fountain Grove CA pools. The Pool 1 WCS #1 would be replaced with two 96-inch polyvinyl chloride (PVC) pipes with two sluice gates. The culverts are used to drain Pool 1 to Pool 2. A new levee would be constructed, running north/south, on the west side of Fountain Grove CA where Parsons Creek flows are entering the area under existing conditions. The levee would prevent flows lower than the 1.2 year recurrence interval from entering Fountain Grove CA and focus Parsons Creek flows towards a controlled overtopping point into a conveyance channel. The Pool 2-3 levee would be moved closer to the pump station and an additional levee would be constructed within Pool 3 to allow for independent water control of all three major pools on Fountain Grove CA. The levee on the east side of Fountain Grove CA would be set back to increase flood resiliency. A conveyance channel would be excavated through Fountain Grove CA to effectively move Parsons Creek flows through the area during high flow events. Outside of high flow events, the feature serves as a water distribution channel and provides aquatic/edge habitat for wetland species. A portion of the Chillicothe-Brunswick rail berm would be removed.

Micro-topography on the site would be enhanced through the creation of sloughs and habitat mounds. Spoil from drainage channel excavation would be used to form the habitat mounds. Earthwork would be performed to modify the existing pool design on the east side of Fountain Grove CA. The intent would be to provide more naturally shaped wetland pools, which is consistent with modern wetland management practices. The redesign of the pools on the east side would allow for the removal of some water control structures in that area, creating more natural conditions, and allowing for more efficient management. An additional drainage ditch would be constructed from the proposed Parsons Creek levee to the vicinity of the Fountain Grove CA pump station. This feature would allow for more efficient drainage of Pool 1 when desired. Two electric groundwater pumps would be installed on South Fountain Grove CA to facilitate wetlands development and more reliable hydrology.

The TSP for Yellow Creek is alternative YC11. The main feature of the plan is the setback of a levee on Swan Lake NWR. The plan would include levee removal, removing three existing culverts, raising a portion of existing levee, constructing a portion of new setback levee, and addition of two 3-foot diameter concrete culverts with flap gates.

TERRESTRIAL AND AQUATIC HABITAT: The TSP would result in 5,184 average annual habitat units (AAHUs) of wet prairie, 8,524 AAHUs of emergent wetland, 6,120 AAHUs of bottomland forest, and 199 AAHUs of aquatic riverine habitat types. This represents a net increase of 2,453 AAHUs of these habitats within the study areas when compared to the expected degradation under the future without project condition. Steps to avoid, minimize, and provide compensatory mitigation for unavoidable impacts to terrestrial and aquatic resources would include non-structural Best Management Practices (BMPs) such as: keeping heavy construction equipment out of the waterway whenever possible, protecting construction materials from

precipitation/flooding, having spill containment plans for construction equipment, and using materials that are free from contaminants.

ENDANGERED SPECIES: Pursuant to Section 7 of the Endangered Species Act of 1973, as amended, the Corps has made a preliminary determination that the TSP may affect but is not likely to adversely affect the following federally listed species or their designated critical habitat: gray bat, Indiana bat, and northern long-eared bat. A determination of no effect was made for the pallid sturgeon. This determination is being coordinated with the U.S. Fish and Wildlife Service (FWS) through a Biological Assessment that will be submitted concurrent with this public notice.

WETLANDS AND WATERS OF THE US: Construction activities with this project would occur in a jurisdictional water of the United States and require a Clean Water Act (CWA) Section 404 authorization and CWA Section 401 State Water Quality Certification (33 USC 1341). Section 404 of the Clean Water Act (CWA) requires authorization from the Secretary of the Army, acting through the Corps of Engineers, for the discharge of dredged or fill material into all waters of the United States, including wetlands. The USACE, through preparation of a Draft 404(b)(1) evaluation (40 CFR 230) has made a preliminary determination that the project as proposed would not be contrary to the public interest and is in compliance with Section 404(b)(1) guidelines. This public notice will support an application to the state in which the discharge site is located for certification of the discharge. The discharge must be certified before Department of the Army authorization can be issued. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards. Upon completion of the public review period, a public comment/response report will be provided to the state for consideration in issuing a CWA Section 401 state water quality certification

CULTURAL RESOURCES: Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the Corps determined that historic properties may be adversely affected by the TSP. The Corps has invited the Missouri SHPO, ACHP, federally recognized Native American Tribes, and other interested parties to participate in the development of a Programmatic Agreement (PA). All terms and conditions resulting from the agreement shall be implemented in order to minimize adverse impacts to historic properties. The PA approach to Section 106 compliance is applicable because: 1) the exact location of upstream bank stabilization projects is not known at this time, and 2) there is potential for future flood events and sedimentation to cause changes in the final design, footprint, and TSP components during pre-construction engineering and design.

FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

POTENTIAL IMPACTS: The decision to issue authorization will be based on an evaluation of the probable impact including the cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The Draft EA includes evaluation of temporary and direct effects of the proposed project on the human and natural environment, as well as potential cumulative impacts resulting from other reasonably foreseeable projects within the study areas. All relevant cumulative factors were considered including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, 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 and, in general, the needs and welfare of the people.

PUBLIC HEARING: The USACE 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 this proposed activity. Any comments received will be considered by the USACE to determine whether to issue, modify, condition or deny an authorization for this proposal. To make this decision, comments are used to address impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in preparation of the final EA and/or an Environmental Impact Statement (EIS) pursuant to the NEPA. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.

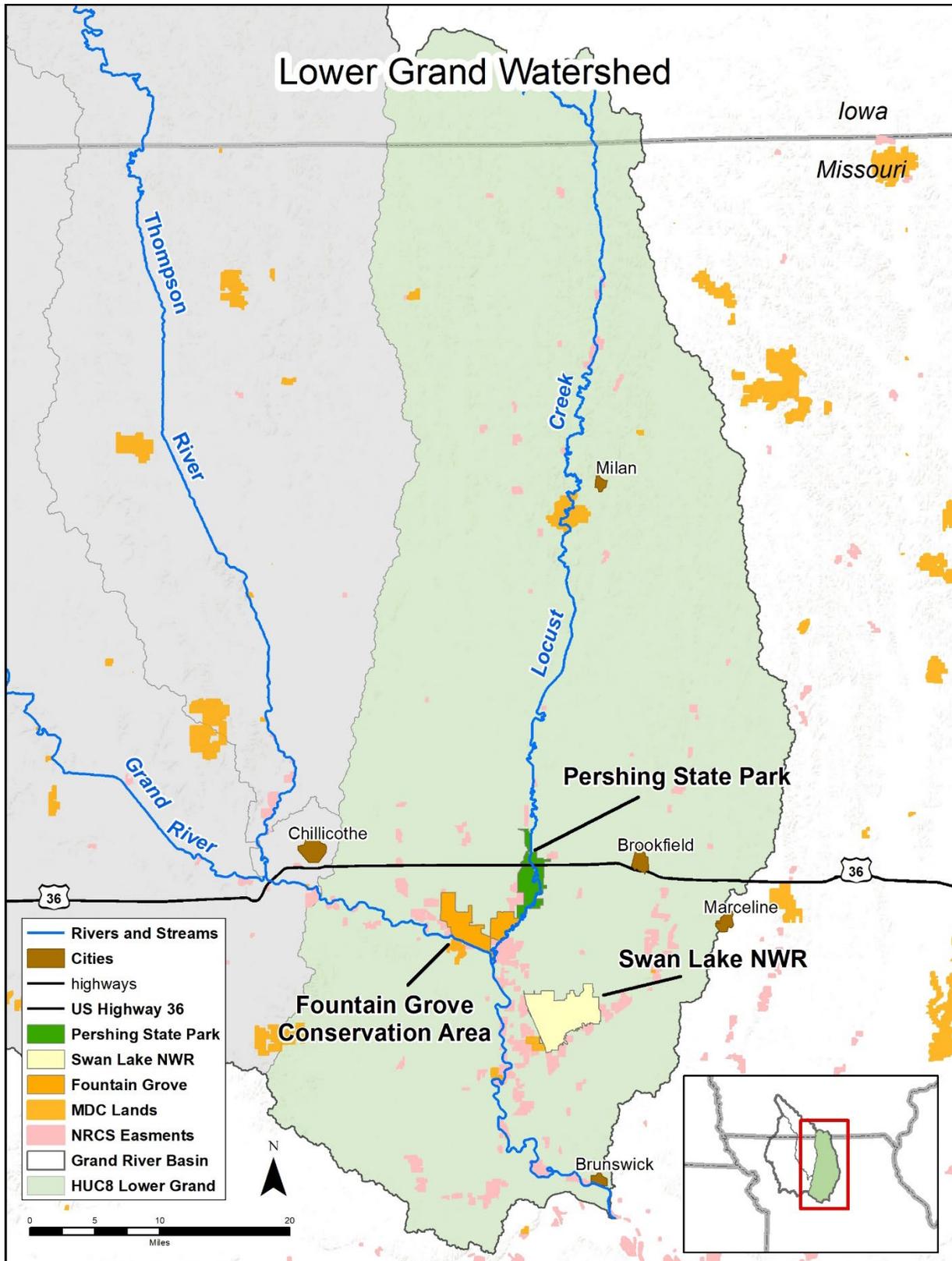


Figure 1. Lower Grand River Sub-basin.