DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, VICKSBURG DISTRICT
4155 CLAY STREET
VICKSBURG, MS 39183-3435

SUBJECT: PL84-99 Ouachita River Levee Setbacks, Ouachita and Caldwell Parishes
EA# EAXX-202-00-B4P-1741272670

PUBLIC NOTICE

To Whom It May Concern:

A draft Finding of No Significant Impact (FONSI), along with the draft Environmental Assessment (EA) for the PL84-99 Ouachita River Levee Setbacks is enclosed for your review and comment. The purpose of the proposed project is to construct levee setbacks in response to the historic rainfall events in the Spring of 2019. USACE needs to address the damage sustained during the high-water event consists of riverbank erosion that has damaged and seriously threatened the Ouachita River levees. The proposed project would involve construction two levee setback sites. Please provide comments by 17 April 2025.

If you have any questions or comments concerning the draft FONSI or draft EA, please contact MVK Biologist David Wimmer by telephone @ (601) 634-2091 or email mark.d.wimmer@usace.army.mil.

Sincerely,

SMITH.MARK.R.1219443621

Digitally signed by SMITH.MARK.R.1219443621
Date: 2025.04.02 09:54:20 -05'00'

Mark Smith
Chief, Environmental Compliance Branch
Regional Planning and Environment Division South

Enclosure

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Draft FINDING OF NO SIGNIFICANT IMPACT

PL 84-99 OUACHITA RIVER LEVEE SETBACKS, OUACHITA, CALDWELL PARISH, LOUISIANA

Introduction: The U.S. Army Corps of Engineers (USACE), Vicksburg District (CEMVK), has prepared this Environmental Assessment EAXX-202-00-B4P-1741272670 in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended. The EA assesses potential environmental and cultural impacts associated with emergency construction of levee setbacks in Caldwell and Ouachita Parishes, LA.

In March 2025, the USACE released Draft EAXX-202-00-B4P-1741272670 for a 15-day public review period to receive critical feedback from Federal and State agencies, the public, and non-governmental organizations.

Authority for the Action: Under Public Law 84-99, the Chief of Engineers, acting for the Secretary of the Army, is authorized to undertake activities, including disaster preparedness, advance measures, emergency operations (flood and post flood responses), rehabilitation of flood control works threatened or destroyed by flood, protection or repair of Federally authorized shore protective works threatened or damaged by coastal storm, and provisions of emergency water due to drought or contaminated source. That is the authority for this project along with the proposed action.

Purpose and Need for the Action: During the Spring of 2019, widespread rainfall over the Ouachita River Basin resulted in extensive flooding along the Ouachita River. Stormwater runoff generated from this heavy rainfall caused the Ouachita River gage at Monroe to exceed flood stage for sixty-four (64) consecutive days. The Ouachita River gage at Monroe exceeded flood stage on April 11, 2019, crested 5.8 feet above flood stage on May 23, 2019, and receded below flood stage on June 14, 2019. The purpose of this action is to address the damage sustained during the high-water event which consists of riverbank erosion that has damaged and seriously threatened the Ouachita River levees.

There is a need to protect the agricultural, urban, and human life interests in the neighboring communities. Without said action, failure of the levee could lead to significant loss and damage to human life and property. It is also necessary to meet the USACE mandate of providing 100 yr. flood protections to the community.

In total 40,576 cu yds of fill would be used to construct the new setbacks, and 25,262 cu yds would be cut resulting in a net addition of 15,314 cu yds of fill.

Factors Considered in Determination: In accordance with NEPA and other applicable laws and regulations, CEMVK has assessed the impacts of the proposed action and the No Action alternative. All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the proposed action. A summary of the potential effects is listed in Table 1.

Table 1: Relevant resources and their impact status, both adverse and beneficial.

	Insignificant Effects	Insignificant Effects as a Result of Mitigation	Resource Unaffected by Action
Aesthetics	☒	☐	☐
Air quality	☒	☐	☐
Aquatic resources/wetlands	☒	☐	☐
Fish and wildlife habitat	☒	☐	☐
Threatened/Endangered species/critical habitat	☐	☐	☒
Historic properties	☐	☐	☒
Other cultural resources	☐	☐	☒
Hazardous, toxic & radioactive waste	☐	☐	☒
Hydrology	☒	☐	☐
Recreation	☒	☐	☐
Navigation	☒	☐	☐
Socioeconomics	☐	☐	☒
Water quality	☒	☐	☐

COMPENSATORY MITIGATION:
No compensatory mitigation is required as part of the recommended plan.

Endangered Species Act of 1973: Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the USACE has determined that the Proposed Action would not likely adversely affect the endangered species that may potentially occur within the vicinity of the project, or any critical habitat. IPAC was completed with the U. S. Fish and Wildlife Service (USFWS) February 28, 2025, with determinations of no effect or not likely to adversely affect for three species and "may affect" for one species—the tricolored bat. After coordination with USFWS a determination of "may affect, not likely to adversely affect" was reached and no further coordination is required at this time. Contractors would be required to comply with Best Management Practices for each listed species that could potentially be found in the area including for year-round tricolored bats.

National Historic Preservation Act of 1966: Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the U.S. Army Corps of Engineers determined that the recommended plan has no effect on historic properties.

Clean Water Act of 1972 – Section 404 and Section 401
The Ouachita River Levee Setback and Bank Stabilization Project was reviewed for Section 404(b)(1) evaluation and a determination of Section 10, Rivers and Harbors Act of 1899, and Section 404(b)(1) requirements per the Clean Water Act. Per section 401 of the Clean Water Act, On 13 March 2025 the State of Louisiana Department of Environmental Quality issued Water Quality Certification WQC 250313-01 with a determination that the proposed discharge does not violate water quality standards per LAC 33:IX.Chapter 11.

Pursuant to the Clean Water Act of 1972, as amended, the discharge of dredged or fill material associated with the recommended plan has been found to be compliant with section 404(b)(1)

Guidelines (40 CFR 230). The Clean Water Act Section 404(b)(1) Guidelines evaluation is found as Attachment 4 of the EA.

OTHER SIGNIFICANT ENVIRONMENTAL COMPLIANCE:

All applicable environmental laws have been considered and coordination with appropriate agencies and officials will be completed prior to signing of FONSI.

FINDING

Technical, environmental, and cost effectiveness criteria used in the formulation of alternative plans were those specified in the Water Resources Council's 1983 Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies. All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on this report, the reviews by other Federal, State and local agencies, Tribes, input of the public, and the review by my staff, it is my determination that the recommended plan would not cause significant adverse effects on the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

_____ _____

Date

Jeremiah A. Gipson
Colonel, Corps of Engineers
District Commander

ENVIRONMENTAL ASSESSMENT

PL 84-99 OUACHITA RIVER LEVEE SETBACKS, OUACHITA AND CALDWELL PARISHES, LOUISIANA

EA # EAXX-202-00-B4P-1741272670

April 2025

U.S. Army Corps of Engineers
Mississippi Valley Division
Regional Planning and Environment Division South
Vicksburg District

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PL 84-99 OUACHITA RIVER LEVEE SETBACKS
OUACHITA AND CALDWELL PARISHES, LOUISIANA
EA # EAXX-202-00-B4P-1741272670

1 INTRODUCTION

The U.S. Army Corps of Engineers (USACE), Mississippi River Valley Division, Regional Planning and Environment Division South (RPEDS), has prepared this Environmental Assessment (EAXX-202-00-B4P-1741272670) to evaluate the potential impacts associated with levee setbacks in the Ouachita River Basin. During the Spring of 2019, widespread rainfall over the Ouachita River Basin resulted in extensive flooding along the Ouachita River. Stormwater runoff generated from the heavy rainfall caused riverbank erosion that severely threatens the levees in the basin.

The primary objective of the proposed project is to reduce the flood risk to both the urban and agricultural lands in the area providing protection up to approximate 100 yr. flood events. This would be done through both rehabilitating current levees through bank stabilization and setting back levees.

This EA has been prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) and the Council on Environmental Quality's Regulations (40 CFR 1500-1508), as reflected in the USACE Engineering Regulation ER 200-2-2. This EA provides sufficient information on the potential adverse and beneficial environmental effects to allow the District Commander to make an informed decision on the appropriateness of an environmental impact statement (EIS) or a finding of no significant impact (FONSI).

1.1 Project Location

Project Name: PL84-99 Ouachita River Levee Setbacks

PL 84-99 Ouachita River Levee (ORL) rehabilitation site 1 is located in Ouachita Parish and site 12 is located in Caldwell Parish in Northeast Louisiana (Figure 1). This is part of the Tensas River Basin south of Monroe, LA along the left descending bank of the Ouachita River.

Figure 1: 2020 Ouachita PL84-99 setbacks sites 1 & 12 and the borrow area locations along the Ouachita River.

1.2 Authority

Under Public Law 84-99, the Chief of Engineers, acting for the Secretary of the Army, is authorized to undertake activities, including disaster preparedness, advance measures, emergency operations (flood and post flood responses), rehabilitation of flood control works threatened or destroyed by flood, protection or repair of federally authorized shore protective works threatened or damaged by coastal storm, and provisions of emergency water due to drought or contaminated source. John Bel Edwards, Governor of Louisiana, declared a state of emergency (Proclamation Number 73 JBE 2019) in response to the heavy rain events of May 8-12, 2019. The state of emergency was subsequently extended on September 5, 2019, in Proclamation Number 135 JBE 2019 (Attachment 6). That is the authority for this project along with the proposed action.

1.3 Purpose and Need for the Proposed Action

During the Spring of 2019, widespread rainfall over the Ouachita River Basin resulted in extensive flooding along the Ouachita River. Stormwater runoff generated from this heavy rainfall caused the Ouachita River gage at Monroe to exceed flood stage for sixty-four (64) consecutive days. The Ouachita River gage at Monroe exceeded flood stage on April 11, 2019, crested 5.8 feet above flood stage on May 23, 2019, and receded below flood stage on June 14, 2019. The purpose of this action is to address the damage sustained during the high-water event which consists of riverbank erosion that has damaged and seriously threatened the Ouachita River levees.

There is a need to protect the agricultural, urban, and human life interests in the neighboring communities. Without said action failure of the levee could lead to significant loss and damage to human life and property. It is also necessary in order to meet the USACE mandate of providing 100 yr. flood protections to the community.

1.4 Public Concerns

The public is concerned about maintaining safe and efficient levees that provide flood protection to their residences, businesses, and communities. The risk of catastrophic levee failure is a concern of those communities that sit behind levee protection.

1.5 Data Gaps and Uncertainties

Because natural systems are complex and consist of an intricate web of variables that influence the existence and condition of other variables within the system, all projects contain certain inherent uncertainties. The effects of storms, changes in sea level rise, and environmental factors on each project's performance are uncertain and are addressed through future projections based on existing information. No model can account for all relevant variables in a dynamic system. As such, how the proposed project would realistically perform and the impacts that would result from its construction are a prediction based on what we presently know about the existing system and the results of similarly constructed projects.

2 ALTERNATIVES INCLUDING THE PROPOSED ACTION

Alternative plans for the Ouachita River levee setback project were developed with the level of detail necessary to select a justified, acceptable, and implementable plan that is consistent with federal law and policy and, to the extent that the project authorization, law, and policy permit. Benefit and cost, risk and uncertainty, cost effectiveness, and incremental cost analyses are undertaken using procedures that are most appropriate for the scope and complexity of this project. Opportunities to reasonably avoid or minimize adverse environmental impacts and mitigation requirements are considered in formulating the proposed action.

2.1 Description of Alternatives

The PDT developed two alternative plans for the levee setbacks as emergency actions to be undertaken as a result of the heavy rainfall events in 2019 in coordination with other local, state, and federal officials. Nearby bank stabilization efforts are also being constructed and evaluated under a separate action in EA EAXX-202-00-B4P-1739365022 and will only be covered further in this EA under the Cumulative Impact Analysis section. Other possible alternatives such as widening or deepening the main channel were determined to not be feasible and will not be covered further in this EA. These two EAs were separated due to the time sensitive nature of the proposed actions.

2.1.1 Alternative 1 - No Action – FWOP

NEPA requires that in analyzing alternatives to a proposed action, a federal agency must consider an alternative of "No Action." This No Action Alternative is the Future without Project (FWOP) conditions which consider the impacts and predict the environmental gains/losses if the proposed action is not implemented.

Under this alternative, no action would be taken to address the integrity of Ouachita River levees and deterioration of said levees' integrity would be expected to continue. Heavy rain and flooding events would continue to put communities protected behind the levees at risk. If future floods occur, emergency resources may have to be deployed. This alternative would have no direct cost and would provide no benefits.

2.1.2 Alternative 2 –Levee Setbacks

Under this alternative, two levee setbacks would occur at sites 1 and 12. The existing levee would be degraded concurrently with new levee construction while maintaining a continuous level of protection to an interim grade based on the Ouachita River 100-year elevation at the setback location. Once the new levee setback has been constructed to the 100-year Ouachita River elevation of its location, the remaining existing levee would be degraded to the existing terrain elevation and sloped towards the river with a -1.00% slope. The material excavated from the existing levee would then be used to help complete the construction of the new levee. The design of the setback would bring the levee to the authorized grade of plus 0.7 feet of overbuild for Site 1 and plus 2.0 feet of overbuild for Site 12, used to compensate for fill shrinkage and foundation settlement.

These levee setbacks are designed to prevent further degradation and potential bank caving, as well as reduce pressure off other levees in the Ouachita Basin. The volume of fill material and bank degradation for the levee setbacks is listed in *Table 1*

Fill material for levee setbacks would be taken from an approximately 3.75 acre cleared borrow area southeast of Monroe, LA and north of Pine Grove (Figure 2). Use of this site is not expected to have any significant environmental or cultural impact. This is the proposed action.

***Table 1**: Cubic yards of fill for each levee setback site and material degraded from the old levees.*

Volume Summary

Name	Type	Cut Factor	Fill Factor	2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
Site 1 - Volume Surface - Degrade	full	1.000	1.000	87573.88	15799.20	0.13	15799.07<Cut>
Site 1 - Volume Surface - Embankment	full	1.000	1.000	111989.13	0.01	24438.55	24438.54<Fill>
Site 12 - Volume Surface - Degrade	full	1.000	1.000	77699.52	9462.56	2.56	9460.00<Cut>
Site 12 - Volume Surface - Embankment	full	1.000	1.000	79454.59	0.03	16134.66	16134.63<Fill>

Totals

	2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
Total	356717.13	25261.80	40575.90	15314.10<Fill>

* Value adjusted by cut or fill factor other than 1.0

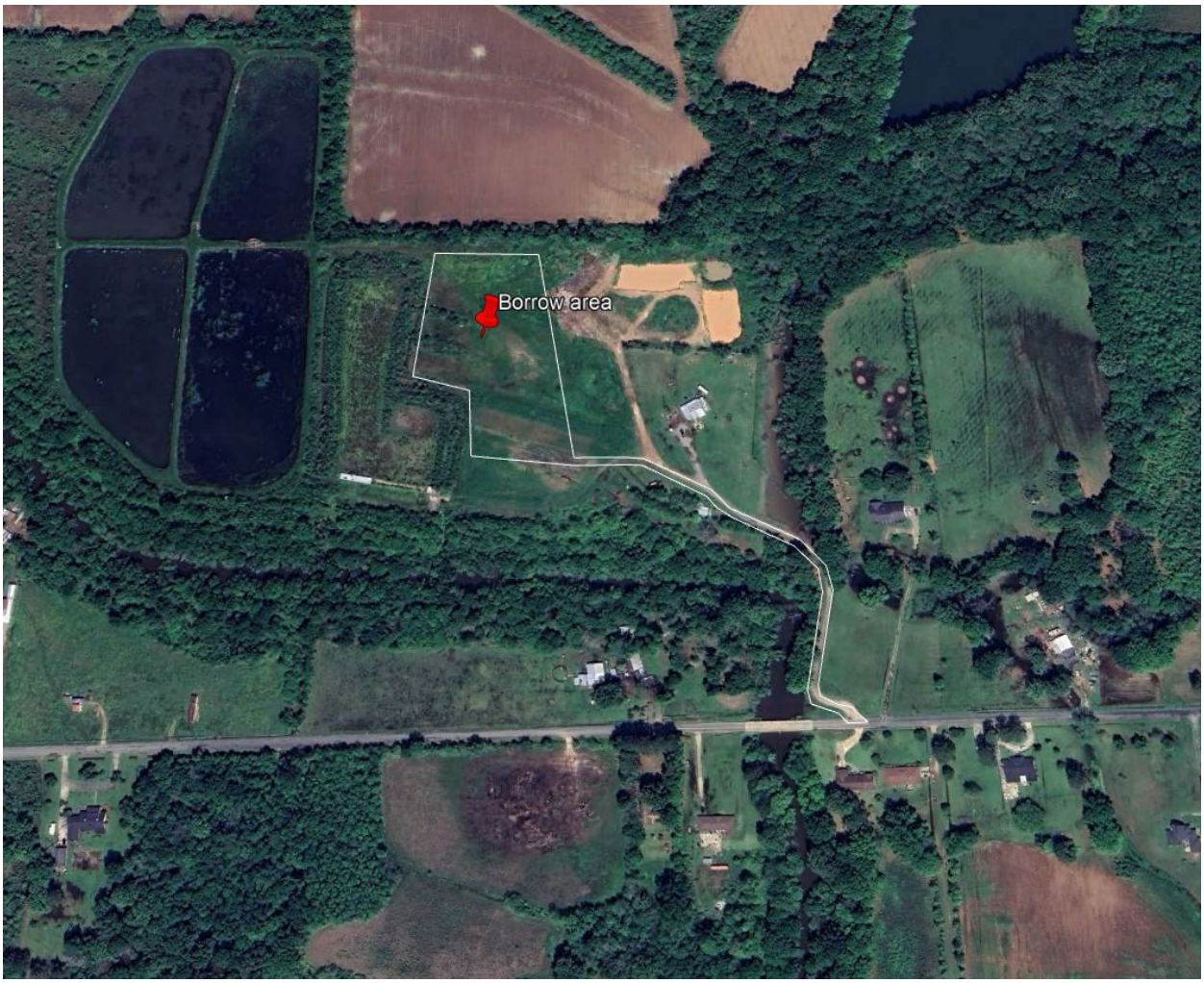

Figure 2: Map indicating location of proposed borrow area southeast of Monroe, LA.

3 AFFECTED ENVIRONMENT

3.1 Description of the Project Area

The proposed project area is in Ouachita and Caldwell parishes, Louisiana. The project area is comprised of riverbank, levees, agricultural fields and residential landscape. Area soils are alluvial and generally level. Air quality in the project area is good. Each of the individual sites have a slightly different habitat type, but the forests in the area are generally either dominated by deciduous hardwood trees or mixed hardwood conifer forests. including species of oak (*Quercus sp.*), loblolly pine (*Pinus taeda*), maples (*Acer sp.*), American sweetgum (*Liquidambar styraciflua*), green ash (*Fraxinus pennslyvanica*), cottonwood (*Populus deltoides*), and eastern redbud (*Cercis canadensis*) in the areas unaltered by agricultural or residential uses. Other areas are open grasslands, severely impacted by modern agricultural production or levees, or have residential usage.

3.2 Climate

The climate in Louisiana has always been variable and sometimes extreme. Average state temperatures have varied substantially over the past century, with a warming trend since the late 1960s. Average rainfall has changed only a little, with summers becoming slightly drier and winters slightly wetter, and extreme rainfall events have become more frequent.

Climate in the area is humid subtropical with average winter high temperatures of 56 degrees F and average lows of 38 degrees F and summer average high temperatures of 93 degrees F and average lows of 71 degrees F. Record low is -1 degree F with a record high of 107 degrees F. Total average annual precipitation is 54 inches, generally spread out over the year.

3.3 Geology

The geology of the study area is heavily influenced by the Mississippi River and its delta plain. Relief, like that in other parts of the Mississippi River flood plain, ranges from level to sloping, with a large part being level or nearly level. The terrain is relatively flat.

Survey data for the soil classification of the area was pulled from the NRCS surveys published online at the https://websoilsurvey.sc.egov.usda.gov/. The borrow area is primarily composed of Portland clay and Rillia silt loam. Both of these soils have low slopes of 0-1%. The Portland clay is poorly drained while the Rillia silt loam is well drained.

The geology for the existing levees varies more. A significant portion of the soils is classified as levee-borrow pit complex meaning that the soils present were brought in from other locations as part of levee construction. These soils are classified as somewhat poorly drained and sloped from 5-25%. Once levee setbacks are complete at sites 1 &12 their soils would also fall under this category and most closely resemble the composition of the proposed borrow area.

Other soils present at the levee sites include: Sterling silt loam, Herbert silt loam, Barclary Rosenbloom complex (loamy), Sterlington silt loam, and more Rillia silt loam. These are areas known to have occasional flooding.

3.4 Relevant Resources

This section contains a description of relevant resources that could be impacted by the project. The important resources described are those recognized by laws, executive orders, regulations, and other standards of national, state, or regional agencies and organizations; technical or scientific agencies, groups, or individuals; and the public. Table 2 provides summary information of the institutional, technical, and public importance of these resources.

The following relevant resources are discussed in this report: navigation, wetlands, scrub-shrub, wildlife, aquatic resources/fisheries, threatened and endangered species, water quality, air quality, recreation and aesthetics, cultural resources, prime and unique farmland, and socioeconomic concerns.

Table 2: Relevant Resources and Their Institutional, Technical, and Public Importance

Resource	Institutionally Important	Technically Important	Publicly Important
Navigation	Rivers and Harbors Act of 1899 and River and Harbor Flood Control Act of 1970 (PL 91-611).	Navigation is important for commercial and recreational purposes.	Navigation concerns affect area economy and are of significant interest to community. The also affect recreation which is important for the overall health and wellbeing of the community.
Wetlands	Clean Water Act of 1977, as amended; Executive Order 11990 of 1977, Protection of Wetlands; Coastal Zone Management Act of 1972, as amended; and the Estuary Protection Act of 1968., EO 11988, and Fish and Wildlife Coordination Act.	Wetlands provide necessary habitat for various species of plants, fish, and wildlife; they serve as ground water recharge areas; they provide storage areas for storm and flood waters; they serve as natural water filtration areas; they provide protection from wave action, erosion, and storm damage; and they provide various consumptive and non-consumptive recreational opportunities.	The high value the public places on the functions and values that wetlands provide. Environmental organizations and the public support the preservation of marshes.
Aquatic Resources/ Fisheries	Fish and Wildlife Coordination Act of 1958, as amended; Clean Water Act of 1977, as amended; Coastal Zone Management Act of 1972, as amended; and the Estuary Protection Act of 1968.	Aquatic resources/Fisheries are a critical element of many valuable freshwater and marine habitats; they are an indicator of the health of the various freshwater and marine habitats; and many species are important commercial resources.	The high priority that the public places on their esthetic, recreational, and commercial value.
Wildlife	Fish and Wildlife Coordination Act of 1958, as amended and the Migratory Bird Treaty Act of 1918	Wildlife is a critical element of many valuable aquatic and terrestrial habitats; they are an indicator of the health of various aquatic and terrestrial habitats; and many species are important commercial resources.	The high priority that the public places on the esthetic, recreational, and commercial value of wildlife.
Threatened and Endangered Species	The Endangered Species Act of 1973, as amended; the Marine Mammal Protection Act of 1972; and the Bald Eagle Protection Act of 1940.	USACE, USFWS, NMFS, NRCS, EPA, LDWF, and LDNR cooperate to protect these species. The status of such species provides an indication of the overall health of an ecosystem.	The public supports the preservation of rare or declining species and their habitats.
Cultural Resources	National Historic Preservation Act of 1966, as amended; the Native American Graves Protection and Repatriation Act of 1990; and the Archeological Resources Protection Act of 1979	State and Federal agencies document and protect sites. Their association or linkage to past events, to historically important persons, and to design and construction values; and for their ability to yield important information about prehistory and history.	Preservation groups and private individuals support protection and enhancement of historical resources.
Air Quality	Clean Air Act of 1963, Louisiana Environmental Quality Act of 1983.	State and Federal agencies recognize the status of ambient air quality in relation to the NAAQS.	Virtually all citizens express a desire for clean air.
Water Quality	Clean Water Act of 1977, Fish and Wildlife Coordination Act, Coastal Zone Mgt Act of 1972, and Louisiana State & Local Coastal Resources Act of 1978.	USACE, USFWS, NMFS, NRCS, EPA, and State DNR and wildlife/fishery offices recognize value of fisheries and good water quality and the national and state standards established to assess water quality.	Environmental organizations and the public support the preservation of water quality and fishery resources and the desire for clean drinking water.
Recreation and Aesthetics	Federal Water Project Recreation Act of 1965 as amended, and Land and Water Conservation Fund Act of 1965 as amended	Provide high economic value to local, state, and national economies.	Public makes high demands on recreational areas. There is a high value that the public places on fishing, hunting, and boating.
Prime and Unique Farmland	The Farmland Protection Policy Act (FPPA) of 1981	Requires an inventory of all prime and unique farmland in the United States and requires documentation of any conversion to other uses using federal funds. Asks agencies, when possible, to minimize conversion of prime and unique farmlands to other uses.	The public in concerned with having sufficient domestic farmland to meet the needs of the US citizenry.

The following resources have also been considered and found to not be affected by any alternative under consideration: coastal zone, essential fish habitat, beaches, floodplain management, prime or unique farmland, Gulf water bottoms, public use of lands, unique or rare wildlife habitat, Indian trust resources, and soundscapes/noise.

4 EXISTING CONDITIONS

4.1 Navigation

The Ouachita River provides commercial navigation for the States of Arkansas and Louisiana forming part of a larger river network as it flows into the Red River, which flows into the Atchafalaya, which in turn flows into the Mississippi River at the Old River Control structure. Four Locks and dams are currently operated on the Ouachita River to Facilitate navigation and transport of goods these are: H.K. Thatcher Lock and Dam, Calion, AR; Felsenthal Lock and Dam, Felsenthal, AR; Columbia Lock and Dam, Columbia, LA; and Jonesville Lock and Dam Jonesville, LA. A minimum 100 ft wide, nine ft deep channel is maintained from the Red River to Camden, AR.

4.2 Wetlands

Wetlands are defined as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas” (33 C.F.R. § 328.3[b]) (Regulatory Programs of the Corps of Engineers 1986).

Wetlands are dynamic systems that are subject to both human and natural alterations that may affect their abundance as well as their quality. Natural events, including subsidence, rise in sea level, and sedimentation can impact the number and type of wetlands found in any given region of the country. Human activities have mainly led to a reduction in the number of acres of wetlands due to drainage for agriculture, channelization of waterways, dredging, and placement of fill for urban or industrial development.

Much of the project area once consisted largely of bottomland hardwood deciduous forest, mixed hardwood forest, and cottonwood-sycamore-willow community. Construction of the levee system and other channel improvement efforts in place today significantly modified the vegetative communities within and around the project area, greatly reducing connectivity between the protected and unprotected sides of the levee. Today, the existing habitat in the project area consists of steep banks and manmade levees with limited vegetation surrounding by agricultural fields and small tracts of mixed deciduous and conifer forests on one side and the river on another. The National Wetlands Inventory was used to help determine presence of wetlands within the project area. As this project is mostly restricted to steep banks and sides of existing levees no wetlands are expected within the project footprint.

4.3 Aquatic Resources/ Fisheries

The aquatic resources of the project area are associated with the Ouachita River. Modifications have occurred on the Ouachita River over the years. These modifications include channelization, bendway cutoffs, clearing and snagging, and construction of levees. Some of the major fish species that occur in the Ouachita River are the bluegill, channel catfish, largemouth bass, longear sunfish, paddlefish, rock bass, smallmouth bass, spotted bass, striped bass, walleye, and white bass. Amphibian life includes Blanchard's cricket frog (*Acris blanchardi*), Green Frog (*Lithobates clamitans*), Eastern newt (*Notophthalmus viridescens*) and the Green treefrog (*Hyla cinerea*). American alligators (*Alligator mississippiensis*) *are* also observed in the river, surrounding wetlands, and basking in open areas such as on levees. Freshwater mussel species such as *Lampsilis spp.* are found in this stretch of the river.

4.4 Terrestrial Resources/ Wildlife

Much of the terrestrial habitat is forested, but other areas consist of a low elevation frequently flooded herbaceous/shrub zone and upland habitats. The forest habitat in the project area consists of oaks, cottonwood, sycamores, elms, maples and ashes including black willow (*Salix nigra*), cottonwood (*Populus deltoides*), river birch (*Betula nigra*), green ash (*Fraxinus pennsylvanica),* American elm (*Ulmus americana*), and water hickory (Carya aquatica), in the overstory, with juvenile overstory species, deciduous holly (Ilex decidua), and vines and herbaceous species, greenbriars (*Smilax spp.),* southern dewberry (*Rubus trivialis*), switchgrass (*Panicum virgatum*), and smartweed (*Polygonum pensylvanicum*) in the understory and shrublands.

Wildlife in vicinity of the proposed actions are species typical for the southern United States and include the usual compliment of wildlife species pursued by the public such as white-tailed deer (*Odocoileus virginianus*), squirrels (*Sciuridae spp.*), rabbits (*Sylvilagus spp*.), as well as other terrestrial mammals such as raccoons (*Procyon lotor*). Various species of birds including the Northern bobwhite (*Colinus virginianus*), Northern cardinal (*Cardinalis cardinalis*), Painted Bunting (*Passerina ciris*), and Short- eared Owls (*Asio flammeus*) may also occur in the project area. Common reptiles include the Green anole (*Anolis carolinensis*), Northern cottonmouth (*Agkistrodon piscivorus*), Pond slider (*Trachemys scripta*), and Western ribbon snake (*Thamnophis proximus*). Many species of insects also inhabit the area such as the Gulf fritillary (Dione vanillae), Viceroy (*Limenitis Archippus*), American bumblebee (*Bombus pensylvanicus*), mosquitos (*Aedes spp.*) and Eastern pondhawk dragonfly (*Erythemis simplicicollis*). No individual species of significant commercial value occur within the project area.

4.5 Threatened, Endangered, and Protected Species

According to results obtained from the USFWS Information, Planning, and Conservation (IPaC) tool on February 28, 2025 there are a total of four threatened, endangered, or candidate species listed in Louisiana that could inhabit the immediate project area (Attachment 1). The federally listed species that could occur in the project area are as follows:

Tricolored Bat (*Perimyotis septentrionalsis*)	Proposed Endangered
Red-cockaded Woodpecker (*Picoides borealis)*	Threatened
Alligator Snapping Turtle (*Macrochelys temminckii*)	Proposed Threatened
Monarch Butterfly (*Danaus plexippus*)	Candidate

The tricolored bat is a small insectivorous bat that is distinguished by its unique tricolored fur and often appears yellowish to nearly orange. The once common species is wide ranging across the eastern and central United States and portions of southern Canada, Mexico, and Central America. During the winter, tricolored bats are often found in caves and abandoned mines, although in the southern United States, where caves are sparse, tricolored bats are often found roosting in road-associated culverts where they exhibit shorter torpor bouts and forage during warm nights. During the spring, summer, and fall, tricolored bats are found in forested habitats where they roost in trees, primarily among leaves of live or recently dead deciduous hardwood trees, but may also be found in Spanish moss, pine trees, and occasionally human structures. Tricolored bats face extinction due primarily to the range wide impacts of white-nose syndrome, a deadly disease affecting cave-dwelling bats across the continent.

The Red-cockaded woodpecker is a small, threatened, highly sedentary species of woodpecker native to the states of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Texas and Virginia. They show a preference for long leaf pine forest though they will use other species of southern pines. They have highly specialized feeding and tree cavity digging behaviors that both allow them to eat insects and hide from potential predators. Males and females are virtually indistinguishable in the field though the males do rarely show off their red cockade when excited and this can be a useful marker for birds once captured or on dead birds. They do exhibit sexual dimorphism bin foraging behaviors females foraging on the trunk below the crown and the males on the limbs and upper trunk. Red-cockaded woodpeckers are cooperative breeders. Breeding units consist of the breeding pair and up to six nonbreeding adult helpers who help forage, defend the nest, and care for the young. Red-cockaded woodpeckers were downlisted from endangered to threatened in in November, 2004. The November 2024 notice states that no changes are being made to the 2003 recovery plan at this time. Contractors are to follow the Best Management Practices laid out in the 2003 recovery plan.

The alligator snapping turtle is proposed to be listed as threatened and is one of the largest freshwater turtles in the world, with adults sometimes exceeding two feet in shell length and a weight that can reach nearly 250 pounds. Its size and appearance give this creature a prehistoric likeness. The back of the shell is distinctly jagged, and the top of the shell (carapace) has three rows of "spikes" or knobs running lengthwise along entire length of the shell. Alligator snapping turtles spend almost their entire lives in water, normally venturing onto land only to lay eggs. While beneath the water's surface, these turtles are able to use their unique worm-like appendage located on the bottom of their mouth to lure in potential prey.

The monarch butterfly is a proposed threatened species. Adult monarch butterflies are one of the most wildly recognizable species of butterflies being large and conspicuous, with bright orange wings surrounded by a black border and covered with black veins. During the breeding season, monarchs lay their eggs on their obligate milkweed host plant and larvae emerge after two to five days. Individual monarchs in temperate climates, such as eastern and western North America, undergo long-distance migration, and live for an extended period of time. In the fall, in both eastern and western North America, monarchs begin migrating to their respective overwintering sites. The most recent research suggests that it is this migratory group of monarchs (as opposed to the resident ones) that make up a distinct population that could be considered threatened pr endangered.

4.6 Water Quality

Section 303(d) of the Clean Water Act requires states to identify water bodies that are considered impaired due to not meeting one or more applicable water quality standards. The Ouachita River is adjacent to the project area. The river is above the Columbia L&D is listed as “impaired water” by the EPA due to color (for drinking water) and mercury levels. The river below the Columbia L&D is also listed as “impaired water” due to turbidity, mercury, and low dissolved oxygen. More information on the waterway can be found at mywaterway.epa.gov. There are no scenic and wild rivers within the project area.

4.7 Air Quality

The air quality of the proposed project location is considered “good” year-round. The nearest monitoring site by the EPA and the Louisiana Department of Environmental Quality (LDEQ) is right in Monroe, LA. Both Ouachita and Caldwell parishes are currently classified as in attainment of all National ambient air quality standards.

4.8 Recreation and Aesthetics

Fishing and other recreational activities occurs on the open waters of the Ouachita. The banks of the Ouachita and the winding of the river provide some aesthetic value to the local parishes though the overall recreational and aesthetic benefits to the area are limited.

4.9 Cultural Resources

The USACE, as a federal agency, is required, pursuant to Executive Order 13175, NEPA, as amended (42 U.S.C. Sections 4321 et seq), Section 106 of the NHPA, as amended, (54 U.S.C. Section 306108) and its implementing regulations, (38 CFR Part 800) and Section 110 of the NHPA, to assume responsibility for the preservation of historic properties or resources that fall under USACE jurisdiction and that such properties are maintained and managed in a way that considers the preservation of the historic, archeological, architectural, and cultural values. The NHPA Section 106 process, implemented by regulations of the Advisory Council on Historic Preservation, 36 CFR § 800, requires agencies to define a project’s APE, identify historic properties in that area that may be directly or indirectly affected by the project, assess the potential for adverse effects, resolve those adverse effects, and provide the Advisory Council on Historic Preservation a reasonable opportunity to comment on the undertaking.

The consideration of impacts to historic and cultural resources is mandated under § 101(b)(4) of NEPA as implemented by 40 C.F.R. Parts 1501-1508. NEPA calls for the consideration of a broad range of historic and cultural resources, including sites of religious and cultural importance to federally recognized Tribal governments. Cultural resources include historic properties, archeological resources, and Native American resources including sacred sites and traditional cultural properties. Common cultural resource sites include prehistoric Native American archeological sites, historic archeological sites, shipwrecks, and structures such as bridges and buildings. Historic properties have a narrower meaning and are defined in § 101(a)(1)(A) of the NHPA; they include districts, sites (archaeological and religious/cultural), buildings, structures, and objects that are listed in or determined eligible for listing in the NRHP. Historic properties are identified by qualified agency representatives in consultation with SHPO, Tribes, and other consulting parties.

Cultural resources investigation of the two setback work sites (Work Sites 1 and 12) and the proposed borrow area. One archaeological site (16OU20) has been previously identified within the Work Site 1 footprint. This site was plotted on onto project maps for the purposes of guiding and conducting field investigations. As such, portions of the site that fell within the proposed project area was subjected to pedestrian/surface reconnaissance and systematic shovel testing. This site was unable to be relocated, and its precise location is questionable. Comparisons and study of the prior recorded/written site forms descriptions of site dimensions and location against levee construction and operation/maintenance following its identification suggest it is no longer extant. Furthermore, two new cultural resources, both post-1947 structures (LHRI 38-00018 & 38-00020), were identified during the survey of this same area. Both represent single-story structures of painted cinder-block construction that are currently used for storage. The structural integrity of each has been compromised, each having missing window casings and either boarded-up or missing entranceways. Given this information, both were determined ineligible for listing to the NRHP.

Despite extensive and systematic survey of the plotted location of 16OU20, no evidence of the archaeological resources could be identified, confirming that no archaeological resources would be impacted. In addition, no areas considered to be traditional cultural properties were identified as well. resulted in the identification of no cultural resources identified. All investigative efforts resulted in no cultural material within or immediately adjacent to the project ROWs.

4.10 Socioeconomic Factors

NEPA allows for the consideration of socioeconomic consequences caused by federal actions to be included in environmental assessments including those that have a disproportionately high effect on communities of color and/or people/households with incomes below the federal poverty line.

According to US Census tracts tool were used to locate people/households with income below the federal poverty line the project area. The project area has sites within three distinct census tracts: 110 & 106.06 In Ouachita Parish & 1 in Caldwell Parish,22073010606, 22021000100. According to the US Census 8,297 people live within these census tracts with 35% of residents living below the federal poverty line. According to the U.S. Department of Health and Human Services, the poverty line for a household of one is $15,650 and $21,150 for a household of two.

4.11 Prime and Unique Farmland

The Farmland Protection Policy Act (FPPA) is intended to minimize the impact Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. Federal agencies are required to develop and review their policies and procedures to implement the FPPA every two years. Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a federal agency or with assistance from a federal agency. FPPA does not regulate the use of private or nonfederal lands. or FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to FPPA requirements can be forest land, pastureland, cropland, or other land, but not water or urban built-up land. The US Department of Agriculture's (USDA) Natural Resource Conservation Service (NRCS) is responsible for making the determination of whether or not Prime and Unique Farmland would be impacted by a project and how much.

On November 22, 2024, the Monroe, LA office of the NRCS issued a AD-1006 Farmland Conversion Impact Rating. They determined that within the borrow area there was 1.7 acres of Portland clay and 2.1 acres of Rilla silt loam for a total of 3.8 acres of prime of unique farmland soils within the project area. The relative value of this prime and unique farmland is 96 out of 100.

5 ENVIRONMENTAL CONSEQUENCES

5.1 Navigation

Future Conditions with No-Action

Under the no action alternative, the Ouachita River levee system would remain at risk of further degradation. No immediate impacts to navigation would occur, however in the event of a levee breach there could be interruptions and impacts to commercial navigation while needed repairs are made.

Future Conditions with the Proposed Action

Under Alternative 2 no direct impacts are anticipated to navigation.

5.2 Wetlands

Future Conditions with No-Action

Under the no action alternative, there would be no direct impacts to wetlands in the project area.

Future Conditions with the Proposed Action

From available data in the National Wetland inventory and subsequent site visits a determination of no impacts to existing wetlands was determined. The vast majority of the work is occurring along steep banks and areas already impacted by levee construction that are not suitable for wetland creation.

5.3 Aquatic Resources/ Fisheries

Future Conditions with No-Action

The no action alternative would not have a direct impact on aquatic resources and fisheries in the short-term since the existing conditions would be maintained. In the unlikely event of a levee breach or bank failure that isn't quickly addressed there would be potential for the creation of new wetlands and aquatic habitat on the formerly protected side of the levee.

Future Conditions with the Proposed Action

Construction activity is anticipated to result in some short-term negative impacts to aquatic resources in the immediate project area. Due to noise disturbances and placement of rock during bank stabilizations, fish and other mobile aquatic species are likely to avoid the project area during the proposed actions but are expected to return shortly after the project is complete. This project would not contribute toward long-term impairments of fish and invertebrates.

5.4 Terrestrial Resources/ Wildlife

Future Conditions with No-Action

The no action alternative would not have a direct or indirect impact on wildlife in the short-term since the existing conditions would be maintained.

Future Conditions with the Proposed Action

With implementation of alternative two, wildlife movement and activity patterns around the project area would be temporarily influenced by general traffic and the noise generated from operating construction equipment. However, this temporary impact is not significant, as many species would be expected to become tolerant or return to the area upon completion of the construction. Species that forage or live in the proposed borrow may become displaced and most would likely find refuge in nearby habitat. Return of species to that area would largely depend on the state of the borrow area after the

project completion.

Approximately 3.8 acres of forested land would be cleared. Approximately one acre is a pecan orchard and the remaining 2.8 acres are an approximately 30 year old stand of mixed conifer hardwood forest. The forest is bordered on either side by residential properties. No significant impacts are anticipated from the clearing of the land due low acreage impacted and the anthropomorphic modifications to the property.

5.5 Threatened and Endangered Species

Future Conditions with No-Action

The no action alternative would not have a direct impact on threatened and endangered species since the existing conditions would be maintained.

Future Conditions with the Proposed Action

According to results obtained from the USFWS Information, Planning, and Conservation (IPaC) tool on February 28, 2025 are a total of four threatened, endangered, or candidate species listed in Louisiana that could inhabit the immediate project area (Attachment 1). The federally listed species that could occur in the project area are as follows:

Tricolored Bat (*Perimyotis septentrionalsis*)	Proposed Endangered
Red-cockaded Woodpecker (*Picoides borealis)*	Threatened
Alligator Snapping Turtle (*Macrochelys temminckii*)	Proposed Threatened
Monarch Butterfly (*Danaus plexippus*)	Proposed Threatened

As part of the IPaC process a Tricolored bat range wide determination key was completed (Attachment 2) with a determination of “may effect” was given. Email and telephone correspondence with USFWS Biologist agreed with USACE biologist opinion that the project is unlikely to impact the tricolored bat due small amount of potential habitat impacted. A written determination from USFWS of “may affect but is not likely to adversely affect” was issued by USFWS on March 24, 2025 (Attachment 2). The project area lies in year-round active zone 1 for tricolored bats. In zone 1 during Dec 15 – Feb 15 bats will roost in trees when temperatures are under 40F and summer roost in trees from Mar 15 – July 15. If bats were to be found during construction to be using the trees, construction activities would be suspended, and additional consultation would be initiated.

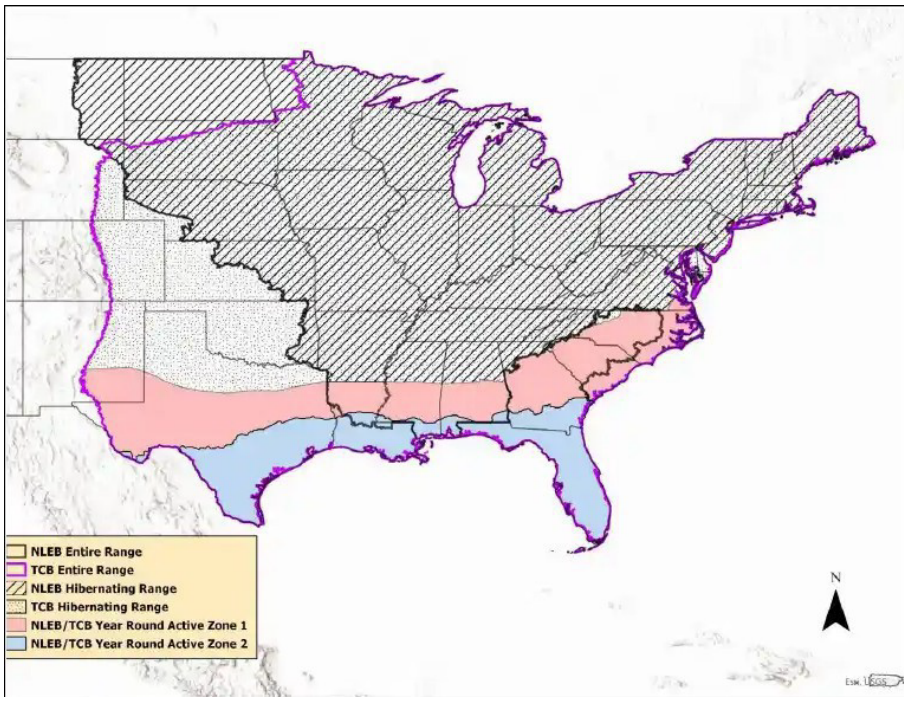

Figure 3: Map showing the current ranges for the tricolored and northern long eared bats

A second state-wide determination key (Attachment 3) was completed in IPAC with a determination of no effect for the Red-cockaded woodpecker due to lack of their life history requirements and lack of suitable habitat.

The alligator snapping turtle prefers deeper waters and is unlikely to be adversely affected in the area by the work being done inland to construct the levee setbacks. Any turtles in the area could easily leave and return after the work has been concluded.

Due to a lack of milk weed and other suitable habitat a determination of no effect was determined for the monarch butterfly.

Contractors would be asked to implement best management practices to avoid and reduce any potential impacts to listed species, migratory birds, and bald eagles, such as having clearing and construction activities take place in the fall and winter to minimize possible impacts to nesting migratory songbirds, colonies containing nesting wading birds, and bats. Therefore, based on the current species review and the habitat in the project area, it is USACE's determination that the proposed actions would likely have no adverse effects on any federal-listed species. USACE contracts require any contractors to comply with Federal laws including the ESA, Bald and Golden Eagle Protection Act, and the Migratory Bird Treaty Act.

5.6 Water Quality

Future Conditions with No-Action

Without the proposed action, there would be no direct impacts to water quality in the area barring a catastrophic levee failure.

Future Conditions with the Proposed Action

The project would have only minor temporary impacts to water quality of adjacent areas through an increase in turbidity and sedimentation during construction. However, these conditions are expected to return to preconstruction conditions once the project is complete. Best Management Practices (BMP) would be implemented during construction to minimize any discharge into the river during storm events. The USACE's contract requires the contractor to ensure all state, and local permits are obtained and adhered to.

5.6.1 *Clean Water Act Section 401 and 404(b)(1) Considerations*

The Ouachita River Levee Setback and Bank Stabilization Project was reviewed for Section 404 evaluation (Attachment 4) and a determination of Section 10, Rivers and Harbors Act of 1899, and Section 404(b)(1) requirements per the Clean Water Act. Per section 401 of the Clean Water Act, on March 13, 2025 the State of Louisiana Department of Environmental Quality issued Water Quality Certification WQC 250313- 01 (Attachment 5) with a determination that the proposed discharge does not violate water quality standards per LAC 33:IX.Chapter 11.

5.7 Air Quality

Future Conditions with No-Action

Without implementation of the proposed action, no direct or indirect impacts to ambient air quality would occur.

Future Conditions with the Proposed Action

Construction of Alternative 2 would result in minor adverse impacts to air quality in the project area. Increased emissions from internal combustion engines and dust would occur for a short period of time. Impacts are expected to be minimal as well as temporary.

5.8 Recreation and Aesthetics

Future Conditions with No-Action

Without implementation of the proposed action, no immediate direct or indirect impacts to recreation and aesthetics would occur. Potential impacts would only occur if and when the levees continue to degrade and fail.

Future Conditions with the Proposed Action

Construction may temporarily disrupt the aesthetics and slow navigation on the channel, but conditions would quickly return to their prior state once the construction's completed. No long term direct or indirect effects are anticipated.

5.9 Cultural Resources

Future Conditions with No-Action

Without implementation of the proposed action, no immediate direct or indirect impacts to cultural resources would occur.

Future Conditions with the Proposed Action

The USACE, as a federal agency, is required, pursuant to Executive Order 13175, NEPA, as amended (42 U.S.C. Sections 4321 et seq), Section 106 of the NHPA, as amended, (54 U.S.C. Section 306108) and its implementing regulations, (38 CFR Part 800) and Section 110 of the NHPA, to assume responsibility for the preservation of historic properties or resources that fall under USACE jurisdiction and that such properties are maintained and managed in a way that considers the preservation of the historic, archeological, architectural, and cultural values. The NHPA Section 106 process, implemented by regulations of the Advisory Council on Historic Preservation, 36 CFR § 800, requires agencies to define a project's APE, identify historic properties in that area that may be directly or indirectly affected by the project, assess the potential for adverse effects, resolve those adverse effects, and provide the Advisory Council on Historic Preservation a reasonable opportunity to comment on the undertaking.

The consideration of impacts to historic and cultural resources is mandated under § 101(b)(4) of NEPA as implemented by 40 C.F.R. Parts 1501-1508. NEPA calls for the consideration of a broad range of historic and cultural resources, including sites of religious and cultural importance to federally recognized Tribal governments. Cultural resources include historic properties, archeological resources, and Native American resources including sacred sites and traditional cultural properties. Common cultural resource sites include prehistoric Native American archeological sites, historic archeological sites, shipwrecks, and structures such as bridges and buildings. Historic properties have a narrower meaning and are defined in § 101(a)(1)(A) of the NHPA; they include districts, sites (archaeological and religious/cultural), buildings, structures, and objects that are listed in or determined eligible for listing in the NRHP. Historic properties are identified by qualified agency representatives in consultation with SHPO, Tribes, and other consulting parties.

Cultural resources investigation of the two setback work sites (Work Sites 1 and 12) and the proposed borrow area. One archaeological site (16OU20) has been previously identified within the Work Site 1 footprint. This site was plotted on onto project maps for the purposes of guiding and conducting field investigations. As such, portions of the site that fell within the proposed project area was subjected to pedestrian/surface reconnaissance and systematic shovel testing. This site was unable to be relocated, and its precise location is questionable. Comparisons and study of the prior recorded/written site forms descriptions of site dimensions and location against levee

construction and operation/maintenance following its identification suggest it is no longer extant. Furthermore, two new cultural resources, both post-1947 structures (LHRI 38-00018 & 38-00020), were identified during the survey of this same area. Both represent single-story structures of painted cinder-block construction that are currently used for storage. The structural integrity of each has been compromised, each having missing window casings and either boarded-up or missing entranceways. Given this information, both were determined ineligible for listing to the NRHP.

Despite extensive and systematic survey of the plotted location of 16OU20, no evidence of the archaeological resources could be identified, confirming that no archaeological resources would be impacted. In addition, no areas considered to be traditional cultural properties were identified as well. resulted in the identification of no cultural resources identified. All investigative efforts resulted in no cultural material within or immediately adjacent to the project ROWs. As a result of these investigations, no further archaeological work is recommended. All other commitments by the CEMVK, in terms of implementing this undertaking, should be followed to maintain this Section 106 effect determination.

In compliance with NHPA Section 106, CEMVK will initiate Section 106 consultation for a **No Historic Properties Affected** determination for the Proposed Action (Proposed Undertaking) as described in the forthcoming CEVMK correspondence dated March 17, 2025, to the Louisiana SHPO, and the following Tribes: Caddo Nation, Choctaw Nation of Oklahoma, Coushatta Tribe of Louisiana, Jena Band of Choctaw Indians, Mississippi Band of Choctaw Indians, Muscogee (Creek) Nation, and the Tunica-Biloxi Tribe of Louisiana (Attachment 7).

Concurrence responses to USACE's determination of No Historic Properties Affected are forthcoming and anticipated prior to April 17, 2025, when the 15-day comment-period closes. Once concurrence responses are received, USACE will consider Section 106 consultation process complete but will continue to be subject to the standard change in scope of work, unexpected discovery, and unmarked human burial sites act provisions per 36 CFR 800.

5.10 Socioeconomic Factors

Future Conditions with No-Action

Without implementation of the proposed action, no immediate direct or indirect socioeconomic impacts would occur. If the levee fails, then these communities could be subject to flooding putting additional financial pressure on already low-income communities. In the event of no levee failure and without implementation of the proposed action, no direct or indirect socioeconomic impacts would occur.

Future Conditions with the Proposed Action

The project area is rural and, according to U.S. census data, includes many low-income residents at or below the federal poverty line. However, it was determined that the construction of this project would not have any disproportionate effects on communities of people experiencing poverty in the surrounding area. The majority of benefits from the added flood protection would go to low-income communities.

5.11 Hazardous, Toxic, and Radioactive Waste

An onsite hazardous, toxic, and radioactive waste assessment was conducted on September 19, 2024, October 17, 2024, and February 24, 2025 by the USACE hydraulics branch at the Vicksburg District. Loose piles of trash, mobile homes, and de minimis oil stains were found during site reconnaissance. Furthermore, a review of the EPA's EnviroMapper Query System was conducted on November 6, 2024 to locate any environmental records within a one-mile buffer of the project area. A further review of each environmental program noted on the database was conducted (10 RCRA facilities and 27 facilities maintaining an NPDES permit). The facilities listed are for local businesses and municipality use. No record of any hazardous releases was noted in the EnviroMapper database.

Due to the results of the site reconnaissance and environmental records search it is believed that no HTRW concerns would be encountered on this project. It is the contractor's responsibility that prior to construction activity any solid waste should be removed and properly disposed of according to local, state, and federal regulations.

5.12 Prime and Unique Farmland

Future Conditions with No-Action

Without implementation of the proposed action, no immediate direct or indirect impacts to prime and unique farmland would occur.

Future Conditions with the Proposed Action

On November 22, 2024, the Monroe, LA office of the NRCS issued an AD-1006 Farmland Conversion Impact Rating. They determined that within the borrow area there was 1.7 acres of Portland clay and 2.1 acres of Rilla silt loam for a total of 3.8 acres of prime of unique farmland soils within the project area. The relative value of this prime and unique farmland is 96 out of 100.

Up to 3.8 acres of prime or unique farmland would be converted to nonagricultural use with the creation of the borrow pit. The ability to farm this acreage following the conversion would depend largely on the relative value of the soils following the removal of the borrow material.

5.13 Cumulative Impacts Analysis

Cumulative effects as described by the Council on Environmental Quality (CEQ) for implementing the National Environmental Policy Act (NEPA) are "the impact on the environment which results from the incremental impact of the actions when added to other

past, present, and reasonably foreseeable future action regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time" [40 CFR § 1508].

Beneficially, implementation of the proposed plan would reduce flood risks to local communities and reduce future costs in the event of a future hypothetical levee breech up to protection against a 100-yr flood event.

Negative effects associated with implementation of the proposed project would relate to the cumulative contribution of the proposed actions to the effects of other projects, past and present. Past projects in the area, including prior bank stabilization efforts, channel dredging and other improvements, levee, dam, and other water control structure constructions have impacted the hydrology, course and flow of the river, and surrounding ecosystems. The area is also highly modified by residential and agricultural uses. Overall, due to the scale of this this project is unlikely to have many incremental impacts on the larger watershed over the 50-year life of the project especially given it's already altered state. There is also a nearby bank stabilization project covered in the EA EAXX-202-00-B4P-1739365022. The cumulative effects of both projects would not be expected to change the finding of no significant impact for either proposed action.

Wetlands in the project area are not likely to be impacted by the project neither are there significant impacts to forested lands. The temporary construction-related increases in traffic, noise and vibration, and vehicle and equipment emissions would be temporally and locally unique and unlikely, combined with other similar disturbances, to significantly affect the citizens or natural environment in the city.

There would be minor temporary impacts to fish and wildlife resources and no impacts to cultural resources or the flood plain. The banks and channel themselves would be altered by the addition of C stone revetment and toe dikes. This is expected to have only minor plausible impacts to the local fisheries.

Because the project proposes needed flood risk improvements to increase safety the overall outcome of the project would be beneficial to the community, the cumulative negative impacts are considered minimal.

6 COORDINATION

Preparation of this EA and a FONSI have been coordinated with appropriate Congressional, Federal, Tribal, state, and local interests, as well as environmental groups and other interested parties. The following agencies, as well as other interested parties, have received copies of the draft EA and draft FONSI:

U.S. Fish and Wildlife Service
EPA, Region IV

Natural Resources Conservation Service
Advisory Council on Historic Preservation
Louisiana Department of Wildlife and Fisheries
Louisiana Department of Environmental Quality
Louisiana State Historic Preservation Officer (SHPO)

7 MITIGATION

Engineer Regulation 1105-2-100 appendix C provides guidance for when and how mitigation will take place for corps projects. No clearing of wetlands anticipated for this project. Minimal tree clearing of forested land is proposed, however after conferring with USFWS minimal impacts are anticipated from this clearing and no additional mitigation is proposed or required at this time.

8 COMPLIANCE WITH ENVIRONMENTAL LAWS AND REGULATIONS

Environmental compliance for the proposed action would be achieved based upon coordination of this EA and FONSI with all appropriate agencies, organizations, and individuals for their review and comments. The FONSI would not be signed until the proposed action achieves environmental compliance with applicable laws and regulations.

9 CONCLUSION

Following the extensive flooding that followed the Spring rain events in 2019 it was determined that emergency actions were necessary in accordance with Public Law 84-99 and other relevant authorities as outlined in this document to safeguard human life, agricultural, cultural, and environmental interests. With implementation of the proposed action, a series of two levee setbacks would be constructed to help defend against future 100 yr flood events and prevent further bank destabilization.

An environmental analysis has been conducted by MVK for the with project alternatives to address the impacts associated with the proposed actions. The potential impacts of the project were considered, and it was determined that the project would not result in significant impacts to air quality, water quality, aquatic resources, terrestrial resources, waterfowl resources, wetlands, threatened and endangered species, prime and unique farmlands, wild and scenic rivers, coastal environments, recreation, or aesthetics. There were no significant concerns with HTRW or cultural resources.

10 PREPARED BY

Draft EA # EAXX-202-00-B4P-1741272670 was prepared by David Wimmer, Biologist, U.S. Army Corps of Engineers, New Orleans District, Regional Planning and Environment

Division South, with relevant sections prepared by: John Underwood - Cultural Resources. The address of the preparers is:

U.S. Army Engineer District, Vicksburg
Regional Planning and Environment Division South
ATTN: CEMVN-PDN-UDP
4155 Clay Street
Vicksburg, Mississippi 39183-3435

11 ATTACHMENTS

1. USFWS IPaC Species List
2. USFWS NLEB/Tricolored Bat Determination Key
3. USFWS LA Statewide Determination Key
4. Section 404(1)b Public Notice
5. LA Water Quality Certification
6. Emergency Declaration

Attachments

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Louisiana Ecological Services Field Office
200 Dulles Drive
Lafayette, LA 70506
Phone: (337) 291-3100 Fax: (337) 291-3139

In Reply Refer To: 02/28/2025 21:37:03 UTC
Project Code: 2025-0062783
Project Name: 2020 PL 84-99 Ouachita River Levee Setbacks

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and candidate species, as well as designated and proposed critical habitat that may occur within the boundary of your proposed project and may be affected by your proposed project. The Fish and Wildlife Service (Service) is providing this list under section 7 (c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). Changes in this species list may occur due to new information from updated surveys, changes in species habitat, new listed species and other factors. Because of these possible changes, feel free to contact our office (337-291-3109) for more information or assistance regarding impacts to federally listed species. The Service recommends visiting the IPaC site or the Louisiana Ecological Services Field Office website (https://www.fws.gov/southeast/lafayette) at regular intervals during project planning and implementation for updated species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the habitats upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of Federal trust resources and to determine whether projects may affect Federally listed species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)).

Bald eagles have recovered and were removed from the List of Endangered and Threatened Species as of August 8, 2007. Although no longer listed, please be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668 et seq.).

The Service developed the National Bald Eagle Management (NBEM) Guidelines to provide landowners, land managers, and others with information and recommendations to minimize potential project impacts to bald eagles, particularly where such impacts may constitute "disturbance", which is prohibited by the BGEPA. A copy of the NBEM Guidelines is available at: https://www.fws.gov/migratorybirds/pdf/management/nationalbaldeaglenanagementguidelines.pdf

Those guidelines recommend: (1) maintaining a specified distance between the activity and the nest (buffer area); (2) maintaining natural areas (preferably forested) between the activity and nest trees (landscape buffers); and (3) avoiding certain activities during the breeding season. Onsite personnel should be informed of the possible presence of nesting bald eagles within the project boundary, and should identify, avoid, and immediately report any such nests to this office. If a bald eagle nest occurs or is discovered within or adjacent to the proposed project area, then an evaluation must be performed to determine whether the project is likely to disturb nesting bald eagles. That evaluation may be conducted on-line at: https://www.fws.gov/southeast/our-services/eagle-technical-assistance/. Following completion of the evaluation, that website will provide a determination of whether additional consultation is necessary. The Division of Migratory Birds for the Southeast Region of the Service (phone: 404/679-7051, e-mail: SEmigratorybirds@fws.gov) has the lead role in conducting any necessary consultation.

Activities that involve State-designated scenic streams and/or wetlands are regulated by the Louisiana Department of Wildlife and Fisheries and the U.S. Army Corps of Engineers, respectively. We, therefore, recommend that you contact those agencies to determine their interest in proposed projects in these areas.

Activities that would be located within a National Wildlife Refuge are regulated by the refuge staff. We, therefore, recommend that you contact them to determine their interest in proposed projects in these areas.

Additional information on Federal trust species in Louisiana can be obtained from the Louisiana Ecological Services website at: https://www.fws.gov/southeast/lafayette

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Louisiana Ecological Services Field Office
200 Dulles Drive
Lafayette, LA 70506
(337) 291-3100

PROJECT SUMMARY

Project Code: 2025-0062783
Project Name: 2020 PL 84-99 Ouachita River Levee Setbacks
Project Type: Levee / Dike - Maintenance/Modification
Project Description: Two levee setbacks are proposed along the Ouachita River south of Monroe, LA. One is Approximately 1 mile west of Richwood, LA and the other is 4 miles North of Riverton, LA.

The main construction features is a set back of the existing levee at sites 1 and 12. The existing levee will be degraded concurrently with new levee construction while maintaining a continuous level of protection to an interim grade based on the Ouachita River 100-year elevation at the setback location. Once the new levee setback has been constructed to the 100-year Ouachita River elevation of its location, the remaining existing levee will be degraded to the existing terrain elevation and sloped towards the river with a -1.00% slope. The material excavated from the existing levee will then be used to help complete the construction of the new levee. The design of the setback will bring the levee to the authorized grade of plus 0.7 feet of overbuild for Site 1 and plus 2.0 feet of overbuild for Site 12, used to compensate for fill shrinkage and foundation settlement.

There will be a total cut of 25,261.80 Cu Yd. of material cut and 40575.9 Cu Yd. of fill material for a net fill of 15,314.1

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@32.20862955,-92.12786431951722,14z

Counties: Caldwell and Ouachita counties, Louisiana

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Tricolored Bat *Perimyotis subflavus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Red-cockaded Woodpecker *Dryobates borealis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7614	Threatened

REPTILES

NAME	STATUS
Alligator Snapping Turtle *Macrochelys temminckii* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4658	Proposed Threatened

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act [2] and the Migratory Bird Treaty Act (MBTA) [1]. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

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1. The Bald and Golden Eagle Protection Act of 1940.
2. The Migratory Birds Treaty Act of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are Bald Eagles and/or Golden Eagles in your project area.

Measures for Proactively Minimizing Eagle Impacts
For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the National Bald Eagle Management Guidelines. You may employ the timing and activity-specific distance recommendations in this document when designing your project/ activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to Bald Eagle Nesting and Sensitivity to Human Activity.

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional Migratory Bird Office or Ecological Services Field Office.

If disturbance or take of eagles cannot be avoided, an incidental take permit may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the Do I Need A Permit Tool. For assistance making this determination for golden eagles, please consult with the appropriate Regional Migratory Bird Office or Ecological Services Field Office.

Ensure Your Eagle List is Accurate and Complete
If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the Supplemental Information on Migratory Birds and Eagles, to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

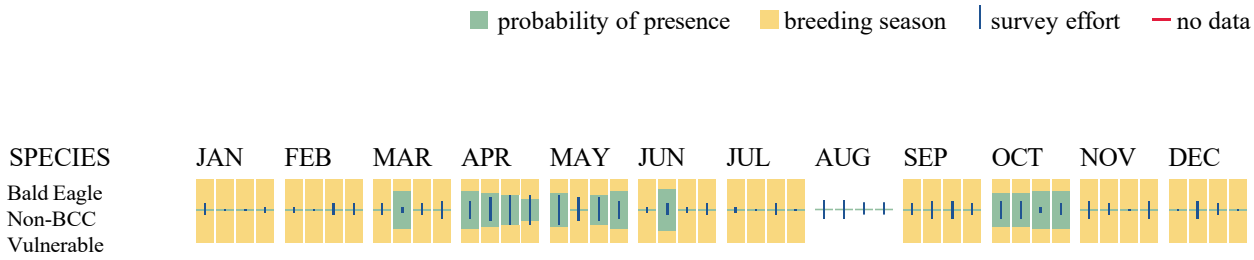
Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (–)
A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds

- Nationwide avoidance and minimization measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) [1] prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service). The incidental take of migratory birds is the injury or death of birds that results from, but is not the purpose, of an activity. The Service interprets the MBTA to prohibit incidental take.

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1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Golden-plover *Pluvialis dominica* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10561	Breeds elsewhere
American Kestrel *Falco sparverius paulus* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9587	Breeds Apr 1 to Aug 31
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31
Brown-headed Nuthatch *Sitta pusilla* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9427	Breeds Mar 1 to Jul 15

NAME	BREEDING SEASON
Chimney Swift *Chaetura pelagica* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Chuck-will's-widow *Antrostomus carolinensis* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9604	Breeds May 10 to Jul 10
Henslow's Sparrow *Centronyx henslowii* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941	Breeds elsewhere
Kentucky Warbler *Geothlypis formosa* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9443	Breeds Apr 20 to Aug 20
Lesser Yellowlegs *Tringa flavipes* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Little Blue Heron *Egretta caerulea* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9477	Breeds Mar 10 to Oct 15
Pectoral Sandpiper *Calidris melanotos* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561	Breeds elsewhere
Prairie Warbler *Setophaga discolor* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9513	Breeds May 1 to Jul 31
Prothonotary Warbler *Protonotaria citrea* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9439	Breeds Apr 1 to Jul 31
Red-headed Woodpecker *Melanerpes erythrocephalus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10

NAME	BREEDING SEASON
Rusty Blackbird *Euphagus carolinus* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9478	Breeds elsewhere
Semipalmated Sandpiper *Calidris pusilla* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9603	Breeds elsewhere
Wood Thrush *Hylocichla mustelina* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (▪)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

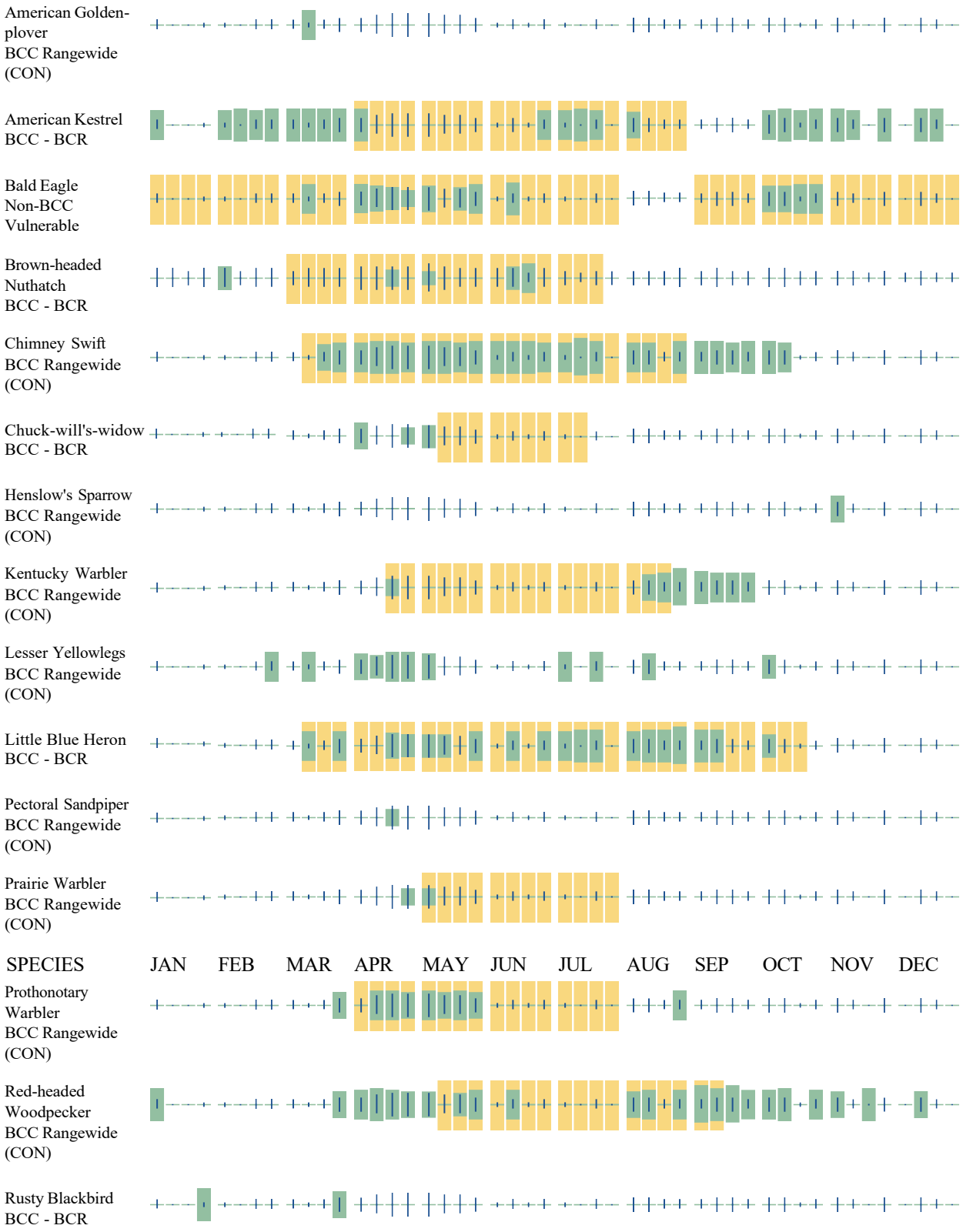
Breeding Season (▪)
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

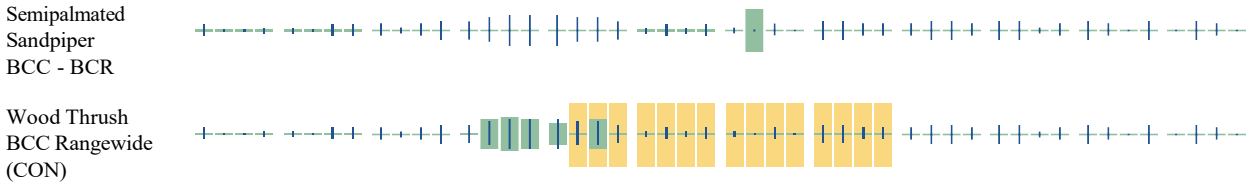
Survey Effort (|)
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

▪ probability of presence ▪ breeding season | survey effort – no data

SPECIES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC


American Golden-plover BCC Rangewide (CON)
American Kestrel BCC - BCR
Bald Eagle Non-BCC Vulnerable
Brown-headed Nuthatch BCC - BCR
Chimney Swift BCC Rangewide (CON)
Chuck-will's-widow BCC - BCR
Henslow's Sparrow BCC Rangewide (CON)
Kentucky Warbler BCC Rangewide (CON)
Lesser Yellowlegs BCC Rangewide (CON)
Little Blue Heron BCC - BCR
Pectoral Sandpiper BCC Rangewide (CON)
Prairie Warbler BCC Rangewide (CON)
SPECIES
JAN
FEB
MAR
APR
MAY
JUN
JUL
AUG
SEP
OCT
NOV
DEC
Prothonotary Warbler BCC Rangewide (CON)
Red-headed Woodpecker BCC Rangewide (CON)
Rusty Blackbird BCC - BCR



Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

IPAC USER CONTACT INFORMATION

Agency: Army Corps of Engineers
Name: Mark Wimmer
Address: 4155 Clay St, Vicksburg, MS 39183
City: Vicksburg
State: MS
Zip: 39183
Email mark.d.wimmer@usace.army.mil
Phone: 6016342091

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Louisiana Ecological Services Field Office
200 Dulles Drive
Lafayette, LA 70506
Phone: (337) 291-3100 Fax: (337) 291-3139

In Reply Refer To: 02/28/2025 21:50:49 UTC
Project code: 2025-0062783
Project Name: 2020 PL 84-99 Ouachita River Levee Setbacks

Federal Nexus: yes
Federal Action Agency (if applicable): Army Corps of Engineers

Subject: Technical assistance for '2020 PL 84-99 Ouachita River Levee Setbacks'

Dear Mark Wimmer:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on February 28, 2025, for '2020 PL 84-99 Ouachita River Levee Setbacks' (here forward, Project). This project has been assigned Project Code 2025-0062783 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements are not complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project. **Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat and Tricolored Bat Range-wide Determination Key (Dkey), invalidates this letter.**

Determination for the Northern Long-Eared Bat and Tricolored Bat

Based on your IPaC submission and a standing analysis completed by the Service, you determined the proposed Project will have the following effect determinations:

Species	Listing Status	Determination
Tricolored Bat *(Perimyotis subfl-avus)*	Proposed Endangered	May affect

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination key for the northern long-eared bat and tricolored bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Red-cockaded Woodpecker *Dryobates borealis* Threatened

You may coordinate with our Office to determine whether the Action may cause prohibited take of the species listed above.

Conclusion

Consultation with the Service is not complete. Further consultation or coordination with the Service is necessary for those species or designated critical habitats with a determination of "May Affect." A "May Affect" determination in this key indicates that the project, as entered, is not consistent with the questions in the key. Not all projects that reach a "May Affect" determination are anticipated to result in adverse impacts to listed species. These projects may result in a "No Effect", "May Affect, Not Likely to Adversely Affect", or "May Affect, Likely to Adversely Affect" determination depending on the details of the project. Please contact our Louisiana Ecological Services Field Office to discuss methods to avoid or minimize potential adverse effects to those species or designated critical habitats.

Federal agencies must consult with U.S. Fish and Wildlife Service under section 7(a)(2) of the Endangered Species Act (ESA) when an action *may affect* a listed species. Tricolored bat is proposed for listing as endangered under the ESA, but not yet listed. For actions that may affect a proposed species, agencies cannot consult, but they can *confer* under the authority of section 7(a)(4) of the ESA. Such conferences can follow the procedures for a consultation and be adopted as such if and when the proposed species is listed. Should the tricolored bat be listed, agencies must review projects that are not yet complete, or projects with ongoing effects within the tricolored bat range that previously received a NE or NLAA determination from the key to confirm that the determination is still accurate. Projects that receive a may affect determination for tricolored bat through the key, should contact the appropriate Ecological Services Field Office if they want to conference on this species.

The Fish and Wildlife Service (Service) has reviewed the information provided and offers the following comments in accordance with provisions of the Endangered Species Act (ESA) of 1973 (87 Stat. 884 as amended, 16 U.S.C. 1531 et seq.). Based on the justification given by the U.S. Army Corps of Engineers (USACE), we concur with the USACE's determination that the proposed action is not likely to adversely affect the federally listed and/or proposed species and their critical habitats as described herein.

We recommend that the USACE contact the Service for additional consultation if: 1) the scope or location of the proposed project is changed significantly; 2) new information reveals that the action may affect listed species or designated critical habitat; 3) the action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed, or critical habitat designated. Additional consultation because of any of the above conditions or for changes not covered in this consultation should occur before changes are made and or finalized.

Deputy Field Supervisor

DUSTIN GARIG Digitally signed by DUSTIN GARIG Date: 2025.03.24 10:32:11 -05'00' FOR

Brigette D. Firmin
Field Supervisor
Louisiana Ecological Services Office

03/24/2025
DATE

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

2020 PL 84-99 Ouachita River Levee Setbacks

2. Description

The following description was provided for the project '2020 PL 84-99 Ouachita River Levee Setbacks':

> Two levee setbacks are proposed along the Ouachita River south of Monroe, LA. One is Approximately 1 mile west of Richwood, LA and the other is 4 miles North of Riverton, LA.
>
> The main construction features is a set back of the existing levee at sites 1 and 12. The existing levee will be degraded concurrently with new levee construction while maintaining a continuous level of protection to an interim grade based on the Ouachita River 100-year elevation at the setback location. Once the new levee setback has been constructed to the 100-year Ouachita River elevation of its location, the remaining existing levee will be degraded to the existing terrain elevation and sloped towards the river with a -1.00% slope. The material excavated from the existing levee will then be used to help complete the construction of the new levee. The design of the setback will bring the levee to the authorized grade of plus 0.7 feet of overbuild for Site 1 and plus 2.0 feet of overbuild for Site 12, used to compensate for fill shrinkage and foundation settlement.
>
> There will be a total cut of 25,261.80 Cu Yd. of material cut and 40575.9 Cu Yd. of fill material for a net fill of 15,314.1

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@32.20862955.-92.12786431951722.14z

DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of "may affect" for a least one species covered by this determination key.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed bats or any other listed species?

   Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

   No

2. Is the action area wholly within Zone 2 of the year-round active area for northern long-eared bat and/or tricolored bat?

   Automatically answered
   No

3. Does the action area intersect Zone 1 of the year-round active area for northern long-eared bat and/or tricolored bat?

   Automatically answered
   Yes

4. Your project overlaps with an area where northern long-eared bats or tricolored bats may be present and roosting in trees year-round.

   Do you understand that your project may impact bats roosting in trees at any time during the year?

   Yes

5. Does any component of the action involve leasing, construction or operation of wind turbines? Answer 'yes' if the activities considered are conducted with the intention of gathering survey information to inform the leasing, construction, or operation of wind turbines.

   Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

   No

6. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

   Yes

7. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

   No

8. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

   Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

   Yes

9. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

   No

10. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

    No

11. [Semantic] Is the action area located within 0.5 miles of a known bat hibernaculum?

    Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

    Automatically answered

    No

12. Does the action area contain any winter roosts or caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating bats?

    No

13. Will the action cause effects to a bridge?

    Note: Covered bridges should be considered as bridges in this question.

    No

14. Will the action result in effects to a culvert or tunnel at any time of year?

    No

15. Are trees present within 1000 feet of the action area?

    Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines.

    Yes

16. Does the action include the intentional exclusion of bats from a building or structure?

    Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats or tricolored bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local Ecological Services Field Office to help assess whether northern long-eared bats or tricolored bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures.

    No

17. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats?**

    No

18. Will the action cause construction of one or more new roads open to the public?

    For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

    No

19. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic permanently or temporarily on one or more existing roads?

    Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.)..

    Yes

20. Will the increased vehicle traffic occur on any road that lies between any two areas of contiguous forest that are each greater than or equal to 10 acres in extent and are separated by less than 1,000 feet? Bats may cross a road by flying between forest patches that are up to 1,000 feet apart.

    Note: "Contiguous forest" of 10 acres or more may includes areas where multiple forest patches are separated by less than 1,000 feet of non-forested area if the forested patches, added together, comprise at least 10 acres.

    Yes

21. For every 1,000 feet of road where increased traffic is expected, will there be at least one place where bats could cross the road corridor by flying less than 33 feet (10 meters) between trees whose tops are at least 66 feet (20 meters) higher than the road surface?

    No

22. Will the proposed Action involve the creation of a new water-borne contaminant source (e.g., leachate pond, pits containing chemicals that are not NSF/ANSI 60 compliant)?

    Note: For information regarding NSF/ANSI 60 please visit https://www.nsf.org/knowledge-library/nsf-ansi-standard-60-drinking-water-treatment-chemicals-health-effects

    No

23. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

    No

24. Will the action include drilling or blasting?

    No

25. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

    No

26. Will the proposed action involve the use of herbicides or other pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

    No

27. Will the action include or cause activities that are reasonably certain to cause chronic or intense nighttime noise (above current levels of ambient noise in the area) in suitable summer habitat for the northern long-eared bat or tricolored bat during the active season?

    Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time. Sources of chronic or intense noise that could cause adverse effects to bats may include, but are not limited to: road traffic; trains; aircraft; industrial activities; gas compressor stations; loud music; crowds; oil and gas extraction; construction; and mining.

    Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines.

    No

28. Does the action include, or is it reasonably certain to cause, the use of permanent or temporary artificial lighting within 1000 feet of suitable northern long-eared bat or tricolored bat roosting habitat?

    Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines.

    No

29. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

    Yes

30. Will the proposed action occur exclusively in an already established and currently maintained utility right-of-way?

    No

31. Does the action include emergency cutting or trimming of hazard trees in order to remove an imminent threat to human safety or property? See hazard tree note at the bottom of the key for text that will be added to response letters

    Note: A "hazard tree" is a tree that is an immediate threat to lives, public health and safety, or improved property.

    No

32. Does the project intersect with the 0- 9.9% forest density category?

    Automatically answered

    No

33. Does the project intersect with the 10.0- 19.9% forest density category map?

    Automatically answered

    Yes

34. Does the project intersect with the 20.0- 29.9% forest density category map?

    Automatically answered

    Yes

35. Does the project intersect with the 30.0- 100% forest density category map?

    Automatically answered

    Yes

36. Will the action cause trees to be cut, knocked down, or otherwise brought down across an area greater than 5 acres in total extent?

    No

37. Will the proposed action result in the use of prescribed fire?

    Note: If the prescribed fire action includes other activities than application of fire (e.g., tree cutting, fire line preparation) please consider impacts from those activities within the previous representative questions in the key. This set of questions only considers impacts from flame and smoke.

    No

38. Does the action area intersect the tricolored bat species list area?

    Automatically answered

    Yes

39. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats?

    Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

    Automatically answered

    No

40. Your project overlaps with an area where tricolored bats may be present and roosting in trees year-round.

    Has a presence/probable absence survey for the tricolored bat following the Service's Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines been conducted within the project area? If unsure, answer "No."

    No

41. Your project overlaps with an area where tricolored bats may be present and roosting in trees year-round.

    Is suitable tricolored bat habitat present within 1000 feet of project activities? Note: If there are trees within the action area that may provide potential roosts for tricolored bats (e.g., clusters of leaves in live and dead deciduous trees, Spanish moss *(Tillandsia usneoides),* clusters of dead pine needles of large live pines) answer "Yes." Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines.

    Yes

42. Do you have any documents that you want to include with this submission?

    No

PROJECT QUESTIONNAIRE

Enter the extent of the action area (in acres) from which trees will be removed - round up to the nearest tenth of an acre. For this question, include the entire area where tree removal will take place, even if some live or dead trees will be left standing.

3.8

IPAC USER CONTACT INFORMATION

Agency: Army Corps of Engineers
Name: Mark Wimmer
Address: 4155 Clay St, Vicksburg, MS 39183
City: Vicksburg
State: MS
Zip: 39183
Email mark.d.wimmer@usace.army.mil
Phone: 6016342091

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Louisiana Ecological Services Field Office
200 Dulles Drive
Lafayette, LA 70506
Phone: (337) 291-3100 Fax: (337) 291-3139

In Reply Refer To: 02/28/2025 22:09:30 UTC
Project code: 2025-0062783
Project Name: 2020 PL 84-99 Ouachita River Levee Setbacks

Subject: Technical Assistance letter for the project named '2020 PL 84-99 Ouachita River Levee Setbacks' for specified threatened and endangered species that may occur in your proposed project location pursuant to the Louisiana Endangered Species Act project review and guidance for other federal trust resources determination key (Louisiana DKey).

Dear Mark Wimmer:

The U.S. Fish and Wildlife Service (Service) received on February 28, 2025 your effects determination(s) for the '2020 PL 84-99 Ouachita River Levee Setbacks' (the Action) using the Louisiana DKey within the Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based on your answers, and the assistance in the Service's Louisiana DKey, you made the following effect determination(s) for the proposed Action:

Species	**Listing Status**	**Determination**
Red-cockaded Woodpecker (*Dryobates borealis*)	Threatened	No effect

Your agency has met consultation requirements for these species by informing the Service of the "no effect" determinations. No further consultation for this project is required for these species. This technical assistance letter confirms you may rely on effect determinations you reached by considering the Louisiana DKey to satisfy agency consultation requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 et seq.; ESA).

The Service recommends that your agency contact the Service or re-evaluate the project in IPaC if: 1) the scope or location of the proposed project is changed significantly, 2) new information reveals that the action may affect listed species or designated critical habitat; 3) the action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs,

additional consultation should take place before project changes are final or resources committed.

This IPaC-generated letter only applies to the species in the above table and **does not** apply to the following ESA-protected species that also may occur in the Action Area:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

Please Note: If the Federal Action may impact bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act (BGEPA) (54 Stat. 250, as amended, 16 U.S.C. 668a-d) may be required. Please contact Ulgonda Kirkpatrick (phone: 321/972-9089, e-mail: ulgonda_kirkpatrick@fws.gov) with any questions regarding potential impacts to bald or golden eagles.

Action Description
You provided to IPaC the following name and description for the subject Action.

1. Name

2020 PL 84-99 Ouachita River Levee Setbacks

2. Description

The following description was provided for the project '2020 PL 84-99 Ouachita River Levee Setbacks':

> Two levee setbacks are proposed along the Ouachita River south of Monroe, LA. One is Approximately 1 mile west of Richwood, LA and the other is 4 miles North of Riverton, LA.
>
> The main construction features is a set back of the existing levee at sites 1 and 12. The existing levee will be degraded concurrently with new levee construction while maintaining a continuous level of protection to an interim grade based on the Ouachita River 100-year elevation at the setback location. Once the new levee setback has been constructed to the 100-year Ouachita River elevation of its location, the remaining existing levee will be degraded to the existing terrain elevation and sloped towards the river with a -1.00% slope. The material excavated from the existing levee will then be used to help complete the construction of the new levee. The design of the setback will bring the levee to the authorized grade of plus 0.7 feet of overbuild for Site 1 and plus 2.0 feet of overbuild for Site 12, used to compensate for fill shrinkage and foundation settlement.
>
> There will be a total cut of 25,261.80 Cu Yd. of material cut and 40575.9 Cu Yd. of fill material for a net fill of 15,314.1

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@32.20862955,-92.12786431951722,14z

QUALIFICATION INTERVIEW

1. Is the action authorized, funded, or being carried out by a Federal agency?

   Yes

2. Is the action authorized, funded, or being carried out by the:

   a. U.S Army Corps of Engineers

3. Please identify your agency or organization type:

   a. Federal agency

4. Have you determined that the project will have "no effect" on federally listed species? (If unsure select "No")

   No

5. Are you with the U.S. Army Corps of Engineers Regulatory Division?

   No

6. Are you with the U.S. Army Corps of Engineers Planning Division?

   Yes

7. Is the action part of a Civil Works project?

   Yes

8. Does the action result in the discharge of fill into wetlands that meets the *de minis* standard?

   No

9. Is the action covered by a categorical exclusion?

   No

10. Will the action require the preparation of a National Environmental Policy Act of 1969 (NEPA; 83 Stat. 852, as amended; 42 U.S.C. 4321-4347): Environmental Assessment, an Environmental Impact Statement of similar document?

    Yes

11. Was a NEPA required Environmental Assessment, Environmental Impact Statement, or similar document prepared within the last 5 years for the action?

    No

12. Will the action impact fish and wildlife habitat?

    No

13. [Hidden Semantic] Does the project intersect the red-cockaded woodpecker (RCW) AOI?

    Automatically answered

    Yes

14. Will the project involve removal of suitable RCW foraging habitat (pine or pine/hardwood stands in which 50 percent or more of the dominant trees are pines and the dominant pine trees are 30 years of age or older)?

    Yes

15. Will the project involve removal of suitable RCW nesting habitat (pine or pine/hardwood stands that contain pines 60 years of age or older)?

    No

16. Does suitable RCW nesting habitat occur within 0.5 mile of the suitable foraging habitat that would be impacted by the project?

    No

17. [Hidden Semantic] Does the project intersect the pink mucket mussel AOI ?

    Automatically answered
    No

18. (Semantic) Does the project intersect the Louisiana black bear Range?

    Automatically answered
    No

IPAC USER CONTACT INFORMATION

Agency: Army Corps of Engineers
Name: Mark Wimmer
Address: 4155 Clay St, Vicksburg, MS 39183
City: Vicksburg
State: MS
Zip: 39183
Email mark.d.wimmer@usace.army.mil
Phone: 6016342091

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, VICKSBURG DISTRICT
4155 CLAY STREET
VICKSBURG, MS 39183-3435

REPLY TO
ATTENTION OF:

Regional Planning and
Environment Division South
Environmental Compliance Branch

April 2, 2025

CLEAN WATER ACT, SECTION 404
PUBLIC NOTICE

PL 84-99 OUACHITA RIVER LEVEE SETBACKS

Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE), Vicksburg District (CEMVK), proposes to construct two levee setbacks along the Ouachita River with one in Ouachita Parish and one in Caldwell Parish. The proposed work involves the placement of fill material into waters of the U.S., therefore, the provisions of Title 33 CFR Parts 336.1(b)(1) and 337.1, effective April 26, 1988, are applicable and issuance of this public notice is required.

This notice is being distributed to all interested state and federal agencies and other known parties to make aware USACE, CEMVK's intentions to initiate bank stabilization efforts in the area of work listed herein.

PROJECT: PL 84-99 Ouachita River Setbacks

PROJECT AUTHORITY: Under Public Law 84-99, the Chief of Engineers, acting for the Secretary of the Army, is authorized to undertake activities, including disaster preparedness, advance measures, emergency operations (flood and post flood responses), rehabilitation of flood control works threatened or destroyed by flood, protection or repair of Federally authorized shore protective works threatened or damaged by coastal storm, and provisions of emergency water due to drought or contaminated source.

PROJECT PURPOSE AND NEED: The purpose of the proposed action is to provide a means of preventing further erosion of the bank in the project area. The need of the proposed project is to prevent further bank degradation and mitigate risk of flood damages/

PROJECT LOCATION: PL 84-99 Ouachita River Levee (ORL) Rehabilitation Sites 1 is located in Ouachita Parish and site 12 in Caldwell Parish in Northeast Louisiana. This is part of the Tensas River Basin south of Monroe, LA along the left descending bank of the Ouachita River.

DESCRIPTION OF ACTION: two levee setbacks would occur at 1 and 12. The existing levee would be degraded concurrently with new levee construction while maintaining a continuous level of protection to an interim grade based on the Ouachita River 100-year elevation at the setback location. Once the new levee setback has been constructed to the 100-year Ouachita River elevation of its location, the remaining existing levee would be degraded to the existing

terrain elevation and sloped towards the river with a -1.00% slope. The material excavated from the existing levee would then be used to help complete the construction of the new levee. The design of the setback would bring the levee to the authorized grade of plus 0.7 feet of overbuild for Site 1 and plus 2.0 feet of overbuild for Site 12, used to compensate for fill shrinkage and foundation settlement.

Fill material for levee setbacks will be taken from an approximately 3.75 acre cleared borrow area SE of Monroe, LA and North of Pine Grove.

METHODS OF DISCHARGE: A net total of 15,324 cu yds of fill will discharged to construct the setbacks. Access will be from either existing roadways

ADJACENT PROPERTIES: Properties immediately adjacent to the area for construction work are being or may be used by the owners for one or more of the following:

Residences, businesses, and other commercial activities

NATIONAL ENVIRONMENTAL POLICY ACT DOCUMENTATION: The USACE, CEMVK has completed an Environmental Assessment (EA), which analyzed the impacts of this proposed project. The EA resulted in a Finding of No Significant Impact (FONSI) and is being released for public comment along with this public notice.

STATE WATER QUALITY CERTIFICATION: A 404 (b)(1) review for this proposed project was completed on February 20, 2025, and subsequently, an application for a water quality permit would be sent to the Louisiana Department of Environmental Quality following concurrence of the finding of the 404 (b)(1) review.

THREATENED OR ENDANGERED SPECIES: The U.S. Fish and Wildlife Service's (FWS) Information Planning and Consultation (IPaC) tool was used to obtain a report of the federally-listed species in the project area. Those species are the Tricolored Bat (*Perimyotis septentrionalsis*), the red-cockaded woodpecker (*Picoides borealis*), the alligator snapping turtle (*Macrochelys temminckii*), and the monarch butterfly (*Danaus plexippus*). The determination of the IPAC was no effect for species covered under its determination keys. Due to habitat requirements and life histories of all listed species on IPAC not matching the project area, USACE is making a "No Effect" determination of all listed species in the project area. No further consultation with the USFWS is required at this time.

CULTURAL RESOURCES: Pursuant to 36 CFR 800.3 (a)(1) a CEMVK archaeologist has determined that the project has no potential to cause effect to historic properties eligible for the National Register of Historic Places. Consultation letters were sent out to the appropriate State and Tribal Historic Preservation Offices and concurrence is expected the work would not begin before it's received.

COORDINATION: The following is a partial list of agencies to which a copy of this notice is being sent:

U.S. Environmental Protection Agency, Region VI
U.S. Fish and Wildlife Service
Louisiana Department of Environmental Quality
Louisiana Department of Natural Resources
Louisiana Department of Wildlife and Fisheries
Louisiana Department of Transportation and Development
Louisiana State Historic Preservation Officer

This notice is being distributed to these and other appropriate congressional, federal, state, and local interests, environmental organizations, and other interested parties.

PROJECT PLANS: Plans for the proposed work will be on file in the Regional Planning and Environment Division South Office, U.S. Army Corps of Engineers, Vicksburg District, 4155 East Clay Street, Vicksburg, Mississippi 39183, and may be seen by anyone having interest in them.

PUBLIC INVOLVEMENT: Interested parties may submit comments regarding the proposed work in writing to Mr. Dan Moore, U.S. Army Corps of Engineers, Vicksburg District, CEMVK-PDN-UDP, 4155 East Clay Street, Vicksburg, Mississippi 39183 or by email at Daniel.r.moore@usace.army.mil. Mr. Moore can also be reached at (601) 631-5008.

Any person who has an interest that may be affected by this proposed project action may request a public hearing. The request must be submitted in writing to Mr. Moore within the comment period of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by the proposed action. You are requested to communicate the information contained in this notice to any parties who may have an interest in the proposed action.

Sincerely,

Mark Smith
Chief, Environmental Compliance Branch

Enclosures

COMMENT PERIOD FOR THIS PUBLIC NOTICE EXPIRES: **April 17, 2025**

DRAFT 404(b)(1) EVALUATION

Ouachita and Caldwell Parishes, Louisiana
2020 PL 84-99 Ouachita River Levee Setbacks

I. Project Description

a. Location

The proposed project involves constructing two levee setbacks along the Ouachita River in Caldwell and Ouachita Parishes, Louisiana. The project is located along the river south of Monroe, LA (Figure 1).

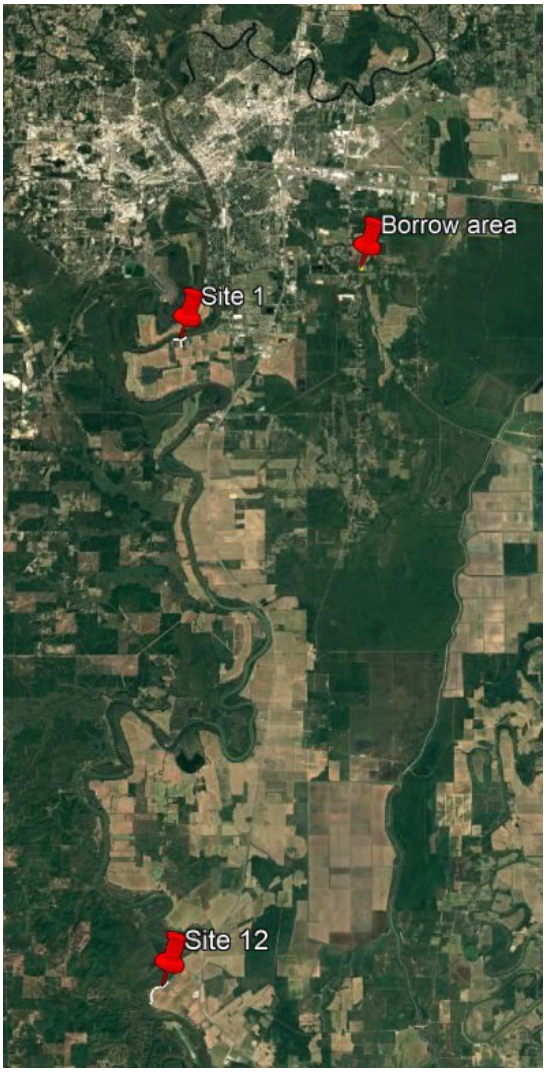


Figure 1: Ouachita PL 84-99 Project Area.

b. General Description

The U.S. Army Corps of Engineers (USACE), Vicksburg District (MVK), is proposing a levee setback project

Two alternatives were initially considered: Alternative 1 (No-Action) and Alternative 2 (levee setbacks). Alternative 2 proposes completing two levee setback sites on the Ouachita River. Under this alternative, two levee setbacks would occur at 1 and 12. The existing levee would be degraded concurrently with new levee construction while maintaining a continuous level of protection to an interim grade based on the Ouachita River 100-year elevation at the setback location. Once the new levee setback has been constructed to the 100-year Ouachita River elevation of its location, the remaining existing levee would be degraded to the existing terrain elevation and sloped towards the river with a -1.00% slope. The material excavated from the existing levee would then be used to help complete the construction of the new levee. The design of the setback would bring the levee to the authorized grade of plus 0.7 feet of overbuild for Site 1 and plus 2.0 feet of overbuild for Site 12, used to compensate for fill shrinkage and foundation settlement.

Table 1. Fill material for each setback location.

Volume Summary

Name	Type	Cut Factor	Fill Factor	2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
Site 1 - Volume Surface - Degrade	full	1.000	1.000	87573.88	15799.20	0.13	15799.07<Cut>
Site 1 - Volume Surface - Embankment	full	1.000	1.000	111989.13	0.01	24438.55	24438.54<Fill>
Site 12 - Volume Surface - Degrade	full	1.000	1.000	77699.52	9462.56	2.56	9460.00<Cut>
Site 12 - Volume Surface - Embankment	full	1.000	1.000	79454.59	0.03	16134.66	16134.63<Fill>

Totals

	2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
Total	356717.13	25261.80	40575.90	15314.10<Fill>

* Value adjusted by cut or fill factor other than 1.0

Clearing and grubbing on the levee would take place prior to construction however, minimal impacts would occur as the repairs are parallel to an existing levee system that is regularly maintained. Approximately 3.8 acres of trees will have to be cut for the levee setbacks. Access to all sites would be from existing roadways. One borrow pit is proposed at an approximately 3.75 acre cleared borrow area SE of Monroe, LA and North of Pine Grove . No wetlands would be impacted by the proposed actions.

c. Authority and Purpose

Under Public Law 84-99, the Chief of Engineers, acting for the Secretary of the Army, is authorized to undertake activities, including disaster preparedness, advance measures, emergency operations (flood and post flood responses), rehabilitation of flood control works threatened or destroyed by flood, protection or repair of Federally authorized shore protective works threatened or damaged by coastal storm, and provisions of emergency water due to drought or contaminated source. During the Spring of 2019, widespread rainfall over the Ouachita River Basin resulted in extensive flooding along the Ouachita River. Stormwater runoff generated from this heavy rainfall caused the Ouachita River gage at Monroe to exceed flood stage for sixty-four (64) consecutive days. The Ouachita River gage at Monroe exceeded flood stage on April 11, 2019, crested 5.8 feet above flood stage on May 23, 2019, and receded below flood stage on June 14, 2019. The purpose of this action is to address the damage sustained during the high-water event consists of riverbank erosion that has damaged and seriously threatened the Ouachita River levees.

There is a need to protect the agricultural, urban, and human life interests in the neighboring communities. Without said action failure of the levee could lead to significant loss and damage to human life and property. It is also necessary in order to meet the USACE mandate of providing 100 yr. flood protections to the community.

d. General Description of Dredged or Fill Material

1) General Characteristics of Material – Fill material for this project would primarily consist of clay from the proposed borrow area

2) Quantity of Material – This proposed action would install approximately 15,314.1 Cu Yds of fill.

3) Source of Material – Any required additional material, such as gravel for the top of the new levees, would be furnished by the contractor.

e. Description of the Proposed Discharge Site(s)

1) Location – The longitudinal peaked stone toe dikes will be placed at five sites (along the levee bank with tiebacks every 200 feet).

2) Size – It is anticipated that no wetlands along the levee bank would be impacted by the installation of the toe dikes.

3) Type(s) of Habitat – Habitat consists of non-wetland herbaceous levee habitat and mowed/maintained corridors located within the project vicinity.

4) Timing and Duration of Discharge – Construction is scheduled to commence in the immediate future and would take place as soon as possible. However, every effort would be made to construct during periods of low water and dry conditions, and best management practices would be applied so as not to disturb migratory birds or summer roosts for bats.

f. Description of Disposal Method

Heavy equipment will construct the new levees at the same time as the old levees are degraded.

II. Factual Determinations

a. Physical Substrate Determinations

1) Substrate Elevation and Slope – A significant portion of the soils is classified as levee-borrow pit complex meaning that the soils present were brought in from other locations as part of levee construction. These soils are classified as somewhat poorly drained and sloped from 5-25%.

2) Sediment Type – A significant portion of the soils is classified as levee-borrow pit complex meaning that the soils present were brought in from other locations as part of levee construction.

Other soils present at the levee sites include: Sterling silt loam, Herbert silt loam, Barclary Rosenbloom complex (loamy), Sterlington silt loam, and more Rillia silt loam. These are areas known to have occasional flooding.

The borrow area is primarily composed of Portland clay and Rillia silt loam. Both of these soils are have low slopes of 0-1%. The Portland clay is poorly drained while the Rillia silt loam is well drained.

3) Dredged/Fill Material Movement – Access to all sites would be from existing roadways.

4) Physical Effects on Benthos – N/A

5) Other Effects – N/A

6) Actions Taken to Minimize Impacts - The following actions would be implemented during construction to minimize impacts:

- Effective erosion control would be in place prior to construction and maintained throughout the construction period.
- Construction is expected to take place during periods of low rainfall and low water stages.
- Vegetation to be cleared would be the minimum necessary to allow for construction access.
- Construction debris shall be disposed of properly.
- Appropriate steps will take place to ensure that petroleum products or other chemical pollutants are prevented from entering the water.

b. Water Circulation, Fluctuation, and Salinity Determinations

1) Water. No change in water quality is expected due to this action.

a) Salinity – No expected change.

b) Water Chemistry – The water chemistry of the project area would not be expected to change as a result of the placement of stone.

c) Clarity – Minor and temporary chances are expect only during the initial placement of stone.

d) Color – minor and temporary chances are expect only during the initial placement of stone.

e) Odor – No expected change.

f) Taste – No expected change.

g) Dissolved Gas Levels – No expected change.

h) Nutrients – No expected change.

i) Eutrophication – No expected change.

j) Others as appropriate – N/A

2) Current Patterns and Circulation

a) Current Patterns and Flow – No expected change.

b) Velocity – No expected change.

c) Stratification – No expected change.

d) Hydrologic Regime – No expected change.

3) Normal Water Level Fluctuations – No expected change.

4) Salinity Gradients – N/A

5) Actions Taken to Minimize Impacts – Actions that would be implemented during construction to minimize impacts have been previously described in the Factual Determinations section above.

c. Suspended Particulate/Turbidity Determinations

1) Expected Changes in Suspended Particulates and Turbidity Levels in Vicinity of Site – Minor increases in suspended particulates and turbidity levels are expected during construction. Best management practices would be used throughout the construction process to minimize the impact. Ambient conditions are expected to return shortly after completion of construction.

2) Effects on Chemical and Physical Properties of the Water Column

a) Light Penetration – No expected change.

b) Dissolved Oxygen – No expected change.

c) Toxic Metals and Organics – No effect on toxic metals and organics are expected.

d) Pathogens – N/A

e) Aesthetics – Aesthetics would be temporarily impacted during construction due to the presence of construction equipment. The disturbed area is expected to be seeded with grasses to prevent erosion.

f) Others as Appropriate – None noted.

3) Effects on Biota

- Primary Production – Vegetation to be cleared would be the minimum necessary to allow for construction access.

a. Suspension/Filter Feeders – N/A.

b. Sight Feeders – N/A

c. Actions taken to Minimize Impacts – Actions that would be implemented during construction to minimize impacts have been previously described in the Factual Determinations section above.

d. Contaminant Determinations – It is not expected that any contaminants will be introduced or translocated due to construction. A hazardous, toxic, and radioactive waste survey is being conducted in the area. No potential sources of contamination are expected to be found.

e. Aquatic Ecosystem and Organism Determinations

1) Effects on Plankton – N/A

2) Effects on Benthos – N/A.

3) Effects on Nekton – N/A.

4) Effects on Aquatic Food Web – N/A

5) Effects on Special Aquatic Sites

a) Sanctuaries and Refuges – N/A

b) Wetlands – N/A

c) Mud Flats – N/A

d) Vegetated Shallows – It is anticipated the impacts to vegetated shallow be minor and insignificant.

e) Coral Reefs – N/A

f) Riffle and Pool Complexes – N/A

6) Threatened and Endangered Species – With implementation of the proposed action, there would be little reason to expect any adverse effects to threatened or endangered species. USACE completed Section 7 consultation, through USFWS's Information for Planning and Consultation (IPaC) website. As part of the IPaC process a NLEB range wide determination key was completed and determined that the proposed actions of this project may affect but are not likely to adversely affect the NLEB. A determination key was also completed for the red-cockaded woodpecker and determined the proposed actions would have no effect. A determination was was made by a USACE biologist that the project would have no effect to the alligator snapping turtle or the monarch butterfly. There is not suitable habitat for the woodpecker in the project area and any turtle would vacate the area during construction to return after its completion. No consultation is required for species with a "no effect" determination and a verification letter was received through the IPaC system stating concurrence from the Louisiana USFWS on the NLEB determination.

7) Other Wildlife – There are no anticipated negative effects due to project construction with implementation of Alternative 2. Wildlife movement and activity patterns would be temporarily influenced during project construction due to the general traffic and noise generated by equipment operation. This temporary impact is not significant especially as best management practices should have any construction happen outside of the nesting season. any species temporarily dispersed by the activity should return to the vicinity once construction is complete.

8) Actions Taken to Minimize Impacts – Actions that would be implemented during construction to minimize impacts have been previously described in the Factual Determinations section above, chiefly construction will occur in low-flow periods and impact areas will be limited to the extent necessary for construction.

f. <u>Proposed Disposal Site Determinations</u>

1) Mixing Zone Determinations – N/A

2) Determination of Compliance with Applicable Water Quality Standards – USACE- MVK, has received water quality certification from the State of Louisiana, Department of Environmental Quality # 250313-01 dated 18 March 2025.

3) Potential Effects on Human Use Characteristic

a) Municipal and Private Water Supply – N/A

b) Recreational and Commercial Fisheries – Any disruption will be temporary in nature and limited to only the during active construction activities.

c) Water Related Recreation – N/A

d) Aesthetics – Aesthetics would be temporarily impacted during construction due to the presence of construction equipment. The area is expected to be seeded with grasses to prevent erosion.

e) Parks, National, and Historical Monuments, National Seashores, Wilderness Areas, Research Sites, and Similar Preserves – NA

g. Determination of Cumulative Effects on the Aquatic Ecosystem – Impacts of the proposed project action were evaluated during the preparation of the EA on the natural and human environment. No adverse cumulative negative impacts are expected to occur to the aquatic ecosystem due to project construction.

h. Determination of Secondary Effects on the Aquatic Ecosystem – N/A

III. Findings of Compliance for MRL Seepage Control Measures

a. Evaluation of Availability of Practical Alternatives to the Proposed Discharge Site Which Would Have Less Adverse Impact on the Aquatic Ecosystem

A draft environmental assessment has been completed that addresses alternatives to the proposed action. The no action alternative was determined not to properly address the bank erosion concerns. The proposed action would protect existing public infrastructure, and private homes and businesses. Without installation of erosion control measures, the integrity of the levee would be compromised. Bank erosion could potentially undermine the levee and cause fail during a flood event.

b. Compliance with Applicable State Water Quality Standards

A pre-application for State of Louisiana water quality certification has been submitted. A full application will be submitted upon completion of public review of the EA. A determination concerning water quality certification has not been made to date. Those making comments to this 404(b)(1) evaluation are asked to furnish a copy of their comments to the Louisiana Department of Environmental Quality.

c. Compliance with Applicable Toxic Effluent Standard or Prohibition Under Section 307 Of the Clean Air Act

The air quality within the study area is in attainment of national air quality standards and is currently considered good. The current air quality index for the primary pollutant, ozone, is 16. The equipment to be used is a mobile source. Therefore, the project is exempt from air quality permitting requirements.

d. Compliance with Endangered Species Act of 1973

USACE completed Section 7 consultation through USFWS's Information for Planning and Consultation (IPaC) website. USACE has received a concurrence letter regarding its determination of no effect for the alligator snapping turtle, red-cockaded woodpecker, monarch butterfly, and the tricolored bat. This project falls outside the range of the northern long-eared bat.

e. Compliance with Specified Protection Measures for Marine Sanctuaries Designated by the Marine Protection, Research, and Sanctuaries Act of 1972

Not applicable.

f. Evaluation of Extent of Degradation of the Waters of the United States

1) Significant Adverse Effects on Human Health and Welfare

a) Municipal and Private Water Supplies – N/A

b) Recreation and Commercial Fisheries – N/A

c) Plankton – N/A

d) Fish – N/A.

e) Shellfish – N/A

f) Wildlife – No significant impacts are expected.

g) Special Aquatic Sites – N/A

2) Significant Adverse Effects on Life Stages of Aquatic Life and Other Wildlife

Dependent on Aquatic Ecosystems

No significant impacts are expected.

3) Significant Adverse Effects on Aquatic Ecosystem Diversity, Productivity, and Stability

No significant impacts are expected.

4) Significant Adverse Effects on Recreational, Aesthetic, and Economic

No significant impacts are expected.

g. Appropriate and Practical Steps Taken to Minimize Potential Adverse Impacts of the Discharge on the Aquatic Ecosystem

Actions that would be implemented during construction to minimize impacts have been previously described in the Factual Determinations section above, chiefly best management practices will be implemented and unavoidable impacts mitigated, construction would occur during low-flow periods, and impact areas will be limited to the extent necessary for construction,

h. On the Basis of the Guidelines, the Proposed Disposal Site(s) for the Discharge of Dredged or Fill Material is:

not applicable.

22 February 2025
Date

David Wimmer
Biologist, USACE
CEMVN-PDN-UDP

JEFF LANDRY
GOVERNOR

AURELIA S. GIACOMETTO
SECRETARY

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL SERVICES

MAR 11 2025

Mr. Daniel Moore
US Army Corps of Engineers, Vicksburg District
4155 East Clay Street
Vicksburg, MS 39183

AI No.: I00406
Activity No.: CER2025000 I

RE: Ouachita River Emergency Levee Setbacks PL 84-99
Water Quality Certification WQC 250311-0 I
Ouachita Parish

Dear Mr. Moore:

The Louisiana Department of Environmental Quality, Water Permits Division (LDEQ), has reviewed the application requesting authorization to excavate and place fill to reconstruct portions of the Ouachita River levee to provide long-term solutions for protection of human life, natural resources, personal and public property, and infrastructure located on the left descending bank of the river near Richwood, Ouachita Parish.

The information provided in the application has been reviewed to assess compliance with State Water Quality Standards, the approved Water Quality Management Plan and applicable state water laws, rules and regulations. LDEQ has complied with its public notice procedures established pursuant to Clean Water Act Section 40 I(a)(l). LDEQ determined that the requirements for a Water Quality Certification have been met. LDEQ concludes that the discharge of fill will not violate water quality standards as provided for in LAC 33:IX.Chapter 11. Therefore, LDEQ hereby issues US Army Corps of Engineers, Vicksburg District - Ouachita River Emergency Levee Setbacks PL 84-99 Water Quality Certification, WQC 250311-01.

Should you have any questions concerning any part of this certification, please contact Elizabeth Hill at (225) 219-3225 or by email at elizabeth.hill@la.gov. Please reference Agency Interest (AI) number 100406 and Water Quality Certification 250311-01 on all future correspondence to this Department to ensure all correspondence regarding this project is properly filed into the Department's Electronic Document Management System.

Sincerely,

Jenniffer Sheppard, Administrator
Water Permits Division

c: IO-W

ec: daniel.r.moore@usace.army.mil
mark.d.wimmer@usace.army.mil

State of Louisiana

EXECUTIVE DEPARTMENT

PROCLAMATION NUMBER 135 JBE 2019

RENEWAL OF STATE OF EMERGENCY - SEVERE WEATHER AND FLOODING

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.,* confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or manmade causes, in order to ensure that preparations of this State will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, La. R.S. 29:724(B)(l) empowers him to declare a state of emergency by executive order or proclamation, or both;

WHEREAS, a line of storms moved into the state May 8-12, 2019, bringing with it high winds, heavy rainfall, local flooding, and tornadoes;

WHEREAS, multiple parishes reported road closures, localized flooding, power and water outages, downed trees, debris, and damage to numerous structures;

WHEREAS, numerous parishes declared states of emergency and recovery activities continues in several of the parishes that were affected by this storm event;

WHEREAS, Proclamation Number 73 JBE 2019, issued on May 10, 2019, declared a state of emergency for the State of Louisiana as a result of these severe storms; and

WHEREAS, due to the continuation of emergency conditions and recovery activity in the affected areas, it is necessary to renew 73 JBE 2019 to extend the state of emergency.

NOW THEREFORE, I, **JOHN BEL EDWARDS,** Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.,* Proclamation Number 73 JBE 2019, issued on May 10, 2019 is hereby renewed, and a state of emergency is hereby declared to exist in the State of Louisiana as a result of the imminent threat of emergency conditions that threaten the lives and property of the citizens of the State.

SECTION 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to undertake any activity authorized by law which he deems appropriate in response to the renewal and extension of this declaration.

SECTION 3: Pursuant to the La. R.S. 29:732, the prohibition against price gouging during this declared state of emergency is hereby renewed.

SECTION 4: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to the effects of this severe weather event.

SECTIONS: This state of emergency extends from Friday, September 6, 2019 to Saturday, October 5, 2019, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 5th day of September, 2019.

GOVERNOR OF LOUISIANA

ATTEST BY THE SECRETARY OFSTATE

SECRETAR OF S