



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT  
7400 LEAKE AVE  
NEW ORLEANS LA 70118-3651

April 20, 2023

Regional Planning and  
Environment Division South  
Environmental Compliance Branch

**CLEAN WATER ACT, SECTION 404  
PUBLIC NOTICE**

**Environmental Assessment #584**

**Mississippi River and Tributaries Project,  
Mississippi River Levees,  
Fifth Louisiana Levee District, Upper Fifth Levee Enlargement, Borrow Site  
Expansion  
Concordia Parish, Louisiana**

Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE), New Orleans District (CEMVN), proposes to raise the height of approximately 19,000 linear feet (3.5-miles) of levee (intermittent) to authorized design height on the west bank Mississippi River levee (MRL) in Concordia Parish, Louisiana. The project will begin approximately at River Mile 320 and end at River Mile 317 (Figure 1). The existing MRL reach has an average grade deficiency of approximately 4.0 feet and requires excavation of approximately 93,000 cubic yards of earthen fill material from the project borrow site (Figure 2). Excavation of fill material from the project borrow site involves discharge of dredged material and fill into navigable 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.

Previously, a flood side borrow area, approximately 13 acres in size was proposed to provide earthen material for the project. After further consideration and analyses, some areas in the original borrow site was deemed unsuitable and a larger borrow area is needed (Figure 2). Thus, the original borrow design has been expanded an additional 27.45 acres for a total size of approximately 40 acres. The remaining project right of way is unchanged.

**PROJECT AUTHORITY:** The proposed action was authorized by the Flood Control Act of 1928 (Public Law 70-391), as amended, including but not limited to, the Flood Control Act of 1936 (Public Law 74-738), the Flood Control Act of 1938 (Public Law 75-761), the Flood Control Act of 1941 (Public Law 77-228), the Flood Control Act of 1946 (Public Law 79-526), the Flood Control Act of 1950 (Public Law 81-516), the Flood Control Act of 1954 (Public Law 83-780), the Flood Control Act of 1962 (Public Law 87-874), the Flood Control

Act of 1965 (Public Law 89-298), the River and Harbor and Flood Control Act of 1968 (Public Law 90-483), and the Water Resources Development Act (WRDA) of 1986 (Public Law 99-662).

**PROJECT PURPOSE:** The purpose of the proposed action is to continue providing flood risk reduction resulting from Mississippi River high water events to valuable land uses including, but not limited to, residential and agricultural resources located on the west bank of the Mississippi River in Concordia Parish, Louisiana.

The MRL continues to serve as an integral part of reducing the risk to communities from not only Mississippi River high water events but also any potential hurricane driven storm surge traveling upstream from the mouth of the Mississippi River.

**DESCRIPTION OF ACTION:** The proposed action consists of expanding the existing 13-acre borrow area by excavating an additional 27.45 acres.

Prior to excavation at the proposed borrow site, bulldozers would be utilized to clear the areas of trees, scrub brush, other vegetation, and earthen material deemed not suitable for the levee enlargement project. The borrow site would then be excavated to a pit depth of approximately 12 ft NAVD88. It is estimated 2 ft of earthen material is unsuitable. Excavation activities at the proposed borrow sites would be conducted during dry or low water periods, or as much as practicable. The vegetation and unsuitable earthen material removed would all be used to form a dike surrounding the borrow pit. Groundwater seeping into the pit would be pumped out into adjacent areas and would drain to the Mississippi River. Excavators would remove the earthen material deemed suitable for the levee project, which would then be processed within and adjacent to the borrow pit to reduce the moisture content within the soil. Moisture content processing would be performed by mechanical methods such as utilizing bulldozers to stockpile materials and disks to further reduce the moisture content of the soil. Once the moisture content has been reduced to acceptable levels, borrow material would be hauled in trucks to the Work Area. Transportation routes for trucks carrying borrow material would be situated either on top of the existing levee or along the flood side levee toe. After all suitable earthen material is excavated from the pits, the trees, shrubs and other vegetation removed during clearing and grubbing operations would be placed into the pit to provide potential cover habitat for wildlife and fisheries resources. Earthen material deemed to be unsuitable for the levee project or as embankment fill would also be placed into the pit, with slopes not steeper than 1V:3H, which would create a shallow ledge extending approximately 10 to 15 ft into the pit.

**NATIONAL ENVIRONMENTAL POLICY ACT DOCUMENTATION:** The April 1976 Final Environmental Impact Statement (1976 FEIS), "*Mississippi River and Tributaries Mississippi River Levees and Channel Improvement*", evaluated the environmental impacts for previously identified Mississippi River and Tributaries (MR&T) Project

features, including the Mississippi River levees and floodwalls. A Statement of Findings was signed by Major General Ernest Graves, USACE, Director of Civil Works, on April 4, 1976.

The July 1998 *"Flood Control, Mississippi River and Tributaries, Mississippi River Mainline Levees, Enlargement and Seepage Control, Cape Girardeau, Missouri to Head of Passes, Louisiana"* Final Supplemental Environmental Impact Statement (1998 SEIS), was a joint effort of USACE Vicksburg, Memphis and CEMVN Districts. The 1998 SEIS was prepared to report the findings of studies conducted for the MR&T Project in the alluvial valley between Cape Girardeau, Missouri, and Head of Passes, Louisiana, based on environmental laws and regulations passed since 1976 to cover the remaining unconstructed MRL and seepage control projects that are part of the MR&T Project. A Record of Decision was signed by Major General Phillip R. Anderson, U.S. Army President Designee, Mississippi River Commission, on 5 October 1998.

The March 2021 Final Supplement II (Final SEIS II) to the 1976 Final Environmental Impact Statement (FEIS), MR&T Project, Mississippi River Mainline Levees, evaluated the environmental impacts associated with a total of 143 additional work items, to include the proposed project, along various reaches of the MRL feature of the MR&T project located across portions of seven states: Illinois, Missouri, Kentucky, Tennessee, Arkansas, Mississippi and Louisiana. The 2021 Final SEIS II proposed action consists of constructing remedial measures necessary to control seepage and/or raise and stabilize deficient sections of the existing levees and floodwalls to protect the structural integrity and stability of the MRL system, as well as measures to avoid and minimize adverse impacts and compensate for unavoidable losses to significant environmental resources. The Final SEIS II supplements and, as necessary, augments the 1976 FEIS and 1998 SEIS to achieve USACE's primary goals for the MR&T: (1) providing flood risk management from the Project Design Flood; and (2) being an environmentally sustainable project. The Record of Decision was signed by Major General Diana Holland, Commanding General, USACE Mississippi Valley Division, on March 11, 2021.

The impacts of the existing 13-acre borrow area were analyzed and disclosed in final Environmental Assessment 584. The FONSI was signed on August 27, 2021. The expansion portion of the borrow area was analyzed in the Mississippi River and Tributaries Project Mississippi River Mainline Levees Final Supplement II to the Final Environmental Impact Statement.

**SECTION 404(b)(1) GUIDELINES:** Previously, the proposed borrow site was approximately 13 acres and is located on the river side of the levee and is approximately 0.25 miles from the existing levee baseline. The original borrow was utilized and some portions were deemed unsuitable; therefore, a larger borrow area is required. Thus, the original borrow design has been expanded an additional 27.45 acres for a total size of approximately 40 acres.

In order to prepare the borrow site, bulldozers and other heavy construction equipment would be utilized to clear the area of any trees, shrubs, and other vegetation, and earthen material deemed not suitable for the levee enlargement project. The borrow site would then be excavated to a pit depth of approximately -12.0 feet NAVD88. Excavation activities at the proposed borrow site would be conducted during dry or low water periods, or as much as practicable. Any removed vegetation and unsuitable earthen material would be used to form a dike surrounding the borrow area. Groundwater seeping into the borrow area would be pumped out into adjacent areas and drain to the Mississippi River. After all suitable earthen material is excavated from the borrow site, the borrow site would be allowed to fill with both rainwater and water resulting from seasonal high-water events on the Mississippi River. It is expected that the borrow area would remain an open water site for the life of the project.

Any placement of earthen fill material into the waters of the U.S. would be made through the application of guidelines promulgated by the Administrator, Environmental Protection Agency, in conjunction with the Secretary of the Army.

**STATE WATER QUALITY CERTIFICATION:** Pursuant to the Clean Water Act (CWA) of 1972, as amended, a CWA Section 401 State Water Quality Certificate (WQC 210708-01/AI 100873/CER 20210001) was issued by the LDEQ in a letter dated July 12, 2021. According to LDEQ, the water quality certification shall remain in effect for the updated borrow area.

**THREATENED AND ENDANGERED SPECIES:** Pursuant to section 7 of the Endangered Species Act of 1973, as amended, CEMVN has determined that the project would not likely adversely affect any threatened or endangered species or any critical habitat. Coordination with the USFWS was completed on March 28, 2023.

CEMVN has determined that there would be no effect to any threatened or endangered species or critical habitat under the purview of the National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), Protected Resources Division.

**CULTURAL RESOURCES:** The proposed action would decrease future potential that flooding of land in the area could occur. CEMVN determined that no historic properties would be affected by this undertaking. Concurrence for this determination was received in writing by the Louisiana State Historic Preservation Office (SHPO) on May 25, 2021, and March 07, 2023, for the updated borrow area, and from the Seminole Nation of Oklahoma on May 4, 2021. No other consulting parties responded within the regulatory consultation timeframe as specified per 36 CFR 800.4(d)(1)(i) and 36 CFR 800.5(c)1. No impact to known or unknown cultural resources is expected to occur by the proposed action. This proposed action would be subject to the standard change in scope of work, unexpected discovery, and unmarked human burial sites act provisions.

**ADJACENT PROPERTIES:** The only adjacent properties identified are privately owned agricultural lands.

**DREDGING BY OTHERS:** No accurate estimate can be given to the amounts and/or frequency of dredging required to maintain non-Federal facilities in the vicinity of this project.

**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  
National Marine Fisheries Service  
U.S. Coast Guard, Eighth District  
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, Tribal, 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 Environmental Division South Office, Environmental Compliance Branch, Coastal Environmental Compliance Section, U.S. Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, Louisiana 70118, and may be seen by anyone having an interest in them.

**PUBLIC INVOLVEMENT:** Interested parties may express their views on the disposal of material associated with the proposed action or suggest modifications. All comments postmarked on or before the expiration of the comment period for this notice will be considered.

Any person who has an interest that may be affected by deposition of excavated or dredged material may request a public hearing. The request must be submitted in writing to the District Engineer 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. For further information regarding the

proposed action, please contact Samantha Martin at (504) 862-2207 or by email at [Samantha.C.Martin@usace.army.mil](mailto:Samantha.C.Martin@usace.army.mil).

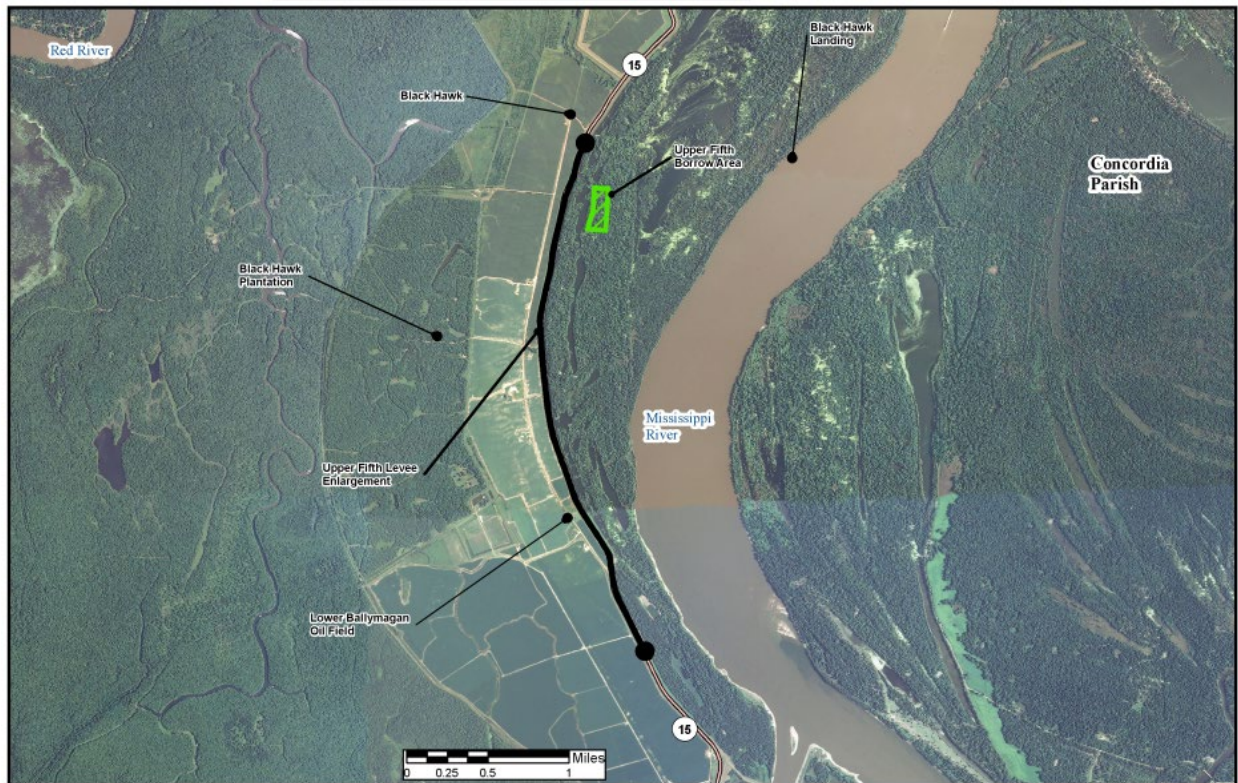
Sincerely,



For Edward P. Lambert  
Chief, Environmental Compliance Branch

Enclosures

COMMENT PERIOD FOR THIS PUBLIC NOTICE EXPIRES: **May 19, 2023**





**Figure 1: Mississippi River Levee, Upper Fifth Levee Enlargement Project Vicinity Map, Concordia Parish, Louisiana**





**Figure 2: Mississippi River Levee, Updated Upper Fifth Levee Enlargement Project Borrow Site Expansion Map, Concordia Parish, Louisiana.**

-  - Previously Cleared Borrow Area
-  - Expanded Borrow Area