

MEMORANDUM FOR RECORD

SUBJECT: Water Street, Barboursville, WV Section 14 Emergency Stream bank Protection Project - Revision to Recommended Alternative in the approved Detailed Project Report.

BACKGROUND: The Final Detailed Project Report (DPR) and Integrated Environmental Assessment and Finding of No Significant Impact (FONSI) for the Barboursville Section 14 project was approved in July 2017 and is currently funded by the Supplemental Appropriations in the Bipartisan Budget Act of 2018.

The recommended plan consists of a stone buttress and lagging panel replacement within the project area. Currently, construction is underway and consists of, limited, benched excavation of failed soils to stable foundation geometries, the placement of filter and reinforcement fabric under 24" stone with a toe of slope key in in two areas adjacent to Water Street. The upstream extents of construction are approximately 280 linear feet and downstream extents at the Water Street and McClung Avenue intersection are approximately 160 linear feet. Wooden lagging will be replaced in one section of the project area.

Continued site degradation has occurred during construction at the Water Street Section 14 Project and is a consequence of recent high water events. This degradation and additional bank failure necessitate the need for additional treatment beyond the limits of the previously defined buttress extents. This additional treatment would have an equivalent cross-sectional design to the West Buttress and will continue downchannel from the previous extents of the West Buttress and transition into the completed East Buttress. Total additional treatment is approximately 280 linear feet. Although this treatment extent was not identified in the 2017 DPR, the area is located within the original construction work limit boundary evaluated in the 2017 DPR Illustrations depicting the plan view of features of the original plan and the additional treatment revised plan are included as an attachment to this memorandum.

The purpose of this memorandum is to document consideration of environmental effects of the revised Recommended Plan and address the status of statutory compliance under National Environmental Policy Act.

COMPLIANCE DETERMINATION: The additional treatment area impacts are a minor variation of the original recommendation and is qualitatively within the spectrum of alternatives discussed in the previously approved and publicly circulated DPR and Integrated Environmental Assessment and FONSI in which the effects were determined be insignificant.

Re-evaluation of effects associated with the revised plan concludes adverse effects on the quality of the human environment would be reduced. Therefore, like the original plan, the revised plan would have no significant adverse effect on the quality of the human and/or natural environment. As such, no supplemental documentation is required and the NEPA process is concluded.

EFFECTS OF REVISED RECOMMENDED PLAN: In summary, the environmental effects of the revised Recommended Plan will result in similar effects to resources areas as documented in the 2017 DPR and Integrated Environmental Assessment.

Surface Waters and Other Aquatic Resources

The revised Recommended Plan, like the previously plan would reduce long-term localized sediment deposition caused by active erosion and failure of the riverbank in the project reach. The impact of the original plan had minor and insignificant impacts to surface waters. As the footprint of construction would be similar to the original plan, temporary impacts associated with construction would remain minor and would be minimized by following best management practices. Like the original plan, implementation of the revised Recommended Plan is expected to have a positive long-term impact on water quality within the proposed project area as it would prevent further erosion of soils into the adjacent Guyandotte River.

The revised treatment would continue to avoid fill material below Ordinary High Water Mark. Therefore, a Clean Water Act (CWA) Section 401 individual water quality certification permit and a CWA 404(b)1 analysis is not required for the proposed action.

Endangered and Threatened Species

There are three federally listed threatened and endangered species which may reside within the project area – these species include the Pink mucket mussel, Indiana bat and Northern long-eared bat

There would be no additional impacts to terrestrial resources and associated habitat with the revised recommended plan as tree clearing has already occurred within the new treatment area and no additional tree clearing would be necessary to implement the revised plan. The original plan resulted in a “not likely to adversely affect” for the Indiana Bat and Northern Long-eared Bat and a “no effect” to the Pink musket determinations under the Endangered Species Act. As such, the original Endangered Species Act determination documented in the DPR would remain the same to implement the revised plan.

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