

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

INTEROFFICE MEMORANDUM

May 19, 2016

TO: Master Files

FROM: John Fleming, Division Head, Environmental Division 

SUBJECT: AHTD Job Number 061467
Hwy. 63 & Hwy. 70 Strs. & Apprs. (S)
Prairie County
Environmental Clearance

Environmental clearance for the subject project is covered under the attached Corps of Engineers' Record of Decision that was approved on February 25, 2000, for their Grand Prairie Area Demonstration Project.

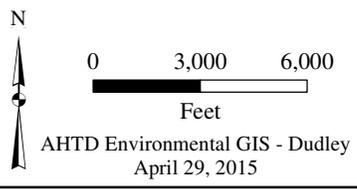
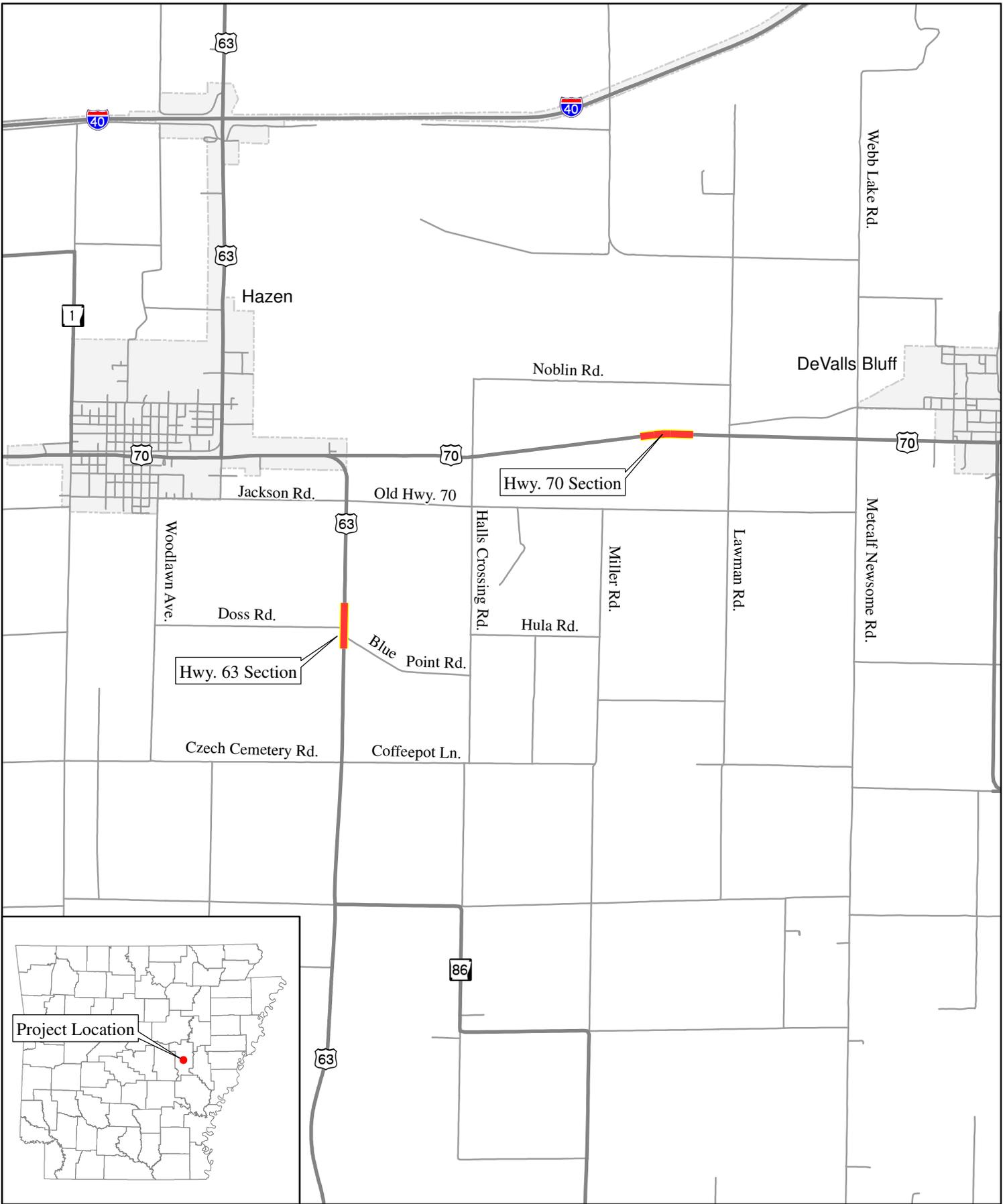
Mitigation measure for impacts to the Railroad Prairie and Downs Prairie Natural Areas are outlined in a Memorandum of Agreement with the White River Irrigation District and the Arkansas Natural Heritage Commission. No impacts to cultural resources are anticipated; concurrence from the State Historic Preservation Officer is attached.

JF:JB:fc

Attachments:

Project Location Map
SHPO Clearance
Record of Decision
Memorandum of Agreement

c: Program Management
Right of Way
Roadway Design
District 6
Master File



Job 061467
 Hwy. 63 & Hwy. 70 Strs. & Apprs.
 Prairie County





THE DEPARTMENT OF ARKANSAS
HERITAGE

Asa Hutchinson
Governor

Stacy Hurst
Director

Arkansas Arts Council

Arkansas Natural Heritage
Commission

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars
Cultural Center

Old State House Museum



Arkansas Historic
Preservation Program



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November 19, 2015

Mr. John Fleming
Division Head
Environmental Division
Arkansas State Highway and Transportation Department
P.O. Box 2261
Little Rock, AR 72203-2261

RECEIVED
AHTD

NOV 24 2015

ENVIRONMENTAL
DIVISION

RE: Prairie County – General
Section 106 Review – FHWA
Report Entitled *A Cultural Resources Survey of AHTD Job Number
061467, Hwy. 63 & Hwy. 70 Strs. & Apprs. (S) and Testing of 3PR0106,
Prairie County, Arkansas*
AHPP Tracking Number 94310.01

Dear Mr. Fleming:

The staff of the Arkansas Historic Preservation Program has reviewed the above-referenced Phase I cultural resources report. Based on the information presented in this report, we concur that archeological site 3MR106 is not eligible for inclusion on the National Register of Historic Places and that the proposed undertaking will have no effect on historic properties.

Thank you for the opportunity to review this undertaking. Please refer to the AHPP Tracking Number listed above in all correspondence. If you have any questions, please call Bob Scoggin of my staff at 501-324-9270

Sincerely,

Frances McSwain
Deputy State Historic Preservation Officer

cc: Mr. Randal Looney, FHWA
Ms. Amber Hood, The Chickasaw Nation
Dr. Ian Thompson, Choctaw Nation of Oklahoma
Dr. Andrea Hunter, Osage Nation
Mr. Everett Bandy, Quapaw Tribe of Oklahoma
Ms. Kim Jumper, Shawnee Tribe of Oklahoma
Ms. Lisa Baker, United Keetoowah Band of Cherokee Indians
Dr. Ann Early, Arkansas Archeological Survey

RECORD OF DECISION

GRAND PRAIRIE AREA DEMONSTRATION PROJECT GRAND PRAIRIE REGION AND BAYOU METO BASIN, ARKANSAS, PROJECT

SYNOPSIS

The Final Environmental Impact Statement (FEIS) for the construction and operation of the Grand Prairie Area Demonstration Project, Arkansas, was filed with the Environmental Protection Agency on December 17, 1999. The review period for the FEIS expired on January 31, 2000. The project is authorized for construction and funds have been appropriated by Congress to initiate construction. This Record of Decision documents the decision of the U.S. Army Corps of Engineers to implement the project and was prepared pursuant to regulations of the Council on Environmental Quality (40 CFR 1505.2) and the implementing policy and procedures of the Corps (33 CFR 230.14).

DECISION

In 1996, Congress reauthorized the original Grand Prairie Region and Bayou Meto Basin flood control project with a broadened scope of work. Section 363(a), Project Reauthorizations, of the Water Resources Development Act (WRDA) of 1996, Public Law 104-303, is quoted as follows:

“Grand Prairie Region and Bayou Meto Basin, Arkansas.--The project for flood control, Grand Prairie Region and Bayou Meto Basin, Arkansas, authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 174) and deauthorized pursuant to section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)), is authorized to be carried out by the Secretary; except that the scope of the project includes ground water protection and conservation, agricultural water supply, and waterfowl management if the Secretary determines that the change in the scope of the project is technically sound, environmentally acceptable, and economic, as applicable.”

Construction of features for aquifer protection, agricultural water supply, and environmental restoration and enhancement in the Grand Prairie Region of Arkansas, was recommended in the report entitled, “Eastern Arkansas Region Comprehensive Study, Grand Prairie Region and Bayou Meto Basin, Arkansas, Project, Grand Prairie Area Demonstration Project, General Reevaluation Report and Environmental Impact Statement”, dated September 1999.

Project Alternative 7 combines water conservation and storage with a water import system and is environmentally preferred over all other alternatives considered during the general reevaluation because it meets the authorized purposes of groundwater protection and conservation and waterfowl management. Four variations of Alternative 7 were formulated to optimize the import system. These plans were presented in the final array of plan alternatives. Alternative 7B

was selected as the recommended plan of improvement because it optimizes economic and environmental outputs and is the National Economic Development (NED) plan. }

Based on my review of the General Reevaluation Report (GRR) and FEIS for the Grand Prairie Region separable element, and the comments received on the proposed work from interested agencies and the public, I find the plan recommended by the District Engineer, Memphis District, U.S. Army Corps of Engineers to alleviate the severe aquifer depletion problems in the Grand Prairie Region; to be economically justified; in compliance with all Federal, state, and local requirements; and in the public interest. Therefore, I approve the recommended plan for construction.

ALTERNATIVE PLANS CONSIDERED

In addition to no-action, alternatives were considered to preserve the aquifers and allow for continued irrigated agriculture in the Grand Prairie. No action results in loss of the aquifers and a 77% reduction in irrigated cropland in the prairie. Other alternatives include additional on-farm storage reservoirs; conservation features with additional storage; an import system and conservation features without additional storage; and a combination of conservation, additional storage, and an import system. Analyses showed that imported surface water was necessary to provide for protection of the aquifers and prevent large losses in irrigated agriculture. The optimum plan includes the combination of conservation features, additional on-farm storage, and an import system. Various levels of these methods were evaluated to yield the recommend plan

The recommended project plan consists of four major components for supplying supplemental irrigation water to the project area and preserving existing water resources. The identified irrigation water supply components are (1) conservation – increasing irrigation efficiencies by approximately 10% over the project area, (2) using groundwater at the safe yield of the aquifer, (3) additional on-farm storage reservoirs, and (4) an import water system consisting of a 1640 cfs pumping station on the White River and a system of canals, pipelines, and natural streams to deliver the water to individual farms. Environmental features are also an integral part of the selected plan. Environmental project features will restore native prairie vegetation, enhance stream fisheries, and provide 38,529 acres of flooded and rolled rice fields (on an average annual basis) for waterfowl habitat.

ENVIRONMENTAL AND OTHER CONSIDERATIONS

Compliance with applicable environmental review and consultation requirements has been accomplished throughout the Corps of Engineers study process. The FEIS documents consideration of and compliance with a number of environmental laws and executive orders, including the National Environmental Policy Act (NEPA), Fish and Wildlife Coordination Act, Clean Water Act, Clean Air Act, Endangered Species Act, Land and Water Conservation Fund Act, Farmland Protection Policy Act, National Historic Preservation Act, Executive Order 11988 (Floodplain Management),

Executive Order 11990 (Protection of Wetlands), Executive Order 11593 (Protection of the Cultural Environment), and Executive Order 12898 (Environmental Justice in Minority and Low-income Populations).

All practicable means have been adopted to avoid or minimize adverse environmental impacts associated with the recommended plan. Primary resource impacts are to bottomland and upland hardwood forests and scrub/shrub swamps. Due to the small amount of remaining upland hardwoods in the project area, in-kind mitigation is planned for this habitat type. Mitigation for unavoidable adverse impacts consists of acquisition of 193 acres of cleared land to be planted in upland hardwoods and acquisition of 243 acres of agricultural land to be planted in bottomland hardwoods. A project-monitoring program will be developed by an inter-agency resource team in order to monitor project effects on water quality, White River flows, oxbow lake connectivity, larval fishes, and other resources. The annual flooding of rice fields for waterfowl will also be monitored.

During preparation of the FEIS, potential impacts to the White River and implementation of the on-farm features and operation of the project to achieve the planned environmental benefits emerged as the primary issues of concern to the agencies and the public. Impacts to the White River were analyzed and considered including cumulative impacts of the possible future projects in the basin. The construction of the on-farm features and operation of the environmental features are part of the project and will be addressed in the Project Cooperation Agreement and the operation plan. Navigation and environmental interests were concerned about the operation of the pumping station and pump cut-off levels. The operational plan for the pumping station will reflect the varying monthly required instream flows at the Clarendon, Arkansas, gage as analyzed for the plan as follows:

Month	Minimum Instream Flow (cfs)
January	19610
February	22700
March	27610
April	36940
May	36640
June	21220
July	10670
August	9650
September	9650
October	9650
November	11050
December	17590

The navigation interests also expressed concern about the possible impact of the pumping on the reauthorized White River Navigation to Newport, Arkansas, Project. The navigation project is being designed to allow safe navigation for channel flow rates in the White River that are equaled or exceeded 95% of the time. The 95% flow for the White River is below the minimum instream flow requirements (shown in the table above) that will govern Grand Prairie withdrawals. Therefore, the Grand Prairie Area Demonstration Project will have no effect on the reauthorized navigation project.

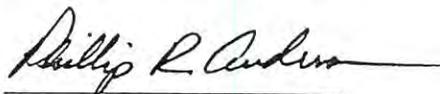
The project components have been designed in sufficient detail to evaluate impacts of the project. The design of specific project features will be refined prior to their construction. Additional activities to be conducted during design include evaluation of opportunities to further avoid or minimize adverse impacts, development of a project monitoring plan, and any appropriate NEPA documentation and coordination. Also, a study is being conducted to identify additional features for aquifer protection, waterfowl conservation, and other environmental benefits.

CONCLUSIONS

I have reviewed and evaluated all documents pertaining to the recommended plan for the Grand Prairie Area Demonstration Project separable element of the Grand Prairie Region and Bayou Meto Basin, Arkansas, Project, including the views of the State, other agencies and the public. I find that the recommended plan is consistent with national environmental statutes, applicable executive orders, and other Federal planning requirements. The recommended plan avoids and minimizes adverse environmental effects to the extent practicable and adequately compensates for unavoidable impacts to significant resources. The public interest will best be served by implementing the recommended plan described in the General Reevaluation Report and Final Environmental Impact Statement.

25 Feb 00

Date



Phillip R. Anderson
Major General, U.S. Army
President, Mississippi
River Commission

MEMORANDUM OF AGREEMENT
Between
WHITE RIVER IRRIGATION DISTRICT
and
ARKANSAS NATURAL HERITAGE COMMISSION

This Memorandum of Agreement is entered into by and between the White River Regional Irrigation Water Distribution District, established in 1984 by the Circuit Court of Prairie County Arkansas, Southern District, acting by and through its board of directors, hereinafter called WRID, and the Arkansas Natural Heritage Commission, an administrative agency of the State of Arkansas, acting by and through its director, under the authority of Act 112 of the General Assembly of Arkansas, enacted in 1973, hereinafter called ANHC.

WHEREAS, ANHC was created under the laws of the State of Arkansas to establish a system of natural areas, to create an inventory of rare species and natural areas, and to promote the conservation of Arkansas's natural heritage, and is the owner of Railroad Prairie and Downs Prairie Natural Areas in Prairie and Lonoke Counties, and;

WHEREAS, WRID was established by order of the Circuit Court of Prairie County Arkansas, Southern District and is authorized powers of water distribution districts by Act 114 of 1957 and acts amendatory thereof for the purpose of distributing water for irrigation purposes in those designated parts of Arkansas, Prairie, Monroe and Lonoke Counties, and serves as the local sponsor of the Grand Prairie Area Demonstration Project, a project authorized by the US Congress, hereinafter referred to as the Project, and;

WHEREAS, ANHC and WRID mutually desire to work in harmony at Railroad Prairie and Downs Prairie Natural Areas to avoid, minimize, and reduce impacts to these dedicated natural areas during the construction and maintenance of the Project.

NOW THEREFORE, ANHC agrees:

1. to make data and expertise available to representatives of WRID as it relates to the Project in accordance with established ANHC policies;
2. to assist WRID personnel, board members, and contractors in determining areas for restoration, enhancement, and replacement at Railroad Prairie and Downs Prairie Natural Areas impacted by the Project;
3. to collaborate with the Arkansas State Parks Outdoor Recreation Grants Program and the National Park Service regarding conversion of ANHC property in accordance with Section 6(f)(3) of the Land and Water Conservation Fund (LWCF) Act;
4. to review proposed Project easements, site plans, and other documents and to provide feedback in a timely manner, and;

5. to manage sensitive information provided by the WRID appropriately and by guidelines provided by WRID.

WRID agrees:

1. to make data and expertise available to representatives of ANHC as it relates to the Project in accordance with established WRID policies;
2. to recognize Railroad Prairie and Downs Prairie Natural Areas as areas of local significance and minimize unnecessary damage to these areas during construction, maintenance, and restoration activities;
3. to remove all prairie sod and up to 12 inches of soil in areas impacted by Project activities and to prepare areas for placement of sod and soil according to ANHC recommendations. Sod and soil will only be moved during plant dormancy and will be placed in areas designated by ANHC;
4. to water sod 1/2" per week from rain or irrigation, during the months of July and August, these dates are extendable if a drought occurs;
5. to conduct enhancement activities along Railroad Prairie and Downs Prairie Natural Areas consisting of woody shrub removal at locations and times agreed upon by both parties;
6. to purchase Project easements across Railroad Prairie Natural Area at fair market value established by a licensed appraiser;
7. to bore all pipelines under Railroad Prairie Natural Area as to avoid damage to the property's surface;
8. to replace those acres of ANHC property impacted by the Project according to ANHC recommendations and to assist ANHC in meeting the requirements of the National Park Service regarding Section 6(f)(3) of the LWCF Act, and;
9. to provide ANHC representatives ten (10) days notice prior to initiating construction activities on ANHC property;

WRID and ANHC mutually agree:

1. to collaborate to the fullest extent possible regarding the Project and Railroad Prairie and Downs Prairie Natural Areas;
2. that both parties will refrain insofar as possible from taking formal positions which are contrary to the accepted policy and/or plans of the other party;
3. that each party will, as needed, inform its field personnel of the provisions of the Memorandum of Agreement and of their responsibilities for its effectiveness;
4. to meet as needed to review this agreement and to develop and/or revise working plans and procedures for effective execution of the provisions contained herein;
5. that all questions pertaining to the cooperative work of ANHC and WRID which arise in the field will be discussed on the ground by representatives of ANHC and WRID and that points of disagreement will be referred to the director of ANHC and the president of WRID for resolution;
6. that either party may terminate this Memorandum of Agreement by providing thirty (30) days written notice; and that either WRID or ANHC may propose

amendments to this Memorandum of Agreement, and that these amendments shall become effective upon written approval by both parties.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE EXECUTED THIS MEMORANDUM OF AGREEMENT:

WHITE RIVER IRRIGATION DISTRICT

Date: 9/3/2014

By: 
Title: Chief Engineer/Director

ARKANSAS NATURAL HERITAGE COMMISSION

Date: 9/3/14

By: 
Director