# FINDING OF NO SIGNIFICANT IMPACT

## CLAIBORNE AND MILLERS FERRY LOCKS AND DAMS
## FISH PASSAGE STUDY
## INTEGRATED FEASIBILITY REPORT AND ENVIRONMENTAL ASSESSMENT
## CLARKE, DALLAS AND MONROE COUNTIES, ALABAMA

The U.S. Army Corps of Engineers, Mobile District (USACE) has conducted an environmental analysis in accordance with the National Environmental Policy Act of 1969, as amended. The final Integrated Feasibility Report and Environmental Assessment (IFR/EA) dated **[DATE PLACEHOLDER]**, for the Claiborne and Millers Ferry Locks and Dams Fish Passage Study addresses Federal interest in establishing fish passage through restoring connectivity in the Alabama and Cahaba Rivers, opportunities, and feasibility in the Lower Alabama River. The final recommendation is contained in the report of the Chief of Engineers, dated **[DATE PLACEHOLDER]**.

The final IFR/EA, incorporated herein by reference, evaluated various alternatives that would reduce flood, life safety, and residual risk as well as improve bank stabilization in the study area. The tentatively selected plan is National Ecosystem Restoration (NER) Plan and includes:

- Natural Bypass channels at Claiborne and Millers Ferry Locks and Dams. Millers Ferry Natural Bypass Channel includes control gate structures and two vehicular bridges.

In addition to a “no action” plan, 20 initial alternatives were evaluated. The final array of alternatives included: Alternative 1) No Action Alternative, Alternative 3) Fixed Weir Rock Arch – Both Dams, Alternative 5d) Natural Bypass Channel – Both Dams right bank, Alternative 12b) Fixed Weir Rock Arch– Claiborne Natural Bypass Channel, right bank – Millers Ferry, and Alternative 13b) Natural Bypass Channel, right bank – Claiborne and Fixed Weir Rock Arch – Millers Ferry.

For all alternatives, the potential effects were evaluated, as appropriate. A summary assessment of the potential effects of the recommended plan are listed in Table 1:

***Table 1: Summary of Potential Effects of the Recommended Plan***

| | Less than significant effects | Less than significant effects as a result of mitigation* | Resource unaffected by action |
|---|---|---|---|
| Hydrology | ☒ | ☐ | ☐ |
| Water Quality | ☒ | ☐ | ☐ |
| Geology and Soils | ☒ | ☐ | ☐ |
| Prime and Unique Farmlands | ☒ | ☐ | ☐ |
| Climate | ☒ | ☐ | ☐ |
| Air Quality and Greenhouse Gasses | ☒ | ☐ | ☐ |

| | Less than significant effects | Less than significant effects as a result of mitigation* | Resource unaffected by action |
|---|---|---|---|
| Hazardous, Toxic, and Radioactive Waste | ☒ | ☐ | ☐ |
| Vegetation | ☒ | ☐ | ☐ |
| Aquatic Species | ☒ | ☐ | ☐ |
| Terrestrial Species | ☒ | ☐ | ☐ |
| Threatened and Endangered Species | ☒ | ☐ | ☐ |
| Migratory Birds | ☒ | ☐ | ☐ |
| Bald and Golden Eagles | ☒ | ☐ | ☐ |
| Wetlands | ☒ | ☐ | ☐ |
| Architectural Resources | ☒ | ☐ | ☐ |
| Cultural and Archaeological Resources | ☒ | ☐ | ☐ |
| Land Use | ☒ | ☐ | ☐ |
| Noise | ☒ | ☐ | ☐ |
| Aesthetics | ☒ | ☐ | ☐ |
| Recreation | ☒ | ☐ | ☐ |
| Industry | ☒ | ☐ | ☐ |
| Demographics | ☒ | ☐ | ☐ |
| Public Safety | ☒ | ☐ | ☐ |
| Traffic and Navigation | ☒ | ☐ | ☐ |

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the recommended plan. Best management practices (BMPs) as detailed in the final IFR/EA will be implemented, if appropriate, to minimize impacts.

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

Public review of the draft IFR/EA and Finding of No Significant Impact (FONSI) is scheduled for May 1, 2023. All comments submitted during the public review period will be responded to in the final IFR/EA and FONSI. A 30-day state and agency review of the draft IFR/EA is scheduled for May 1, 2023. **PICK OPTION BASED ON RESULTS OF STATE AND AGENCY REVIEW**.

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the USACE determined that the recommended plan may affect but is not likely to adversely affect the following federally listed species or their designated critical habitat: Alabama Sturgeon, Georgia Rockcress, Gulf Sturgeon, Inflated Heelsplitter, Southern Clubshell, and Tulotoma Snail. The U.S. Fish and Wildlife Service (FWS) concurred with the Corps' determination on **DATE OF CONCURRENCE LETTER**

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, a viewshed assessment of the Rosemary Plantation along the Millers Ferry alignment would need to occur before impacts to the structures can be evaluated. The USACE and Alabama SHPO are coordinating on a Programmatic Agreement (PA) dated

**DATE OF AGREEMENT**. All terms and conditions resulting from the agreement shall be implemented in order to minimize adverse impacts to properties listed on the NRHP. Copies of the PA signature pages will be included in Appendix B-2 of the final IFR/EA.

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 in Appendix B-1 of the draft IFR/EA.

A Water Quality Certification (WQC) will be obtained from the Alabama Department of Environmental Management. All conditions of the WQC shall be implemented in order to minimize adverse impacts to water quality.

Technical, environmental, economic, 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:_____ _____

Jeremy J. Chapman
Colonel, U.S. Army
District Commander