

# PUBLIC NOTICE



US Army Corps of Engineers  
Kansas City District

**Project No. 2021-004-CW**  
**Issue Date: 2021-07-30**  
**Expiration: 2021-08-29**

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**INTRODUCTION:** The U.S. Army Corps of Engineers, Kansas City District (USACE), has prepared a Draft Environmental Assessment (EA), associated Finding of No Significant Impact (FONSI), and a Finding of No Practical Alternative (FONPA) in accordance with the National Environmental Policy Act (NEPA) for Fort Leavenworth Levee Repairs. The Draft EA was prepared to assess and document potential effects to the human and natural environment of the project's Proposed Action. The USACE has made a preliminary determination that the Proposed Action would not result in significant degradation to the environment and therefore supports preparation of a Draft FONSI. The Draft EA, Draft FONSI, Draft FONPA, and supporting information are provided with issuance of this Public Notice to initiate a 30-day public review and comment period.

This Public Notice and project related information are being provided to solicit public input on the proposed action. Any interested party is invited to submit to this office written facts or objections relative to the proposed project, both favorable and unfavorable in nature. All comments will be accepted and made part of the public record. The USACE will consider all pertinent comments in preparing final documentation for completion of the NEPA process through signature of the FONSI by the Fort Leavenworth Garrison Commander.

**CONTACT INFORMATION:** Additional information about this application may be obtained by contacting Brian Bueker, NEPA Specialist, U.S Army Corps of Engineers, Kansas City District, ATTN: Environmental Resources Section, Civil Works Program Branch, 601 East 12th Street, Kansas City, Missouri 64106; by email at [brian.j.bueker@usace.army.mil](mailto:brian.j.bueker@usace.army.mil); or by phone at (816)389-3470. Written comments will be accepted by mail and email. All mailed comments to this public notice should be directed to the above address.

**PROJECT LOCATION** The Proposed Action is located on Fort Leavenworth Military Installation in Kansas.

**AUTHORITY:** Nationwide Permit 3 Maintenance and Nationwide Permit 14 Bank Stabilization Authorize repairs to the damaged infrastructure.

**ACTIVITY:** Fort Leavenworth is proposing to address issues with the Sherman Airfield levee system. Flooding during 2019 overtopped the local levee system and damaged numerous parts of the infrastructure. The Preferred Alternative (Alternative 2) would correct the damages and improve the flood reduction capabilities of the system. These actions would reduce the flood risk to property within the project area. Implementation of the preferred alternative would result in the permanent loss of 1.2 acres of wetlands associated with the levee setback. However, there would be an addition of 6 acres of wetland within the project area due to connectivity back to the river system.

**ENDANGERED SPECIES:** USACE has determined that the Proposed Action would result in determinations of “may affect, but not likely to adversely affect” northern long-eared bat and determinations of “no affect” for pallid sturgeon, Mead’s milkweed, and western prairie fringed orchid. The proposed action is not anticipated to jeopardize the continued existence of species listed as endangered or threatened under the Endangered Species Act of 1973, as amended, or result in the destruction or adverse modification of critical habitat.

**WETLANDS AND WATERS OF THE U.S.:**

Construction activities would have minor to moderate impacts on wetlands and waters of the U.S. The project would impact 75 linear feet (lf) of stream for the placement of an outlet pipe and headwall for the replacement of pump station 1. There would also be 770 square feet (sq ft) of wetland impacts with the placement of 92 cu/yds of rip rap near the intake of the new pump station. The levee setback near the Quarry Creek crossing would impact 1.2 acres of wetland with 9,658 cubic yards (cu/yds) of earthen fill but it would also provide connectivity to about 1 acre that was previously the levee which would now be riverward of the new setback levee and more prone to flooding. In addition, 130 feet of stream would be reverted back to native substrate by the removal of the Quarry Creek box culvert. The culvert and its replacement cannot be removed and replaced without some incidental fall back of fill, which would impact the 100 lf where the culvert is being removed and the 100 lf downstream where the new culvert is being installed. The replacement of pump station 2 would impact 1,440 sq ft of wetlands with the installation of rip rap. The Southeast portion of the levee rehab would be flooded more frequently with the completion of the project, which would result in the addition of wetlands in the area bringing the size to approximately 5 acres.

Construction activities with this project would occur near a jurisdictional water of the United States and require a Clean Water Act (CWA) Section 404 authorization and CWA Section 401 State Water Quality Certification (33 USC 1341). Section 404 of the Clean Water Act (CWA) requires authorization from the Secretary of the Army, acting through USACE, for the discharge of dredged or fill material into all waters of the United States. The USACE, through preparation of a Draft 404(b)(1) evaluation (40 CFR 230), has made a preliminary determination that the project as proposed would not be contrary to the public interest and is in compliance with Section 404(b)(1) guidelines. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards. Kansas State Water Quality Certifications have already been issued to comply with the Clean Water Act Section 401.

**CULTURAL RESOURCES:** USACE will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. Fort Leavenworth Cultural Resource Staff used information from its own records, any new research necessary, and comments received from the consulting parties to assess what effect the proposed action may have on historic properties in accordance with 36 CFR § 800.5. The Kansas State Historic Preservation Officer (SHPO) has concurred with the USACE determination of no historic properties affected. In addition, USACE will take into consideration any information from affiliated Native American tribes or the public on any sites or traditional cultural properties that may be of concern.

**FLOODPLAINS:** This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By its very nature, this project takes place within the floodplain. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

**POTENTIAL IMPACTS:** The decision to issue authorization will be based on an evaluation of the probable impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The Draft EA includes evaluation of effects of the Proposed Action on the human and natural environment. All relevant factors were considered including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people.

**PUBLIC HEARING:** The USACE is soliciting comments from the public; Federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE to determine whether to issue, modify, condition or deny an authorization for this proposal. To make this decision, comments are used to address impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in preparation of the final EA and/or an Environmental Impact Statement (EIS) pursuant to NEPA. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.