



FEMA

**FINDING OF NO SIGNIFICANT IMPACT
CITY OF BATESVILLE REPLACEMENT OF PEDESTRIAN BRIDGE
ON NEW LOCATION
BATESVILLE, INDEPENDENCE COUNTY, ARKANSAS
FEMA-1751-DR-AR-PW-4297**

BACKGROUND

In accordance with 44 Code of Federal Regulations (CFR) for the Federal Emergency Management Agency (FEMA), Subpart B, Agency Implementing Procedures, Part 10.9, an Environmental Assessment (EA) has been prepared pursuant to Section 102 of the National Environmental Policy Act (NEPA) of 1969, as implemented by the regulations promulgated by the President's Council on Environmental Quality (CEQ; 40 CFR Parts 1500-1508). The purpose of the proposed action is to reconstruct a pedestrian bridge that crossed the Poke Bayou in order to support the City's comprehensive plan of a walking trail that connects recreational areas to the commercial areas of town. This EA informed FEMA's decision on whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

On March 26, 2008, President Bush declared a major disaster due to severe thunderstorms, tornadoes, and flooding that began on March 18, 2008 (FEMA-1751-DR-AR). As a direct result of heavy rainfall inundating the City of Batesville, AR, severe flooding along the Poke Bayou caused damages to the City of Batesville's hiking trail park, including the pedestrian bridge over the Poke Bayou.

The City of Batesville has prepared and submitted an application (PA-06-AR-1751-PW-04297) for FEMA funding under the Public Assistance program being administered in response to FEMA-1751-DR-AR. Under Section 406(e) of the Stafford Act, FEMA is considering funding the construction of the City of Batesville pedestrian bridge damaged by flooding to be built on a new location as an Improved Project. An Improved Project is any project for which the applicant chooses to make additional improvements to a facility while still restoring its pre-disaster function and at least its pre-disaster capacity.

Two project alternatives were considered in this EA: 1) No Action; and 2) Replace Pedestrian Bridge on a New Location (Proposed Action). Under the No Action alternative, the pedestrian bridge would not be replaced. The Batesville walking trail system would provide limited public access and would be isolated from the commercial areas of the town. This could reduce the trail's popularity and could discourage its use.

The Proposed Action Alternative is to replace the pedestrian bridge on a new location which would cross the Stillhouse Branch of the White River. The proposed project site is located

adjacent to Riverside Park, 280 feet east of Chaney Drive (River Road) within the corporate limits of the City of Batesville, Independence County, AR (Latitude: 35.758763; Longitude: -91.635609). This new location is approximately 2 miles south of the original pedestrian bridge. The areas immediately adjacent to the site include a maintained lawn with scattered trees to the south and a narrow wooded area to the north. Further north is the City of Batesville wastewater treatment plant.

The new bridge would be a 31-foot long and 10-foot wide precast concrete bridge. Rip-rap will be used under the bridge and around the wing walls to prevent undermining of the bridge footings and the adjacent creek bank. An estimated 850 square feet of rip-rap will be installed as part of the bridge construction. Concrete footers on both stream banks would support the bridge over the stream. The bridge footings will each be 6 feet wide and 11.5 feet long. The footings are designed to be 1.5 feet below the bottom of the creek bed. Both footers would be placed outside the stream channel that carries normal base flow. The opening under the bridge will be 30 feet wide and 9.5 feet high.

A public notice was posted in the *Batesville Guard* on April 27, 2011, and the draft EA was made available for comment at Batesville City Hall and on the FEMA website for a 30-day public comment period. No comments were received from the public during the 30-day comment period.

FINDINGS

The Proposed Action as described in the EA will not adversely impact geology, groundwater, floodplains, wetlands, minority or low-income populations, threatened and endangered species or critical habitat, cultural resources, hazardous materials, or socioeconomic resources. During the construction period, short-term impacts to soils, surface water, transportation, air quality, noise, and safety are anticipated. Long-term, minor impacts to riparian vegetation will result from the conversion of ¼ acre of vegetated area to a developed site that includes the new facility. All adverse impacts require conditions to minimize and mitigate impacts to the proposed project site and surrounding areas. All populations, including minority and low-income populations, will benefit from the Proposed Action.

CONDITIONS

The following conditions must be met as part of this project. Failure to comply with these conditions may jeopardize the receipt of Federal funding.

1. This review does not address all Federal, State and local requirements. Acceptance of Federal funding requires recipient to comply with all Federal, State and local laws. Failure to obtain all appropriate Federal, State and local environmental permits and clearances may jeopardize Federal funding.

2. The applicant must prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a National Pollutant Discharge Elimination System (NPDES) permit prior to construction if required by Arkansas Department of Environmental Quality (ADEQ) and comply with permit conditions.
3. The City of Batesville must comply with the conditions of the Short Term Activity Authorization for City of Batesville Declared Disaster Project on Stillhouse Branch issued by ADEQ.
4. The City of Batesville must comply with the conditions of the U.S. Army Corps of Engineers Nationwide Permit (NWP) 14.
5. The City of Batesville must coordinate with the local floodplain administrator and obtain required permits prior to initiating work. All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the State and FEMA for inclusion in the permanent project files.
6. The City of Batesville must prepare and provide Public Notice issued 15 days prior to the start of construction of any final decision where proposed floodplain or wetland project is the only practicable alternative.
7. Best available techniques to control erosion and sedimentation must be used. At minimum, erosion and sediment controls must include silt fences, seeding, rock ditch checks, and sediment basins. All Best Management Practices (BMPs) must follow the NPDES guidelines.
8. Erosion and sedimentation devices must be constructed, stabilized, and functional before site disturbance can occur.
9. Temporary erosion and sediment control devices must be maintained in a satisfactory condition during site construction.
10. Any disturbed area on which site construction has ceased must be stabilized immediately.
11. After final site stabilization has been achieved, temporary erosion and sediment controls must be removed.
12. The City of Batesville must survey for karst features including caves, springs, sinkholes, and losing streams prior to initiating project activities. If such a feature is found, the City must establish a 300 foot conservation zone around its location and contact the U.S. Fish and Wildlife Service (USFWS) for an onsite karst evaluation.
13. If caves are encountered during construction activities, work efforts must cease within 300 feet of the opening. The City of Batesville must adequately mark the opening, fill

material must not be placed in the cave, personnel must not enter the cave, and the City must contact USFWS immediately.

14. Graded soil and waste materials must be managed in accordance with applicable local, State, and Federal regulations. If contaminated materials are discovered during the construction activities, the work will cease until the appropriate procedures and permits can be implemented. Any hazardous materials discovered, generated, or used during construction will be disposed of and handled in accordance with applicable local, State, and Federal regulations.
15. Construction vehicles and equipment will be stored on-site during project construction and appropriate signage will be posted on affected roadways.
16. Construction contractors must water down construction areas when necessary; fuel-burning equipment running times must be kept to a minimum; engines must be properly maintained.
17. Construction will take place during normal business hours and equipment will meet all local, State, and Federal noise regulations.
18. In the event that archaeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. In the event of human burials, Act 753 of the 1991 of the Arkansas Burial Law will be followed and the applicant will inform Arkansas Department of Emergency Management and FEMA immediately and FEMA will consult with the Arkansas Historic Preservation Program (AHPP) or Tribal Historic Preservation Offices (THPOs) and Tribes. Work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act (NHPA).
19. All construction activities will be performed using qualified personnel and in accordance with the standards specified in the Occupational Safety and Health Administration (OSHA) regulations. The appropriate signage and barriers must be in place prior to construction activities to alert pedestrians and motorists of project activities.
20. Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

CONCLUSIONS

Based on the findings of the EA, coordination with the appropriate agencies, and adherence to the project conditions set forth in this FONSI, FEMA has determined that the proposed project

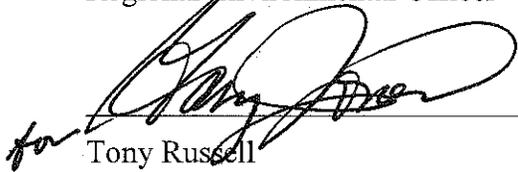
qualifies as a major Federal action that will not significantly affect the quality of the natural and human environment, nor does it have the potential for significant cumulative effects. As a result of this FONSI, an EIS will not be prepared (44 CFR Part 10.9) and the proposed project as described in the attached EA may proceed.

APPROVAL



Kevin Jaynes, CHMM
Regional Environmental Officer

Date 5/31/11



for Tony Russell
Regional Administrator
FEMA Region 6

Date 5-31-11