

MEMORANDUM FOR RECORD

SUBJECT: Construction of Access Road within Existing Right of Way of LEVEES L-D1 and L-D2 of the Herbert Hoover Dike, Environmental Consideration of Proposed Action and determination of Categorical Exclusion (CX)

1. **Location**- The access road is located within Reach 2 and will be located in two areas. The first location is between Structure S-4 and Culvert CU-2 in Glades and Hendry Counties, Florida and will be approximately 13,000 feet in length. The second location will begin approximately 750 feet east of Structure S-310 and will run easterly a distance of approximately 5,000 feet and is within Hendry County, Florida.

2. **Description of Work**- The access road will be approximately 18,000 feet in length with a width of up to 12 feet. The access road will allow for the safe passage of Corps personnel as they drive along the toe of the dike during high water events and inspect the toe of the dike, adjacent ditch and lands immediately adjacent to the dike toe. This access road will be constructed and maintained in the same manner as the existing access road in Reach 1. Reach 2 is 20.42 miles long in entirety and extends from the Caloosahatchee River at Moore Haven to the Miami Canal near Lake Harbor. The access road will be above the toe ditch on or immediately adjacent to the toe of the dike. No wetlands will be impacted by this project. To ensure that there will be no water quality impacts to the toe ditch in this area, a silt fence will be put in place during construction and left in place until such time that the access road has stabilized with grass or by other means. Material will be brought to the site to build up the access road. The access road is located within the same area in which the Melaleuca removal is currently underway. Due to the vulnerability HHD to failure, it is extremely important to construct an access road to allow for vehicular inspections during high water events. This activity is considered a routine operation and maintenance action that is necessary to ensure the integrity of the dike as well as provide safe working conditions for Corps employees.

3. **NEPA Action**-The Corps of Engineers has made a categorical exclusion determination for the creation of an access road along the toe of the dike within Reach 2 of the Herbert Hoover Dike. AR 200-2 "Environmental Effects of Army Actions" and Engineer Regulation (ER) 200-2-2 provide a list of routine actions subject to categorical exclusion from NEPA documentation.

CESAJ-PD-ES (AR 200-2-2)

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a. ER 200-2-2, paragraph 9.a. provides a Categorical Exclusion for "a. Activities at completed Corps projects which carry out the authorized project purposes. Examples include routine operation and maintenance actions, general administration, equipment purchases, custodial actions, erosion control, painting, repair, rehabilitation, replacement of existing structures and facilities such as buildings, roads, levees, groins and utilities, and installation of new buildings utilities, or roadways in developed areas.

b. AR-200-2, page 6

1. Actions that qualify for a CX do not individually or cumulatively have a significant effect on the human environment.

2. The proposed action, removal of an inactive culvert or culverts by cutting and grouting in place, or by removal and replacement with a cutoff wall, falls under CAT EX A-5 of AR 200:

"Routine repair and maintenance of buildings, roads, airfields, grounds, equipment and other facilities, to include the layaway of facilities, except when requiring application or disposal of hazardous or contaminated materials." It further meets the environmental criteria to qualify for categorical exclusion from documentation under NEPA (p. 12-13 of AR 200-2):

c. The action is not of greater scope or size than normally experienced for this category of action (removal of a structure). The structures to be removed are inactive. The action does not pose a potential for degradation, even though slight, of already existing poor environmental conditions. The action does not involve employment of unproven technology. The action does not involve a site where endangered or threatened species or their habitats are present, nor are there archeological materials, historic places or other protected resources. While Herbert Hoover Dike itself is a historic structure the State Historic Preservation Officer has concurred that Dike repairs will not affect its historic significance and no mitigation is required.

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d. The action does not require use of hazardous or toxic substances that may come in contact with the surrounding natural environment. The action would not affect areas of critical environmental concern including prime or unique agricultural lands, wetlands, coastal zones, wilderness areas, aquifers, floodplains or wild and scenic river areas.



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