

PUBLIC NOTICE
Federal Emergency Management Agency (FEMA)
Notice of Intent to Prepare an Environmental Assessment
for a Flood Risk Reduction Project in Mandan, North Dakota

The U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA), in cooperation with the United States Army Corps of Engineers (USACE), announces its intent to prepare an Environmental Assessment (EA) for a flood protection improvement (Project) sponsored by the Lower Heart River Water Resource District (LHRWRD) in Mandan, North Dakota. The notice is being published pursuant to the National Environmental Policy Act (NEPA), FEMA Instruction 108-1-1, DHS Instruction 023-01-001-01, 33 CFR Part 333 Processing of Department of Army Permits and 33 USC 408 Permissions NEPA Implementing Procedures, and other applicable environmental laws, including the National Historic Preservation Act, Endangered Species Act, Executive Orders 11990 (Protection of Wetlands), and 11988 (Floodplain Management) because the proposed action has the potential to affect cultural resources; threatened and endangered species; floodplains; and wetlands. USACE has agreed to be a Cooperating Agency as the proposed Project would require 33 U.S.C. 408 (Section 408), Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344) authorizations.

The Project consists of improvements to the Lower Heart River Levee System, located adjacent to the Heart River near Mandan, North Dakota. These improvements consist of replacing a flood wall, raising various segments of the levee, adding stability berms, realigning and incorporating seepage mitigation and interior drainage improvements, including a lift station and storage pond, extending a storm sewer, and potentially removing existing drainage outfalls.

The purpose of the proposed Project is to provide a resilient flood protection system for the City of Mandan that is accredited by FEMA, specifically to improve identified deficiencies for portions of the levee adjacent to the Heart River near Mandan along with associated interior drainage, geotechnical, and freeboard requirements to meet USACE levee standards.

The Project is needed to maintain the levee's accreditation status with FEMA, as the levee system no longer meets FEMA criteria to maintain continued accreditation status. Without improvements, the levee's accreditation status with FEMA is at risk and affects the community's ability to plan future development.

The EA will address the purpose and need for the proposed action, project alternatives considered (including the No Action Alternative), affected environment, environmental consequences, and mitigation measures. The final alternatives to be considered in the EA and their extents may be refined based on public comment and further analysis. In accordance with DHS and FEMA's Implementing NEPA Guidance and DoD's Implementing NEPA Procedures, the EA will identify the potential adverse and beneficial effects associated with the Project.

FEMA is accepting comments on the purpose and need, alternatives, and potential impacts from the public; local, state, and federal agencies; Native American Tribes; and other interested parties. FEMA will use these comments to define the scope of the NEPA analysis and inform their decision-making.

Following this initial comment period, FEMA will prepare a draft EA that will be made available for public review and comment at a future date.

Please provide comments in writing and send to the FEMA contact listed below. Comments must be received within 30 days of the publication of this notice. To provide comments on the scope of the EA please contact FEMA Region 8 by email at fema-r8ehp@fema.dhs.gov and include 'Lower Heart EA' in the subject line, or by U.S. Postal Service to Denver Federal Center, Building 710, Box 25267, Denver, Colorado 80225-0267 Attn: FEMA EHP.