

Muscle Shoals Reservation – Pond Creek Levee No Practicable Alternative

Notice is hereby given that the Tennessee Valley Authority (TVA) is proposing to construct a levee at about Pond Creek Mile 2.6 in Colbert County, Alabama, to fulfill a 1973 agreement between the city of Muscle Shoals and TVA. Creation of two soil stockpiles outside the 100 year floodplain and removal of three culverts in Pond Creek are part of the proposed levee project.

The levee and removal of three culverts would be located within the Pond Creek 100 year floodplain and are therefore subject to the requirements of Presidential Executive Order 11988 (Floodplain Management). Because a levee and culverts are functionally-dependent uses of the floodplain, there is no practicable alternative that would allow TVA to avoid these activities in the floodplain. The proposed project would be designed to minimize, to the extent practicable, harm to or within the floodplain and would conform to applicable state and local floodplain regulations. The new levee would also be constructed to meet Federal Emergency Management Agency requirements for certified levees.

The proposed levee would avoid impacts to wetlands. However, there would be temporary indirect effects to wetlands associated with removal of the three upstream culverts. There is no practicable alternative that would allow TVA to avoid the temporary wetland impacts. These impacts would be offset by the floodplain/riparian wetlands that would be created in association with the Pond Creek relocation project approved by TVA in September 2013.

TVA requests comments on these proposed impacts and its determination. To be considered, comments must be received no later than ten (10) days from the date of publication of this notice. Any comments, including names and addresses, will become part of the administrative record and will be available for public inspection. Written comments may be mailed, faxed, or emailed to:

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