



**US Army Corps
of Engineers** ®
Memphis District

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PUBLIC NOTICE

**U.S. Army Corps of Engineers
Memphis District**

U.S.C. Chapter 33, Section 408 Permission Evaluation

TITLE: Section 408 Permission Evaluation for the placement of underground fiber optic cable at several locations near the White River in Prairie County, AR.

INTRODUCTION: The authority to grant permission for temporary or permanent alterations of any U.S. Army Corps of Engineers (USACE) federally authorized civil works project is contained in Section 14 of the Rivers and Harbors Act of 1899 and codified in 33 USC 408. Brightspeed of Arkansas has requested permission to install fiber optic cable at several locations near the White River in Prairie County, AR. Installation over the White River levee and at the DeValls Bluff pump station will be via elevated poles across the road and levee (Figure 1 and 2). Installation at the White River crossing will be via directional boring with a minimum of 15 feet depth under the river bottom (Figure 3).



Figure 1. Location of proposed fiber optic cable near pump station in Prairie County, AR



Figure 2. Location of proposed fiber optic cable crossing over the White River levee in Prairie County, AR.



Figure 3. Location of proposed fiber optic cable crossing under White River in Prairie County, AR

PROJECT DESCRIPTION: Section 408 authorizes USACE to grant permission for the alteration or occupation or use of the project if USACE determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project. There are three authorized federal projects that will be affected: the DeValls Bluff Pump Station project, which provides flood protection for a portion of DeValls Bluff from White River floods and to dispose of interior drainage and is authorized by the Flood Control Act of 18 August 1941 and amended by the Flood Control Act of 24 July 1946; the White River project, which provides for the maintenance of the navigation channel with sufficient width and depth to accommodate existing commerce by snagging, dredging, and construction work. The location of the proposed White River channel crossing is within the reach from the mouth of the White River (River Mile 9.8) to Augusta (River Mile 198) which has approved channel dimensions of 8 feet in depth and 125 feet in width when the Clarendon gage reads 12 feet; also affected is the White River Levee project, which provides for flood protection from White River for agricultural lands and communities in Woodruff, Monroe, and Prairie counties. At the location of the White River Levee crossing, the Federal project involves Federal oversight of operation and maintenance by the non-federal sponsors to provide the authorized level of flood protection.

ENVIRONMENTAL COMPLIANCE: A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. The scope of analysis for the NEPA and environmental compliance evaluations for the Section 408 review should be limited to the area

of alteration and those adjacent areas that are directly or indirectly affected by the alteration. Brightspeed of Arkansas has requested a Section 408 evaluation on the proposed action from the Memphis District, and the environmental compliance branch is currently conducting a preliminary determination by reviewing the footprint of the proposed work and potential effects to USACE interests.

A list of potential threatened or endangered species possibly in the project area was created on 10 February 2026 utilizing the Information for Planning and Consulting (IPaC) tool provided by the United States Fish and Wildlife Service (USFWS). This notice is being coordinated with the USFWS and any comments USFWS may have regarding threatened and endangered species, or their critical habitat, will be considered in our evaluation.

Common Name	Binomial	Status
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Endangered
Eastern Black Rail	<i>Laterallus jamaicensis ssp.jamaicensis</i>	Threatened
Piping Plover	<i>Charadrius melodus</i>	Threatened
Rufa Red Knot	<i>Calidris canutus rufa</i>	Threatened
Ivory-billed Woodpecker	<i>Campephilus principalis</i>	Endangered
Fat Pocketbook Mussel	<i>Potamilus capax</i>	Endangered
Pink Mucket	<i>Lampsilis abrupta</i>	Endangered
Rabbitsfoot	<i>Quadrula cylindrica cylindrica</i>	Threatened
Alligator Snapping Turtle	<i>Macrochelys temminckii</i>	Proposed Threatened
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed Threatened

The USACE Memphis District Archaeologist has determined that the proposed activities have no potential to cause effect to historic properties, pursuant to Section 106 of the National Historic Preservation Act. There are no known properties within the project area or surrounding areas and the existing project site has previously been disturbed by prior construction.

The decision on this Section 408 request is being analyzed in accordance with NEPA and is limited to the Section 408 boundaries described herein.

PUBLIC INTEREST REVIEW: The purpose of this notice is to solicit comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties. Comments received within 15 days of this publication would be used in the evaluation of potential impacts of the proposed action on important resources. All comments would be considered in preparing environmental documentation pursuant to NEPA. USACE has jurisdiction under 33 USC 408, only over the specific activities that have the potential to alter existing USACE projects. Please limit comments to the area of the alteration and those adjacent areas that are directly or indirectly affected by the alteration to the federally authorized civil works project described herein. **Comments may be submitted to robert.w.prebeck@usace.army.mil and should be received by 27 February 2026.**

Sincerely,

Mark R. Smith

Chief, Environmental Compliance Branch
Regional Planning and Environmental Division
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