



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

**ISSUE DATE: 25 February 2026**

**EXPIRATION DATE: 11 March 2026**

**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 Missouri Department of Transportation (MODOT) removal and replacement of existing MO 51 bridge over the St. Francis River in Butler County, MO

**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. MODOT has requested to remove and replace a bridge along the St. Francis at SR51 in Butler County, Missouri (Figure 1).



Figure 1. Location of proposed bridge removal and replacement in Butler County, MO.

**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. The authorized federal project at this location is the St. Francis River and involves maintaining the channel to manage flood risks along the St. Francis as part of the St. Francis Basin Project and passage of these floodwaters safely into the Mississippi River. Federal maintenance is performed only when the cross-sectional area of the channel decreases below the minimum required to pass the design flow.

**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. MODOT 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 by MODOT on 2 February 2026 utilizing the Information for Planning and Consulting (IPaC) tool provided by the United States Fish and Wildlife Service. The proposed Section 408 alteration was determined to have the following effects on threatened or endangered species or their critical habitats in the project area, pursuant to the Endangered Species Act. MODOT is consulting with USFWS regarding these status effects.

Common Name	Binomial	Status	Effect Determination
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered	Not likely to adversely affect
Gray Bat	<i>Myotis grisescens</i>	Endangered	Not likely to adversely affect
Indiana Bat	<i>Myotis sodalis</i>	Endangered	Not likely to adversely affect
Snuffbox Mussel	<i>Epioblasma triquetra</i>	Endangered	Not likely to adversely affect
Western Fanshell	<i>Cyprogenia aberti</i>	Threatened	Not likely to adversely affect
Curtis Pearlymussel	<i>Epioblasma curtisii</i>	Endangered	Not likely to adversely affect
Alligator Snapping Turtle	<i>Macrochelys temminckii</i>	Proposed Threatened	Not likely to jeopardize the continued existence
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed Threatened	Not likely to jeopardize the continued existence

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](mailto:robert.w.prebeck@usace.army.mil) and should be received by 11 March 2026.**

Sincerely,

Mark R. Smith

Chief, Environmental Compliance Branch  
Regional Planning and Environmental Division  
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