



US Army Corps  
of Engineers  
Memphis District

# Public Notice

**FILE NUMBER: MVM-2017-362 (EKM)**

**NOTICE DATE:**  
**May 03, 2018**

Attn: Postmaster,  
Please Post Until

**EXPIRATION DATE:**  
**June 04, 2018**

**Joint Public Notice**  
**U.S. Army Corps of Engineers**  
**and**  
**State of Arkansas**

**AUTHORITY:** Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

**APPLICANT:**

John Fleming  
AR Department of Transportation  
10324 I-30 PO Box 2261  
Little Rock, AR 72203

**AGENT:**

Mickey Matthews  
AR Department of Transportation  
10324 I-30 PO Box 2261  
Little Rock, AR 72203

**PURPOSE:** The applicant is proposing to conduct drainage improvements to reduce highway flooding.

**LOCATION:** The project is located in Sections 5 & 6, Township 6N, and Range 3E in Cross County, Arkansas, at approximate latitude 35.162985°N and longitude -90.810095°W, near the City of Wynne (Attachment 1).

**DESCRIPTION OF WORK:** The applicant proposes to relocate approximately 2813 linear feet of stream channel. The relocation would vary from approximately 5 to 85 feet north of the existing channel (Attachment 2). The proposed project also includes adding two 48" x 58" corrugated metal pipe culverts beside the existing drainage structure under the railroad; adding two 60" x 44" reinforced concrete pipe culverts to the existing culverts under County Road 651; and the removal of the existing culvert under a private drive and placement of four 60" x 44" reinforced concrete pipe culverts.

**AVOIDANCE, MINIMIZATION, & COMPENSATION:** The applicant states that the work is the minimum necessary and the proposed impacts are unavoidable due to highway flooding and erosion. The applicant also states that the impacts have also been minimized since the proposed relocation will prevent the ditch from being relocated a second time by a future bridge replacement. ARDOT is proposing that the additional length of the channel as the only environmentally practicable compensation for the impacts of the project. The new ditch will have an increased length of approximately 180 linear feet.

**WATER QUALITY CERTIFICATION:** By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341 (a)(1) of the Clean Water Act and all state laws and regulations promulgated pursuant thereto. This certification or evidence of the water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

**ENDANGERED SPECIES:** No Threatened, Proposed for Listing, or listed Endangered Species or their critical habitat are known to exist on the site. A copy of this notice is being furnished to the U.S. Fish and Wildlife

Service and appropriate state agencies and constitutes a request to those agencies for information on whether any listed or proposed-to-be-listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

**CULTURAL RESOURCES:** The Memphis District will evaluate information provided by the State Historic Preservation Officer, Federally-recognized Tribes and the public in response to this public notice and we may conduct or require a survey of the project area.

**FLOODPLAIN:** In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. Floodplain administrators should review the proposed public notice and notify this office of any floodplain development permit requirements.

**PUBLIC INTEREST REVIEW:** The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Federally recognized Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision. If a public hearing is held, it will be for the purpose of obtaining additional information that we could not otherwise obtain through a public notice process; not to inform the public about the specific details of the project in greater detail than what is found in this notice. This is not a Corps of Engineers project. We are not a proponent nor are we an opponent of the project. We are merely the permitting authority of Section 404 and Section 10 permits required by our office.

**COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION:** Send comments to the Corps of Engineers, Memphis District and Arkansas Department of Environmental Quality. Comments may be sent via mail or email to the following:



U.S. Army Engineer District-Memphis  
ATTN: Emily McCann  
167 North Main Street, Room B-202  
Memphis, Tennessee 38103-1894  
E-mail: [Emily.K.McCan@usace.army.mil](mailto:Emily.K.McCan@usace.army.mil)  
phone: (901) 544-0731  
fax: (901) 544-0211

State Permits Branch, Water Division  
Arkansas Department of Environmental Quality  
ATTN: Lazendra Hairston  
5301 North Shore Drive  
Little Rock, Arkansas 72118-5317  
email: [hairstonl@adeq.state.ar.us](mailto:hairstonl@adeq.state.ar.us)

The Corps may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments must be received by the expiration date listed on page one of this notice.

**FOR FINAL INDIVIDUAL PERMIT ACTIONS IN THE MEMPHIS DISTRICT, GO TO THE FOLLOWING LINK:** <http://geo.usace.army.mil/egis/f?p=340:2:0::NO:RP>. Using the Filter by district drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending individual permits can be located by selecting the “**Pending IP**” tab above. All of the environmental documents and statements of findings supporting issuance or denial of the permit decisions are available upon written request and where applicable, upon the payment of administrative fees. They are also available at the Memphis District, Regulatory Branch office for examination.

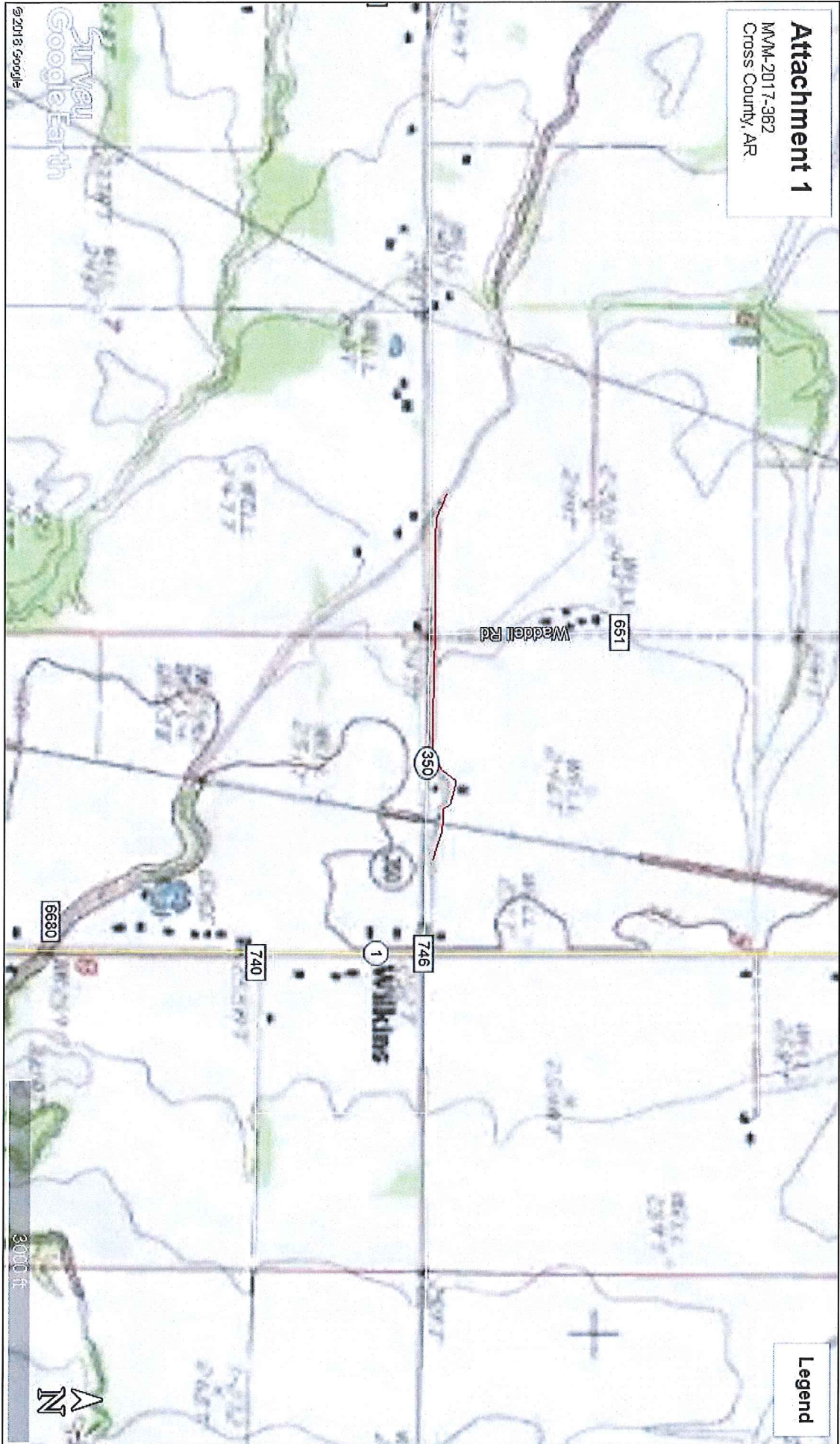


Gregg Williams  
Chief  
Regulatory Branch

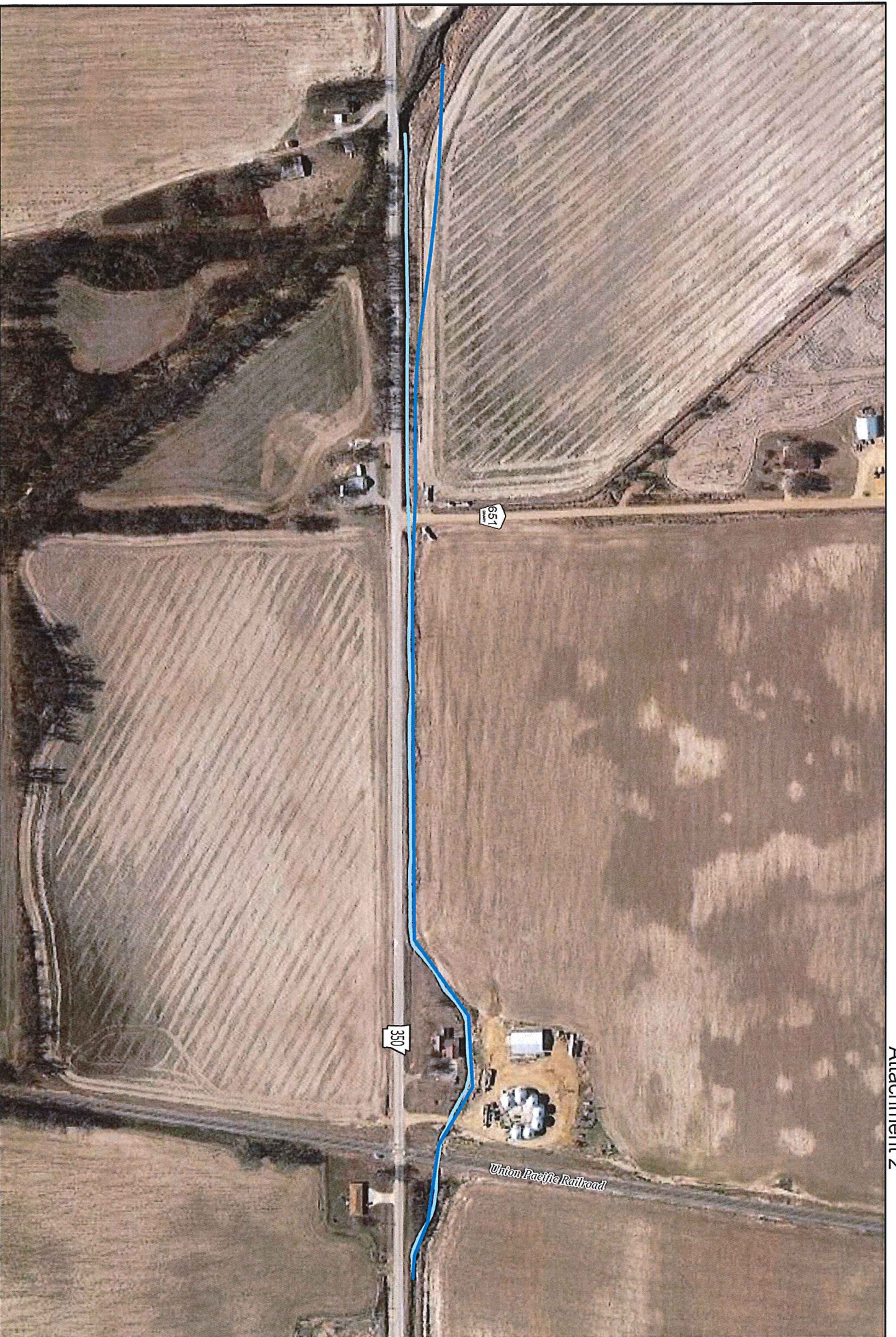
Attachments

# Attachment 1

MM-2017-362  
Cross County, AR







Job 110666  
Hwy. 1 - West  
(Drainage Impyts.) (Hwy. 350)  
Cross County

ArDOT - Environmental GIS - Hopkins  
March 29, 2018

Proposed Ditch - 2993 ft.  
Existing Ditch - 2813 ft.