



**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 Arkansas Department of Transportation, Prairie County, Arkansas.

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. The Arkansas Department of Transportation (ArDOT) is nearing completion of construction of a new Interstate-40 bridge over the White River and is preparing to remove the existing bridge, in Prairie County, Arkansas (Figure 1).

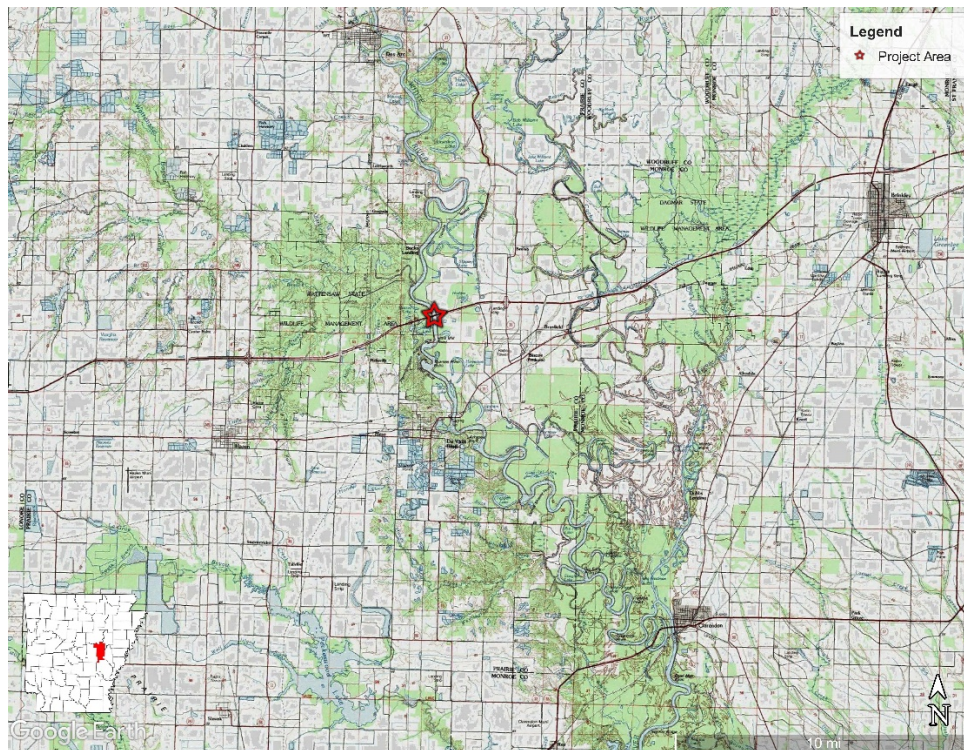


Figure 1. Location of proposed Arkansas Department of Transportation Interstate-40 bridge removal, Prairie County, Arkansas.

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 White River Navigation Project, the federally authorized civil works project proposed for alteration, provides for managing a navigable channel from Newport, Arkansas, to the confluence with the Mississippi River. The proposed request involves a removal of the old Interstate-40 Bridge across the White River in Prairie County, Arkansas. ArDOT is proposing to drop parts of the bridge into the river and then recover them, pre- and post-demolition surveys will be completed to ensure all material is removed to a specified elevation.

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. Environmental compliance with appropriate federal and state regulations, including state water quality certification, are encompassed in a Section 404, Clean Water Act, permit request modification currently being processed by USACE, Memphis District (MVM), Regulatory Branch (MVM 2013-00440-1). A Section 404 public notice was issued on 31 March 2015. Additionally, as the proposed Section 408 alteration is within the USACE project footprint, no known historic properties would be effected. 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; Native American Tribes; and other interested parties. Comments received within 15 days of this publication will be used in the evaluation of potential impacts of the proposed action on important resources. All comments will 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 joshua.m.koontz@usace.army.mil and should be received by December 19, 2020.**

Sincerely,



Edward P. Lambert
Chief, Environmental Compliance Branch,
Regional Planning and Environmental Division South