




US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2021-128 (JKN)

NOTICE DATE:
July 22, 2021

Attn: Postmaster,
Please Post Until 

EXPIRATION
DATE:
August 20, 2021

Public Notice U.S. Army Corps of Engineers

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:

Amanda Hicks
City of West Memphis, AR
203 S. Avalon
West Memphis, AR 72301

PURPOSE: The purpose of the proposed project is to improve access to the city's industrial site and provide an alternate route to I-40 traffic.

LOCATION: The project site is located in West Memphis, Crittenden County, Arkansas, as shown on the maps within Appendix One.

DESCRIPTION OF WORK: The applicant's proposed project would entail the placement of fill material into wetlands and other waters of the United States in association with the installation of 3 box culverts. The proposed road will serve as an alternate route for I-40 traffic. Drawings depicting the applicants proposed plans are included as an attachment and labeled permit sketches.

The overall project would include excavating the channel bottom and banks, installation of the culverts, and placing riprap and backfill in those areas where necessary. Current construction plans would include the permanent filling of wetlands and impacts to streams as described in the following table. (Please note that certain impacts may meet the requirements of one of the Nationwide Permits.)

Site	Impacts to Wetlands (Acres)	Impacts to Stream (Acres)	Total (Acres)
1	N/A	.741	.741
2	.089	0.472	.561
3	N/A	.052	.052

AVOIDANCE/MINIMIZATION: According to the applicant, because of the location and nature of the project, disturbance to wetlands could not be avoided during construction of the project.

MITIGATION: The applicant has proposed wetland mitigation through the purchase of available credits at the Glaise Creek Mitigation Bank in. The Memphis District is evaluating the plans against the project impacts prior to making a formal decision on mitigation.

WATER QUALITY CERTIFICATION: The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency. The applicant has already obtained Section 401 water quality certification from the ADEQ (certifying authority). The Corps of Engineers will complete evaluation of the certification as outlined in the Certification Rule.

ENDANGERED SPECIES: The Eastern Black Rail (*Laterallus jamaicensis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Fat Pocketbook (*Potamilus capax*), and Pondberry (*Lindera melissifolia*) are listed potentially effected endangered or threatened species by U.S. Fish and Wildlife Service. This application has been coordinated with the U.S. Fish and Wildlife Service. Any comments they have submitted regarding endangered or threatened wildlife or plants or their critical habitat will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Arkansas Department of Transportation, acting on behalf of the Federal Highways Administration, has already completed Section 106 consultation as the lead federal agency as required by the National Historic Preservation Act of 1966 (NHPA), as amended. As the proposed permit area falls within the FHWA area of potential effects (APE), the Arkansas Historic Preservation Program (AHPP) has concurred this project will not affect historic properties. Additional information that is received by August 20, 2021 from federal, state, and local agencies, federally-recognized Indian Tribes, the public, and other interested parties will be considered prior to making a final determination.

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 flood plain development permit is required. Floodplain administrators should review the proposed public notice and notify this office of any flood plain 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: To request additional information or provide comments on this notice, please contact Joanna Neu using the information below:

U.S. Army Engineer District - Memphis
ATTN: Joanna Neu
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: joanna.k.neu@usace.army.mil
Phone: (901) 544-0731
Fax: (901) 544-0211

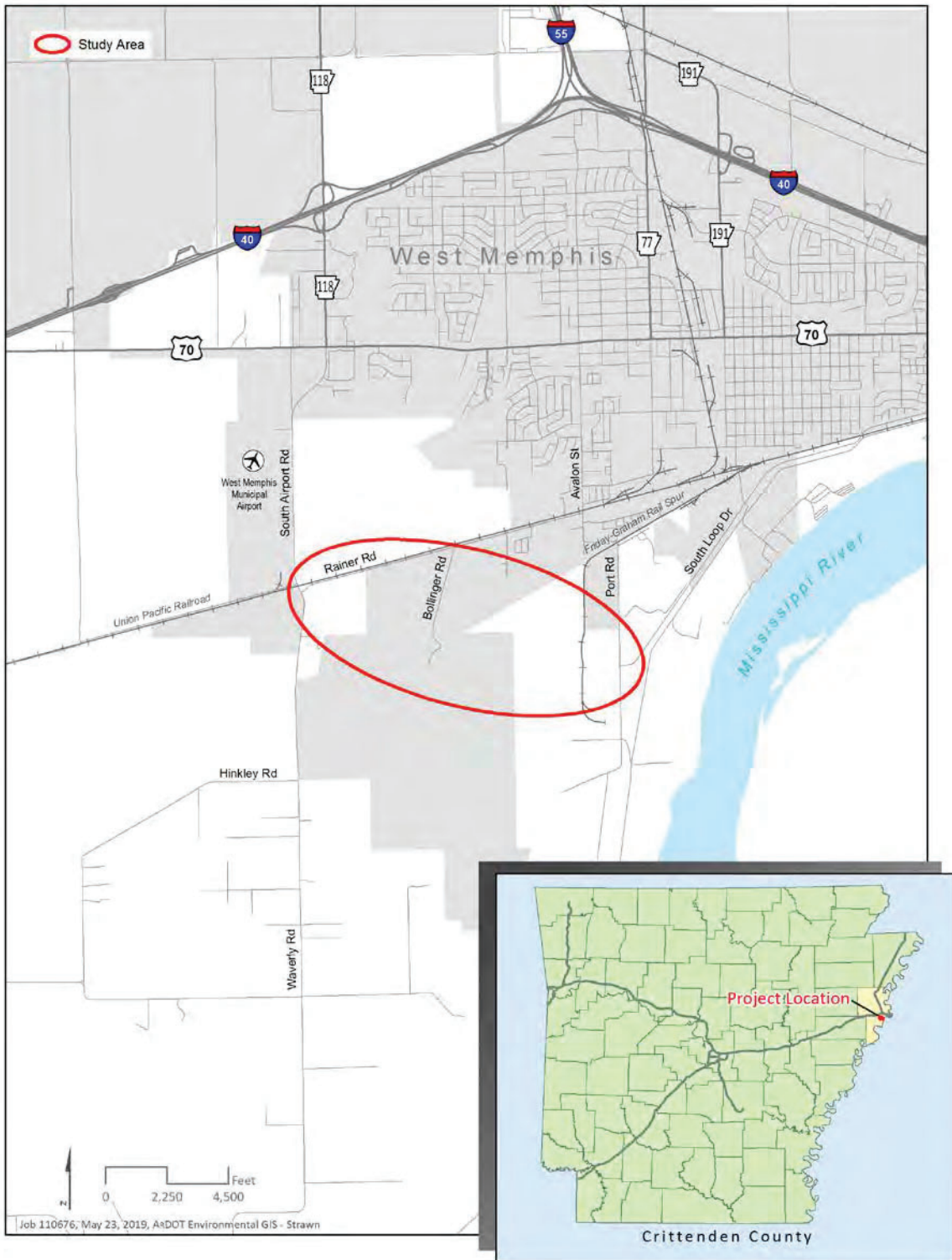
Comments may be sent via mail or email. The Corps of Engineers may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments must be received by the expiration date listed on page one of this notice.

For Final Individual Permits 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 Division office for examination.

for Gregg W. Williams
Chief
Regulatory Division

Attachments

Figure 1. Project Location and Study Area



West Memphis South Loop Extension

Legend
📌 Feature 1

35.11919, -90.22539

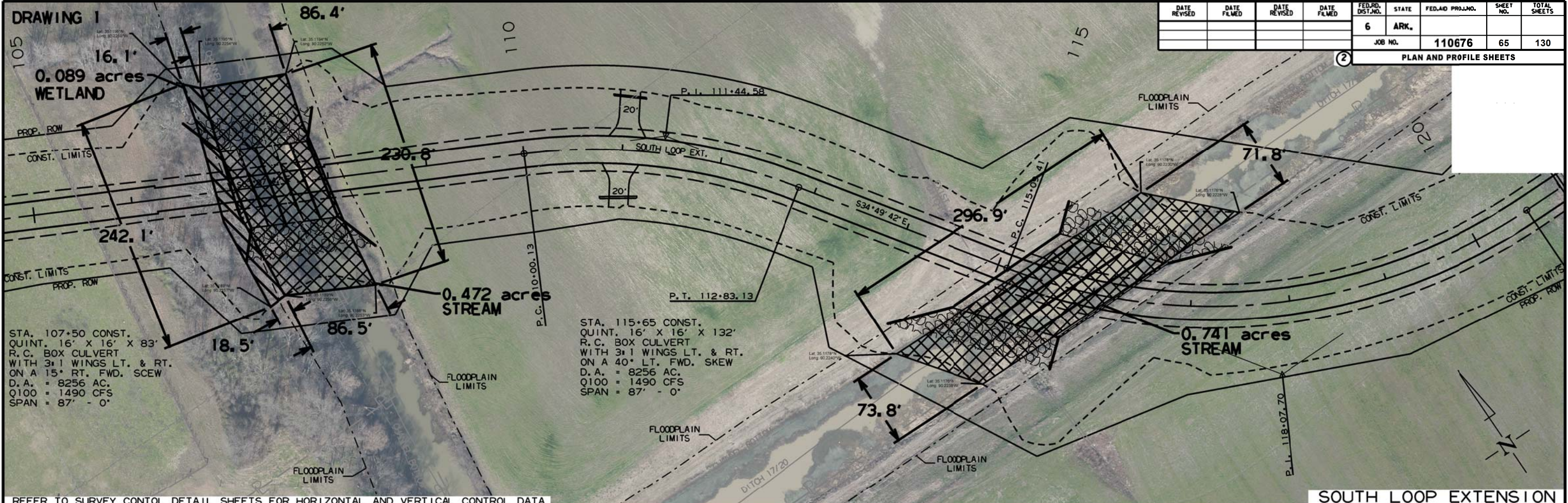
35.11772, -90.22343

35.1168, -90.2045



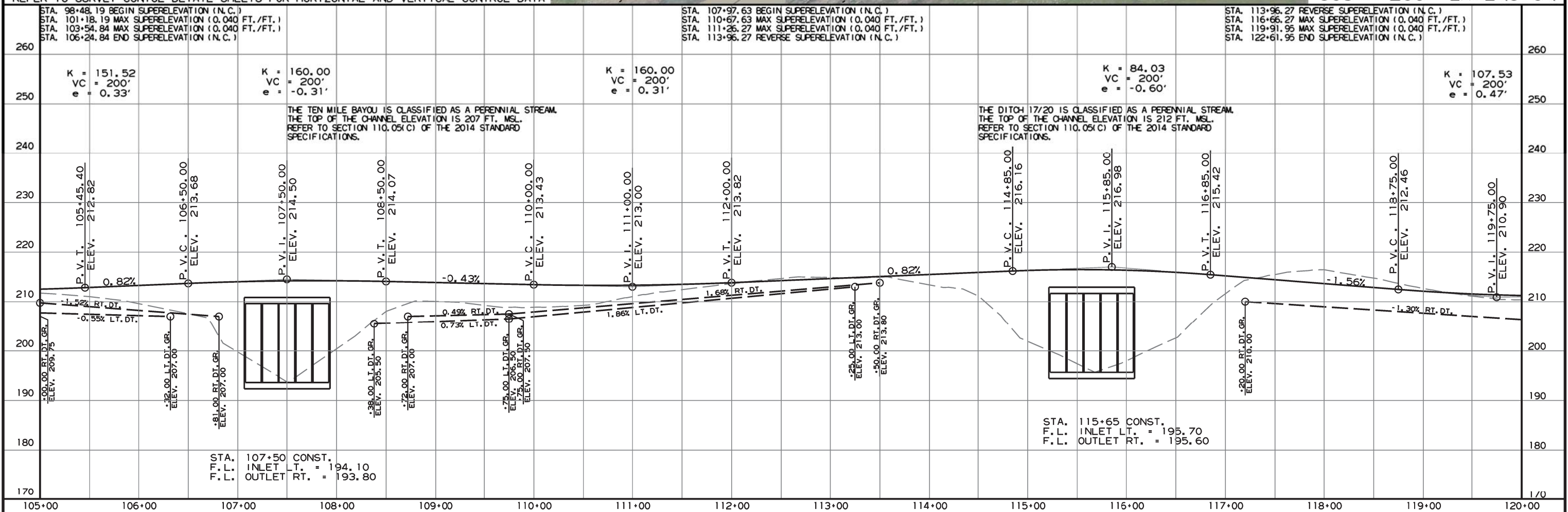
DRAWING 1

DATE REVISED	DATE FILMED	DATE REVISED	DATE FILMED	FED. RD. DIST. NO.	STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
				6	ARK.			
JOB NO. 110676							65	130
PLAN AND PROFILE SHEETS								



REFER TO SURVEY CONTROL DETAIL SHEETS FOR HORIZONTAL AND VERTICAL CONTROL DATA

SOUTH LOOP EXTENSION



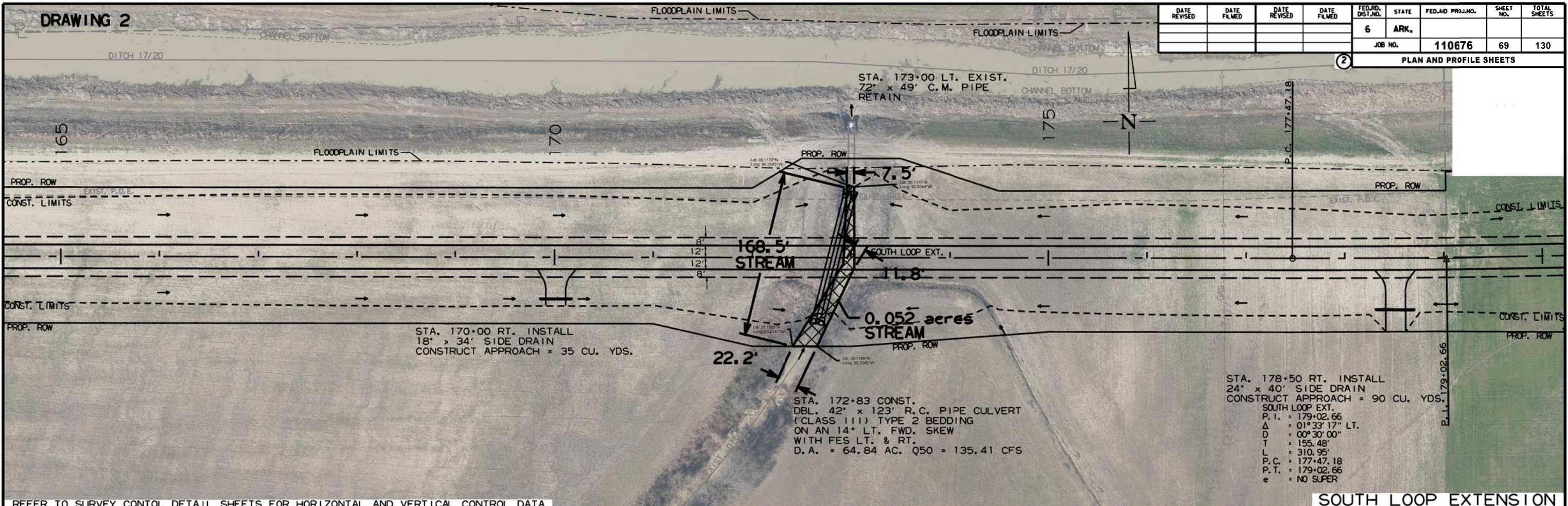
DATE & TIME: 6/18/2021 8:35:03 AM
FILE: J:\25447\Permits\447-404-PNP_MaintLanes-Field

STA. 115+65 CONST.
F.L. INLET LT. = 195.70
F.L. OUTLET RT. = 195.60

DRAWING 2

DATE REVISED	DATE FILMED	DATE REVISED	DATE FILMED	FED. RD. DIST. NO.	STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
				6	ARK.		69	130
						JOB NO.	110676	

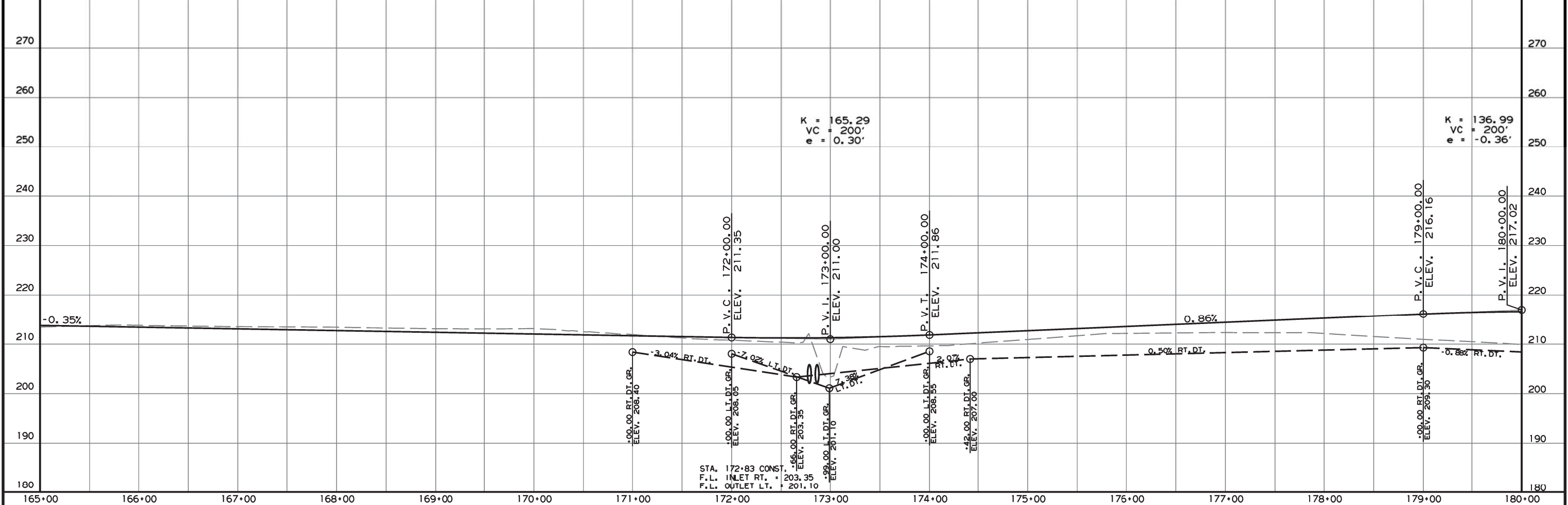
PLAN AND PROFILE SHEETS



STA. 178+50 RT. INSTALL
24' x 40' SIDE DRAIN
CONSTRUCT APPROACH = 90 CU. YDS.
SOUTH LOOP EXT.
P. I. : 179+02.66
Δ : 01°33'17" LT.
D : 00°30'00"
T : 155.48'
L : 310.95'
P. C. : 177+47.18
P. T. : 179+02.66
e : NO SUPER

REFER TO SURVEY CONTROL DETAIL SHEETS FOR HORIZONTAL AND VERTICAL CONTROL DATA

SOUTH LOOP EXTENSION



DATE & TIME: 6/18/2021 8:35:15 AM
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