



US Army Corps  
of Engineers®  
Little Rock District

# PUBLIC NOTICE

*CORPS OF ENGINEERS*

**Application Number: MVM-2023-00317**

**Date: January 29, 2024**

**Comments Due: February 23, 2024**

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**TO WHOM IT MAY CONCERN: Comments are invited on the work described below. Please see the Public Involvement section for details on submitting comments.**

Point of Contact. If additional information is desired, please contact the regulator, Johnny McLean, telephone number: (501) 324-5295, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, email address: [Johnny.L.McLean@usace.army.mil](mailto:Johnny.L.McLean@usace.army.mil)

Project Information. Pursuant to Section 404 of the Clean Water Act (33 U.S. Code 1344), notice is hereby given that

**Arkansas Department of Transportation (ArDOT)  
PO Box 2261  
Little Rock, AR 72203**

has requested authorization for work, including the placement of dredged and fill material, in waters of the United States associated with the replacement of four bridge structures. The structures consist of three bridge spans along Highway 63 over segments of LaGrue Bayou and Wolf Island Slash, and one bridge span along Highway 33 over Honey Creek. The proposed project is located in sections 16, 17, 28 and 29, T. 1 N., R. 5 W., and in section 17, T. 1 N., R. 4 W., Prairie County, Arkansas.

The project purpose is to improve traffic conditions by replacing four outdated and insufficient bridges in Prairie County, Arkansas.

ArDOT proposes the replacement of four bridge structures spanning LaGrue Bayou, Wolf Island Slash and Honey Creek. The existing structures to be replaced consist of two bridge spans along Highway 63 over segments of LaGrue Bayou, known as ArDOT Structure Number 01860 and Number 01859, one bridge span along Highway 63 over Wolf Island Slash, known as ArDOT Structure Number 01858, and one bridge span along Highway 33 over Honey Creek, known as ArDOT Structure Number M0756.

Specifically, Bridge Number 01860 and Number 01859 consist of two 101-foot-long by 25.5-foot-wide bridge structures spanning sections of LaGrue Bayou. ArDOT proposes 0.07 acres of wetland clearing and 5.08 acres of wetland fill at this location for the replacement of the two bridges. Bridge Number 01858 consists of a 76-foot-long by 25.5-foot-wide bridge structure spanning Wolf Island Slash. ArDOT proposes 0.20 acres of wetland clearing and 1.12 acres of wetland fill at this location for the replacement of the bridge. Bridge Number 01860, Number 01859 and Number 01858 are proposed to be replaced with similar girder span bridge types that would expand the roadway from two 12-foot-wide paved travel lanes with 3-foot-wide paved

shoulders, to four 12-foot-wide paved travel lanes with an 11-foot-wide painted median and 8-foot-wide paved shoulders. Bridge Number M0756 consists of a 74.5-foot-long by 22.2-foot-wide bridge structure spanning Honey Creek. ArDOT proposes 0.24 acres of wetland clearing and 0.41 acres of wetland fill at this location for the replacement of the bridge. Bridge Number M0756 is proposed to be replaced with a quadruple 12-foot-wide by 12-foot-high box culvert that would expand the roadway from two 10-foot-wide paved travel lanes with 3-foot-wide unpaved shoulders to two 11-foot-wide paved travel lanes with 4-foot-wide (2 feet paved) shoulders. Permanent impacts to Honey Creek would be 72 linear feet and 0.08 acres. This project proposal would involve updating the four bridges to current engineering and traffic standards.

The project is proposed along both, previously disturbed and undisturbed sections of the roadway(s), utility and transit right-of-way, and undeveloped forested land, wetlands and open water. The overall roadway improvement project will acquire 6.02 acres of additional right-of-way and convert 0.32 acres of prime farmland to roadway right-of-way, which has been coordinated with the United States Department of Agriculture, Natural Resources Conservation Service. There are no relocations, environmental justice issues, wellhead protection areas/public water supplies or cultural resources associated with this project.

ArDOT proposes to avoid and minimize impacts to aquatic resources by replacing the bridges within their current alignment, and within previously disturbed and maintained locations to the maximum extent that is practicable. ArDOT proposes to utilize compensatory mitigation credits from their Glaise Creek Mitigation Bank for unavoidable impacts to 7.12 acres of wetlands and 0.08 acres of stream.

The location and general plan for the proposed work are shown on the enclosed sheets 1 through 6 of 6.

**Water Quality Certification.** The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 Code of Federal Regulations (CFR) Part 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. As of the date of this public notice, the applicant has not submitted a certification request to the Arkansas Department of Energy and Environment, Division of Environmental Quality (certifying authority). In accordance with Certification Rule Part 121.6, once the applicant submits a certification request the Corps will determine the reasonable period of time for the certifying agency to act upon the certification and provide written notification. In accordance with Certification Rule Part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received the subject certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

Cultural Resources. ArDOT staff archeologists have reviewed the project area and completed coordination with the Arkansas Historic Preservation Program, as well as Federally recognized Native American Nations and tribal governments. The District Engineer invites responses to this public notice from Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area.

Endangered Species. ArDOT has determined that four Federally protected threatened and endangered species may occur within the project area, including: Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis.*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*) and Pondberry (*Lindera melissifolia*). ArDOT has determined the undertaking will not affect threatened and endangered species due to the minimal scope and location of the undertaking. 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.

Floodplain. We are providing copies of this notice to appropriate floodplain officials in accordance with 44 Code of Federal Regulations (CFR) Part 60 (Floodplain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Floodplain Management. Prairie County participates in the National Flood Insurance Program. ArDOT has determined the project lies within Zone A, area of 100-year flood event. ArDOT determined that adjacent properties should not be impacted nor have a greater flood risk than existed before construction of the project.

Section 404(b)(1) Guidelines. The evaluation of activities to be authorized under this permit, which involves the discharge of dredged or fill material will include application of guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. These guidelines are contained in 40 Code of Federal CFR 230.

Public Involvement. Any interested party is invited to submit to the above-listed POC written comments or objections relative to the proposed work on or before **February 23, 2024**. Substantive comments, both favorable and unfavorable, will be accepted and made a part of the record and will receive full consideration in determining whether this work would be in 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 proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal 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; Indian 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.

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 public hearings shall state, with particularity, the reasons 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.

**NOTE:** The mailing list for this Public Notice is arranged by state and county(s) where the project is located and includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please advise us so that your name can be removed from the mailing list.

Enclosures: Project maps

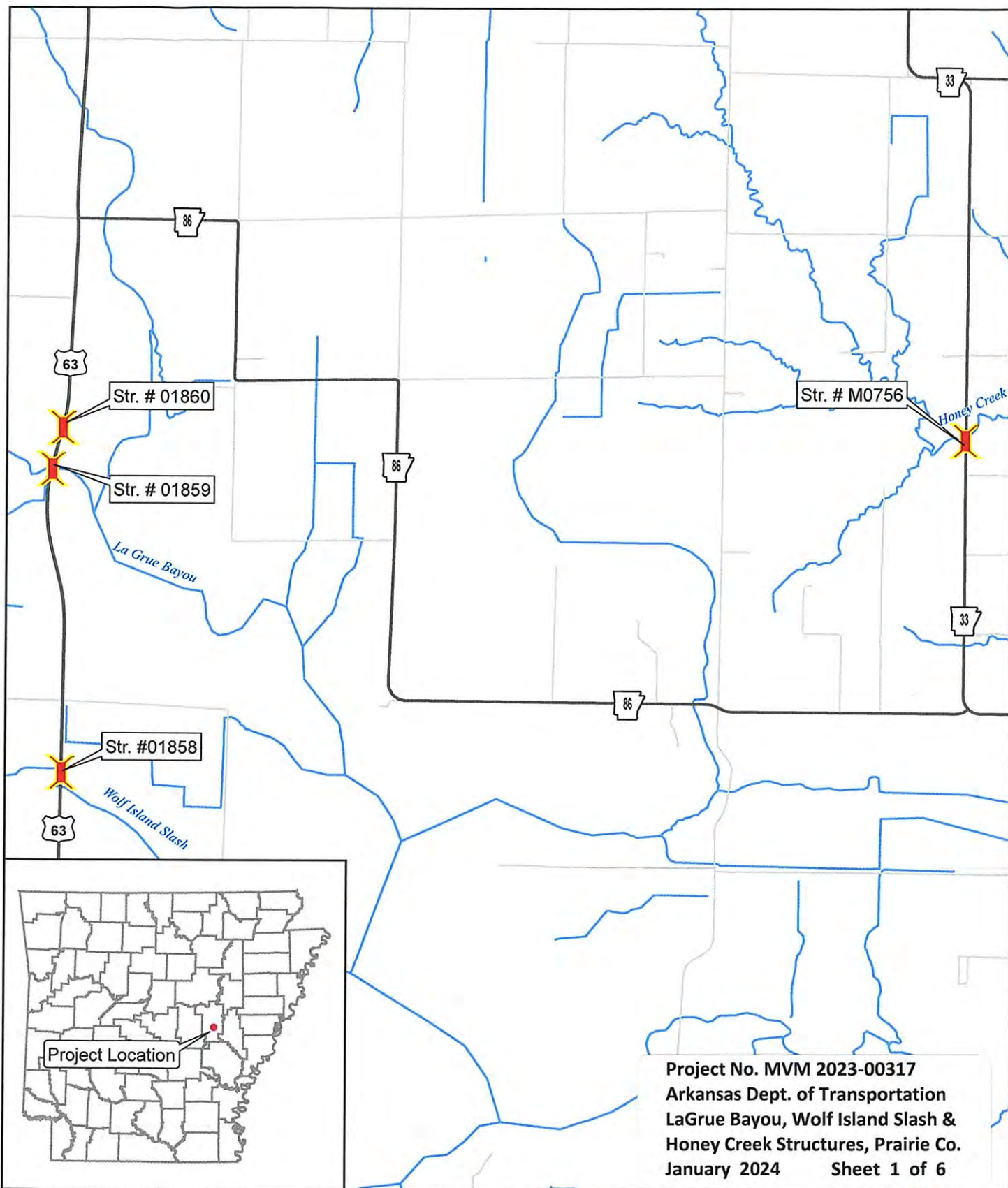
Approximate Coordinates of Project Center

Latitude: **34.705584**

Longitude: **-91.555896**

UTM Zone: **15N** North: **3841343.29**

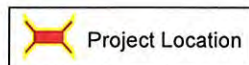
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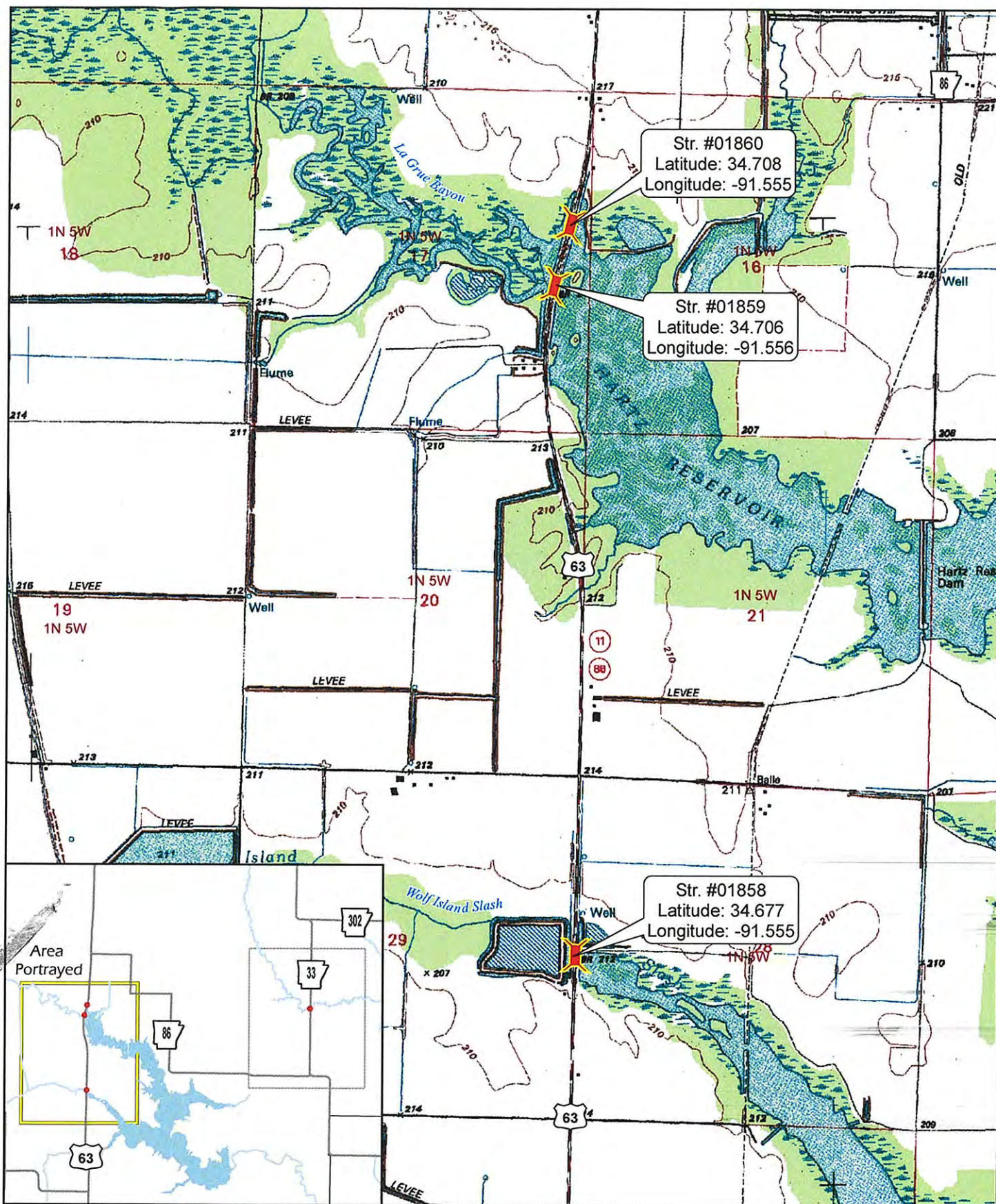
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ARDOT - Environmental GIS - Dudley  
June 8, 2020

Job 061615  
LaGrue Bayou, Wolf Island Slash,  
& Honey Creek Strs. & Apprs.  
Prairie County



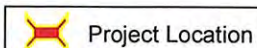
Project Location



Scale - 1:24,000

ARDOT - Environmental GIS - Dudley  
January 14, 2020

Job 061615  
Wolf Bayou, Honey & La Grue Creeks  
Strs. & Apprs. (Hwys. 63 & 33)  
Prairie County  
Sheet 1 of 2



Project Location

USGS Topographic Map:  
Slovak 1994

