



US Army Corps  
of Engineers®  
Little Rock District

# PUBLIC NOTICE

*CORPS OF ENGINEERS*

**Application Number: SWL-2021-00025**

**Date: July 14, 2022**

**Comments Due: August 7, 2022**

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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, Michael Gala, telephone number: (870) 886-3610, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, email address: [Michael.R.Gala@usace.army.mil](mailto:Michael.R.Gala@usace.army.mil).

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

**Missouri Department of Transportation (MODOT)  
601 West Main Street  
Jefferson City, Missouri 65101**

has requested authorization for the discharge of fill material in waters of the United States associated with the Phase 1B upgrade of U.S. Route 67 (R67) to create Interstate 57 (I-57). The proposed project will discharge fill material below the Ordinary High Water Mark (OHWM) of approximately 0.90 acres of one (1) open water pond, approximately 1.98 acres of two (2) wetland complexes, and convert approximately 689 linear feet of three (3) channelized streams into piped streams along R67 that flow into the Little Black River, in the center of section 21, T. 23 N., R. 5 E., approximately 3 miles southwest of Harvell on R67, Butler County, Missouri.

The applicants stated purpose and need for this segment of R67 from 0.50 mile south of the Route 160/158 interchange through the intersection of R67 and County Road 338 (CR338) is part of a larger initiative to extend I-57 through southeast Missouri and into Arkansas to make a connection between Chicago, Illinois and Little Rock, Arkansas. The project will reduce traffic congestion, accident rates, roadway deficiencies, and improve system continuity along R67.

The project is Phase 1B of the R67 expansion project, which will widen and re-align R67 from 0.50 mile south of the Route 160/158 interchange through the intersection of R67 and CR338. The re-alignment will take place directly West and parallel to the existing R67. The old R67 pavement will be converted to the East Outer Road. The project would include the discharge of fill material below the Ordinary High-Water Mark (OHWM) of the waters listed above.

This 2-mile section of the R67 realignment project is located 8.5 miles south of Poplar Bluff, Missouri, and west of existing MO 67. The first mile (35.8 acres) is located in the Ozark Highlands topography, while the second mile (35 acres) is within the Mississippi River's Alluvial floodplain. The Ozark Highlands are heavily forested rolling hills. Land use in the project area is a mixture of commercial and residential, upland forest and pastureland. The 35

acres within the Mississippi Alluvial floodplain impacted by this phase of the project consists of 14 acres of crop land and 7 residential structures on approximately 15.5 acres. This section of the project crosses three streams and will impact a 1-acre pond. Depicted water features within the preferred alternative alignment, from the intersection of Route 67 and CR 338 southward include: Taft Ditch and associated wetlands; an unnamed tributary to Taft Ditch.

Multiple road alignments were reviewed to balance cost and avoid and minimize impacts on the aquatic environment. To mitigate aquatic resource impacts, MODOT proposes to purchase mitigation credits from the MODOT Bootheel Region Mitigation Bank at a 1:1 ratio.

The location and general plan for the proposed work are shown on the enclosed sheets.

**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 Missouri Department of Natural Resources, Water Protection Program (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.** A Corps staff archeologist will evaluate the proposal for compliance with Section 106 of the National Historic Preservation Act, including identification and evaluation of cultural resources potentially impacted by the proposal's implementation in waters of the United States. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; 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.** Our preliminary determination is that the proposed activity will not affect listed Endangered Species or their critical habitat. 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.

**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 **August 7, 2022**. 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.

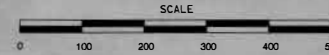
**NOTE:** The mailing list for this Public Notice is arranged by state and county(s) where the project is located and includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please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

Enclosures

Approximate Coordinates of Project Center

**Latitude:** 36.6466397°      **Longitude:** -90.520915°

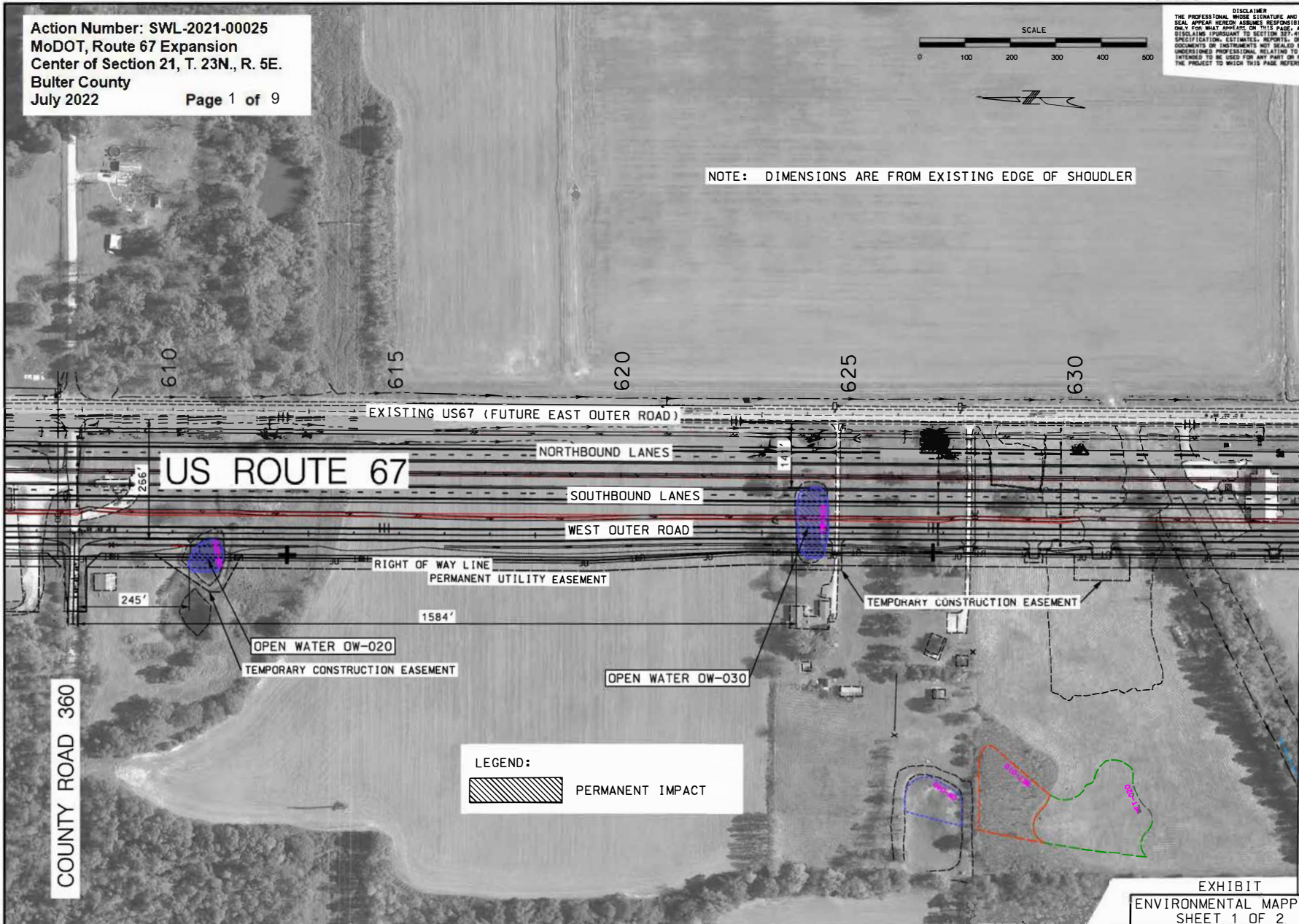
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 MoDOT, Route 67 Expansion  
 Center of Section 21, T. 23N., R. 5E.  
 Butler County  
 July 2022 Page 1 of 9



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LEGEND:  
 PERMANENT IMPACT

MATCHLINE SEE SHEET 2

DATE PREPARED 7/8/2022	
ROUTE 67	STATE MO
DISTRICT SE	SHEET NO.
COUNTY BUTLER	
JOB NO. J9P3764	
CONTRACT ID.	
PROJECT NO.	
BRIDGE NO.	

DESCRIPTION	DATE

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

105 WEST CAPITOL  
 JEFFERSON CITY, MO 65102  
 1-888-ASK-MODOT (1-888-273-6626)

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EXHIBIT  
 ENVIRONMENTAL MAPPING  
 SHEET 1 OF 2

Action Number: SWL-2021-00025  
 MoDOT, Route 67 Expansion  
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 July 2022 Page 2 of 9

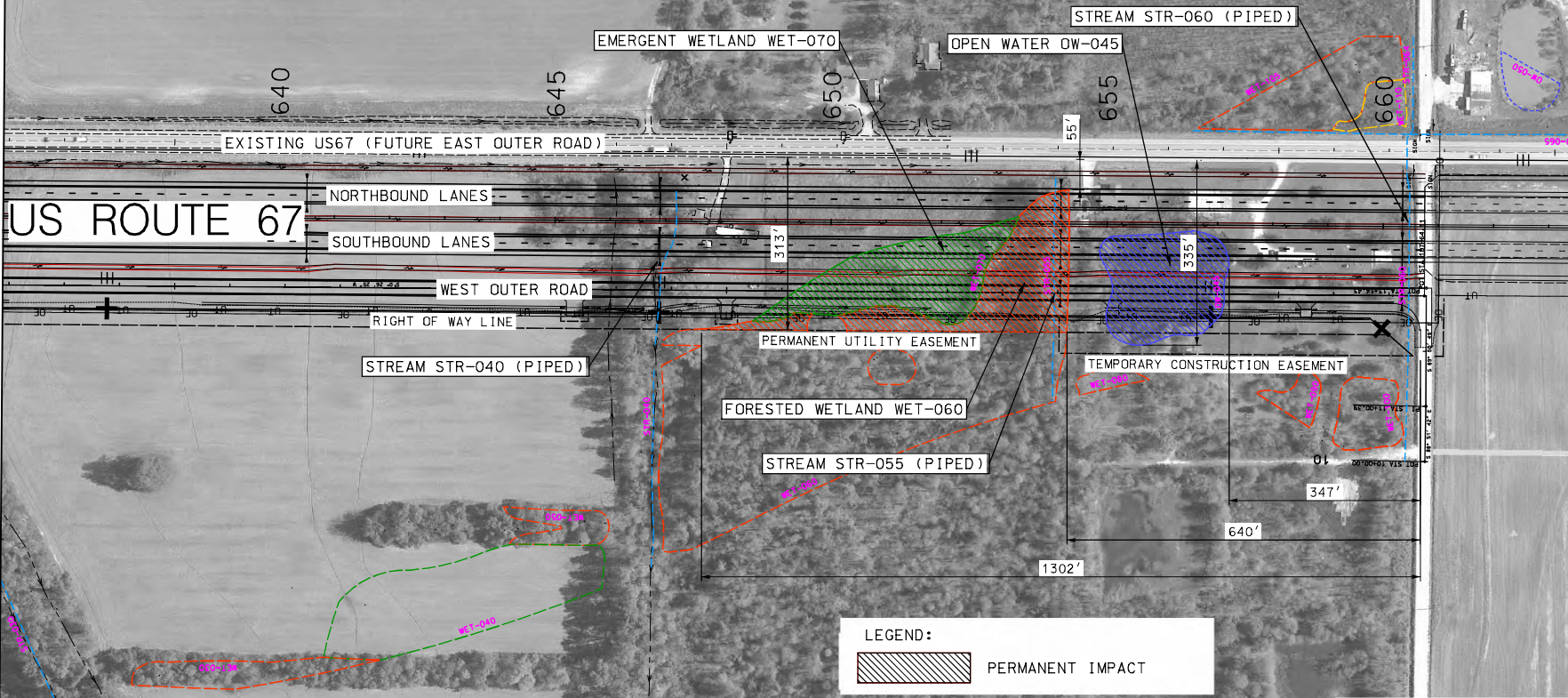


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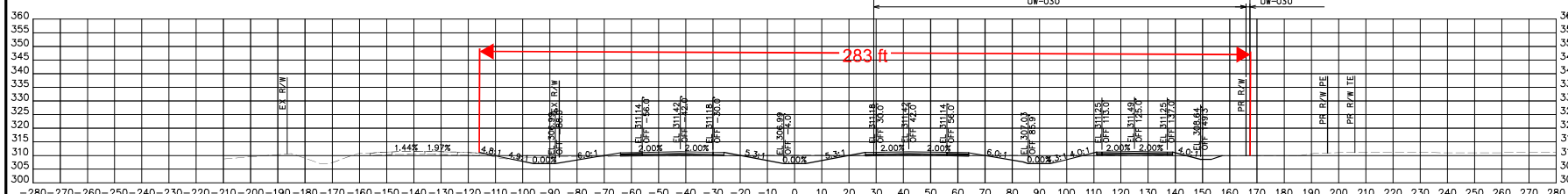
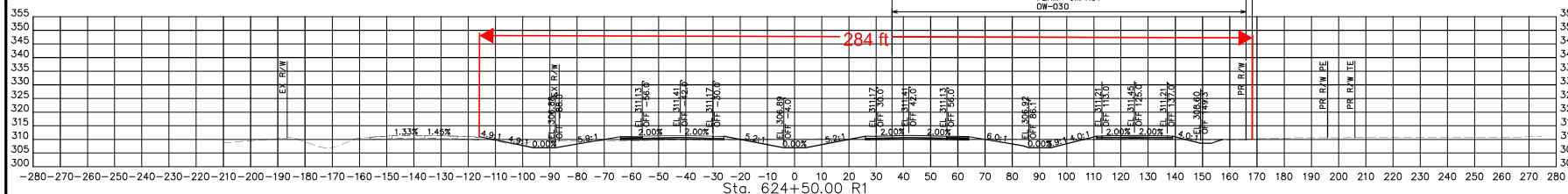
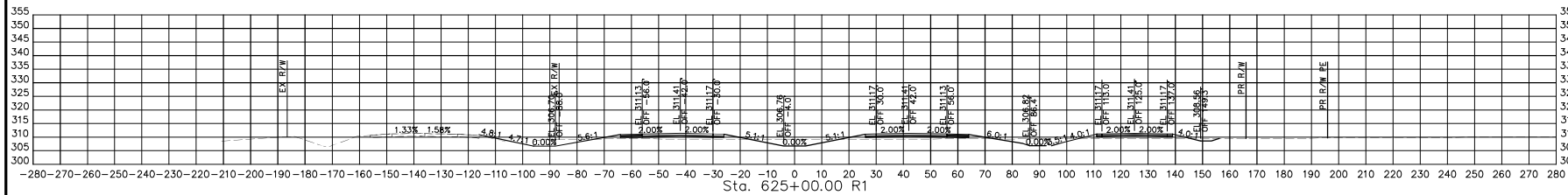
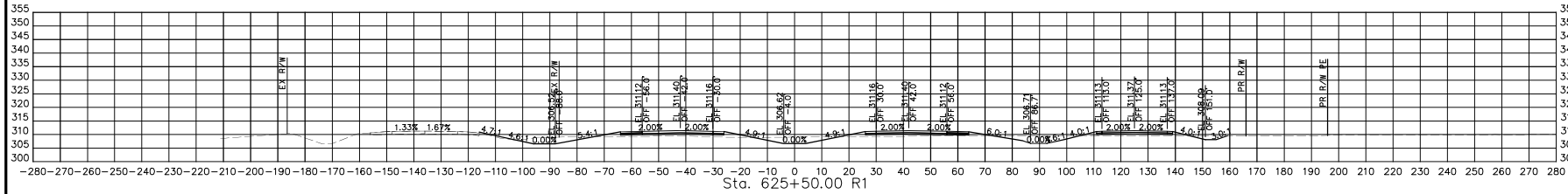
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BRIDGE NO.	

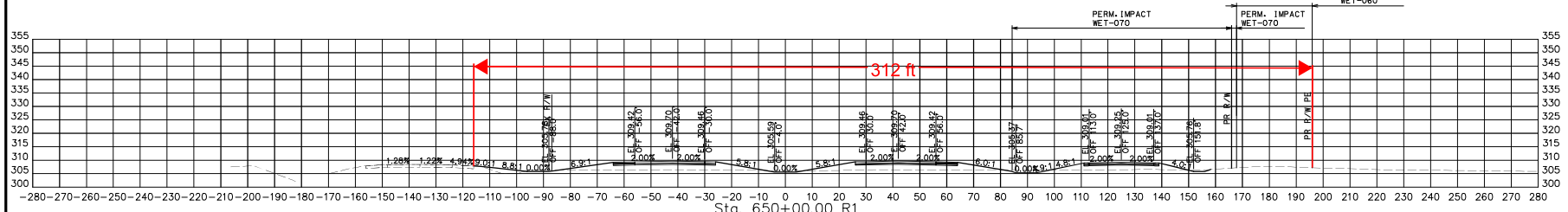
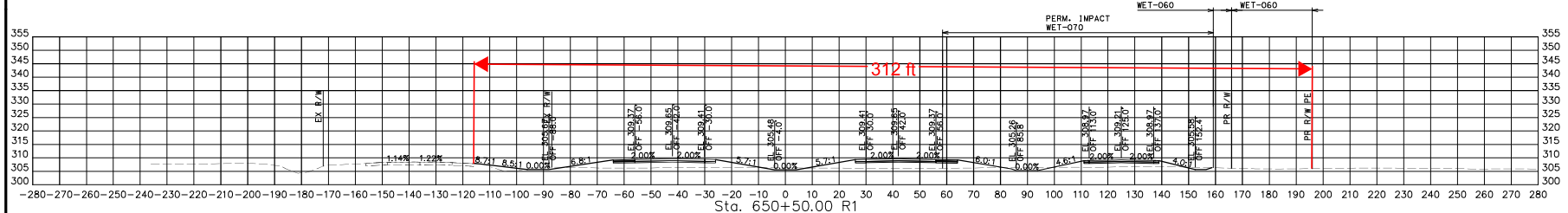
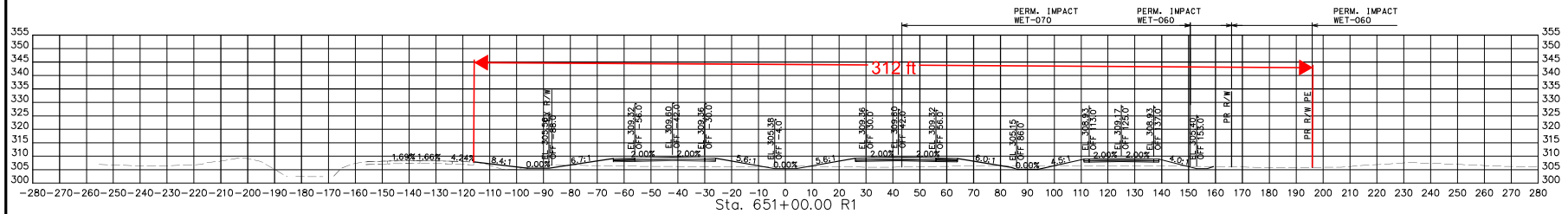
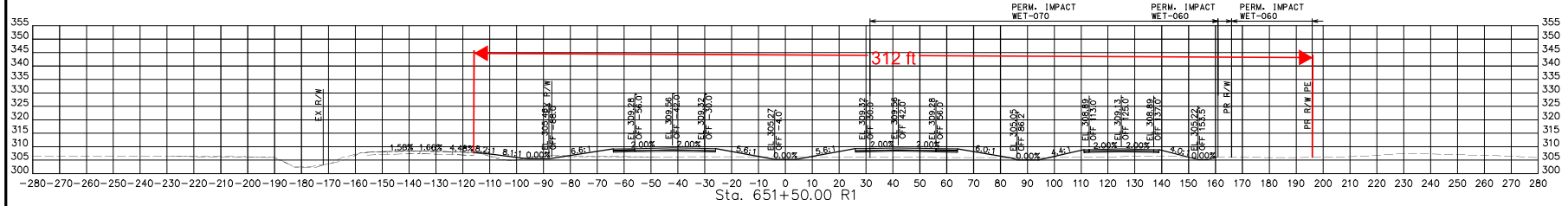
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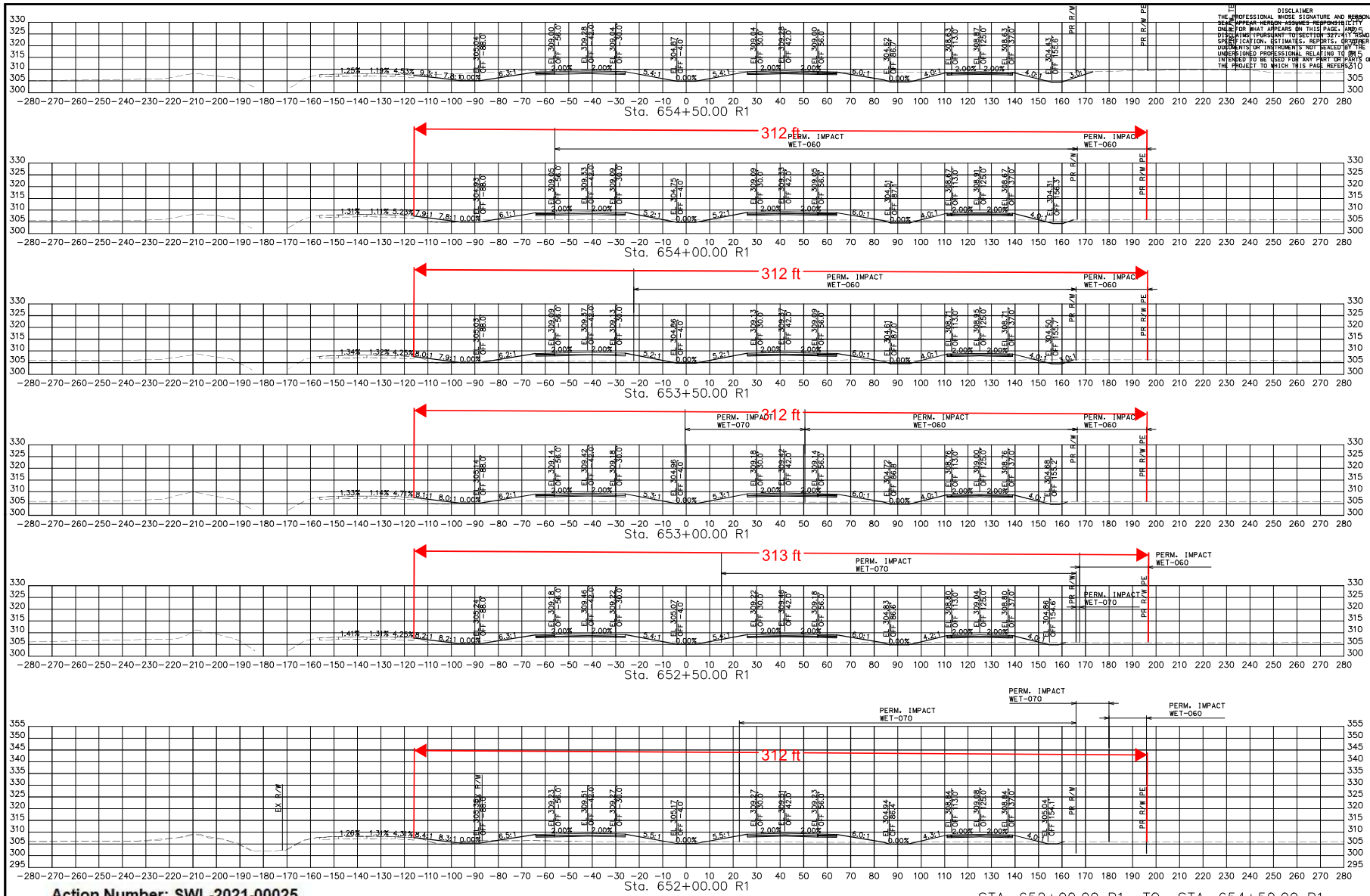
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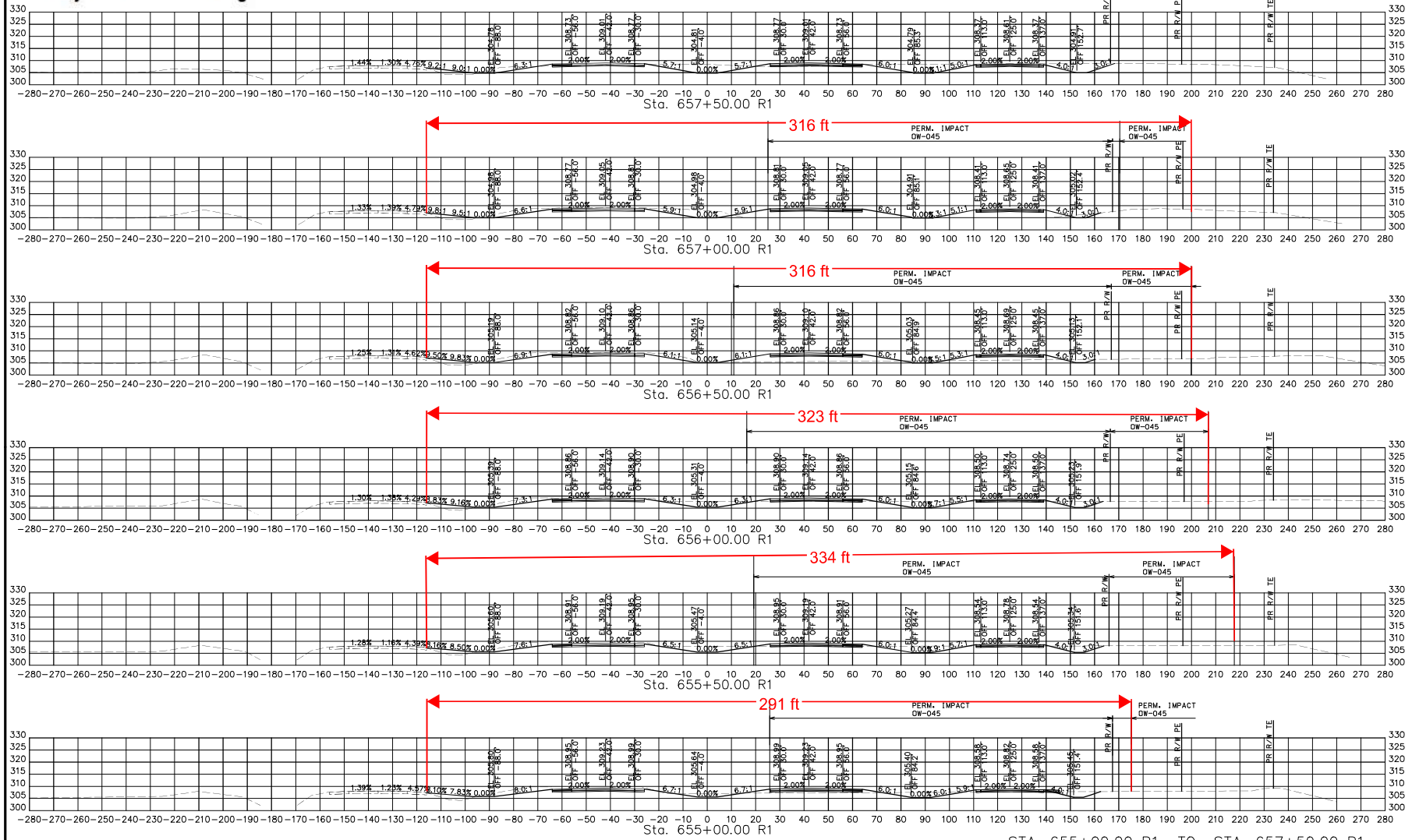
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