

# PUBLIC NOTICE



**US Army Corps  
of Engineers  
Little Rock District**

**Permit No. SWL-2008-00066-GP-41  
Issue Date: June 14, 2023**

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STATE OF MISSOURI  
ISSUANCE OF REGIONAL GENERAL PERMIT 41 (GP-41)  
FLOOD RECOVERY/REPAIR ACTIVITIES

The U.S. Army Corps of Engineers, Little Rock District, **HAS ISSUED GP-41**, authorizing the protection and the repair of existing damaged structures, damaged land areas, and damaged fills that were previously authorized by a Department of the Army (DA) permit. GP-41 is issued under the authority of Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and/or Section 404 of the Clean Water Act (33 USC 1344). The GP-41 authorizes disaster recovery and repair activities within the Little Rock District's regulatory boundary within the State of Missouri, provided that the project proponent, contractor, etc. complies with all general, special and water quality certification conditions included in GP-41. Additionally, GP-41 does not obviate the project proponent from obtaining other Federal, state, and/or local authorizations, required by law, prior to completing the authorized work described in GP-41. The limit of authorization of GP-41 is to those areas within Little Rock District's regulatory boundary in Missouri that have been declared a natural disaster area by the governor of Missouri or by the President of the United States. Other Corps of Engineers Districts with regulatory authority in the State of Missouri will issue a similar Department of the Army permit that authorizes disaster recovery activities specific to each of those districts.

**DURATION OF THE GENERAL PERMIT:** The GP-41 has been issued and is in effect for a period of five years from the issue date listed above (June 14, 2023), unless it is specifically modified, suspended, or revoked prior to the expiration date. Upon its expiration, GP-41 will be considered for renewal. The GP-41 may be modified, suspended or revoked, in whole or in part, at any time if it is determined that the cumulative effects of the activities authorized by GP-41 have a significant environmental impact or is otherwise determined contrary to the public interest.

**APPLICANT:** General public, government agencies

**PROJECT LOCATION:** In waters of the United States located in counties and/or municipalities within the Little Rock District's regulatory boundary in the State of Missouri, which are declared disaster areas by the governor of Missouri and/or by the President of the United States of America.

**AUTHORITY:** Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 USC 1344).

**ACTIVITY:** GP-41 Activities: To excavate or place fill material for the permanent protection of and/or repair of existing flood damaged structures, damaged land areas and/or damaged fills as follows:

- a. Repair of levees to preexisting elevations and cross-section, including breach closures and associated borrow operations.
- b. Bridge embankment protection (armoring) and/or repair. In some circumstances, repair to the structure, for safety or practicality, requires a complete replacement.
- c. Repair of preexisting highway or railroad embankments and the addition or repair of stone (armoring) protection.
- d. Repair of preexisting utility protection structures.
- e. Placement of rock and/or earth materials for stream/ditch bank protection and/or stream/ditch bank restoration.
- f. Drainage channel/ditch restoration to pre-flood capacity and flow line unless the flow line must be altered due to other damage associated with the flood event.
- g. Restoration of creek channels to pre-flooding alignment and capacity.
- h. Construction of temporary roads and temporary fills to facilitate the completion of any of the above listed activities.
- i. Mechanical and/or hydraulic dredging of any recently accumulated sediment from the flood event. All accumulated sediment must be dredged within six (6) months of the event and removed from the waterbody to an approved upland location. The dredging is limited to accumulated sediment only from the flood event. Any additional dredging would need a separate Department of the Army permit determination.

**NOTIFICATION PROCEDURES:** Individuals proposing to perform activities in accordance with the criteria outlined in GP-41 must review the types of activities that require preconstruction notification (PCN) to the Corps of Engineers, Little Rock District, Regulatory Division prior to commencing repair work. If a PCN is required, all information outlined in Appendix I of GP-41 must be submitted to the Corps of Engineers for review and the Corps must verify that the proposed repair work is authorized by GP-41. An ENG Form 4345 and complete instructions are available at:

<http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/>.

All disaster repair activities supervised by the Corps of Engineers, pursuant to Public Law 84-99 or to Section 14 projects, and/or all repairs supervised by the United States Department of Agriculture, pursuant to any USDA Program authorized for disaster recovery can be completed without PCN to the Corps of Engineers. It is the responsibility of these federal agencies to comply with all environmental laws and Presidential Executive Orders. All completed disaster repair work, authorized by this permit, must be reported to the Little Rock District, Corps of Engineers, Regulatory Division, by the end of the calendar year in which the flood repair project is completed. The project report must include the location of the work, as-built drawings of the structure(s) and/or fill(s), and a discussion of the avoidance and minimization measures incorporated into the project and mitigation measures employed. Reports must be submitted to the U.S. Army Corps of Engineers, Little Rock District, Regulatory Division, 700 West Capitol Avenue, Room 6323, Little Rock, Arkansas 72201, telephone: (501) 324-5295 or email [ceswl-regulatory@usace.army.mil](mailto:ceswl-regulatory@usace.army.mil).

**SECTION 401 WATER QUALITY CERTIFICATION:** The Missouri Department of Natural Resources (MDNR) has issued programmatic Section 401 Water Quality Certifications for GP-41. The conditions of this certification are conditions of GP-41.

**ADDITIONAL INFORMATION:** Additional information about GP-41 may be obtained by writing to the following address: US Army Corps of Engineers, Little Rock District, Regulatory Division Chief, 700 West Capitol Avenue, Room 6323, Little Rock, Arkansas 72201 or by calling Regulatory Project Manager, Mr. David Rupe, at (501) 340-1386 or by email at [david.m.rupe@usace.army.mil](mailto:david.m.rupe@usace.army.mil).