



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	MVK-2017-603
EVALUATOR:	Mr. Andy Sanderson
PHONE NO.:	(601) 631-5083
E-MAIL:	Andy.Sanderson@usace.army.mil
DATE:	October 29, 2018
EXPIRATION DATE:	November 18, 2018

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Arkansas Department of Environmental Quality, are considering an application for a Department of the Army permit and State water quality certification for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F, at the above address, and the Arkansas Department of Environmental Quality, Post Office Box 8913, Little Rock, Arkansas 72219-8913, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged and / or fill material into waters of the United States.

Name of Applicant:
Mr. Lewis Diggs
Southwest Arkansas Regional
Intermodal Authority
Post Office Box 363
Arkadelphia, Arkansas 71923

Name of Agent:
Ms. Jenny Lam
Terracon Consultants, Inc.
11555 Clay Road, Suite 100
Houston, Texas 77043

Location of Work: Section 13, T8S- R20W, and Sections 7 &18, T8S-R19W
Latitude 34.0462°N, Longitude -93.0865°W, within the North Boat Ditch-Terre Noire
Creek watershed of the Little Missouri Drainage Basin (8-digit USGS HUC:
08040103), Clark County, Arkansas.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to conduct

activities in jurisdictional areas for the purpose of constructing a rail spur. The rail spur would run northeast from a recently permitted rail line adjacent to an existing industrial park in Gum Springs, Arkansas, and connect to the existing Missouri Pacific Railroad to the east. The stated purposes of the proposed project are: to provide services for local industries located in the industrial park adjacent to the proposed railroad; increase the efficiency of product distribution; and to promote economic development in the area.

The rail spur would be approximately 2,540 feet long. There are approximately 2.12 acres of jurisdictional wetlands within the project area: 0.18-acre of herbaceous and 1.94 acres of forested wetlands. All of the 2.12 acres of jurisdictional wetlands would be impacted by the proposed project. Approximately 13,700 cubic yards of fill would be placed in the wetlands.

The vegetative communities within the project area are dominated by American elm, green ash, black oak, sweetgum, poison ivy, catbriar, sugarberry, red maple, honey locust, dewberry, and trumpet creeper. Soils within the project site consist of Houston clay, Kipling silt loam, Kipling silty clay loam, and Terouge silty clay with NRCS hydric component percentage ratings of 0, 10, 5, and 15, respectively.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: The Regulatory Archaeologist has reviewed the latest published version of the National Register of Historic Places, state lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the proposed undertaking upon these properties: Currently this office is coordinating with the State Historic Preservation Officer, Federally-recognized Tribes, and other interested parties regarding potential effects to historic properties that could result from the proposed activity.

Endangered Species: Threatened and Endangered Species listed for the project area include piping plover, red-cockaded woodpecker, Ouachita rock pocketbook mussel, pink mucket pearlymussel, rabbitsfoot mussel, spectaclecase mussel, winged mapleleaf mussel, and American burying beetle. Our initial finding is that the proposed work would have no effect on the following threatened and

endangered species or their critical habitats: piping plover, red-cockaded woodpecker, Ouachita rock pocketbook mussel, pink mucket pearlymussel, rabbitsfoot mussel, spectaclecase mussel, and winged mapleleaf mussel. The project may affect, but is not likely to adversely affect the American burying beetle. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat would be addressed in our evaluation of the described work.

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 floodplain development permit is required. Floodplain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements. The project is not located within the 100 year floodplain.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

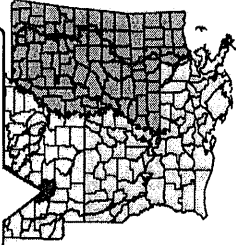
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/Missions/Regulatory.aspx>.

Thomas A. McCabe
Thomas A. McCabe
Chief, Evaluation Section
Regulatory Branch

Clark County, AR



18 October 2018

MVK-2017-603

Jurisdictional Determination
Southwest Arkansas Regional
Intermodal Authority

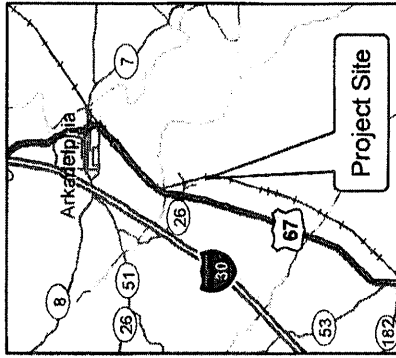
Gum Springs, Clark County, Arkansas

Preliminary

Jurisdictional Determination

Prepared by

Arel Simpson



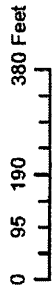
Project Site



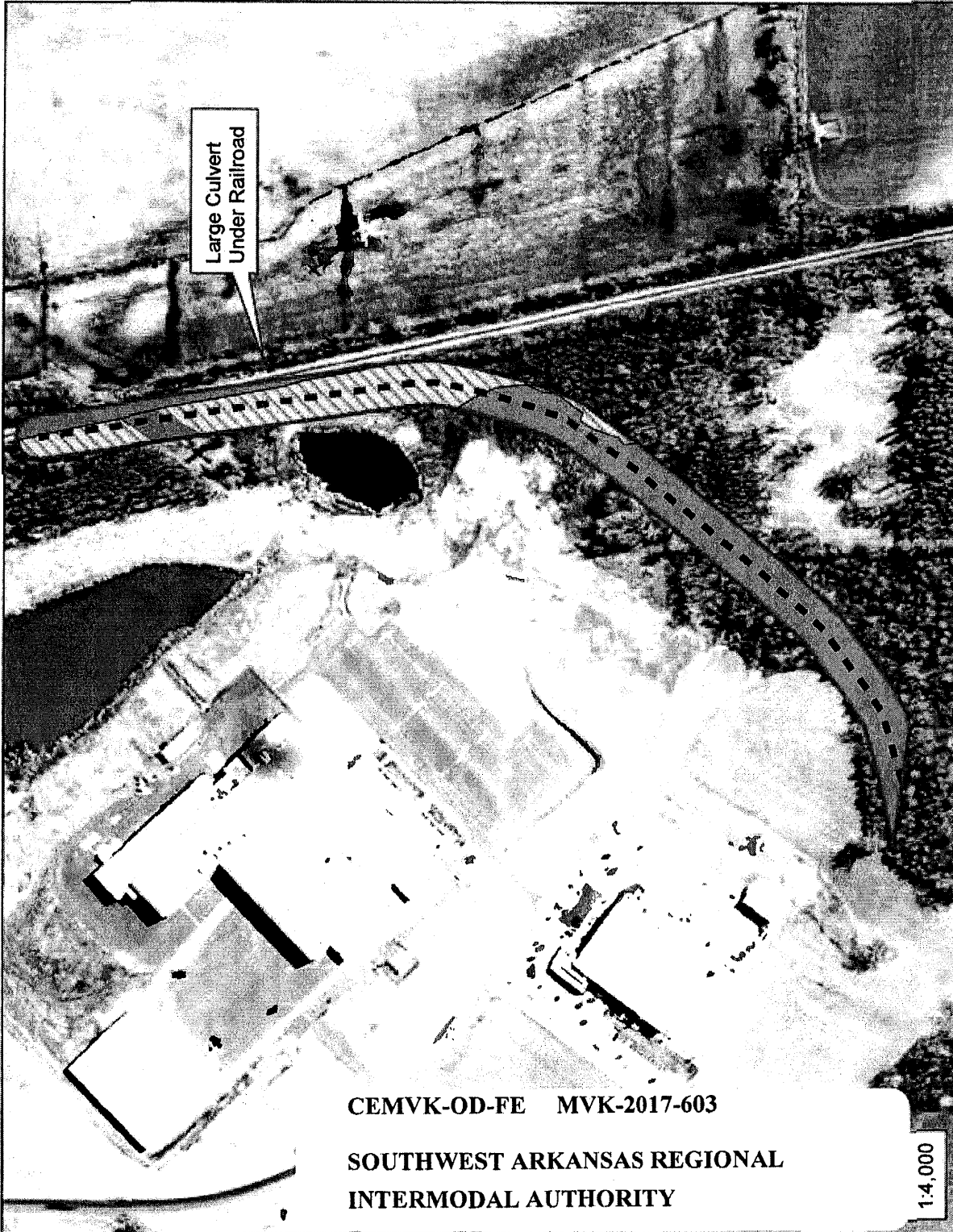
US Army Corps
of Engineers

Regulatory Branch

Enforcement Section



Enclosure 1



Large Culvert
Under Railroad

CEMVK-OD-FE MVK-2017-603

SOUTHWEST ARKANSAS REGIONAL
INTERMODAL AUTHORITY

1:4,000

Legend

-  Proposed Railspur
-  Forested Wetland (1.94 Ac.)
-  Project Limits
-  Uplands
-  Herbaceous Wetland (0.18 Ac.)

N:\GIS_Data\Natural Resources\Projects\2016\92167647\Project Metadata\ 2016-08-02\92167647 Exhibit 2.1 1976 Topo.mxd, Reviewed: 08-06-2018, 10:15:14 AM



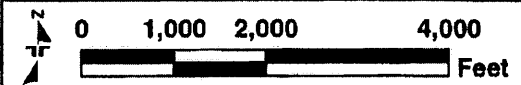
CEMVK-OD-FE MVK-2017-603

**SOUTHWEST ARKANSAS REGIONAL
INTERMODAL AUTHORITY**

Legend

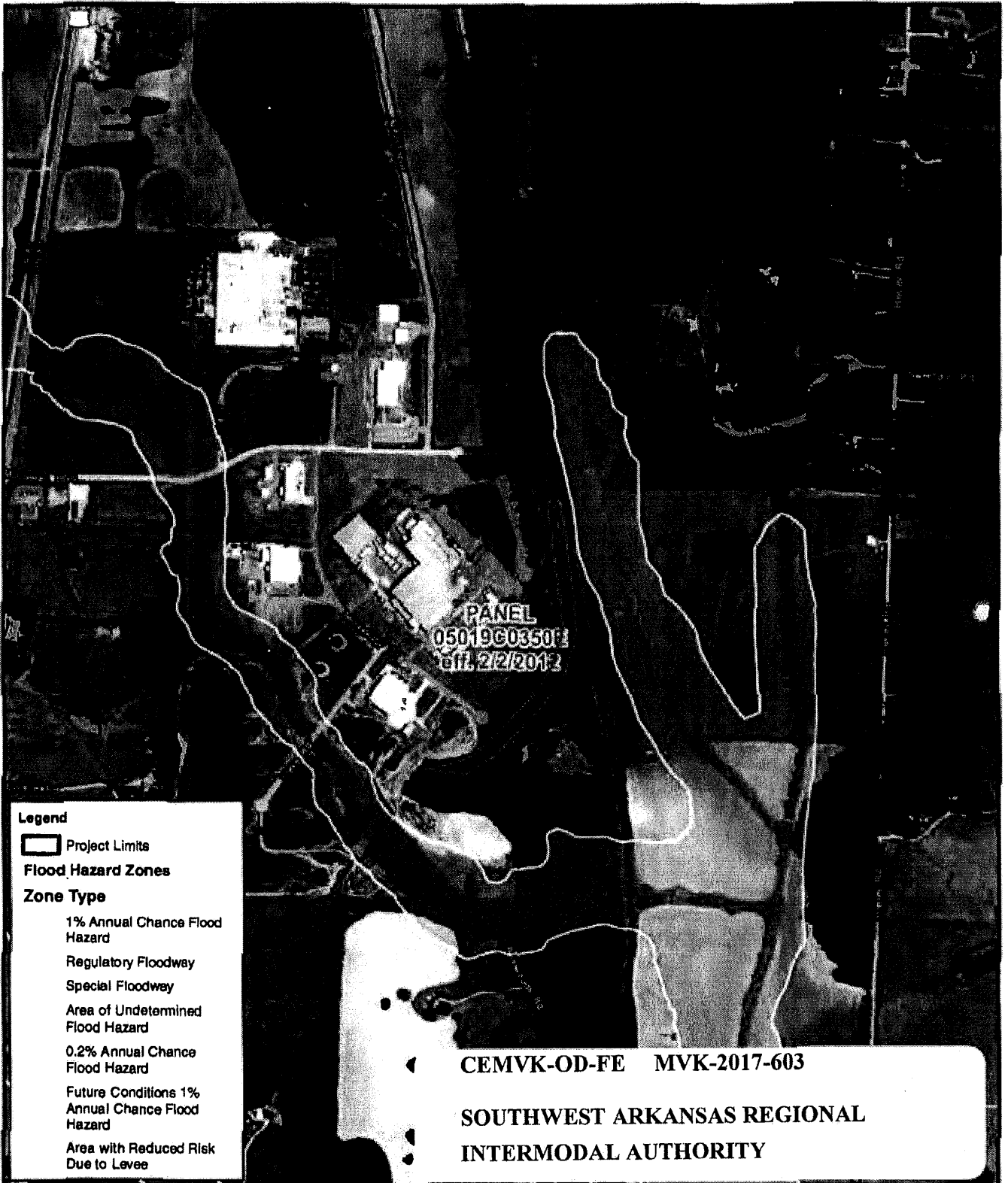
 Project Limits

1950 Atlanta, Arkansas 7.5 Minute USGS Quadrangle Map, Photorevised 1976.
 Map Presented In: GCS North American 1983, NAD 1983 StatePlane Arkansas South FIPS 5002 Feet



DRAWN BY:	REW	 Consulting Engineers and Scientists Terracon Project No. 92167647	1976 Topographic Map	Exhibit 2.1
CHECKED BY:	GCH		Trans Load Proposed Rail	
GIS SCALE:	1" = 2,000'		Hwy 67	
DATE:	08-06-2018		Gum Springs, Clark County, Arkansas	

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Legend

- Project Limits
- Flood Hazard Zones**
- Zone Type**
- 1% Annual Chance Flood Hazard
- Regulatory Floodway
- Special Floodway
- Area of Undetermined Flood Hazard
- 0.2% Annual Chance Flood Hazard
- Future Conditions 1% Annual Chance Flood Hazard
- Area with Reduced Risk Due to Levee

◀ CEMVK-OD-FE MVK-2017-603
 SOUTHWEST ARKANSAS REGIONAL
 INTERMODAL AUTHORITY

Esri, HERE, Garmin, © OpenStreetMap contributors, December 10, 2015 USDA-FSA-APFO Digital Ortho Mosaic Imagery
 Courtesy of USDA, FSA, APFO Aerial Photography Field Office, Federal Emergency Management Agency Flood Insurance
 Rate Map Panels 05019C0328E, 05019C0329E, and 05019C0350E Effective February 2, 2012.
 Map Presented in: GCS North American 1983, NAD 1983 StatePlane Arkansas South FIPS 0302 Feet



DRAWN BY:	REW
CHECKED BY:	GCH
GIS SCALE:	1" = 1,000'
DATE:	08-06-2018


 Consulting Engineers and Scientists
 Terracon Project No. 92167647

FEMA Flood Insurance Rate Map
 Trans Load Proposed Rail
 Hwy 67
 Gum Springs, Clark County, Arkansas

Exhibit
5.0