



# SEAEDD

Southeast Arkansas Economic  
Development District

Post Office Box 6806, 721 S. Walnut St., Pine Bluff, Arkansas 71601 – Phone (870) 536-1971 Fax (870) 536-7718

January 03, 2023

U.S. Army Corps of Engineers  
Vicksburg District  
Attn: Environmental Review Coordinator  
4155 Clay Street  
Vicksburg, MS 39183-3435

Stuttgart is applying to US Department of Commerce / Economic Development Commission for public facilities funding to upgrade facilities as well as expand utilities near the industrial park. The proposed project will consist of various improvements, such as: 16,000 LF of trenching, installation of 7600 LF of sewer line, 8700 LF of water lines, and twenty-four utility access holes. These improvements are critical to supporting job retention, as well as business expansion to create new jobs.

As a requirement of the application, I am requesting information from your agency concerning any potential impact on the area. I have enclosed a site map depicting the project's location. Please forward your comments concerning this project as expeditiously as possible.

If you have any questions or need additional information, please contact me at [tracey.lawsonsr@southeastarkansas.org](mailto:tracey.lawsonsr@southeastarkansas.org)

Regards,

Tracey Lawson Sr.  
Grants Administrator

Counties: Arkansas \* Ashley \* Bradley \* Chicot \* Cleveland \* Desha \* Drew \* Grant \* Jefferson \* Lincoln

Equal Opportunity Employer





## DEPARTMENT OF THE ARMY

VICKSBURG DISTRICT, CORPS OF ENGINEERS  
4155 CLAY STREET  
VICKSBURG, MISSISSIPPI 39183-3435

January 5, 2023

Regulatory Division

SUBJECT: Request for Permitting Information – Proposed Public Facilities and Utilities Expansion Project in Arkansas County, Arkansas

Mr. Tracey Lawson  
Southeast Arkansas Economic Development District  
Post Office Box 6806  
721 South Walnut Street  
Pine Bluff, Arkansas 71601

Dear Mr. Lawson:

This letter is in response to your request for review of possible regulatory requirements for the proposed public facilities and utilities expansion project in Arkansas County, Arkansas.

Based upon the information provided, it appears that there may be waters of the United States subject to regulation pursuant to Section 404 of the Clean Water Act located within the proposed project boundary. However, the limits and jurisdictional status of any potential aquatic resources that may be impacted by the proposed work could not be determined. Please provide to this office a map with detailed drawings showing the exact locations and construction methods of the proposed work areas. Once we have received this information, Department of the Army regulatory requirements can be determined.

To expedite the evaluation of the submitted information, please reference the Identification No. MVK-2023-32.

If we may be of any further assistance in this matter, please contact Mr. Durham Norman, telephone (601) 631-7478, or e-mail address: Durham.A.Norman@usace.army.mil.

Sincerely,

*Bryton Hixson*

Bryton Hixson  
Team Lead, Enforcement and Compliance Branch  
Regulatory Division

Enclosure



## Tracey Lawson Sr.

---

**From:** Hancock, Marshall - NRCS, De Witt, AR <[marshall.hancock@usda.gov](mailto:marshall.hancock@usda.gov)>  
**Sent:** Wednesday, January 18, 2023 3:08 PM  
**To:** Tracey Lawson Sr.  
**Subject:** RE: [External Email]Re: Prior Converted Cropland  
**Attachments:** Scanned from a Xerox multifunction device.pdf

Mr. Lawson,

I have attached a copy of the **Highly Erodible Land and Wetland Conservation Determination for S I D C**, as requested. **All of the cropland fields on Farm #234 Tract #307 are determined to be Prior Converted (PC) and Non-Highly Erodible Land (N).** If you have any questions, please feel free to contact me at any time.

Best regards,

Marshall Hancock  
District Conservationist  
1015 West 2<sup>nd</sup> Street  
DeWitt, Arkansas 72042  
(870) 946-3331 – Office  
(870) 308-0392 – Cell  
[marshall.hancock@usda.gov](mailto:marshall.hancock@usda.gov)

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**From:** Tracey Lawson Sr. <[tracey.lawsonsr@southeastarkansas.org](mailto:tracey.lawsonsr@southeastarkansas.org)>  
**Sent:** Wednesday, January 18, 2023 1:40 PM  
**To:** Hancock, Marshall - NRCS, De Witt, AR <[marshall.hancock@usda.gov](mailto:marshall.hancock@usda.gov)>  
**Subject:** RE: [External Email]Re: Prior Converted Cropland

Thank you for your prompt response, I will get in touch with you after I make contact with the landowner.

Thanks,

Tracey

---

**From:** Hancock, Marshall - NRCS, De Witt, AR <[marshall.hancock@usda.gov](mailto:marshall.hancock@usda.gov)>  
**Sent:** Wednesday, January 18, 2023 12:45 PM  
**To:** Tracey Lawson Sr. <[tracey.lawsonsr@southeastarkansas.org](mailto:tracey.lawsonsr@southeastarkansas.org)>  
**Subject:** RE: [External Email]Re: Prior Converted Cropland

Good Afternoon Mr. Lawson,

I can provide you the determinations on the property in question, but I will need written permission from the land owner before I can provide the determinations to you. If you have any questions, you can contact me at 870-946-3331 extension 3.

Best regards,

Marshall Hancock  
District Conservationist



HIGHLY ERODIBLE LAND AND WETLAND  
CONSERVATION DETERMINATIONWilliam R. Dault  
2015 Weidner  
Stuttgart AR, 72160

9-1-88

3. County

AR

4. Name of USDA Agency or Person Requesting Determination

ASCS

5. Farm No. and Tract No.

234 T307

## SECTION I - HIGHLY ERODIBLE LAND

6. Is soil survey now available for making a highly erodible land determination?	Yes	No	Field No.(s)	Total Acres
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
7. Are there highly erodible soil trap units on this land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
8. List highly erodible fields that, according to ASCS records, were used to produce an agricultural commodity in any crop year during 1981-1985.				
9. List highly erodible fields that have been or will be converted for the production of agricultural commodities and, according to ASCS records, were not used for this purpose in any crop year during 1981-1985; and were not enrolled in a USDA set-aside or diversion program.				
10. This Highly Erodible Land determination was completed in the: Office <input type="checkbox"/> Field <input checked="" type="checkbox"/>				

NOTE: If you have highly erodible cropland fields, you may need to have a conservation plan developed for these fields. For further information, contact the local office of the Soil Conservation Service.

## SECTION II - WETLAND

11. Are there hydric soils on this farm?	Yes	No	Field No.(s)	Total Wetland Acres
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
List field numbers and acres, where appropriate, for the following EXEMPTED WETLANDS:				
12. Wetlands (W), including abandoned wetlands, or Farmed Wetlands (FW). Wetlands may be farmed under natural conditions. Farmed Wetlands may be farmed and maintained in the same manner as they were prior to December 23, 1985, as long as they are not abandoned.				
13. Prior Converted Wetlands (PC) - These wetlands, including, but not limited to, former cropland, are not subject to FSA unless the area reverts to wetland as a result of abandonment. You should inform SCS of any area to be used to produce an agricultural commodity that has not been cropped, managed, or maintained for 5 years or more.			1, 4, 5, 6, 7	
14. Artificial Wetlands (AW) - Artificial Wetlands includes irrigation induced wetlands. These Wetlands are not subject to FSA.				
15. Minimal Effect Wetlands (MW) - These wetlands are to be farmed according to the minimal effect agreement signed at the time the minimal effect determination was made.				
NON-EXEMPTED WETLANDS:				
16. Converted Wetlands (CW) - In any year that an agricultural commodity is planted on these Converted Wetlands, you will be ineligible for USDA benefits. If you believe that the conversion was commenced before December 23, 1985, or that the conversion was caused by a third party, contact the ASCS office to request a commenced or third party determination.				
17. The planned alteration measures on wetlands in fields _____ are considered maintenance and are in compliance with FSA.				
18. The planned alteration measures on wetlands in fields _____ are not considered to be maintenance and if installed will cause the area to become a Converted Wetland (CW). See item 16 for information on CW.				
19. This wetland determination was completed in the: Office <input type="checkbox"/> Field <input checked="" type="checkbox"/>				
20. This determination was: Delivered <input type="checkbox"/> Mailed <input checked="" type="checkbox"/> To the Person on Date: 11/4/88				

NOTE: If you do not agree with this determination, you may request a reconsideration from the person that signed this form in Block 22 below. The reconsideration is a prerequisite for any further appeal. The request for the reconsideration must be in writing and must state your reasons for the request. The request must be mailed or delivered within 15 days after this determination is mailed to or otherwise made available to you. Please see reverse side of the producer's copy of this form for more information on appeals procedure.

NOTE: If you intend to convert additional land to cropland or alter any wetlands, you must initiate another Form AD-1026 at the local office of ASCS. Abandonment is where land has not been cropped, managed, or maintained for 5 years or more. You should inform SCS if you plan to produce an agricultural commodity on abandoned wetlands.

21. Remarks

22. Signature of SCS District Conservationist

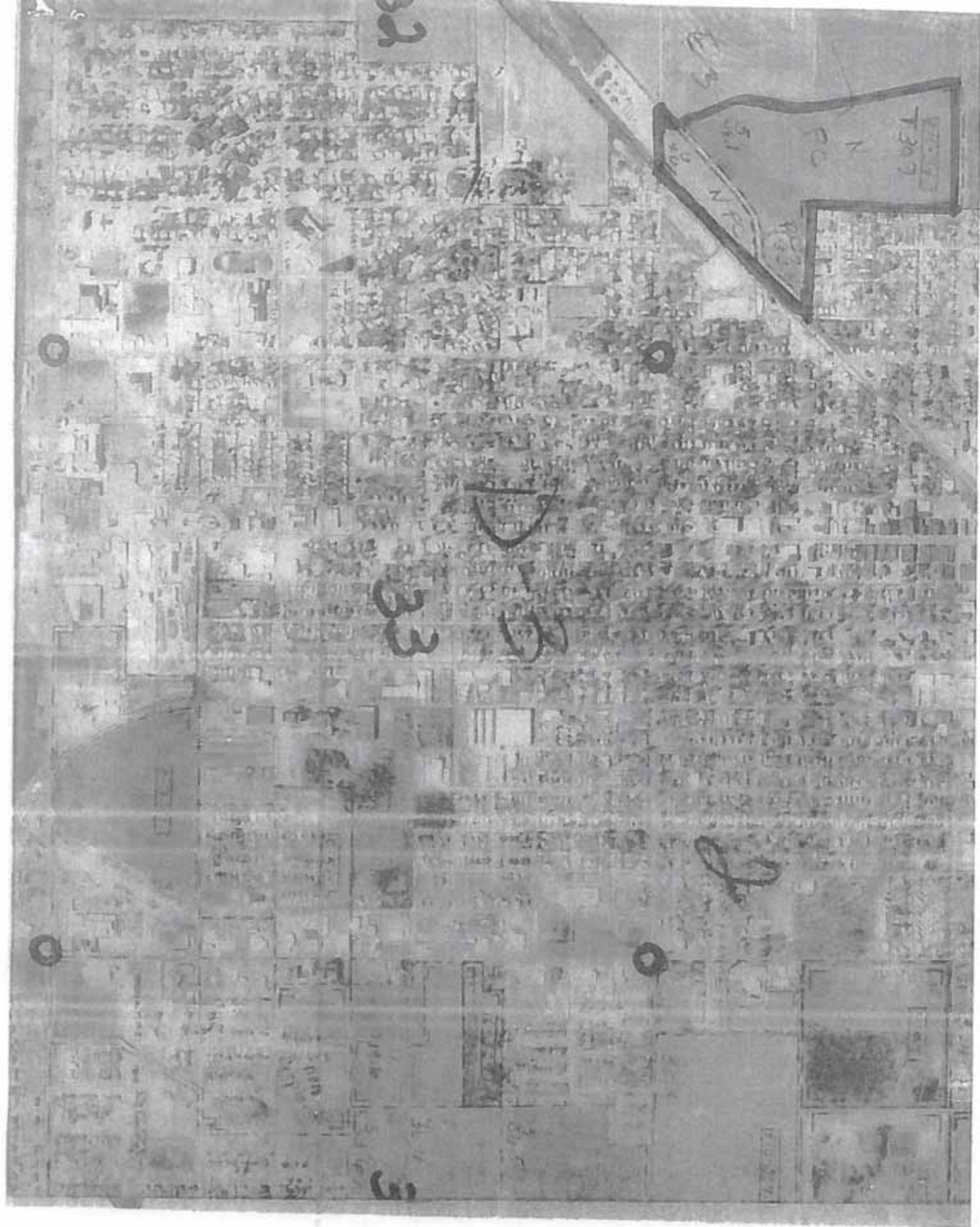
Mark T. Dault

23. Date

11-4-88

Assistance and programs of the Soil Conservation Service available without regard to race, religion, color, sex, age, handicap, etc.













DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, VICKSBURG DISTRICT  
4155 CLAY STREET  
VICKSBURG, MISSISSIPPI 39183-3435

January 26, 2023

Regulatory Division

SUBJECT: Jurisdictional Determination Request –Public Facilities and Utilities Expansion  
Project in Arkansas County, Arkansas, MVK-2023-32

Mr. Tracey Lawson Sr.  
Southeast Arkansas Economic Development District  
Post Office Box 6806  
721 South Walnut Street  
Pine Bluff, Arkansas 71601

Dear Mr. Lawson:

I refer to your request for a jurisdictional determination of property in Section 29, T2S-R5W, Arkansas County, Arkansas. The location of the project is depicted on the enclosed maps (enclosure 1).

Based upon the information provided, it appears that there are jurisdictional wetlands or other waters of the United States located within the boundary of the property subject to regulations pursuant to Section 404 of the Clean Water Act (enclosure 1). Any work involving the discharge of dredged or fill material (land clearing, ditching, filling, leveeing, etc.) within jurisdictional waters will require a Department of the Army Section 404 permit prior to beginning work. For your information, I have enclosed a copy of our appeals form (enclosure 2) for this preliminary jurisdictional determination.

For your convenience, I am enclosing a Department of the Army permit application with instructions (enclosure 3). Your application for any proposed work in wetlands or other waters of the United States should be submitted at least 120 days in advance of the proposed starting date. To expedite the evaluation process, please refer to Identification No. MVK-2023-32 when submitting the application or requesting project updates.

If you have any questions, please contact Mr. Durham Norman, of this office, telephone 601-631-7478, or e-mail address: [Durham.A.Norman@usace.army.mil](mailto:Durham.A.Norman@usace.army.mil).

Sincerely,

*Bryton Hixson*

Bryton Hixson  
Team Lead, Enforcement and Compliance Branch  
Regulatory Division

Enclosures





## Legend

- Project Boundary
- PEM Wetland
- PSS Wetland
- Intermittent RPW
- Perennial RPW
- Non-RPW

"There are jurisdictional wetlands or other waters of the U.S. within the proposed area."  
ENCLOSURE 1



MLK-2023-32

Preliminary Jurisdictional Determination

26 January 2023

Durham Norman





NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL		
<b>Applicant:</b> Norma Strabala w/ City of Stuttgart	<b>File No.:</b> MVK-2023-32	<b>Date:</b> 26 January 2023
Attached is:		See Section below
INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
PROFFERED PERMIT (Standard Permit or Letter of permission)		B
PERMIT DENIAL		C
APPROVED JURISDICTIONAL DETERMINATION		D
X PRELIMINARY JURISDICTIONAL DETERMINATION		E
<p><b>SECTION I -</b> The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <a href="http://usace.army.mil/inet/functions/cw/cecwo/reg">http://usace.army.mil/inet/functions/cw/cecwo/reg</a> or Corps regulations at 33 CFR Part 331.</p> <p><b>A: INITIAL PROFFERED PERMIT:</b> You may accept or object to the permit.</p> <ul style="list-style-type: none"> <li><b>ACCEPT:</b> If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.</li> <li><b>OBJECT:</b> If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.</li> </ul> <p><b>B: PROFFERED PERMIT:</b> You may accept or appeal the permit</p> <ul style="list-style-type: none"> <li><b>ACCEPT:</b> If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.</li> <li><b>APPEAL:</b> If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.</li> </ul> <p><b>C: PERMIT DENIAL:</b> You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.</p> <p><b>D: APPROVED JURISDICTIONAL DETERMINATION:</b> You may accept or appeal the approved JD or provide new information.</p> <ul style="list-style-type: none"> <li><b>ACCEPT:</b> You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety and waive all rights to appeal the approved JD.</li> <li><b>APPEAL:</b> If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.</li> </ul>		

Enclosure 2



**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

Attn: Durham Norman  
Environmental Specialist  
U.S. Army Corps of Engineers  
Regulatory Division, Enforcement and Compliance Branch  
4155 Clay Street  
Vicksburg, MS 39183-3435  
Office: (601) 631-7478  
Email: Durham.A.Norman@usace.army.mil

If you only have questions regarding the appeal process you may also contact the Division Engineer through:

Administrative Appeals Review Officer  
Mississippi Valley Division  
P.O. Box 80 (1400 Walnut Street)  
Vicksburg, MS 39181-0080  
601-634-5820 FAX: 601-634-5816

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

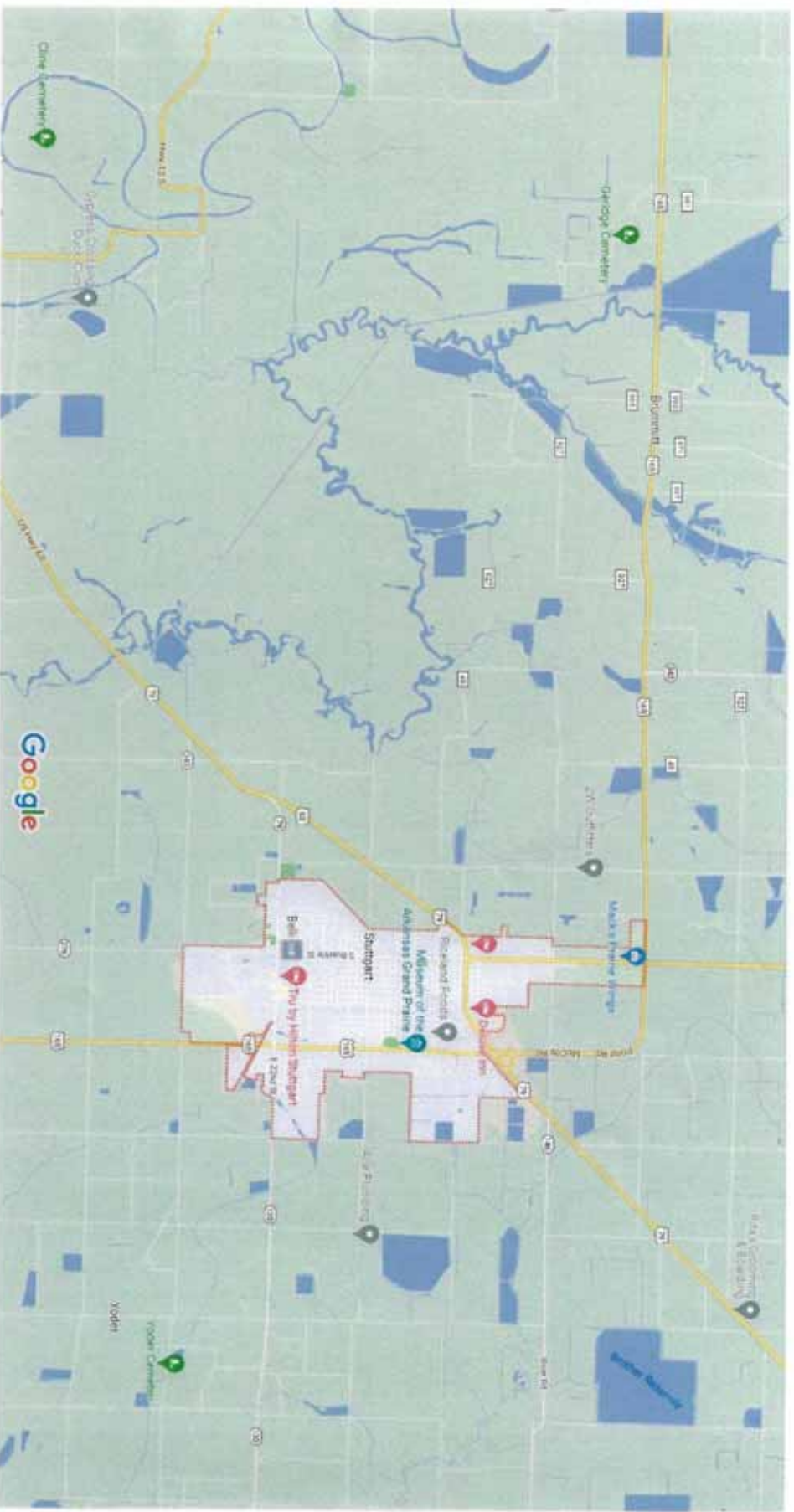
Date:

Telephone number:

Enclosure 2



# Google Maps Stuttgart



Map data ©2023 Google 1 mi



# National Flood Hazard Layer FIRMeTte



## Legend

FOR AN EXPLANATION OF THE NATIONAL FLOOD HAZARD LAYER, VISIT [www.fema.gov/national-flood-hazard-layer](http://www.fema.gov/national-flood-hazard-layer).

**SPECIAL FLOOD HAZARD AREAS**

- Without Flood Flood Elevation (FE)
- With FE or Depth (FE or DE)
- Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**

- 0.2% Annual Chance Flood Hazard Areas
- 1% Annual Chance Flood Hazard Areas
- Future Conditions 1% Annual Chance Flood Hazard Areas
- Areas with Flooded Flood Risk are to
- Areas with Flood Risk due to Landslide

**OTHER AREAS**

- General
- Structures
- Other

**OTHER AREAS**

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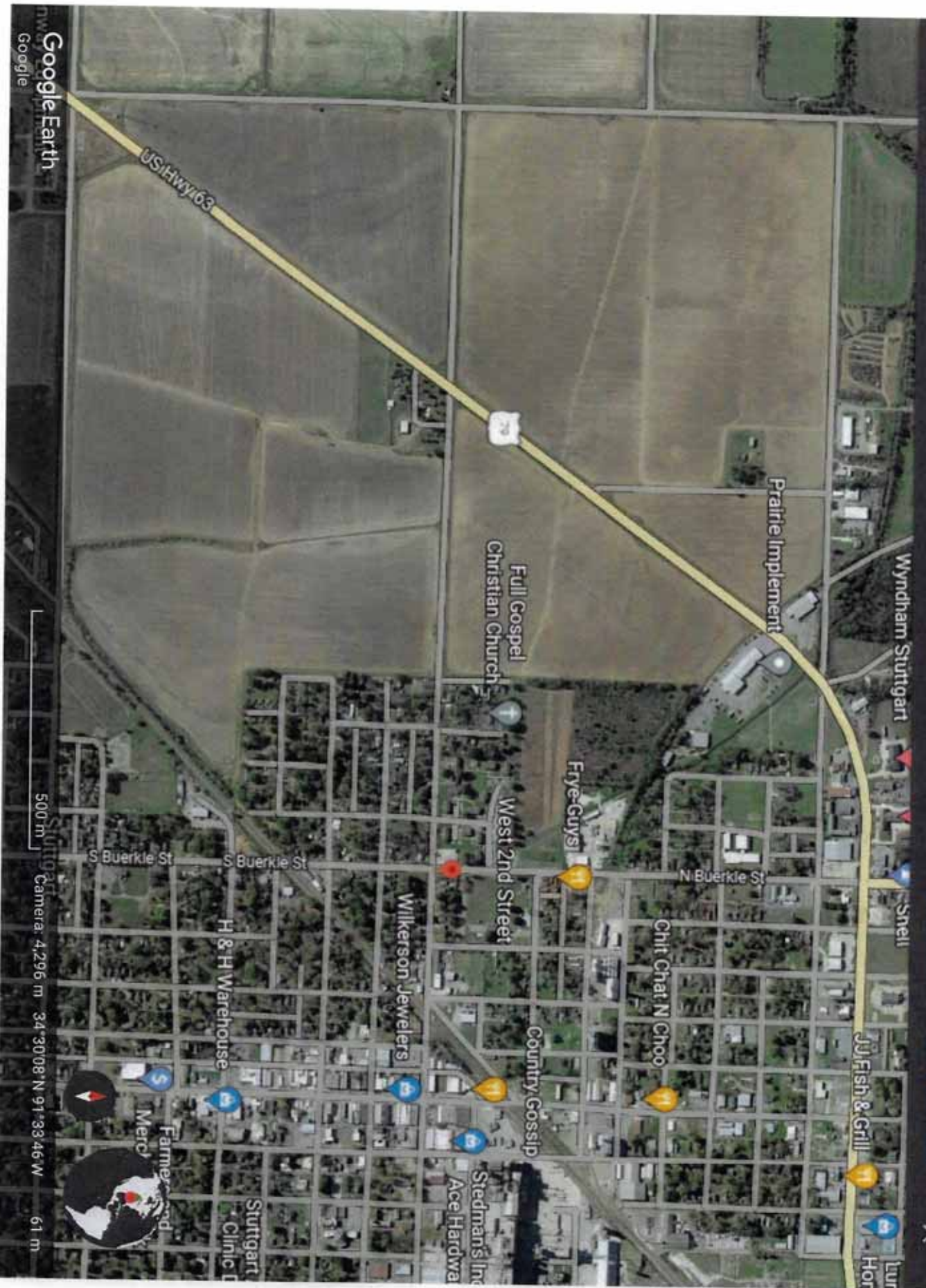
- General
- Structures
- Other



You are currently running an experimental version of Earth.

[Learn more](#)

[Send feedback](#)



Google Earth

Google

500 m

Camera: 4,296 m 34°30'08" N 91°33'46" W

61 m



**Stuttgart Industrial Park Utility Expansion**

9/13/2022

Preliminary Estimate of Cost

by PMI, Little Rock, AR

<u>Item</u>	<u>Item Description</u>	<u>Estimated</u>		<u>Unit Cost</u>	<u>Total Cost</u>
		<u>Units</u>	<u>Quantity</u>		
1	10" SDR26 PVC Sanitary Sewer Line	LF	7600	\$45.00	\$342,000.00
2	Manhole 0-6 feet	EA	7	\$4,600.00	\$32,200.00
3	Manhole 6-8 feet	EA	5	\$5,520.00	\$27,600.00
4	Manhole 8-10 feet	EA	7	\$6,624.00	\$46,368.00
5	Manhole 10-12 feet	EA	4	\$7,948.80	\$31,795.20
6	Manhole 12-14 feet	EA	1	\$9,538.56	\$9,538.56
7	Trenching 0-6 feet	LF	10820	\$25.00	\$270,500.00
8	Trenching 6-8 feet	LF	1724	\$28.00	\$48,272.00
9	Trenching 8-10 feet	LF	2814	\$33.00	\$92,862.00
10	Trenching 10-12 feet	LF	715	\$38.00	\$27,170.00
11	Trenching 12-14 feet	LF	96	\$43.00	\$4,128.00
12	Connect to Existing Sanitary Sewer	EA	2	\$3,000.00	\$6,000.00
13	10" SDR21 PVC Waterline	LF	8700	\$70.00	\$609,000.00
14	24" Bore and Steel Encasement for 10" Waterline & 10" Sewerline	LF	360	\$400.00	\$144,000.00
15	Trench and Excavation Safety	LS	1	\$50,000.00	\$50,000.00
16	Miscellaneous (Mobilization, Demobilization, Bonds, Insurance, As-Built Record Drawings, Seeding of Construction Area, Etc)	LS	1	\$130,607.53	\$130,607.53

Subtotal = \$1,872,041.29

Contingency (15%) = \$280,806.19

Estimated Construction Total = \$2,152,847.49

Engineering Design, Survey &amp; Easements, Permitting &amp; Bidding Fee = \$215,284.75

Construction Administration Fee = \$96,878.14

Estimated Total Cost of Project = \$2,465,010.37





CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES 1015 SOUTH BRACKLEFORD RD LITTLE ROCK, ARKANSAS 72608 PH (501) 525-7700 FAX (501) 525-7778	<b>REVISIONS</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">NO</th> <th style="width: 10%;">DATE</th> <th style="width: 85%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>		NO	DATE	DESCRIPTION													SHEET TITLE <b>WATER AND SEWER LAYOUT</b>	<b>NOT FOR CONSTRUCTION</b>
	NO	DATE	DESCRIPTION																
PROJECT TITLE <b>STUTTGART INDUSTRIAL PARK UTILITY EXPANSION STUTTGART, AR</b>																			
DATE <b>SEPT 13, 2022</b>																			
SCALE <b>1" = 150'</b>																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">DRAWN BY JLM</td> <td style="width: 15%;">CHECKED BY JLM</td> <td style="width: 15%;">DATE SEPT 13, 2022</td> <td style="width: 15%;">SCALE 1" = 150'</td> <td style="width: 40%;"></td> </tr> </table>					DRAWN BY JLM	CHECKED BY JLM	DATE SEPT 13, 2022	SCALE 1" = 150'											
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