

APPENDIX K - AGENCY COORDINATION



DEPARTMENT OF THE ARMY
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS
ROGERS REGULATORY FIELD OFFICE
2260 N. SECOND STREET
ROGERS, ARKANSAS 72756

REPLY TO
ATTENTION OF
Regulatory Division

December 13, 2010

FILE ID No. 201000461

Ms. Sarah Gilstrap
Burns & McDonnell
9400 Ward Parkway
Kansas City, Missouri 64114

Dear Ms. Gilstrap:

Please refer to your request dated April 8, 2010, on behalf of the City of Bentonville, for Corps of Engineers permit requirements pursuant to Section 404 of the Clean Water Act. The City of Bentonville is proposing improvements to 8th Street in conjunction with the new Highway 71 interchange. The proposed project is located in Section 33, T. 20 N., R. 30 W., Bentonville, Benton County, Arkansas.

After reviewing, aerial photos, topographical maps, soil surveys and the wetland delineation provided by Tyler Beemer; an agent of your company, I have preliminarily determined that the sites for the 8th Street improvements in Bentonville may contain waters of the United States, to include wetlands. However, as discussed in our December 13, 2010 telephone conversation, final plans for the improvements are not likely to be available until late year 2011. I will notate and close the file until I have received the approved plans and application. After I have received the completed plans and application I will reopen your file and continue forward with the permitting process.

Please be advised that the discharge of dredged or fill material in waters of the United States, including wetlands, requires a Department of the Army permit prior to the beginning of work in most situations. A permit is required pursuant to Section 404 of the Clean Water Act and Corps of Engineers implementing regulations, 33 Code of Federal Regulations (CFR) 320 - 332. The clearing of wetlands with mechanized equipment; landleveling; construction of ditches, dikes, and dams; placement of fill to raise the elevation of a site; and stabilization of banks are examples of activities that routinely require a permit. All these activities involve the discharge of dredged or fill material in waters of the United States.

This determination does not relieve you of complying with other applicable local, state, and Federal laws.

Your cooperation in the Regulatory Program is appreciated. If you have any questions, please contact me at (479) 636-1210, ext. 2210, and refer to No. 201000461. I look forward to working with you in the future.

Sincerely,

A handwritten signature in black ink that reads "Debra Woodward". The signature is written in a cursive, flowing style.

Debra Woodward
Regulatory Project Manager

Enclosure

Copy Furnished:

Ch, Regulatory Enf Br, w/cy dwgs

Ch, Regulatory Evl Br, w/cy dwgs

PM, Debra Woodward w/cy dwgs