



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

January 19, 2024

SUBJECT: Department of the Army Regulatory Requirements – JD Request Mt. Top Suburban Improvements District, Garland County, Arkansas, MVK-2023-852



Dear [REDACTED]:

This is in response to the request for review of possible regulatory requirements for the Mt. Top Suburban Improvements District project near Hot Springs Village, Garland County, Arkansas. The location of the property is depicted on the enclosed map (enclosure 1).

Based upon the information provided, there appear to be jurisdictional waters of the United States located within the project boundary subject to regulation pursuant to Section 404 of the Clean Water Act. Any work involving the discharge of dredged or fill material (land clearing, ditching, filling, leveeing, culvert crossings, etc.) within the identified jurisdictional waters will require a Department of the Army Section 404 permit prior to beginning work. I have enclosed a copy of our appeals form for this preliminary determination (enclosure 2).

In addition, there is a wastewater treatment system identified within the project boundary that is excluded and considered non-jurisdictional pursuant to Section 404 of the Clean Water Act. Therefore, a Department of the Army permit will not be required for impacting those areas. For your convenience, I have enclosed the basis of our determination (enclosure 3) and appeals form (enclosure 4) for the excluded features.

This approved jurisdictional determination for the excluded feature is applicable for a period not to exceed five years from the date of this letter unless superseded by law or regulation. If the proposed work is not completed by this time, or if project plans change, you should contact this office for a reevaluation of permit requirements.

This determination of Department of the Army regulatory requirements does not convey any property rights, either in real estate or material or any exclusive privileges and does not authorize any injury to property or invasion of rights or local laws or regulations or obviate the requirement to obtain state or local assent required by law for the activity discussed herein.

The decision regarding this action is based on information found in the administrative record, which documents the District's decision-making process, the basis for the decision, and the final decision.

We are currently evaluating the permit application you have recently submitted. If you have any questions, please contact [REDACTED], of this office, telephone [REDACTED], or e-mail address: [REDACTED]

Sincerely,

for
Chief, Arkansas Branch
Regulatory Division

Enclosures

Legend

Approximate Project Boundary

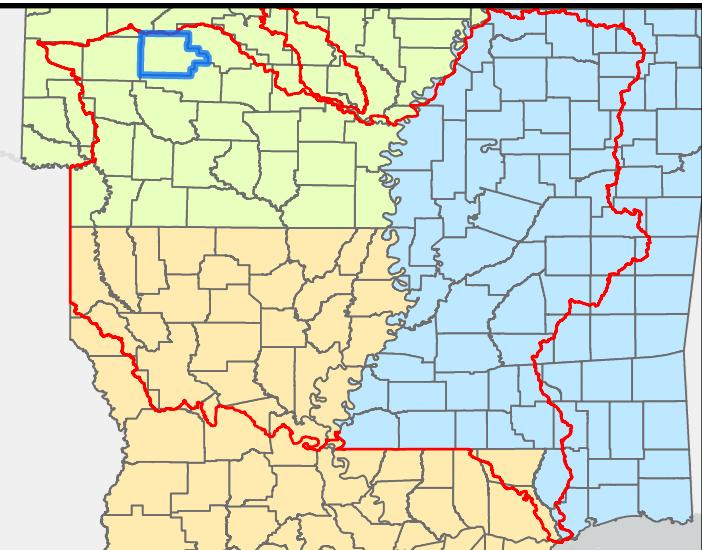
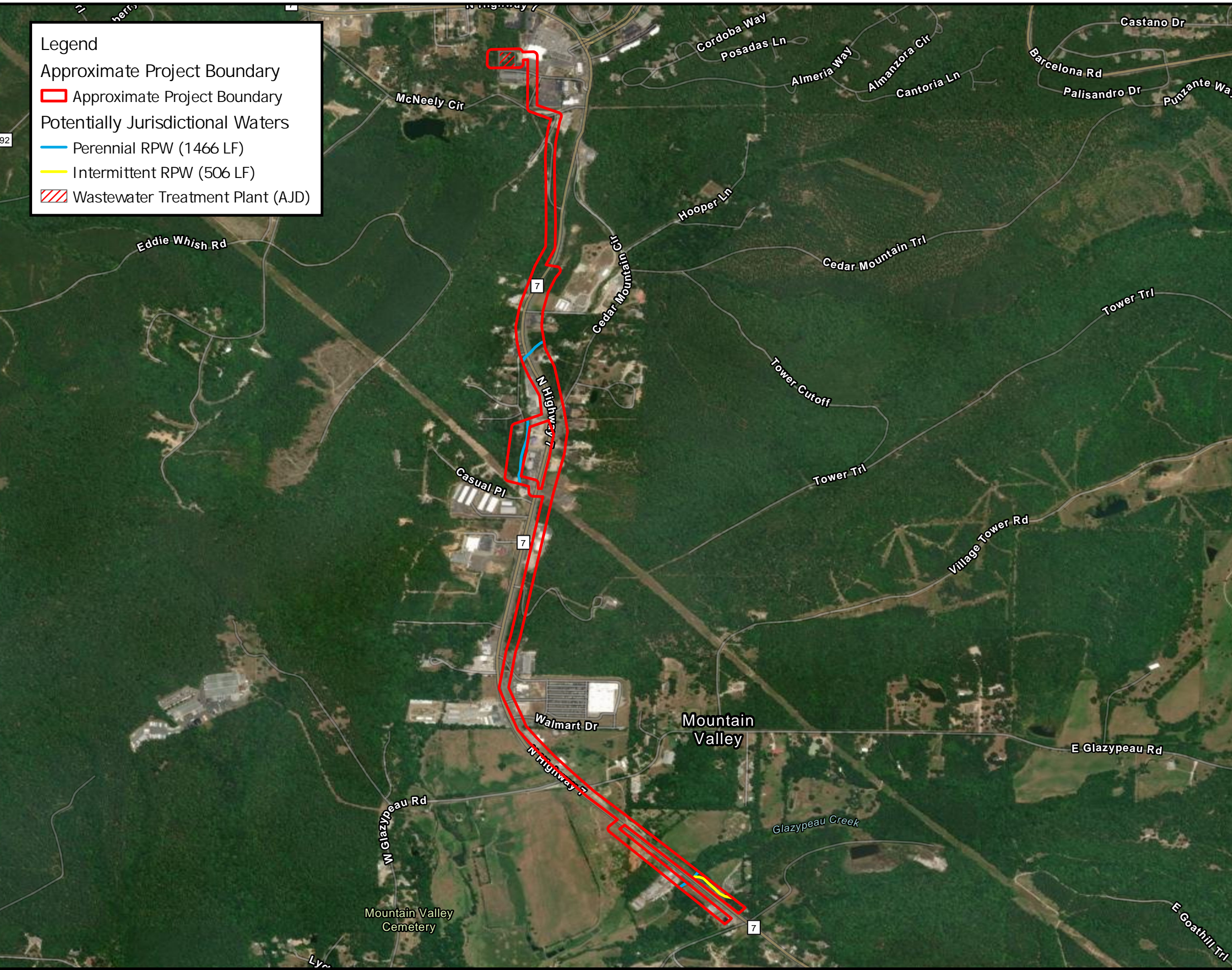
Approximate Project Boundary

Potentially Jurisdictional Waters

Perennial RPW (1466 LF)

Intermittent RPW (506 LF)

Wastewater Treatment Plant (AJD)



Garland County, Arkansas



MVK-2023-852

Mt. Top SID-Sewer
Improvements
Jerry Williams-Engineers, Inc.

Vicksburg District
Regulatory Division
January 19, 2024
Bryton Hixson



Jurisdictional Determination

