



**DEPARTMENT OF THE ARMY**  
**MEMPHIS DISTRICT CORPS OF ENGINEERS**  
167 NORTH MAIN STREET B-202  
MEMPHIS, TENNESSEE 38103-1894

January 6, 2021

James R. Orr  
AECOM  
1000 Corporate Center Drive  
Franklin, Tennessee 37067

Dear Mr. Orr:

This is in reference to your request on behalf of the City of West Memphis for an approved jurisdictional determination (AJD) on Ditches 1, 2, 5, 6 and Wetland 1 on property located north and west of the City of West Memphis, Crittenden County, Arkansas, as shown on the enclosed maps. Based on the information you provided, a site visit, and other information available to us, it is our AJD that Ditches 1, 2, 5, 6 and Wetland 1 are not considered waters of the United States. Therefore, no Department of the Army permit is required under Section 404 of the Clean Water Act to place fill into these areas.

The basis for our AJD is available on our website at the following address: <http://www.mvm.usace.army.mil/About/Offices/Regulatory/JurisdictionalDeterminations.aspx>. This AJD is valid for five years from the date of this letter, unless new information warrants a revision of the determination before the expiration date or the District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

This letter contains an AJD for your subject site. If you object to this determination, you may request an administrative appeal under Corps of Engineers regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process and Process and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the Mississippi Valley Division at the following address:

Appeals Review Officer  
Mississippi Valley Division  
P.O. Box 80  
Vicksburg, Mississippi 39181-0080

In order for an RFA to be accepted by the Corps of Engineers, the Corps of Engineers must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5 and that it has been received by the division office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the above address by March 6, 2021. It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter.

This determination has been conducted to identify the limits of the Corps of Engineers Clean Water Act jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are United States Department of Agriculture (USDA) program participants, or anticipate participation in the USDA program, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

The Memphis District, Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, we invite you to complete a Customer Service Survey found at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey). Your comments, positive or negative, will not affect any current or future dealings with the Corps of Engineers.

If you have questions, please contact Josh Bright at (901) 544-0926 and refer to File No. MVM-2020-322.

Sincerely,

Tim H. Flinn, P.E.  
Memphis District  
Regulatory Division

Enclosures