

Environmental Document

AHTD JOB NUMBER CA1003

Hwy. 67-Hwy. 141 (Widening) (S)

Lawrence and Greene Counties, Arkansas

Submitted Pursuant to Issue No. 1, An Amendment to Provide Additional Funding for
Highways, County Roads, City Streets, Bridges, and Surface Transportation
By the
Arkansas State Highway and Transportation Department

Prepared by
Susan Patterson
Atkins
Houston, TX

February 17, 2016

2/19/16

Date of Approval

John Fleming

John Fleming
Environmental Division Head
Arkansas State Highway and
Transportation Department

The Connecting Arkansas Program Manager (CAPM) has reviewed the referenced project as a Non-NEPA project.

The purpose of this project is to improve capacity and safety along Hwy. 412. The proposed project will include a bypass around the community of Light. Total length of the project is 14.4 miles. It extends from Hwy. 67 in Lawrence County to Hwy. 141 in Greene County. Figures 1 and 2 illustrate the project location.

The existing roadway consists of two 11.5-foot wide paved travel lanes with 8-foot wide shoulders. Existing right of way width varies from 60-125 feet.

Information about the existing bridge structures to be replaced is shown in Table 1 in the attachments.

Proposed improvements include four 12-foot wide paved travel lanes with 8-foot wide shoulders and 11-foot wide painted median. A 2.5-mile long new location section will be constructed that goes south of Light to minimize impacts to the community. The average additional right of way width will vary from 30-65 feet. Approximately 144 acres of additional right of way will be required for this project.

No detours would be required during construction. Information regarding the proposed structures is shown in Table 2 in the attachments. Bridge design sheets are also attached.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2017	5,600	15	60 mph
2037	7,400	15	60 mph

Relocations will include one residence, one barn, and one grain bin. Public Law 91-646, Uniform Relocation Assistance Act of 1970, as amended, will apply. There are no Executive Order 12898 Environmental Justice issues involved with this project.

Lawrence and Greene Counties participate in the National Flood Insurance Program. All of the floodplain encroachments within this highway construction project will be designed to comply with the county's local flood damage prevention ordinance. The project lies within the Zone A, Special Flood Hazard Area. The final project design will be reviewed to confirm that the design is adequate and that the potential risk to life and property are minimized. The project will not support incompatible use and development of the floodplain. Adjacent properties should not be impacted nor have a greater flood risk than

existed before construction of the project. None of the encroachments will constitute a significant floodplain encroachment or a significant risk to property or life.

A total of 1.24 acres of wetlands will be impacted by this project. Of the 1.24 acres, 0.25 is scrub shrub, 0.19 is emergent, and 0.80 is forested. There are approximately 1,513 linear feet of stream impacts. These impacts are divided among one ephemeral, three intermittent streams, two perennial streams, and 15 potentially jurisdictional ditches/canals. Perennial streams crossed by the project include the Cache River and Caney Slough. Although the Cache River is within the project limits, no construction would occur within the area of the river.

Compensatory mitigation for unavoidable wetland impacts will be provided at the Arkansas Highway and Transportation Department's Glaise Creek Mitigation Bank (GCMB). The final compensatory mitigation will be determined during the Section 404 permitting process. Construction of the proposed project should be allowed under a Standard Individual Section 404 Permit from the U.S. Army Corps of Engineers.

Coordination with US Fish and Wildlife Service (USFWS) indicates that there are no known federally listed or proposed threatened or endangered species in the affected area of the project. This project lays within the current USFWS Indiana bat consultation area. Considering the relatively close proximity to the only known maternity site in NE Arkansas and the project area appears to have suitable bottomland hardwoods habitat, the USFWS would recommend that the tree removal portion of the project occur outside of the summer months (April 1 - October 15). A copy of the email correspondence from December 2015 is included in the attachments.

There are no cultural resources associated with this project. Clearance letters for historic structures and archeological resources are attached. The SHPO recommends that 3LW547/3GE348 (AHTD Bridge Number 01892) be noted on the plans as an environmentally sensitive area to be avoided during construction.

Field inspections found no evidence of existing underground storage tanks or hazardous waste deposits.

Two public information meetings were held for the proposed project (April 17, 2014 and April 28, 2015). Summaries of both meetings are attached.

Listing of Commitments

- 1. Nesting Sites of Migratory Birds Special Provision*
- 2. Section 404 Nationwide Permit 14 (Attached to Design Plans)*
- 3. Short Term Activity Authorization*
- 4. NPDES Permit*
- 5. Wetland mitigation will occur at the Glaise Creek Mitigation Bank*

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6. *Floodplain Development Permit*

7. *URAA will be followed*

8. *Water Quality Control Special Provision*

ATTACHMENTS

Table 1: Existing Structures

Table 2: Proposed Structures

Figure 1: Project Location Map

Figure 2: Topographic Map

Agency Coordination Letters

USFWS – March 10, 2014; December 2015

Arkansas Historic Preservation Program – December 17, 2014; September 11, 2015;

September 30, 2015

Public Meeting Summaries (April 17, 2014; April 28, 2015)

Environmental Impacts Assessment Form

Design Information Form

Bridge Design Information Forms

Table 1: Existing Structures

Bridge Number	Watercourse	Existing Structure
1889	Fry Ditch	14' x 16.8' structure comprised of 1-span concrete deck with steel beams and concrete piles. The structure is functionally obsolete and has a sufficiency rating of 28.9.
1890	Kellow Ditch	14' x 16.6' structure comprised of 1-span concrete deck with steel beams and concrete piles. The structure is functionally obsolete and has a sufficiency rating of 48.1.
1891	Float Road Slough	31.1' x 14.6' structure comprised of 4-span concrete deck with steel beams and concrete piles. The structure is functionally obsolete and has a sufficiency rating of 63.4.
1909	N.H. Slough	14.3' x 16.4' structure comprised of 1-span concrete deck with steel beams and concrete piles. The structure is functionally obsolete and has a sufficiency rating of 40.7.
1913	Lateral Ditch No. 3	92.7' x 24.1' structure comprised of 3-span concrete deck with RCD girder spans and concrete piles. The structure is functionally obsolete and has a sufficiency rating of 79.6.
1916	Caney Slough	21.6' x 14.6' structure comprised of 3-span concrete deck with RCD girder spans and concrete piles. The structure is functionally obsolete and has a sufficiency rating of 65.5.
1974	Overcup Slough	18.9' x 16.4' structure comprised of 2-span concrete deck with RCD girder spans and concrete piles. The structure is functionally obsolete and has a sufficiency rating of 79.2.
M0620	Unknown Slough	71' x 24' structure comprised of 3-span concrete deck with RCD girder spans and concrete piles. The structure is functionally obsolete and has a sufficiency rating of 73.3.
Sta. 393 + 35	Unknown Ditch	8' x 4' x 108' structure comprised of RCBC

Table 2: Proposed Structures

Watercourse	Proposed Structure	Type
Fry Ditch	Triple 12' x 12' x 121' RC Box Culvert	Replacement Structure
Kellow Ditch	Triple 10' x 10' x 122' RC Box Culvert	Replacement Structure
Float Road Slough	Quad. 10' x 10' x 123' RC Box Culvert	Replacement Structure
N.H. Slough	Triple 8' x 7' x 126' RC Box Culvert	Replacement Structure
Lateral Ditch No. 3	Triple 12' x 8' x 210' RC Box Culvert	Replacement Structure
Caney Slough	Quad. 12' x 12' x 140' RC Box Culvert	Replacement Structure
Overcup Slough	Quad. 8' x 6' x 148' RC Box Culvert	Replacement Structure
Unknown Slough	Quad. 10' x 10' x 163' RC Box Culvert	Replacement Structure
Unknown Canal, Sta. 605 + 29	Triple 7' x 4' x 128' RC Box Culvert	New Structure
Unknown Ditch, Sta. 393 + 35	Extend existing 8' x 4' x 108' RCBC to 124'	Culvert Extension

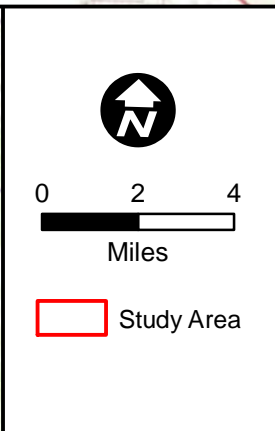
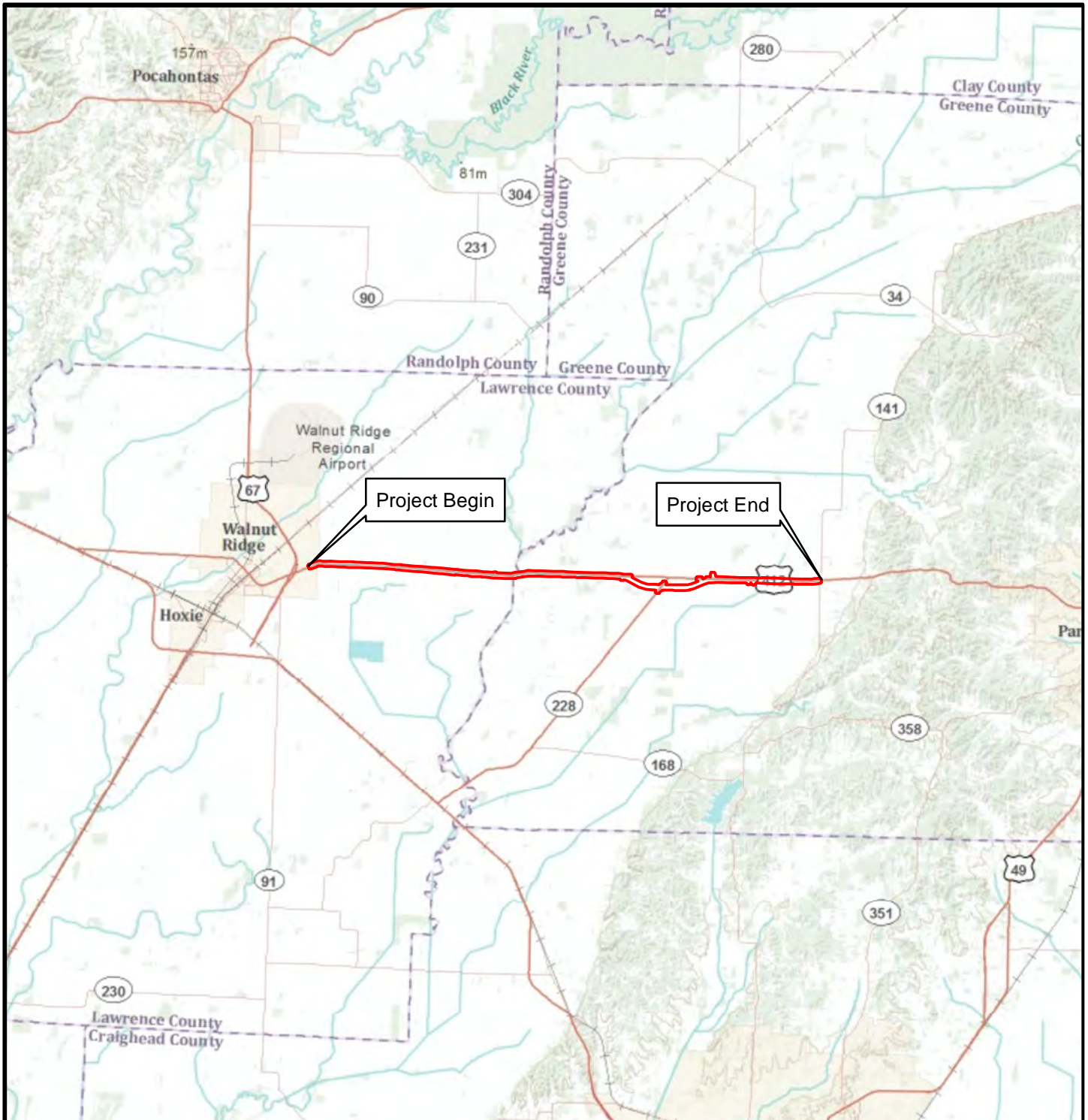
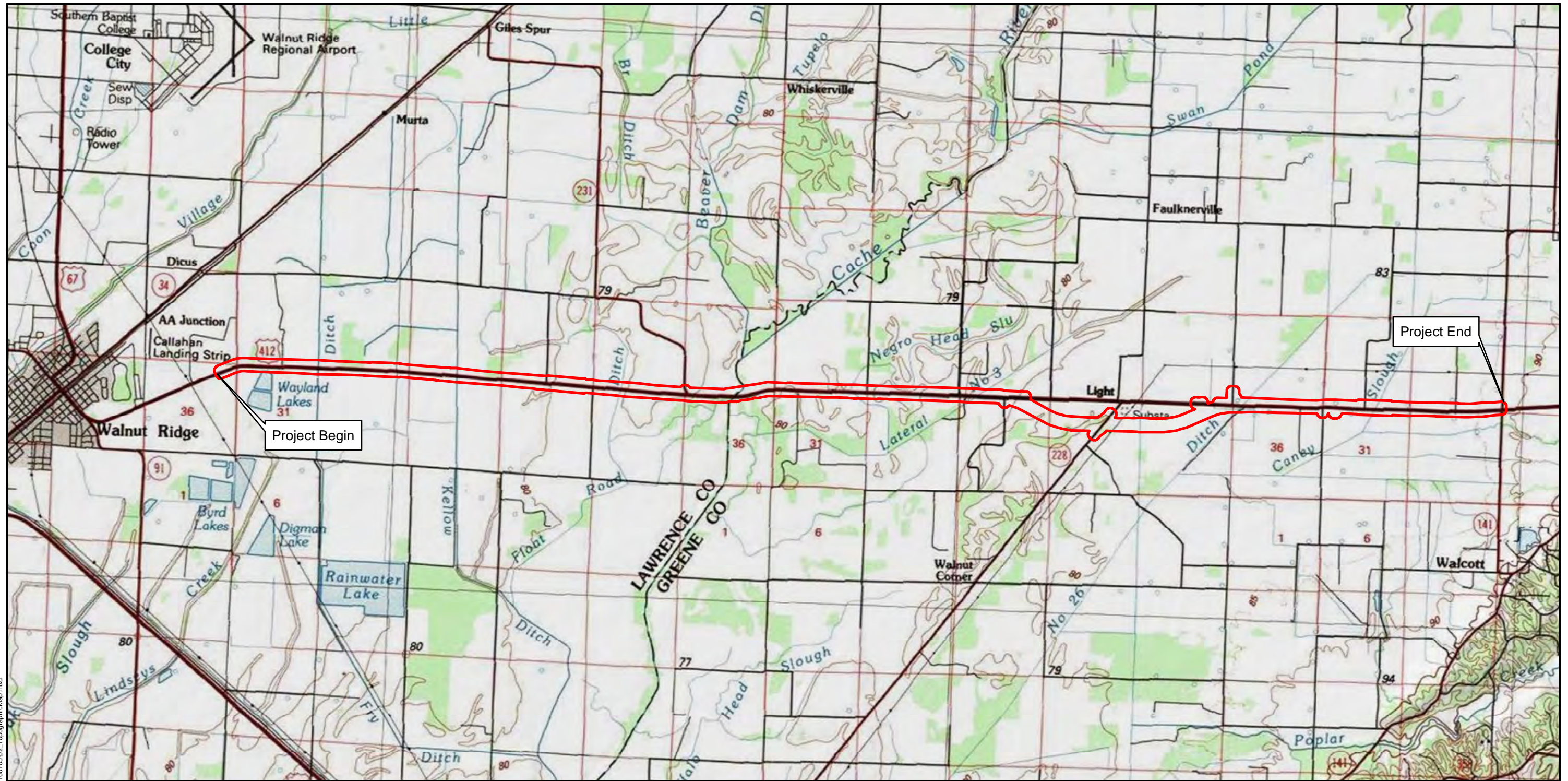



FIGURE 1
 ARKANSAS STATE HIGHWAY
 AND TRANSPORTATION DEPARTMENT
 PROJECT LOCATION MAP
 Hwy 412: From Hwy 67 to Hwy 141
 Lawrence and Greene Counties, Arkansas
 Project No: CA1003



Path: N:\Clients\A_B\A\HTD\US 412\gpo\figures\Project Location Maps 201 601 05\02_TopoGraphicMap.mxd



 Study Area

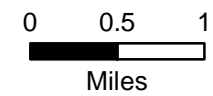


FIGURE 2
 ARKANSAS STATE HIGHWAY
 AND TRANSPORTATION DEPARTMENT
 TOPOGRAPHIC MAP
 Hwy 412: From Hwy 67 to Hwy 141
 Lawrence and Greene Counties, Arkansas
 Project No: CA1003



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE
110 S. Amity Road, Suite 300
Conway, Arkansas 72032
Tel.: 501/513-4470 Fax: 501/513-4480



March 10, 2014

Mr. Lynn P. Malbrough
Environmental Division Head
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, AR 72203-2261

Re: AHTD Connecting Arkansas Program Endangered Species Review

Dear Mr. Malbrough:

This responds to your letter dated February 6, 2014, soliciting U.S. Fish and Wildlife Service (Service) comments on the above referenced projects. Our comments are submitted in accordance with the Endangered Species Act of 1973 (87 stat. 884, as amended; 16 U.S.C. 1531 et seq.).

According to your letter, the Arkansas Highway and Transportation Department (AHTD) is proposing to widen multiple highways throughout the state to move people and goods more efficiently, provide a revenue source for new highway projects, accelerate the completion of highway improvement projects, improve traveler safety, ease congestion, support job growth and improve Arkansas' economy through the Connecting Arkansas Program. This effort includes 31 projects that will widen and improve approximately 200 miles of highways and interstates. All of the projects propose to widen existing roadways with no construction on new location.

Jobs CA0401, CA0901, CA1101, CA0902, CA0905, CA0904, CA0903 and CA0907 are located in Benton and Washington Counties, Arkansas. Listed species occurring in these counties that could be affected directly or indirectly by the proposed projects include the Ozark Big-Eared Bat (*Corynorhinus townsendii ingens*), Gray Bat (*Myotis grisescens*), Indiana Bat (*Myotis sodalis*), Missouri Bladderpod (*Physaria filiformis*), Cave Crayfish (*Cambarus aculabrum*), Neosho Mucket (*Lampsilis rafinesqueana*), Rabbitsfoot (*Quadrula cylindrica cylindrica*), Ozark cavefish (*Amblyopsis rosae*), Scaleshell (*Leptodea leptodon*), and Spectaclecase (*Cumberlandia monodonta*). Additionally, the proposed endangered Northern Long-eared Bat (*Myotis septentrionalis*), candidate Arkansas darter (*Etheostoma cragini*) and federally protected Bald Eagle (*Haliaeetus leucocephalus*) are known to occur in Benton and Washington Counties.

Jobs CA0602, CA0603, CA0604, CA0605, CA0608, CA0609 and 061367 occur in Pulaski and Lonoke Counties, Arkansas. Listed species occurring in these counties that could be affected by the proposed projects include the Interior Least Tern (*Sterna antillarum athalassos*), Running Buffalo Clover (*Trifolium stoloniferum*), Rattlesnake-Master Borer Moth (*Papaipema eryngii*), and Piping Plover (*Charadrius melodus*). Additionally, the proposed endangered Northern Long-

ered Bat (*Myotis septentrionalis*) and federally protected Bald Eagle (*Haliaeetus leucocephalus*) are known to occur in Pulaski and Lonoke Counties.

Jobs CA0601, CA0607 and 061330 occur in Saline and Garland Counties, Arkansas. Listed species occurring in these counties that could be affected by the proposed projects include the Red-cockaded Woodpecker (*Picoides borealis*), Harperella (*Ptilimnium nodosum*), Missouri Bladderpod (*Physaria filiformis*), Arkansas Fatmucket (*Lampsilis powelli*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Quadrula cylindrica cylindrica*), Spectaclecase (*Cumberlandia monodonta*), Winged Mapleleaf (*Quadrula fragosa*), and Ouachita Rock-Pocketbook (*Arkansia wheeleri*). Additionally, the proposed endangered Northern Long-eared Bat (*Myotis septentrionalis*) and federally protected Bald Eagle (*Haliaeetus leucocephalus*) are known to occur in Garland and Saline Counties.

Jobs CA 0101, CA1001 and CA1002 occur in Craighead, Crittenden and Mississippi Counties, Arkansas. Listed species known to occur in these counties that could be affected by the proposed projects include Fat Pocketbook (*Potamilus capax*), Pondberry (*Lindera melissifolia*), Indiana Bat (*Myotis sodalis*), and Scaleshell (*Leptodea leptodon*). The federally protected Bald Eagle (*Haliaeetus leucocephalus*) is also known to occur in these counties.

Job 012154 occurs in Faulkner and White Counties, Arkansas. There are no listed species in the vicinity of this project. The federally protected Bald Eagle (*Haliaeetus leucocephalus*) is known to occur in both counties. Job CA0801 occurs in Van Buren County, Arkansas. Listed species occurring in this county that could be affected by the proposed project include the Yellowcheek Darter (*Etheostoma moorei*), Speckled Pocketbook (*Lampsilis streckeri*), Rabbitsfoot (*Quadrula cylindrica cylindrica*), Gray Bat (*Myotis grisescens*), and Indiana Bat (*Myotis sodalis*). Additionally, the proposed endangered Northern Long-eared Bat (*Myotis septentrionalis*) and federally protected Bald Eagle (*Haliaeetus leucocephalus*) are known to occur in Van Buren County.

Job CA0906 occurs in Newton and Boone Counties, Arkansas. Listed species occurring in these counties that could be affected directly or indirectly by the proposed projects include the Ozark Big-Eared Bat (*Corynorhinus townsendii ingens*), Gray Bat (*Myotis grisescens*), Indiana Bat (*Myotis sodalis*), and Ozark Cavefish (*Amblyopsis rosae*). The proposed endangered Northern Long-eared Bat (*Myotis septentrionalis*) and federally protected Bald Eagle (*Haliaeetus leucocephalus*) are also known to occur in these counties.

Jobs CA0705 and CA0706 occur in Columbia and Union Counties, Arkansas. The only listed species occurring in these counties that could be affected by the proposed projects is the Red-cockaded Woodpecker (*Picoides borealis*). However, several species of burrowing crayfish (species have already been discussed with AHTD) have recently been petitioned for federal listing as threatened or endangered and may occur in roadside ditches in this area of the state. The Service will continue to work with AHTD in an ongoing effort to survey the area to identify species occurrence or suitable habitat. Additionally, the federally protected Bald Eagle (*Haliaeetus leucocephalus*) is known to occur in Columbia and Union Counties.

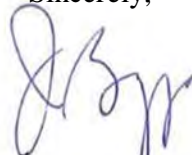
Jobs CA0201, CA0202, CA0701, CA0702, CA0703, and CA0704 occur in Ashley and Calhoun Counties, Arkansas. Listed species occurring in these counties that could be affected by the proposed projects include the Red-cockaded Woodpecker (*Picoides borealis*) and Pondberry (*Lindera melissifolia*). The aforementioned burrowing crayfish species petitioned for listing may also occur in roadside ditches in these counties and surveys are recommended in coordination with the Service and appropriate stakeholders. The federally protected Bald Eagle (*Haliaeetus leucocephalus*) is also known to occur in Ashley and Calhoun Counties.

Job CA1003 occurs in Lawrence and Greene Counties, Arkansas. Listed species occurring in these counties that could be affected by the proposed include Pondberry (*Lindera melissifolia*) and Indiana Bat (*Myotis sodalis*). The proposed endangered Northern Long-eared Bat (*Myotis septentrionalis*) and federally protected Bald Eagle (*Haliaeetus leucocephalus*) are also known to occur in these counties.

Numerous species of migratory birds protected under the Migratory Bird Treaty Act occur in all project areas and may be nesting on structures to be replaced, upgraded or otherwise affected by the proposed projects. Surveys should be conducted prior to initiation of project construction and special consideration given to the times and dates of construction to avoid adverse effects to these species which typically nest in Arkansas from March 1 through September 30.

Thank you for allowing our agency the opportunity to comment on the proposed projects. For future correspondence on this matter, please contact Mitch Wine of this office at (501) 513-4488 or mitch_wine@fws.gov.

Sincerely,



James F. Boggs
Field Supervisor

cc:

Randal Looney, Federal Highway Administration
Brenda Price, Arkansas Highway and Transportation Department
John Fleming, Arkansas Highway and Transportation Department
Josh Seagraves, Arkansas Highway and Transportation Department
Cindy Osborne, Arkansas Natural Heritage Commission
Jennifer Sheehan, Arkansas Game and Fish Commission
Wanda Boyd, United States Environmental Protection Agency

Patterson, Susan K

From: McAbee, William C. <WCMcAbee@GarverUSA.com>
Sent: Monday, December 07, 2015 9:16 AM
To: Patterson, Susan K
Cc: Mountain, Ryan C.; Smith, Timothy J.
Subject: FW: FW: CA1003 bat survey necessary?

See USFWS concurrence below. Add language into env document and include the email correspondence. thanks

Bill McAbee
Garver
501-537-3259

From: Seagraves, Josh [mailto:Josh.Seagraves@ahtd.ar.gov]
Sent: Monday, December 7, 2015 9:11 AM
To: McAbee, William C.
Subject: FW: FW: CA1003 bat survey necessary?

FYI.

From: Lewis, Lindsey [mailto:lindsey_lewis@fws.gov]
Sent: Monday, December 07, 2015 8:10 AM
To: Seagraves, Josh
Subject: Re: FW: CA1003 bat survey necessary?

Josh,

I have reviewed the information you provided along with our current guidance and records. Based on the special conditions you have proposed, BMPs that are standard for these projects, the time of year, and limited habitat in this area, the Service concurs with our determination that, "the project may affect but is not likely to adversely affect listed species."

No further consultation is necessary at this time.

Thanks.

Lindsey Lewis
Biologist

US Fish & Wildlife Service
Arkansas Field Office
110 South Amity Rd., Suite 300
Conway, Arkansas 72032

(501) 513-4489 - voice

(501) 513-4480 - fax

Lindsey_Lewis@fws.gov

<http://www.fws.gov/arkansas-es/>

On Wed, Dec 2, 2015 at 8:20 AM, Seagraves, Josh <Josh.Seagraves@ahtd.ar.gov> wrote:

Lindsey,

Based on the information provided in the email below, the Department has agreed to prohibit the clearing of trees during the summer months, April 1 – October 15. With the implementation of the clearing restrictions and the lack of suitable habitat for other threatened or endangered species known to occur in Lawrence and Greene Counties, the determination has been made that the project may affect but is not likely to adversely affect listed species. We request your concurrence in this determination. A project location map is attached.

Thank you.

Josh Seagraves

Section Head – Special Studies

Arkansas Highway and Transportation Dept.

PO Box 2261, Little Rock, AR 72203

P: 501-569-2522 F: 501-569-2009

Josh.Seagraves@ahtd.ar.gov

From: Inebnit, Thomas [mailto:thomas_inebnit@fws.gov]

Sent: Thursday, July 09, 2015 2:49 PM

To: Seagraves, Josh

Cc: Lewis, Lindsey

Subject: Re: CA1003 bat survey necessary?

Josh,

This project does occur within our current Ibat Consulation Area. I understand that very little tree removal will be occurring; however, considering you are relatively close (as a bat flies) to our only known maternity site in NE Arkansas and this appears to be suitable bottomland hardwoods habitat, I would recommend that the tree removal portion of the project occur outside of the summer months April 1 - October 15. Therefore,

construction on the other portions (the majority) of the project could start at anytime of the year. Let me know if you have any further questions. Thanks.

Tommy Inebnit

Energy Projects Biologist/Bat Biologist

U.S. Fish & Wildlife Service

Arkansas Field Office

110 South Amity Road, Suite 300

Conway, Arkansas 72032

(501) 513-4483 - work

(501) 513-4480 - fax

On Thu, Jul 9, 2015 at 11:03 AM, Seagraves, Josh <Josh.Seagraves@ahtd.ar.gov> wrote:

This project largely involves agricultural land and the trees that will be cleared on the bypass around Light fall outside of the NLEB consultation boundary but will a survey be requested for lbats?

Josh Seagraves

Section Head – Special Studies

Arkansas Highway and Transportation Dept.

PO Box 2261, Little Rock, AR 72203

P: 501-569-2522 F: 501-569-2009

Josh.Seagraves@ahtd.ar.gov

The IS team in Atkins has scanned this email and any attachments for viruses and other threats; however no technology can be guaranteed to detect all threats. Always exercise caution before acting on the content of an email and before opening attachments or following links contained within the email.



The Department of
**Arkansas
Heritage**

Mike Beebe
Governor

Martha Miller
Director

Arkansas Arts Council

Arkansas Natural Heritage
Commission

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars
Cultural Center

Old State House Museum



Arkansas Historic
Preservation Program

323 Center Street, Suite 1500
Little Rock, AR 72201
(501) 324-9880
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tdd: (501) 324-9811

e-mail:

info@arkansaspreservation.org

website:

www.arkansaspreservation.org

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September 17, 2014

Mr. Ray Balentine, P.E.
Environmental Team Leader
Arkansas State Highway and Transportation Department
Connecting Arkansas Program
PO Box 2261
Little Rock, AR 72203-2261

RECEIVED
AHTD

SEP 22 2014

ENVIRONMENTAL
DIVISION

RE: Lawrence and Greene Counties - General
Section 106 Review – FHWA
Request for Technical Assistance
AHTD Job Number CA1003
AHPP Tracking Number 91289

Dear Mr. Balentine:

This letter is written in response to your inquiry regarding properties of architectural or historical significance in the area of the proposed referenced project. The staff of the Arkansas Historic Preservation Program has reviewed the documents contained in your August 26, 2014 letter and has determined that all of the 99 structures surveyed (01A-34) are ineligible for inclusion in the National Register of Historic Places.

Once the undertaking is further along in the planning stages, we look forward to reviewing the cultural resources survey report of the proposed project. Please refer to the AHPP Tracking Number listed above in all correspondence. If you have any questions, please call Theresa Russell of my staff at (501)-324-9357.

Sincerely,

Frances McSwain
Deputy State Historic Preservation Officer

cc: Mr. Randal Looney, Federal Highway Administration
Mr. John Fleming, AHTD
Ms. Rebecca Brave, Osage Nation
Mr. Everett Bandy, Quapaw Tribe of Oklahoma
Dr. Ann Early, Arkansas Archeological Survey
Mr. M. Kelley Russell, Atkins



THE DEPARTMENT OF ARKANSAS
HERITAGE

Asa Hutchinson
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Stacy Hurst
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Mosaic Templars
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Preservation Program



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info@arkansaspreservation.org

website:

www.arkansaspreservation.com

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September 11, 2015

Mr. Ray Balentine, P.E.
Environmental Team Leader
Arkansas State Highway and Transportation Department
Connecting Arkansas Program
PO Box 2261
Little Rock, AR 72203-2261

RE: Lawrence and Greene Counties - General
Section 106 Review – FHWA
Request for Technical Assistance - Addendum
AHTD Job Number CA1003
AHPP Tracking Number 91289.1

Dear Mr. Balentine:

This letter is written in response to your inquiry regarding properties of architectural or historical significance in the area of the proposed referenced project. The staff of the Arkansas Historic Preservation Program has reviewed the documents contained in the addendum attached to your August 31, 2015, letter and has determined that all three structures surveyed (35A-C) are ineligible for inclusion in the National Register of Historic Places.

Once the undertaking is further along in the planning stages, we look forward to reviewing the cultural resources survey report of the proposed project. Please refer to the AHPP Tracking Number listed above in all correspondence. If you have any questions, please call Theresa Russell of my staff at (501)-324-9357.

Sincerely,

Frances McSwain
Deputy State Historic Preservation Officer

cc: Mr. Randal Looney, Federal Highway Administration
Mr. John Fleming, AHTD
Ms. Rebecca Brave, Osage Nation
Mr. Everett Bandy, Quapaw Tribe of Oklahoma
Dr. Ann Early, Arkansas Archeological Survey
Mr. M. Kelley Russell, Atkins



THE DEPARTMENT OF ARKANSAS
HERITAGE

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Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars
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Old State House Museum



Arkansas Historic
Preservation Program



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Little Rock, AR 72201

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info@arkansaspreservation.org
website:
www.arkansaspreservation.com

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September 30, 2015

Mr. Ryan C. Mountain
Senior Environmental Scientist/Specialist
Transportation Team
Garver, Inc.
2049 East Joyce Boulevard, Suite 400
Fayetteville, AR 72703

RE: Lawrence and Greene Counties – General
Section 106 Review – FHWA
Report Entitled *A Phase I Cultural Resources Survey of the Proposed Highway
412: From Highway 67 to Highway 141 Lawrence and Greene Counties,
Arkansas*
AHPP Tracking Number 91289.2

Dear Mr. Mountain:

The staff of the Arkansas Historic Preservation Program has reviewed the above-referenced cultural resources report. This report documents the phase I cultural resources survey conducted for the project and is acceptable.

Based on the information presented in this report, we concur that sites 3GE500-501, 3GE503-504 and 3GE506 are not eligible to the National Register of Historic Places (NRHP). In addition, we concur that those portions of archeological sites 3GE7, 3LW808, 3LW810-811, 3GE502, 3GE505 and 3GE507 within the area of potential effect would not contribute to NRHP eligibility of the sites, although the NRHP eligibility of the portion of the sites outside the proposed right of way are undetermined. Therefore, we find that the proposed undertaking will have no effect on historic properties.

We would recommend that 3LW547/3GE348 (AHTD Bridge Number 01892) be noted on the plans as an environmentally sensitive area to be avoided during construction or included in a special provision requesting avoidance of the NRHP listed bridge and its immediate area during construction.

Thank you for the opportunity to review this undertaking. Please refer to the AHPP Tracking Number listed above in all correspondence. If you have any questions, please call Bob Scoggin of my staff at 501-324-9270

Sincerely,

Frances McSwain

Frances McSwain
Deputy State Historic Preservation Officer

cc: Mr. Randall Looney, FHWA
Mr. Jason Ross, The Delaware Nation
Dr. Andrea Hunter, Osage Nation
Mr. Everett Bandy, Quapaw Tribe of Oklahoma
Ms. Kim Jumper, Shawnee Tribe of Oklahoma
Mr. John Fleming, AHTD
Dr. Ann Early, Arkansas Archeological Survey

RECEIVED
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OCT 06 2015

ENVIRONMENTAL
DIVISION



Public Meeting Synopsis

Job CA1003 – Hwy 412

Hwy. 67 – Hwy. 141 (Widening)

Lawrence and Greene Counties

Thursday, April 17, 2014

An open-forum public involvement meeting for the proposed Hwy 412 widening from Hwy 67 to Hwy 141 was held at the Light Baptist Church (Fellowship Hall) in Light, Arkansas from 4:00 – 7:00 p.m. on April 17, 2014. Efforts to involve minorities and local property owners in the meeting(s) included:

- Display ad placed in the Times Dispatch April 9 and 16, 2014.
- Display ad placed in the Paragould Daily Press on April 10, 11, and 13, 2014.
- Community Calendars for KDRS (TALK 1490/CHR 107.1 - Paragould) and KPOC-KRLW (OLDIES 1320/103.1 – Walnut Ridge).
- Letters to public officials mailed eight days prior to the meeting.
- Meeting notice flier mailed eight days prior to the meeting.
- Meeting notice flier distributed door-to door one week prior to the meeting.
- News release distributed by the Arkansas State Highway and Transportation Department and posted at ConnectingArkansasProgram.com and ArkansasHighways.com.

The following information was available for inspection and comment. Small-scale copies of the displays are attached to this synopsis.

- Aerial photograph roll plot at a scale of 1:200, illustrating the entire length of the proposed project
- Aerial photograph roll plot at a scale of 1:100, illustrating the bypass options around Light
- Aerial photograph 24"x36" mounted board at a scale of 1:2000, illustrating the entire length of the proposed project
- Aerial photograph 24"x36" mounted board at a scale of 1:1000, illustrating the bypass options around Light
- Three CAP informational boards

Handouts for the public included a comment sheet and an 11"x17" map illustrating the entire project length on one side and the bypass options around Light on the other side. Copies of these are attached to this synopsis.



Public Meeting Synopsis

An elected officials meeting was held prior the public meeting at the Light Baptist Church (Fellowship Hall) from 2:00 – 4:00 p.m. Attendees included Jerry Shipman (Greene County Judge), Dale Freeman (Lawrence County Judge), and Don House (Walnut Ridge Mayor). All the officials present expressed support for the proposed project.

An employee of the Times Dispatch was also present during the elected officials meeting.

Several other elected officials or their representatives attending the public meeting, including Mike Gaskill (Paragould Mayor), State Senator Robert Thompson, and Rebeka Bryant (attending for State Representative Rick Crawford).

Table 1 describes the results of public participation at the meeting.

TABLE 1	
Public Participation	Totals
Attendance at meeting (including AHTD and CAP staff)	97
Total comment forms received	50

AHTD, Garver, and Atkins reviewed all comments received and evaluated their contents. The summary of comments listed below reflects the personal perception or opinion of the person or organization making the statement. The sequencing of the comments is random and is not intended to reflect importance or numerical values. Some of the comments were combined and/or paraphrased to simplify the synopsis process.



Public Meeting Synopsis

An analysis of the responses received from the public survey is shown in Table 2.

Survey Results	Totals
Supports improvements to Highway 412	34
Does not support improvements to Highway 412	8
Knowledge of historical, archeological or cemetery sites	2
Knowledge of area environmental constraints	0
Suggestion to better serve the needs of the community	14
Believes the project would have beneficial impacts	5
Believes the project would have adverse impacts	11
No response to beneficial/adverse impacts	34
North Bypass	3
Widening on Existing	19
South Bypass	10
No Build	4
Selected 2 or More Alternatives	6
No Response	9
Additional Comments	19
Total Comment Forms Received	50

A total of 50 comment forms were received during the meeting or within the 15-day comment period. The following is a summary of the 19 additional comments written on the forms as well as comments written elsewhere on the form:

- Six citizens were concerned about their own or their neighbors' farmland being lost or disturbed.
- Five land owners were concerned about losing part or all of their property.
- Four comments expressed concern over the currently dangerous highway.
- Three citizens were concerned about the noise a widening would bring.
- Three home owners wanted a fast decision so they know whether or not to work on their houses.
- Two land/business owners said they would give up right-of-way and/or their house or move their business to get the widening through Light.



Public Meeting Synopsis

List of Attachments

- A Blank Citizen Comment Form
- B 11"x17" map handout
- C Public Meeting Register



Public Meeting Synopsis

Attachment A Blank Citizen Comment Form

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT (AHTD)



CITIZEN COMMENT FORM

AHTD Job Number CA1003
Hwy. 412: Hwy. 67-Hwy. 141
Lawrence and Greene Counties

LOCATION:

Light Baptist Church (Fellowship Hall)
17125 Highway 412, Light, AR
Thursday, April 17, 2014
4:00 – 7:00 p.m.

Make your comments on this form and leave it with AHTD Connecting Arkansas Program personnel at the meeting or mail it within 15 days to: AHTD Connecting Arkansas Program, Attn: Jon Hetzel, 4701 Northshore Drive, North Little Rock, AR 72118.
Email: Info@ConnectingArkansasProgram.com.

Yes **No**

 Do you feel there is a need for the proposed widening of Hwy. 412 between Hwy. 67 and Hwy. 141? _____

 Do you know of any historical sites, family cemeteries, or archaeological sites in the proposed area? Please note and discuss with staff. _____

 Do you know of any environmental constraints, such as endangered species, hazardous waste sites, existing or former landfills, or parks and public lands in the vicinity of the project? Please note and discuss with staff. _____

 Do you have a suggestion that would make this proposed project better serve the needs of the community? _____

(Continued on back)

Do you feel that the proposed widening project will have any impacts (Beneficial or Adverse) on your property and/or community (e.g. economic, environmental, social, etc.)? Please explain. _____

Four alternatives are currently being evaluated. Which alternative do you feel would better meet the needs of the community? Please provide any specific comments regarding each alternative.

North Bypass _____

Widening on Existing _____

South Bypass _____

No Build _____

It is often necessary for the AHTD to contact property owners along potential routes. If you are a property owner along or adjacent to the route under consideration, please provide information below. Thank you.

Name : _____ (Please Print)

Address: _____ Phone: (____) _____ -- _____

_____ E-mail: _____

Please make additional comments here. _____

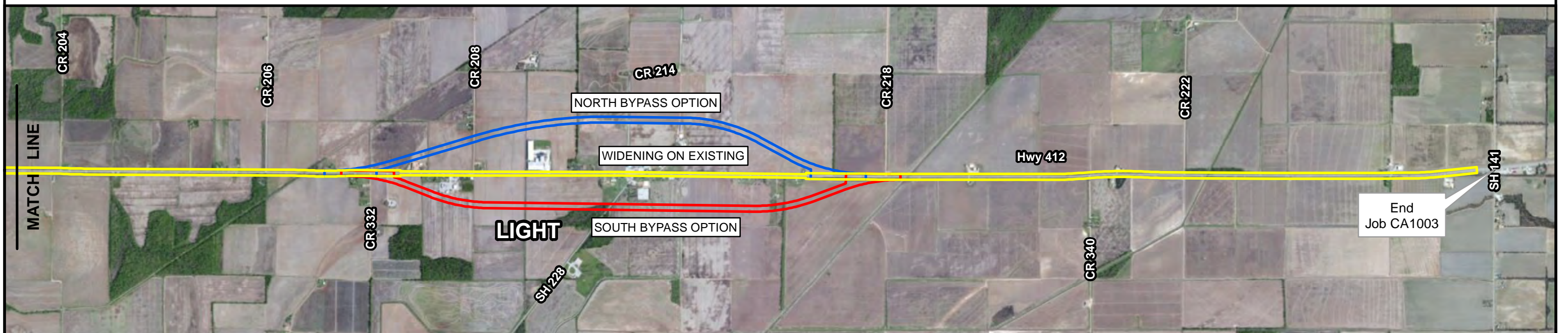
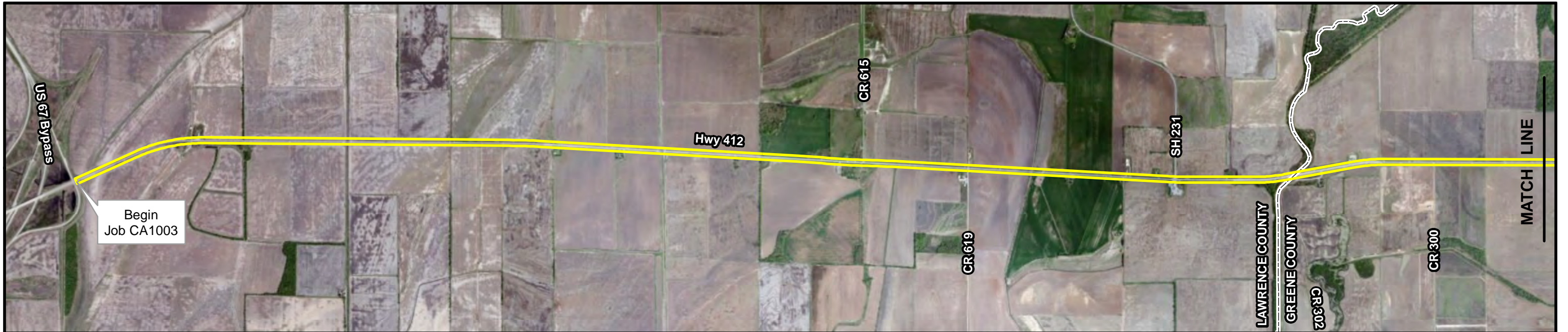
For additional information, please visit our website at

www.ConnectingArkansasProgram.com








Public Meeting Synopsis

Attachment B
11"x17" map handout



LEGEND

-  Matchline
-  Widening on Existing
-  North Bypass Option
-  South Bypass Option
-  County Boundary

Notes:



0 1,000 2,000 Feet

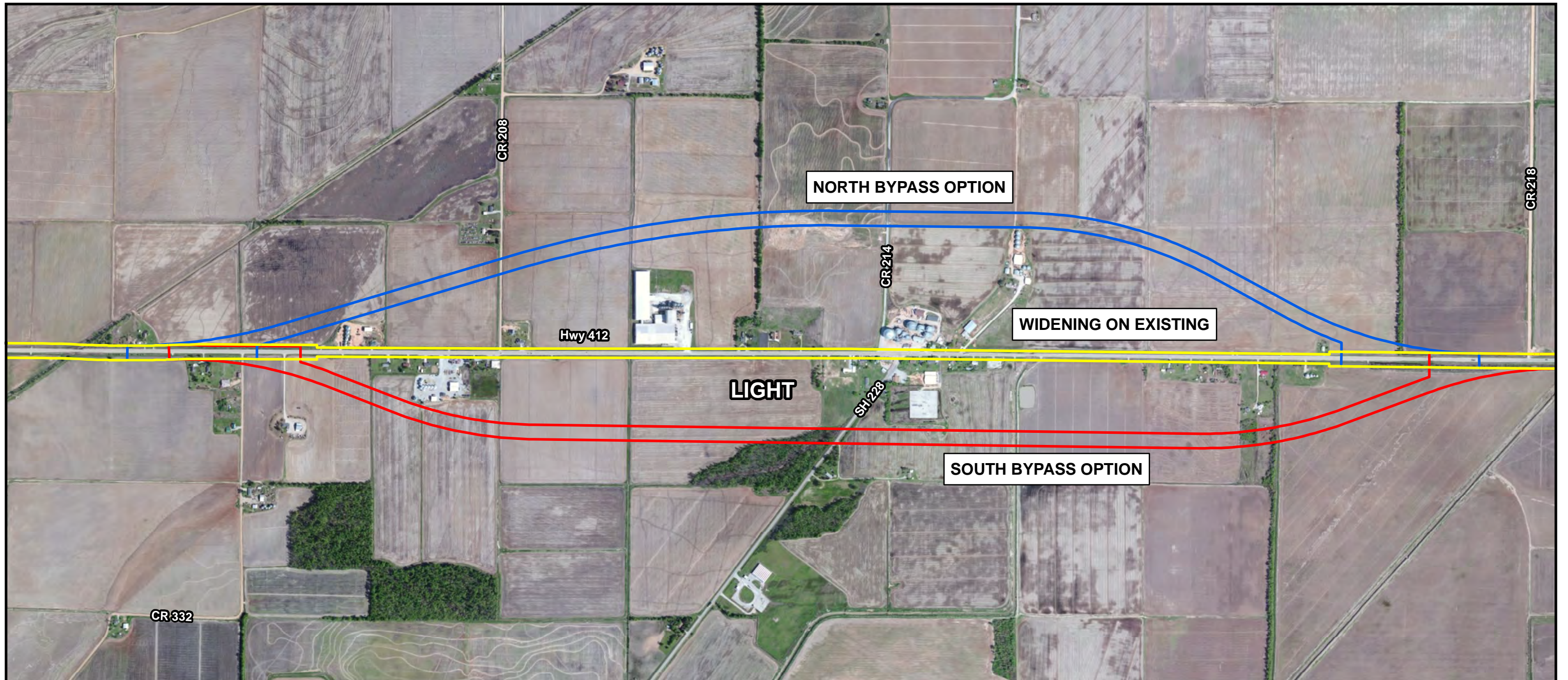
Atkins Geospatial
 Map Date: April 8, 2014
 Public Meeting Date: April 17, 2014
 Public Involvement Handout



CA1003 - Hwy 412: From Hwy 67 to Hwy 141
 Lawrence and Greene Counties, Arkansas

**Preliminary
 Subject to Revision**

Photo Date: 2010, Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



NORTH BYPASS OPTION

WIDENING ON EXISTING

SOUTH BYPASS OPTION

Hwy 412

LIGHT

SH 228

CR 332

CR 208

CR 214

CR 218

LEGEND

- Widening on Existing
- North Bypass Option
- South Bypass Option

Notes: _____



0 500 1,000
Feet

Atkins Geospatial
Map Date: April 8, 2014
Public Meeting Date: April 17, 2014
Public Involvement Handout



CA1003 - Hwy 412: From Hwy 67 to Hwy 141
Lawrence and Greene Counties, Arkansas

**Preliminary
Subject to Revision**

Photo Date: 2010, Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Public Meeting Synopsis

Attachment C Public Meeting Register

PUBLIC MEETING REGISTER



Meeting Held At: Light Baptist Church Fellowship Hall
17125 Highway 412, Light AR
 Job Name: Hwy. 67-Hwy. 141

Job No: CA1003
 Date: April 17, 2014

PLEASE PRINT Name	Street or P.O. Box	City, Zip	Representing: Organization or "Self"	How did you hear about this meeting? (Radio, Newspaper, Flyer, etc.)
1. Glynn Fulmer	4701 Northshore Dr.	NLR, AR 72118	GAPM	Organizer
2. Jon Hetzel	"	"	"	"
3. Rep James RATHFF	PO Box 791	Forsden 72434	State Rep	News/ Paper
4. Susan Patterson			ATKINS	Staff
5. Jenelle Romero			ATKINS	Staff
6. BRIAN CLARK			ATKINS	STAFF
→ 7. Jerry Shipman	1135 Greene 712 Rd	Paragould	Greene Co. Judge	Phone call
→ 8. Dale Fran		Walnut Ridge	Law. Co. Judge	
9. Walter Mcmillan	P.O. Box 78, Paragould, AR 72450		AHTD	Phone
10. Ray Valentine	412 Harriette Hill	Madison, MS	Garver	Staff
→ 11. Dan House	P.O. Box 505 W. R 72476	Walnut Ridge	Walnut Ridge	Center
12. Rachel White	331 Robin Lane	Walnut Ridge	Walnut Ridge	Center
13. Gretchen Hunt <small>ghunt@chsd.com</small>	620 OR 750	Paragould 72412	The Times Dispatch	media
14. Janna Malle	804 GREENE 214 ROAD	Beech Grove AR	Self	
15. Glen Malle				
16. Florence Kellerman	17920 Hwy 412	BONO AR	72416	
17. John Kellerman	17920 Hwy 412	BONO AR	72416	
18. Connie Henderson	17962 Hwy 412	Walnut Ridge	72476	
19. Peter Appert	2311 BISCAYNE DR.	LITTLE ROCK	72118 ORC	STAFF
20. Anthony Williams	4576 Greene 712 RD	Paragould	AHTD	phone call

PUBLIC MEETING REGISTER



Meeting Held At: Light Baptist Church Fellowship Hall
17125 Highway 412, Light AR
 Job Name: Hwy. 67-Hwy. 141

Job No: CA1003
 Date: April 17, 2014

PLEASE PRINT Name	Street or P.O. Box	City, Zip	Representing: Organization or "Self"	How did you hear about this meeting? (Radio, Newspaper, Flyer, etc.)
1. <u>Jay Miller</u>	<u>884 GREENE 214 ROAD</u>	<u>Beech Grove 72412</u>	<u>Self</u>	<u>_____</u>
2. <u>Keith Shumard</u>	<u>1059 GROENE 313 Rd</u>	<u>Paragould 72450</u>	<u>SELF</u>	
3. <u>Jesse Hancock</u>	<u>16990 Hwy 412 W</u>	<u>Walnut Ridge 72476</u>	<u>SELF</u>	
4. <u>Nicky Burris</u>	<u>PO Box 626</u>	<u>Walnut Ridge 72476</u>	<u>Self</u>	
→ 5. <u>Wibbi Gaskill</u>	<u>1009 A39th St</u>	<u>Paragould</u>	<u>City of Paragould - mayor</u>	
6. <u>Judy Beck</u>	<u>2507 GR 336 Rd</u>	<u>Bono, AR 72416</u>	<u>Self</u>	<u>letter</u>
7. <u>Kenney & Debbie Newberry</u>	<u>277 GR 710 Rd.</u>	<u>Paragould 72450</u>	<u>Self</u>	<u>letter</u>
8. <u>Tom & Janet Waddell</u>	<u>15 LAWRENCE CR 615</u>	<u>Walnut Ridge</u>	<u>SELF</u>	<u>"</u>
9. <u>JASON FORKUM</u>	<u>702 S.W. 3rd</u>	<u>WALNUT RIDGE</u>	<u>SELF</u>	<u>LETTER</u>
10. <u>RAY MELTON</u>	<u>1994 Hwy 412</u>	<u>WALNUT RIDGE</u>	<u>SELF</u>	<u>"</u>
11. <u>Alan Kirby</u>	<u>2917 Greene 203rd</u>	<u>Beech Grove AR</u>	<u>Self</u>	<u>News</u>
12. <u>William Swad</u>	<u>5086 Greene 224rd</u>	<u>Beech Grove</u>	<u>Jimmy Sanders</u>	<u>Flyer</u>
13. <u>Rich Tate</u>	<u>1806 N 18th St.</u>	<u>Paragould</u>	<u>Jimmy Sanders</u>	<u>Flyer</u>
14. <u>Phyllis Ainley Burt</u>	<u>16815 Hwy 412 W</u>	<u>Walnut Ridge</u>	<u>Self</u>	<u>Flyer</u>
15. <u>Sue McGowan</u>	<u>P.O. Box 124</u>	<u>Paragould</u>	<u>Paragould Chamber of Commerce</u>	<u>Paper</u>
16. <u>Jim & Earline Tedder</u>	<u>195 Greene 340rd</u>	<u>Paragould</u>	<u>Self</u>	<u>mail</u>
17. <u>Shaun Finch</u>	<u>7 VICTOR Dr.</u>	<u>Paragould</u>	<u>self</u>	<u>Flyer</u>
18. <u>Vance Cripp</u>	<u>1870 Hwy 412 W</u>	<u>Light</u>	<u>SELF</u>	<u>mail</u>
19. <u>Steve Miller</u>	<u>16803 Hwy 412</u>	<u>Light</u>	<u>SELF</u>	<u>MAIL</u>
20. <u>Randy & Connie Gray</u>	<u>18202 Hwy 412 W</u>	<u>Beech Grove</u>	<u>self</u>	<u>mail</u>

PUBLIC MEETING REGISTER



Meeting Held At: Light Baptist Church Fellowship Hall
17125 Highway 412, Light AR
 Job Name: Hwy. 67-Hwy. 141

Job No: CA1003
 Date: April 17, 2014

PLEASE PRINT Name	Street or P.O. Box	City, Zip	Representing: Organization or "Self"	How did you hear about this meeting? (Radio, Newspaper, Flyer, etc.)
21. Brenda Lewis	16360 Hwy 412 W	Beech Grove 72412	Self	Flyer
22. Julie Kammere	16926 Hwy 412 W			
→ 23. Rebekah Bryant	2400 E Highland	Jonesboro 72410	Rick Crawford	Chamber
24. Judy O Emerald Bailey	16968 Hwy 412 W	Bono AR 72416	self	Hwy Dept
25. Charles & Jackie Sapp	822 SW 2nd	Walnut Ridge	Self	Flyer
26. Dale Hughest	303 NW Primrose Cir	Walnut Ridge 72476	Chamber	Chamber
27. Ernest Luge	703 Lawrence 620	Walnut Ridge	self	Flyer
28. Rodney Co	17161 Hwy 412 W	72439	Both	Flyer
29. Eddie Arnold & Karen	18806 Hwy 412	72476	Self	"
30. LUXY A. McMELLOW	414 W. HIGHLAND ST	PARAGOULD 72450	SELF	NEWSPAPER
31. Alan Walter	Dist 10		AHTD	"
→ 32. Robert Thompson	129 Cypress Pointe	Paragould 72450	State Senator	Letter
33. Connie Gray	18202 Hwy 412 W	Beech Grove	Self	mail
34. Nolan Wall	160 Charleston DR	Walnut Ridge	self	TV
35. Scott Brady	2400 Hwy 412	Walnut Ridge	self	Flyer
36. DARRYL BRADY	515 Hwy 231	WALNUT RIDGE	SELF	FLYER
37. Jackie Glidewell	676 Hwy 231	Bono 72414	Self	TV
38. Ronnie Brangard	S Hill Home	Paragould	ECC 72450	
39. Shiloh Killian	2700 Newcastle Drive	Paragould	self	Flyer
40. Gary Killian	2700 Newcastle Drive	Paragould	self	Flyer

PUBLIC MEETING REGISTER



Meeting Held At: Light Baptist Church Fellowship Hall
17125 Highway 412, Light AR
 Job Name: Hwy. 67-Hwy. 141

Job No: CA1003
 Date: April 17, 2014

PLEASE PRINT Name	Street or P.O. Box	City, Zip	Representing: Organization or "Self"	How did you hear about this meeting? (Radio, Newspaper, Flyer, etc.)
21. Langston Carr	10324 I-30	LR, AR 72209	AHTD	
22. CLETOS miller	2160 Greene 626 RD	PARAGOULD		
23. Harvey Songer	1407 Gt 205 Rd	Beech Grove		
24. John Kerstner	16805 Highway 412W	Light		
25. Angie Kerstner	" "	" "		
26. Jeffrey L. Fry	1205 Greene 214 Rd	Beech Grove 72412		
27. [Signature]	9347 Hwy 412	72476		
28. Jeff James	44106 Jackie Ln	Paragould, 72450		
29. Kent Hand	289 Greene 332 Rd.	Bono AR72416		
30. Harold Finch	1694 Highway 168N	PARAGOULD		
31. DOUGLAS WAYLASSO	484 EASTWOOD	WALNUT RIDGE		
32. BRAD & ABBY GRAY	19028 Hwy 412 W	Beech Grove 72412		
33. Richard & Misty Girard	P.O. Box 346	Walnut Ridge ^{AR} 72476	Self	
34. Alvin R. Miller	4842 GREENE 203 RD	Beech Grove 72412		
35. Bonnie Felty	2682 Hwy 141 N	Paragould AR 72450		
36. Mary [Signature]	2722 Hwy 141 N.	Paragould Ar. 72450		
37. Danny [Signature]	111 S Centa Hill Rd	Paragould 72450		
38. Rita Adams	P.O. Box 119 Walcott, AR	Walcott, 72474	Self	Paper - TV
39. Deann & Laura Chesser	19526 Hwy. 412	Walnut Ridge 72476		
40. Brett Cooper	PO Box 3736	Walnut Ridge 72476	Self / Low Co Chamber	

PUBLIC MEETING REGISTER



Meeting Held At: Light Baptist Church Fellowship Hall
17125 Highway 412, Light AR
 Job Name: Hwy. 67-Hwy. 141

Job No: CA1003
 Date: April 17, 2014

PLEASE PRINT Name	Street or P.O. Box	City, Zip	Representing: Organization or "Self"	How did you hear about this meeting? (Radio, Newspaper, Flyer, etc.)
41. Greg Brady	151 Hwy 231	Walnut Ridge 72476	self	Flyer
42. Brad Smith	2510 W. Kingshighway	Pangloss, AR 72450	AHTD	WORK
43. Brandi Slayton	16950 Hwy 412 W	Walnut Ridge	Self	mail
44. Rocky & Deborah Sheets	1852 Hwy 412 E	Walnut Ridge	Self	mail/Flyer
45. Terran Wheelis	16184 Hwy 412 W	Beech Grove 72412	Self	Mail
46. Alex Beck	2507 Greene 336 Rd	Walnut corner	self	
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Public Meeting Synopsis

Job CA1003

Hwy. 67 – Hwy. 141 (Widening) (Hwy. 412)

Lawrence and Greene Counties

Tuesday, April 28, 2015

An open-forum public involvement meeting for the proposed Hwy. 67 – Hwy. 141 (Widening) (Hwy. 412) was held at the Light Baptist Church (Fellowship Hall), 17125 Highway 412 in Light, Arkansas from 4:00 – 7:00 p.m. on April 28, 2015. A public officials meeting was held at 3:00 p.m. on the same day. Efforts to involve minorities and local property owners in the meeting included:

- Display ad placed in the Paragould Daily Press on April 12 and 26, 2015.
- Display ad placed in The Times Dispatch on April 15 and 22, 2015.
- Letters to public officials were mailed on April 17, 2015.
- Fliers to adjacent property owners were mailed April 20, 2015.
- Fliers to people who attended the April 2014 public meeting were mailed April 20, 2015.
- Fliers to local churches were mailed April 20, 2015.
- Meeting notice fliers were delivered door-to-door along project route April 21, 2015.
- A news release was distributed to the media on April 24, 2015.
- A meeting announcement was listed on ConnectingArkansasProgram.com and ArkansasHighways.com on April 20, 2015.

The following information was available for inspection and comment.

- One aerial photograph roll plot at a scale of 1" = 200', illustrating the entire length of the proposed project
- One aerial photograph roll plot at a scale of 1" = 100', illustrating the southern bypass alignment around Light
- Two 24" x 36" aerial photographs on mounted boards at a scale of 1" = 1250', illustrating the entire length of the proposed project
- Three CAP informational boards

Handouts for the public included a comment sheet and a small-scale map illustrating the project location, which was identical to the aerial photography display. Copies of these are attached to this synopsis.



Public Meeting Synopsis

Table 1 describes the results of public officials participation at the 2 p.m. meeting.

Table 1	
Public Official Participation	Total
Attendance at meeting (including AHTD and CAP staff)	18
Comments received	1

Rusty McMillon, Greene County Judge, submitted a comment. He stated the project was long overdue and would provide economic benefits to the community.

Table 2 describes the results of public participation at the 4-7 p.m. meeting.

Table 2	
Public Participation	Total
Attendance at meeting (including AHTD and CAP staff)	56
Comments received	18

Atkins reviewed all comments received and evaluated their contents. The summary of comments listed below reflects the personal perception or opinion of the person or organization making the statement. The sequencing of the comments is random and is not intended to reflect importance or numerical values. Some of the comments were combined and/or paraphrased to simplify the synopsis process.



Public Meeting Synopsis

An analysis of the responses received from the public survey is shown in Table 3.

Table 3	
Survey Results	Totals
Supports improvements to Highway 412	11
Does not support improvements to Highway 412	6
Knowledge of historical, archeological or cemetery sites	0
Knowledge of area environmental constraints	0
Home or property offers limitations to the project that need to be considered during the design	7
Suggestions to better serve the needs of the community	7
Believes the project would have beneficial impacts	6
Believes the project would have adverse impacts	8
Total Comments Received	19

The affected residents and landowners within the project area have signed a petition statement requesting AHTD to maintain the present Hwy 412 route rather than the proposed routings. The petition is estimated to have been signed by 16 individuals representing 25 of 66 tracts located between the southern bypass limits along the existing Highway 412.

Table 4	
Petition	Totals
Petition statement	32



Public Meeting Synopsis

The following is a listing of comments concerning issues associated with this project.

- One comment stated concerns about drainage from Hwy 412.
- Six comments indicated concerns about access to farming properties during and after construction.
- Five comments requested to maintain the existing alignment of Hwy 412.
- Two comments suggested the northern alignment would be better in regards to access and school bus traffic.
- Two comments were concerned the proposed project would lower their property value.
- Two comments requested to use the southern alignment.
- Two comments suggested that the proposed project would have positive economic benefits.

Attachments:

- Blank comment form
- Public officials sign-in sheet
- 11x17 map handout
- Small-scale copy of the display board
- News Release
- Petition Statement



Public Meeting Synopsis

Blank Comment Form

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT (AHTD)



CITIZEN COMMENT FORM

**AHTD JOB NUMBER CA1003
HWY. 67-HWY. 141 (WIDENING) (HWY. 412)
LAWRENCE AND GREENE COUNTIES**

**LOCATION:
LIGHT BAPTIST CHURCH (FELLOWSHIP HALL)
17125 HIGHWAY 412, LIGHT
4:00 – 7:00 P.M.
TUESDAY, APRIL 28, 2015**

Make your comments on this form and leave it with AHTD Connecting Arkansas Program personnel at the meeting or mail it within 15 days to: AHTD Connecting Arkansas Program, Attn: Jon Hetzel, 4701 Northshore Drive, North Little Rock, AR 72118.
Email: Info@ConnectingArkansasProgram.com.

Yes No

 Do you feel there is a need for the proposed widening of Hwy. 412 between Hwy. 67 and Hwy. 141? _____

 Do you know of any historical sites, family cemeteries, or archaeological sites in the proposed area? Please note and discuss with staff. _____

 Do you know of any environmental constraints, such as endangered species, hazardous waste sites, existing or former landfills, or parks and public lands in the vicinity of the project? Please note and discuss with staff. _____

 Does your home or property offer any limitations to the project, such as septic systems, that the Department needs to consider in its design? _____

(Continued on back)

Yes No

Do you have a suggestion that would make this proposed project better serve the needs of the community? _____

Do you feel that the proposed widening project will have any impacts (Beneficial or Adverse) on your property and/or community (e.g. economic, environmental, social, etc.)? Please explain. _____

It is often necessary for the AHTD to contact property owners along potential routes. If you are a property owner along or adjacent to the route under consideration, please provide information below. Thank you.

Name : _____ (*Please Print*)

Address: _____ Phone: (____) _____ -- _____

E-mail: _____

Please make additional comments here. _____

For additional information, please visit our website at

www.ConnectingArkansasProgram.com



Public Meeting Synopsis

Public Officials Sign-in Sheet

Public Officials Meeting

PUBLIC MEETING REGISTER



Meeting Held At: Light Baptist Church (Fellowship Hall)
 Job Name: Hwy. 67-Hwy. 141 (Widening)

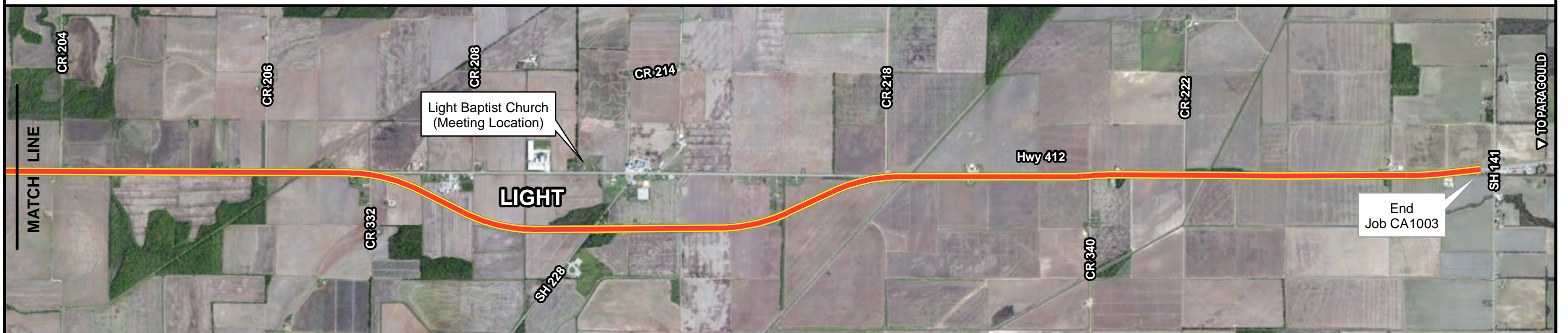
Job No: CA1003
 Date: April 28, 2015

PLEASE PRINT Name	Street or P.O. Box	City, Zip	Representing: Organization or "Self"	How did you hear about this meeting? (Radio, Newspaper, Flyer, etc.)
1. Jesse Hancock	16990 Hwy 412 N	LIGHT 72439	Self	
2. Rusty A-McMillon	320 W. COURT ST	PARAGOLD 72450	Greene-Lawry	PHONE
3. Blake Johnson	YICR 1412	Cornwall 72422	DST. 20	PHONE
4. Walter McMillan	PO Box 98	Paragold, MO 72450	AHTD	email
5. Greg Miller	884 GA 214 Rd.	Beach Grove 72924	Self	Letter
6. Charles Snyff	300 West Main St	Walnut Ridge 72474	City	INET
7. Dale Fitzgerald	Box 214	PRESIA AR	Co. 5072	
8. Rep James Ratliff	PO Box 791	Presia AR	Rep-	
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14.				
15.				
16.				
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18.				
19.				
20.				






Public Meeting Synopsis

11x17 Map Handout



LEGEND

-  Project Location
-  County Boundary
-  Matchline

Notes: _____

N

0 1,000 2,000 Feet

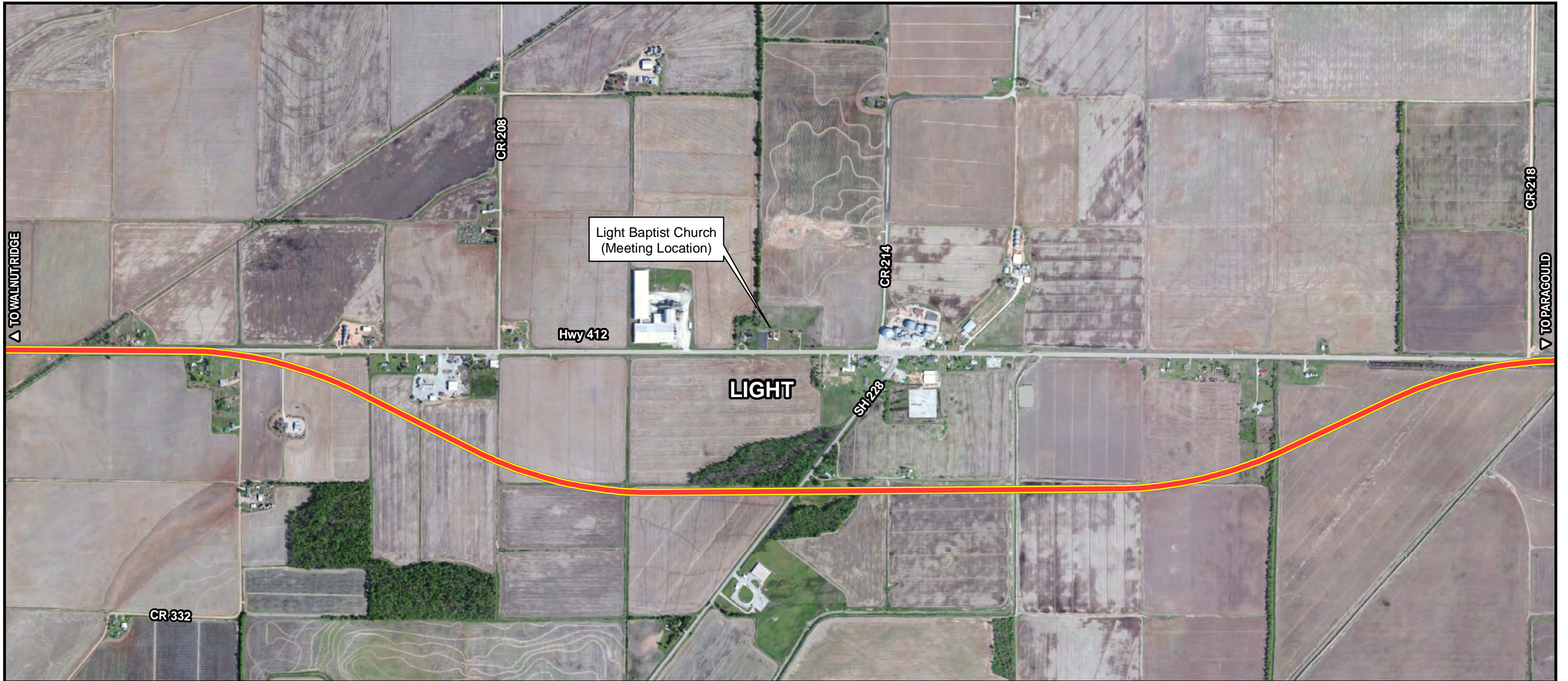
Atkins Geospatial
 Map Date: April 22, 2015
 Public Meeting Date: April 28, 2015
 Public Involvement Handout



CA1003 - Hwy 412: From Hwy 67 to Hwy 141
 Lawrence and Greene Counties, Arkansas

**Preliminary
 Subject to Revision**

Photo Date: 2010, Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Notes: _____

LEGEND

 Project Location



0 500 1,000
Feet

Atkins Geospatial
Map Date: April 22, 2015
Public Meeting Date: April 28, 2015
Public Involvement Handout



CA1003 - Hwy 412: From Hwy 67 to Hwy 141
Lawrence and Greene Counties, Arkansas

Preliminary
Subject to Revision

Photo Date: 2010, Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Public Meeting Synopsis

News Release



INFORMATION RELEASE

Office of the Director

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT
P. O. Box 2261 – Little Rock, Arkansas
Telephone (501) 569-2227

ArkansasHighways.com
Twitter: @AHTD

Contact:
Randy Ort

NR 14-091
April 11, 2014

AHTD TO HOLD PUBLIC INVOLVEMENT MEETING IN GREENE COUNTY

LITTLE ROCK (4-11) – The Arkansas State Highway and Transportation Department will hold a public involvement meeting in the community of Light to present and discuss proposed plans to widen Highway 412 between Highway 67 and Highway 141 in Lawrence and Greene counties. A bypass of the Light community will be considered along with other alternatives. This project is part of the department's [Connecting Arkansas Program](#).

The meeting will be held on Thursday, April 17 from 4:00 p.m. to 7:00 p.m., at the Light Baptist Church (Fellowship Hall). It is located at 17125 Highway 412 in Light.

The public is invited to visit any time during the scheduled hours to view displays, ask questions and offer comments. For more information, contact the Arkansas State Highway and Transportation Department's Connecting Arkansas Program manager at 501-255-1519.

NOTICE OF NONDISCRIMINATION: The Arkansas State Highway and Transportation Department (AHTD) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, the Department does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in the admission, access to and treatment in the Department's programs and activities, as well as the Department's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the Department's nondiscrimination policies may be directed to Joanna P. McFadden Section Head- EEO/DBE (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501) 569-2298, (Voice/TTY 711), or the following email address: Joanna.Mcfadden@arkansashighways.com.



Public Meeting Synopsis

Petition Statement

We the undersigned residents and affected land owners do hereby petition the Arkansas Highway Department to maintain the present Highway 412 Route rather than proposed routings:

Name	Address	Phone #
David Lapp	Hwy 16870 412w Light	870-573-1785
Connie Shines	1092 Greene 332 Road Walnut Ridge	215-253
Joe Pratt	1697 Hwy 412 Walnut Ridge	870-335-683
Shaun Finch	7 Victor Dr Paragould	870-335-53
Ken Coffey	124 Cypress Point Paragould	236-4534
Steve Miller	16803 Hwy 412 Walnut Ridge AR	870-335-5
Mary Jo Boushew	16898 Hwy 412 Walnut Ridge AR	870-565-844
Sam Clumpus	2917 Greene 203 rd Beech Grove Ar	72412 335-5
Chad Davis	1059 Greene 603 Rd Beech Grove Ar	72412 476-65
Derry E Smith	905 Hwy 141 S. Paragould Ar	72450 215-3085
Keat Shumard	1059 Greene 313 rd Paragould	236-019 727-50
Harold Finch	1694 Highway 168 N PARAGOULD	573-676 335-556
Jeff Janda	4406 Jackie Ln Paragould	476-00
Harvey Sawyer	1407 Gr 205 Rd Beech Grove Ar	513-659
Jesse Hobbs	16990 Hwy 412 w. Light AR	897-4880
Brandi Slayton	16950 Hwy 412 w	870-335-6224

We the undersigned residents and affected land owners do hereby petition the Arkansas Highway Department to maintain the present Highway 412 Route rather than proposed routings:

Name	Address	Phone #
Brad Gray	18028 Hwy 412 W.	870-215-1733
Randal Gray	18202 Hwy 412 W	870-215-1732
Richard Stanton	16950 Hwy 412 W	870-897-5855
Carmie Gray	18202 Hwy 412 W	870-215-1734
Kerth Lando	269 Greene 332 Rd.	870-476-6648
Cussey Gray	18202 Hwy 412 W	870-323-0673
Alden Gray	18028 Hwy 412 W	870-476-2434
Dorby Sturkie	1115 Center Hill Rd ^{Paragould} AR	870 239 4370
Evelyn Sturkie	1115 Center Hill Rd, ^{Paragould} AR	870-239-4370
Chad Sturkie	4905 S. 27 1/2 St. Paragould, AR	870-219-4588
Lesley Bunch	5102 Scarlett O'Hare Lane Villa Ridge, MO ^{(636) 451-5117} 63029	

We the undersigned residents and affected land owners do hereby petition the Arkansas Highway Department to maintain the present Highway 412 Route rather than proposed routings:

Name	Address	Phone #
Doris Pratt	16769 Hwy 412 W Bx 1 Walnut Ridge 22474	870-926-1901
Betty Pratt	Same	870-215-1455
Leah Pratt	Same Bx 2	870-215-2923
Beada Davis	16360 Hwy 412 W Beech Grove Dr.	870-575-6813
James Cook	4218 Reynolds Park Parkway	870-215-2

AHTD ENVIRONMENTAL IMPACTS ASSESSMENT FORM

AHTD Job Number CA1003 FAP Number 9991

Job Title Hwy. 67-Hwy. 141 (Widening) (S)

Environmental Impacts	None	Minor	Significant	Comments
Air Quality	X			
Construction Impacts		X		Temporary minor impacts
Cultural Resources	X			
Economic	X			
Endangered Species	X			
Energy Resources	X			
Environmental Justice/Title VI	X			
Fish and Wildlife	X			
Floodplains	X			
Forest Service Property	X			
Hazardous Materials/Landfills	X			
Land Use Impacts	X			
Migratory Birds		X		Include in Special Provisions
Navigation/Coast Guard	X			
Noise Levels	NA			
Prime Farmland	NA			
Protected Waters	X			
Public Recreation Lands	X			
Public Water Supply/WHPA	X			
Relocatees		X		One residential structure and two personal property structures (one barn and one grain bin) would require relocation.
Section 4(f)/6(f)	X			
Social	X			
Underground Storage Tanks	X			
Visual Impacts	X			
Stream Impacts		X		1,513 linear feet
Water Quality		X		Temporary minor impacts during construction
Wetlands		X		1.12 acres of wetlands
Wildlife Refuges	X			

AHTD ENVIRONMENTAL IMPACTS ASSESSMENT FORM

Section 401 Water Quality Certification Required? No
Short-term Activity Authorization Required? Yes
Section 404 Permit Required? Yes Type NWP 14

Remarks: Mitigation will be calculated prior to the 404 permit application and mitigated through the
Glaise Creek Mitigation Bank.

Signature of Evaluator Susan Patterson, Atkins Date 01/28/16

DESIGN INFORMATION

Job Number CA1003 FAP Number 9991 County Lawrence/Greene

Job Name Hwy 412: Hwy. 67 – Hwy. 141 (Widening) (S)

Design Engineer Glynn Fulmer

Brief Project Description Widening of existing 2-lane roadway to 4-lane plus flush paved median

EXISTING CONDITIONS:

Roadway Width: 24' – 59' Shoulder Width: 0' – 8'

Number of Lanes and Width: 2 @ 11.5'

Average Existing ROW Width 125'

PROPOSED CONDITIONS:

Roadway Width: 75' Shoulder Width: 8'

Number of Lanes and Width: 4 @ 12'

Average Proposed ROW Width 190'

CONSTRUCTION INFORMATION:

If detour: Where N/A Length N/A

DESIGN DATA:

2017 ADT 5,600 2037 ADT 7,400 %Trucks 15 Design Speed 60mph

Approximate total length of project: 14.4 mile(s)

Justification for improvements: Increase mobility and safety, replace failing bridges

BRIDGE DESIGN INFORMATIONJob Number CA1003 FAP Number 9991 County LawrenceJob Name CA1003 Hwy. 67-Hwy. 141 (Widening) (S)Design Engineer Scott Dubord, P.E.**Description of Existing Bridge:**Bridge Number 1889 over Fry DitchBridge Location: Rte: 412 Section: _____ Log Mile: 3.07Length: 14.0 ft. Br. Rdwy. width: 16.8 ft. Deck width (Out-to-Out) 17.4 ft.Type Construction: one span concrete deck with steel beams and concrete piles

Deficiencies _____

HBRRP Eligibility: _____ Qualifying Code: _____ Sufficiency Rating: 28.9**Proposed Improvements:**Length: 40 ft Br. Rdwy. Width: 75 ft. Deck Width (Out-to-out) 121 ftTravel Lanes: 4 Shoulder Width: 8Sidewalks: no Location: N/A Width: N/A**Construction Information**Location in relation to existing bridge: same locationSuperstructure Type: RC Box CulvertSpan Lengths: triple 12' x 12' x 121'Substructure Type: RC Box CulvertOrdinary High Water Elev. 257.17 No. of Bents inside OHW Contours: 0Concrete Volume below OHW: 197.60 yd³ Vol. Bent Excavation: 0 yd³Is backfill req'd? yesIs Channel excavation req'd? yes Surface Area: 4657.65 ft² Volume: 706.10 yd³Is fill below OHW req'd? yes Surface Area: 4657.65 ft² Volume: 345.01 yd³Is riprap req'd? no**Work Road Information:**Is work road(s) required? no Location: _____ Top width: ftIs fill below OHW req'd? _____ Surface Area: ft² Volume yd³

Are pipes required to meet backwater criteria?

Detour Information:Is a detour bridge required? no Location in relation to existing bridge:

Length: ft Br. Rdwy. Width: ft Deck Elevation:

Volume of fill below OHW: yd³ Surface area: ft²

BRIDGE DESIGN INFORMATIONJob Number CA1003 FAP Number 9991 County LawrenceJob Name CA1003 Hwy. 67-Hwy. 141 (Widening) (S)Design Engineer Scott Dubord, P.E.**Description of Existing Bridge:**Bridge Number 1890 over Kellow DitchBridge Location: Rte: 412 Section: _____ Log Mile: 4.60Length: 14.0 ft. Br. Rdwy. width: 16.6 ft. Deck width (Out-to-Out) 17.4 ft.Type Construction: one span concrete deck with steel beams and concrete piles

Deficiencies _____

HBRRP Eligibility: _____ Qualifying Code: _____ Sufficiency Rating: 48.1**Proposed Improvements:**Length: 33'-5" Br. Rdwy. Width: 75 ft. Deck Width (Out-to-out) 122 ftTravel Lanes: 4 Shoulder Width: 8Sidewalks: no Location: N/A Width: N/A**Construction Information**Location in relation to existing bridge: same locationSuperstructure Type: RC Box CulvertSpan Lengths: triple 10' x 10' x 122'Substructure Type: RC Box CulvertOrdinary High Water Elev. 259.11 No. of Bents inside OHW Contours: 0Concrete Volume below OHW: 169.30 yd³ Vol. Bent Excavation: 0 yd³Is backfill req'd? yesIs Channel excavation req'd? yes Surface Area: 3817.44 ft² Volume: 700.43 yd³Is fill below OHW req'd? yes Surface Area: 3817.44 ft² Volume: 282.77 yd³Is riprap req'd? no**Work Road Information:**Is work road(s) required? no Location: _____ Top width: ftIs fill below OHW req'd? _____ Surface Area: ft² Volume yd³

Are pipes required to meet backwater criteria?

Detour Information:Is a detour bridge required? no Location in relation to existing bridge:

Length: ft Br. Rdwy. Width: ft Deck Elevation:

Volume of fill below OHW: yd³ Surface area: ft²

BRIDGE DESIGN INFORMATIONJob Number CA1003 FAP Number 9991 County LawrenceJob Name CA1003 Hwy. 67-Hwy. 141 (Widening) (S)Design Engineer Scott Dubord, P.E.**Description of Existing Bridge:**Bridge Number 1891 over Float Road SloughBridge Location: Rte: 412 Section: _____ Log Mile: 6.41Length: 31.1 ft. Br. Rdwy. width: 14.6 ft. Deck width (Out-to-Out) 15.6 ft.Type Construction: 4 span concrete deck with steel beams and concrete piles

Deficiencies _____

HBRRP Eligibility: _____ Qualifying Code: _____ Sufficiency Rating: 63.4**Proposed Improvements:**Length: 46'-6" Br. Rdwy. Width: 75 ft. Deck Width (Out-to-out) 123 ftTravel Lanes: 4 Shoulder Width: 8Sidewalks: no Location: N/A Width: N/A**Construction Information**Location in relation to existing bridge: same locationSuperstructure Type: RC Box CulvertSpan Lengths: quad. 10' x 10' x 123'Substructure Type: RC Box CulvertOrdinary High Water Elev. 251.54 No. of Bents inside OHW Contours: 0Concrete Volume below OHW: 217.11 yd³ Vol. Bent Excavation: 0 yd³Is backfill req'd? yesIs Channel excavation req'd? yes Surface Area: 3826.13 ft² Volume: 457.59 yd³Is fill below OHW req'd? yes Surface Area: 3826.13 ft² Volume: 283.41 yd³Is riprap req'd? no**Work Road Information:**Is work road(s) required? no Location: _____ Top width: ftIs fill below OHW req'd? _____ Surface Area: ft² Volume yd³

Are pipes required to meet backwater criteria?

Detour Information:Is a detour bridge required? no Location in relation to existing bridge:

Length: ft Br. Rdwy. Width: ft Deck Elevation:

Volume of fill below OHW: yd³ Surface area: ft²

BRIDGE DESIGN INFORMATIONJob Number CA1003 FAP Number 9991 County LawrenceJob Name CA1003 Hwy. 67-Hwy. 141 (Widening) (S)Design Engineer Scott Dubord, P.E.**Description of Existing Bridge:**Bridge Number 1909 over N.H. SloughBridge Location: Rte: 412 Section: _____ Log Mile: 1.34Length: 14.3 ft. Br. Rdwy. width: 16.4 ft. Deck width (Out-to-Out) 17.4 ft.Type Construction: one span concrete deck with steel beams and concrete piles

Deficiencies _____

HBRRP Eligibility: _____ Qualifying Code: _____ Sufficiency Rating: 40.7**Proposed Improvements:**Length: 26'-9" Br. Rdwy. Width: 75 ft. Deck Width (Out-to-out) 126 ftTravel Lanes: 4 Shoulder Width: 8Sidewalks: no Location: N/A Width: N/A**Construction Information**Location in relation to existing bridge: same locationSuperstructure Type: RC Box CulvertSpan Lengths: triple 8 x 7 x 126Substructure Type: RC Box CulvertOrdinary High Water Elev. 256.03 No. of Bents inside OHW Contours: 0Concrete Volume below OHW: 44.12 yd³ Vol. Bent Excavation: 0 yd³Is backfill req'd? yesIs Channel excavation req'd? yes Surface Area: 785.00 ft² Volume:144.50 yd³Is fill below OHW req'd? yes Surface Area: 785.00 ft² Volume: 58.14 yd³Is riprap req'd? no**Work Road Information:**Is work road(s) required? no Location: _____ Top width: ftIs fill below OHW req'd? _____ Surface Area: ft² Volume yd³

Are pipes required to meet backwater criteria?

Detour Information:Is a detour bridge required? no Location in relation to existing bridge:

Length: ft Br. Rdwy. Width: ft Deck Elevation:

Volume of fill below OHW: yd³ Surface area: ft²

BRIDGE DESIGN INFORMATIONJob Number CA1003 FAP Number 9991 County GreeneJob Name CA1003 Hwy. 67-Hwy. 141 (Widening) (S)Design Engineer Scott Dubord, P.E.**Description of Existing Bridge:**Bridge Number 1913 over Lateral Ditch No. 3Bridge Location: Rte: 412 Section: _____ Log Mile: 2.58Length: 92.7 ft. Br. Rdwy. width: 24.07 ft. Deck width (Out-to-Out) 24.53 ft.Type Construction: 3 span concrete deck with RCD girder spans and concrete piles

Deficiencies _____

HBRRP Eligibility: _____ Qualifying Code: _____ Sufficiency Rating: 79.6**Proposed Improvements:**Length: 38'-11" Br. Rdwy. Width: 75 ft. Deck Width (Out-to-out) 210 ftTravel Lanes: 4 Shoulder Width: 8Sidewalks: no Location: N/A Width: N/A**Construction Information**Location in relation to existing bridge: same locationSuperstructure Type: RC Box CulvertSpan Lengths: triple 12' x 8' x 210'Substructure Type: RC Box CulvertOrdinary High Water Elev. 257.03 No. of Bents inside OHW Contours: 0Concrete Volume below OHW: 359.84 yd³ Vol. Bent Excavation: 0 yd³Is backfill req'd? yesIs Channel excavation req'd? yes Surface Area: 5214.00 ft² Volume: 827.75 yd³Is fill below OHW req'd? yes Surface Area: 5214.00 ft² Volume: 386.22 yd³Is riprap req'd? no**Work Road Information:**Is work road(s) required? no Location: _____ Top width: ftIs fill below OHW req'd? _____ Surface Area: ft² Volume yd³

Are pipes required to meet backwater criteria?

Detour Information:Is a detour bridge required? no Location in relation to existing bridge:

Length: ft Br. Rdwy. Width: ft Deck Elevation:

Volume of fill below OHW: yd³ Surface area: ft²

BRIDGE DESIGN INFORMATIONJob Number CA1003 FAP Number 9991 County GreeneJob Name CA1003 Hwy. 67-Hwy. 141 (Widening) (S)Design Engineer Scott Dubord, P.E.**Description of Existing Bridge:**Bridge Number 1916 over Caney SloughBridge Location: Rte: 412 Section: _____ Log Mile: 6.99Length: 21.6 ft. Br. Rdwy. width: 14.6 ft. Deck width (Out-to-Out) 15.8 ft.Type Construction: 3 span concrete deck with RCD girder spans and concrete piles

Deficiencies _____

HBRRP Eligibility: _____ Qualifying Code: _____ Sufficiency Rating: 65.5**Proposed Improvements:**Length: 51'-10" Br. Rdwy. Width: 75 ft. Deck Width (Out-to-out) 140 ftTravel Lanes: 4 Shoulder Width: 8Sidewalks: no Location: N/A Width: N/A**Construction Information**Location in relation to existing bridge: same locationSuperstructure Type: RC Box CulvertSpan Lengths: quad. 12' x 12' x 140'Substructure Type: RC Box CulvertOrdinary High Water Elev. 261.39 No. of Bents inside OHW Contours: 0Concrete Volume below OHW: 203.55 yd³ Vol. Bent Excavation: 0 yd³Is backfill req'd? yesIs Channel excavation req'd? yes Surface Area: 3551.70 ft² Volume: 455.85 yd³Is fill below OHW req'd? yes Surface Area: 3551.70 ft² Volume: 263.08 yd³Is riprap req'd? no**Work Road Information:**Is work road(s) required? no Location: _____ Top width: ftIs fill below OHW req'd? _____ Surface Area: ft² Volume yd³

Are pipes required to meet backwater criteria?

Detour Information:Is a detour bridge required? no Location in relation to existing bridge:

Length: ft Br. Rdwy. Width: ft Deck Elevation:

Volume of fill below OHW: yd³ Surface area: ft²

BRIDGE DESIGN INFORMATIONJob Number CA1003 FAP Number 9991 County GreeneJob Name CA1003 Hwy. 67-Hwy. 141 (Widening) (S)Design Engineer Scott Dubord, P.E.**Description of Existing Bridge:**Bridge Number 1974 over Overcup SloughBridge Location: Rte: 412 Section: _____ Log Mile: 5.28Length: 18.9 ft. Br. Rdwy. width: 16.4 ft. Deck width (Out-to-Out) 17.8 ft.Type Construction: 2 span concrete deck with RCD girder spans and concrete piles

Deficiencies _____

HBRRP Eligibility: _____ Qualifying Code: _____ Sufficiency Rating: 79.2**Proposed Improvements:**Length: 35'-1" Br. Rdwy. Width: 75 ft. Deck Width (Out-to-out) 148 ftTravel Lanes: 4 Shoulder Width: 8Sidewalks: no Location: N/A Width: N/A**Construction Information**Location in relation to existing bridge: 400' Down stream, Sta. 694+25Superstructure Type: RC Box CulvertSpan Lengths: quad. 8' x 6' x 148'Substructure Type: RC Box CulvertOrdinary High Water Elev. 260.64 No. of Bents inside OHW Contours: 0Concrete Volume below OHW: 0 yd³ Vol. Bent Excavation: 0 yd³Is backfill req'd? noIs Channel excavation req'd? no Surface Area: _____ ft² Volume: _____ yd³Is fill below OHW req'd? no Surface Area: _____ ft² Volume: _____ yd³Is riprap req'd? no**Work Road Information:**Is work road(s) required? yes Location: 700' ditch Top width: ftIs fill below OHW req'd? yes Surface Area: 15791.40 ft² 563.65 Volume yd³

Are pipes required to meet backwater criteria?

Detour Information:Is a detour bridge required? no Location in relation to existing bridge:

Length: ft Br. Rdwy. Width: ft Deck Elevation:

Volume of fill below OHW: yd³ Surface area: ft²

BRIDGE DESIGN INFORMATIONJob Number CA1003 FAP Number 9991 County GreeneJob Name CA1003 Hwy. 67-Hwy. 141 (Widening) (S)Design Engineer Scott Dubord, P.E.**Description of Existing Bridge:**Bridge Number M0620 over Unknown SloughBridge Location: Rte: 412 Section: _____ Log Mile: 7.45Length: 71.0 ft. Br. Rdwy. width: 24.0 ft. Deck width (Out-to-Out) 24.45 ft.Type Construction: 3 span concrete deck with RCD girder spans and concrete piles

Deficiencies _____

HBRRP Eligibility: _____ Qualifying Code: _____ Sufficiency Rating: 73.3**Proposed Improvements:**Length: 43'-6" Br. Rdwy. Width: 75 ft. Deck Width (Out-to-out) 163 ftTravel Lanes: 4 Shoulder Width: 8Sidewalks: no Location: N/A Width: N/A**Construction Information**Location in relation to existing bridge: same locationSuperstructure Type: RC Box CulvertSpan Lengths: quad. 10' x 10' x 163'Substructure Type: RC Box CulvertOrdinary High Water Elev. 257.54 No. of Bents inside OHW Contours: 0Concrete Volume below OHW: 167.26 yd³ Vol. Bent Excavation: 0 yd³Is backfill req'd? yesIs Channel excavation req'd? yes Surface Area: 3392.38 ft² Volume: 525.19 yd³Is fill below OHW req'd? yes Surface Area: 3392.38 ft² Volume: 251.28 yd³Is riprap req'd? no**Work Road Information:**Is work road(s) required? no Location: _____ Top width: ftIs fill below OHW req'd? _____ Surface Area: ft² Volume yd³

Are pipes required to meet backwater criteria?

Detour Information:Is a detour bridge required? no Location in relation to existing bridge:

Length: ft Br. Rdwy. Width: ft Deck Elevation:

Volume of fill below OHW: yd³ Surface area: ft²

BRIDGE DESIGN INFORMATIONJob Number CA1003 FAP Number 9991 County GreeneJob Name CA1003 Hwy. 67-Hwy. 141 (Widening) (S)Design Engineer Scott Dubord, P.E.**Description of Existing Bridge:**Bridge Number N/A over Unknown CanalBridge Location: Rte: 412 Section: _____ Log Mile: xxxx

Length: _____ ft. Br. Rdwy. width: _____ ft. Deck width (Out-to-Out) _____ ft.

Type Construction: _____

Deficiencies _____

HBRRP Eligibility: _____ Qualifying Code: _____ Sufficiency Rating: _____

Proposed Improvements:Length: 23'-4" Br. Rdwy. Width: 75 ft. Deck Width (Out-to-out) 128 ftTravel Lanes: 4 Shoulder Width: 8Sidewalks: no Location: N/A Width: N/A**Construction Information**Location in relation to existing bridge: N/ASuperstructure Type: RC Box Culvert, Sta. 605+29Span Lengths: triple 7' x 4' x 128'Substructure Type: RC Box CulvertOrdinary High Water Elev. 259.06 No. of Bents inside OHW Contours: 0Concrete Volume below OHW: 129.67 yd³ Vol. Bent Excavation: 0 yd³Is backfill req'd? yesIs Channel excavation req'd? yes Surface Area: 8978.47 ft² Volume: 730.98 yd³Is fill below OHW req'd? yes Surface Area: 4364 ft² Volume: 323.25 yd³Is riprap req'd? no**Work Road Information:**Is work road(s) required? no Location: _____ Top width: ftIs fill below OHW req'd? _____ Surface Area: ft² Volume yd³

Are pipes required to meet backwater criteria?

Detour Information:Is a detour bridge required? no Location in relation to existing bridge:

Length: ft Br. Rdwy. Width: ft Deck Elevation:

Volume of fill below OHW: yd³ Surface area: ft²

BRIDGE DESIGN INFORMATIONJob Number CA1003 FAP Number 9991 County LawrenceJob Name CA1003 Hwy. 67-Hwy. 141 (Widening) (S)Design Engineer Scott Dubord, P.E.**Description of Existing Bridge:**Bridge Number N/A over Unknown DitchBridge Location: Rte: 412 Section: _____ Log Mile: 7.42

Length: _____ ft. Br. Rdwy. width: _____ ft. Deck width (Out-to-Out) _____ ft.

Type Construction: Existing triple 8'x4'x108' RCBC

Deficiencies _____

HBRRP Eligibility: _____ Qualifying Code: _____ Sufficiency Rating: _____

Proposed Improvements:Length: _____ Rdwy. Width: 59 ft. Deck Width (Out-to-out) 124 ftTravel Lanes: 4 Shoulder Width: 8Sidewalks: no Location: N/A Width: N/A**Construction Information**Location in relation to existing bridge: N/ASuperstructure Type: Extend existing triple 8'x4'x124' RCBC, Sta. 393+35Span Lengths: 124'Substructure Type: Reinforced Concrete Box CulvertOrdinary High Water Elev. 256.00 No. of Bents inside OHW Contours: 0Concrete Volume below OHW: 6.80 yd³ Vol. Bent Excavation: 0 yd³Is backfill req'd? noIs Channel excavation req'd? yes Surface Area: 27188.82 ft² Volume: 94.00 yd³Is fill below OHW req'd? yes Surface Area: 854.82 ft² Volume: 63.32 yd³Is riprap req'd? no**Work Road Information:**Is work road(s) required? no Location: _____ Top width: ftIs fill below OHW req'd? _____ Surface Area: ft² Volume yd³

Are pipes required to meet backwater criteria?

Detour Information:Is a detour bridge required? no Location in relation to existing bridge:

Length: ft Br. Rdwy. Width: ft Deck Elevation:

Volume of fill below OHW: yd³ Surface area: ft²



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS
POST OFFICE BOX 867
LITTLE ROCK, ARKANSAS 72203-0867
www.swl.usace.army.mil/

January 18, 2018

Regulatory Division

LETTER OF PERMISSION NO. MVM 2016-00335

Mr. John Fleming
Division Head, Environmental Division
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, Arkansas 72203

Dear Mr. Fleming:

Under provisions of Section 404 of the Clean Water Act and in accordance with the enclosed conditions, maps and drawings, Sheets 1 through 14, dated January 2018, you are hereby given authorization for the discharge of approximately 10,000 cubic yards of permanent fill into waters of the United States associated with upgrading U.S. Highway 412. The project includes upgrading a 14.4-mile-long segment of highway between Walnut Ridge and Paragould. Approximately 12.0 miles will be on existing alignment and 2.4 miles will be on new location to avoid the Community of Light. Proposed improvements include constructing four 12-foot-wide travel lanes with 8-foot-wide shoulders and an 11-foot-wide painted median. The existing structures over Fry Ditch, Kellow Ditch, Lateral Ditch No. 3, Flat Road Slough, Head Slough, Caney Slough, Overcup Slough and four unnamed streams will be replaced with concrete box culverts or the box culverts will be extended. Widening the roadway embankment will occur on both, the north and south sides of existing U.S. Highway 412. The project will impact a total of 2,095 linear feet of stream and 1.21 acres of wetlands. The project will require the acquisition of approximately 144 acres of additional right-of-way and relocate one residence. The project will impact corkwood (*Leitneria floridana*), a state plant of conservation concern, within the wetland in Section 30, T. 17 N., R. 4 E. There is also a state rare sedge, opaque prairie sedge (*Carex opaca*), that has been recorded from the roadside in Section 36, T. 17 N., R. 1 E. Mitigation will be accomplished with credits from the Glaise Creek Mitigation Bank located near Worden. The project is located in section 36, T. 17 N., R. 1 E., in sections 31, 32, 33, 34, 35 and 36, T. 17 N., R. 2 E., in sections 31, 32, 33, 34, 35 and 36, T. 17 N., R. 3 E., and in sections 31 and 32, T. 17 N., R. 4 E., Lawrence and Greene Counties, Arkansas.

This Department of the Army (DA) Letter of Permission (LOP) is issued in accordance with the procedure developed for highway projects in Arkansas, dated February 2, 2001 (LOP ID No. 09417).

The work authorized by this LOP shall comply with the enclosed General and Special Conditions and drawings. It is your responsibility and extremely important that you understand and comply with all of the conditions and special provisions of the LOP and that you make any of your employees or contractors involved in this operation continuously aware of the LOP conditions and provisions. **Please pay particular attention to Special Conditions 1-20 which include specific requirements pertaining to, but not limited to, erosion control measures, guidelines for temporary fills, and compensatory mitigation.** You also should be aware that the proposed work should be completed by the date authorized on the enclosed LOP conditions, General Condition No. 1.

If changes are proposed in the design or location of the project, you are required by law to submit revised plans to this office for approval before construction of the change begins. The authorization of this work by a DA LOP does not relieve you of complying with other applicable local, state, and Federal laws.

This letter contains an initial proffered permit for your project. If you object to the permit decision, you may request an administrative appeal under Corps regulations at 33 Code of Federal Regulations (CFR) Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this permit decision, you must submit a completed RFA form to the Southwestern Division Office at the address on the enclosed appeal form.

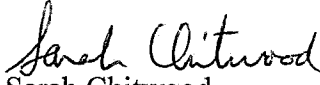
In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP.

It is not necessary to submit an RFA form to the Division Office if you do not object to the permit decision.

Your cooperation in the Regulatory Program is appreciated. If you have any questions concerning this LOP, please call Mr. Johnny McLean at (501) 324-5296 and refer to Action ID No. **MVM 2016-00335, U.S. Highway 412 widening between Walnut Ridge and Paragould (ArDOT Job No. CA1003).**

This permit is issued pursuant to the direction from Colonel Robert G. Dixon, District Engineer.

Sincerely,


Sarah Chitwood
Chief, Regulatory Evaluation Branch

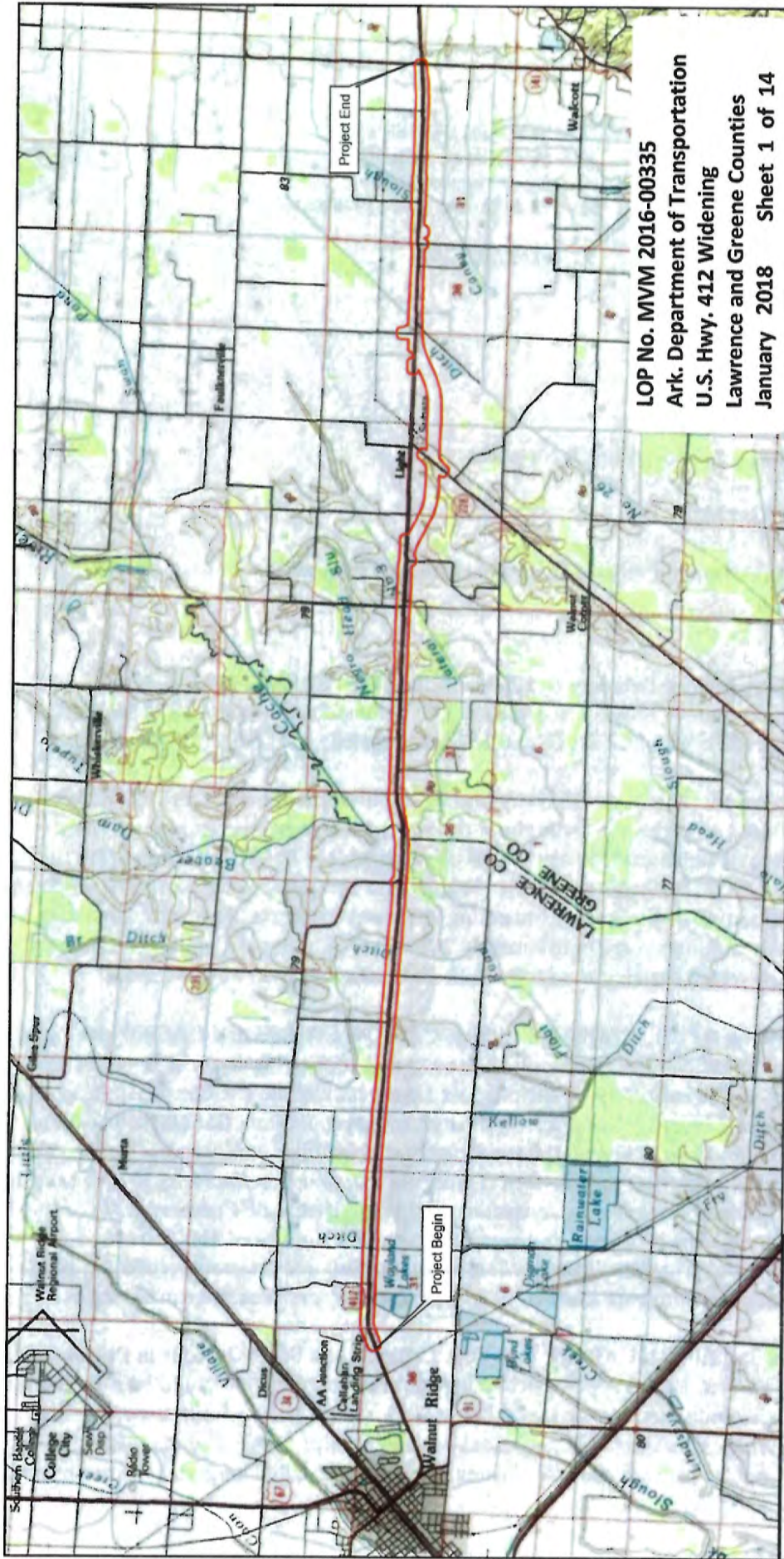
Enclosures

Copy Furnished:

ADEQ, Lazendra Hairston, w/cy enclosures

Memphis District, Roger Allan w/cy enclosures

USF&WS, Lindsey Lewis w/cy enclosures

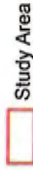


LOP No. MVM 2016-00335
Ark. Department of Transportation
U.S. Hwy. 412 Widening
Lawrence and Greene Counties
January 2018 Sheet 1 of 14

FIGURE 2

ARKANSAS STATE HIGHWAY
 AND TRANSPORTATION DEPARTMENT

TOPOGRAPHIC MAP
 Hwy 412: From Hwy 67 to Hwy 141
 Lawrence and Greene Counties, Arkansas
 Project No: CA1003



Study Area



Table 1
Wetlands Identified Within the Survey Corridor of the Highway 412 Widening Project
Lawrence and Greene Counties, Arkansas

Field ID	Classification ¹	Acres in Proposed ROW ²	Acres within Construction Limits (Permanent Impacts)	Likely Jurisdictional	Quadrangle Name
WET 1	PFO1	0.22	0.16	Yes	Walnut Ridge SE
WET 2	PFO1	0.10	0.07	Yes	Walnut Ridge SE
WET 3	PFO1	0.67	0.40	Yes	Walnut Ridge SE
WET 4	PFO1	0.34	0.14	Yes	Walnut Ridge SE/ Walcott
WET 5a	PEM	0.19	0.19	Yes	Walcott
WET 5b	PSS1	0.32	0.25	Yes	Walcott
WET 6	PFO1	0.33	0.00	Yes	Walcott
TOTAL	PEM (1)	0.19	0.19		
	PSS1 (1)	0.32	0.25		
	PFO1 (5)	1.66	0.77		
	Total (7)	2.17	1.21		

¹ Atkins field classifications are based upon Cowardin et al. (1979): PEM = Palustrine emergent; PSS1 = Palustrine scrub-shrub broad-leaved deciduous; and PFO1 = Palustrine forested broad-leaved deciduous.

² Acreage of feature within proposed right-of-way.

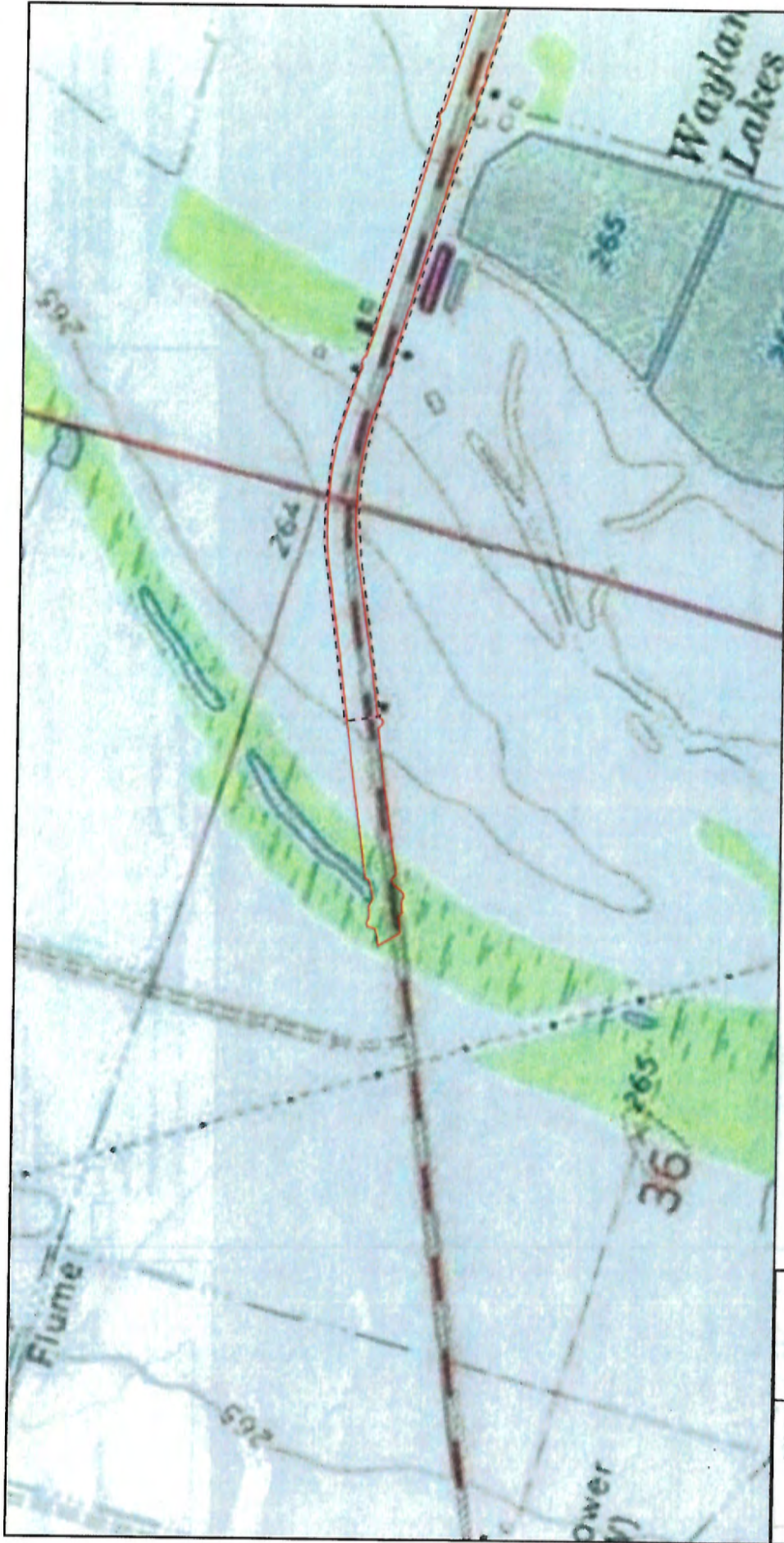
Table 2
Ponds Identified Within the Survey Corridor of the Highway 412 Widening Project
Lawrence and Greene Counties, Arkansas

Field ID	Classification ¹	Acres in Proposed ROW	Acres within Construction Limits (Permanent Impacts)	Likely Jurisdictional	Quadrangle Name
POND 1	PUB	0.22	0.21	Yes	Walnut Ridge SE
POND 2	PUB	1.85	0.21	No	Walcott
TOTAL	PUB (2)	2.07	0.42		

Table 3
Jurisdictional Streams Identified Within the Survey Corridor of the Highway 412 Widening Project
Lawrence and Greene Counties, Arkansas

Field ID	Stream Name	Class	Length Within Construction Limits (feet)	Linear Feet Permanently Impacted ¹	Quadrangle Name	OHWM Width/Depth (feet)	OHWM Elevation (mean sea level)
S1	Fry Ditch	Intermittent	220.54	152.68	Walnut Ridge	10/1	257.17
S2	Kellow Ditch	Intermittent	212.13	148.24	Walnut Ridge	13/2	259.11
S3	Float Road Ditch	Intermittent	191.74	147.77	Walnut Ridge SE	15/2	251.54
S4	Unnamed	Intermittent	379.09	0.00	Walnut Ridge SE	8/1	256.00
S5	Negro Head	Intermittent	336.14	132.57	Walnut Ridge SE	15/2	256.03
S6	Lateral No. 3	Intermittent	324.38	222.12	Walnut Ridge SE	16/2	257.03
S7	Unnamed	Intermittent	734.85	734.85	Walnut Ridge SE	6/1	259.06
S8	Unnamed	Ephemeral	176.37	0.00	Walcott	8/1	259.86
S9	Unnamed	Intermittent	1,295.72	192.71	Walcott	6/1	260.64
S10	No. 26 Ditch	Intermittent	328.57	188.50	Walcott	15/1	257.54
S11	Caney Slough	Intermittent	260.66	175.30	Walcott	12/1	261.39
Totals			4,283.82	2,094.74			
			Intermittent (10)				
			Ephemeral (1)	0.00			

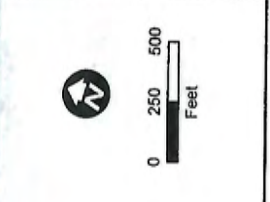
1 No new construction is shown in the plan for those features with no impacts.



ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003

Sheet 4 of 14

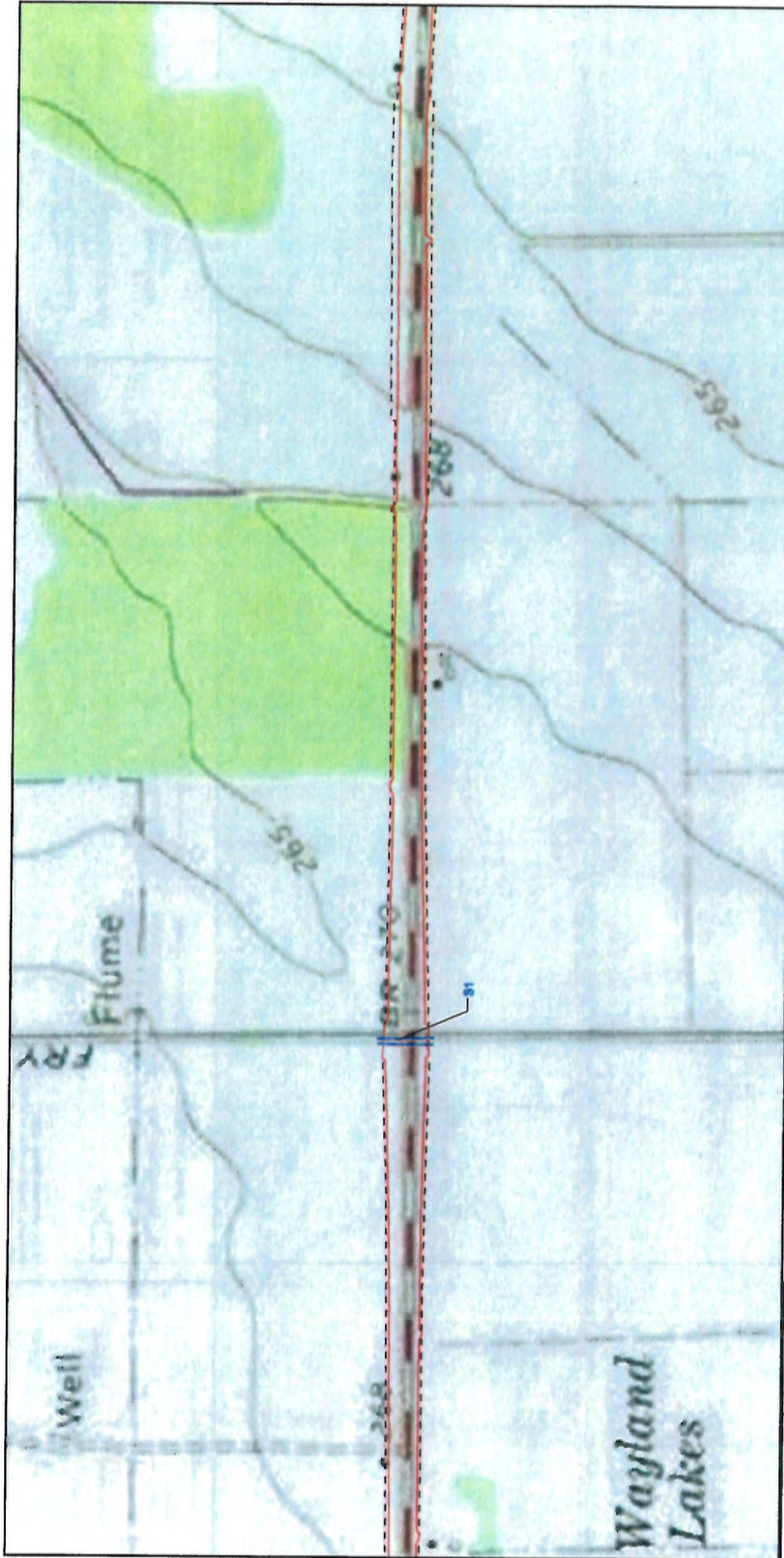


- Wetland Data Point
- Upland Data Point
- Wetland
- Pond
- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
- Construction Limits
- Proposed ROW

Soils: SSURCONRCS, 2002.
Imagery: Image courtesy of USGS © 2014
Microsoft Corporation

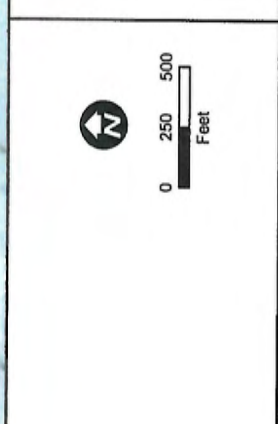


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ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

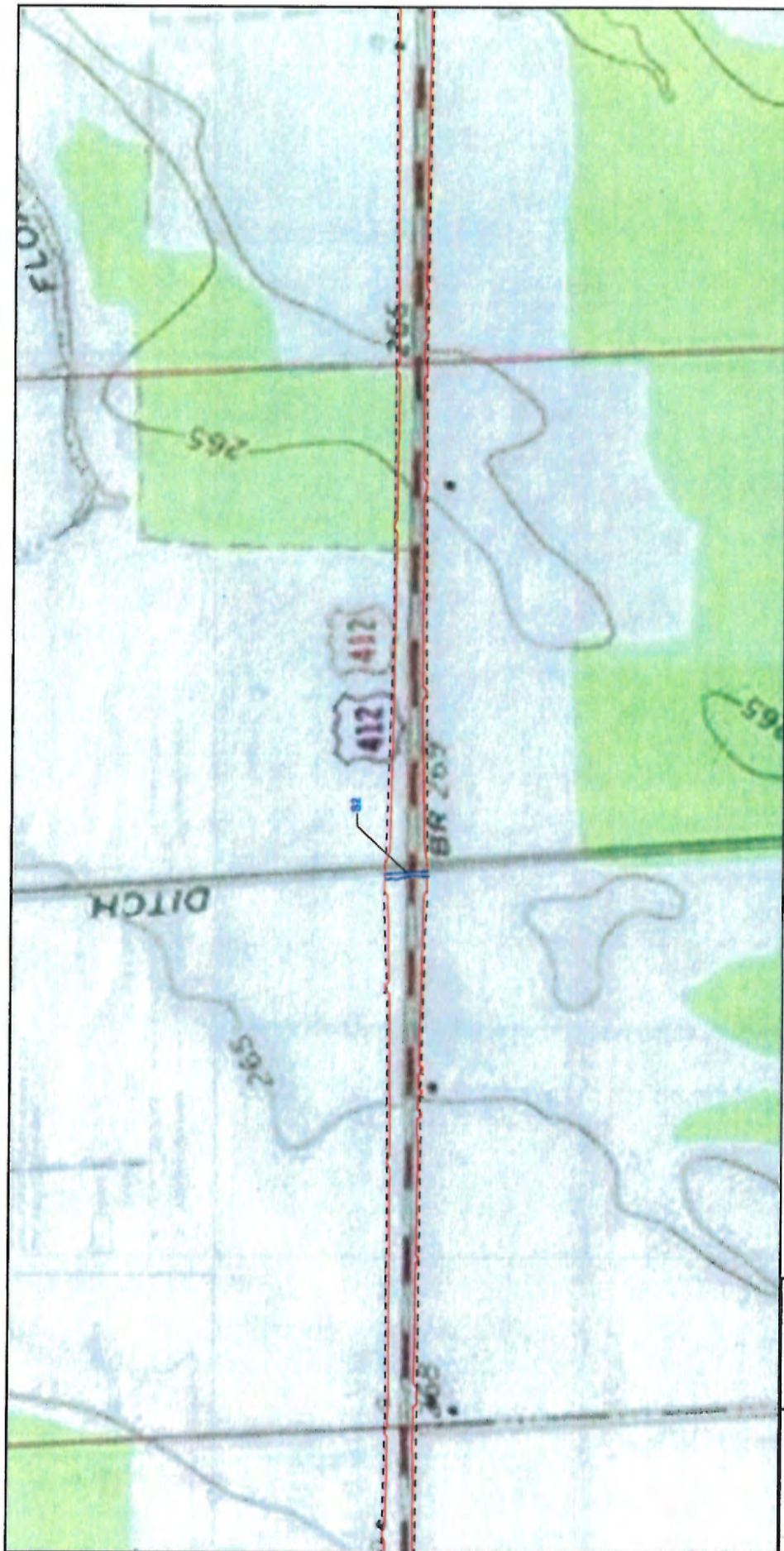
FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No.: CA1003



- Wetland Data Point
- Upland Data Point
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- 100 Year Floodplain
- Construction Limits
- Proposed ROW

Soils: SSURGO/NRCS, 2002.
Imagery: Image courtesy of USGS © 2014
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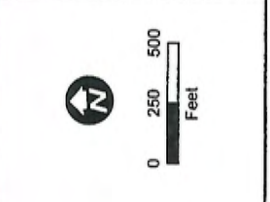




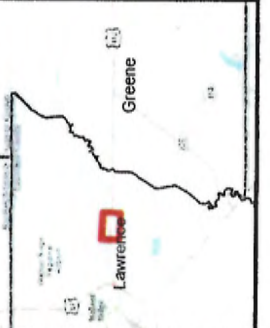
ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

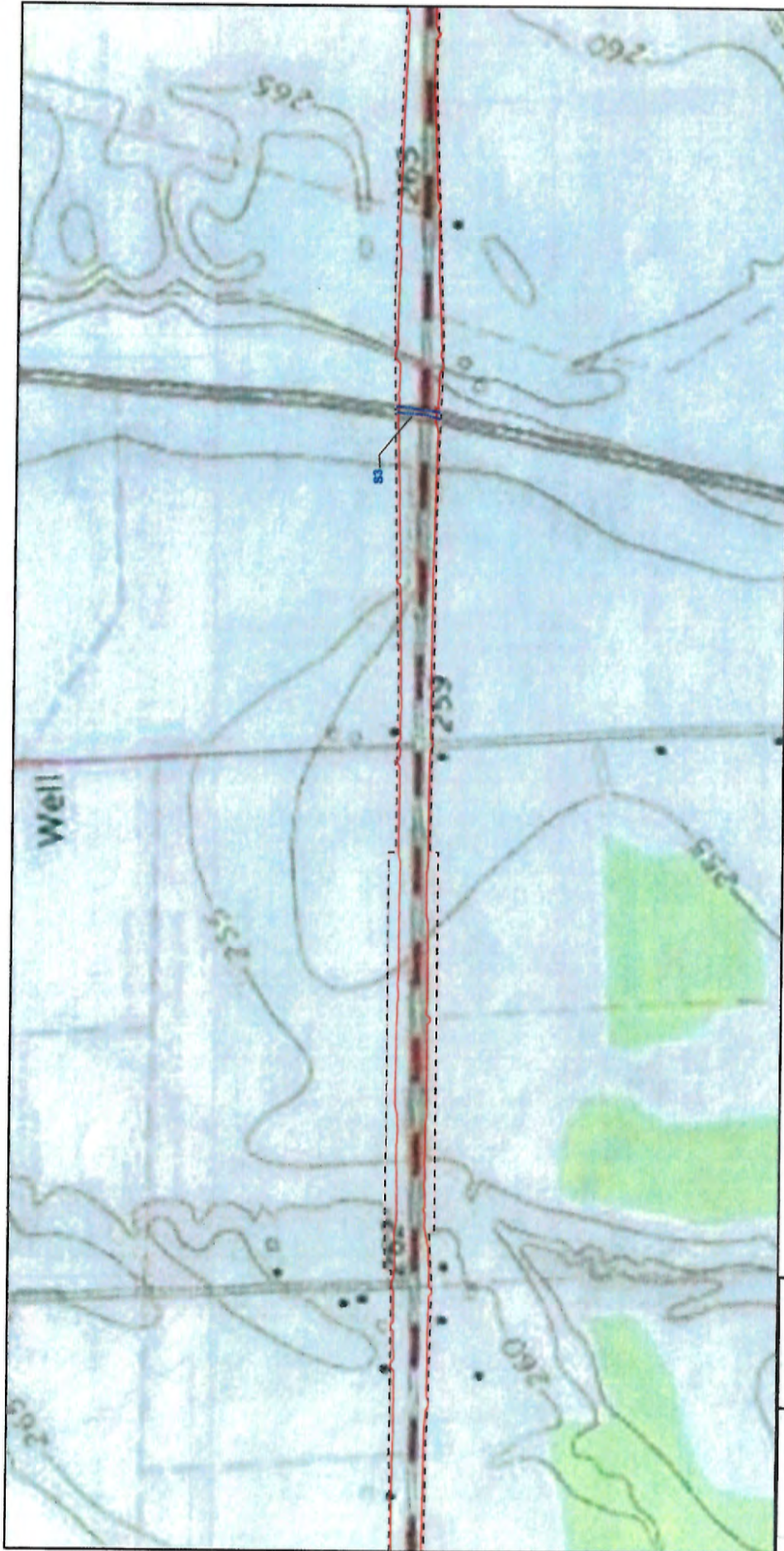
FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003

Sheet 6 of 14



- Wetland Data Point
 - Upland Data Point
 - ▨ Wetland
 - ▩ Pond
 - Ephemeral Stream
 - Intermittent Stream
 - 100 Year Floodplain
 - ▭ Construction Limits
 - - - Proposed ROW
- Soils: SSURGO/NRCS, 2002.
Imagery: Image courtesy of USGS © 2014
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ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

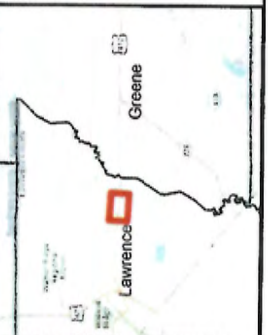
FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003

Sheet 7 of 14



- Wetland Data Point
- Upland Data Point
- Wetland
- Pond
- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
- Construction Limits
- - - Proposed ROW

Soils: SSURGO/NRCS, 2002
Imagery: Image courtesy of USGS © 2014
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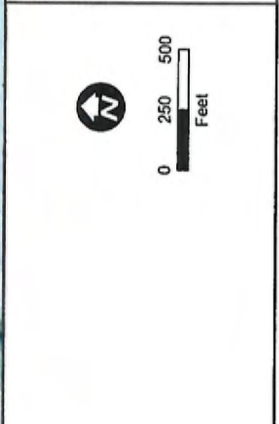




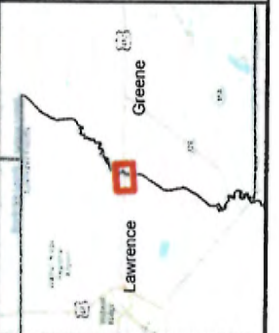
ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

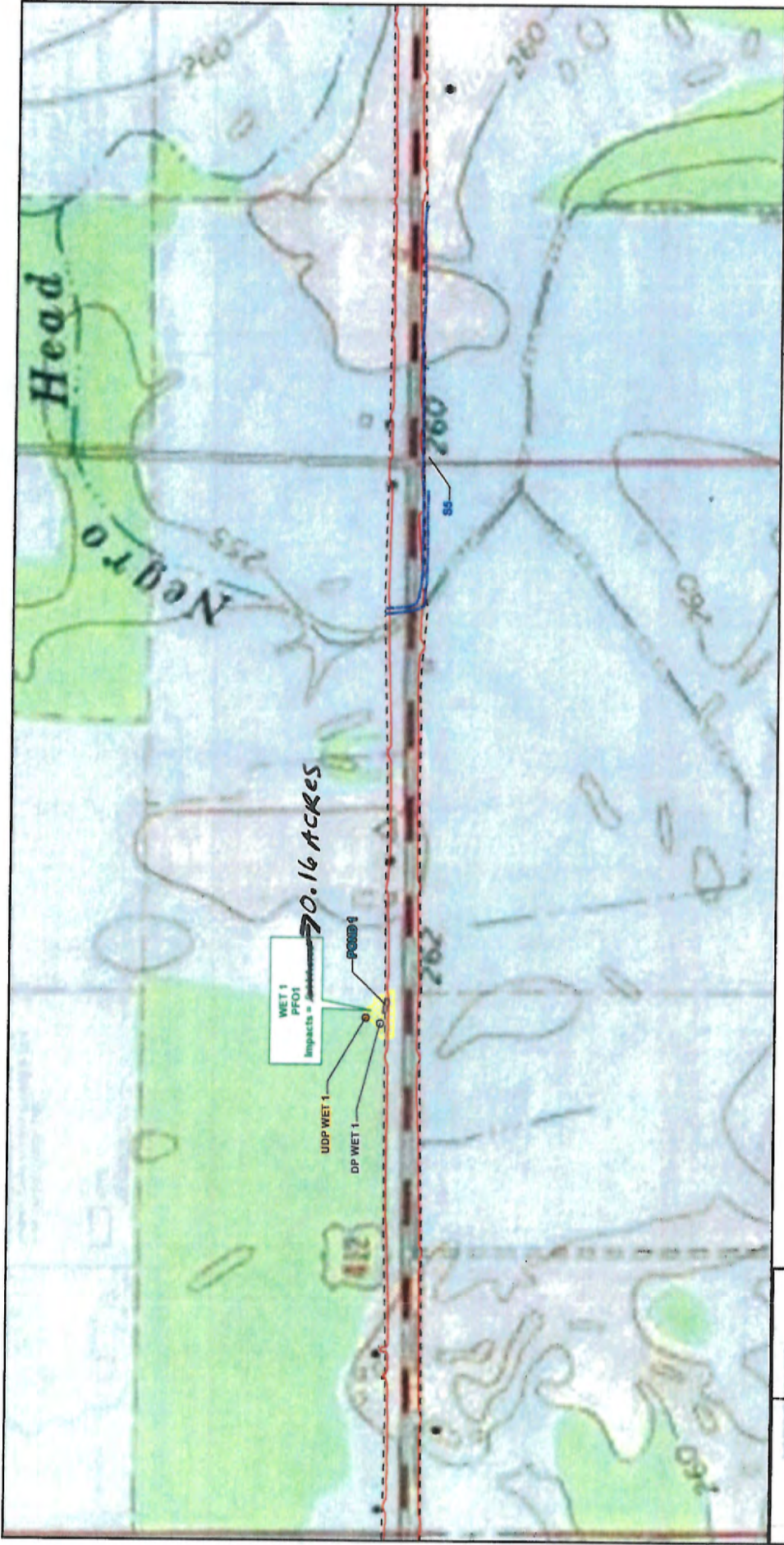
FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003

Sheet 8 of 14



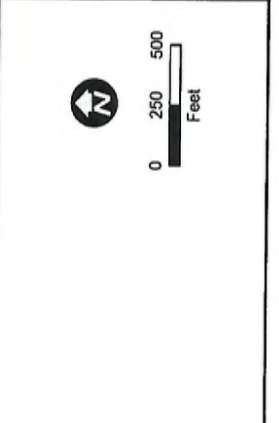
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 - Upland Data Point
 - ▨ Wetland
 - ▭ Pond
 - Ephemeral Stream
 - Intermittent Stream
 - 100 Year Floodplain
 - ▭ Construction Limits
 - - - Proposed ROW
- Soils: SSURGO/NRCS, 2002
Imagery: Image courtesy of USGS © 2014
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ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No.: CA1003



- Wetland Data Point
- Upland Data Point
- Wetland
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- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
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Soils: SSURGO/NRCS, 2002.
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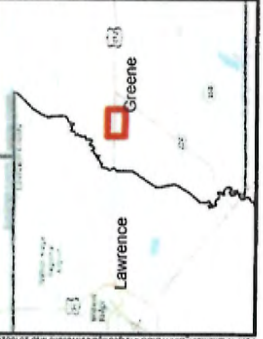
ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

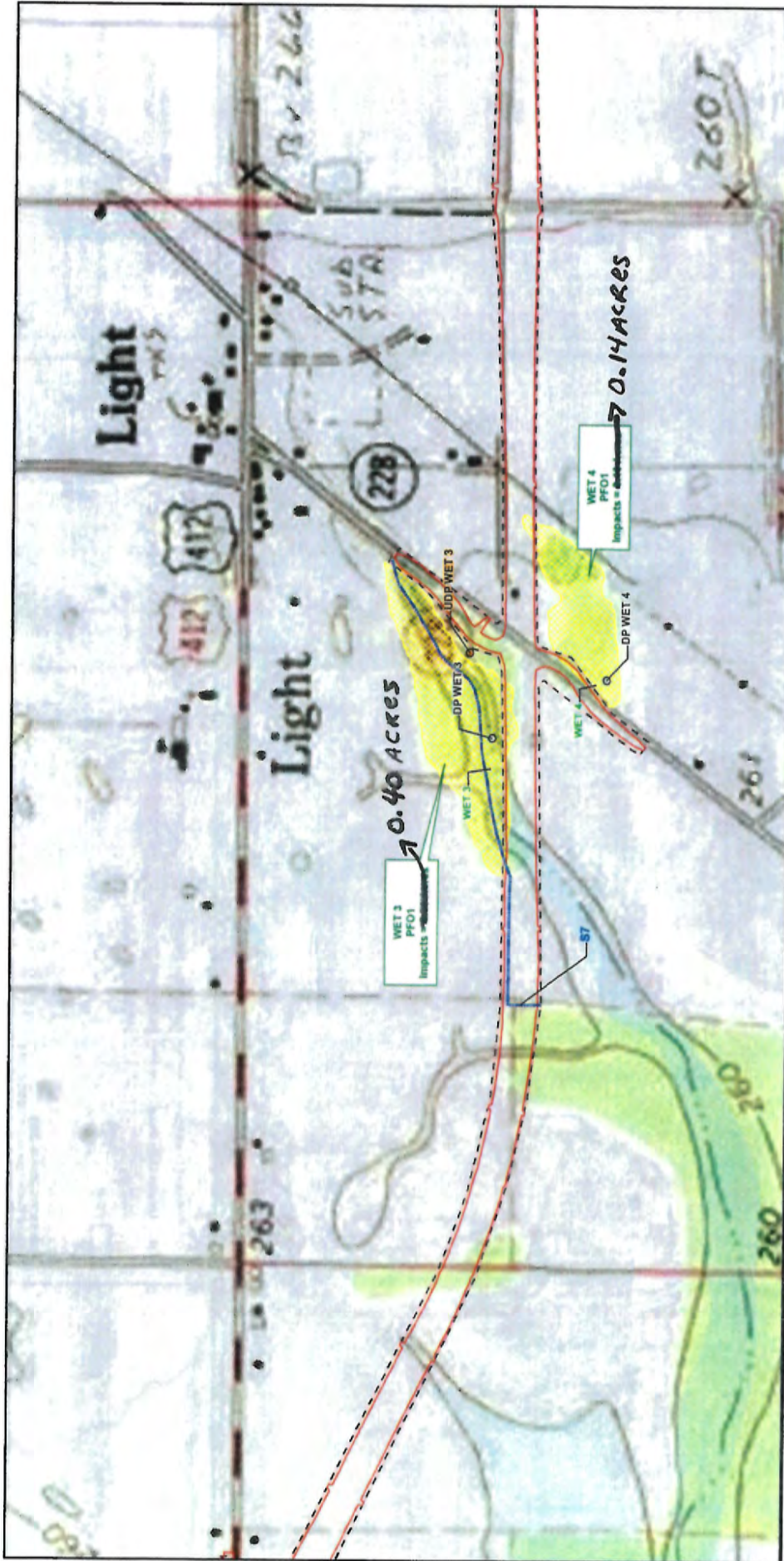
FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003



- Wetland Data Point
- Upland Data Point
- Welland
- Pond
- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
- Construction Limits
- Proposed ROW

Soils: SSURGOINRCS, 2002.
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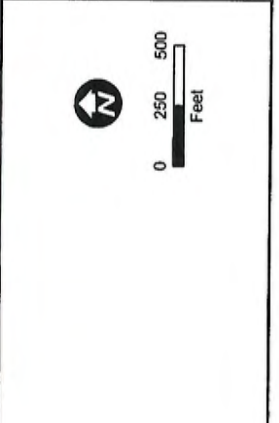




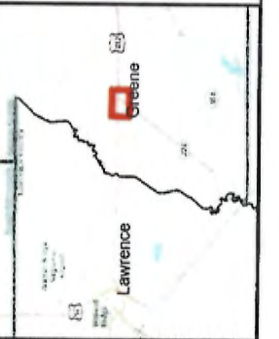
ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No.: CA1003

Sheet 11 of 14



- Wetland Data Point
- Upland Data Point
- Wetland
- Pond
- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
- Construction Limits
- - - Proposed ROW



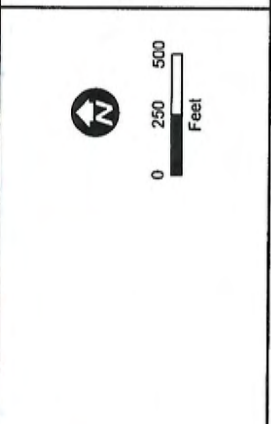
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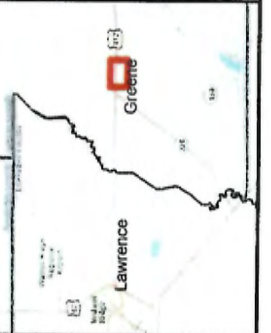
ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

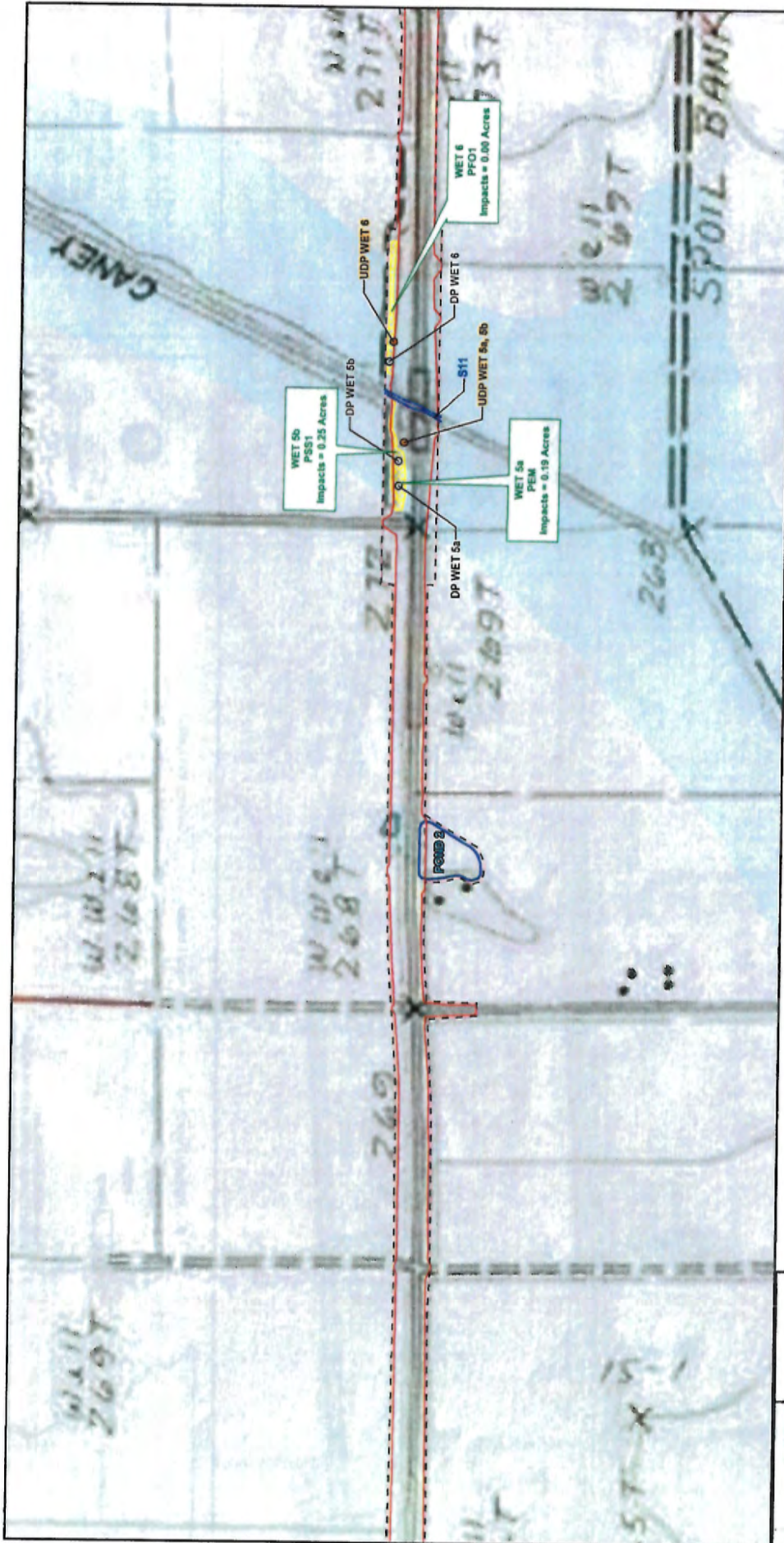
FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003

Sheet 12 of 14



Soils: SSURGO/NRCS, 2002.
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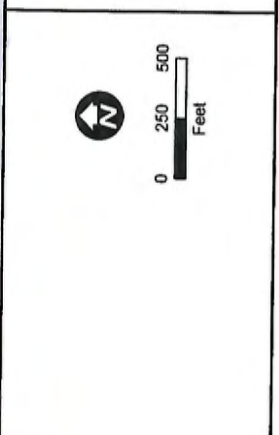




ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003

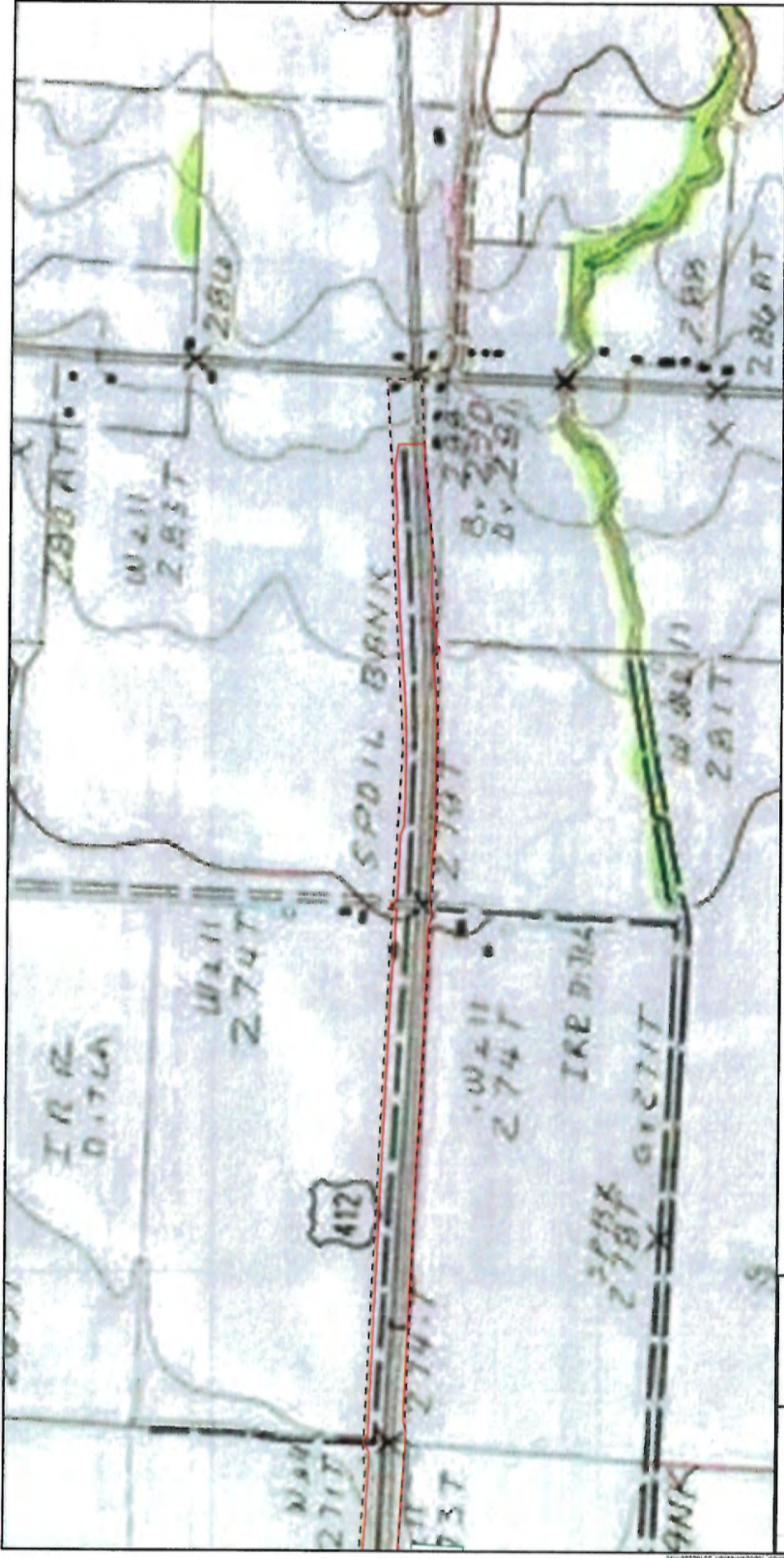
Sheet 13 of 14



- Wetland Data Point
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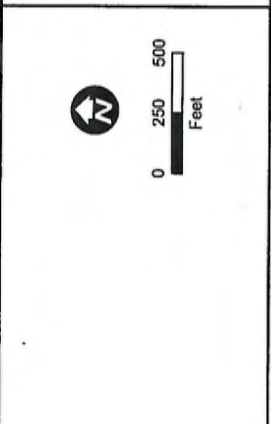


Soils: SSURGO/NRCS, 2002
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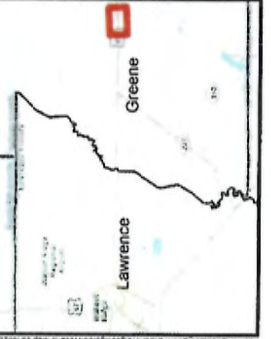


ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003



- Wetland Data Point
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Scale: SSURGO/NRCS, 2002
Imagery: image courtesy of USGS © 2014
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CONDITIONS FOR LETTER OF PERMISSION NO. MVM 2016-00335

Project Location: The project is located on U.S. Highway 412 between Walnut Ridge and Paragould in section 36, T. 17 N., R. 1 E., in sections 31, 32, 33, 34, 35 and 36, T. 17 N., R. 2 E., in sections 31, 32, 33, 34, 35 and 36, T. 17 N., R. 3 E., and in sections 31 and 32, T. 17 N., R. 4 E., Lawrence and Greene Counties, Arkansas.

LOP Conditions:

General Conditions:

1. The time limit for completing the issuance of the work authorized under this LOP is **December 31, 2021**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must have the new owner write the District Engineer for transfer of this authorization.
5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. **No more than 7.0 acres of wetlands and/or other waters shall be directly and indirectly impacted by the placement of fill at each single and complete crossing. Any wetlands cut off from their natural hydrologic regime as a result of the project work shall be considered as directly impacted.**

2. Avoidance and minimization of impacts to wetlands and other waters of the United States shall be considered, and the least environmentally damaging practicable alternative shall be selected for each crossing. Appropriate compensatory mitigation shall then be provided to offset the selected crossing's wetland impacts.

3. Discharges of permanent and temporary dredged or fill material shall be the minimum necessary to construct crossings of wetlands and/or other waters. Also, measures shall be taken during construction to minimize any adverse impacts on wetlands or other waters (located within the right-of-way or directly adjacent). The design of each project shall incorporate all practicable measures to:

- a. Minimize impacts on hydrology in wetland areas.**
- b. Minimize the potential for toxic spills and leaching into wetlands and other waters.**
- c. Maintain preconstruction downstream flow conditions.**

d. Provide and maintain erosion and sediment control features throughout the construction phase of a project until the area is permanently stabilized.

4. The construction activity shall not result in the permanent diversion or relocation of a stream or a river channel except where needed to align a waterway crossing to avoid potential damage to the roadway. In no case shall more than 350 feet of channel be realigned. The construction activity shall result in neither streamflow impediment nor drainage of adjacent wetlands. Impacts to streams shall be minimized by maintaining adequate stream geomorphology (dimensions, patterns, and profile) so that above and below flows are not altered.

5. The dredged or fill material used for construction shall be non-pollutional material in accordance with the EPA Guidelines for the Discharge of Dredged or Fill Material, found in 40 CFR 230. The material may be obtained either offsite or from site preparation. Offsite material shall not be obtained from wetlands or from other areas which may adversely affect adjacent wetlands. Any excess material shall be placed in an upland area and properly contained or stabilized to prevent entry into adjacent wetlands or other waters. It is the permittee's responsibility to notify the authorizing Corps District's Regulatory Division if any off-right-of-way fills are proposed in waters of the United States in connection with the authorized highway project.

6. The discharge of dredged or fill material associated with stabilizing a shoreline or constructing bridge abutments shall not interfere with navigation (including recreational boating) or adversely impact the flow-carrying capacity of the affected stream. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or

if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

7. The U.S. Coast Guard asserts jurisdiction over bridged crossings of navigable waterways. Therefore, the location of a proposed bridge crossing, and its clearances and support features, shall all be approved by the U.S. Coast Guard prior to any bridge work.

8. All temporary fills shall consist of non-erodible material. Also, the materials used for temporary structures, such as cofferdams, equipment pads, or temporary access crossings, shall be removed as soon as practicable and the waterway restored to preconstruction contours.

9. Erosion, both during and after construction, shall be controlled as outlined in the latest edition of the "Standard Specification for Highway Construction of the Arkansas State Highway Commission" and the "Arkansas Highway and Transportation Department Erosion and Sediment Control Design and Construction Manual," dated June 1, 1994, or the latest edition of such manual. All erodible areas, during and after construction, shall be stabilized as soon as practicable, as outlined in the Manual.

10. Borrow material shall not be taken from a known historical or archeological site unless prior approval has been obtained from the Arkansas State Historic Preservation Officer (SHPO).

11. All construction activity shall be performed in a manner that will minimize increased turbidity of the water in the work area and otherwise avoid adverse effects on water quality and aquatic life, especially during fish breeding and spawning seasons. Avoidance of construction activities during specific months associated with these seasons may be required to protect this interest.

12. The work shall not occur in a National Wildlife Refuge, State Game Management Area, or other Federal or state lands, or lands leased to those entities without the appropriate Federal or state authorization in writing.

13. An individual water quality certification shall be obtained from the Arkansas Department of Environmental Quality (ADEQ) for all work in Extraordinary Resource Waterbodies and Ecologically Sensitive Waterbodies as listed on the current Regulation No. 2, ADEQ.

- 14. The work shall not occur in a component of the National Wild and Scenic River System or State Wild and Scenic River System without the appropriate Federal or state authorization in writing.**
- 15. The discharge shall not be located in the proximity of a public water supply intake.**
- 16. The discharge shall not occur in areas of concentrated shellfish beds.**
- 17. The discharge shall not contain unacceptable levels of pathogenic organisms in areas used for sports involving physical contact with the water.**
- 18. The discharge shall not adversely affect any threatened or endangered species or their critical habitat, as identified under the Endangered Species Act.**
- 19. In the event that the work would be located in a designated 100-year floodplain of any stream, documentation shall be acquired prior to any work indicating that its associated above-grade fills comply with Federal Emergency Management Agency (FEMA) or FEMA-approved local floodplain construction requirements.**
- 20. The ArDOT agrees to mitigate for the adverse impacts to 1.21 acres of wetlands with 11.06 credits at the Glaise Creek Mitigation Bank near Worden. The ArDOT will provide documentation of the mitigation bank transaction to the Little Rock District Corps of Engineers Transportation Program Manager.**

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403).

(X) Section 404 of the Clean Water Act (33 U.S. Code 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S. Code 1413).

2. Limits of this authorization:

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 Code of Federal Regulations (CFR) 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this

office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS
POST OFFICE BOX 867
LITTLE ROCK, ARKANSAS 72203-0867
www.swl.usace.army.mil/

January 18, 2018

Regulatory Division

LETTER OF PERMISSION NO. MVM 2016-00335

Mr. John Fleming
Division Head, Environmental Division
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, Arkansas 72203

Dear Mr. Fleming:

Under provisions of Section 404 of the Clean Water Act and in accordance with the enclosed conditions, maps and drawings, Sheets 1 through 14, dated January 2018, you are hereby given authorization for the discharge of approximately 10,000 cubic yards of permanent fill into waters of the United States associated with upgrading U.S. Highway 412. The project includes upgrading a 14.4-mile-long segment of highway between Walnut Ridge and Paragould. Approximately 12.0 miles will be on existing alignment and 2.4 miles will be on new location to avoid the Community of Light. Proposed improvements include constructing four 12-foot-wide travel lanes with 8-foot-wide shoulders and an 11-foot-wide painted median. The existing structures over Fry Ditch, Kellow Ditch, Lateral Ditch No. 3, Flat Road Slough, Head Slough, Caney Slough, Overcup Slough and four unnamed streams will be replaced with concrete box culverts or the box culverts will be extended. Widening the roadway embankment will occur on both, the north and south sides of existing U.S. Highway 412. The project will impact a total of 2,095 linear feet of stream and 1.21 acres of wetlands. The project will require the acquisition of approximately 144 acres of additional right-of-way and relocate one residence. The project will impact corkwood (*Leitneria floridana*), a state plant of conservation concern, within the wetland in Section 30, T. 17 N., R. 4 E. There is also a state rare sedge, opaque prairie sedge (*Carex opaca*), that has been recorded from the roadside in Section 36, T. 17 N., R. 1 E. Mitigation will be accomplished with credits from the Glaise Creek Mitigation Bank located near Worden. The project is located in section 36, T. 17 N., R. 1 E., in sections 31, 32, 33, 34, 35 and 36, T. 17 N., R. 2 E., in sections 31, 32, 33, 34, 35 and 36, T. 17 N., R. 3 E., and in sections 31 and 32, T. 17 N., R. 4 E., Lawrence and Greene Counties, Arkansas.

This Department of the Army (DA) Letter of Permission (LOP) is issued in accordance with the procedure developed for highway projects in Arkansas, dated February 2, 2001 (LOP ID No. 09417).

The work authorized by this LOP shall comply with the enclosed General and Special Conditions and drawings. It is your responsibility and extremely important that you understand and comply with all of the conditions and special provisions of the LOP and that you make any of your employees or contractors involved in this operation continuously aware of the LOP conditions and provisions. **Please pay particular attention to Special Conditions 1-20 which include specific requirements pertaining to, but not limited to, erosion control measures, guidelines for temporary fills, and compensatory mitigation.** You also should be aware that the proposed work should be completed by the date authorized on the enclosed LOP conditions, General Condition No. 1.

If changes are proposed in the design or location of the project, you are required by law to submit revised plans to this office for approval before construction of the change begins. The authorization of this work by a DA LOP does not relieve you of complying with other applicable local, state, and Federal laws.

This letter contains an initial proffered permit for your project. If you object to the permit decision, you may request an administrative appeal under Corps regulations at 33 Code of Federal Regulations (CFR) Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this permit decision, you must submit a completed RFA form to the Southwestern Division Office at the address on the enclosed appeal form.


In order for an RFA to be accepted by the Corps, the Corps 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 NAP.

It is not necessary to submit an RFA form to the Division Office if you do not object to the permit decision.

Your cooperation in the Regulatory Program is appreciated. If you have any questions concerning this LOP, please call Mr. Johnny McLean at (501) 324-5296 and refer to Action ID No. **MVM 2016-00335, U.S. Highway 412 widening between Walnut Ridge and Paragould (ArDOT Job No. CA1003).**

This permit is issued pursuant to the direction from Colonel Robert G. Dixon, District Engineer.

Sincerely,


Sarah Chitwood
Chief, Regulatory Evaluation Branch

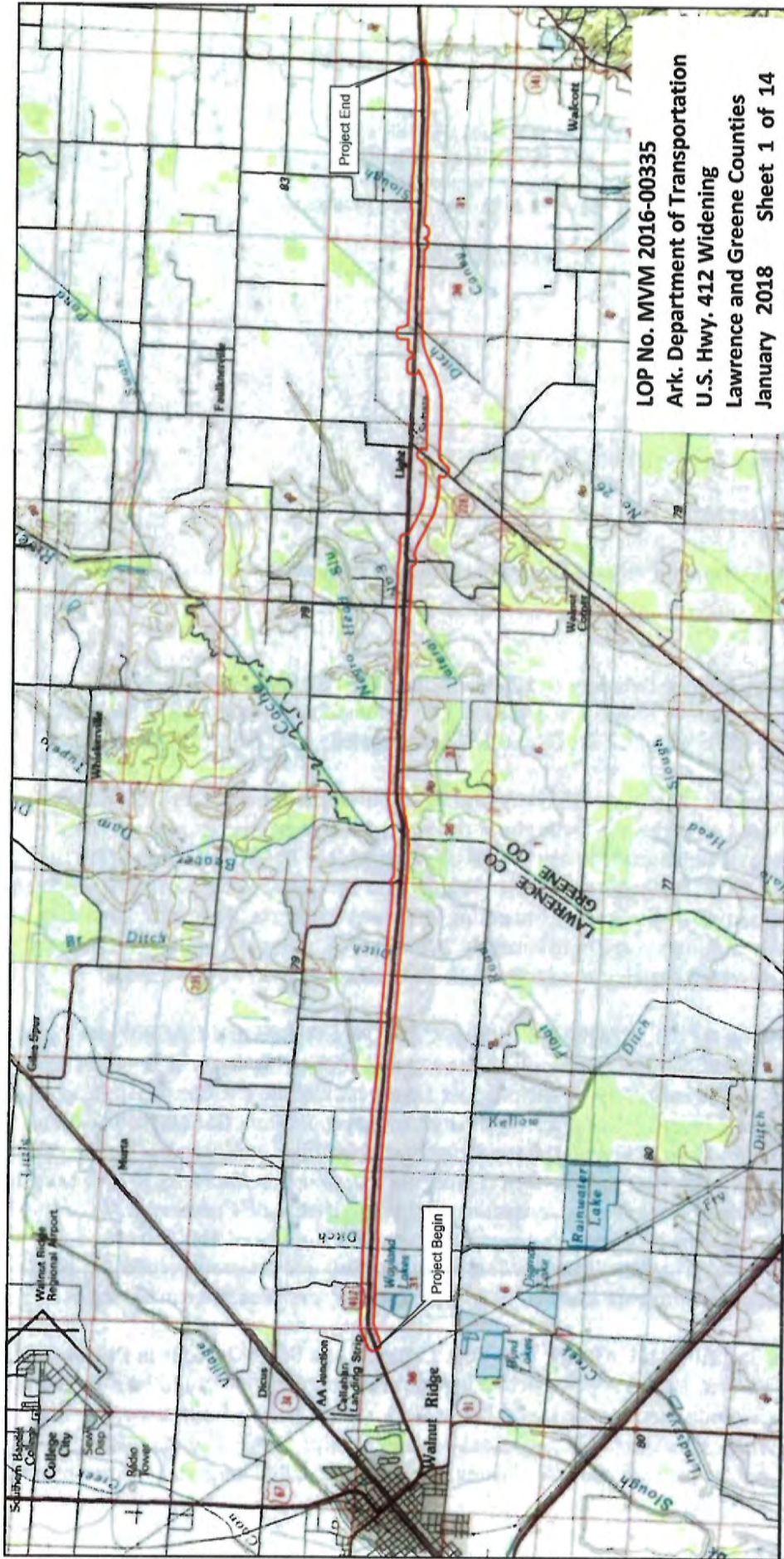
Enclosures

Copy Furnished:

ADEQ, Lazendra Hairston, w/cy enclosures

Memphis District, Roger Allan w/cy enclosures

USF&WS, Lindsey Lewis w/cy enclosures



LOP No. MVM 2016-00335
Ark. Department of Transportation
U.S. Hwy. 412 Widening
Lawrence and Greene Counties
January 2018 Sheet 1 of 14

FIGURE 2

ARKANSAS STATE HIGHWAY
 AND TRANSPORTATION DEPARTMENT
 TOPOGRAPHIC MAP
 Hwy 412: From Hwy 67 to Hwy 141
 Lawrence and Greene Counties, Arkansas
 Project No: CA1003



 Study Area



This is a computer-generated map. It is not a survey map. It is not to be used for legal purposes. It is for informational purposes only.

Table 1
Wetlands Identified Within the Survey Corridor of the Highway 412 Widening Project
Lawrence and Greene Counties, Arkansas

Field ID	Classification ¹	Acres in Proposed ROW ²	Acres within Construction Limits (Permanent Impacts)	Likely Jurisdictional	Quadrangle Name
WET 1	PFO1	0.22	0.16	Yes	Walnut Ridge SE
WET 2	PFO1	0.10	0.07	Yes	Walnut Ridge SE
WET 3	PFO1	0.67	0.40	Yes	Walnut Ridge SE
WET 4	PFO1	0.34	0.14	Yes	Walnut Ridge SE/ Walcott
WET 5a	PEM	0.19	0.19	Yes	Walcott
WET 5b	PSS1	0.32	0.25	Yes	Walcott
WET 6	PFO1	0.33	0.00	Yes	Walcott
TOTAL	PEM (1)	0.19	0.19		
	PSS1 (1)	0.32	0.25		
	PFO1 (5)	1.66	0.77		
	Total (7)	2.17	1.21		

¹ Atkins field classifications are based upon Cowardin et al. (1979): PEM = Palustrine emergent; PSS1 = Palustrine scrub-shrub broad-leaved deciduous; and PFO1 = Palustrine forested broad-leaved deciduous.

² Acreage of feature within proposed right-of-way.

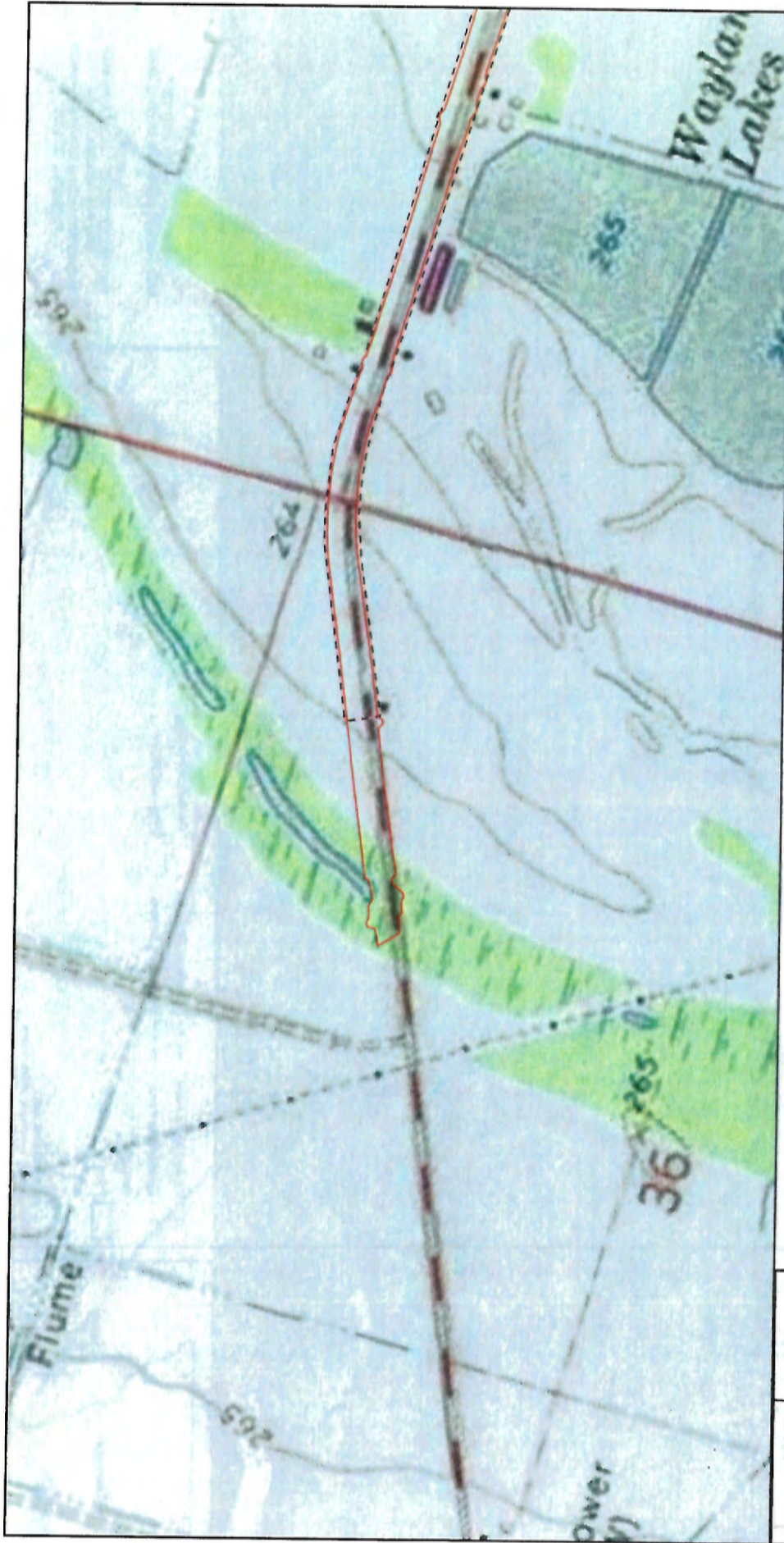
Table 2
Ponds Identified Within the Survey Corridor of the Highway 412 Widening Project
Lawrence and Greene Counties, Arkansas

Field ID	Classification ¹	Acres in Proposed ROW	Acres within Construction Limits (Permanent Impacts)	Likely Jurisdictional	Quadrangle Name
POND 1	PUB	0.22	0.21	Yes	Walnut Ridge SE
POND 2	PUB	1.85	0.21	No	Walcott
TOTAL	PUB (2)	2.07	0.42		

Table 3
Jurisdictional Streams Identified Within the Survey Corridor of the Highway 412 Widening Project
Lawrence and Greene Counties, Arkansas

Field ID	Stream Name	Class	Length Within Construction Limits (feet)	Linear Feet Permanently Impacted ¹	Quadrangle Name	OHWM Width/Depth (feet)	OHWM Elevation (mean sea level)
S1	Fry Ditch	Intermittent	220.54	152.68	Walnut Ridge	10/1	257.17
S2	Kellow Ditch	Intermittent	212.13	148.24	Walnut Ridge	13/2	259.11
S3	Float Road Ditch	Intermittent	191.74	147.77	Walnut Ridge SE	15/2	251.54
S4	Unnamed	Intermittent	379.09	0.00	Walnut Ridge SE	8/1	256.00
S5	Negro Head	Intermittent	336.14	132.57	Walnut Ridge SE	15/2	256.03
S6	Lateral No. 3	Intermittent	324.38	222.12	Walnut Ridge SE	16/2	257.03
S7	Unnamed	Intermittent	734.85	734.85	Walnut Ridge SE	6/1	259.06
S8	Unnamed	Ephemeral	176.37	0.00	Walcott	8/1	259.86
S9	Unnamed	Intermittent	1,295.72	192.71	Walcott	6/1	260.64
S10	No. 26 Ditch	Intermittent	328.57	188.50	Walcott	15/1	257.54
S11	Caney Slough	Intermittent	260.66	175.30	Walcott	12/1	261.39
Totals			4,283.82	2,094.74			
			Intermittent (10)				
			Ephemeral (1)	0.00			

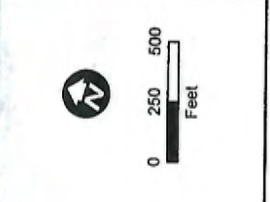
1 No new construction is shown in the plan for those features with no impacts.



ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003

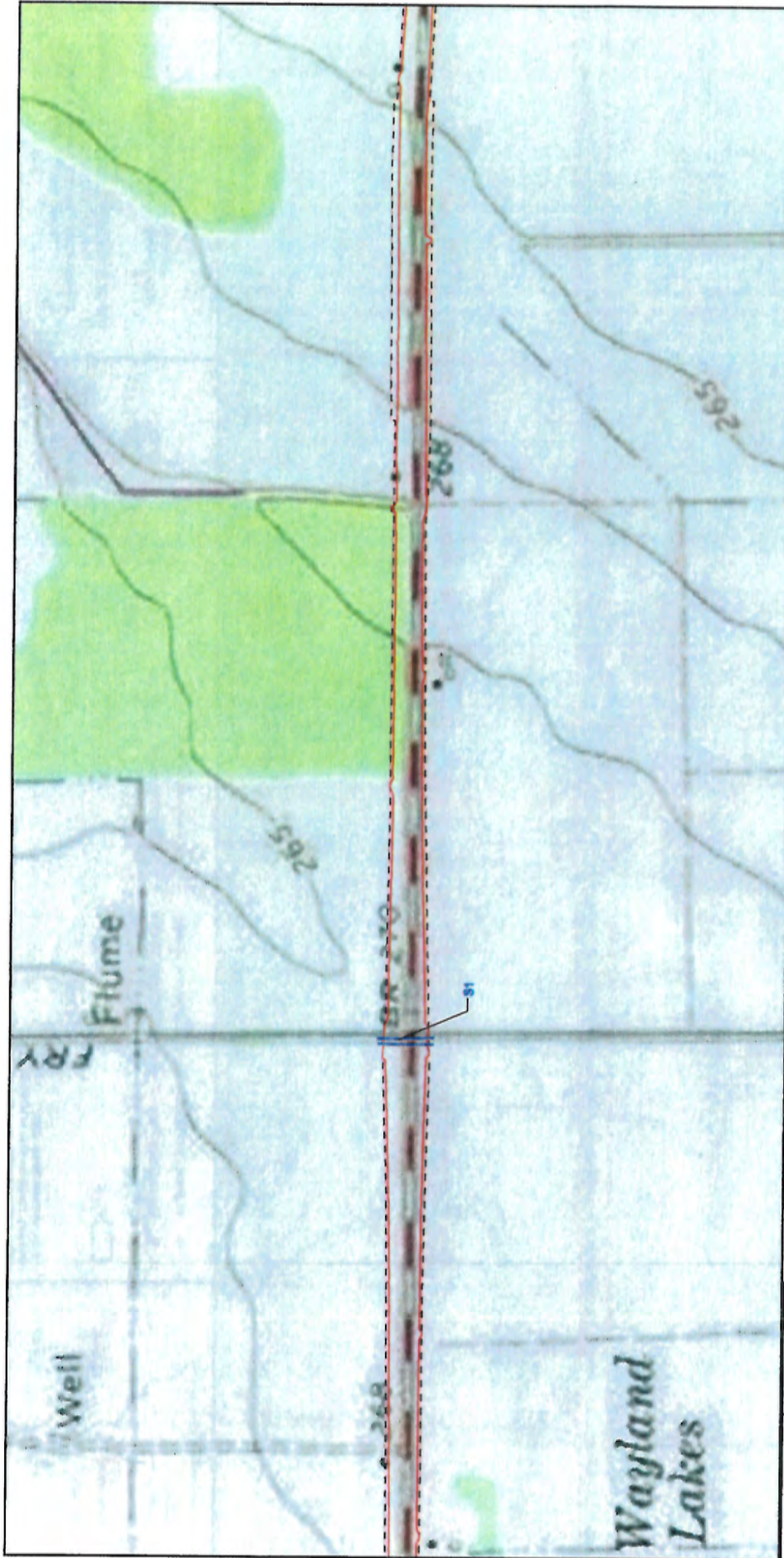
Sheet 4 of 14



- Wetland Data Point
- Upland Data Point
- Wetland
- Pond
- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
- Construction Limits
- Proposed ROW

Soils: SSURCONRCS, 2002.
Imagery: Image courtesy of USGS © 2014
Microsoft Corporation

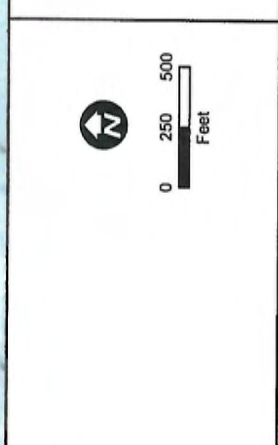




ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No.: CA1003

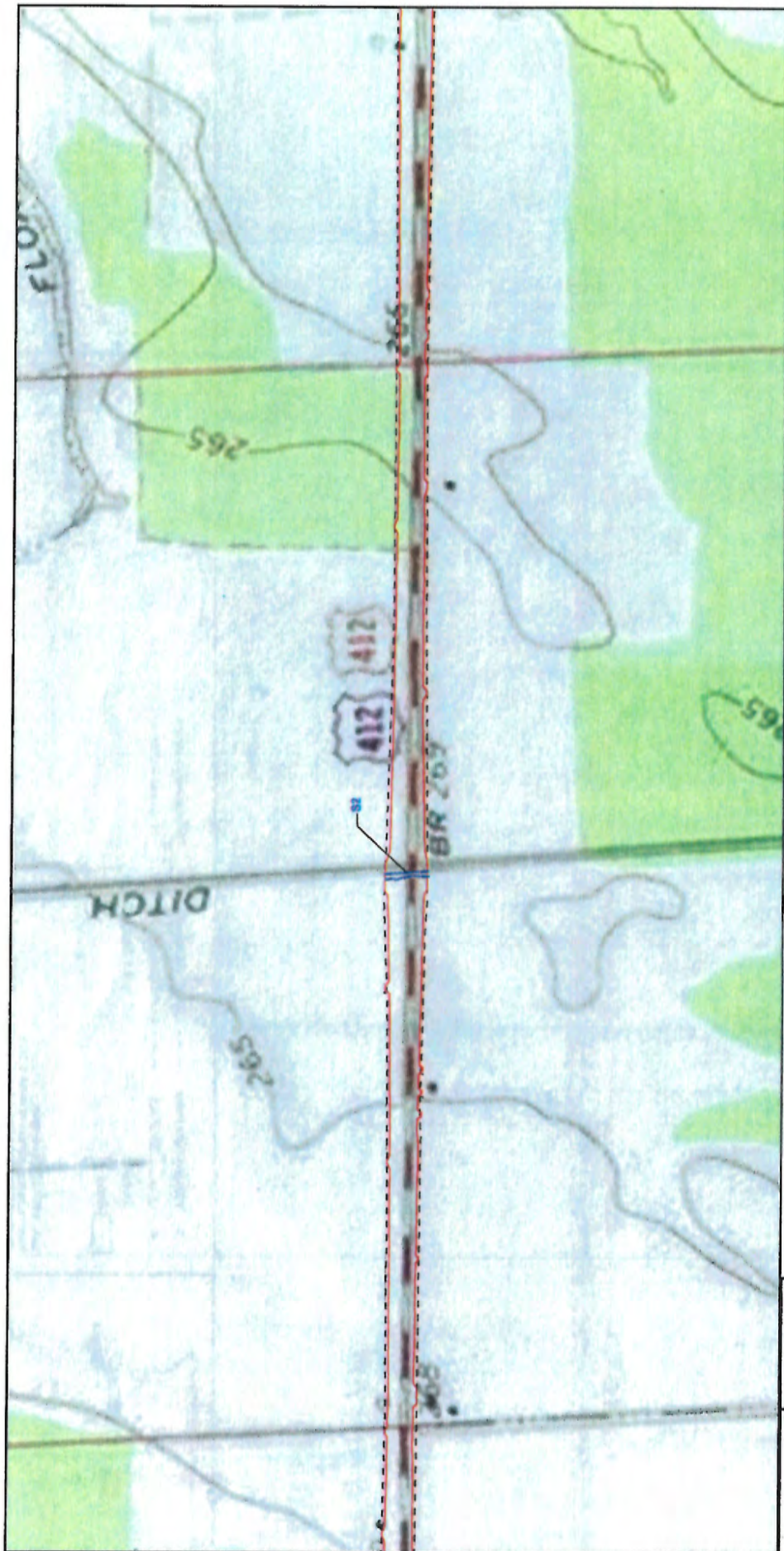
Sheet 5 of 14



- Wetland Data Point
- Upland Data Point
- Wetland
- Pond
- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
- Construction Limits
- Proposed ROW

Soils: SSURGO/NRCS, 2002.
Imagery: Image courtesy of USGS © 2014
Microsoft Corporation

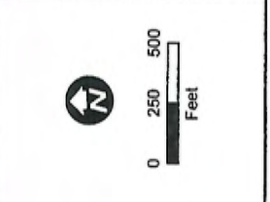




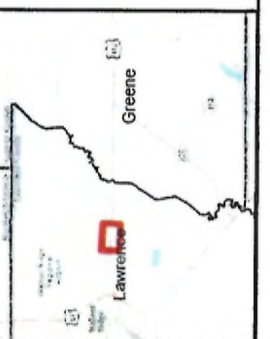
ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

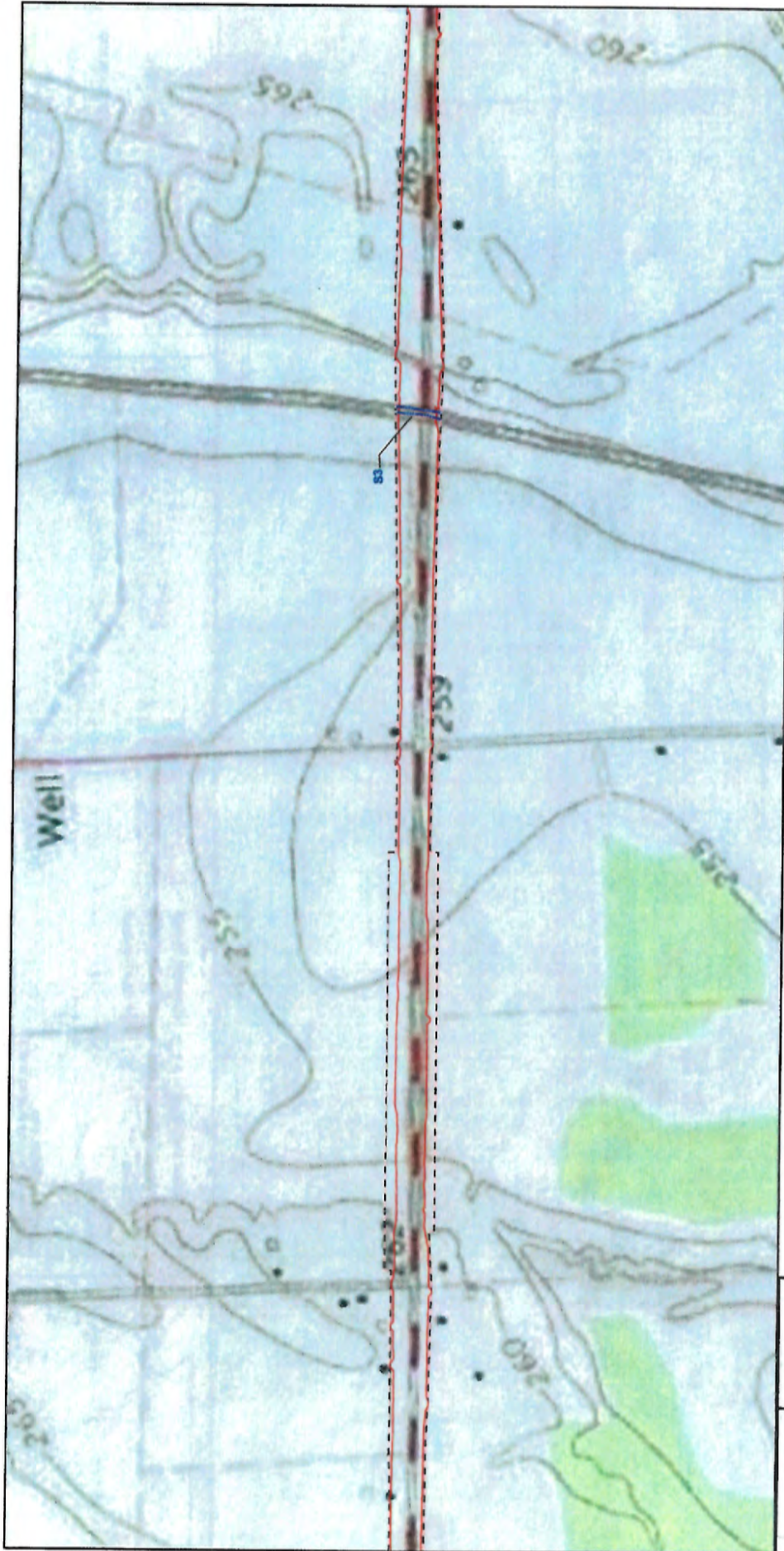
FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003

Sheet 6 of 14



- Wetland Data Point
 - Upland Data Point
 - ▨ Wetland
 - ▩ Pond
 - Ephemeral Stream
 - Intermittent Stream
 - 100 Year Floodplain
 - ▭ Construction Limits
 - - - Proposed ROW
- Soils: SSURGO/NRCS, 2002.
Imagery: Image courtesy of USGS © 2014
Microsoft Corporation





ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

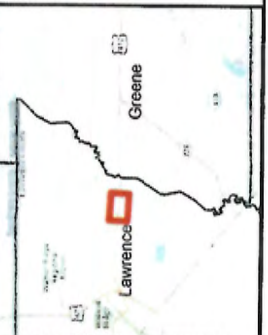
FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003

Sheet 7 of 14



- Wetland Data Point
- Upland Data Point
- Wetland
- Pond
- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
- Construction Limits
- - - Proposed ROW

Soils: SSURGO/NRCS, 2002
Imagery: Image courtesy of USGS © 2014
Microsoft Corporation

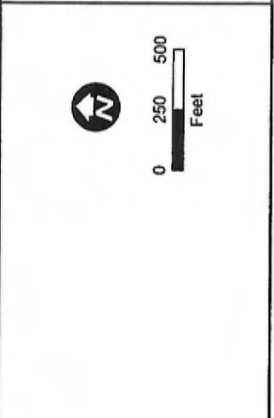




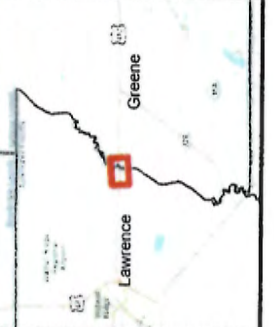
ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

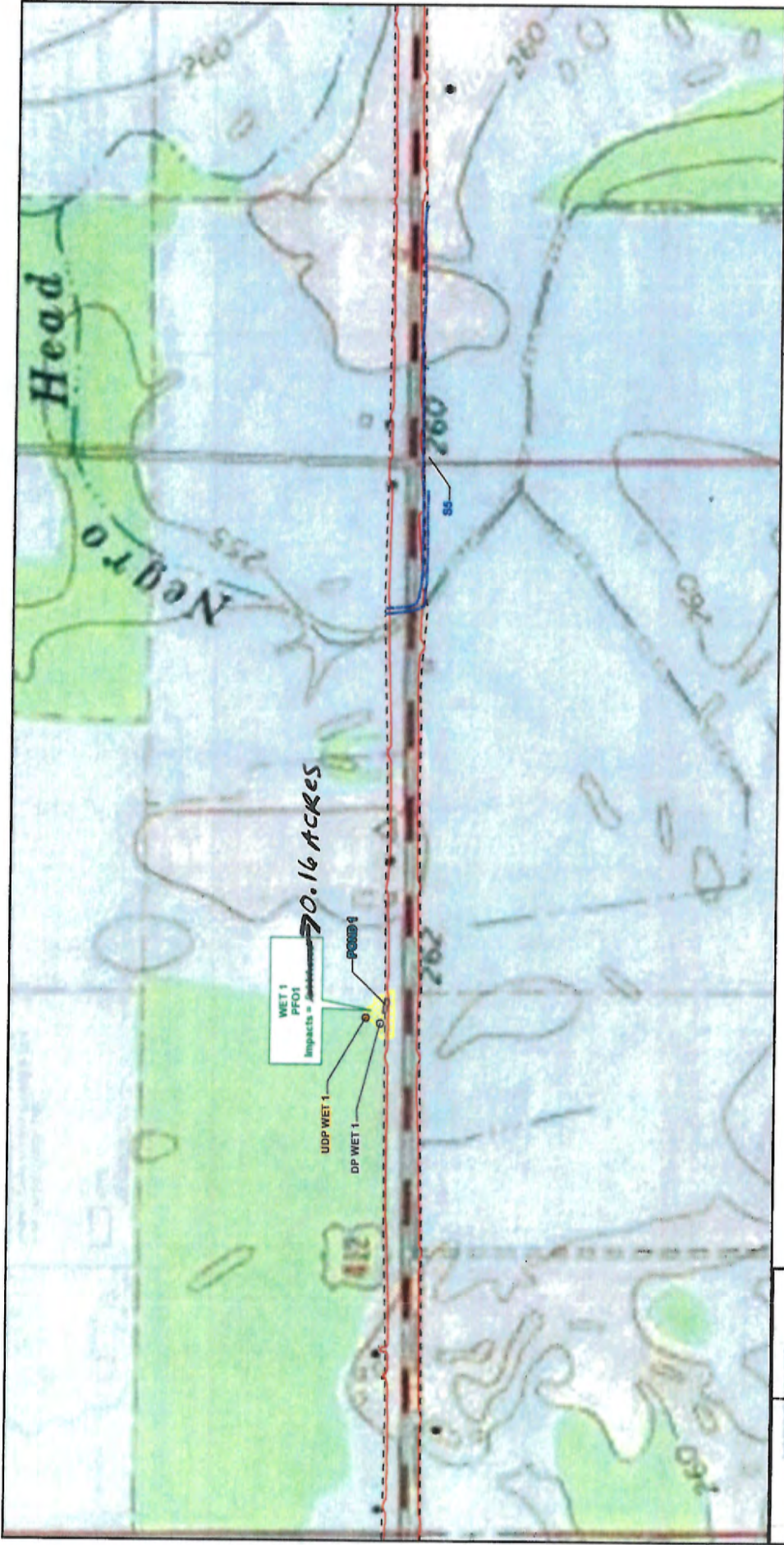
FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003

Sheet 8 of 14



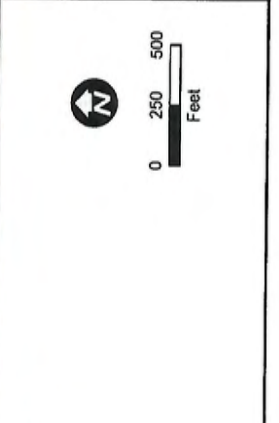
- Wetland Data Point
 - Upland Data Point
 - ▨ Wetland
 - ▭ Pond
 - Ephemeral Stream
 - Intermittent Stream
 - 100 Year Floodplain
 - ▭ Construction Limits
 - - - Proposed ROW
- Soils: SSURGO/NRCS, 2002
Imagery: Image courtesy of USGS © 2014
Microsoft Corporation





ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No.: CA1003



- Wetland Data Point
- Upland Data Point
- Wetland
- Pond
- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
- Construction Limits
- Proposed ROW



Soils: SSURGO/NRCS, 2002.
Imagery: Image courtesy of USGS © 2014
Microsoft Corporation



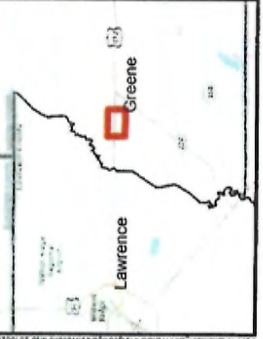
ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

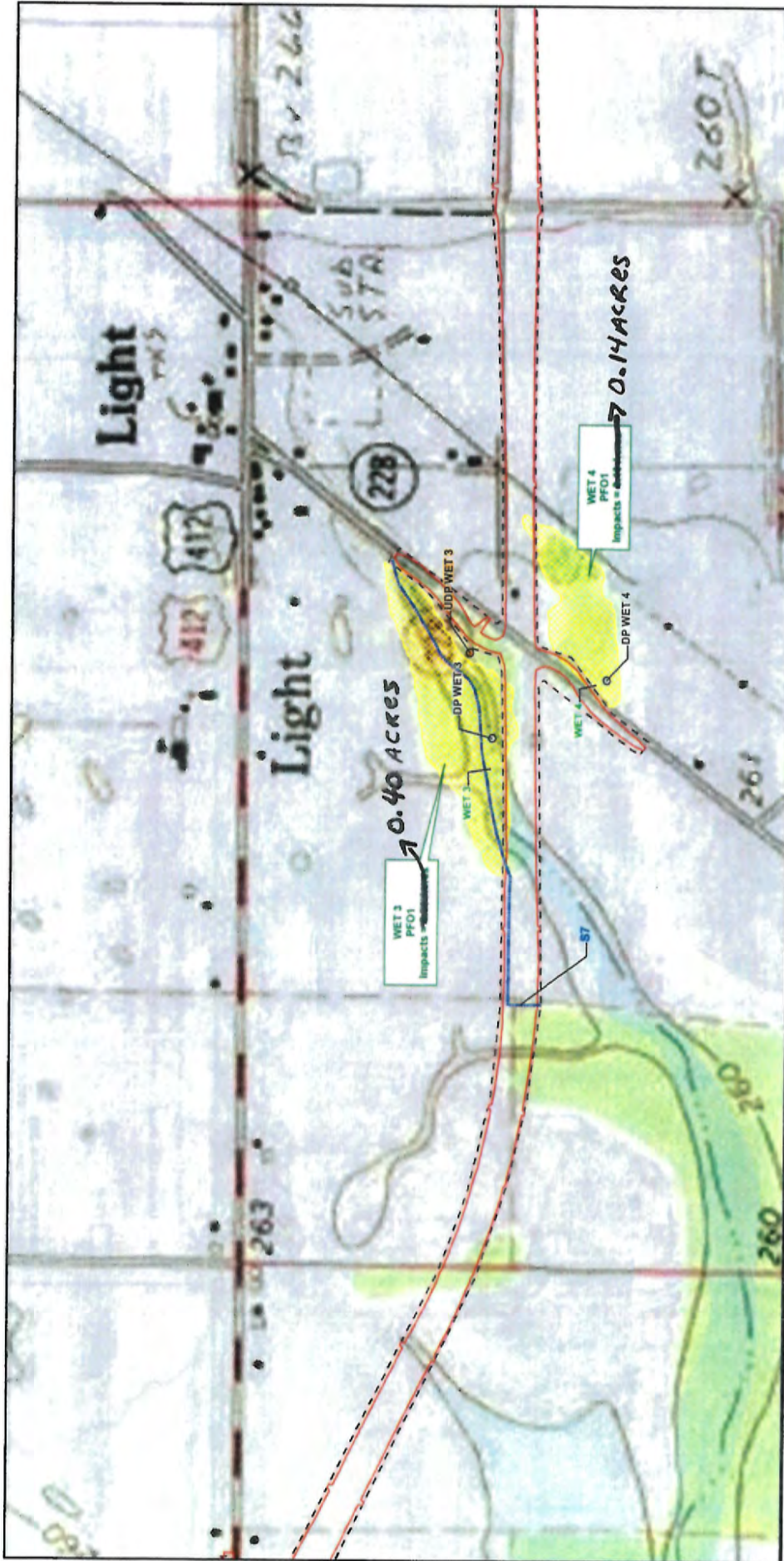
FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003



- Wetland Data Point
- Upland Data Point
- Welland
- Pond
- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
- Construction Limits
- Proposed ROW

Soils: SSURGOINRCS, 2002.
Imagery: Image courtesy of USGS © 2014
Microsoft Corporation

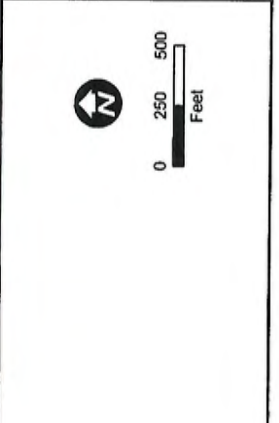




ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No.: CA1003

Sheet 11 of 14



- Wetland Data Point
- Upland Data Point
- Wetland
- Pond
- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
- Construction Limits
- Proposed ROW



Soils: SSURGO/NRCS, 2002
Imagery: Image courtesy of USGS © 2014
Microsoft Corporation



ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003

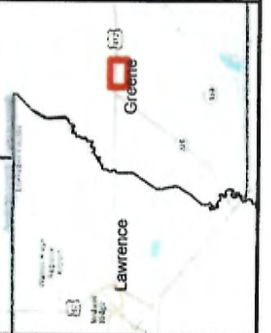
Sheet 12 of 14

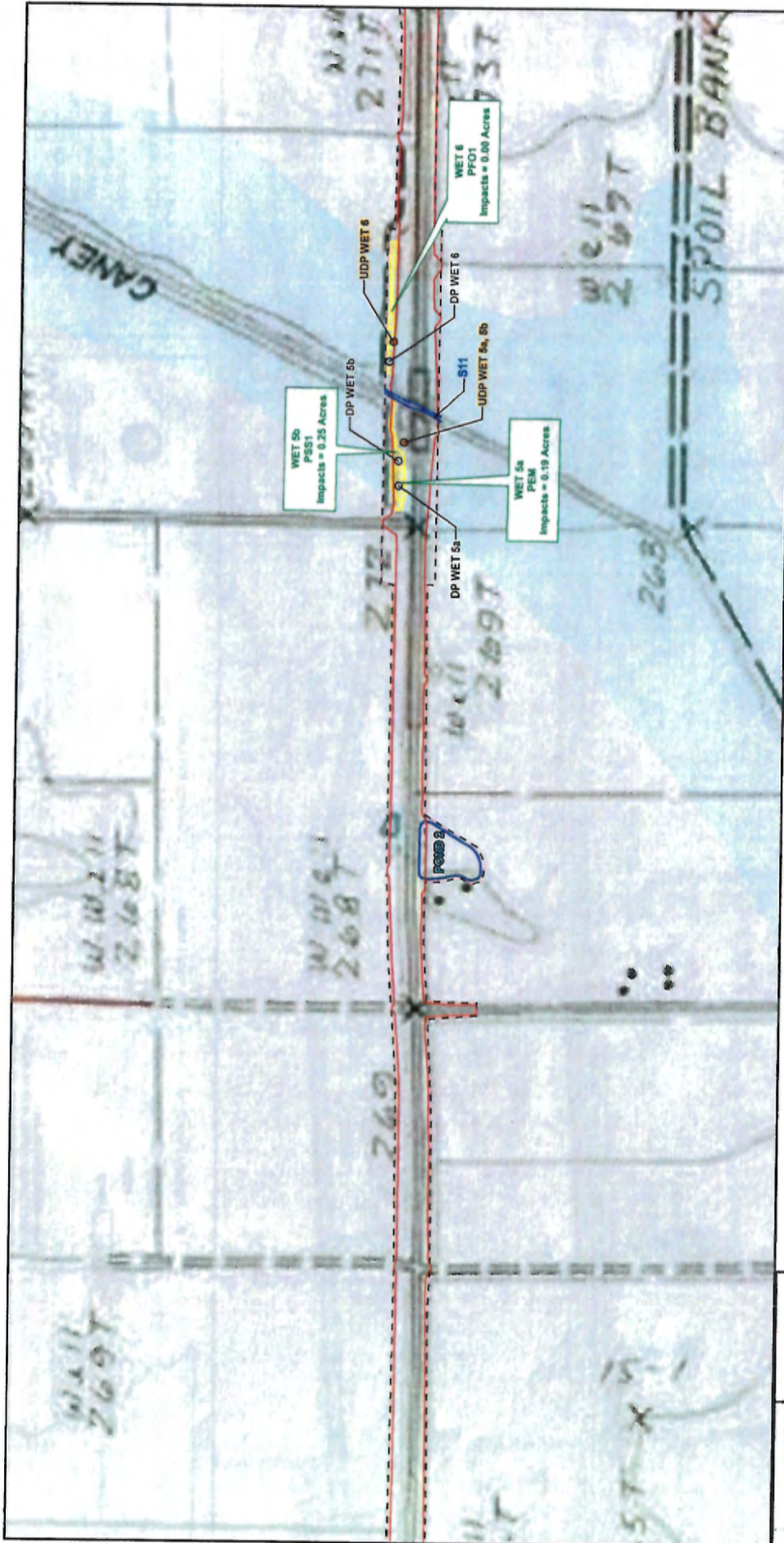
Legend:

- Wetland Data Point
- Upland Data Point
- Wetland
- Pond
- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
- Construction Limits
- Proposed ROW

Scale: 0 250 500 Feet

Soils: SSURGO/NRCS, 2002.
Imagery: Image courtesy of USGS © 2014
Microsoft Corporation

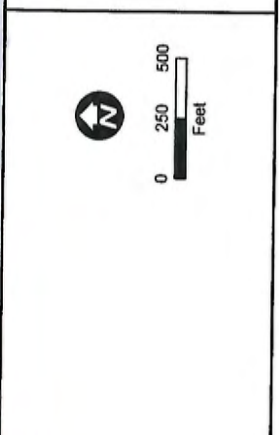




ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003

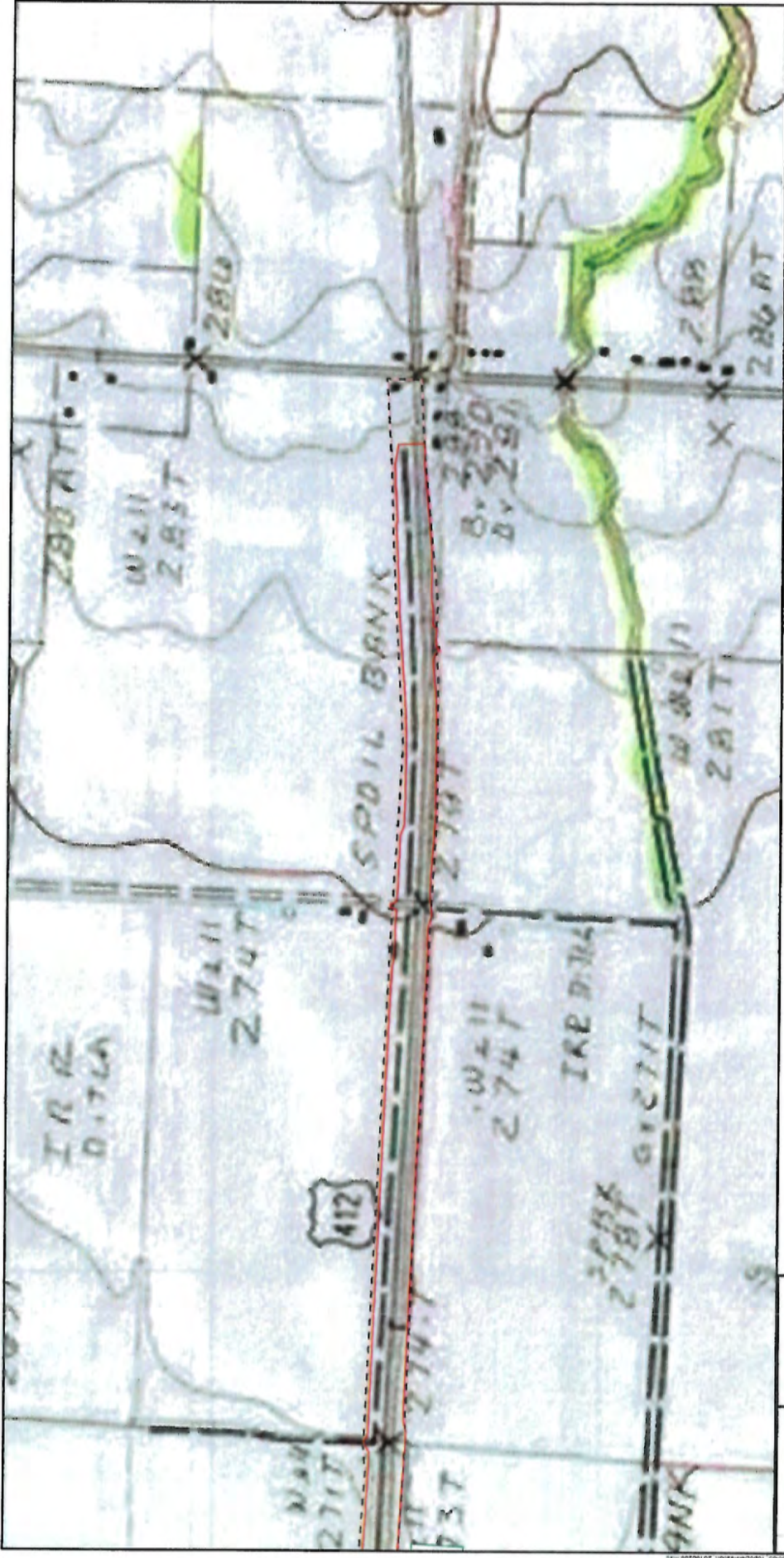
Sheet 13 of 14



- Wetland Data Point
- Upland Data Point
- Wetland
- Pond
- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
- Construction Limits
- Proposed ROW

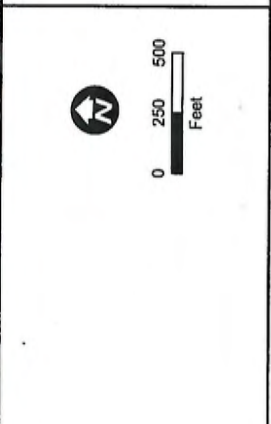


Soils: SSURGO/NRCS, 2002
Imagery: Image courtesy of USGS © 2014
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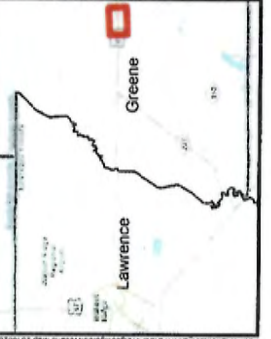


ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

FIGURE 3
TOPOGRAPHIC WETLAND DELINEATION MAP
Hwy 412 Widening Project
Lawrence and Greene Counties, Arkansas
Project No: CA1003



- Wetland Data Point
- Upland Data Point
- Wetland
- Pond
- Ephemeral Stream
- Intermittent Stream
- 100 Year Floodplain
- Construction Limits
- - - Proposed ROW



Scale: SSURGO/NRCS, 2002
Imagery: image courtesy of USGS © 2014
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CONDITIONS FOR LETTER OF PERMISSION NO. MVM 2016-00335

Project Location: The project is located on U.S. Highway 412 between Walnut Ridge and Paragould in section 36, T. 17 N., R. 1 E., in sections 31, 32, 33, 34, 35 and 36, T. 17 N., R. 2 E., in sections 31, 32, 33, 34, 35 and 36, T. 17 N., R. 3 E., and in sections 31 and 32, T. 17 N., R. 4 E., Lawrence and Greene Counties, Arkansas.

LOP Conditions:

General Conditions:

1. The time limit for completing the issuance of the work authorized under this LOP is **December 31, 2021**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must have the new owner write the District Engineer for transfer of this authorization.
5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. **No more than 7.0 acres of wetlands and/or other waters shall be directly and indirectly impacted by the placement of fill at each single and complete crossing. Any wetlands cut off from their natural hydrologic regime as a result of the project work shall be considered as directly impacted.**

2. Avoidance and minimization of impacts to wetlands and other waters of the United States shall be considered, and the least environmentally damaging practicable alternative shall be selected for each crossing. Appropriate compensatory mitigation shall then be provided to offset the selected crossing's wetland impacts.

3. Discharges of permanent and temporary dredged or fill material shall be the minimum necessary to construct crossings of wetlands and/or other waters. Also, measures shall be taken during construction to minimize any adverse impacts on wetlands or other waters (located within the right-of-way or directly adjacent). The design of each project shall incorporate all practicable measures to:

- a. Minimize impacts on hydrology in wetland areas.**
- b. Minimize the potential for toxic spills and leaching into wetlands and other waters.**
- c. Maintain preconstruction downstream flow conditions.**

d. Provide and maintain erosion and sediment control features throughout the construction phase of a project until the area is permanently stabilized.

4. The construction activity shall not result in the permanent diversion or relocation of a stream or a river channel except where needed to align a waterway crossing to avoid potential damage to the roadway. In no case shall more than 350 feet of channel be realigned. The construction activity shall result in neither streamflow impediment nor drainage of adjacent wetlands. Impacts to streams shall be minimized by maintaining adequate stream geomorphology (dimensions, patterns, and profile) so that above and below flows are not altered.

5. The dredged or fill material used for construction shall be non-pollutional material in accordance with the EPA Guidelines for the Discharge of Dredged or Fill Material, found in 40 CFR 230. The material may be obtained either offsite or from site preparation. Offsite material shall not be obtained from wetlands or from other areas which may adversely affect adjacent wetlands. Any excess material shall be placed in an upland area and properly contained or stabilized to prevent entry into adjacent wetlands or other waters. It is the permittee's responsibility to notify the authorizing Corps District's Regulatory Division if any off-right-of-way fills are proposed in waters of the United States in connection with the authorized highway project.

6. The discharge of dredged or fill material associated with stabilizing a shoreline or constructing bridge abutments shall not interfere with navigation (including recreational boating) or adversely impact the flow-carrying capacity of the affected stream. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or

if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

7. The U.S. Coast Guard asserts jurisdiction over bridged crossings of navigable waterways. Therefore, the location of a proposed bridge crossing, and its clearances and support features, shall all be approved by the U.S. Coast Guard prior to any bridge work.

8. All temporary fills shall consist of non-erodible material. Also, the materials used for temporary structures, such as cofferdams, equipment pads, or temporary access crossings, shall be removed as soon as practicable and the waterway restored to preconstruction contours.

9. Erosion, both during and after construction, shall be controlled as outlined in the latest edition of the "Standard Specification for Highway Construction of the Arkansas State Highway Commission" and the "Arkansas Highway and Transportation Department Erosion and Sediment Control Design and Construction Manual," dated June 1, 1994, or the latest edition of such manual. All erodible areas, during and after construction, shall be stabilized as soon as practicable, as outlined in the Manual.

10. Borrow material shall not be taken from a known historical or archeological site unless prior approval has been obtained from the Arkansas State Historic Preservation Officer (SHPO).

11. All construction activity shall be performed in a manner that will minimize increased turbidity of the water in the work area and otherwise avoid adverse effects on water quality and aquatic life, especially during fish breeding and spawning seasons. Avoidance of construction activities during specific months associated with these seasons may be required to protect this interest.

12. The work shall not occur in a National Wildlife Refuge, State Game Management Area, or other Federal or state lands, or lands leased to those entities without the appropriate Federal or state authorization in writing.

13. An individual water quality certification shall be obtained from the Arkansas Department of Environmental Quality (ADEQ) for all work in Extraordinary Resource Waterbodies and Ecologically Sensitive Waterbodies as listed on the current Regulation No. 2, ADEQ.

- 14. The work shall not occur in a component of the National Wild and Scenic River System or State Wild and Scenic River System without the appropriate Federal or state authorization in writing.**
- 15. The discharge shall not be located in the proximity of a public water supply intake.**
- 16. The discharge shall not occur in areas of concentrated shellfish beds.**
- 17. The discharge shall not contain unacceptable levels of pathogenic organisms in areas used for sports involving physical contact with the water.**
- 18. The discharge shall not adversely affect any threatened or endangered species or their critical habitat, as identified under the Endangered Species Act.**
- 19. In the event that the work would be located in a designated 100-year floodplain of any stream, documentation shall be acquired prior to any work indicating that its associated above-grade fills comply with Federal Emergency Management Agency (FEMA) or FEMA-approved local floodplain construction requirements.**
- 20. The ArDOT agrees to mitigate for the adverse impacts to 1.21 acres of wetlands with 11.06 credits at the Glaise Creek Mitigation Bank near Worden. The ArDOT will provide documentation of the mitigation bank transaction to the Little Rock District Corps of Engineers Transportation Program Manager.**

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403).

(X) Section 404 of the Clean Water Act (33 U.S. Code 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S. Code 1413).

2. Limits of this authorization:

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

- c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 Code of Federal Regulations (CFR) 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this

office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.