



ARKANSAS DEPARTMENT OF TRANSPORTATION

ArDOT.gov | IDriveArkansas.com | Scott E. Bennett, P.E., Director

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261

Phone: 501.569.2000 | Voice/TTY 711 | Fax: 501.569.2400

March 7, 2018

Mr. Peter Jilek
Acting Division Administrator
Federal Highway Administration
700 West Capitol, Room 3130
Little Rock, Arkansas 72201-3298

Re: Job Number 030008
FAP Number NHPP-0066(32)
Johns Branch Str. & Apprs.
Bridge Number 01868
Highway 71, Section 5
Sevier County
Tier 3 Categorical Exclusion

Dear Mr. Jilek:

The Environmental Division has reviewed the referenced project and it falls within the definition of the Tier 3 Categorical Exclusion as defined by the ARDOT/FHWA Memorandum of Agreement on the processing of Categorical Exclusions. The following information is included for your review and, if acceptable, approval as the environmental documentation for this project.

The purpose of this project is to replace a bridge on Highway 71 in Sevier County. Total length of the project is 0.038 mile. The enclosed figure illustrates the project location.

Existing Highway 71 consists of two 11-foot wide travel lanes with 5-foot wide paved shoulders. The existing bridge (#01868) has a 24' x 41' reinforced concrete deck on steel beams with concrete piers and abutments. The bridge is functionally obsolete and has a sufficiency rating of 35.5. The existing right of way width averages 140 feet.

Proposed improvements include a quadruple 12' x 8' x 86' reinforced concrete box culvert with two 12-foot wide paved travel lanes and 8-foot wide shoulders. No proposed right of way will be required for this project.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2019	4,000	21	55 mph
2039	4,700	21	55 mph

There are no relocations, floodplains, prime farmland, or environmental justice issues associated with this project. No impacts to cultural resources are anticipated; concurrence from the State Historic Preservation Officer is enclosed. Field inspections found no evidence of existing underground storage tanks or hazardous waste deposits.

Based upon the ARDOT's *Policy on Highway Traffic Noise Abatement*, a noise analysis is not required for this project. This project does not involve added capacity, construction of new through lanes or auxiliary lanes, changes in the horizontal or vertical alignment of the roadway, or exposure of noise sensitive land uses to a new or existing highway noise source.

Wetland and stream impacts include the replacement of the bridge at Johns Branch with a box culvert and a temporary detour road for the maintenance of traffic. Construction activities will result in temporary impacts to 0.15 acre of herbaceous wetlands and 0.1 acre (0.05 temporary and 0.05 permanent) of Johns Branch. The ARDOT proposes the use of 2.7 wetland credits from the Red Chute Mitigation Bank located in Miller County as compensatory mitigation for the 0.15 acre of unavoidable wetland impacts. Construction of the proposed project should be allowed under the terms of a Nationwide Permit 14 for Linear Transportation Projects.

The US Fish and Wildlife Service Information for Planning and Consultation website lists northern long-eared bat (*Myotis septentrionalis*), Ouachita Rock Pocketbook (*Arcidens wheeleri*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*), Scaleshell (*Leptodea leptodon*), and Winged Mapleleaf (*Quadrula fragosa*) as threatened and endangered species potentially occurring at or near the project location. With the use of best management practices to limit

Job Number 030008
Tier 3 Categorical Exclusion
Page 3 of 3


sedimentation the USFWS concurred with "may affect, but not likely to adversely affect" Rabbitsfoot and Winged Mapleleaf on February 22, 2018. Further, no prohibited take will occur for northern long-eared bats following the guidance of the final 4(d) rule (50 CFR §17.40(o)). The proposed project will not impact any habitat for Ouachita Rock Pocketbook, Pink Mucket, or Scaleshell and a 'no effect' determination was made. The official species list, northern long-eared bat 4(d) rule streamlined consultation form, and USFWS concurrence letter are enclosed.

If you have any questions, please contact the Environmental Division at 569-2281.

Sincerely,

APPROVED

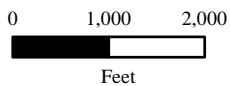
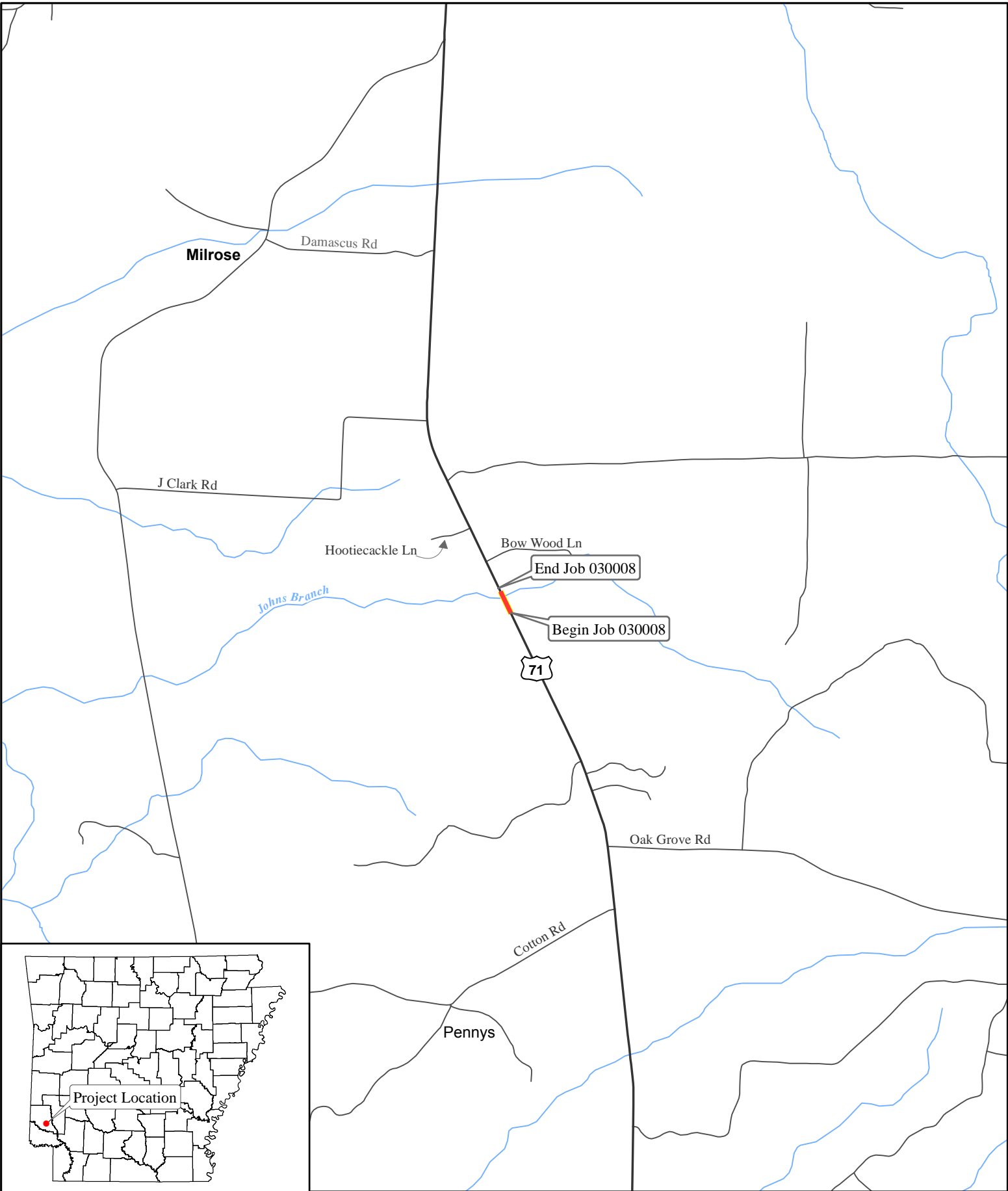
Environmental Specialist
Federal Highway Administration
Date: 3/14/2018


for John Fleming
Division Head
Environmental Division

Enclosures

JF:JB:fc

c: Program Management
Right of Way
Roadway Design
District 3
Master File



ARDOT - Environmental GIS - Hopkins
February 22, 2018

Job 030008
Johns Branch Str. & Apprs.
(Hwy. 71)
Sevier County





ARKANSAS DEPARTMENT OF TRANSPORTATION

AR DOT.gov | iDriveArkansas.com | Scott E. Bennett, P.E., Director

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261

Phone: 501.569.2000 | Voice/TTY 711 | Fax: 501.569.2400

October 18, 2017

Ms. Stacy Hurst
Arkansas Historic Preservation Program
1100 North Street
Little Rock, Arkansas 72201

AHPP

OCT 19 2017

99503

FHWA

RECEIVED
AHTD

OCT 23 2017

ENVIRONMENTAL
DIVISION

RE: Job Number 030008
Johns Branch Str. & Apprs.(S)
Sevier County

Dear Ms. Hurst:

This project proposes to replace the bridge over Johns Branch along US Highway 71 between Falls Chapel and Lockesburg in Craighead County.

Photographs, a description and location maps for the bridge, which is the sole property along this corridor, are included so your staff may evaluate their eligibility for inclusion in the National Register of Historic Places. If you have any questions or require additional information about the project, please contact Wm. Lane Shields of my staff at 501-569-2077.

Sincerely,

John Fleming
Division Head
Environmental Division

Enclosure
Request for Technical Assistance

JF:DW:WLS:ym

Date 10/19/2017
No known historic properties will be affected by this undertaking. This effect determination could change should new information come to light

Arkansas State Historic Preservation Officer



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Arkansas Ecological Service Field Office
110 South Amity Road, Suite 300
Conway, Arkansas 72032



February 22, 2018

Mr. John Fleming
c/o Ben Thesing
Arkansas Department of Transportation
10324 Interstate 30
Little Rock, Arkansas 72209

Dear Mr. Fleming,

The U.S. Fish and Wildlife Service (Service) is responding to your request dated February 21, 2018, regarding Arkansas Department of Transportation (ArDOT) Job 030008 - Johns Branch, a project to replace the Hwy 71 Bridge over Johns Branch, Sevier County, Arkansas. The project was described and assessed as follows (abbreviated):

ArDOT plans to replace the Hwy 71 Bridge over Johns Branch (33.904976°, -94.172285°) with a set of quadruple 12' x 8' x 86' reinforced concrete box culverts on existing location. A temporary detour road will be constructed on the upstream (eastern) side to facilitate traffic during construction (See attached kmz for plans). The project is scheduled to let to contract December 2018. IPaC identified Northern Long-eared Bat (*Myotis septentrionalis*: NLEB), Ouachita Rock Pocketbook (*Arcidens wheeleri*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*), Scaleshell (*Leptodea leptodon*), and Winged Mapleleaf (*Quadrula fragosa*) as potentially occurring at or near the project location.

Approximately 0.75 acres of trees will be cleared during the project. While the trees may provide suitable habitat for Northern Long-eared Bats, no prohibited take will occur following the guidance of the Programmatic Biological Opinion and Final 4(d) Rule (50 CFR §17.40(o)). A NLEB 4(d) Rule Streamlined Consultation form is attached.

Johns Branch is a tributary to the Cossatot River with the bridge replacement occurring approximately 2.5 miles from the confluence. No suitable habitat for mussels is present in Johns Branch. A records search of the Arkansas Natural Heritage Commission and Arkansas Game and Fish Commission databases indicate Rabbitsfoot and Winged Mapleleaf mussels are known to occur downstream from the confluence of Johns Branch in the main stem of the Cossatot River. Temporary and limited quantities of sedimentation during construction activities could reach the Cossatot River. Sedimentation will be

limited with the use of best management practices. As a result, we seek concurrence that the construction of this project may effect, but not likely to adversely affect Rabbitsfoot or Winged Mapleleaf. Other mussels identified by IPaC are not found downstream of the project; therefore, no effect to any other species is anticipated.

Based on the location of this action, the minimal forested and foraging habitat being affected immediately adjacent to existing roadway and right of way, the distance to known species locations, and application of standard sediment and erosion controls, the Service agrees with your assessment and concurs with your determinations of 'may affect, not likely to adversely affect' for Rabbitsfoot and Winged Mapleleaf. No further consultation for this action regarding these species is necessary at this time.

Furthermore, the Service has reviewed your determination that the proposed action will not result in any prohibited incidental take for Northern Long-eared Bat. This project may affect the Northern Long-eared Bat; however, there are no effects beyond those previously disclosed in the Service's programmatic biological opinion for the final 4(d) rule dated January 5, 2016. Any take that may occur incidental to this project is not prohibited under the final 4(d) rule (50 CFR §17.40(o)). This project is consistent with the description of the proposed action in the programmatic biological opinion, and the 4(d) rule does not prohibit incidental take of the Northern Long-eared Bat that may occur as a result of this project. Therefore, the programmatic biological opinion satisfies the "action agency" responsibilities under ESA section 7(a)(2) relative to the Northern Long-eared Bat for this project.

Please keep in mind that you must report any departures from the plans submitted; results of any surveys conducted; or any dead, injured, or sick Northern Long-eared Bats that are found to this office. If this project is not completed within one year of this letter, you must update your determination and resubmit the required information.

If you have any questions regarding our response or if you need additional information, please contact Lindsey Lewis at (501) 513-4489 or lindsey_lewis@fws.gov.

Sincerely,



Melvin L. Tobin
Field Supervisor



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Arkansas Ecological Services Field Office
110 South Amity Suite 300
Conway, AR 72032-8975
Phone: (501) 513-4470 Fax: (501) 513-4480
<http://www.fws.gov/arkansas-es>

In Reply Refer To:

February 21, 2018

Consultation Code: 04ER1000-2018-SLI-0538

Event Code: 04ER1000-2018-E-00818

Project Name: Job 030008 - Johns Branch Str. & Apprs. (S)

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies endangered, threatened, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). **This letter only provides an official species list and technical assistance; if you determine that listed species and/or designated critical habitat may be affected in any way by the proposed project, even if the effect is wholly beneficial, consultation with the Service will be necessary.**

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found on our website.

Please visit our website at <http://www.fws.gov/arkansas-es/IPaC/home.html> for species-specific guidance to avoid and minimize adverse effects to federally endangered, threatened, proposed, and candidate species. Our web site also contains additional information on species life history and habitat requirements that may be useful in project planning.

If your project involves in-stream construction activities, oil and natural gas infrastructure, road construction, transmission lines, or communication towers, please review our project specific guidance at <http://www.fws.gov/arkansas-es/IPaC/ProjSpec.html>.

The karst region of Arkansas is a unique region that covers the **northern third of Arkansas** and we have specific guidance to conserve sensitive cave-obligate and bat species. **Please visit <http://www.fws.gov/arkansas-es/IPaC/Karst.html> to determine if your project occurs in the karst region and to view karst specific-guidance.** Proper implementation and maintenance of best management practices specified in these guidance documents is necessary to avoid adverse effects to federally protected species and often avoids the more lengthy formal consultation process.

If your species list includes any mussels, Northern Long-eared Bat, Indiana Bat, Yellowcheek Darter, Red-cockaded Woodpecker, or American Burying Beetle, your project may require a presence/absence and/or habitat survey prior to commencing project activities. Please check the appropriate species-specific guidance on our website to determine if your project requires a survey. We strongly recommend that you contact the appropriate staff species lead biologist (see office directory or species page) prior to conducting presence/absence surveys to ensure the appropriate level of effort and methodology.

Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service, to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally-listed threatened or endangered fish or wildlife species without the appropriate permit.

Through the consultation process, we will analyze information contained in a biological assessment that you provide. If your proposed action is associated with Federal funding or permitting, consultation will occur with the Federal agency under section 7(a)(2) of the ESA. Otherwise, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA (also known as a habitat conservation plan) is necessary to harm or harass federally listed threatened or endangered fish or wildlife species. In either case, there is no mechanism for authorizing incidental take "after-the-fact." For more information regarding formal consultation and HCPs, please see the Service's Consultation Handbook and Habitat Conservation Plans at www.fws.gov/endangered/esa-library/index.html#consultations.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, **the accuracy of this species list should be verified after 90 days.** This verification can be

completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Arkansas Ecological Services Field Office

110 South Amity Suite 300

Conway, AR 72032-8975

(501) 513-4470

Project Summary

Consultation Code: 04ER1000-2018-SLI-0538

Event Code: 04ER1000-2018-E-00818

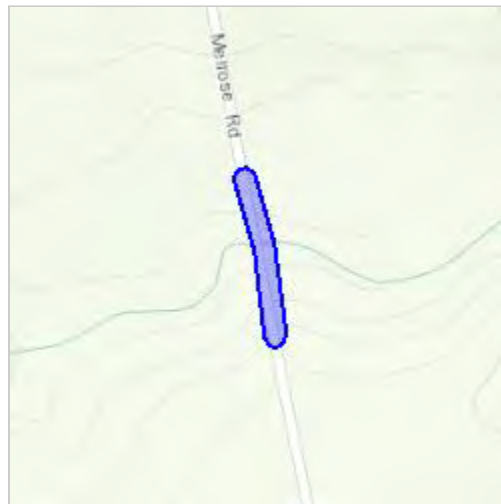
Project Name: Job 030008 - Johns Branch Str. & Apprs. (S)

Project Type: TRANSPORTATION

Project Description: Replacement of Hwy 71 Bridge over Johns Branch in Sevier County.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/33.901139126139554N94.19116954306702W>



Counties: Sevier, AR

Endangered Species Act Species

There is a total of 6 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Clams

NAME	STATUS
Ouachita Rock Pocketbook <i>Arkansia wheeleri</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4509	Endangered
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7829	Endangered
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165	Threatened
Scaleshell Mussel <i>Leptodea leptodon</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5881	Endangered
Winged Mapleleaf <i>Quadrula fragosa</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4127	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form

Federal agencies should use this form for the optional streamlined consultation framework for the northern long-eared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service’s (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency's determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

Information to Determine 4(d) Rule Compliance:

	YES	NO
1. Does the project occur wholly outside of the WNS Zone ¹ ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have you contacted the appropriate agency ² to determine if your project is near known hibernacula or maternity roost trees?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Could the project disturb hibernating NLEBs in a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Could the project alter the entrance or interior environment of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Does the project remove any trees within 0.25 miles of a known hibernaculum at any time of year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Would the project cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree from June 1 through July 31.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

You are eligible to use this form if you have answered yes to question # 1 **or** yes to question #2 **and** no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO.

Agency and Applicant³ (Name, Email, Phone No.): •

Arkansas Department of Transportation – ben.thesing@ardot.gov – 501-569-2520

Project Name: ArDOT Job 030008 Johns Branch Str. & Apprs. (S)

Project Location (include coordinates if known): Hwy 71 Bridge over Johns Branch Sevier Co, AR

Basic Project Description (provide narrative below or attach additional information):

Bridge replacement

¹ <http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf>

² See <http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html>

³ If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

General Project Information	YES	NO
Does the project occur within 0.25 miles of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project occur within 150 feet of a known maternity roost tree?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project include forest conversion ⁴ ? (if yes, report acreage below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Estimated total acres of forest conversion	0.75 acres	
If known, estimated acres ⁵ of forest conversion from April 1 to October 31		
If known, estimated acres of forest conversion from June 1 to July 31 ⁶		
Does the project include timber harvest? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of timber harvest		
If known, estimated acres of timber harvest from April 1 to October 31		
If known, estimated acres of timber harvest from June 1 to July 31		
Does the project include prescribed fire? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of prescribed fire		
If known, estimated acres of prescribed fire from April 1 to October 31		
If known, estimated acres of prescribed fire from June 1 to July 31		
Does the project install new wind turbines? (if yes, report capacity in MW below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated wind capacity (MW)		

Agency Determination:

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

Signature: _____



Ben Thesing

Date Submitted: 2/21/18

⁴ Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

⁵ If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

⁶ If the activity includes tree clearing in June and July, also include those acreage in April to October.

ARDOT ENVIRONMENTAL IMPACTS ASSESSMENT FORM

ARDOT Job Number 030008 FAP Number NHPP-0066(32)

Job Title Johns Branch Str. & Apprs. (S)

Environmental Impacts	None	Minor	Significant	Comments
Air Quality	X			
Construction Impacts		X		Temporary
Cultural Resources	X			
Economic	X			
Endangered Species		X		USFWS correspondence enclosed
Energy Resources	X			
Environmental Justice/Title VI	X			
Fish and Wildlife		X		USFWS correspondence enclosed
Floodplains	X			
Forest Service Property	X			
Hazardous Materials/Landfills	X			
Land Use Impacts	X			
Migratory Birds	X			Bird SP required
Navigation/Coast Guard	X			
Noise Levels	X			
Prime Farmland	X			
Protected Waters	X			
Public Recreation Lands	X			
Public Water Supply/WHPA	X			
Relocates	X			
Section 4(f)/6(f)	X			
Social	X			
Underground Storage Tanks	X			
Visual Impacts	X			
Stream Impacts		X		
Water Quality		X		Temporary during construction
Wetlands		X		Nationwide 14 with mitigation
Wildlife Refuges	X			

Section 401 Water Quality Certification Required? No

Short-term Activity Authorization Required? Yes

Section 404 Permit Required? Yes Type NW14

Remarks: 2.7 wetland credits at ARDOT Red Chute

Signature of Evaluator  Date March 5, 2018

ROADWAY DESIGN REQUEST

Job Number 030008 FAP No. _____ County Sevier

Job Name John's Branch Str. & Apprs. (S)

Design Engineer Primary Design Environmental Staff _____

Brief Project Description Bridge Replacement

A. Existing Conditions:

Roadway Width: 32' Shoulder Type/Width: 2@5' Paved

Number of Lanes and Width: 2@11' Existing Right-of-Way: 140'

Sidewalks? N/A Location: _____ Width: _____

Bike Lanes? N/A Location: _____ Width: _____

B. Proposed Conditions:

Roadway Width: 24' Shoulder Type/Width: 2@8' Paved

Number of Lanes and Width: 2@12' Proposed Right-of-Way: N/A (TCE for detour)

Sidewalks? N/A Location: _____ Width: _____

Bike Lanes? N/A Location: _____ Width: _____

C. Construction Information:

If detour: Where: 92' upstream (rt.) Length: 985.89'

D. Design Traffic Data:

2019 ADT: 4000 2039 ADT: 4700 % Trucks: 21

Design Speed: 55 m.p.h.

E. Approximate total length of project: 0.038 mile(s)

F. Justification for proposed improvements: Replace functionally obsolete bridge

G. Total Relocates: 0 Residences: _____ Businesses: _____

H. Have you coordinated with any outside agencies (e.g., FHWA, City, County, etc.)? N/A

Agency/Official	Person Contacted	Date



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/

October 11, 2018

Regulatory Division

NATIONWIDE PERMIT NO. SWL 2018-00162

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

Dear Mr. Fleming:

Please refer to your recent request concerning Department of the Army permit requirements pursuant to Section 404 of the Clean Water Act. You requested authorization for the placement of dredged and fill material in waters of the United States associated with replacing a functionally obsolete bridge over Johns Branch on U.S. Highway 71 and upgrading the approaches. The existing roadway consists of two 11-foot-wide travel lanes with 5-foot-wide shoulders. The existing bridge will be replaced with a triple concrete box culvert and the upgraded roadway will consist of two 12-foot-wide travel lanes with 8-foot-wide shoulders. The project will be constructed on existing alignment and a temporary detour road will be required. The Federal Highway Administration certified the project as a Tier 3 Categorical Exclusion on March 14, 2018. The project will adversely impact approximately 0.15 acres of wetlands. Less than 300 linear feet of the stream will be impacted. The project may affect but is not likely to adversely affect the Rabbitsfoot (*Theiliderma cylindrica*) and Winged Mapleleaf (*Quadrula fragosa*) mussels. No prohibited take will occur for the Northern Long-eared Bat (*Myotis septentrionalis*) following the guidance of the Final 4(d) Rule. The project will have no effect on the Ouachita Rock Pocketbook (*Arcidens wheeleri*), Pink Mucket (*Lampsilis abrupta*) or Scaleshell (*Leptodea leptodon*) mussels. There are no cultural resources impacts. The project is located on U.S. Highway 71 approximately three miles south of the City of Lockesburg, in section 11, T. 10 S., R. 30 W., Sevier County, Arkansas. A vicinity map and project location map is enclosed.

The proposed activities are authorized by Department of the Army Nationwide Permit (NWP) **No. 14** (copy enclosed), provided that the following **Special Condition** and General Conditions therein are met. For your convenience, we have highlighted the General Conditions of the NWP that are the most pertinent to your project. You should become familiar with the conditions and maintain a copy of the permit at the worksite for ready reference. If changes are proposed in the design or location of the project, you should submit revised plans to this office for approval before construction of the change begins.

Special Condition:

ArDOT agrees to mitigate for the adverse impacts to 0.15 acres of wetlands with 2.7 wetland credits from their Red Chute Wetland Mitigation Bank. ArDOT will provide documentation of the mitigation bank transaction to the U.S. Army Corps of Engineers Little Rock District Transportation Program Manager.

Please pay particular attention to General Condition No. 12 which stipulates that appropriate erosion and siltation controls be used during construction and all exposed soil be permanently stabilized. Erosion control measures must be implemented before, during and after construction.

Also, in order to fully comply with the conditions of the NWP, you must submit the enclosed compliance certification within 30 days of completion of the project. This is required pursuant to General Condition No. 30 of the permit.

For your information, we have enclosed a copy of the Arkansas Department of Environmental Quality (ADEQ) Section 401 Water Quality Certification conditions, which are conditions of your permit. If you have any questions concerning compliance with the conditions of the 401 certification, you should contact Ms. Melanie Treat at the ADEQ, Water Division, 5301 Northshore Drive, North Little Rock, Arkansas 72118, telephone (501) 682-0040.

The NWP determination will be valid until March 18, 2022. If NWP **No. 14** is modified, suspended, or revoked during this period, your project may not be authorized unless you have begun or are under contract to begin the project. If work has started or the work is under contract, you would then have twelve (12) months to complete the work.

Your cooperation in the Regulatory Program is appreciated. If you have any additional questions about this permit or any of its provisions, please contact Mr. Johnny McLean at (501) 324-5295 and refer to Permit No. **SWL 2018-00162, Johns Branch Structure and Approaches on U.S. Highway 71 South of Lockesburg (ArDOT Project No. 03008).**

Sincerely,



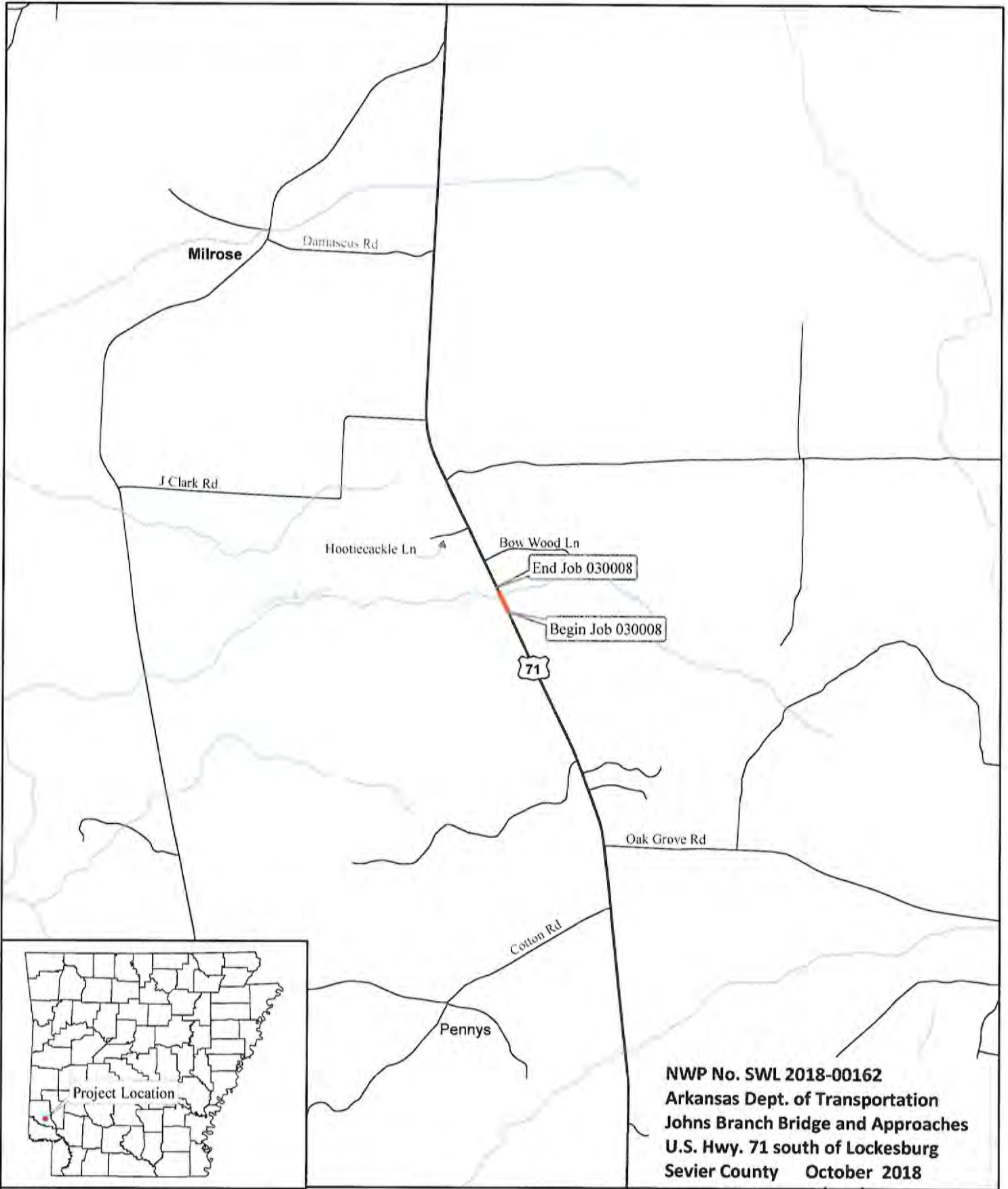
Sarah Chitwood
Chief, Regulatory Evaluation Branch

Copy Furnished:

Ms. Melanie Treat, Arkansas Department of Environmental Quality, w/cy dwg

Mr. Lindsey Lewis, U.S. Fish & Wildlife Service, w/cy dwg

Chief, Regulatory Enforcement, w/cy dwg



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 Feet
 ARDOT - Environmental GIS - Hopkins
 February 22, 2018

Job 030008
 Johns Branch Str. & Apprs.
 (Hwy. 71)
 Sevier County

Project Location