



INTEROFFICE MEMORANDUM

February 28, 2019

TO: Master Files

FROM: John Fleming, Division Head, Environmental Division 

SUBJECT: Job Number 070375
FAP Number NHPP-0020(21)
Alsobrook Slough Str. & Apprs. (S)
Bridge Number M0233
Route 8, Section 6
Dallas County
Tier 2 Categorical Exclusion

The Environmental Division reviewed the referenced project and has determined it falls within the definition of a Tier 2 Categorical Exclusion under 23 Code of Federal Regulations, Section 771.117, and the A DOT/FHWA Memorandum of Agreement on the processing of Categorical Exclusions. A public hearing will not be offered for this project.

The purpose of this project is to replace the existing bridge (M0233) over Alsobrook Slough on Highway 8 in Dallas County. Total length of the project is 0.18 mile. A project location map is attached.

The bridge is 133' x 25' and considered structurally deficient. The existing approaches consist of two 9' paved travel lanes with 4' paved shoulders. The existing right of way width is 80'.

The new structure will be 155' x 34' and built on existing location by utilizing a detour immediately downstream of the existing bridge. The proposed approaches will consist of two 11' paved travel lanes with 4' paved shoulders. The new right of way width will be 110'. Approximately 0.75 acre of new right of way and 1.48 acres of temporary construction easements will be needed to complete the project.

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2019	270	14	55 mph
2039	300	14	55 mph

There are no relocations, environmental justice issues, prime farmlands, hazardous materials, or cultural resources associated with this project. This project has been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special mobile source air toxic (MSAT) concerns. Concurrence from the State Historic Preservation Officer is attached.

The project will have a discharge of dredged or fill material into waters of the United States associated with the bridge; therefore, a Section 404 permit will be required. The project should be authorized by a Nationwide Permit 23 for Approved Categorical Exclusions as defined in Federal Register 82(4): 1860-2008. Impacts to waters of the US include approximately 1.48 acres of temporary impacts (mostly for the detour) and approximately 0.77 acres of permanent impacts. Compensatory mitigation will be determined in cooperation with the United States Army Corps of Engineers.

Red-cockaded Woodpecker (RCW) (*Picoides borealis*), Ouachita Rock Pocketbook (*Arcidens wheeleri*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*), Spectaclecase (*Margaritifera monodonta*), and Winged Mapleleaf (*Quadrula fragosa*) are species potentially affected by the proposed project. This project will not affect these species due to the lack of suitable habitat and distance to known species locations (e.g. USFWS Arkansas office doesn't list the RCW in this county).

Dallas County participates in the National Flood Insurance Program. The project lies within 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. Adjacent properties should not be impacted nor have a greater flood risk than existed before project construction. None of the encroachments will constitute a substantial floodplain encroachment or a risk to property or life.

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.

Attachments:

Project Location Map
SHPO Clearance
USFWS Species List
Environmental Study Checklist
Design Criteria

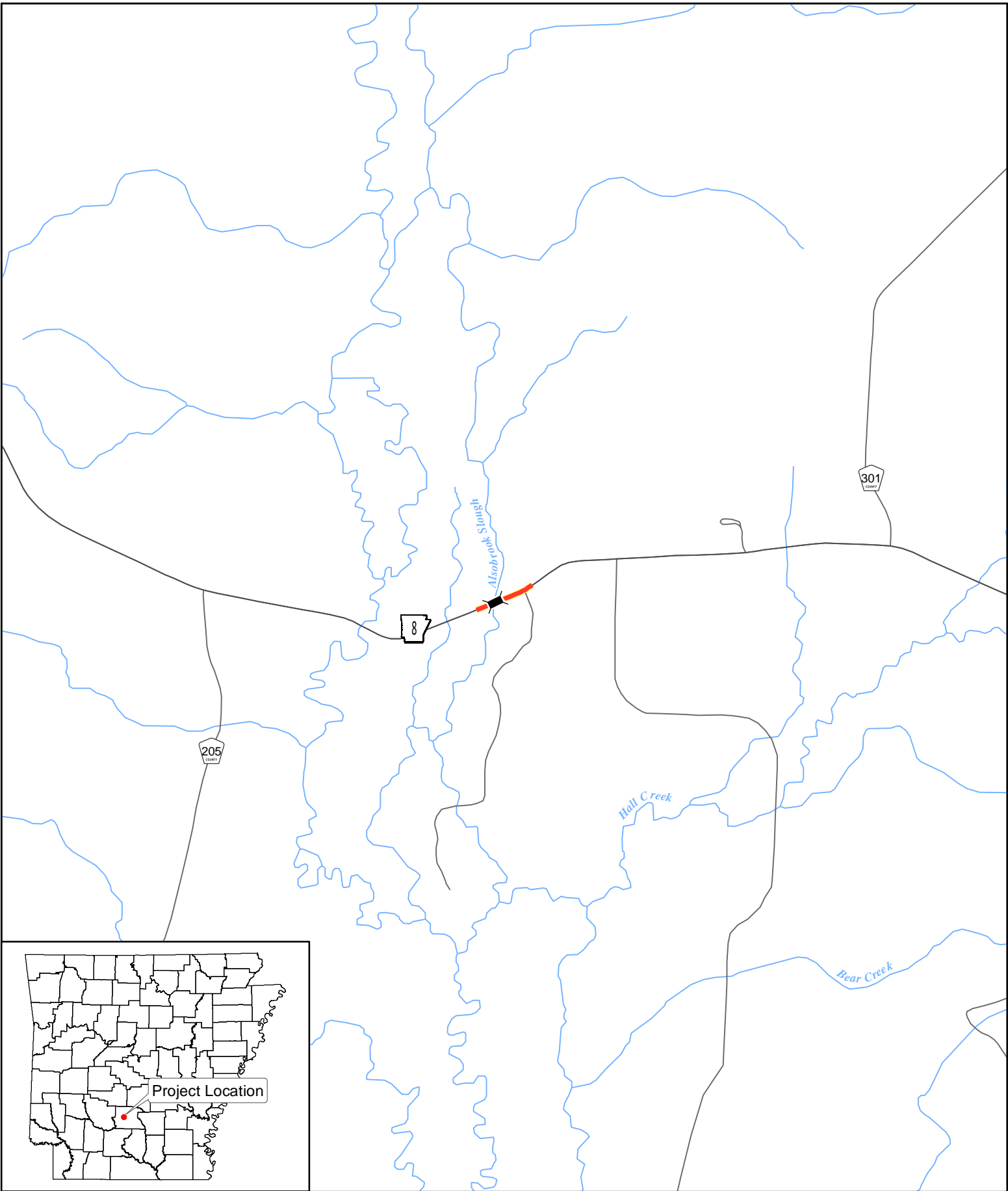
Approved:



Kevin Thornton
Assistant Chief Engineer-Planning

JF:TT:am

c: Program Management
Right of Way
Roadway Design
Bridge Division
District 7
FHWA



N

0 950 1,900

Feet

ARDOT - Environmental GIS - Hopkins
February 7, 2019

Job 070375
Alsobrook Slough Str. & Apprs.
Dallas County



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

99431

October 2, 2017

FLWA

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

AHPP

OCT 03 2017

RECEIVED
AHTD

OCT 06 2017

ENVIRONMENTAL
DIVISION

RE: Job No. 070375
Alsobrook Slough Str. & Apprs. (S)
Dallas County

Dear Ms. Hurst:

This project proposes to replace a deficient bridge (AHTD Bridge Number M0233) on Highway 8, west of Princeton, in Dallas County.

Photographs, descriptions and location maps for the properties are included so your staff may evaluate its eligibility for inclusion in the National Register of Historic Places. If you have any questions about the project, please contact Jason Eads of my staff at (501) 569-2181.

Sincerely,

John Fleming
Division Head
Environmental Division

Enclosure
Request for Technical Assistance

JF:DW:JE:ym

Date

10/3/2017

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



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 07, 2019

Consultation Code: 04ER1000-2019-SLI-0452

Event Code: 04ER1000-2019-E-00849

Project Name: 070375 Alsobrook Slough 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.**

If you determine that this project will have no effect on listed species and their habitat in any way, then you have completed Section 7 consultation with the Service and may use this letter in your project file or application.

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: 04ER1000-2019-SLI-0452

Event Code: 04ER1000-2019-E-00849

Project Name: 070375 Alsobrook Slough Str. & Apprs. (S)

Project Type: TRANSPORTATION

Project Description: Replace existing bridge on existing alignment. A temporary detour will be constructed to the south.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/33.99033512292367N92.73109495639801W>



Counties: Dallas, 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.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
Red-cockaded Woodpecker <i>Picoides borealis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7614	Endangered

Clams

NAME	STATUS
<p>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</p>	Endangered
<p>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</p>	Endangered
<p>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</p>	Threatened
<p>Spectaclecase (mussel) <i>Cumberlandia monodonta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7867</p>	Endangered
<p>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</p>	Endangered

Critical habitats

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

**ARDOT ENVIRONMENTAL VERIFICATION CHECKLIST
FOR CONSIDERATION OF POTENTIAL IMPACTS**

ARDOT Job Number 070375 FAP Number NHPP-0020(21)

Job Title Alsobrook Slough Strs. & Apprs. (S)

Environmental Resource	None	Minimal	Major	Comments-required for each item
Air Quality	X			No air quality impacts anticipated
Cultural Resources	X			SHPO approval letter attached
Economic	X			Will not be impacted by project
Endangered Species	X			None within project area
Environmental Justice/Title VI	X			No protected populations in project area
Fish and Wildlife		X		Minor impacts during construction
Floodplains		X		Floodplain SP required
Forest Service Property	X			None within project area
Hazardous Materials/Landfills	X			None in project area
Land Use	X			Will not be impacted by project
Migratory Birds		X		Migratory bird sp required
Navigation/Coast Guard	X			None within project area
Noise Levels	X			No receptors in project area
Prime Farmland	X			None occur in project area
Protected Waters	X			None within project area
Public Recreation Lands	X			None in project area
Public Water Supply/WHPA	X			None within project area
Relocates	X			No relocations
Section 4(f)/6(f)	X			No 4(f)/6(f) resources present
Social	X			No impacts to the social environment
Underground Storage Tanks	X			No USTs in project area
Visual	X			No changes to visual environment
Streams		X		Minor impacts during construction
Water Quality		X		Minor impacts during construction
Wetlands		X		Approximately 2 acres of impacts
Wildlife Refuges	X			None within project area

Section 401 Water Quality Certification Required? N
 Short-term Activity Authorization Required? Y
 Section 404 Permit Required? Y Type NWP 23

Remarks:



Signature of Evaluator _____ Date February 20, 2019

ROADWAY DESIGN REQUEST

Job Number 070375 FAP No. NHPP-0020(21) County Dallas

Job Name Alsobrook Slough Str. & Apprs. (S)

Design Engineer George Davison Environmental Staff _____

Brief Project Description Bridge Replacement on Existing Location

A. Existing Conditions:

Roadway Width: 26' Shoulder Type/Width: 4' Paved

Number of Lanes and Width: 2 / 9' Existing Right-of-Way: 80'

Sidewalks? N/A Location: _____ Width: _____

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

B. Proposed Conditions:

Roadway Width: 30' Shoulder Type/Width: 4' Paved

Number of Lanes and Width: 2 / 11' Proposed Right-of-Way: 110'

Sidewalks? N/A Location: _____ Width: _____

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

C. Construction Information:

If detour: Where: Rt. Of Existing Length: 0.19 miles

D. Design Traffic Data:

2019 ADT: 270 2039 ADT: 300 % Trucks: 14
Design Speed: 55 m.p.h.

E. Approximate total length of project: 0.18 mile(s)

F. Justification for proposed improvements: Not Posted, Structurally Deficient

G. Total Relocatees: 0 Residences: 0 Businesses: 0

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

Agency/Official	Person Contacted	Date



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

December 20, 2019

Regulatory Division

NATIONWIDE PERMIT NO. MVK 2019-00779

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 the bridge over Alsobrook Slough and upgrading the approaches. The new bridge will be constructed on existing alignment and a detour will be constructed approximately 50 feet downstream from the existing bridge to accommodate traffic during construction. Approaches will be upgraded to two 11-foot-wide lanes with 4-foot-wide shoulders. Permanent impacts to Alsobrook Slough will be less than 300 linear feet and 0.1 acres. The project will adversely impact approximately 1.62 acres of wetlands. There are no endangered species or cultural resources impacts. The project was approved as a Tier 2 Categorical Exclusion by ArDOT on February 28, 2019. The project is located on State Highway 8, approximately five miles north and east of the City of Sparkman, in section 34, T. 8 S., R. 16 W., Dallas County, Arkansas. A vicinity map, project location map, wetland impacts map and wetland impacts worksheet are enclosed.

The proposed activities are authorized by Department of the Army Nationwide Permit (NWP) **No. 23** (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 1.62 acres of wetlands with 15.5 wetland credits at an approved wetland mitigation bank before construction of

the project begins. 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.

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 or Mr. Jim Wise at the ADEQ, Water Division, 5301 Northshore Drive, North Little Rock, Arkansas 72118, telephone (501) 682-0040.

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.

The NWP determination will be valid until March 18, 2022. If NWP **No. 23** 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. **MVK 2019-00779, Alsobrook Slough Structure and Approaches on State Highway 8 near Sparkman (ArDOT Project No. 070375).**

Sincerely,


for Sarah Chitwood
Chief, Regulatory Evaluation Branch

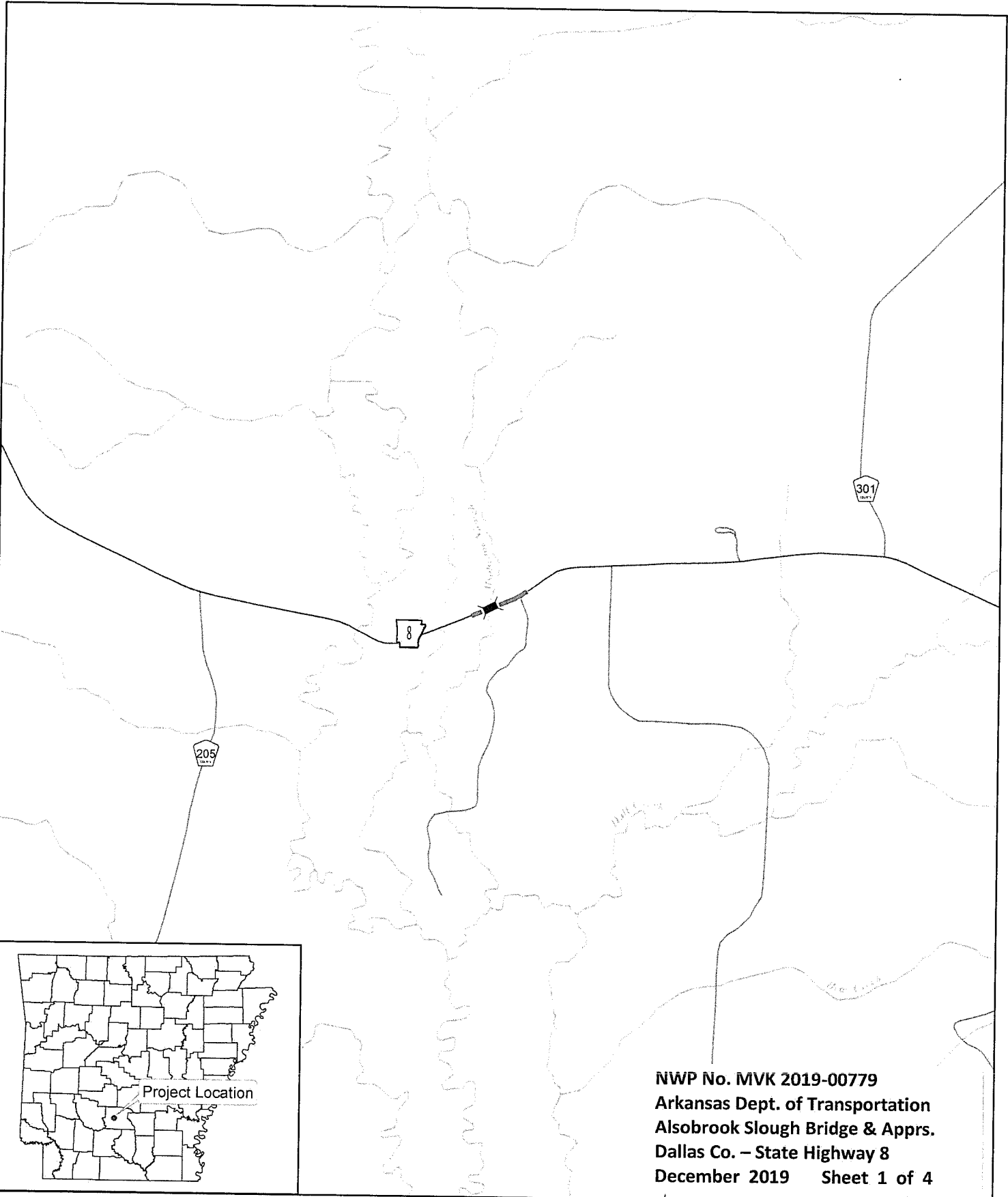
Enclosures

Copy Furnished:

Vicksburg District Regulatory, w/cy encls.

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

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

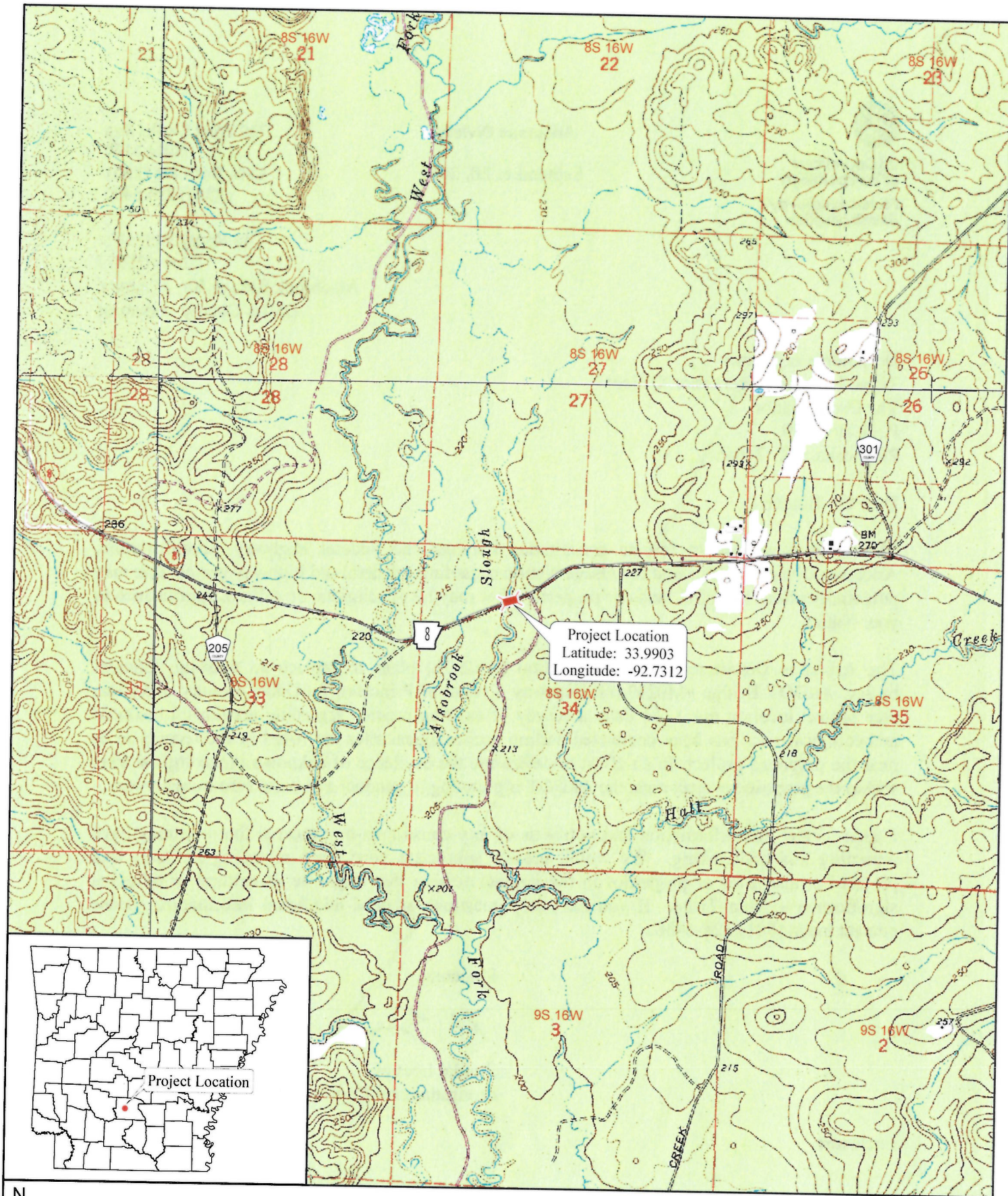


NWP No. MVK 2019-00779
Arkansas Dept. of Transportation
Alsobrook Slough Bridge & Apprs.
Dallas Co. – State Highway 8
December 2019 Sheet 1 of 4

N
0 950 1,900
Feet
ARDOT - Environmental GIS - Hopkins
February 7, 2019

Job 070375
Alsobrook Slough Str. & Apprs.
Dallas County

Project Location




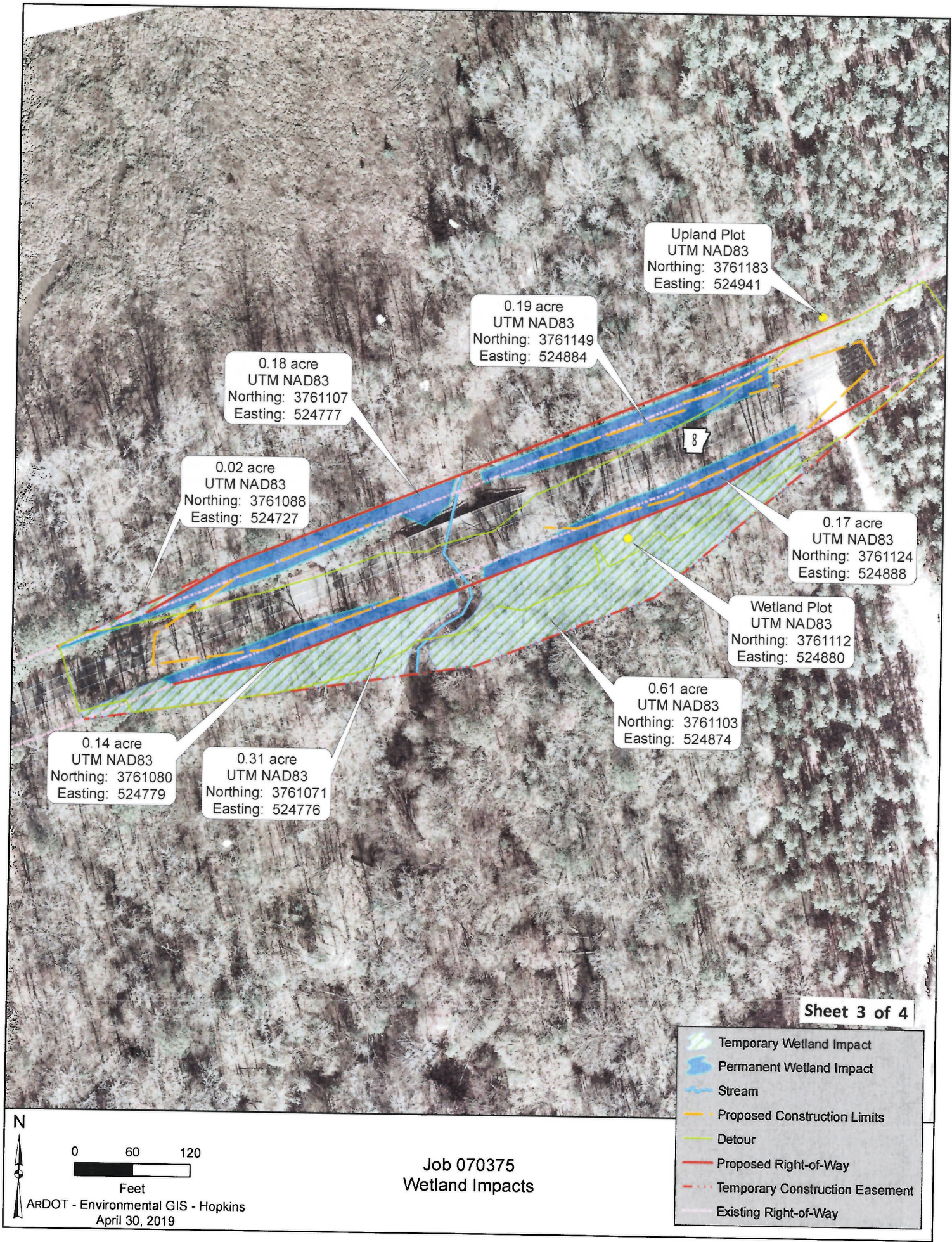
Project Location
 Latitude: 33.9903
 Longitude: -92.7312



N
 Scale - 1:24,000
 ARDOT - Environmental GIS - Hopkins
 September 18, 2017

Job 070375.
 Alsobrook Slough
 Str. & Apprs. (Hwy. 8).
 Dallas County.

Sheet 2 of 4
 Project Location
 USGS Topographic Map
 Princeton West 1985



0.18 acre
UTM NAD83
Northing: 3761107
Easting: 524777

0.19 acre
UTM NAD83
Northing: 3761149
Easting: 524884

Upland Plot
UTM NAD83
Northing: 3761183
Easting: 524941

0.02 acre
UTM NAD83
Northing: 3761088
Easting: 524727

0.17 acre
UTM NAD83
Northing: 3761124
Easting: 524888

Wetland Plot
UTM NAD83
Northing: 3761112
Easting: 524880

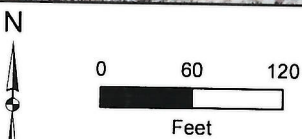
0.61 acre
UTM NAD83
Northing: 3761103
Easting: 524874

0.14 acre
UTM NAD83
Northing: 3761080
Easting: 524779

0.31 acre
UTM NAD83
Northing: 3761071
Easting: 524776

Sheet 3 of 4

- Temporary Wetland Impact
- Permanent Wetland Impact
- Stream
- Proposed Construction Limits
- Detour
- Proposed Right-of-Way
- Temporary Construction Easement
- Existing Right-of-Way



Job 070375
Wetland Impacts

ADVERSE IMPACT FACTORS FOR WETLANDS AND OTHER WATERS OF THE U.S. EXCLUDING STREAMS

FACTORS	OPTIONS					
Lost Type	Type C 0.2		Type B 2.0		Type A 3.0	
Priority Category	Tertiary 0.5		Secondary 1.5		Primary 2.0	
Existing Condition	Very Impaired 0.1	Impaired 1.0		Slightly Impaired 2.0		Fully Functional 2.5
Duration	Seasonal 0.1	0 to 1 0.2	1 to 3 0.5	3 to 5 1.0	5 to 10 1.5	Over 10 2.0
Dominant Impact	Shade 0.2	Clear 1.0	Dredge 1.5	Drain 2.0	Impound 2.5	Fill 3.0
Cumulative Impact	0.05 x $\sum AA_i$					
Location	On Site 0.0			Off Site 3.0		

REQUIRED MITIGATION CREDITS WORKSHEET

Factor	Perm	Temp		Area 4	Area 5	Area 6
Lost Type	3.0	3.0				
Priority Category	0.5	0.5				
Existing Condition	2.0	2.0				
Duration	2.0	0.2				
Dominant Impact	3.0	3.0				
Cumulative Impact	0.1	0.1				
Location	0.0	0.0				
Sum of r Factors	R ₁ =10.6	R ₂ =8.8	R ₃ =	R ₄ =	R ₅ =	R ₆ =
Impacted Area	AA ₁ =0.68	AA ₂ =0.94	AA ₃ =0.0	AA ₄ =	AA ₅ =	AA ₆ =
R x AA=	7.2	8.3	0			

Total Required Credits = $\sum (R \times AA) = \underline{\underline{15.5}}$



MAR 16 2017

Colonel Robert G. Dixon
District Commander
U.S. Army Corps of Engineers
P.O. Box 867
Little Rock, Arkansas 72203-0867

RE: Public Notice: Re-issuance of Nationwide Permits

Dear Colonel Dixon:

The Arkansas Department of Environmental Quality (ADEQ) has completed its review of the above referenced public notice for re-issuance of the U.S. Army Corps of Engineers Nationwide Permits (NWPs) for the State of Arkansas.

ADEQ has determined that there is a reasonable assurance that the activities covered under most these NWPs will be conducted in a manner which, according to the Arkansas Pollution Control and Ecology Commission's Regulation No.2, will not physically alter a significant segment of the waterbody and will not violate the water quality criteria.

Therefore, pursuant to §401(a)(1) of the Clean Water Act, the ADEQ hereby issues water quality certification for all NWPs with the exception of NWPs 14, 29, and 43, contingent upon the following conditions:

- 1) An individual water quality certification request must be submitted to ADEQ for Activities which may impact Extraordinary Resource Waters, Ecologically Sensitive Waterbodies, and Natural Scenic Waterways and their tributaries (within 1 mile) as defined in Regulation No. 2, Water Quality Standards.
- 2) The applicant shall contact ADEQ to determine if a Short Term Activity Authorization (STAA) is needed when performing work in the wetted area of any waterbody. More information can be obtained by contacting the Water Division Planning Section of ADEQ at 501-682-0946.
- 3) The applicant shall implement all practicable best management practices (BMPs) to avoid excessive impacts of sedimentation and turbidity to the surface waters.
- 4) The applicant will take all reasonable measures to prevent the spillage or leakage of any chemicals, oil, grease, gasoline, diesel, or other fuels. In the unlikely event such spillage or leakage occurs, the applicant must contact ADEQ immediately.
- 5) The applicant shall limit construction to low flow periods as much as possible to minimize adverse effects on water quality and aquatic life.

- 6) If a construction site will disturb equal to or greater than one (1) acre and less than five (5) acres, the applicant shall comply with the requirements in Reg.6.203 for Stormwater discharge associated with a small construction site, as defined in APC&EC Regulation No. 6. If the construction site will disturb five (5) acres or more, the applicant shall comply with the terms of the Stormwater Construction General Permit Number ARR 150000 prior to the start of construction. BMPs must be implemented regardless of the size. More information can be obtained by contacting the NPDES Stormwater Section of ADEQ at (501) 682-0621.

For NWP 14, 29, and 43, where a Pre-Construction Notification (PCN) is required, in addition to conditions 1-6 listed above, an individual water quality certification request must be submitted to ADEQ in cases and the activity occurs in:

- a. Waterbodies on the most currently approved 303(d) list for turbidity/siltation, including tributaries of the listed stream (within 1 mile) and waters upstream of the listed segment (within 1 mile).
- b. Waterbodies with an approved Total Maximum Daily Load (TMDL) for turbidity/siltation, including their tributaries (within 1 mile) and waters upstream of the listed segment (within 1 mile).

If you have additional questions regarding this certification, please contact Ms. Lazendra Hairston at (501) 682-0946.

Sincerely,



Caleb Osborne
Associate Director, Office of Water Quality

cc: Elaine Edwards, Chief Regulatory Division USACE
Jim Ellis, Project Manager USACE
Wanda Boyd, U.S. EPA,

PERMITTEE COMPLIANCE CERTIFICATION

PERMIT NO.: MVK 2019-00779, Alsobrook Slough Structure and Approaches on State Highway 8 near Sparkman (ArDOT Project No. 070375)

NWP/S NO.: 23

PERMITTEE NAME: ArDOT

DATE OF ISSUANCE: _____

PROJECT MANAGER: Johnny McLean

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

**US Army Corps of Engineers, Little Rock
ATTENTION: CESWL-RD
PO Box 867
Little Rock, Arkansas 72203-0867**

Please note that your permitted activity is subject to a compliance inspection by a US Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

DATE WORK COMPLETED: _____

SIGNATURE OF PERMITTEE

DATE