



February 7, 2018

Mr. Angel Correa
Division Administrator
Federal Highway Administration
700 West Capitol, Room 3130
Little Rock, Arkansas 72201-3298

Re: Job Number 090434
FAP Number NHPP-0004(808)
Wolf Creek & Decatur Branch
Strs. & Apprs. (S)
Bridge Numbers 01999 & M1057
Benton County
Tier 3 Categorical Exclusion

Dear Mr. Correa:

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 two structurally deficient bridges on Highway 59 in Benton County. Combined total length of the projects is 0.147 mile. A project location map is enclosed.

The existing roadway consists of two 12-foot wide paved travel lanes with 3-foot paved shoulders. Information about the right of way and the existing structures is provided in Table 1.

Proposed roadway improvements at Section 1 will include two 12-foot wide paved travel lanes with 8-foot wide paved shoulders. Section 2, within the city limits of Decatur, will consist of two 12-foot travel lanes with an 8-foot paved shoulder on the western edge and 1-foot wide curb and gutter shoulders on the

eastern side of the highway. The new box culvert will replace the existing bridge and pedestrian bridge, crossing Decatur Branch, with a larger width box culvert to accommodate pedestrian traffic. Both bridges will be replaced with reinforced concrete box culverts on existing location with detours to the north of both bridges. Information about the proposed box culverts and right of way is provided in Table 2.

Table 1				
Section	Bridge Number	Stream	Sufficiency Rating	Existing Structure
1	01999	Wolf Creek	36.2, SD	62' x 27' concrete slab structure with an existing right of way width of 80'
2	M1057	Decatur Branch	29.2, SD	41' x 25' concrete slab structure with an existing right of way width of 58'

Table 2			
Section	Stream	Proposed Structure	Detour
1	Wolf Creek	A quadruplet 12' x 11' x 99' steel reinforced concrete box requiring 0.84 acre of additional right of way and an additional 2.78 acres for TCE	92' downstream
2	Decatur Branch	A quintuplet 8' x 4' x 86' steel reinforced concrete box requiring 0.55 acre of additional right of way and 0.12 acre for TCE	34.5' upstream

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2019	6,500	9	55 mph / Section 1 35 mph / Section 2
2039	7,900	9	55 mph / Section 1 35 mph / Section 2

There are no relocations, environmental justice issues, hazardous materials, prime farmland, or cultural resources associated with this project. Concurrence from the State Historic Preservation Officer is enclosed.

The U.S. Fish and Wildlife Service Information for Planning and Consultation (IPaC) web section lists the gray bat (*Myotis grisescens*), Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), Ozark big-eared bat (*Corynorhinus townsendii ingens*), Piping Plover (*Charadrius melodus*), and Ozark cavefish (*Amblyopsis rosae*) as potentially occurring at or near the project location. With minimal tree clearing, distance to known records proximity to current right of way, inclusion of standard sediment and erosion measures, and time of day construction activity restrictions, the USFWS concurred with "may affect, but not likely to adversely affect" the Indiana bat and gray bat on December 14, 2017. 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 area does not contain habitat for the Ozark big-eared bat, Piping Plover, or the Ozark cavefish and a 'no effect' determination was made. The official species list and USFWS concurrence letter are enclosed.

Stream impacts include the replacement of both bridges with box culverts and the widening of roadway width. Impacts are estimated to be less than 0.1 acre for each crossing. Construction of the proposed project should be allowed under the terms of a Nationwide Permit 14 for Linear Transportation Projects as defined in Federal Register 82 (4):1860-2008.

Decatur Branch and Wolf Creek are both located within a Zone A Special Flood Hazard Area as designated by the National Flood Insurance Program. 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 construction of the project. None of the encroachments will constitute a significant floodplain encroachment or a significant 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.

If you have any questions, please contact the Environmental Division at (501) 569-2281.

Sincerely,

APPROVED

Environmental Specialist
Federal Highway Administration
Date: 2/7/2018

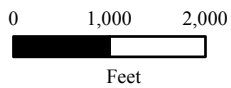
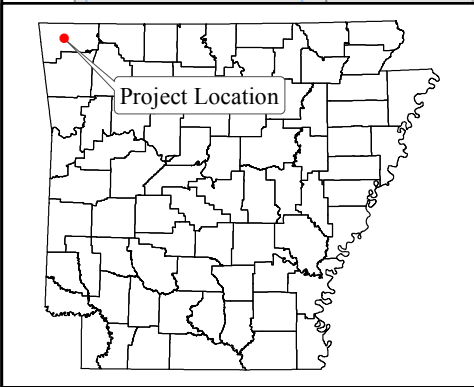
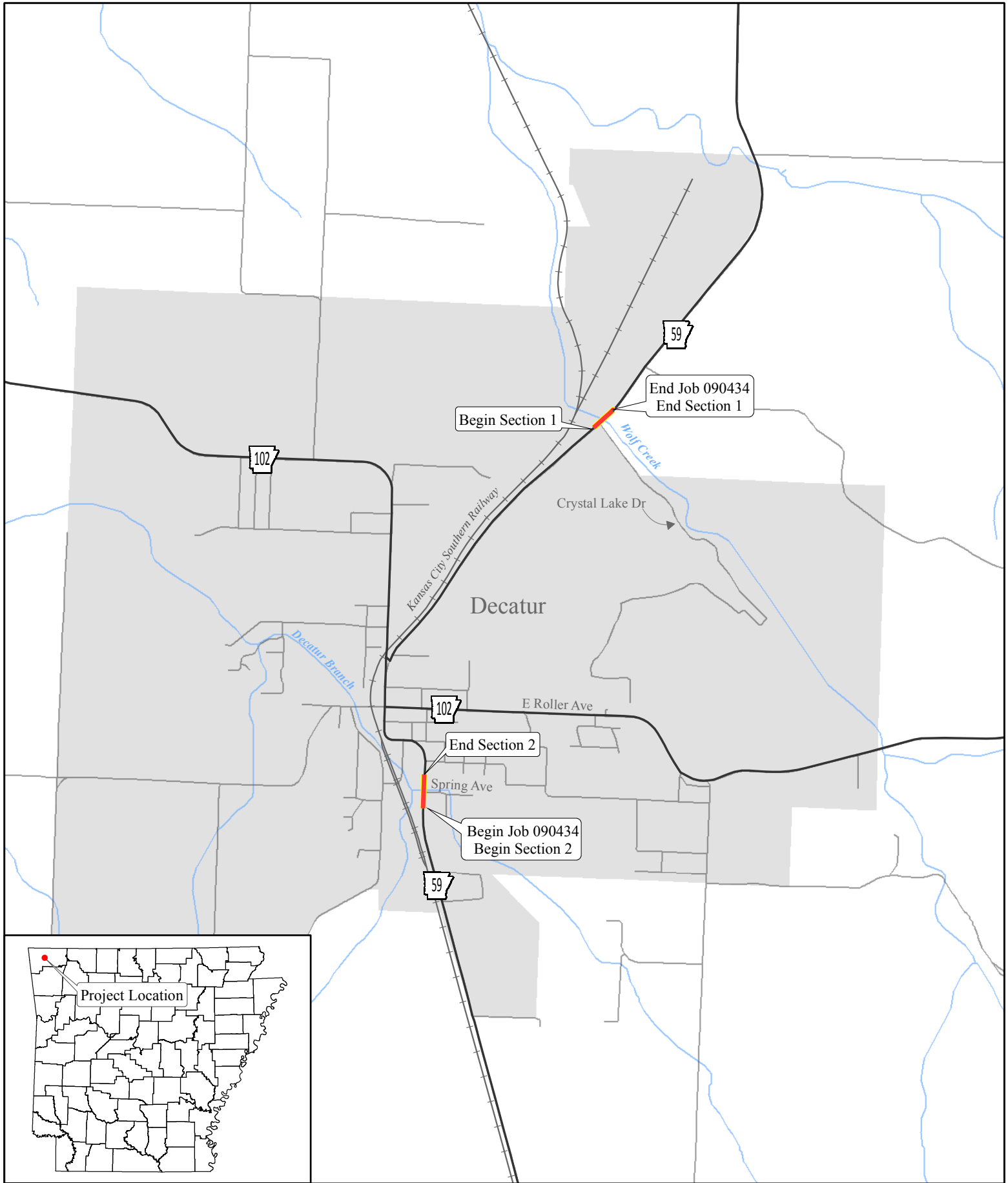


John Fleming
Division Head
Environmental Division

Enclosures

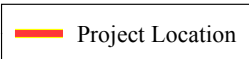
JF:TT:fc

c: Program Management
Right of Way
Roadway Design
District 9
Master File



ARDOT - Environmental GIS - Hopkins
January 29, 2018

Job 090434
Wolf Creek and Decatur Branch
Strs. & Apprs. (Hwy. 59)
Benton County





ARKANSAS DEPARTMENT OF TRANSPORTATION

AR DOT.gov | I Drive Arkansas.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

98868.21

FHW

August 16, 2017

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

AHPP

AUG 16 2017

RECEIVED
AHTD

AUG 21 2017

ENVIRONMENTAL
DIVISION

RE: ARDOT Job Number 090434
Wolf Creek & Spring Branch Strs. &
Apprs. (S)
Benton County

Dear Ms. Hurst:

A Project Identification Form for the referenced project is enclosed. Please review for concurrence with the findings of my staff. If you have any questions or require additional information, please contact Wm. Lane Shields of my staff at 501-569-2077.

Sincerely,

Brenda Price

for John Fleming
Division Head
Environmental Division

Enclosure
PIF

JF:DW:WLS:ym

Date 8/16/2017
No known historic properties will be affected by this undertaking. This effect determination could change should new information come to light.
J. Russell
Arkansas State Historic Preservation Officer

AUG 16 2017



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



December 14, 2017

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

RECEIVED
AHTD
DEC 18 2017
ENVIRONMENTAL
DIVISION

Dear Mr. Fleming,

The U.S. Fish and Wildlife Service (Service) is responding to your request dated December 11, 2017, regarding **ArDot 090434** Wolf Creek & Spring Branch Strs. & Apprs. in Benton County, Arkansas. The project was described and assessed as follows (abbreviated and revised on):

Two bridges on highway 59 crossing Wolf Creek & Spring Branch in Benton County are scheduled to be replaced with box culverts. Both bridges will be replaced on existing location with detour roads for traffic during construction. The Information for Planning and Consultation project planning tool identified Gray Bat (*Myotis grisescens*), Indiana Bat (*Myotis sodalist*), Northern Long-eared Bat (*Myotis septentrionalis*)(NLEB), Ozark Big-eared Bat (*Corynorhinus (=Plecotus) townsendii ingens*), Piping Plover (*Charadrius melodus*), and Ozark Cavefish (*Amblyopsis rosae*) as potentially occurring near the project area.

Due to habitat and proximity to known records, Ozark Big-eared Bat, Piping Plover, and Ozark Cavefish are not being considered for concurrence. Any technical support contradicting this decision that may warrant consideration would be welcome.

Minor clearing of trees to allow for temporary detour road and safe slopes on shoulders will occur at the Wolf Creek portion of the job. The total amount to be cleared is less than 0.25 acres of approximately 4-5 single trees. The closest known records for Indiana Bat are guano and staining on the bridge abutment present at a field inspection during the Summer of 2017 which indicated use by bats. Further inspection by AGFC Biologist Blake Sasse noted no fresh droppings nor sounds of bats.

The Spring Branch crossing will also have a wider overall foot print due to the detour, shoulders, and sidewalk, but will not require tree clearing due to the project location being entirely within the city of Decatur.

With the minimal tree clearing, distance to known records, proximity to current right-of-way, and inclusion of standard sediment and erosion measures, we seek

concurrence that the project "may affect, but not likely to adversely affect" the Gray Bat and Indiana Bat. Further, we do not believe any prohibited take will occur for NLEB following the guidance of the final 4(d) rule (50 CFR §17.40(o)). NLEB (Checklist was attached.).

Due to the limited scope of the action (i.e., occurring mostly in existing roadway/right-of-ways), small amount of disturbance to habitat, previously disturbed roadway environment, minimal adjacent/indirect habitat effects anticipated, distance to known species locations, time of day construction restrictions, the standard BMPs for sediment and erosions control, and cave discovery and off-site restriction special provisions, the Service concurs with the determination of "may affect, not likely to adversely affect" for Gray Bat and Indiana Bat. There is no data indicating the presence of other listed species occurrence in the vicinity of this action or their associated habitat types within the affected area of this action. No further consultation regarding these species is necessary at this time.

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 (*Myotis septentrionalis*); 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:

December 11, 2017

Consultation Code: 04ER1000-2018-SLI-0250

Event Code: 04ER1000-2018-E-00412

Project Name: Wolf Creek & Spring Branch Strs. & Apprs. (S) [Spring Branch Portion]

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-0250

Event Code: 04ER1000-2018-E-00412

Project Name: Wolf Creek & Spring Branch Strs. & Apprs. (S) [Spring Branch Portion]

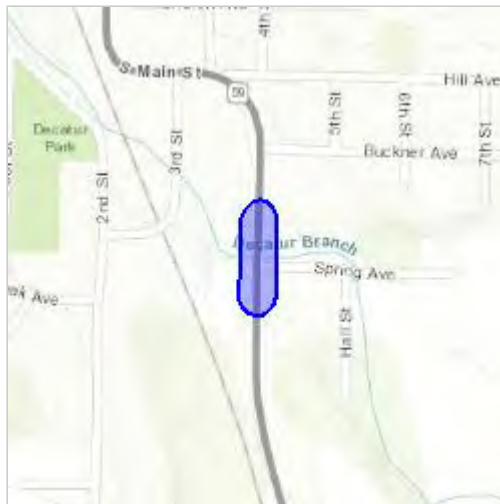
Project Type: TRANSPORTATION

Project Description: Replace Bridge at Spring Branch with a Box Culvert

Project Location:

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/36.33215334620583N94.45849486685003W>



Counties: Benton, 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
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6329	Endangered
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
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
Ozark Big-eared Bat <i>Corynorhinus (=Plecotus) townsendii ingens</i> There is proposed critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/7245	Endangered

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened

Fishes

NAME

STATUS

Ozark Cavefish *Amblyopsis rosae*

Threatened

No critical habitat has been designated for this species.

Species profile: <https://ecos.fws.gov/ecp/species/6490>

Critical habitats

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



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:

December 11, 2017

Consultation Code: 04ER1000-2018-SLI-0249

Event Code: 04ER1000-2018-E-00410

Project Name: Job 090434 Wolf Creek and Spring Branch Strs. & Apprs. (S) [Wolf Creek Portion]

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-0249

Event Code: 04ER1000-2018-E-00410

Project Name: Job 090434 Wolf Creek and Spring Branch Strs. & Apprs. (S) [Wolf Creek Portion]

Project Type: TRANSPORTATION

Project Description: Replace Hwy 59 Bridge at Wolf Creek with a Box Culvert

Project Location:

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/36.34912962931266N94.45053179807773W>



Counties: Benton, 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
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6329	Endangered
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
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
Ozark Big-eared Bat <i>Corynorhinus (=Plecotus) townsendii ingens</i> There is proposed critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/7245	Endangered

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened

Fishes

NAME

STATUS

Ozark Cavefish *Amblyopsis rosae*

Threatened

No critical habitat has been designated for this species.

Species profile: <https://ecos.fws.gov/ecp/species/6490>

Critical habitats

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

AHTD ENVIRONMENTAL IMPACTS ASSESSMENT FORM

AHTD Job Number 090434 **FAP Number** NHPP-0004(808)

Job Title Wolf Creek & Decatur Branch Strs. & Apprs. (S)

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

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

Remarks: _____

Signature of Evaluator  Date January 30, 2018

ROADWAY DESIGN REQUEST

Job Number 090434 FAP No. NHPP-0004 (808) County Benton

Job Name Wolf Creek & Spring Branch Strs. & Apprs. (S)

Design Engineer Primary Design Environmental Staff _____

Brief Project Description Replace Bridge at Wolf Creek with a Box Culvert

A. Existing Conditions:

Roadway Width: 30' Shoulder Type/Width: Paved 3'

Number of Lanes and Width: 2-12' Existing Right-of-Way: 80'

Sidewalks? No Location: _____ Width: _____

Bike Lanes? No Location: _____ Width: _____

B. Proposed Conditions:

Roadway Width: 40' Shoulder Type/Width: Paved 8'

Number of Lanes and Width: 2-12' Proposed Right-of-Way: 225'

Sidewalks? No Location: _____ Width: _____

Bike Lanes? No Location: _____ Width: _____

C. Construction Information:

If detour: Where: 92' Upstream Length: 1500'

D. Design Traffic Data:

2019 ADT: 6500 2039 ADT: 7900 % Trucks: 9

Design Speed: 55 m.p.h.

E. Approximate total length of project: 0.043 mile(s)

F. Justification for proposed improvements: Structurally Deficient Bridge

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

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

Agency/Official	Person Contacted	Date

ROADWAY DESIGN REQUEST

Job Number 090434 FAP No. NHPP-0004 (808) County Benton

Job Name Wolf Creek & Spring Branch Strs. & Apprs. (S)

Design Engineer Primary Design Environmental Staff _____

Brief Project Description Replace Bridge at Decatur Branch with a Box Culvert

A. Existing Conditions:

Roadway Width: 30' Shoulder Type/Width: Paved 3'

Number of Lanes and Width: 2-12' Existing Right-of-Way: 58'

Sidewalks? No Location: _____ Width: _____

Bike Lanes? No Location: _____ Width: _____

B. Proposed Conditions:

Roadway Width: 32' Shoulder Type/Width: C & G on Lt./Paved 8' on Rt.

Number of Lanes and Width: 2-12' Proposed Right-of-Way: 155'

Sidewalks? Yes Location: Lt. Width: 5'

Bike Lanes? No Location: _____ Width: _____

C. Construction Information:

If detour: Where: 34.5' Upstream Length: 559'

D. Design Traffic Data:

2019 ADT: 6500 2039 ADT: 7900 % Trucks: 9

Design Speed: 35 m.p.h.

E. Approximate total length of project: 0.104 mile(s)

F. Justification for proposed improvements: Structurally Deficient Bridge

G. Total Relocates: 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

June 14, 2019

Regulatory Division

NATIONWIDE PERMIT NO. **SWL 2019-00164**

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 upgrading the approaches and replacing the bridges over Wolf Creek and Decatur Branch at Decatur. The existing roadway consists of two 12-foot-wide lanes with 3-foot-wide shoulders. Upgrades include two 12-foot-wide lanes with 8-foot-wide shoulders. The new bridges will be replaced with reinforced concrete box culverts on existing locations and detour roads will be constructed upstream from the existing bridges. The U.S. Fish and Wildlife Service concurred that the project may affect but is not likely to adversely affect the Gray Bat (*Myotis grisescens*) and Indiana Bat (*Myotis sodalis*), and no prohibited take will occur for the Northern Long-eared Bat (*Myotis septentrionalis*), in accordance with the Programmatic Biological Opinion and Final 4(d) Rule. There are no wetlands or cultural resources impacts. The project was approved as a Tier 3 Categorical Exclusion by the Federal Highway Administration on February 7, 2018. The project is located on State Highway 59, within the City of Decatur, in section 11, T. 19 N., R. 33 W., Benton County, Arkansas. A vicinity map and project location map are enclosed.

The proposed activities are authorized by two Department of the Army Nationwide Permits (NWP's) **No. 14** (copy enclosed), provided that the 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.

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. 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 2019-00164, Wolf Creek and Decatur Branch Structures and Approaches on State Highway 59 in Decatur (ArDOT Project No. 090434)**.

Sincerely,

Sarah Chitwood
Chief, Regulatory Evaluation Branch

Enclosures

Copy Furnished:

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

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

Chief, Regulatory Enforcement, w/cy encls.

PERMITTEE COMPLIANCE CERTIFICATION

PERMIT NO.: SWL 2019-00164, Wolf Creek and Decatur Branch Structures and Approaches on State Highway 59 in Decatur (ArDOT Project No. 090434)

NWP/S NO.: 14

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**

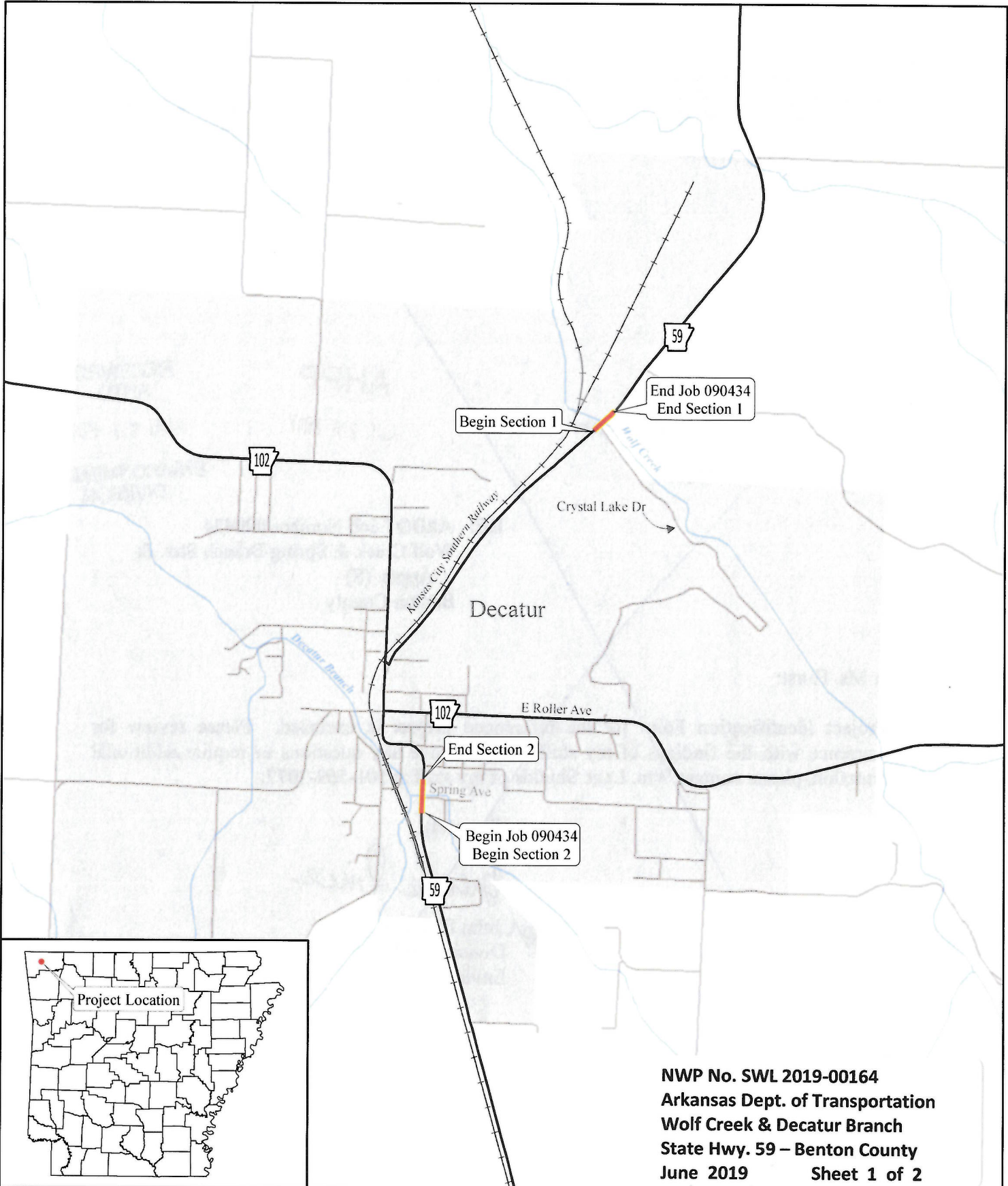
Please note that your permitted activity is subject to a compliance inspection by a US Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

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.

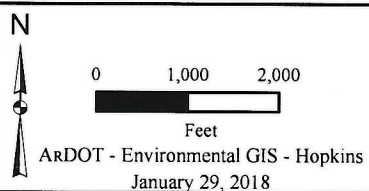
DATE WORK COMPLETED: _____

SIGNATURE OF PERMITTEE

DATE

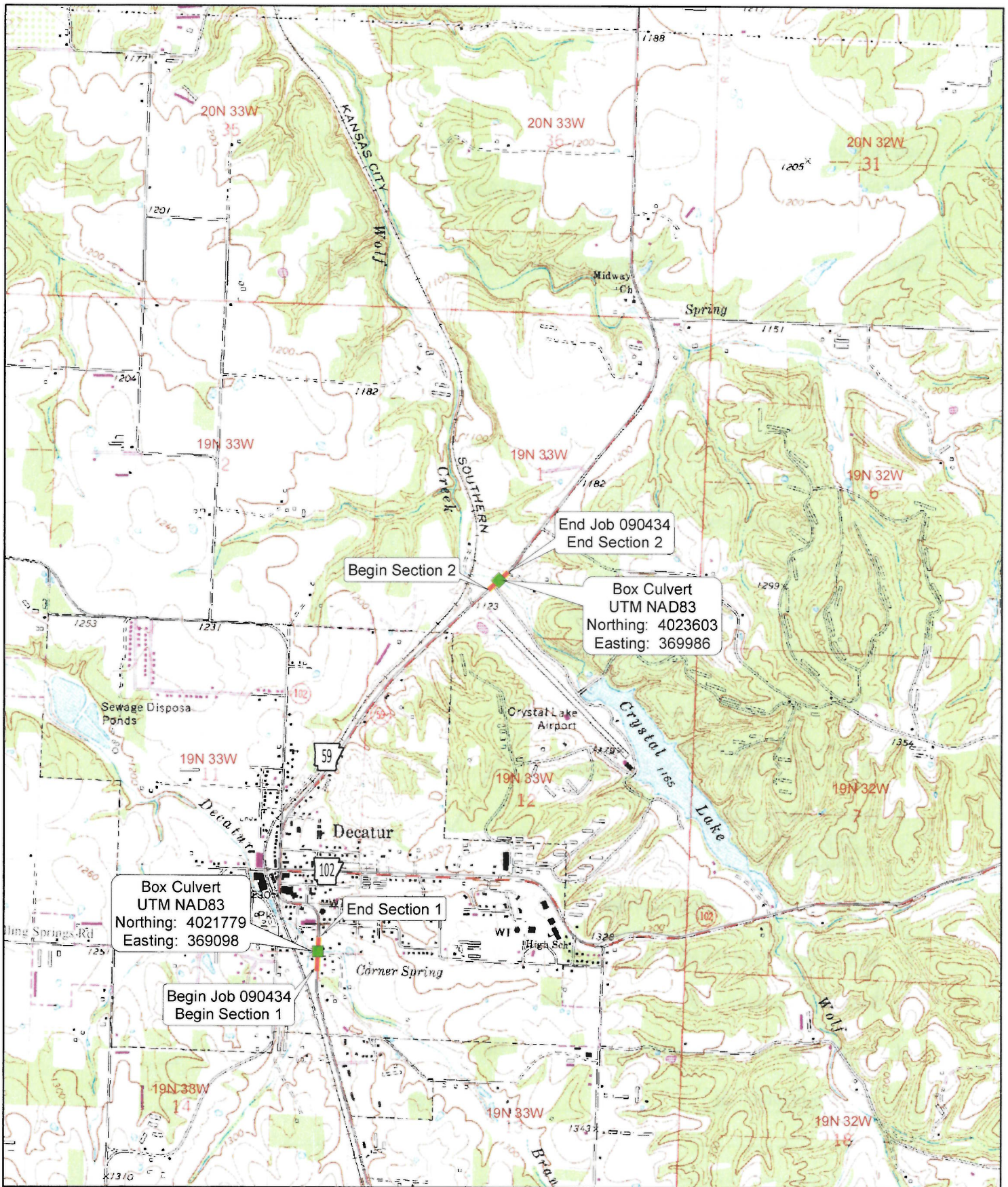


NWP No. SWL 2019-00164
Arkansas Dept. of Transportation
Wolf Creek & Decatur Branch
State Hwy. 59 – Benton County
June 2019 Sheet 1 of 2



Job 090434
Wolf Creek and Decatur Branch
Strs. & Apprs. (Hwy. 59)
Benton County

 **Project Location**



End Job 090434
End Section 2

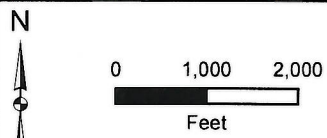
Begin Section 2

Box Culvert
UTM NAD83
Northing: 4023603
Easting: 369986

Box Culvert
UTM NAD83
Northing: 4021779
Easting: 369098

End Section 1

Begin Job 090434
Begin Section 1



ARDOT - Environmental GIS - Hopkins
April 24, 2019

Job 090434
Wolf Creek & Decatur Branch
Strs. & Apprs. (Hwy. 59)
Benton County

Sheet 2 of 2

— Project Location

USGS Topographic Map:
Gentry 1982