



INTEROFFICE MEMORANDUM

July 31 2018

TO: Master Files

FROM: John Fleming, Division Head, Environmental Division 

SUBJECT: Job Number 012307
FAP Number NHPP-1030(3)
De Roche Creek Strs. & Apprs. (S)
Route 30, Section 14 & 21
Bridge Numbers 3853 A&B
Clark & Hot Spring Counties
Tier 2 Categorical Exclusion

The Environmental Division has reviewed the referenced project and it falls within the definition of a Tier 2 Categorical Exclusion under 23 Code of Federal Regulations, Section 771.117, and the ARDOT/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 two bridges over De Roche Creek on Interstate 30 in Clark and Hot Spring Counties. Total length of the project is 0.17 mile. The attached figure illustrates the project location.

Existing Interstate 30 consists of four 12-foot wide travel lanes with 6-foot wide inside shoulders (4-foot paved) and 10-foot wide outside shoulders. The existing bridges (3853 A&B) have 38.4' x 212' steel simple span superstructures supported by concrete intermediate bents on spread footings with end bents on H-pilings. The existing right of way width is 400 feet.

Proposed improvements include two replacement bridges with 40' x 170' concrete decks with steel plate girders. The approaches will consist of four 12-foot wide paved travel lanes with 6-foot wide inside shoulders (4-foot paved) and 10-foot wide outside shoulders. No new right of way will be acquired for this project.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2018	29,000	53	70 mph
2038	35,000	53	70 mph

There are no relocations, endangered species, prime farmland or environmental justice issues associated with this project. No impacts to cultural resources is anticipated; concurrence from the State Historic Preservation Officer was cleared under the original job (070460) and is attached. 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.

The official species list obtained through the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) website lists Piping Plover (*Chardarius melodus*), Arkansas Fatmucket (*Lampsilis powellii*), Ouachita Rock Pocketbook (*Arcidens wheeleri*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*), Spectaclecase (*Margaritifera monodonta*), American burying beetle (*Nicrophorus americanus*), and Missouri bladderpod (*Physaria filiformis*) as species potentially affected by the proposed project. This project will not affect these species due to the limited scope of the action (work within existing right of way), lack of suitable habitat, and distance to known species locations. IPaC also lists northern long-eared bat (*Myotis septentrionalis*) as possibly affected. This project may affect northern long-eared bat, but any incidental take is not prohibited due to the final 4(d) rule.

The project will have a discharge of dredged or fill material into waters of the United States associated with the culverts for the temporary work road, therefore a Section 404 permit will be required. The project should be authorized by Nationwide Permit 14 for Linear Transportation Projects as defined in Federal Register 82(4): 1860-2008.

Clark and Hot Spring Counties participate in the National Flood Insurance Program. The project lies within the Zone A, Special Flood Hazard Area. The final project design will be reviewed to confirm that the design is adequate and that the potential risk to life and property are minimized. 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.

Attachments:

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

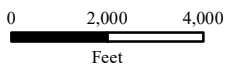
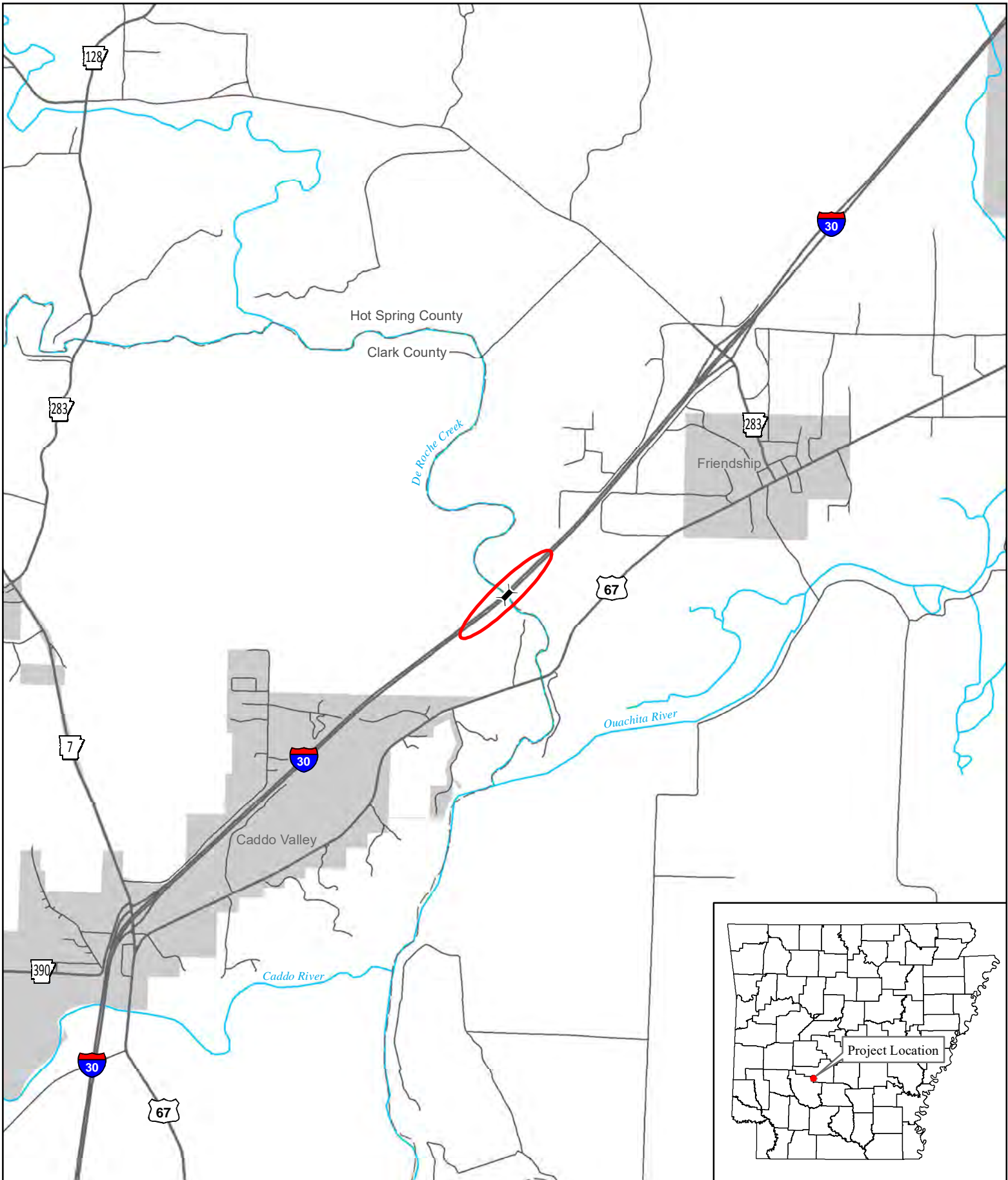
Approved:



Kevin Thornton
Assistant Chief Engineer-Planning

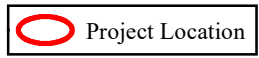
JF:JB:fc

c: Program Management
Right of Way
Roadway Design
Districts 6 & 7
FHWA
Master File



ARDOT - Environmental GIS - Strawn
July 6, 2018

Job 012307
De Roche Creek Strs. & Apprs.
(I-30)
Clark & Hot Spring Counties





THE DEPARTMENT OF ARKANSAS
HERITAGE

Asa Hutchinson
Governor

Stacy Hurst
Director

September 7, 2017

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

RE: Clark and Hot Springs County – General
Section 106 Review – FHWA
Report Titled: *A Cultural Resources Survey of ArDot Job Number 070460
Bayou De Roche Strs. & Apprs. (S) Clark and Hot Springs Counties,
Arkansas*
ArDOT Job Number: 070460
AHPP Tracking Number: 98355.02

Arkansas Arts Council

Arkansas Natural
Heritage Commission

Arkansas State Archives

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars
Cultural Center

Old State House Museum

Dear Mr. Fleming:

The staff of the Arkansas Historic Preservation Program (AHPP) has reviewed the above-referenced Phase I cultural resources report.

Based on the information presented in this report, we concur that site 3HS0493 is not eligible for the National Register of Historic Places (NRHP) and requires no further work. Based on the information in this report and our previous correspondence concurring that the two bridges being replaced are not eligible for the NRHP, the proposed undertaking will have no effect on historic properties.

Thank you for the opportunity to review this undertaking. Please refer to the AHPP Tracking Number listed above in all correspondence. If you have any questions, please call Tim Dodson of my staff at 501-324-9784.

Sincerely,

Stacy Hurst
State Historic Preservation Officer

cc: Mr. Randall Looney, Federal Highway Administration
Mr. Phil Cross, Caddo Nation
Ms. Karen Brunso, the Chickasaw Nation
Dr. Ian Thompson, Choctaw Nation of Oklahoma
Ms. Alina J. Shively, Jena Band of Choctaw Indians
Dr. Andrea Hunter, Osage Nation
Mr. Everett Bandy, Quapaw Tribe of Oklahoma
Ms. Kim Jumper, Shawnee Tribe of Oklahoma
Dr. Ann Early, Arkansas Archeological Survey



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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:

June 19, 2018

Consultation Code: 04ER1000-2018-SLI-0553

Event Code: 04ER1000-2018-E-01732

Project Name: 012307 De Roche Creek Strs. & Apprs. (S)

Subject: Updated 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-0553

Event Code: 04ER1000-2018-E-01732

Project Name: 012307 De Roche Creek Strs. & Apprs. (S)

Project Type: TRANSPORTATION

Project Description: Replacement of the I-30 bridges over De Roche Creek. The new bridges will be build beside the current ones and then slide into place during temporary lane closures. All work to take place with in existing right of way.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.213481236056154N93.0310387288562W>



Counties: Clark, AR | Hot Spring, AR

Endangered Species Act Species

There is a total of 9 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.

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

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

Clams

NAME	STATUS
Arkansas Fatmucket <i>Lampsilis powellii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2213	Threatened
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
Spectaclecase (mussel) <i>Cumberlandia monodonta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7867	Endangered

Insects

NAME	STATUS
American Burying Beetle <i>Nicrophorus americanus</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/66	Endangered

Flowering Plants

NAME	STATUS
Missouri Bladderpod <i>Physaria filiformis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5361	Threatened

Critical habitats

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

ARDOT ENVIRONMENTAL IMPACTS ASSESSMENT FORM

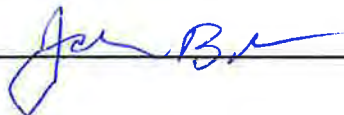
ARDOT Job Number 012307 FAP Number NHPP-1030(3)

Job Title De Roche Creek Strs. & Apprs. (S)

Environmental Impacts	None	Minor	Major	Comments
Air Quality	X			
Construction Impacts		X		Temporary
Cultural Resources	X			
Economic	X			
Endangered Species		X		NA for most, 4(d) rule NLEB
Energy Resources	X			
Environmental Justice/Title VI	X			
Fish and Wildlife		X		
Floodplains	X			
Forest Service Property	X			
Hazardous Materials/Landfills	X			
Land Use Impacts	X			
Migratory Birds		X		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			
Relocatees	X			
Section 4(f)/6(f)	X			
Social	X			
Underground Storage Tanks	X			
Visual Impacts	X			
Stream Impacts		X		Minor during construction
Water Quality		X		Minor during construction
Wetlands	X			
Wildlife Refuges	X			

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

Remarks: _____

Signature of Evaluator  Date 7/30/15

ROADWAY DESIGN REQUEST

Job Number 012307 FAP No. NHPP-1030(3) Counties Clark & Hot Spring

Job Name De Roche Creek Strs. & Apprs. (S)

Design Engineer Consultant Environmental Staff _____

Brief Project Description Bridge replacement of twin bridges on I-30 using the lateral slide method

A. Existing Conditions:

Roadway Width: 2@40' Shoulder 10' Paved outside & Type/Width: 6'4' paved inside

Number of Lanes and Width: 4@12' Existing Right-of-Way: 400'

Sidewalks? No Location: _____ Width: _____

Bike Lanes? No Location: _____ Width: _____

B. Proposed Conditions:

Roadway Width: 2@40' Shoulder 10' Paved outside & Type/Width: 6'4' paved inside

Number of Lanes and Width: 4@12' Proposed Right-of-Way: 400'

Sidewalks? No Location: _____ Width: _____

Bike Lanes? No Location: _____ Width: _____

C. Construction Information:

If detour: Where: N/A Length: _____

D. Design Traffic Data:

2018 ADT: 29000 2038 ADT: 35000 % Trucks: 53
Design Speed: 70 m.p.h.

E. Approximate total length of project: 0.170 mile(s)

F. Justification for proposed improvements: Bridges need to be replaced

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

H. Have you coordinated with any outside agencies (e.g., FHWA, City, County, etc.)? No

Agency/Official	Person Contacted	Date

BRIDGE INFORMATION - PRELIMINARY

Job Number: 012307 FAP Number: NHPP-1030(3) County: Clark & Hot Spring
 Job Name: De Roche Creek Strs. & Apprs. (S)
 Design Engineer: Fred Harper - MBI Environmental Staff: Don Nichols

A. Description of Existing Bridge:

1. Bridge Number: A3853 over De Roche Creek
2. Location: Rte.: I-30 Section: 14 Log Mile: 80.58
3. Length: 212.0 ft Br. Rdwy. Width: 38.4 ft Deck Width (Out-to-Out): 42.2 ft
4. Type Construction: 3@70' steel simple span superstructure, supported on 2-column R/C intermediate bents with spread footings, as well as R/C end bents supported on steel H-piling
5. Deficiencies: Concrete deck has numerous potholes/patches in all spans, some spalled areas with exposed rebar. Steel beam ends at Abutments 1 & 2 have moderate to major section loss in bottom flanges near bearing area. Joints are open and leaking, and multiple rocker bearings are out of proper position.
6. HBRRP Eligibility: Qualif. Code: ND Sufficiency Rating: 82.2
7. Are any Condition Component Ratings at 3 or less? No

B. Proposed Improvements:

1. Length: 170.0 ft Br. Rdwy. Width: 40.0 ft Deck Width (Out-to-Out): 43.0 ft
2. Travel Lanes: 2-12' lanes
3. Shoulder Width: 10' outside shoulder/6' inside shoulder
4. Sidewalks? No Location: N/A Width: N/A ft

C. Construction Information:

1. Location in relation to existing bridge: Proposed bridge to be constructed on existing alignment.
2. Superstructure Type: Concrete deck on steel plate girders
3. Span Lengths: 170' simple span
4. Substructure Type: "Straddle end bents" with drilled shafts positioned outside existing bridge limits to facilitate construction while keeping existing bridge open to traffic.
5. Ordinary High Water Elev. (OHW): 208.0 No. of Bents inside OHW Contours: None
6. Concrete Volume below OHW: N/A yd³ Vol. Bent Excavation: N/A yd³ Vol. Backfill: N/A yd³
7. Is Channel Excavation below OHW Required? No Surface Area: N/A ft² Volume: N/A yd³
8. Is Fill below OHW Req'd.? No Surface Area: N/A ft² Volume: N/A yd³
9. Is Riprap below OHW required? Yes Volume: 169 yd³

D. Work Road Information:

1. Is Work Road(s) required? Yes Location: Located in existing end spans adjacent to intermediate bents-only needed for intermediate bent demolition. Top Width: 25.0 ft
2. Is Fill below OHW required? Yes Surface Area: 3750 ft² Volume: 420 yd³
3. Are Pipes required to meet Backwater Criteria? No Waterway Opening: N/A ft²

E. Detour Information:

1. Is a detour bridge required? No Location in relation to Existing Br.: N/A
2. Length: N/A ft Br. Rdwy. Width: N/A ft Deck Elevation: N/A
3. Volume of Fill below OHW: N/A yd³ Surface Area: N/A ft²

F. Coordination with Outside Agencies (e.g., FHWA, City, County, C of E, USCG):

Has Bridge Division coordinated with any outside agencies? No

Agency	Person Contacted	Date

Date Submitted to Environmental Division: 6/29/18

BRIDGE INFORMATION - PRELIMINARY

Job Number: 012307 FAP Number: NHPP-1030(3) County: Clark & Hot Spring

Job Name: De Roche Creek Strs. & Apprs. (S)

Design Engineer: Fred Harper - MBI Environmental Staff: Don Nichols

A. Description of Existing Bridge:

1. Bridge Number: B3853 over De Roche Creek
2. Location: Rte.: I-30 Section: 14 Log Mile: 80.58
3. Length: 212.0 ft Br. Rdwy. Width: 38.4 ft Deck Width (Out-to-Out): 42.2 ft
4. Type Construction: 3@70' steel simple span superstructure, supported on 2-column R/C intermediate bents with spread footings, as well as R/C end bents supported on steel H-piling
5. Deficiencies: Cracking observed in concrete deck. Expansion joint armor is loosed and "popping" under traffic. Girders in Span 2 are distorted/twisted.
6. HBRRP Eligibility: Qualif. Code: ND Sufficiency Rating: 85.0
7. Are any Condition Component Ratings at 3 or less? No

B. Proposed Improvements:

1. Length: 170.0 ft Br. Rdwy. Width: 40.0 ft Deck Width (Out-to-Out): 43.0 ft
2. Travel Lanes: 2-12' lanes
3. Shoulder Width: 10' outside shoulder/6' inside shoulder
4. Sidewalks? No Location: N/A Width: N/A ft

C. Construction Information:

1. Location in relation to existing bridge: Proposed bridge to be constructed on existing alignment.
2. Superstructure Type: Concrete deck on steel plate girders
3. Span Lengths: 170' simple span
4. Substructure Type: "Straddle end bents" with drilled shafts positioned outside existing bridge limits to facilitate construction while keeping existing bridge open to traffic.
5. Ordinary High Water Elev. (OHW): 208.0 No. of Bents inside OHW Contours: None
6. Concrete Volume below OHW: N/A yd³ Vol. Bent Excavation: N/A yd³ Vol. Backfill: N/A yd³
7. Is Channel Excavation below OHW Required? No Surface Area: N/A ft² Volume: N/A yd³
8. Is Fill below OHW Req'd.? No Surface Area: N/A ft² Volume: N/A yd³
9. Is Riprap below OHW required? Yes Volume: 231 yd³

D. Work Road Information:

1. Is Work Road(s) required? Yes Location: Located in existing end spans adjacent to intermediate bents-only needed for intermediate bent demolition. Top Width: 25.0 ft
2. Is Fill below OHW required? Yes Surface Area: 3750 ft² Volume: 420 yd³
3. Are Pipes required to meet Backwater Criteria? No Waterway Opening: N/A ft²

E. Detour Information:

1. Is a detour bridge required? No Location in relation to Existing Br.: N/A
2. Length: N/A ft Br. Rdwy. Width: N/A ft Deck Elevation: N/A
3. Volume of Fill below OHW: N/A yd³ Surface Area: N/A ft²

F. Coordination with Outside Agencies (e.g., FHWA, City, County, C of E, USCG):

Has Bridge Division coordinated with any outside agencies? No

Agency	Person Contacted	Date



PRIVATE }

REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY

VICKSBURG DISTRICT, CORPS OF ENGINEERS

4155 CLAY STREET

VICKSBURG, MISSISSIPPI 39183-3435

October 24, 2018

Operations Division

SUBJECT: Department of the Army Regulatory Requirements for the ArDOT Job Number 012307 De Roche Creek Bridge Replacement, Located in Section 16, T6S-R19W, Clark and Hot Spring Counties, Arkansas

Mr. John Fleming
Arkansas State Highway
and Transportation Department
Post Office Box 2261
Little Rock, Arkansas 72203-2261

Dear Mr. Fleming:

Based upon the information furnished (enclosure 1), it appears that Department of the Army permit requirements for the proposed work will be authorized by Nationwide Permit No. 14, as specified in the January 6, 2017, *Federal Register*, Issuance and Reissuance of Nationwide Permits; Final Rule; Notice (82 FR 1860-2008), provided the activity complies with the Special Conditions (enclosure 2), the General Conditions (enclosure 3), and the Regional Conditions (enclosure 4). It is your responsibility to read and become familiar with the enclosed conditions in order for you to ensure that the activity authorized herein complies with the Nationwide Permit.

This verification is valid until March 18, 2022, unless the Nationwide Permit is modified, suspended, or revoked. Activities which are under construction, or that are under contract to commence, in reliance upon a Nationwide Permit will remain authorized provided the activity is completed within 12 months of the date of any subsequent modification, expiration, or revocation of the Nationwide Permit. Upon completion of the activity authorized by this Nationwide Permit, please fill out the enclosed certification of compliance (enclosure 5) and return it to our office.

This verification was based upon a preliminary determination that there appear to be jurisdictional areas on the property subject to regulation pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. A copy of the appeals form is enclosed for your review (enclosure 6).

This verification of Department of the Army regulatory requirements does not convey any property rights, either in real estate or material or any exclusive privileges, and does not authorize any injury to property or invasion of rights or local laws or regulations, or obviate the requirement to obtain State or local assent required by law for the activity discussed herein.

Thank you for advising us of your plans. If you change your plans for the proposed work, or if the proposed work does not comply with the conditions of the Nationwide Permit, please contact Mr. Jerry Bourne, telephone (601) 631-5441 or email Gerald.G.Bourne@usace.army.mil. In any future correspondence concerning this project, please refer to Identification No. MVK-2018-730.

Sincerely,

Cori Carraway
Chief, Permit Section
Regulatory Branch

Enclosures



PRIVATE }

REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY

VICKSBURG DISTRICT, CORPS OF ENGINEERS

4155 CLAY STREET

VICKSBURG, MISSISSIPPI 39183-3435

October 24, 2018

Operations Division

SUBJECT: Department of the Army Regulatory Requirements for the ArDOT Job Number 012307 De Roche Creek Bridge Replacement, Located in Section 16, T6S-R19W, Clark and Hot Spring Counties, Arkansas

Mr. John Fleming
Arkansas State Highway
and Transportation Department
Post Office Box 2261
Little Rock, Arkansas 72203-2261

Dear Mr. Fleming:

Based upon the information furnished (enclosure 1), it appears that Department of the Army permit requirements for the proposed work will be authorized by Nationwide Permit No. 14, as specified in the January 6, 2017, *Federal Register*, Issuance and Reissuance of Nationwide Permits; Final Rule; Notice (82 FR 1860-2008), provided the activity complies with the Special Conditions (enclosure 2), the General Conditions (enclosure 3), and the Regional Conditions (enclosure 4). It is your responsibility to read and become familiar with the enclosed conditions in order for you to ensure that the activity authorized herein complies with the Nationwide Permit.

This verification is valid until March 18, 2022, unless the Nationwide Permit is modified, suspended, or revoked. Activities which are under construction, or that are under contract to commence, in reliance upon a Nationwide Permit will remain authorized provided the activity is completed within 12 months of the date of any subsequent modification, expiration, or revocation of the Nationwide Permit. Upon completion of the activity authorized by this Nationwide Permit, please fill out the enclosed certification of compliance (enclosure 5) and return it to our office.

This verification was based upon a preliminary determination that there appear to be jurisdictional areas on the property subject to regulation pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. A copy of the appeals form is enclosed for your review (enclosure 6).

This verification of Department of the Army regulatory requirements does not convey any property rights, either in real estate or material or any exclusive privileges, and does not authorize any injury to property or invasion of rights or local laws or regulations, or obviate the requirement to obtain State or local assent required by law for the activity discussed herein.

Thank you for advising us of your plans. If you change your plans for the proposed work, or if the proposed work does not comply with the conditions of the Nationwide Permit, please contact Mr. Jerry Bourne, telephone (601) 631-5441 or email Gerald.G.Bourne@usace.army.mil. In any future correspondence concerning this project, please refer to Identification No. MVK-2018-730.

Sincerely,

Cori Carraway
Chief, Permit Section
Regulatory Branch

Enclosures