



January 23, 2018

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

Re: Job Number 080506  
FAP Number NHPP-0058(47)  
Bridge Number M0197  
Crooked Branch Str. & Apprs. (S)  
Pope 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 a functionally obsolete bridge on Highway 7 over Crooked Branch in Pope County. Total length of the project is 0.1 mile. A project location map is enclosed.

The existing roadway consists of two 11-foot wide paved travel lanes with 3-foot wide shoulders. Existing right of way width is approximately 80 feet. The existing bridge is a 72' x 27' two-span concrete deck on multiple steel beams. The sufficiency rating is 27.5 with rust and section loss in the steel beams and cracking in the deck.

The proposed roadway will consist of two 12-foot wide paved travel lanes with 8-foot wide shoulders. The proposed right of way width will be approximately 130 feet. Approximately 0.4 acre of additional right of way and 1.3 acre temporary construction easements will be required for this project. The proposed

structure will be a three-span 101' x 43' continuous composite w-beam on concrete bents with spread footings. Traffic will be maintained on a temporary detour constructed approximately 50 feet downstream of the existing structure.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2018	3,800 vpd	8	55 mph
2038	4,400 vpd	8	55 mph

There are no relocations, environmental justice issues, wetlands, hazardous materials, mapped floodplains, underground storage tanks, or cultural resources associated with this project. Approximately 0.4 acre of Prime Farmland will be converted to highway right of way. State Historic Preservation Officer clearance and Form NRCS-CPA-106 are enclosed.

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 proposed project lies with the range of the following federally listed species: the endangered gray bat (*Myotis grisescens*), the threatened northern long-eared bat (*Myotis septentrionalis*), the endangered Indiana bat (*Myotis sodalis*), the endangered Ozark big-eared bat (*Corynorhinus townsendii ingens*), and the threatened Piping Plover (*Charadrius melodus*). A 'no effect' determination was made for the Piping Plover, the gray bat, and the Ozark big-eared bat, and a 'may affect, not likely to adversely affect' determination was made for the northern long-eared bat and Indiana bat. Enclosed are the U.S. Fish and Wildlife Service (USFWS) species list and correspondence.

The Final 4(d) Rule and Programmatic Biological Opinion applies to the project's activities that have the potential to affect northern long-eared bats. The Final 4(d) Rule exempts the incidental take of northern long-eared bats from take prohibitions in the Endangered Species Act. The exemptions apply as long as the activities do not occur within 0.25 mile of a known hibernaculum or within 150 feet of a known occupied maternity roost from June 1 to July 31. No known hibernacula or

Job Number 080506  
Tier 3 Categorical Exclusion  
Page 3 of 3


project can proceed without restrictions. All offsite locations will require coordination with USFWS. Enclosed are the Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form, Bridge/Structure Assessment Form, and Project Submittal Form.

Temporary stream impacts to Crooked Branch from bridge construction, including the detour, are approximately 229 linear feet and 0.1 acre. Construction of the proposed project should be allowed under the terms of a Section 404 Nationwide 14 Permit for Linear Transportation Projects as defined in the Federal Register 82(4):1860-2008.

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

**APPROVED**  
  
Environmental Specialist  
Federal Highway Administration  
Date: 1/25/2018

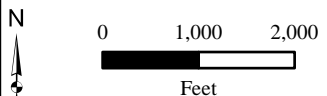
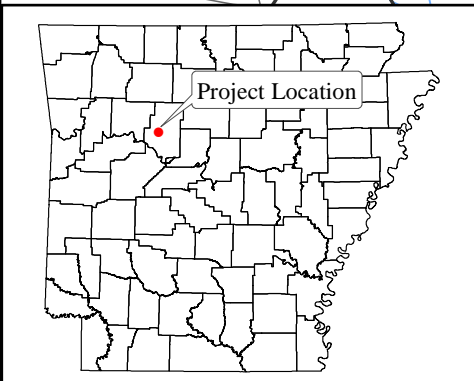
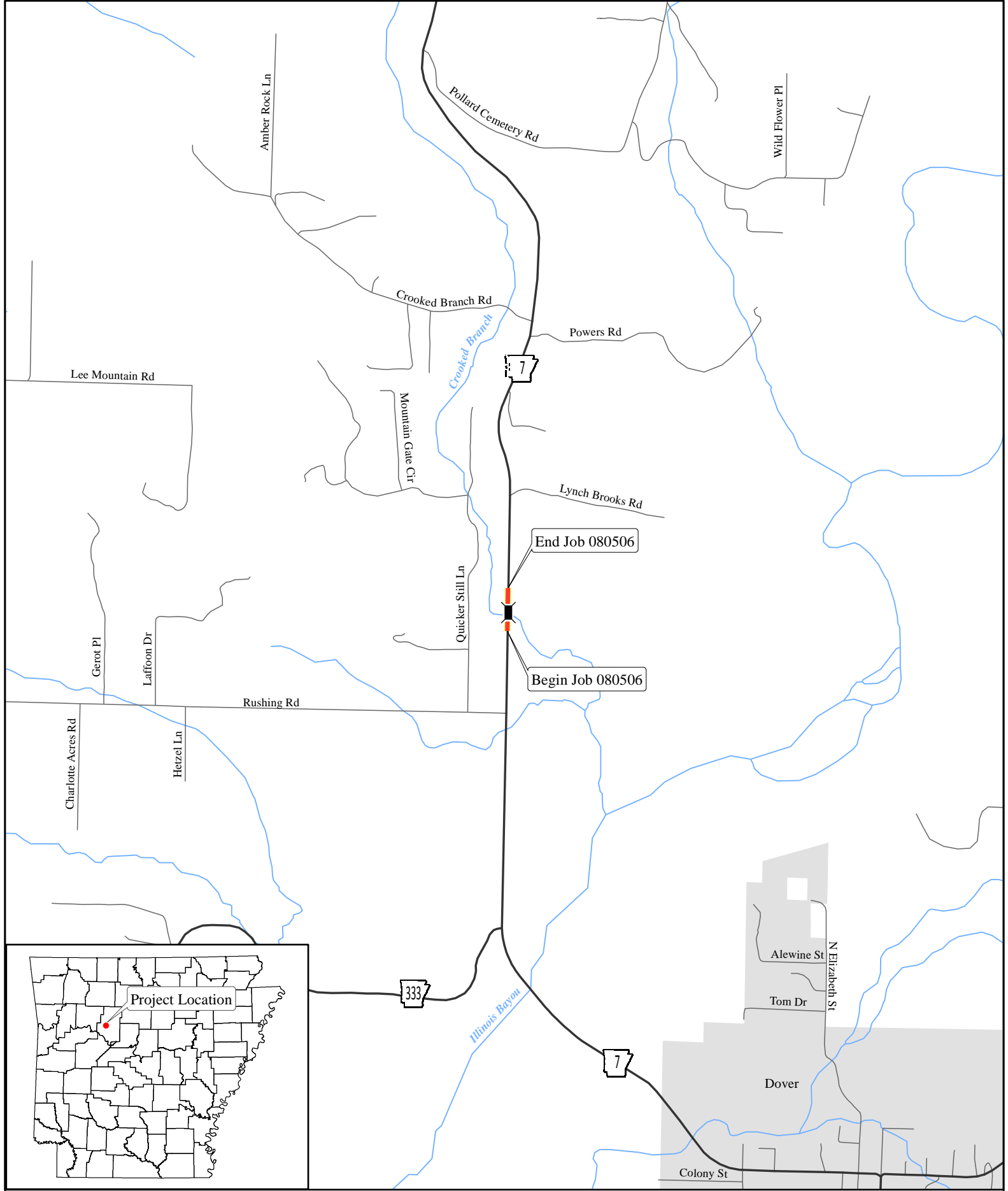
Sincerely,

  
for John Fleming  
Division Head  
Environmental Division

Enclosures

JF:SS:fc

c: Program Management  
Right of Way  
Roadway Design  
District 8  
Master File



Job 080506  
 Crooked Branch Str. & Apprs.  
 (Hwy. 7)  
 Pope County

 Project Location



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

October 25, 2017

9955p  
FHWA

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

AHPP

OCT 26 2017

RECEIVED  
AHTD

NOV 02 2017

ENVIRONMENTAL  
DIVISION

RE: Job Number 080506  
Crooked Branch Str. & Apprs. (S)  
Pope County

Dear Ms. Hurst:

Please find enclosed a Project Identification Form (PIF) for the above referenced project. This project proposes to replace Bridge Number M0197 on Highway 7 in Pope County. If you have any questions or require additional information about the project, please contact Milton Hughes of my staff at 501-569-2080.

Sincerely,

*Brenda Price*

for John Fleming  
Division Head  
Environmental Division

Enclosures  
PIF

JF:DW:MH:ym

Date 10/31/2017  
No known historic properties will be affected by this undertaking. This effect determination could change should new information come to light.

*[Signature]*  
Arkansas State Historic Preservation Officer

**FARMLAND CONVERSION IMPACT RATING  
FOR CORRIDOR TYPE PROJECTS**

<b>PART I (To be completed by Federal Agency)</b> Job 080506		3. Date of Land Evaluation Request 1/2/18	4. Sheet 1 of
1. Name of Project Crooked Branch Str. & Apprs. (S)		5. Federal Agency Involved FHWA	
2. Type of Project Bridge replacement		6. County and State Pope AR.	
<b>PART II (To be completed by NRCS)</b>		1. Date Request Received by NRCS	2. Person Completing Form
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form)		YES NO	4. Acres Irrigated   Average Farm Size
5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: %		7. Amount of Farmland As Defined in FPPA Acres: %
8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS	

PART III (To be completed by Federal Agency)	Alternative Corridor For Segment			
	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly				
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor				

PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide And Local Important Farmland	0.42			
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				

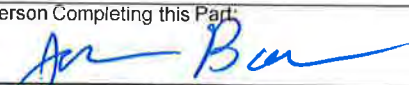
**PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)**

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points				
1. Area in Nonurban Use	15	15			
2. Perimeter in Nonurban Use	10	10			
3. Percent Of Corridor Being Farmed	20	5			
4. Protection Provided By State And Local Government	20	0			
5. Size of Present Farm Unit Compared To Average	10	0			
6. Creation Of Nonfarmable Farmland	25	0			
7. Availability Of Farm Support Services	5	5			
8. On-Farm Investments	20	0			
9. Effects Of Conversion On Farm Support Services	25	0			
10. Compatibility With Existing Agricultural Use	10	0			
<b>TOTAL CORRIDOR ASSESSMENT POINTS</b>	<b>160</b>	<b>35</b>			

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100	100			
Total Corridor Assessment (From Part VI above or a local site assessment)	160	35			
<b>TOTAL POINTS (Total of above 2 lines)</b>	<b>260</b>	<b>135</b>			

1. Corridor Selected: New <input type="checkbox"/> Existing <input checked="" type="checkbox"/>	2. Total Acres of Farmlands to be Converted by Project: 0.39 acres of Farmland of Statewide Importance	3. Date Of Selection:	4. Was A Local Site Assessment Used?  YES <input type="checkbox"/> NO <input type="checkbox"/>
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5. Reason For Selection:

Signature of Person Completing this Part:  DATE: 1/23/18

NOTE: Complete a form for each segment with more than one Alternate Corridor



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 22, 2017

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

Dear Mr. Fleming,

The U. S. Fish and Wildlife Service (Service) has reviewed your assessment and determinations for Arkansas Department of Transportation (ARDOT) Project Number ARDOT Jobs 080506 in Pope County, Arkansas. The project was described and assessed as follows (abbreviated):

The Arkansas Department of Transportation (ArDOT) is proposing to replace the bridge over Crooked Branch on Highway 7 (Job# 080506) in Pope County. The existing 74' x 26' Crooked Branch Bridge is to be replaced on existing location with a 100' x 40' bridge. The current roadway width on the Crooked Branch Bridge is 26 feet, and the proposed bridge roadway width will be 40 feet, with two 12-foot travel lanes and 8-foot shoulders on either side. A detour, to the east of Highway 7, will be utilized for maintenance of traffic during bridge construction. A detour to the east of Highway 7 was designed due to a flooding concern of an insurable house on the west side of Highway 7. Our Hydraulics Section determined that a detour would only be allowable downstream of the existing bridge as to not cause an increase in the surface water elevation, which could cause backwater flooding during construction and potentially affect the house. This flooding concern is also why there is more ROW being taken than usual, on the west side of Highway 7. ArDOT roadway engineers have designed a 10-foot flat bottomed ditch to run from the north bridge end, going north, to the end of the job. The landowner has cleared most of trees on the west side of Highway 7 in the past three months; therefore, the installment of this 10-foot ditch will require approximately 0.3 acres of riparian forest to be cleared. The detour, on the east side, will remove approximately 0.7 acres of riparian scrub-shrub and some mature trees along Crooked Branch.

A review of IPaC lists the following federally listed species in the project area: the endangered Gray Bat (*Myotis grisescens*), the threatened Northern Long-eared Bat (*Myotis septentrionalis*), the endangered Indiana Bat (*Myotis sodalis*), the endangered Ozark Big-eared Bat (*Corynorhinus townsendii ingens*), and the threatened Piping Plover (*Charadrius melodus*).

Due to the lack of habitat for the Piping Plover, it is our determination that this project will have 'no effect' on this species.

Due to the lack of known occurrence records for the Gray Bat and the Ozark Big-eared Bat, the winter clearing restriction, and the limited clearing associated with the project, it is our determination that this project will have 'no effect' on these species.

The Final 4(d) Rule and the accompanying Programmatic Biological Opinion (BO) applies to the project's activities that have the potential to affect Northern Long-eared Bats. The Final 4(d) Rule exempts the incidental take of Northern Long-eared Bats from take prohibitions in the Endangered Species Act. The exemptions apply as long as the activities do not occur within 0.25 mile of a known hibernaculum or within 150 feet of a known occupied maternity roost from June 1 to July 31. No known hibernacula or maternity roosts exist within the project limits; therefore, the project can proceed without restrictions. All offsite locations will require coordination with USFWS. A winter clearing restriction will accompany this job, where tree clearing will only be allowed during the winter months. There are no known Northern Long-eared Bat roost trees or hibernacula near the project area, and Northern Long-eared Bats prefer upland areas for foraging and roosting habitat. Therefore, it is our determination that the project 'may affect, not likely to adversely affect' the Northern Long-eared Bat, the effects are to be insignificant. We request your concurrence on our determination. Please see attached Final 4(d) Rule Form.

In total, approximately 1.0 acre of riparian forest and riparian scrub-shrub habitat will be cleared, 0.3 acre on the west side of Highway 7 for the 10-foot ditch and 0.7 acre on the east side for the detour, in order to replace the bridge over Crooked Branch in Pope County. There are no known Indiana Bat roost trees or hibernacula near the project area; however, suitable foraging habitat and potential roosting habitat does exist. A winter clearing restriction will accompany this job, where tree clearing will only be allowed during the winter months. Therefore, it is our determination that the project 'may affect, not likely to adversely affect' the Indiana Bat, since the effects on the Indiana Bat are to be insignificant. We request your concurrence on our determination.

In total, approximately 1.0 acre of riparian forest and riparian scrub-shrub habitat will be cleared, 0.3 acre on the west side of Highway 7 for the 10-foot ditch and 0.7 acre on the east side for the detour, in order to replace the bridge over Crooked Branch in Pope County. ArDOT will place a winter clearing restriction on the 080506 job, where tree clearing will only be allowed during the winter months. On December 13, 2017, the existing bridge over Crooked Branch was inspected for bat use, and no evidence of bats utilizing the bridge were observed.



Based on the location of this action, the minimal forested and foraging habitat being affected, the distance to known species roosting locations and hibernacula, application of standard sediment and erosion controls, and provisions for winter clearing; the Service agrees with your assessment and concurs with your determinations of 'may affect, not likely to adversely affect' for Indiana Bat. No further consultation for this action regarding this species is necessary at this time.

Furthermore, the Service has reviewed your determination that the proposed action will not result in any prohibited incidental take for Northern Long-eared Bat. This project may affect the Northern Long-eared Bat; however, there are no effects beyond those previously disclosed in the Service's programmatic biological opinion for the final 4(d) rule dated January 5, 2016. Any taking 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.

For further assistance or if you have any questions, please contact Lindsey Lewis at (501) 513-4489 or [lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Melvin L. Tobin', is written over a light blue horizontal line.

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:

November 14, 2017

Consultation Code: 04ER1000-2018-SLI-0146

Event Code: 04ER1000-2018-E-00247

Project Name: 080506 Crooked Branch Str. & Apprs.

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](http://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

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## Project Summary

Consultation Code: 04ER1000-2018-SLI-0146

Event Code: 04ER1000-2018-E-00247

Project Name: 080506 Crooked Branch Str. & Apprs.

Project Type: BRIDGE CONSTRUCTION / MAINTENANCE

Project Description: Bridge replacement on existing location with a detour for maintenance of traffic during construction.

Project Location:

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

<https://www.google.com/maps/place/35.427784284965455N93.1347025877908W>



Counties: Pope, AR

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## Endangered Species Act Species

There is a total of 5 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: <a href="https://ecos.fws.gov/ecp/species/6329">https://ecos.fws.gov/ecp/species/6329</a>	Endangered
Indiana Bat <i>Myotis sodalis</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.  Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species.  Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened
Ozark Big-eared Bat <i>Corynorhinus (=Plecotus) townsendii ingens</i> There is <b>proposed</b> critical habitat for this species. The location of the critical habitat is not available.  Species profile: <a href="https://ecos.fws.gov/ecp/species/7245">https://ecos.fws.gov/ecp/species/7245</a>	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 <b>final</b> critical habitat for this species. Your location is outside the critical habitat.  Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened

### Critical habitats

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

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

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

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

### Information to Determine 4(d) Rule Compliance:

**YES      NO**

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

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

**Agency and Applicant**<sup>3</sup> (Name, Email, Phone No.): Kayti Ewing, anne.ewing@ardot.gov, 501-569-2083

**Project Name:** 080506, Crooked Branch Str. & Apprs.

**Project Location** (include coordinates if known): Pope County, 35° 25' 40.69"N, -93° 08' 4.98"W

**Basic Project Description** (provide narrative below or attach additional information): ArDOT plans to replace the existing Highway 59 bridge over Low Gap Hollow Creek (Bridge# 2815) on existing location. A temporary detour will be required for the maintenance of traffic; the detour will go to the east of the existing bridge and Highway 59. See kmz design file for more detailed information. A winter clearing restriction will be placed on the job.

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

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

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



General Project Information	YES	NO
Does the project occur within 0.25 miles of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project occur within 150 feet of a known maternity roost tree?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project include forest conversion <sup>4</sup> ? (if yes, report acreage below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Estimated total acres of forest conversion	~ 1.0 acre	
If known, estimated acres <sup>5</sup> of forest conversion from April 1 to October 31	0	
If known, estimated acres of forest conversion from June 1 to July 31 <sup>6</sup>	0	
Does the project include timber harvest? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of timber harvest		
If known, estimated acres of timber harvest from April 1 to October 31		
If known, estimated acres of timber harvest from June 1 to July 31		
Does the project include prescribed fire? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of prescribed fire		
If known, estimated acres of prescribed fire from April 1 to October 31		
If known, estimated acres of prescribed fire from June 1 to July 31		
Does the project install new wind turbines? (if yes, report capacity in MW below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated wind capacity (MW)		

Agency Determination:

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

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

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

Signature: 

Date Submitted: 12/14/2017

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

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

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

## APPENDIX D: Bridge/Structure Assessment Form

This form will be completed and submitted to the District Environmental Manager by the Contractor prior to conducting any work below the deck surface either from the underside; from activities above that bore down to the underside; from activities that could impact expansion joints; from deck removal on bridges; or from structure demolition for bridges/structures within 1000 feet of suitable bat habitat.

<b>DOT Project #</b>	<b>Water Body</b>	<b>Date/Time of Inspection</b>	<b>Within 1,000ft of suitable bat habitat (circle one)</b>
080506	Crooked Branch Creek	12/13/2017	<div style="border: 2px solid black; border-radius: 10px; padding: 5px; display: inline-block;">Yes</div> No

<b>Route</b>	<b>County</b>	<b>Federal Structure ID</b>
7	Pope	Bridge# M0197

If the bridge/structure is 1,000 feet or more from suitable bat habitat (e.g., an urban or agricultural area without suitable foraging habitat or corridors linking the bridge to suitable foraging habitat), check box and STOP HERE. No assessment required.

Please submit to the U.S. Fish and Wildlife Service.

Areas Inspected (Check all that apply)

Bridges		Culverts/Other Structures		Summary Info (circle all that apply)			
All vertical crevices sealed at the top and 0.5-1.25" wide & ≥4" deep	✓	Crevices, rough surfaces or imperfections in concrete		Human disturbance or traffic under bridge/in culvert or at the structure	<div style="border: 2px solid black; border-radius: 10px; padding: 5px; display: inline-block;">High</div>	Low	None
All crevices >12" deep & not sealed	✓	Spaces between walls, ceiling joists		Possible corridors for netting	None/poor	<div style="border: 2px solid black; border-radius: 10px; padding: 5px; display: inline-block;">Marginal</div>	Excellent
All guardrails	✓						
All expansion joints	✓						
Spaces between concrete end walls and the bridge deck	✓						

Vertical surfaces on concrete I-beams	✓						
---------------------------------------	---	--	--	--	--	--	--

**Evidence of Bats (Circle all that apply)** Presence of one or more indicators is sufficient evidence that bats may be using the structure.

None

Visual (e.g. survey, thermal, emergent etc.)

- Live \_\_ number seen
- Dead \_\_ number seen

Photo documentation Y/N

Guano

Odor Y/N

Photo documentation Y/N

Staining definitively from bats

Photo documentation Y/N

Audible

<b>Assessment Conducted By:</b> <u>Kayti Ewing</u> <b>Signature(s):</b> <u><i>Kayti Ewing</i></u>
<b>District Environmental Use Only:</b> Date Received by District Environmental Manager: _____

**DOT Bat Assessment Form Instructions**

1. Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges, regardless of whether assessments have been conducted in the past.
2. Any bridge/structure suspected of providing habitat for any species of bat will be removed from work schedules until such time that the DOT has coordinated with the USFWS. Additional studies may be undertaken by the DOT to determine what species may be utilizing each structure identified as supporting bats prior to allowing any work to proceed.
3. Any questions should be directed to the District Environmental Manager.

Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and Federal Transit Administration (FTA)

Range-wide Programmatic Consultation for  
Indiana Bat and Northern Long-eared Bat

**Project Submittal Form**

*Updated December 2016*

If not using the Assisted Determination Key in the U.S. Fish and Wildlife Service (Service) Information for Planning and Conservation (IPaC) System, transportation agencies must provide this submittal form (or a comparable Service approved form) with provide project-level information for use of the range-wide programmatic consultation covering actions that may affect the Indiana bat and/or northern long-eared bat (NLEB). The completed form should be submitted to the appropriate Service Field Office prior to project commencement. For more information, see the Standard Operating Procedure for Site Specific Project(s) Submission in the User's Guide.

By submitting this form, the transportation agency ensures that the proposed project(s) adhere to the criteria and conditions of the range-wide programmatic consultation, as outlined in the biological assessment (BA) and biological opinion (BO). Upon submittal of this form, the appropriate Service Field Office may review the project-specific information provided and request additional information. For projects that may affect, but are not likely to adversely affect (NLAA) the Indiana bat and/or NLEB, if the applying transportation agency is **not** contacted by the Service with any questions or concerns within 14 calendar days of form submittal, it may proceed under the range-wide programmatic consultation and assume concurrence of the NLAA determination made by the Service in the BO. For projects that may affect, and are likely to adversely affect (LAA) the Indiana bat and/or the NLEB, the appropriate Service Field Office will respond (see recommended response letter template) within 30 calendar days of receiving a complete project-level submission, which includes, but may not be limited to this completed form.

Further instructions on completing the submittal form can be found by hovering your cursor over each text box.

---

1. Date:

2. Lead agency:

*This refers to the Federal governmental lead action agency initiating consultation; select FHWA, FRA or FTA as appropriate.*

3. Requesting agency:

*This refers to the transportation agency completing the form (it may or may not be the same as the Lead Agency).*

Name:

Title:

Phone:

Email:

4. Consultation code<sup>1</sup>:

5. Project name(s):

6. Project description:

*Please attach additional documentation or explanatory text if necessary*

7. Project location (county, state):

*If not delineated in IPaC, attach shape files*

8. For species **other than Indiana bat and NLEB** (from IPaC official species list):

No effect – project(s) are inside the range, but no suitable habitat (see additional information attached).

May affect – see additional information provided for those species (see attached or forthcoming).

**Please confirm and identify how the proposed project(s) adhere to the criteria of the BO by completing the following (see User Guide Section 2.0):**

---

<sup>1</sup> Available through IPaC System Official Species List: <https://ecos.fws.gov/ipac/>

## NO EFFECT

### 9. For Indiana bat/NLEB, if applicable, select your no effect determination:

No effect – project(s) are outside the species' range. *submittal form complete*

No effect – project(s) are inside the species range with no suitable **summer** habitat; project(s) must also be greater than 0.5 miles from any hibernaculum unless meeting exceptions listed below. *submittal form complete*

No effect – project(s) do not involve any construction activities (e.g., bridge/**abandoned structure** assessments, property inspections, planning and technical studies, property sales, property easements, and equipment purchases). *submittal form complete*

No effect – project(s) are completely within existing road/rail surface and do not involve percussive or other activities that increase noise above existing traffic/background levels (e.g., road line painting). *submittal form complete*

**No effect - project(s) are outside suitable summer bat habitat and limited to the maintenance of existing facilities (e.g., rest areas, stormwater detention basins) with no new ground disturbance.**

No effect – project(s) includes maintenance, alteration, or **removal** of bridge(s)/structure(s) and indicate(s) no signs of bats from results of a bridge/**abandoned** structure assessment. *submittal form complete*  
*Otherwise, please continue below.*

## MAY AFFECT, NOT LIKELY TO ADVERSELY EFFECT – W/O AMMS

### 10. For Indiana bat/NLEB, if applicable, select your may affect, NLAA determination (without implementation of AMMs):

NLAA – project(s) are inside the species range and within suitable bat habitat, but **negative** bat presence/absence (P/A) surveys; must also be greater than 0.5 miles from any hibernaculum. *submittal form complete*

**NLAA – project(s) are within 300 feet of the existing road/rail surface and in area that contain suitable habitat (but no documented habitat) that do not involve tree removal, but include percussives or other activities that increase noise above existing traffic/background levels (must also be greater than 0.5 miles of a hibernaculum).** *submittal form complete*

NLAA – project(s) are limited to slash pile burning (**must also be greater than 0.5 miles from any hibernaculum**). *submittal form complete*

NLAA – project(s) are limited to wetland or stream protection activities associated

with compensatory wetland mitigation that do not clear suitable habitat (must also be greater than 0.5 miles from any hibernaculum). *submittal form complete*

NLAA – project(s) *anywhere*, including within 0.5 mile of hibernacula, with suitable summer bat habitat present that are limited to the maintenance of existing facilities (e.g., rest areas, stormwater detention basins) with no new ground disturbance or tree removal/trimming. *submittal form complete*

*Otherwise, please continue below.*

#### MAY EFFECT, NOT LIKELY TO ADVERSELY AFFECT – WITH AMMs

11. For Indiana bat/NLEB, if applicable, document your may affect, NLAA determination by completing the following section (**with implementation of AMMs**; use #13 to document AMMs).

Affected Resource/Habitat Type:

a. Trees

Verify that all tree removal occurs greater than 0.5 mile from any hibernaculum

Verify that the project is within 100 feet of existing road/rail surfaces

Verify that no documented Indiana bat and/or NLEB roosts and/or surrounding summer habitat within 0.25 mile of documented roosts will be impacted

Verify that all tree removal will occur outside the active season (i.e., will occur in winter)<sup>2</sup>:

Acres of trees proposed for removal:

b. Bridge/Structure Work Projects

Proposed work:

Timing of work:

Evidence of bat activity on/in bridge/structure? Yes:            No:

Verify that work will be conducted outside the active season, or if during the active season, verify that no roosting bats will be harmed or disturbed in any way

Verify that work will not alter roosting potential in any way

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<sup>2</sup> Coordinate with the local Service Field Office for appropriate dates

Verify that all applicable lighting minimization measures will be implemented

MAY AFFECT, LIKELY TO ADVERSELY AFFECT

12. For Indiana bat/NLEB, if applicable, document your may affect, LAA determination by completing the following section (use #13 to document AMMs).

Affected Resource/Habitat Type:

a. Trees

Verify that all tree removal occurs greater than 0.5 mile from any hibernaculum

Project Location:

0-100 feet from edge of existing road/rail surface

100-300 feet from edge of existing road/rail surface

Verify that no documented Indiana bat roosts or surrounding summer habitat within 0.25 mile of documented roosts will be impacted between May 1 and July 31

Verify that no documented NLEB roosts or surrounding summer habitat within 150 feet of documented roosts will be impacted between June 1 and July 31

Timing of tree removal:

Acres of trees proposed for removal:

b. Bridge/Structure Work Projects

Proposed work:

Timing of work:

Verify no signs of a colony

Verify that work will not alter roosting potential in any way

13. For Indiana bat/NLEB, **if applicable to the action type**, the following AMMs will be implemented<sup>3</sup> unless P/A surveys and/or bridge/**abandoned** structure assessments<sup>4</sup> **have occurred to** document that the species are not likely to be present:

General AMM 1 (required for all projects):

---

<sup>3</sup> See AMMs Fact Sheet (Appendix C) for more information on AMMs

<sup>4</sup> Structure assessment for occupied buildings means a cursory inspection for bat use. For abandoned buildings a more thorough evaluation is required (See User Guide Appendix D for bridge/abandoned structure assessment guidance).



Tree Removal AMM 1  
Tree Removal AMM 2 (required for NLAA)  
Tree Removal AMM 3 (required for all projects)  
Tree Removal AMM 4 (required for NLAA)  
Tree Removal AMM 5 (required for LAA)  
Tree Removal AMM 6 (required for LAA)  
Tree Removal AMM 7 (required for LAA)

Bridge AMM 1  
Bridge AMM 2 (required for all projects during active season)  
Bridge AMM 3 (required for NLAA during active season)  
Bridge AMM 4 (required for NLAA during active season)  
Bridge AMM 5 (required for all projects)

Structure AMMs are required for all Indiana bat projects, required for NLAA NLEB projects.

Structure AMM 1  
Structure AMM 2  
Structure AMM 3  
Structure AMM 4

Lighting AMM 1 (required for all projects during the active season)  
Lighting AMM 2 (required for all projects)

Hibernacula AMM 1 (required for all projects)

14. For Indiana bat, if applicable, compensatory mitigation measures will also be required to offset adverse effects on the species (see Section 2.10 of the BA). Please verify the mechanism in which compensatory mitigation will be implemented and that sufficient information is provided to the Service.

Range-wide In-Lieu Fee Program, The Conservation Fund

State, Regional, Recovery Unit-Specific In-Lieu Fee Program

Name:

Conservation Bank

Name:

Location:

Local Conservation Site(s)

Name:

Location:

Description:

## ARDOT ENVIRONMENTAL IMPACTS ASSESSMENT FORM

ARDOT Job Number 080506 FAP Number NHPP-0058(47)

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

Environmental Impacts	None	Minor	Significant	Comments
Air Quality	X			
Construction Impacts	X			
Cultural Resources	X			
Economic	X			
Endangered Species	X			USFWS concurrence enclosed
Energy Resources	X			
Environmental Justice/Title VI	X			
Fish and Wildlife		X		Minor loss of habitat
Floodplains	X			Floodplains not mapped; no permit required
Forest Service Property	X			
Hazardous Materials/Landfills	X			
Land Use Impacts		X		0.4 acre proposed ROW, 1.3 acre TCE
Migratory Birds		X		Migratory bird SP added
Navigation/Coast Guard	X			
Noise Levels				
Prime Farmland		X		0.4 acre Prime Farmland
Protected Waters		X		Within one mile of Illinois Bayou
Public Recreation Lands	X			
Public Water Supply/WHPA	X			Water Pollution Control SP added
Relocatees	X			
Section 4(f)/6(f)	X			
Social	X			
Underground Storage Tanks	X			
Visual Impacts	X			
Stream Impacts		X		229 linear feet of Crooked Branch impacted
Water Quality		X		Temporary during construction
Wetlands	X			
Wildlife Refuges	X			

Section 401 Water Quality Certification Required? Yes  
 Short-term Activity Authorization Required? Yes  
 Section 404 Permit Required? Yes Type Nationwide Permit #14

Remarks: \_\_\_\_\_

Signature of Evaluator Susan Stafford Date January 11, 2017

**ROADWAY DESIGN REQUEST**Job Number 080506 FAP No. NHPP-0058(47) County PopeJob Name Crooked Branch Str. & Apprs. (S)Design Engineer Primary Environmental Staff \_\_\_\_\_Brief Project Description Replace bridge on existing location

## A. Existing Conditions:

Roadway Width: 22' Shoulder Type/Width: 3'Number of Lanes and Width: 2@11' Existing Right-of-Way: 80'Sidewalks? N/A Location: \_\_\_\_\_ Width: \_\_\_\_\_Bike Lanes? N/A Location: \_\_\_\_\_ Width: \_\_\_\_\_

## B. Proposed Conditions:

Roadway Width: 24' Shoulder Type/Width: 8'Number of Lanes and Width: 2@12' Proposed Right-of-Way: 130'Sidewalks? N/A Location: \_\_\_\_\_ Width: \_\_\_\_\_Bike Lanes? N/A Location: \_\_\_\_\_ Width: \_\_\_\_\_

## C. Construction Information:

If detour: Where: 50' downstream Length: 926.32'

## D. Design Traffic Data:

2018 ADT: 3800 2038 ADT: 4400 % Trucks: 8  
Design Speed: 55 m.p.h.E. Approximate total length of project: 0.095 mile(s)F. Justification for proposed improvements: Replace functionally obsolete bridgeG. Total Relocates: 0 Residences: \_\_\_\_\_ Businesses: \_\_\_\_\_H. Have you coordinated with any outside agencies (e.g., FHWA, City, County, etc.)? N/A

Agency/Official	Person Contacted	Date

**BRIDGE INFORMATION – PRELIMINARY OR FINAL (Choose One)**

Job Number: 080506 FAP Number: NHPP-0058(47) County: Pope  
 Job Name: Crooked Branch Str. & Apprs. (S)  
 Design Engineer: Dallas Stevens Environmental Staff: Susan Staffeld

**A. Description of Existing Bridge:**

1. Bridge Number M0197 over Crooked Branch
2. Location: Rte.: 7 Section: 15 Log Mile: 11.78
3. Length: 72 ft Br. Rdwy. Width: 26.2 ft Deck Width (Out-to-Out): 27.2 ft
4. Type Construction: Concrete deck on multiple steel beams
5. Deficiencies: Rust and section loss in steel beam, cracking in deck
6. HBRRP Eligibility: Qualif. Code: FO Sufficiency Rating: 27.5
7. Are any Condition Component Ratings at 3 or less? No

**B. Proposed Improvements:**

1. Length: 101.0 ft Br. Rdwy. Width: 40.0 ft Deck Width (Out-to-Out): 43.17 ft
2. Travel Lanes: (2) – 12' Lanes
3. Shoulder Width: 8' – Each Side
4. Sidewalks? No Location: \_\_\_\_\_ Width: \_\_\_\_\_ ft

**C. Construction Information:**

1. Location in relation to existing bridge: on same centerline
2. Superstructure Type: 100'-0" Cont. Comp. W-Beam Unit
3. Span Lengths: 31.5'-35'-31.5'
4. Substructure Type: Concrete Bents on spread footing
5. Ordinary High Water Elev. (OHW): 418 No. of Bents inside OHW Contours: 2
6. Concrete Vol. below OHW: 0 yd<sup>3</sup> Vol. Bent Excavation: \_\_\_\_\_ yd<sup>3</sup> Vol. Backfill \_\_\_\_\_ yd<sup>3</sup>
7. Is Channel Excavation below OHW Required? No Surface Area: \_\_\_\_\_ ft<sup>2</sup> Volume: \_\_\_\_\_ yd<sup>3</sup>
8. Is Fill below OHW Req'd.? No Surface Area: \_\_\_\_\_ ft<sup>2</sup> Volume: \_\_\_\_\_ yd<sup>3</sup>
9. Is Riprap below OHW Required? No Volume: \_\_\_\_\_ yd<sup>3</sup>

**D. Work Road Information:**

1. Is Work Road(s) required? No Location: \_\_\_\_\_ Top Width: \_\_\_\_\_ ft
2. Is Fill below OHW required? No Surface Area: \_\_\_\_\_ ft<sup>2</sup> Volume \_\_\_\_\_ yd<sup>3</sup>
3. Are Pipes required to meet Backwater Criteria? \_\_\_\_\_ Waterway Opening: \_\_\_\_\_ ft<sup>2</sup>

**E. Detour Information:**

1. Is a detour bridge required? Yes Location in relation to Existing Br.: 55' Right of CL
2. Length: 100.0 ft Br. Rdwy. Width: 24.0 ft Deck Elevation: 430.1
3. Volume of Fill below OHW: \_\_\_\_\_ yd<sup>3</sup> Surface Area: \_\_\_\_\_ ft<sup>2</sup>

**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



**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 11, 2018

Regulatory Division

**NATIONWIDE PERMIT NO. SWL 2018-00071**

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 request dated January 26, 2018, concerning Department of the Army permit requirements pursuant to Section 404 of the Clean Water Act (33 U.S. Code 1344). You requested authorization for the placement of dredged and fill material in waters of the United States associated with replacing a functionally obsolete bridge, over Crooked Branch, on Highway 7 in Pope County, Arkansas. The existing 72-foot-long by 27-foot-wide bridge will be replaced on existing location with a three-span 101-foot-long by 43-foot-wide continuous composite w-beam superstructure on concrete bents with spread footings. Approximately 855 cubic yards of concrete will be placed below the ordinary high water mark of Crooked Branch for construction of the spread footings. A temporary detour bridge will completely span the creek approximately 50 linear feet downstream from the existing bridge. The project is located in the SW 1/4 of section 16, T. 9 N., R. 20 W., Pope County, Arkansas. A project location map, and drawings are enclosed.

The proposed activity is authorized by Department of the Army Nationwide Permit (NWP) No. **14** (copy enclosed), subject to the following:

a.) You must obtain an individual Section 401 water quality certification (WQC) or a waiver from the state certifying agency. If WQC or a waiver is issued, you must provide a copy to this office, and you must then comply with any WQC conditions. To obtain a state WQC or waiver, you should contact the Water Quality Planning Branch of the Arkansas Department of Environmental Quality by telephone at (501) 682-6263, by email at [instreamactivityinfo@adeq.state.ar.us](mailto:instreamactivityinfo@adeq.state.ar.us) or at the following address:

Arkansas Department of Environmental Quality  
ATTN: Water Quality Planning Branch  
5301 Northshore Drive  
North Little Rock, Arkansas 72118-5317

b.) The proposed activity must meet all conditions of the NWP and the following added **special condition**. 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 facilities, you should submit revised plans to this office for approval before construction of the change begins.

**Special Condition:**

**The clearing of suitable habitat trees and/or snags (typically greater than 3 inches in diameter at breast height that have exfoliating bark, cracks, crevices, and/or hollows) within a 150-foot radius of a known occupied maternity roost tree associated with this project must be conducted outside of the Northern Long-eared Bat (*Myotis septentrionalis*), and Indiana Bat (*Myotis sodalis*) active season, currently between March 15th and November 14th. Should a maternity roost tree be discovered in the project area, you shall stop work immediately and contact the Little Rock District Corps of Engineers Regulatory Division. The Corps of Engineers will initiate the Federal and state coordination necessary for standard Section 7 consultation. You shall make all practical and reasonable efforts to protect the site from further damage.**

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 during and after construction of the proposed project to comply with this permit condition.

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.

The authorization of this work by a NWP does not relieve you of complying with other applicable local, state, and Federal laws, nor does it grant any property rights or exclusive privileges.

Your cooperation in the Regulatory Program is appreciated. If you have any questions about this permit or any of its provisions, please contact me at (501) 340-1372 and refer to Permit No. **SWL 2018-00071, ArDOT – Pope Co. – Bridge Replacement, ArDOT #080506.**

Sincerely,

Gerald Dickson  
Environmental Protection Specialist

Enclosures

cc:

Arkansas Department of Environmental Quality, Water Quality Planning Branch  
US Fish and Wildlife Service, Mr. Lindsey Lewis  
Mr. Johnny McLean, AHTD Program Manager  
Ch, Regulatory Enf

# Nationwide Permit No. 14

**Linear Transportation Projects.** Activities required for crossings of waters of the United States associated with the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge cannot cause the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) The loss of waters of the United States exceeds 1/10-acre; or (2) there is a discharge in a special aquatic site, including wetlands. (See general condition 32.) (Sections 10 and 404)

**Note 1:** For linear transportation projects crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Linear transportation projects must comply with 33 CFR 330.6(d).

**Note 2:** Some discharges for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under section 404(f) of the Clean Water Act (see 33 CFR 323.4).

**Note 3:** For NWP 14 activities that require pre-construction notification, the PCN must include any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings that require Department of the Army authorization but do not require pre-construction notification (see paragraph (b) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, "District Engineer's Decision." The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

## Nationwide Permit General Conditions

**Note:** To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. **Navigation.** (a) No activity may cause more than a minimal adverse effect on navigation.  
(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.  
(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. **Aquatic Life Movements.** No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. **Spawning Areas.** Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. **Migratory Bird Breeding Areas.** Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.



5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Fills. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers. (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status,

unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. The permittee shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: <http://www.rivers.gov/>.

17. Tribal Rights. No NWP activity may cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the effects of the proposed activity has been completed. Direct effects are the immediate effects on listed species and critical habitat caused by the NWP activity. Indirect effects are those effects on listed species and critical habitat that are caused by the NWP activity and are later in time, but still are reasonably certain to occur.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed activity or that utilize the designated critical habitat that might be affected by the proposed activity. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin

work until the Corps has provided notification that the proposed activity will have “no effect” on listed species or critical habitat, or until ESA section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps. As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWP.

(d) Authorization of an activity by an NWP does not authorize the “take” of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with “incidental take” provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word “harm” in the definition of “take” means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(e) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(f) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/> respectively.

19. **Migratory Birds and Bald and Golden Eagles.** The permittee is responsible for ensuring their action complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service to determine applicable measures to reduce impacts to migratory birds or eagles, including whether “incidental take” permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. **Historic Properties.** (a) In cases where the district engineer determines that the activity may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act. If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been

submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect. Where the non-Federal applicant has identified historic properties on which the activity might have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed.

(d) For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal

lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters. Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWP's 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWP's 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWP's only after it is determined that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

(d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation to ensure that the activity results in no more than minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for

the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. Restored riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWP's, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f)).

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)).

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided.

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWP's. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is

provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality. Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

“When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

(Transferee)

\_\_\_\_\_  
(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

- (a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;
- (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and
- (c) The signature of the permittee certifying the completion of the activity and mitigation.

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States. If an NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a “USACE project”), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission is not authorized by NWP until the appropriate Corps office issues the section 408 permission to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification. (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN)

as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or  
(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;  
(2) Location of the proposed activity;  
(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;  
(4) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures. For single and complete linear projects, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and

other waters. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);  
(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-Federal permittees, if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed activity or utilize the designated critical habitat that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-Federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and  
(10) For an activity that requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from the Corps office having jurisdiction over that USACE project.

(c) Form of Pre-Construction Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is an NWP PCN and must include all of the applicable information required in paragraphs (b)(1) through (10) of this general condition. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of stream bed; (iii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iv) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

### **District Engineer's Decision**

In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If a project proponent requests authorization by a specific NWP, the district engineer should issue the NWP verification for that activity if it meets the terms and conditions of that NWP, unless he or she determines, after considering mitigation, that the proposed activity will result in more than minimal individual and cumulative adverse effects on the aquatic environment and other aspects of the public interest and exercises discretionary authority to require an individual permit for the proposed activity. For a linear project, this determination will include an evaluation of the individual crossings of waters of the United States to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings authorized by NWP. If an applicant requests a waiver of the 300 linear foot limit on impacts to streams or of an otherwise applicable limit, as provided for

in NWPs 13, 21, 29, 36, 39, 40, 42, 43, 44, 50, 51, 52, or 54, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in only minimal individual and cumulative adverse environmental effects. For those NWPs that have a waivable 300 linear foot limit for losses of intermittent and ephemeral stream bed and a 1/2-acre limit (i.e., NWPs 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52), the loss of intermittent and ephemeral stream bed, plus any other losses of jurisdictional waters and wetlands, cannot exceed 1/2-acre.

1. When making minimal adverse environmental effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. He or she will also consider the cumulative adverse environmental effects caused by activities authorized by NWP and whether those cumulative adverse environmental effects are no more than minimal. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional or condition assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse environmental effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns.

2. If the proposed activity requires a PCN and will result in a loss of greater than 1/10-acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for NWP activities with smaller impacts, or for impacts to other types of waters (e.g., streams). The district engineer will consider any proposed compensatory mitigation or other mitigation measures the applicant has included in the proposal in determining whether the net adverse environmental effects of the proposed activity are no more than minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are no more than minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure the NWP activity results in no more than minimal adverse environmental effects. If the net adverse environmental effects of the NWP activity (after consideration of the mitigation proposal) are determined by the district engineer to be no more than minimal, the district engineer will provide a timely written response to the applicant. The response will state that the NWP activity can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer.

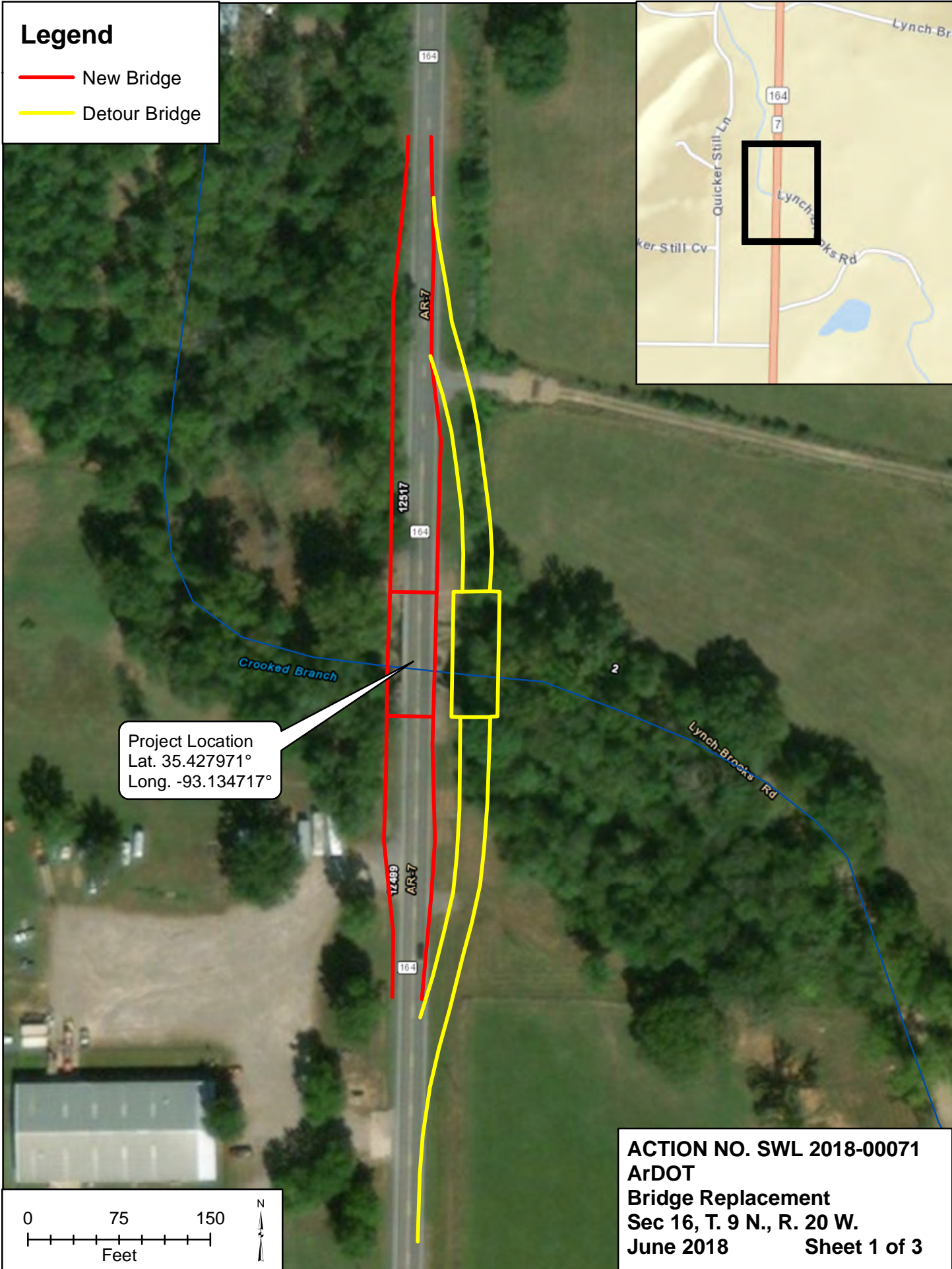
3. If the district engineer determines that the adverse environmental effects of the proposed activity are more than minimal, then the district engineer will notify the applicant either: (a) that the activity does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the activity is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal; or (c) that the activity is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse environmental effects, the activity will be authorized within the 45-day PCN period (unless additional time is required to comply with general conditions 18, 20, and/or 31, or to evaluate PCNs for activities authorized by NWPs 21, 49, and 50), with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation plan or a requirement that the applicant submit a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal. When compensatory mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

#### **Further Information**

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.
2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.
3. NWPs do not grant any property rights or exclusive privileges.
4. NWPs do not authorize any injury to the property or rights of others.
5. NWPs do not authorize interference with any existing or proposed Federal project (see general condition 31)

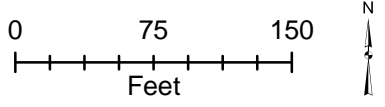
# Legend

- New Bridge
- Detour Bridge



Project Location  
Lat. 35.427971°  
Long. -93.134717°

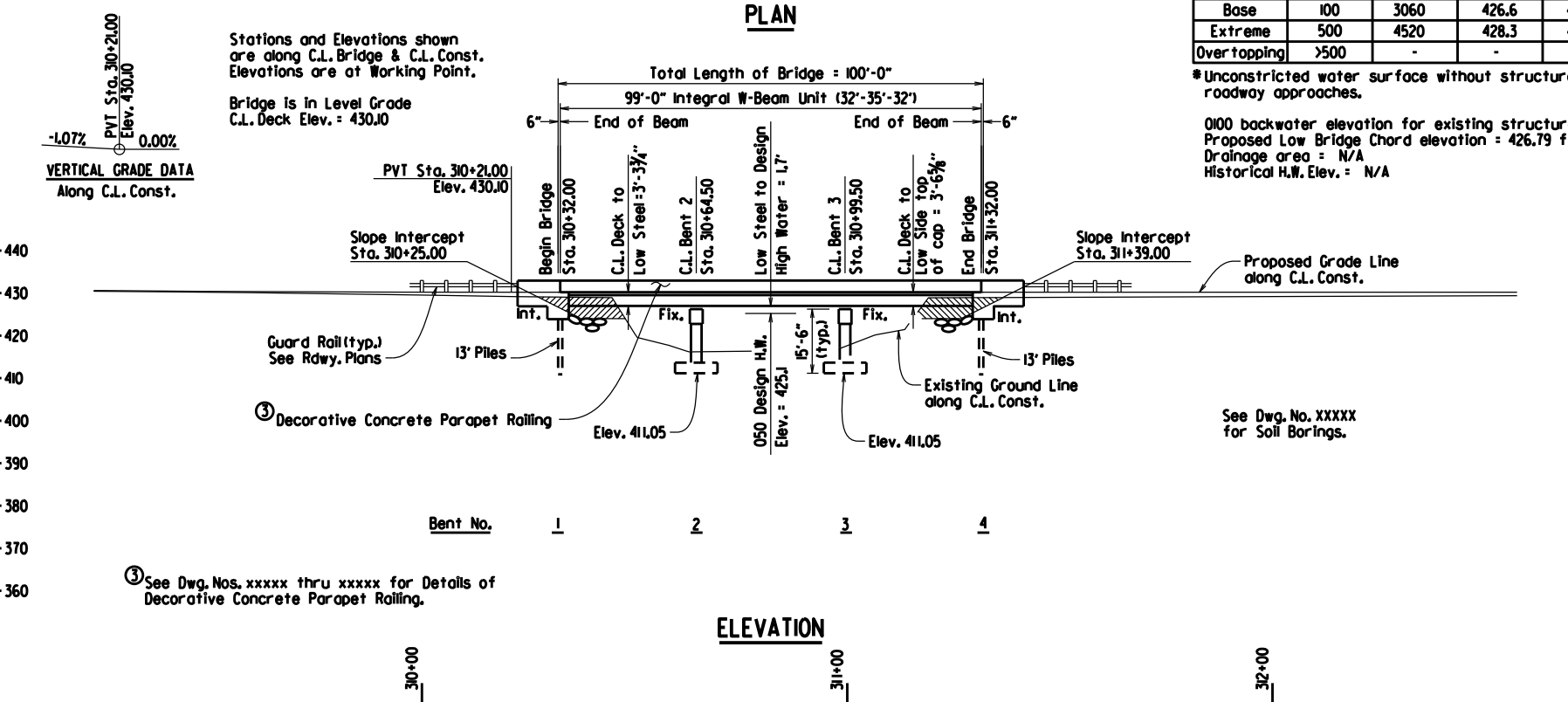
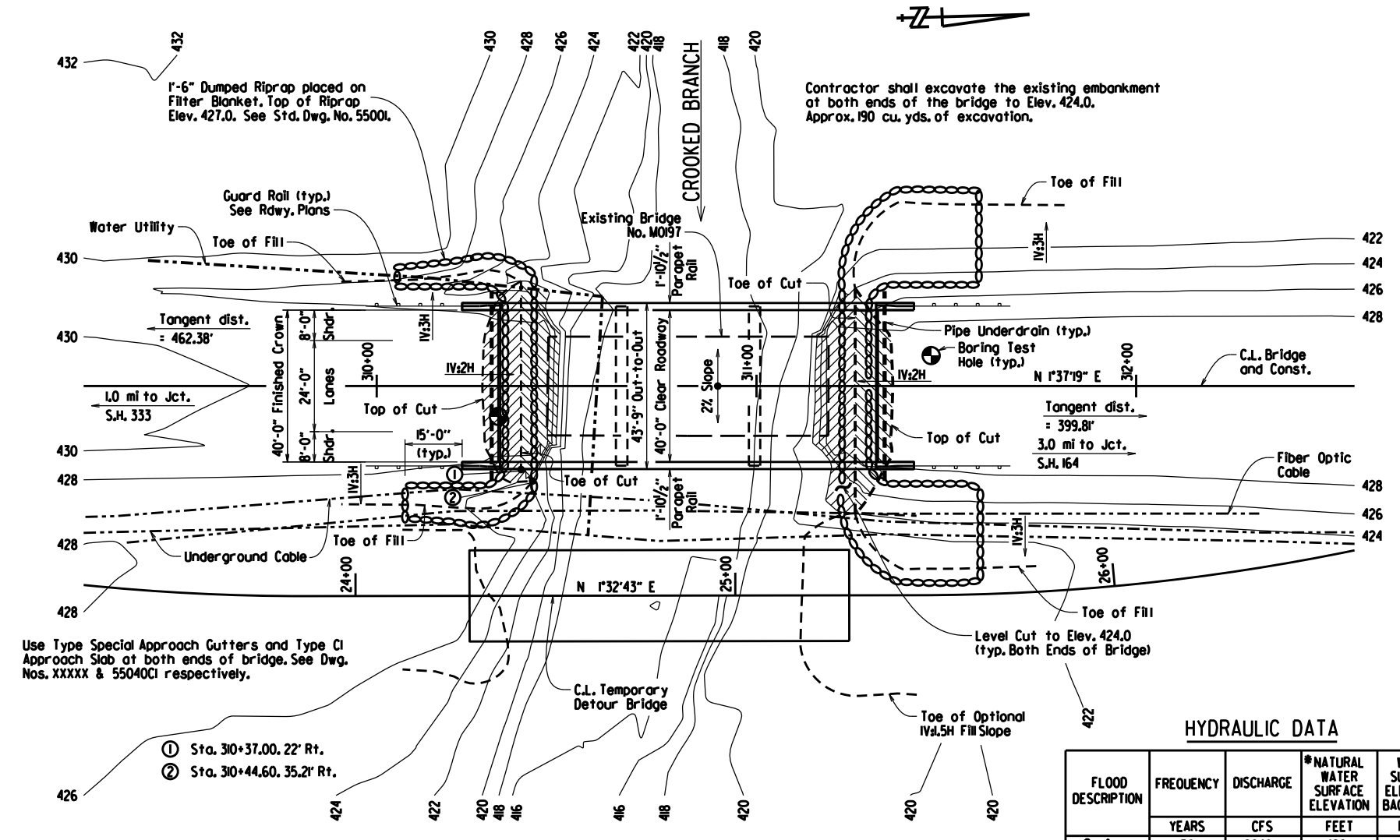
**ACTION NO. SWL 2018-00071**  
**ArDOT**  
**Bridge Replacement**  
**Sec 16, T. 9 N., R. 20 W.**  
**June 2018**      **Sheet 1 of 3**





For R/W data see Rdwy. Plans

DATE REVISED	DATE FILMED	DATE REVISED	DATE FILMED	FED. ROAD DIST. NO.	STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
				6	ARK.	080506		
							JOB NO.	080506
							*****	LAYOUT



### HYDRAULIC DATA

FLOOD DESCRIPTION	FREQUENCY	DISCHARGE	*NATURAL WATER SURFACE ELEVATION	WATER SURFACE ELEV. WITH BACKWATER
	YEARS	CFS	FEET	FEET
Design	50	2640	426.1	425.9
Base	100	3060	426.6	426.5
Extreme	500	4520	428.3	428.2
Overtopping	>500	-	-	-

\* Unrestricted water surface without structure or roadway approaches.

Q100 backwater elevation for existing structure = 426.7 ft.  
Proposed Low Bridge Chord elevation = 426.79 ft.  
Drainage area = N/A  
Historical H.W. Elev. = N/A

**GENERAL NOTES**

BENCH MARK: Vertical Control Data is shown in the Survey Control Data Sheets.

CONSTRUCTION SPECIFICATION: Arkansas State Highway and Transportation Department Standard Specifications for Highway Construction (2014 edition) with applicable Supplemental Specifications and Special Provisions. Unless otherwise noted, Section and Subsection numbers in the plans refer to the Standard Construction Specifications.

DESIGN SPECIFICATIONS: AASHTO LRFD Bridge Design Specifications (Seventh Edition, 2014) with 2015 Interims.

LIVE LOADING: HL-93 SEISMIC ZONE: I SD<sub>1</sub>: 0.072

MATERIALS AND STRENGTHS:  
 Class (S/AE) Concrete (superstructure) f'c = 4,000 psi  
 Class 5 Concrete (substructure) f'c = 3,500 psi  
 Reinforcing Steel (Grade 60, AASHTO M 31 or M 322, Type A) fy = 60,000 psi  
 Structural Steel (AASHTO M 270, Gr. 36) Fy = 36,000 psi  
 Structural Steel (AASHTO M 270, Gr. 50W) Fy = 50,000 psi

BORING LOGS: Boring logs may be obtained from the Construction Contract Procurement Section of the Program Management Division.

PIILING: All piling shall be HP 12x53 (Grade 50) and shall be driven with an approved air, steam, or diesel hammer to a minimum safe bearing capacity of XX tons per pile and into the material designated as shale or sandstone on the boring legend. Minimum penetration shall be 10' below bottom of cap. Piling shall be driven after embankment to bottom of cap is in place. Lengths of piling shown are assumed for estimating quantities and for use in determining payment for cut-off and build-up in accordance with Section 805. Actual lengths to be determined in the field. The Contractor shall use approved steel H-Pile driving points on all piling.

PREBORING: Preboring is required for all piling. Preboring shall be to a minimum of depth of 3' into the material designated as shale or sandstone on the boring legend, or to a depth sufficient to provide the specified minimum pile penetration, whichever is greater. The actual size and depth of preboring shall be determined in the field by the Engineer. The Contractor shall be responsible for keeping prebored holes free of debris prior to backfilling which may require the use of temporary casings or other approved methods. After driving is completed, the prebored hole shall be backfilled with Class 5 Concrete to the top of rock and the remaining length backfilled with sand or pea gravel. Any related cost for backfilling and temporary casing will not be paid for directly, but shall be considered subsidiary to the item "Preboring".

FOOTINGS: Footings shall be set a minimum of 2'-0" into material designated as shale or sandstone on the boring legend and shall have a minimum cover above the top of the footing of 2'-0". Foundations for footings shall be prepared in accordance with Subsection 80L.04. Rock excavations shall be made to neat lines of the concrete footings. Care shall be exercised to avoid shattering of rock faces by excessive blasting. Concrete in footings shall be poured directly against excavated surfaces of rock. Excavations shall be backfilled and compacted to the level of the existing ground in accordance with Subsection 80L.08.

BRIDGE DECK: The concrete bridge deck shall be given a fine finish as specified for final finishing in Subsection 802.19 for Class 5 Tined Bridge Roadway Surface Finish.

PIPE UNDERDRAIN: One pipe underdrain with outlet protectors shall be installed behind each bridge end in accordance with Section 611. Pipe underdrains and outlet protectors will not be paid for directly but shall be considered subsidiary to "Class 5 Concrete-Bridge".

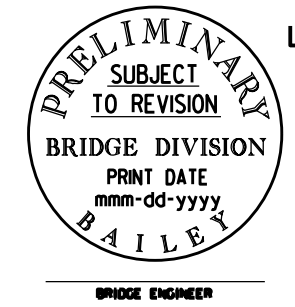
DETAIL DRAWINGS: DRAWING NOS.  
 End Bents  
 Intermediate Bents  
 99' Integral W-Beam Unit

EXISTING BRIDGE: Existing Bridge No. M0197 (Log Mile 11.78) is 74' long and 28.5' wide and is comprised of two concrete deck and steelbeam spans supported by concrete column piers on spread footings. The existing occupies the same location as the proposed new bridge.

REMOVAL AND SALVAGE: After the temporary bridge is open to traffic, existing Bridge No. M0197 shall be removed in accordance with Section 205. All material from the existing bridge shall become the property of the Contractor.

TEMPORARY BRIDGE: Construct a minimum 100' long temporary bridge approximately 55' downstream from centerline construction with a minimum deck elevation of 428.47. See roadway plans for actual detour grade and alignment. The temporary bridge shall have a minimum span length of 31' over the main channel, a minimum clear roadway width of 24', and a minimum live load capacity of H15. See Section 603 and drawing numbers 55054 through 55056 for standard temporary bridge details. Untreated timber piling and untreated pine timber may be used in the construction of the temporary bridge structure.

MAINTENANCE OF TRAFFIC: See Roadway Plans.



SHEET 1 OF 2  
 LAYOUT OF BRIDGE OVER CROOKED BRANCH  
 CROOKED BRANCH STR. & APPRS. (S)  
 POPE COUNTY

ACTION NO. SWL 2018-00071  
 ArDOT  
 Bridge Replacement  
 Sec 16, T. 9 N., R. 20 W.  
 June 2018 Sheet 2 of 3

ARKANSAS  
 DRAWN BY: WAC  
 CHECKED BY:  
 DESIGNED BY:  
 BRIDGE NO. XXXX

PRINT DATE: dateprinted

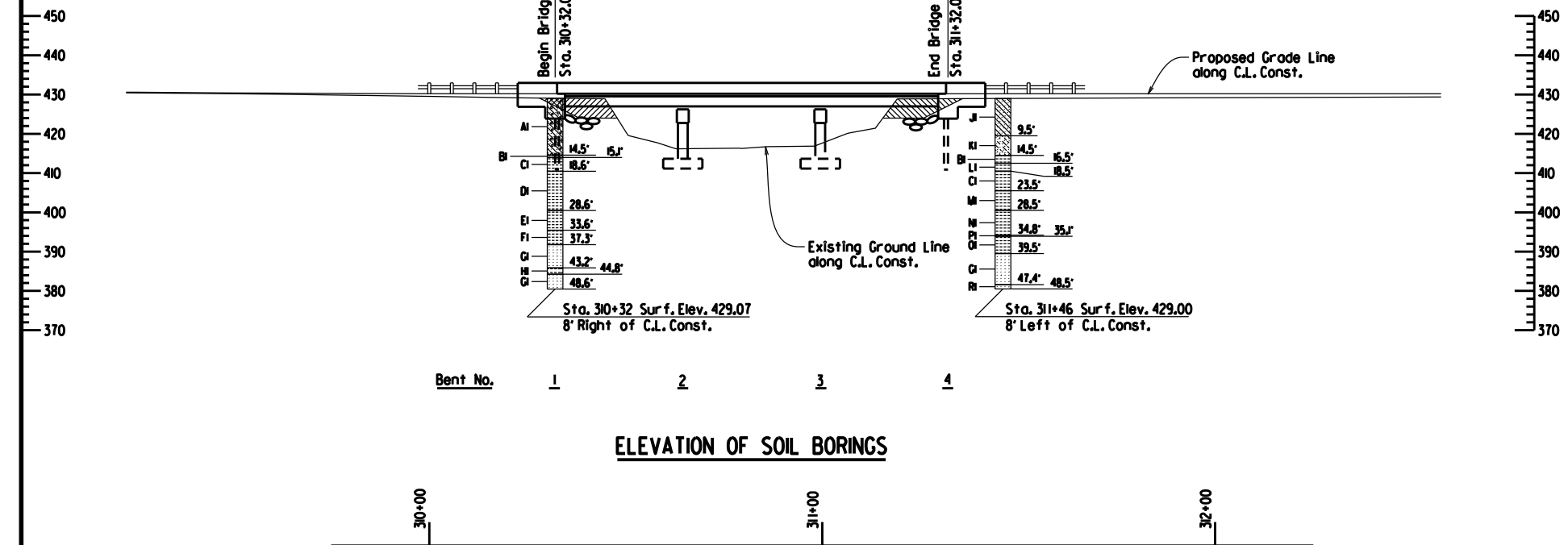
DATE REVISED	DATE FILMED	DATE REVISED	DATE FILMED	FED. ROAD DIST. NO.	STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
				6	ARK.			
				JOB NO.		080506		
				***** - LAYOUT		*****		

**BORING LEGEND**

- AI-Moist, Very Stiff, Brown Sandy Clay with Gravel (Rock Fragments)
- BI-SHALE
- CI-SHALE - Slightly Weathered, Medium Hard, Occasional Coal Seams, Dark Gray
- DI-SHALE - Slightly Weathered, Medium Hard, Dark Gray
- EI-SHALE - Unweathered, Medium Hard, Occasional Coal Seams, Dark Gray
- FI-SHALE WITH OCCASIONAL SANDSTONE SEAMS - Unweathered, Medium Hard, Dark Gray
- GI-SANDSTONE WITH OCCASIONAL SHALE SEAMS AND LAYERS - Unweathered, Well Cemented, Gray
- HI-SHALE WITH FREQUENT SANDSTONE SEAMS AND LAYERS - Unweathered, Medium Hard, Dark Gray
- JI-Moist, Medium Stiff, Brown Sandy Clay with Some Gravel (Rock Fragments)
- KI-Moist, Loose, Brown Clayey Sand with Some Gravel and Cobbles (Rock Fragments)
- LI-SHALE - Slightly Weathered, Medium Hard, Occasional Fractures, Dark Gray
- MI-SHALE - Unweathered, Medium Hard, Occasional Fractures, Dark Gray
- NI-SHALE - Unweathered, Medium Hard, Occasional Fractures, Dark Gray
- PI-COAL (34.8' to 35.1')
- QI-SHALE - Unweathered, Medium Hard, Dark Gray
- RI-SANDSTONE WITH INTERBEDDED SHALE - Unweathered, Well Cemented, Gray

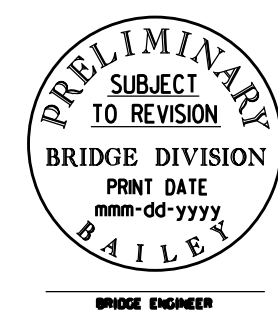
**"N" VALUES**

- Sta. 310+32 - 8' Right of C.L. Const.
- 5.0- 6.0, N=26
- 10.0- 11.0, N=26
- 14.5- 14.5, N=10(0')
- Sta. 311+46 - 8' Left of C.L. Const.
- 5.0- 6.0, N=6
- 10.0- 11.0, N=7
- 14.5- 14.5, N=10(0')



**ELEVATION OF SOIL BORINGS**

PRINT DATE: dateprinted



SHEET 2 OF 2  
 LAYOUT OF BRIDGE OVER CROOKED BRANCH  
 CROOKED BRANCH STR. & APPRS. (S)  
 POPE COUNTY

ARKANSAS ACTION NO. SWL 2018-00071  
 ArDOT  
 Bridge Replacement  
 Sec 16, T. 9 N., R. 20 W.  
 June 2018 Sheet 3 of 3

**PERMITTEE COMPLIANCE CERTIFICATION**

**PERMIT NO.:** SWL 2018-00071 **NWP/S NO.:** 14

**PERMITTEE NAME:** ArDOT

**DATE OF ISSUANCE:** June 11, 2018

**PROJECT MANAGER:** Gerald Dickson

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**