




INTEROFFICE MEMORANDUM

March 1, 2019

TO: Master Files

FROM: John Fleming, Division Head, Environmental Division 

SUBJECT: Job Number 070378
FAP Number NHPP-0014(34)
Spring Branch Str. & Apprs. (S)
Bridge M1719
Route 98, Section 2
Columbia County
Tier 2 Categorical Exclusion

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

The purpose of this project is to replace a weight-restricted bridge over Spring Branch on Highway 98 in Columbia County. Total length of the project is 0.03 mile. A project location map is attached.

The existing bridge (M1719) is a 31' x 25' structure. Highway 98 consists of two 10-foot paved travel lanes with 4-foot unpaved shoulders. The existing right of way width is 80 feet.

The new structure will be a triple 11' x 9' x 66' box culvert on the existing location. A detour will be utilized immediately downstream of the existing bridge during construction. The proposed approaches will consist of two 10' paved travel lanes with 4' (2' paved) wide shoulders. The new right of way width will be

140'. Approximately 0.20 acre of new right of way will be needed to complete the project.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2019	260	10	35 mph
2039	290	10	35 mph

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

Construction of the proposed project will impact Spring Branch and 0.19 acre (0.08 acre permanent and 0.11 acre temporary) of bottomland hardwood wetlands. Compensatory mitigation may be required for unavoidable impacts to wetlands. The project should be covered under the terms of a Section 404 Nationwide 14 Permit for Linear Transportation Projects as defined in Federal Register 82(4):1860-2008.

The official species list obtained through US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation website identifies the Red-cockaded Woodpecker (*Picoides borealis*), Pink Mucket (*Lampsilis abrupta*), and Rabbitsfoot (*Theliderma cylindrica*) as federally listed species having the potential to occur in the project area. A "no effect" determination was made for these species due to a lack of habitat in the project area.

Columbia County participates in the National Flood Insurance Program. The project lies within Zone A Special Flood Hazard Area. The final project design will be reviewed to confirm that the design is adequate and that the potential risk to life and property are minimized. Adjacent properties should not be impacted nor have a greater flood risk than existed before project construction. None of the encroachments will constitute a substantial floodplain encroachment or a risk to property or life.

Based upon the ARDOT's *Policy on Highway Traffic Noise Abatement*, a noise analysis is not required for this project. This project does not involve added capacity, construction of new through lanes or auxiliary lanes, changes in the

horizontal or vertical alignment of the roadway, or exposure of noise sensitive land uses to a new or existing highway noise source.

Attachments:

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

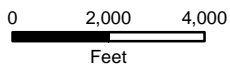
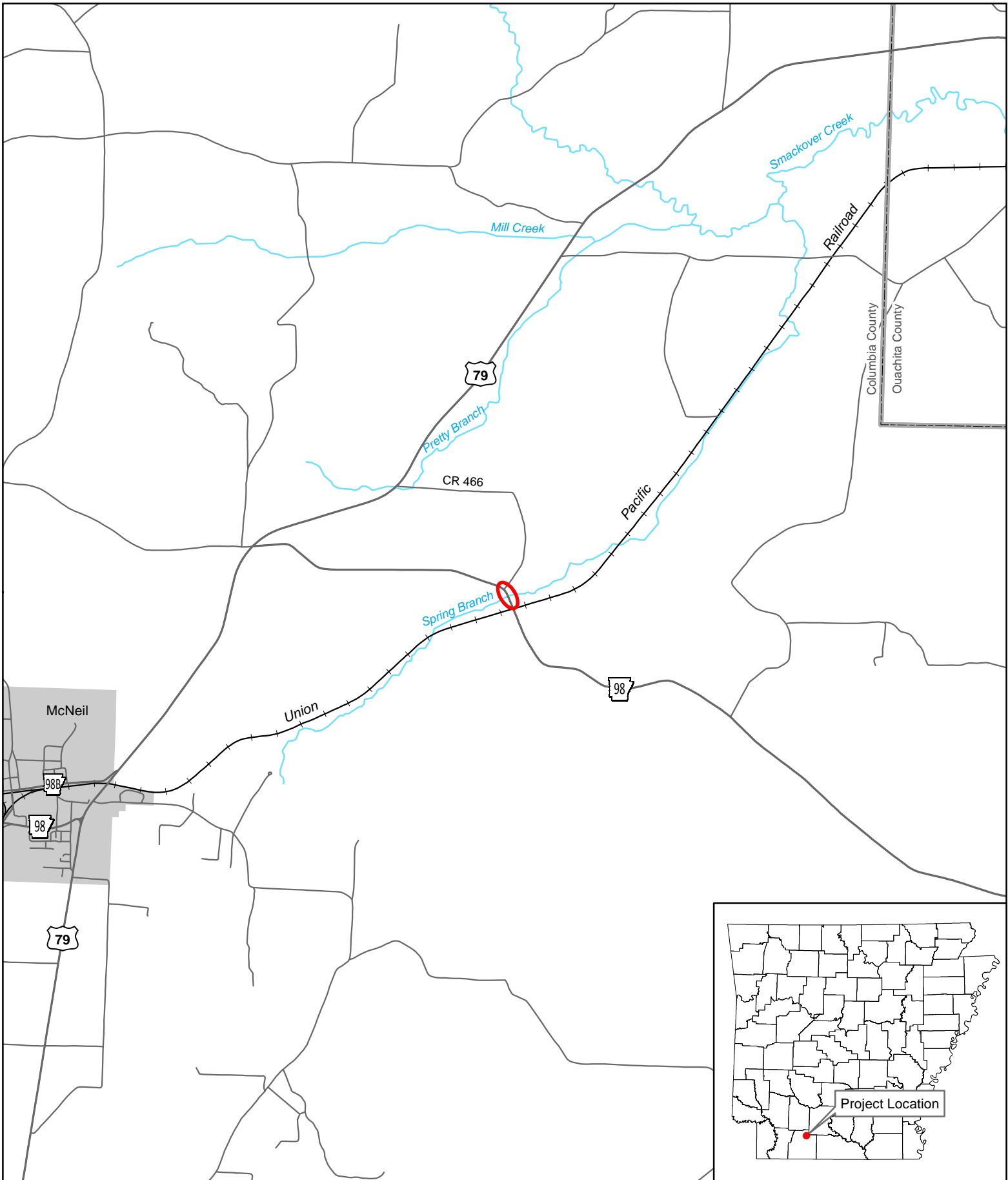
Approved:



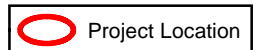
Kevin Thornton
Assistant Chief Engineer-Planning

JF:TT:am

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



Job 070378
Spring Branch Str. & Apprs.
Columbia County





ARKANSAS DEPARTMENT OF TRANSPORTATION

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

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

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

101698

FHWB

July 18, 2018

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

AHPP

JUL 18 2018

RECEIVED
ARDOT

JUL 23 2018

ENVIRONMENTAL
DIVISION

RE: Job Number 070378
Spring Branch Str. & Apprs. (S)
Route 98, Section 2
Columbia County

Dear Ms. Hurst,

Please find enclosed a Project Identification Form (PIF) for the above referenced project. If you have any questions or require additional information about the project, please contact William McAlexander of my staff at 501-569-2078.

Sincerely,

John Fleming
Division Head
Environmental Division

Enclosure
PIF

JF:DW:WM:fc

Date 7/19/2018
No known historic properties will be affected by this undertaking. This effect determination could change should new information come to light.

Arkansas State Historic Preservation Officer



United States Department of the Interior



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

In Reply Refer To:

February 08, 2019

Consultation Code: 04ER1000-2019-SLI-0461

Event Code: 04ER1000-2019-E-00861

Project Name: ArDOT Job 070378 Spring 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.**

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

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

Please visit our website at <http://www.fws.gov/arkansas-es/IPaC/home.html> for species-specific guidance to avoid and minimize adverse effects to federally endangered,

threatened, proposed, and candidate species. Our web site also contains additional information on species life history and habitat requirements that may be useful in project planning.

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

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

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

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

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

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to

federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, **the accuracy of this species list should be verified after 90 days.** This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

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

Attachment(s):

- Official Species List

Official Species List

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

This species list is provided by:

Arkansas Ecological Services Field Office

110 South Amity Suite 300

Conway, AR 72032-8975

(501) 513-4470

Project Summary

Consultation Code: 04ER1000-2019-SLI-0461

Event Code: 04ER1000-2019-E-00861

Project Name: ArDOT Job 070378 Spring Branch Str. & Apprs.

Project Type: BRIDGE CONSTRUCTION / MAINTENANCE

Project Description: bridge replacement

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/33.364907748094105N93.15835475921632W>



Counties: Columbia, AR

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

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

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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

Birds

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

Clams

NAME	STATUS
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7829	Endangered
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165	Threatened

Critical habitats

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

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

ARDOT Job Number 070378 FAP Number NHPP-0014(34)

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

Environmental Resource	None	Minimal	Major	Comments-required for each item
Air Quality	X			No air quality impacts anticipated
Cultural Resources	X			SHPO approval letter attached
Economic	X			Will not be impacted by project
Endangered Species	X			No effect, suitable habitat not present
Environmental Justice/Title VI	X			No protected populations in project area
Fish and Wildlife		X		Minimal loss of habitat
Floodplains		X		Floodplain SP required
Forest Service Property	X			None in the project area
Hazardous Materials/Landfills	X			None in project area
Land Use	X			Will not be impacted by project
Migratory Birds		X		Migratory Bird SP required
Navigation/Coast Guard	X			No increases due to project
Noise Levels	X			No receptors in project area
Prime Farmland	X			None occur in project area
Protected Waters	X			None impacted by the project
Public Recreation Lands	X			None in project area
Public Water Supply/WHPA		X		Off-site area SP needed
Relocatees	X			No relocations
Section 4(f)/6(f)	X			No 4(f)/6(f) resources present
Social	X			No impacts to the social environment
Underground Storage Tanks	X			No USTs in project area
Visual	X			No changes to visual environment
Streams		X		404 Permit required
Water Quality		X		Temporary impacts during construction
Wetlands		X		0.19 acres; 0.08 permanent, 0.11 temp.
Wildlife Refuges	X			None in the project area

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

Remarks: _____

Signature of Evaluator _____ Date February 19, 2019
 7/27/2018

ROADWAY DESIGN REQUEST

Job Number 070378 FAP No. NHPP-0014(34) County Columbia

Job Name Spring Branch Str. & Apprs. (S)

Design Engineer George W. Davison Environmental Staff _____

Brief Project Description Bridge Replacement

A. Existing Conditions:

Roadway Width: 28' Shoulder Type/Width: 4' Unpaved

Number of Lanes and Width: 2 / 10' Existing Right-of-Way: 80'

Sidewalks? N/A Location: _____ Width: _____

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

B. Proposed Conditions:

Roadway Width: 28' Shoulder Type/Width: 4 (2'Paved)

Number of Lanes and Width: 2 / 10' Proposed Right-of-Way: 140'

Sidewalks? N/A Location: _____ Width: _____

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

C. Construction Information:

If detour: Where: Lt. Side of Const. Length: 0.171 miles

D. Design Traffic Data:

2019 ADT: 260 2039 ADT: 290 % Trucks: 10%

Design Speed: 35 m.p.h.

E. Approximate total length of project: 0.028 mile(s)

F. Justification for proposed improvements: The bridge is posted and the substructure is in fair condition.

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

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

Agency/Official	Person Contacted	Date



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

September 30, 2019

Regulatory Division

NATIONWIDE PERMIT NO. MVK 2019-00621

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

Dear Mr. Fleming:

Please refer to your recent request concerning Department of the Army permit requirements pursuant to Section 404 of the Clean Water Act. You requested authorization for the placement of dredged and fill material in waters of the United States associated with replacing the bridge over Spring Branch and upgrading the approaches near McNeil. The existing bridge will be replaced on existing location with a triple box culvert and a temporary detour road will be constructed immediately downstream from the existing bridge to accommodate traffic during construction. The project will adversely affect approximately 0.19 acres of bottomland hardwood wetlands. Less than 300 linear feet and 0.1 acres of the stream will be permanently impacted. There are no endangered species or cultural resources impacts. ArDOT determined that the project was a Tier 2 Categorical Exclusion on March 1, 2019. The project is located on State Highway 98, approximately two miles north and east of McNeil, in section 10, T. 16 S., R. 20 W., Columbia County, Arkansas. A vicinity map and project location map are enclosed.

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

Special Condition:

ArDOT agrees to mitigate for the adverse impacts to 0.19 acres of wetlands with credits from an approved mitigation bank before construction of the project begins.

Documentation of the bank transaction will be provided to the Little Rock District Transportation Program Manager.

Please pay particular attention to General Condition No. 12 which stipulates that appropriate erosion and siltation controls be used during construction and all exposed soil be permanently stabilized. Erosion control measures must be implemented before, during and after construction. If you have any questions concerning compliance with the Section 401 water quality certification, you should contact Mr. Jim Wise or Ms. Melanie Treat at the Arkansas Department of Environmental Quality, Water Division, 5301 Northshore Drive, North Little Rock, Arkansas 72118, telephone (501) 682-0040.

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

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

Your cooperation in the Regulatory Program is appreciated. If you have any additional questions about this permit or any of its provisions, please contact Mr. Johnny McLean at (501) 324-5295 and refer to Permit No. **MVK 2019-00621, Spring Branch Structures and Approaches on State Highway 98 near McNeil (ArDOT Job No. 070378).**

Sincerely,



Sarah Chitwood
Chief, Regulatory Evaluation Branch

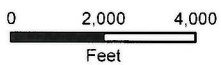
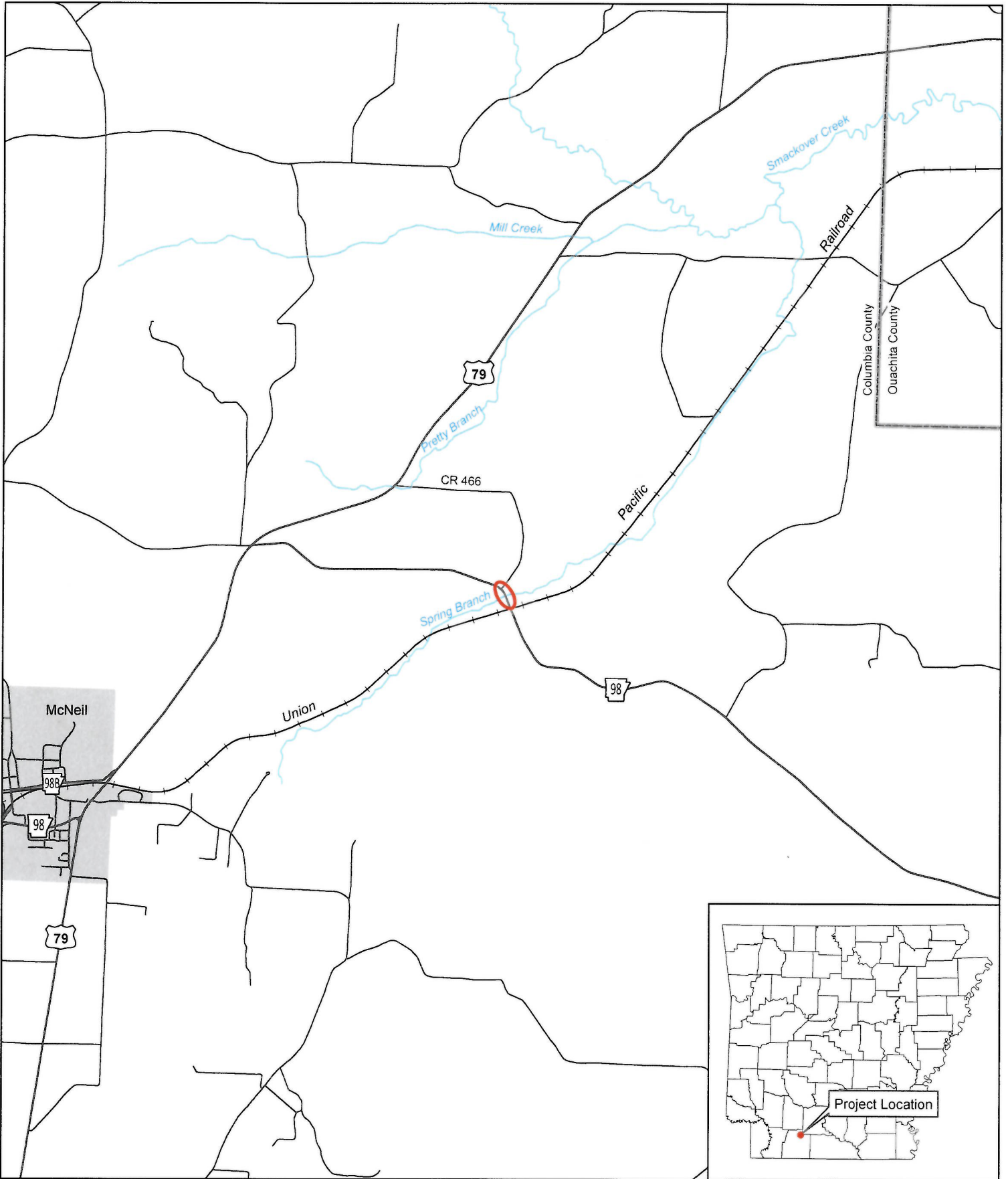
Enclosures

Copy Furnished:

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

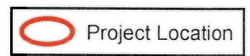
Mr. Lindsey Lewis, U.S. Fish & Wildlife Service, w/cy encls.

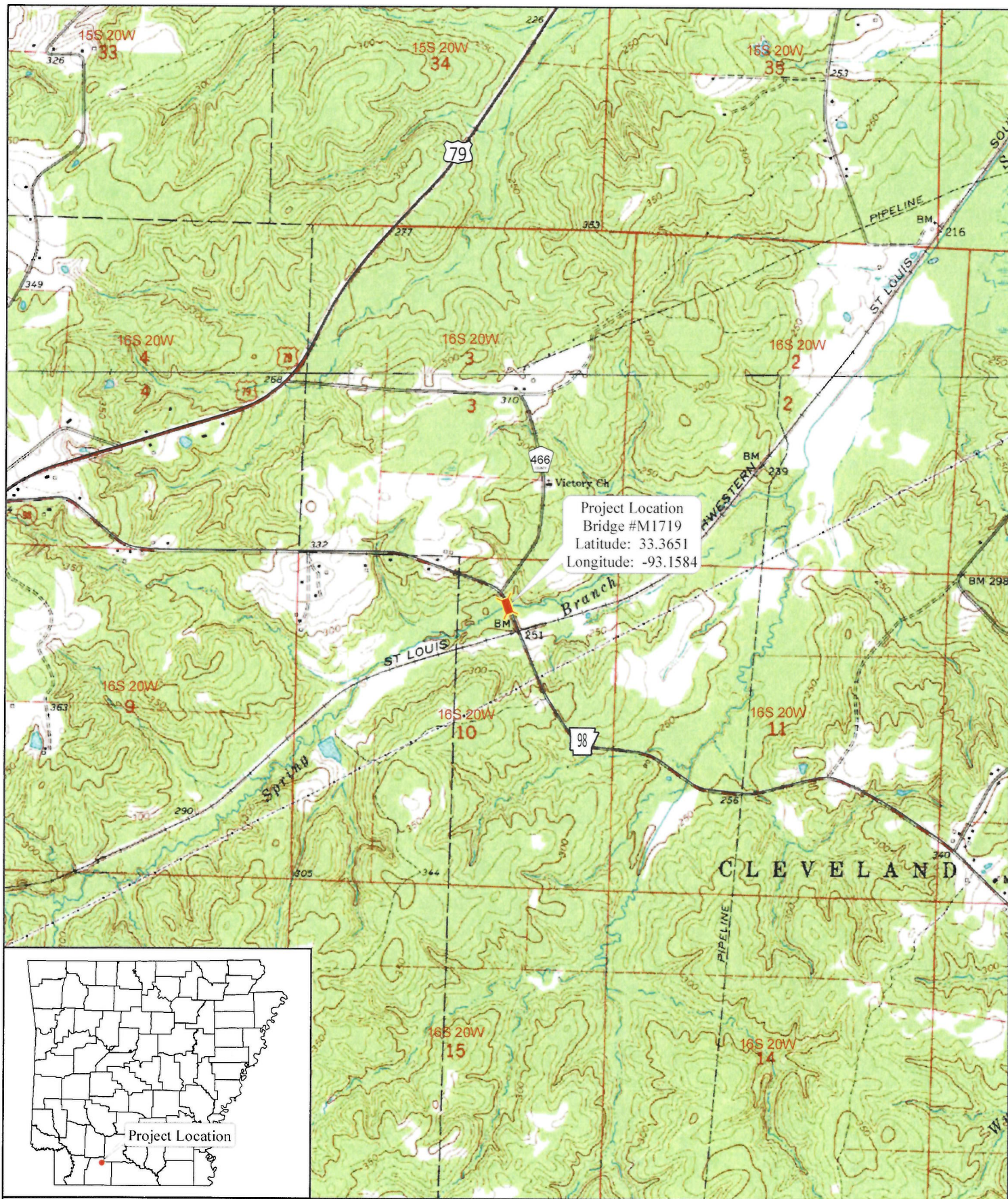
Vicksburg Regulatory, w/cy encls.



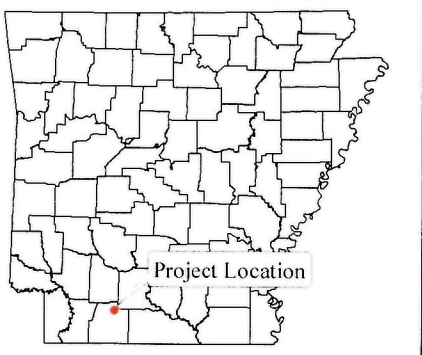
ARDOT - Environmental GIS - Strawn
February 9, 2019

NWP No. MVK 2019-00621
Arkansas Dept. of Transportation
Spring Branch Bridge Replacement
Columbia County near McNeil
September 2019 Sheet 1 of 2





Project Location
 Bridge #M1719
 Latitude: 33.3651
 Longitude: -93.1584



Project Location

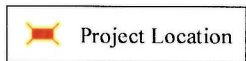


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ARDOT - Environmental GIS - Hopkins
 June 14, 2018

Job 070378.
 Spring Branch Str. & Apprs.
 (Hwy. 98).
 Columbia County.

Sheet 2 of 2



USGS Topographic Map:
 Magnolia 1968