



September 14, 2018

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

Re: Job Number 080529
FAP Number NHPP-0058(44)
Hector, Isabell, & Alewine Creeks
Strs. & Apprs. (S)
Route 105, Section 1
Bridge Numbers 00813, 00811, &
M3810
Pope County
Tier 3 Categorical Exclusion

Dear Mr. Correa:

The Environmental Division reviewed the referenced project and has determined 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 three bridges and a box culvert on Highway 105 north of Interstate 40. One bridge is weight posted and the other two are narrow. All the new bridges will be constructed to current design standards. Total length of the project is 0.3 mile. The bridges are located on Hector Creek, located approximately 0.1 mile south of Highway 247; Isabell Creek, located approximately 0.2 mile north of Highway 164; and Alewine Creek, located approximately 1.0 mile north of Highway 124. A project location map is enclosed.

The existing and proposed cross sections, average right of way (ROW) widths, bridge types, and maintenance of traffic methods can be found in the following table. All structures will be replaced on the existing alignment. The official detour route, timing, and duration of the highway closure for Site 2 are being coordinated with the Pope County Judge. Approximately 3.3 acres of proposed right of way and 3.6 acres of temporary construction easements will be required for construction.

	Site 1 Bridge # 00813 (Hector Creek)	Site 2 Bridge # 00811 (Isabell Creek)	Site 3 Bridge # M3810 (Alewine Creek)
Existing Cross Section	Two 10' paved lanes 2' gravel shoulders	Two 8' paved lanes 2' gravel shoulders	Two 11' paved lanes 4' paved shoulders
Proposed Cross Section	Two 12' paved lanes 8' shoulders (2' paved)	Two 12' paved lanes 8' shoulders (2' paved)	Two 12' paved lanes 8' shoulders (4' paved)
Existing ROW Width	Average 80'	Average 80'	Average 100'
Proposed ROW Width	Average 195'	Average 140'	Average 135'
Existing Bridge Type	Reinforced concrete arch slab with steel beams on concrete abutments	4-span open spandrel concrete deck arch with reinforced concrete deck girder approach spans on concrete abutments and columns with spread footings	Reinforced concrete arch slab with steel beams on concrete abutments
Proposed Structure Type	Three-barreled reinforced concrete box culvert	4-span continuous composite integral w-beam unit on column bents with drilled shafts	Three-barreled reinforced concrete box culvert
Maintenance of Traffic	Temporary detour 80' west of existing	Highway closure with signed detour	Temporary detour 96' east of existing

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2019	2,500	5	55 mph
2039	3,000	5	55 mph

There are no relocations, public water supplies, or environmental justice issues associated with the proposed project. Field inspections found no evidence of existing underground storage tanks or hazardous waste deposits. Approximately 3.1 acres of Prime Farmland will be converted to highway right of way. Form NRCS-CPA-106 is enclosed.

Based upon the ARDOT *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.

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

The Isabell Creek Bridge, ARDOT bridge number 00811, was built in 1928 by the Maxwell Construction Company of Columbus, Kansas. The Isabell Creek Bridge was deemed eligible for the National Register of Historic Places under Criterion A for its statewide significance as an integral part of the central north-south route connecting the Ozark Mountains to the Arkansas River valley and under Criterion C as one of the few examples of an open spandrel concrete deck arch remaining in the state. The bridge was marketed by ARDOT, but no responsible entity came forward to assume ownership. A Programmatic Section 4(f) evaluation and Memorandum of Agreement for the bridge are enclosed. No other cultural resources will be impacted as part of the proposed project. Arkansas State Historic Preservation Office concurrence is enclosed.

The official species list obtained through the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation website identified the endangered gray bat (*Myotis grisescens*), the endangered Indiana bat (*Myotis sodalis*), the endangered Ozark big-eared bat (*Corynorhinus townsendii ingens*), the threatened northern long-eared bat (*Myotis septentrionalis*), the threatened Piping Plover (*Charadrius melodus*), and the threatened Missouri bladderpod (*Physaria filiformis*) as potentially occurring in the project area. A 'no effect' determination was made for the federally-listed Missouri bladderpod and Piping Plover.

A presence/probable absence survey was conducted in the project area from July 24-29, 2018. Based on the survey results, a "may affect, not likely to adversely affect" determination was made for northern long-eared, Indiana, gray, and Ozark big-eared bats. The USFWS concurred on September 7, 2018. The official species list, Programmatic NLAA Verification Letter, and USFWS concurrence letter are enclosed.

At Site 1, 342 linear feet of Hector Creek will be permanently impacted for the proposed box culvert and associated temporary detour. An additional 116 feet of an unnamed tributary to Hector Creek will be temporarily impacted. Wetland impacts at Site 1 are estimated at less than 0.1 acre.

At Site 2, 125 linear feet of Isabell Creek will be temporarily impacted during construction. An additional 380 linear feet of an unnamed tributary to Isabell Creek will also be temporarily impacted. Permanent wetland impacts at Site 2 are estimated at 0.38 acre; 0.24 acre will be permanently filled for construction of the proposed bridge approaches; and 0.14 acre will be permanently cleared for maintenance of the proposed bridge.

At Site 3, approximately 223 linear feet of Alewine Creek will be impacted during construction. An additional 234 linear feet of an unnamed tributary to Alewine Creek will be impacted during construction of the proposed quintuple pipe culvert and the proposed detour for the maintenance of traffic. Wetland impacts at Site 3 are estimated at less than 0.1 acre.

Compensatory mitigation will be offered for unavoidable impacts to Waters of the U.S. in the form of 991.8 stream credits purchased from a U.S. Army Corps of Engineers-approved mitigation bank and the use of 3.33 wetland credits from the


Job Number 080529
Tier 3 Categorical Exclusion
Page 5 of 5

ARDOT Hartman Bottoms Mitigation Bank. Construction of the proposed project should be allowed under the terms of a Section 404 Nationwide 23 Permit for Approved Categorical Exclusions.

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

APPROVED

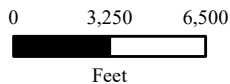
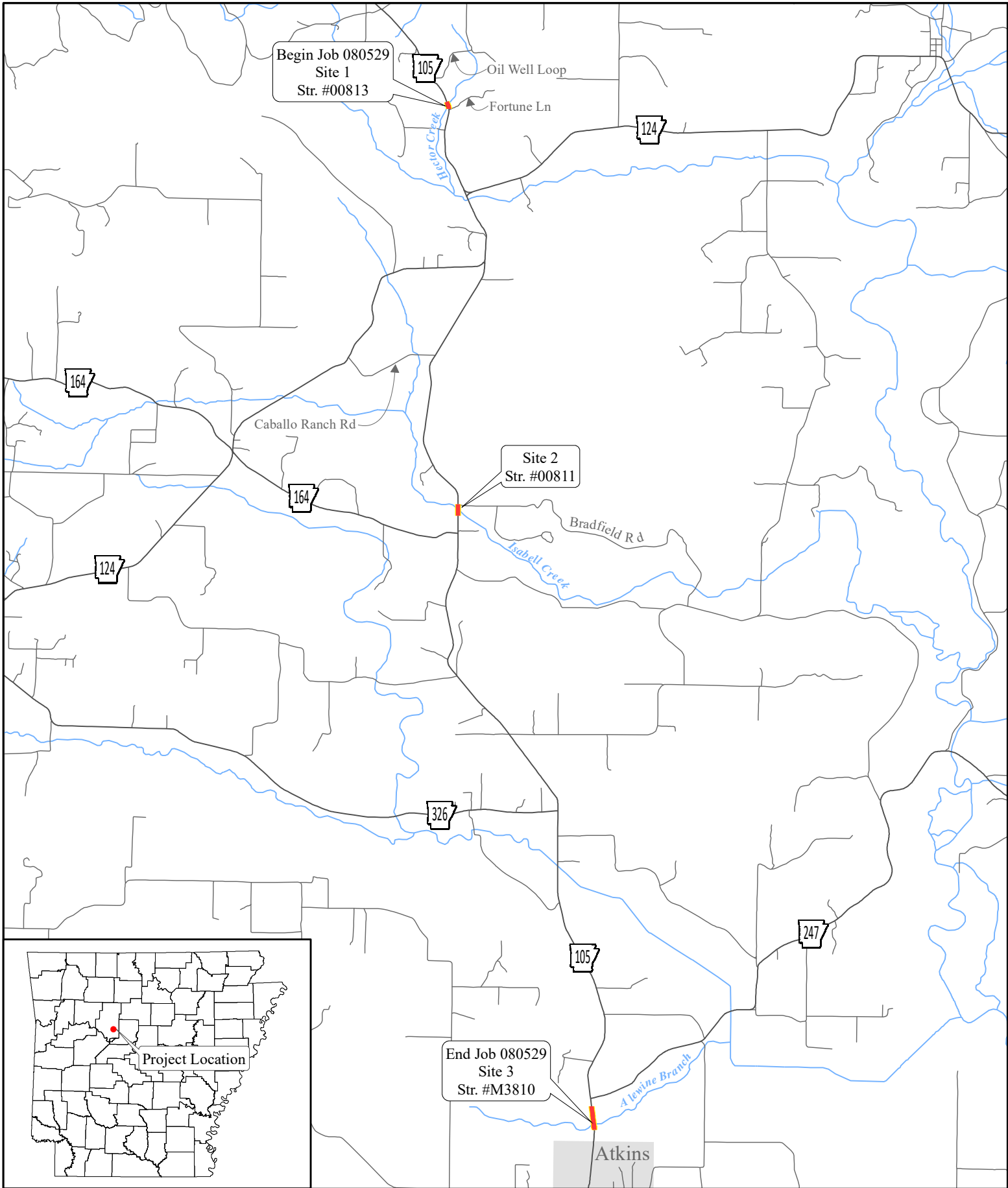
Environmental Specialist
Federal Highway Administration
Date: 9/18/2018

Sincerely,

for John Fleming
Division Head
Environmental Division

Enclosures


JF:SS:mr

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



ARDOT - Environmental GIS - Hopkins
August 27, 2018

Job 080529
Hector, Isabell, & Alewine Creeks
Strs. & Apprs. (Hwy. 105)
Pope County

 Project Location



THE DEPARTMENT OF ARKANSAS
HERITAGE

Asa Hutchinson
Governor

Stacy Hurst
Director

Arkansas Arts Council

Arkansas Natural
Heritage Commission

Arkansas State Archives

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars
Cultural Center

Old State House Museum



ARKANSAS HISTORIC
PRESERVATION PROGRAM



1100 North Street
Little Rock, AR 72201

(501) 324-9880
fax: (501) 324-9184
tdd: 711

e-mail:

info@arkansaspreservation.org

website:

www.arkansaspreservation.com

An Equal Opportunity Employer

August 30, 2018

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

**RECEIVED
ARDOT
SEP 04 2018
ENVIRONMENTAL
DIVISION**

RE: Pope County – General
Section 106 Review – FHWA
AHTD Job Number 080529
AHPP Tracking Number 96905.04

Dear Mr. Fleming:

My staff has reviewed the Project Identification Form regarding the above referenced project.

We understand that one newly recorded site (3PP1379) is outside the project area and will not be impacted. As previously determined ARDOT Bridges #00813 and #M3810 are not eligible for the National Register of Historic Places. At that time it was also determined that ARDOT Bridge #00811 (PP0280-Isbella Creek Bridge) was eligible for listing in the NRHP. Upon receipt of the current documentation, we concur that the fully executed Memorandum of Agreement (MOA) and added stipulations mitigate the adverse effect to ARDOT Bridge #00811.

Tribes that have expressed an interest in the area include the Cherokee Nation (Ms. Elizabeth Toombs), the Chickasaw Nation (Ms. Karen Brunso), the Muscogee (Creek) Nation (Ms. Corain Lowe-Zepeda), the Osage Nation (Dr. Andrea Hunter), the Quapaw Nation of Oklahoma (Mr. Everett Bandy), the Shawnee Tribe of Oklahoma (Ms. Tonya Tipton), and the United Keetoowah Band of Cherokee Indians (Ms. Sheila Bird). We recommend that they be consulted in accordance with 36 CFR § 800.2 (c) (2).

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

Sincerely,

Scott Kaufman
Director, AHPP

cc: Mr. Randall Looney, FHWA
Dr. Andrea Hunter, Osage Nation
Dr. Ann Early, Arkansas Archeological Survey

TD:tr

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I (To be completed by Federal Agency) Job 080529		3. Date of Land Evaluation Request 8/28/18	4. Sheet 1 of
1. Name of Project Hector, Isabell & Alewine Creeks Strs. Apprs. (Hwy. 105)		5. Federal Agency Involved FHWA	
2. Type of Project Bridge Replacement		6. County and State Pope AR.	

PART II (To be completed by NRCS)		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	3.1			
B. Total Acres Statewide And Local Important Farmland				
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	10			
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			
TOTAL CORRIDOR ASSESSMENT POINTS	160	40			

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	40			
X of above 2 lines)	260	140			

1. Reason For Selection:	2. Total Acres of Farmlands to be Converted by Project: 3.1 acres of Prime Farmland	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: John Baber DATE: 9/12/18

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

ISABELL CREEK BRIDGE



BRIDGE NUMBER 00811

PROGRAMMATIC SECTION 4(F) EVALUATION FOR FEDERALLY-AIDED HIGHWAY PROJECTS THAT NECESSITATE THE USE OF HISTORIC BRIDGES

ARDOT Job Number 080529

Hector, Isabell, & Alewine Creeks Strs. & Apprs. (S)

Pope County

September 2018

Submitted Pursuant to 49 U.S.C. Section 303 and 23 U.S.C. Section 138 by the U.S. Department of Transportation Federal Highway Administration and the Arkansas Department of Transportation.

Programmatic Section 4(f) Evaluation – Historic Bridges

1 Why is this report being prepared?

Section 4(f) of the Department of Transportation Act of 1966 declared a national policy to make a special effort to preserve the natural beauty of the countryside, public parks and recreations lands, wildlife and waterfowl refuges, and historic sites. The current Section 4(f) legislation permits the Secretary of Transportation to approve a project that requires the use of certain historic bridge structures to be replaced or rehabilitated with Federal funds only if a determination has been made that there is no feasible and prudent alternative to the use of the property and all possible planning has been undertaken to minimize harm to the property resulting from such use. These determinations, submitted pursuant to 49 U.S.C. Section 303 and 23 U.S.C. Section 138, are set forth in this Programmatic Section 4(f) Evaluation.

2 What would the project accomplish?

The Arkansas Department of Transportation (ARDOT), in conjunction with the Federal Highway Administration (FHWA), is proposing to replace three bridges on Highway 105 across Hector, Isabell, and Alewine Creeks in Pope County, Arkansas. The project will improve safety and meet transportation needs in northern Arkansas.

ARDOT Bridge Number 00811 (Isabell Creek Bridge) is an open spandrel concrete deck arch with reinforced concrete deck girder approach spans on concrete abutments and columns with spread footings. The total length of the bridge is 179 feet with a clear deck width of approximately 18 feet that carries two lanes, each 8 feet wide with 1 foot shoulders. According to the Bridge Inspection Report dated July 18, 2017, the historic bridge is classified as Functionally Obsolete but lists the condition of the deck as good (code 7) and the superstructure and substructure as satisfactory (code 6).

The bridge will be replaced with a four-span continuous composite integral W-beam structure. It will measure approximately 210 feet long with a clear roadway width of 40 feet. The new roadway cross section will consist of two twelve-foot wide paved travel lanes and eight-foot wide shoulders, two feet of which will be paved.

What properties does Section 4(f) protect?

Section 4(f) properties include significant publicly owned parks, recreation areas, and wildlife or waterfowl refuges, or any publicly or privately owned historic site listed or eligible for listing in the National Register of Historic Places with national, state, or local significance. The ARDOT considers historic bridges as historic sites.

What are open spandrels?

A spandrel is the space between the arch and the roadway. Open spandrel arches have columns resting on the arch that support the floor beams, which in turn carry the roadway.



What is meant by Functionally Obsolete?

The Federal Highway Administration defines it as follows:
“A bridge is considered ‘functionally obsolete’ when it does not meet current design standards (for criteria such as lane width), either because the volume of traffic carried by the bridge exceeds the level anticipated when the bridge was constructed and/or the relevant design standards have been revised.”

3 What Section 4(f) property is being impacted?

The Maxwell Construction Company of Columbus, Kansas built the Isabell Creek Bridge in 1928 (Figure 1). The bridge is located at the Highway 105 crossing of Isabell Creek in the community of Oak Grove, Arkansas. It is one of sixteen bridges of its type still in service in the state of Arkansas. The Isabell Creek Bridge was deemed eligible for the National Register of Historic Places (NRHP) under Criterion A for its statewide significance as an integral part of the central north-south route connecting the Ozark Mountains to the Arkansas River valley and under Criterion C as an example of an open spandrel concrete deck arch. The Isabell Creek Bridge is not considered a National Historic Landmark.

Isabell Creek Bridge



Figure 1

4 Does this project qualify for the Section 4(f) programmatic for historic bridges?

The FHWA may apply the programmatic Section 4(f) evaluation to projects that meet the criteria shown in Table 1.

What are the National Register Criteria?
Properties that possess significance in American history, architecture, archeology, engineering, and culture that retain aspects of integrity, and are:
A) associated with an event, broad patterns, or trends of history;
B) associated with an important person(s);
C) embody typical features of a type, period, or construction method, that represent the work of a master, or possess high artistic values; or
D) that have or will likely yield significant information for history or prehistory.
National Register Bulletin No.15: https://www.nps.gov/NR/PUBLICATIONS/bulletins/nrb15/

Table 1

Criteria To Use Programmatic Section 4(f) Evaluation For Federally-Aided Highway Projects That Necessitate The Use of Historic Bridges

The bridge is to be replaced or rehabilitated with Federal funds.	√
The project requires the use of a historic bridge structure that is eligible for inclusion or listed in the NHRP.	√
The bridge is not a National Historic Landmark.	√
The FHWA Division Administrator determines that the facts of the project match those set forth in the FHWA Section 4(f) Policy Paper issued March 1, 2005.	√
Agreement has been reached among the FHWA, State Historic Preservation Officer, and the Advisory Council on Historic Preservation through procedures pursuant to Section 106 of the National Historic Preservation Act.	√

What is meant by feasible or prudent?

Per 23 CFR 774.17,

(2) An alternative is not **feasible** if it cannot be built as a matter of sound engineering judgment.

(3) An alternative is not **prudent** if:

- (i) It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need;
- (ii) It results in unacceptable safety or operational problems;
- (iii) After reasonable mitigation, it still causes:
 - (A) Severe social, economic, or environmental impacts
 - (B) Severe disruption to established communities;
 - (C) Severe disproportionate impacts to minority or low income populations; or
 - (D) Severe impacts to environmental resources protected under other Federal statutes;
- (iv) It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;
- (v) It causes other unique problems or unusual factors; or
- (vi) It involves multiple factors in paragraphs (3)(i) through (3)(v) of this definition, that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude.

5 Could the project avoid demolishing the historic bridge?

In order for the Programmatic Section 4(f) Evaluation for Federally-Aided Highway Projects That Necessitate the Use of Historic Bridges to be applied to a project, each of the following alternatives; 1) No Action, 2) Rehabilitation of the Existing Structure, and 3) Build on New Location and Retain the Existing Structure, must be evaluated by the circumstances, studies, and consultations on the project.

To this effect, ARDOT established a Historic Bridge Analysis Committee (HBAC) to evaluate viable alternatives for the preservation of historically significant bridges through retention, rehabilitation, or to justify their removal, if required. The HBAC assessed the following alternatives to determine if a feasible and prudent alternative to the proposed impacts to the historic bridge existed.

No Action

This alternative consists of no improvements to the existing facilities and would continue to provide only routine maintenance. The bridge is Functionally Obsolete with a narrow roadway. This alternative does not improve the existing roadway width of the bridge and would not alleviate the safety issues. It is not prudent to leave the bridge as is, as this alternative would result in existing and future safety and operational issues.

Rehabilitation of the Existing Structure

The Rehabilitation Alternative rehabilitates the existing historic bridge for two-way traffic operations. To meet minimum design standards for a two-way bridge, Bridge Number 00811 requires widening from an

18-foot clear roadway to a 40-foot clear roadway. Expansion of the bridge would require at least one, and possibly two, additional arches to be added to the bridge to increase its width. The addition of one or more arches would impact the bridge's integrity of design, which is one of the factors in its eligibility for listing in the NRHP. The arch span rests at a 35 degree skew along a roadway that is not skewed. Widening the geometry of the skewed arch is not a feasible option. With the rehabilitation option, the bridge also requires modification for compliance of seismic regulation, which creates extraordinary costs and would impact the historic integrity of design and materials of the bridge. The *Rehabilitation Alternative* is not feasible or prudent as it results in additional construction costs of extraordinary magnitude and compromises the bridge's historic integrity.

Build on New Location and Retain the Existing Structure

Two new location alternatives were considered for this project.

New Location Alternative One constructs a new bridge in accordance with the approved ARDOT recommended design criteria, with the owner retaining possession of the historic bridge, either preserving it in place or at another location. ARDOT owns the bridge. Design of the proposed bridge on a new location was a consideration; however, it is the policy of ARDOT to no longer retain bridges after they are removed from the highway system. This option is not prudent as it results in additional maintenance or operational costs of extraordinary magnitude and creates liability concerns.

New Location Alternative Two constructs a new bridge to current, minimum design standards with another entity accepting ownership of the historic bridge for preservation in place or relocation. ARDOT marketed the bridge on January 13, 1992, to find an entity willing to accept ownership of the bridge (see Appendix A for marketing correspondence). Pope County Historical Society agreed to accept ownership for preservation in place, but later withdrew interest. In review of this alternative, it was also noted that preserving the bridge in place while building on a new alignment introduces curves into a straight roadway creating safety and operational issues. The current alignment eliminates this concern. The bridge is comprised of cast in place concrete. Relocation was not a prudent option as moving the bridge would destroy the bridge's historic integrity and no entity was found willing to accept ownership of the bridge. Therefore, *New Location Alternative Two* is not prudent due to safety and operational issues.

Could an outside entity maintain the bridge in place or use it at another location?

The Surface Transportation & Uniform Relocation Assistance Act of 1987, Historic Bridges Section 144(g) requires states to market a historic bridge before its replacement. Following this directive, when no other alternatives are found to be feasible or prudent, the ARDOT markets historic bridges to federal and state agencies, county and local governments, as well as state and local historical societies. Any interested responsible parties must demonstrate willingness to accept title for, preserve the features of historic significance, and assume financial responsibility for the continued maintenance on the structure (23 U.S.C. 144).

The HBAC met in 2017 and assessed each of these alternative determinations developed in 1993 in Job 8902 that was never constructed. The alternatives remain as not feasible or prudent for the same reasons as in the previous review.

6 How will ARDOT mitigate for the harm being done to the historic property?

Agreement between FHWA and the SHPO has been reached through the Section 106 process (36 C.F.R. 800) of NHPA (16 U.S.C. 470) on measures to minimize harm, and these measures have been incorporated into this project. Through a Memorandum of Agreement (MOA), it was agreed that ARDOT Bridge Number 00811 would be documented to the Arkansas Historic Preservation Program's architectural documentation standards prior to demolition. A copy of the amended MOA, which includes all agreed upon mitigation stipulations, can be found in Appendix B.

7 What are the findings of the alternatives analysis and this evaluation?

Table 2 contains a summary of the analysis and decision-making information included in this evaluation.

Table 2

Section 4(f) Analysis Summary

Alternative	Feasible	Prudent	Uses Section 4(f) Property	Harm to Section 4(f) Property
No Action	Yes	No	No	None
Rehabilitation	No	No	Yes	Adverse Effect
New Location One	Yes	No	No	None
New Location Two	Yes	No	Yes	Adverse Effect*

* No entity was found willing to accept title for the bridge.

Based on the considerations in Table 2, no feasible or prudent option to demolition exists. The proposed action includes all possible planning to minimize harm to the historic bridge resulting from such use.

8 What are the recommendations moving forward on this project?

It is recommended that the Isabell Creek Bridge (ARDOT Bridge Number 00811) be documented to AHPP architectural documentation standards

and demolished as agreed to under the stipulations set forth in the amended MOA (Appendix B).

The above documentation illustrates that the proposed project complies with all requirements of the Programmatic Section 4(f) Evaluation for Federally-aided Highway Projects that Necessitate the Use of Historic Bridges.

Appendix A: Marketing Correspondence

**ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT**

Maurice Smith, Director
Telephone (501) 569-2000



P.O. Box 2261
Little Rock, Arkansas 72203

January 13, 1992

The Honorable Joe Phillips
Pope County Judge
Pope County Court House
Russellville, Arkansas 72501

RE: AHTD Job #8902
Isabel Creek Bridge Replacement
State Highway 105, Pope County

Dear Judge Phillips:

The above noted structure has been determined historically significant. In an effort to preserve this bridge it will be necessary for some organization to assume responsibility for it after it is removed from service. Would Pope County be willing to assume this responsibility? Attached is information regarding the availability of federal funds for rehabilitation. You will note this funding is available in an amount not to exceed the estimated cost of demolition, and on a one-time basis for work actually done to the structure.

We would appreciate your comments on this project.

Sincerely,

Marion Butler
Division Head
Environmental Division

Attachments

MB:BM:jm

POPE COUNTY JUDGE

County Courthouse
Russellville, Arkansas 72801
968-7487

Joe W. Phillips
County Judge
Jeannie McKown
Administrative Assistant
Chris Wallace
County Coordinator

Orville "Mutt" Womack
Road Foreman
Leroy Breashears
Shop Foreman
968-6400

January 31, 1992

Mr. Marion Butler
Division Head
Arkansas State Highway and
Transportation Department
Post Office Box 2261
Little Rock, Arkansas 72203

Re: AHTD Job #8902
Isabel Creek Bridge Replacement
State Highway 105, Pope County

Dear Mr. Butler:

Pope County has no desire to assume responsibility for
the above reference bridge.

Yours truly,



Joe W. Phillips
Pope County Judge

JWP/jm

ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT

Maurice Smith, Director
Telephone (501) 569-2000



P.O. Box 2261
Little Rock, Arkansas 72203

January 13, 1992

Pope County Historical Society
4200 "A" Street
Little Rock, AR 72205

RE: AHTD Job #8902
Isabel Creek Bridge Replacement
State Highway 105, Pope County

Dear Sirs:

The above noted structure has been determined historically significant. In an effort to preserve this bridge it will be necessary for some organization to assume responsibility for it after it is removed from service. Would your Historical Society be willing to assume this responsibility? Attached is information regarding the availability of federal funds for rehabilitation. You will note this funding is available in an amount not to exceed the estimated cost of demolition, and on a one-time basis for work actually done to the structure.

We would appreciate your comments on this project.

Sincerely,

Marion Butler
Division Head
Environmental Division

Attachments

MB:BM:jm



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
3128 FEDERAL OFFICE BUILDING
LITTLE ROCK, ARKANSAS 72201

January 30, 1992

IN REPLY REFER TO

BRO-0058(14)
State Job 8902
Removal of the SH 105 Bridge
over Isabell Creek
Pope County, Arkansas

COPY

Ms. Claudia Nissley, Director
Western Office of Project Review
Advisory Council on Historic Preservation
730 Simms Street, Suite 450
Golden, Colorado 80401

Dear Ms. Nissley:

The Arkansas State Highway and Transportation Department (AHTD) proposes to replace the SH 105 bridge crossing Isabell Creek with a modern structure. The existing structure is eligible for nomination to the National Register of Historic Places and therefore the proposed undertaking constitutes an adverse effect.

In accordance with 36 CFR 800.5(e), consultation with the Arkansas State Historic Preservation Officer (SHPO) has begun. In accordance with 36 CFR 800.8(b), the following documents are enclosed: letters to and from the SHPO, the Pope County Judge, the Pope County Historical Society, inter office memoranda, construction plans, and photographs which describe the undertaking and its effects on the historic property.

The Council is being notified of this proposal so that it may have the opportunity to be a consulting party. Please inform us of your decision at your earliest convenience.

Sincerely yours,

H. C. Wieland
Division Administrator

Enclosures

Norma Gilman, President

Pope County Historical Association

#27 East Shore Drive Russellville, Arkansas 72801

Kathleen Hollabaugh, ~~President~~
~~Lois Morris~~, First Vice President
Geneva Ferguson, Secretary
Louise Almond, Treasurer

January 28, 1992

Mr. Marion Butler
Division Head
Environmental Division
Arkansas State Highway & Transportation Dept.
P. O. Box 2261
Little Rock, Ark. 72203

Dear Mr. Butler:

In response to your letter regarding the old bridge on Highway 105 at Isabel Creek, we (the Association president and I) have viewed the bridge and will bring the matter before the membership.

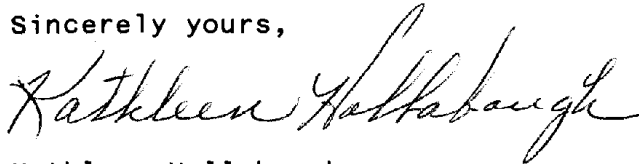
Before we do this, however, we have several questions and points of interest we would like to discuss with you before giving you our decision. Would it be possible for you to meet with the Association officers for lunch and discussion? We need to know our responsibilities etc.

The meeting could be at your convenience and you would be our guest. We would appreciate the opportunity to talk to you as soon as possible.

To expedite matters, please write me at my home address: P. O. Box 127, Pottsville, Ark. 72858, or call me at home: 968-2705.

We are looking forward to hearing from you.

Sincerely yours,



Kathleen Hollabaugh
Vice president

ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT

Maurice Smith
Director
Telephone (501) 569-2000



P.O. Box 2261
Little Rock, Arkansas 72203
Telefax (501) 569-2400

February 7, 1992

Ms. Kathleen Hollabaugh
#27 East Shoreline Drive
Russellville, AR 72801

RE: AHTD Job #8902
Isabel Cr. Br. & Apprs.
Pope County

Dear Ms. Hollabaugh;

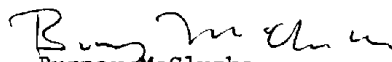
In regard to our phone conversation this morning, I am attaching a copy of the Federal Regulation which explains funding for historic bridges. The federal government will make funds available up to the estimated cost of demolition. In this case the bridge is 173' in length and 21' wide, and the rule of thumb currently in use is \$5.00 per square foot as a rough estimate of demolition cost. This would be approximately \$18,500.

The historical association would have to agree to assume all future liability and responsibility for the structure, plus make arrangements to have it moved to a suitable location. The highway department would rehabilitate the bridge and bring it up to acceptable standards, which would come from the calculated funding. Payment of these funds would be to a contractor for work on the bridge on a one-time basis. You have to figure in the estimated costs of dismantling, moving and reassembly, and with a concrete bridge such as this, I'm not at all sure it could be moved.

I'm also attaching a copy of Judge Phillips' letter. Although he expressed no interest in assuming responsibility for the bridge, you might be able to obtain some other form of assistance from the county.

Please let me know your thoughts on this, and if you need further information, please call me.

Yours very truly,


Burney McClurkan
Archeologist
Environmental Division

BMc:lcl
Attachments

lize any of the funds provided under this section to construct any bridge which—

(A) replaces any low water crossing (regardless of the length of such low water crossing),

(B) replaces any bridge which was destroyed prior to 1965,

(C) replaces any ferry which was in existence on January 1, 1984, or

(D) replaces any road bridges rendered obsolete as a result of United States Corps of Engineers flood control or channelization projects and not rebuilt with funds from the United States Corps of Engineers.

(2) **FEDERAL SHARE.**—The Federal share payable on any bridge construction carried out under paragraph (1) shall be 80 percent of the cost of such construction.

(n) **OFF-SYSTEM BRIDGE PROGRAM.**—Notwithstanding any other provision of law, with respect to any project not on a Federal-aid system for the replacement of a bridge or rehabilitation of a bridge which is wholly funded from State and local sources, is eligible for Federal funds under this section, is noncontroversial, is certified by the State to have been carried out in accordance with all standards applicable to such projects under this section, and is determined by the Secretary upon completion to be no longer a deficient bridge, any amount expended after the date of the enactment of this subsection from State and local sources for such project in excess of 20 percent of the cost of construction thereof may be credited to the non-Federal share of the cost of the projects in such State which are eligible for Federal funds under this section. Such crediting shall be in accordance with such procedures as the Secretary may establish.

(o) **HISTORIC BRIDGE PROGRAM.**—

(1) **COORDINATION.**—The Secretary shall, in cooperation with the States, implement the programs described in this section in a manner that encourages the inventory, retention, rehabilitation, adaptive reuse, and future study of historic bridges.

(2) **STATE INVENTORY.**—The Secretary shall require each State to complete an inventory of all bridges on and off the Federal-aid system to determine their historic significance.

(3) **ELIGIBILITY.**—Reasonable costs associated with actions to preserve, or reduce the impact of a project under this chapter on, the historic integrity of historic bridges shall be eligible as reimbursable project costs under this title (including this section) if the load capacity and safety features of the bridge are adequate to serve the intended use for the life of the bridge; except that in the case of a bridge which is no longer used for motorized vehicular traffic, the costs eligible as reimbursable project costs pursuant to this subsection shall not exceed the estimated cost of demolition of such bridge.

(4) **PRESERVATION.**—Any State which proposes to demolish a historic bridge for a replacement project with funds made available to carry out this section shall first make the bridge available for donation to a State, locality, or responsible pri-

vate entity if such State, locality, or responsible entity enters into an agreement to—

(A) maintain the bridge and the features that give it its historic significance; and

(B) assume all future legal and financial responsibility for the bridge, which may include an agreement to hold the State highway agency harmless in any liability action. Costs incurred by the State to preserve the historic bridge, including funds made available to the State, locality, or private entity to enable it to accept the bridge, shall be eligible as reimbursable project costs under this chapter up to an amount not to exceed the cost of demolition. Any bridge preserved pursuant to this paragraph shall thereafter not be eligible for any other funds authorized pursuant to this title.

(5) HISTORIC BRIDGE DEFINED. As used in this subsection, "historic bridge" means any bridge that is listed on, or eligible for listing on, the National Register of Historic Places.

(p) As used in this section the term "rehabilitate" in any of its forms means major work necessary to restore the structural integrity of a bridge as well as work necessary to correct a major safety defect.

§ 145. Federal-State relationship

The authorization of the appropriation of Federal funds or their availability for expenditure under this chapter shall in no way infringe on the sovereign rights of the States to determine which projects shall be federally financed. The provisions of this chapter provide for a federally assisted State program.

§ 146. Carpool and vanpool projects

(a) In order to conserve fuel, decrease traffic congestion during rush hours, improve air quality, and enhance the use of existing highways and parking facilities, the Secretary may approve for Federal financial assistance from funds apportioned under sections 104(b)(1), 104(b)(2), and 104(b)(6) of this title, "projects" designed to encourage the use of carpools and vanpools. (As used hereafter in this section, the term "carpool" includes a vanpool.) Such a project may include, but is not limited to, such measures as providing carpooling opportunities to the elderly and handicapped, systems for locating potential riders and informing them of convenient carpool opportunities, acquiring vehicles appropriate for carpool use, designating existing highway lanes as preferential carpool highway lanes, providing related traffic control devices, and designating existing facilities for use as preferential parking for carpools.

(b) A project authorized by this section shall be subject to and carried out in accordance with all provisions of this title, except those provisions which the Secretary determines are inconsistent with this section.

§ 147. Priority primary routes

(a) High traffic sections of highways on the Federal-aid primary system which connect to the Interstate System shall be selected by each State highway department, in consultation with appropriate

local officials, subject to approval by the Secretary, for improvement to supplement the System by furnishing needed motor facilities. For the purpose hereafter in this section, be routes"

(b) The Federal share of any shall be that provided in section of this title applicable to the Federal applicable to the priority primary

(c) The initial selection of the estimated cost of completing such progress on or before July 1, 1974.

(d) There is authorized to be a Trust Fund to carry out this section the fiscal year ending June 30, 1977 ending June 30, 1975, and \$300,000 June 30, 1976.

§ 148. Development of a national system

(a) As soon as possible after the date the Secretary shall establish criteria for the reconstruction of the Great River bordering the Mississippi River. Such

(1) priority be given, in the local area near or easily accessible to the State and further priority to be given improvement of the Great River at the confluence of the Mississippi River.

(2) the Great River Road be constructed and preferably with the

(3) the Great River Road be marked with signs;

(4) effective control, as defined in signs, displays, and devices will be River Road;

(5) the provisions of section 129(a) to any bridge or tunnel on the Great shall be charged for the use of any distance under this section, except areas, and historical sites operated

ments where admission fees may be national costs.

(b) For the purpose of this section, the includes the acquisition of areas of historic interest, necessary easements for scenic reconstruction or reconstruction of roadside appropriate recreational facilities, scenic view

(c) Highways constructed or reconstructed by the Secretary (except subsection (f)) shall be part of

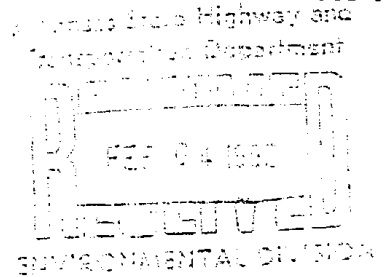
POPE COUNTY JUDGE

County Courthouse
Russellville, Arkansas 72801
968-7487

Joe W. Phillips
County Judge
Jeannie McKown
Administrative Assistant
Chris Wallace
County Coordinator

Orville "Mutt" Womack
Road Foreman
Leroy Breashears
Shop Foreman
968-6400

January 31, 1992



Mr. Marion Butler
Division Head
Arkansas State Highway and
Transportation Department
Post Office Box 2261
Little Rock, Arkansas 72203

Re: AHTD Job #8902
Isabel Creek Bridge Replacement
State Highway 105, Pope County

Dear Mr. Butler:

Pope County has no desire to assume responsibility for
the above reference bridge.

Yours truly,

Joe W. Phillips
Joe W. Phillips
Pope County Judge

JWP/jm

Norma Gilman, Pres.

Pope County Historical Association

#27 East Shore Drive Russellville, Arkansas 72801

Kathleen Hollabaugh, ~~President~~
~~Lois Morris~~, First Vice President
Geneva Ferguson, Secretary
Louise Almond, Treasurer

P. O. Box 127
Pottsville, Ark. 72858
March 31, 1992

Mr. Burney McClurkan
Archeologist
Environmental Division
Arkansas State Highway and Transportaion Department
P. O. Box 2261
Little Rock, Arkansas 72203

Dear Mr. McClurkan:

This is to advise you that the Pope County Historical Association at Russellville is not interested in the preservation of Isabel Creek Bridge (AHTD Job #8902).

The association appreciates your query. We would appreciate having the bronze plaques at each end of the bridge, which you mentioned might be available. If we have these and any photographs you could let us have, we would preserve them by framing them (the plaques and photographs with brief text) for display. We would also do a story in our quarterly about the bridge.

Thank you.

Sincerely,

Kathleen Hollabaugh
Kathleen Hollabaugh

Telephone: (501)968-2742

Appendix B: Amended Memorandum of Agreement

AMENDMENT TO MEMORANDUM OF AGREEMENT
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 CFR 800.6 (a)
ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT JOB NUMBER 8902
ISABELL CREEK BRIDGE AND APPROACHES
STATE HIGHWAY 105
POPE COUNTY, ARKANSAS
AS PART OF CURRENT ARKANSAS DEPARTMENT OF TRANSPORTATION JOB
NUMBER 080529 HECTOR, ISABELL, & ALEWINE CREEKS STRS. & APPRS. (S)
POPE COUNTY, ARKANSAS

WHEREAS, the previous Memorandum of Agreement (MOA) from May 1992 addressed the mitigation pertaining to the adverse effect on the Isabell Creek Bridge (Bridge Number 00811), a property eligible for inclusion in the National Register of Historic Places (NRHP) (see Attachment A); and

WHEREAS, part of this mitigation included the Historic American Engineering Record (HAER) documentation being submitted to the National Park Service (NPS) (see Attachment B); and

WHEREAS, the Arkansas Department of Transportation (ARDOT, formerly known as the Arkansas Highway and Transportation Department) Job Number 8902 was not constructed and therefore the HAER documentation was never submitted; and

WHEREAS, the HAER documentation has recently been submitted and accepted by the Heritage Documentation Programs Division of the NPS but includes only the historical narrative and not the original large print negatives; and

WHEREAS, the original negatives have been lost; and

WHEREAS, the documentation for the historic bridge mitigation process was modified and agreed upon between the Federal Highway Administration (FHWA), the ARDOT, and the Arkansas State Historic Preservation Officer (SHPO); and

WHEREAS, the current ARDOT Job 080529 will replace two additional bridges with Bridge No. M3810 (over Alewine Creek) and Bridge No. M00813 (over Hector Creek) that were determined not eligible to the NRHP in a Request for Technical Assistance to SHPO with their concurrence; and

WHEREAS, the Isabell Creek Bridge, a property considered eligible to the NRHP, should include the current standard of documentation for historic bridges.

ARDOT Job Number 080529

Amendment to AHTD Job Number 8902 MOA

Page 2 of 5

NOW, THEREFORE, the FHWA, ARDOT, and SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on this historic property and agree to amend the previous MOA.

ADDED STIPULATIONS

1. The FHWA will produce architectural documentation for the existing Isabell Creek Bridge that meets the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation* set forth in 48 CFR 44716. An Arkansas Historic Preservation Program (AHPP) Arkansas Architectural Resources Form and color digital photography meet these standards.
2. The AHPP 2009 *Survey Procedures Manual: Guidelines for Historic and Architectural Surveys in Arkansas* shall be followed in producing the architectural documentation.
3. Copies of the original design plans and historic photographs of the bridge, which were not included in the original HAER documentation, will be included in Arkansas Architectural Resources Form.
4. The updated documentation will be curated at the AHPP, ARDOT, the Arkansas State Archives, and the Torreyson Library at the University of Central Arkansas.
5. Isabell Creek Bridge has been laser-scanned and a 3-dimensional digital model will be created from this scan and housed in the Historic Bridge Program Section of the ARDOT website.
6. No construction will be undertaken on the historic property until all fieldwork portions of the required mitigation have been completed.
7. The FHWA shall ensure that adequate time and funding are provided in order to carry out all aspects of the required mitigation.

ARDOT Job Number 080529
Amendment to AHTD Job Number 8902 MOA
Page 3 of 5

SIGNATORY

FEDERAL HIGHWAY ADMINISTRATION



Angel Correa
Arkansas Division Administrator

7/20/2018
Date

ARDOT Job Number 080529
Amendment to AHTD Job Number 8902 MOA
Page 4 of 5

SIGNATORY

ARKANSAS STATE HISTORIC PRESERVATION OFFICER



Stacy Hurst
Arkansas State Historic Preservation Officer



Date

ARDOT Job Number 080529
Amendment to AHTD Job Number 8902 MOA
Page 5 of 5

SIGNATORY

ARKANSAS DEPARTMENT OF TRANSPORTATION



Scott E. Bennett, P.E.
Director

~~#~~ MEAS Det

12-6-17

Date

ARDOT Job Number 080529
Amendment to AHTD Job Number 8902 MOA
Attachment A

Attachment A

Previous Memorandum of Agreement

AHTD Job Number 8902

Isabell Creek Bridge and Approaches

(Bridge Number 00811)

MEMORANDUM OF AGREEMENT
 SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
 PURSUANT TO 36 CFR § 800.6(a)

ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT
 JOB NUMBER 8902
 ISABELL CREEK BRIDGE AND APPROACHES
 STATE HIGHWAY 105
 POPE COUNTY, ARKANSAS

WHEREAS, the Federal Highway Administration (FHWA) has determined that AHTD Job Number 8902 will have an effect on the Isabell Creek Bridge, AHTD Bridge Number 811, a property eligible for inclusion in the National Register of Historic Places, and has consulted with the Arkansas State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f);

NOW, THEREFORE, FHWA and the Arkansas SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

Stipulations

The FHWA shall ensure that all documentation is completed and accepted by Historic American Buildings Survey/Historic American Engineering Record (HABS/HAER) Division of the National Park Service prior to demolition, and that copies of this documentation are made available to the SHPO.

Execution of this Memorandum of Agreement by FHWA and the Arkansas SHPO, its subsequent acceptance by the Council, and implementation of its terms, evidence that FHWA has afforded the Council an opportunity to comment on AHTD Job Number 8902 and its effects on historic properties, and that FHWA has taken into account the effects of the undertaking on historic properties.

FEDERAL HIGHWAY ADMINISTRATION

By: Charles J. Boyd Date: 4/13/92
 for H. C. Wieland, Division Administrator

ARKANSAS STATE HISTORIC PRESERVATION OFFICER

By: Cathy Buford Date: 5-1-92
 Cathy Buford, Arkansas SHPO

ACCEPTED FOR THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: Robert D. Bensch Date: 5/18/92

ARDOT Job Number 080529
Amendment to AHTD Job Number 8902 MOA
Attachment B

Attachment B

Historic American Engineering Record

Isabell Creek Bridge

(Bridge No. 00811)

HAER No. AR-58

HISTORIC AMERICAN ENGINEERING RECORD

ISABELL CREEK BRIDGE

(Bridge No. 811)

HAER No. AR-58

Location: State Highway 105, Section 1, Log Mile 6.97, 7 miles north of Atkins, Pope County, Arkansas

Structural Type: Open spandrel concrete deck arch

Date of Construction: 1927-28

Builder: Maxwell Construction Company
Columbus, Kansas

Present Owner: Arkansas Highway and Transportation Department

Present Use: Vehicular Bridge

Significance: The Isabell Creek Bridge was an integral part of the north-south central Arkansas route of State Highway 105. It is one of the few specimens of the open spandrel concrete deck arch remaining in the State, and is situated in an attractive natural and man-made setting. It is a very fine example of the smaller, single span form of this bridge type and also of an institutionally designed structure.

Report Prepared by: Burney B. McClurkan
Archeologist – Historian
Environmental Division
Arkansas Highway and Transportation Department
Post Office Box 2261
Little Rock, Arkansas 72203

Date: July 1992 (edited for submittal September 2017)

ISABELL CREEK BRIDGE
HAER No. AR-58
(Page 2)

HISTORICAL NARRATIVE

By the late 1920s, scarcely 30 years after the invention of the “horse-less carriage”, the impact and importance of the auto-mobile was recognized across America. A nationwide network of highways was in the foreseeable future, and technology was being developed and adapted to meet the needs of a motorized public. Ground surface transportation has always been a basic necessity and a system of roads and bridges had been more or less in place in various parts of the country for the previous century. With the advent of the automobile perceptions of space and time began to alter, from short distance – long time to long distance – short time. To meet the needs of motor travel, roads and bridges were being widened, strengthened and improved.

Arkansas Highway and Transportation Department Job Number 859 was initiated to construct six bridges on a new state highway between Atkins and Hector. State Highway 105 was one of a series of highways designed to furnish links between the scattered population in the Ozark Mountains of north Arkansas and the more populous region of the Arkansas River Valley. Bridge Number 811 (as Isabell Creek Bridge was also designated) was one of the six bridges built under this job.

Job Number 859 was advertised through a “Notice to Contractors” in the Arkansas Gazette and the Arkansas Democrat on May 9, 1928. Seven firms bid on the project; Pioneer Construction Company of Kansas City, Missouri, Lakeside Bridge and Steel Company of Dardanelle, Arkansas, C.W. Green of Rogers, Arkansas, Newell Construction Company of Birmingham, Alabama, Maxwell Construction Company of Columbus, Kansas, Turk Construction Company of Little Rock, Arkansas, and Lynch and Hall Construction of Little Rock, Arkansas.

ISABELL CREEK BRIDGE
HAER No. AR-58
(Page 3)

Maxwell Construction was awarded the job for a bid estimate of \$40,053.57, the cost of Bridge Number 00811 being \$15,567.75. In a letter dated May 21, 1928 Maxwell Construction was officially informed of the award and the Work Order was issued May 24, 1928.

Mrs. Agnes Coffman Duvall, a longtime resident of Pope County, attended school at Oak Grove as a young girl, and recalls that, prior to the bridge being built, she had to cross Isabell Creek on a foot log using a wire hand hold which was also strung across the creek. All pedestrian traffic used the log foot bridge, while wagon traffic forded the creek on the east side of the present bridge. Mrs. Duvall adds that the bridge and road were constructed at the same time. Her recollection is that the bridge was open at least to foot traffic in March 1928. She says she was able to use the bridge to cross the creek in March 1928 in order to get to school, March having been the last month of the school year at that time. Her recollection is at variance with AHTD records which show construction beginning in May of 1928 and the bridges being completed in approximately 100 days. It is possible Mrs. Duvall may have the year confused, but here recollection of conditions is certainly valid. Her information is generally verified by Mrs. Lawrence Biffle who has lived in Oak Grove all her life and is a contemporary of Mrs. Duvall.

It is possible that work on the highway was begun prior to the bridge construction which might help account for the variance in dates in Mrs. Duvall's account. Regardless, the six Atkins to Hector bridges and Highway 105 were part of the early efforts to modernize the state's surface transportation system in response to the ever increasing importance of the motor car.

Bridge Number 811 is a concrete, open spandrel deck arch bridge with a group of four reinforced concrete deck girder approach spans. The main arch span of this bridge is 70', with the overall structure length of 173'. The roadway view consists of concrete posts with two concrete railings on either side of an asphalt-covered, reinforced concrete deck. The bridge rests on two

ISABELL CREEK BRIDGE
HAER No. AR-58
(Page 4)

reinforced column bents with chamfered corners, the arch, and reinforced concrete abutments. This bridge is not a particularly large example of this type of construction, but it is an excellent example of the form, and is situated in a very attractive rural setting.

The relatively narrow, 18', deck width has caused the bridge to be classified as functionally obsolete. 18' are sufficient for two passenger cars to pass, but modern truck traffic, not to mention modern trucks, being what they are, this width is too narrow for two-way traffic on the bridge.

ISABELL CREEK BRIDGE
HAER No. AR-58
(Page 5)

REFERENCES

Arkansas Highway and Transportation Department Records:

Job Record, Job Number 859, Bridge Division; original card on file, AHTD Bridge Division, Little Rock, Arkansas.

Bridge Card, Bridge Number 811, original card on file, AHTD Bridge Division, Little Rock, Arkansas

Other Forms and Correspondence, AHTD Microfilm Archives, Little Rock, Arkansas

1. Letter, May 8, 1928, State Highway Engineer to Arkansas Gazette, "Notice to Contractors"
2. Letter, May 21, 1928 to Maxwell Construction Company announcing the award of the contract.
3. Letter, May 24, 1928, Work Order issued by State Highway Engineer to Maxwell Construction Company

Arkansas Highway Commission, 8th Biennial Report for period ending June 30, 1928, Supplemental to September 30, 1928. Page 55, Table 3, Record for Road and Bridge Contracts Awarded January 1, 1929 to September 30, 1928.

Arkansas Highway Commission, 9th Biennial Report for period ending June 30, 1930, Supplemental to August 31, 1930. Page 166, Table II, Record of Road and Bridge Contracts Awarded January 1, 1928 to December 30, 1928.



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



September 7, 2018

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

Consultation Code: 04ER1000-2018-I-0154

Dear Mr. Fleming:

The U.S. Fish and Wildlife Service (Service) has reviewed your assessment and determinations for Arkansas Department of Transportation (ArDOT) Job Number 080529 Alewine, Hector & Isabell Creek Strs. & Apprs. (Proposed Action), Pope County, Arkansas. The project was described and assessed as follows (abbreviated):

The Arkansas Department of Transportation (ArDOT) proposes to replace three bridges, over Hector, Isabell and Alewine Creeks. The Hector and Alewine Creek bridges will be replaced with triple box culverts, the Isabell Creek bridge will be replaced with another bridge, and the existing single barrel box culvert in an unnamed tributary to Alewine Creek will be replaced with quintuple pipe culverts along Highway 105 in Pope County. The existing bridge over Hector Creek will be replaced with a quadruple box culvert on existing location. During construction, a temporary detour on the west side of Highway 105 will be utilized for maintenance of traffic purposes. Approximately 2.6 acres of forested area will be cleared at Hector Creek. The existing bridge over Isabell Creek will be replaced with a bridge on existing location. During construction, this portion of Highway 105 will be temporarily closed. Travelers will utilize the existing highways to the west and Caballo Ranch Rd. as a detour for maintenance of traffic during construction. Approximately 1.3 acres of forested area will be cleared at Isabell Creek. The existing bridge will be replaced with a quadruple box culvert on existing location. A temporary detour will be located on the east side of Highway 105 for maintenance of traffic during construction. Approximately 0.6 acre of forested area will be cleared at Alewine Creek, while the box culvert replacement within the unnamed tributary to Alewine Creek will require 0.3 acre of forested area to be cleared. Please see attached kmz file for the current proposed design. Hector Creek is the northernmost site, while Alewine Creek is the southernmost location.

The official species list obtained through the USFWS' IPaC website identifies the endangered Gray Bat (*Myotis grisescens*), the endangered Indiana Bat (*Myotis sodalis*), the endangered Ozark Big-eared Bat (*Corynorhinus townsendii ingens*), the threatened Northern Long-eared Bat (*Myotis septentrionalis*), the threatened

Piping Plover (*Charadrius melodus*), and the threatened Missouri Bladderpod (*Physaria filiformis*) as potentially occurring in the project area. A 'no effect' determination has been made for the federally listed Missouri Bladderpod and Piping Plover due to lack of habitat in the project area, as there are no glades or large sandy rivers in the immediate project area or nearby.

Pope County is within the consultation area for the federally listed Northern Long-eared Bat. The project will have a winter clearing only restriction included in the job contract, which prohibits tree clearing from April 1st to November 15th. Approximately 4.8 acres of forested areas will be cleared for the proposed project. A bridge assessment was conducted on the three bridges and found no evidence of bats utilizing the structures. The Final 4(d) Rule and 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 separate coordination with USFWS. Please see the 4(d) Rule Streamlined Checklist.

Pope County is within the consultation area for the federally listed Indiana Bat. They will have a winter clearing restriction placed in the job contract, which prohibits tree clearing from April 1 to November 15. Approximately 4.8 acres of forested areas will be cleared for the three bridge replacements. Using IPaC's Assisted Determination Key for Indiana Bats, a 'may affect, not likely to adversely affect' determination was reached. Please see the attached NLAA Verification Letter. A bridge assessment was conducted on the three bridges and found no evidence of bats utilizing the structures; please see accompanying Bridge Assessment Forms. Approximately 4.8 acres of riparian forested habitat will be cleared for this project, which may remove potential foraging habitat for Gray and Ozark Big-eared Bats. ArDOT will commit to a winter clearing restriction, and it will be limited to only what is needed for the project; therefore, it is our determination that the project 'may affect, not likely to adversely affect' the Gray Bat and the Ozark Big-eared Bat. We request your concurrence in our determination.

Addendum: Summer presence/absence surveys were conducted at the three proposed bridge relocation sites. Environmental Solutions & Innovations, Inc. surveyed this area from July 24th to July 29th. In total, over all nights, 5 Eastern Red Bats and 1 Evening Bat were caught. Review of the acoustic data did not

confirm the presence of listed bat species. Neither acoustic nor mist netting produced any Northern Long-eared, Indiana, or Gray bats in the project area.

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.

The Service has received your concurrence verification letter and request to verify that the Proposed Action may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.). As previously stated the 4(d) rule was applied for Northern Long-eared Bat and all further discussion related to the PBO will pertain to only Indiana Bat.

Based on the information you provided, you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, may affect, but is not likely to adversely affect (NLAA) the endangered Indiana Bat (*Myotis sodalis*).

The Service concurs that this action may rely on the PBO. Furthermore, due to the negative findings within the summer presence/absence surveys on the surrounding area and the bridges, the limited size of the area being cleared off existing roadway and adjacent to existing right-of-way, distance to known species locations or hibernacula, time of year clearing restriction, and the standard provisions for stream sediment control and water quality conservation measures, the Service agrees with your assessment and "not likely to adversely affect" determinations for both Indiana Bat under the PBO and for Ozark Big-eared Bat. The Service also agrees with your assessment for all other species identified by IPaC. No further consultation is necessary at this time.

For Proposed Actions that include bridge/structure removal, replacement, and/or maintenance activities: If your initial bridge/structure assessments failed to detect Indiana Bats, but you later detect bats during construction, please submit the Post Assessment Discovery of Bats at Bridge/Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action is modified, or new information reveals that it may affect the Indiana Bat and/or Northern Long-eared Bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required. If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation is required. If the proposed action has the potential to take Bald or Golden Eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

For further assistance or if you have any questions, please contact Lindsey Lewis at (501) 513-4489 or lindsey_lewis@fws.gov.

Sincerely,



Melvin L. Tobin
Field Supervisor



United States Department of the Interior



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

In Reply Refer To:

September 05, 2018

Consultation Code: 04ER1000-2018-I-0154

Event Code: 04ER1000-2018-E-02412

Project Name: 080529 Alewine, Hector & Isabell Creek Strs. & Apprs.

Subject: Concurrence verification letter for the '080529 Alewine, Hector & Isabell Creek Strs. & Apprs.' project under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated to verify that the 080529 Alewine, Hector & Isabell Cr eek Strs. & Apprs. (Proposed Action) may rely on the concurrence provided in the February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, may affect, but is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*).

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

For Proposed Actions that include bridge/structure removal, replacement, and/or maintenance activities: If your initial bridge/structure assessments failed to detect Indiana bats, but you later detect bats during construction, please submit the Post Assessment Discovery of Bats at Bridge/Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or Northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required. If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

The following species may occur in your project area and are not covered by this determination:

- Gray Bat, *Myotis grisescens* (Endangered)
 - Missouri Bladderpod, *Physaria filiformis* (Threatened)
 - Ozark Big-eared Bat, *Corynorhinus (=Plecotus) townsendii ingens* (Endangered)
 - Piping Plover, *Charadrius melodus* (Threatened)
-

Project Description

The following project name and description was collected in IPaC as part of the endangered species review process.

Name

080529 Alewine, Hector & Isabell Creek Strs. & Apprs.

Description

Replace 3 bridges and 1 box culvert along Highway 105 in Pope County. Two bridges will be replaced with triple box culverts on existing alignment, while the bridge over Isabell creek will be replaced with another bridge on existing alignment. The existing box culvert in an unnamed tributary to Alewine Creek will be replaced quintuple pipe culverts.

Determination Key Result

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the threatened Northern long-eared bat. Therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 et seq.) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

Qualification Interview

1. Is the project within the range of the Indiana bat^[1]?

[1] See [Indiana bat species profile](#)

Automatically answered

Yes

2. Is the project within the range of the Northern long-eared bat^[1]?

[1] See [Northern long-eared bat species profile](#)

Automatically answered

Yes

3. Which Federal Agency is the lead for the action?

A) Federal Highway Administration (FHWA)

4. Are all project activities limited to non-construction^[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

No

5. Does the project include any activities that are greater than 300 feet from existing road/rail surfaces^[1]?

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

6. Does the project include any activities within 0.5 miles of an Indiana bat and/or NLEB hibernaculum^[1]?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

7. Is the project located within a karst area?

No

8. Is there any suitable^[1] summer habitat for Indiana Bat or NLEB within the project action area^[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [national consultation FAQs](#).

Yes

9. Will the project remove any suitable summer habitat^[1] and/or remove/trim any existing trees within suitable summer habitat?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

Yes

10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

No

11. Have presence/probable absence (P/A) summer surveys^{[1][2]} been conducted^{[3][4]} within the suitable habitat located within your project action area?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

[3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

[4] Negative presence/probable absence survey results obtained using the [summer survey guidance](#) are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

Yes

SUBMITTED DOCUMENTS

- Bat Capture Summary.docx <https://ecos.fws.gov/ipac/project/AR72TMDENVB63NFZB4HHBE5O6Y/projectDocuments/13800785>

12. Did the presence/probable absence (P/A) summer surveys detect Indiana bats and/or NLEB^[1]?

[1] P/A summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate home range) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

No

13. Were the P/A summer surveys conducted within the fall swarming/spring emergence range of a documented Indiana bat hibernaculum^[1]?

[1] Contact the local Service Field Office for appropriate distance from hibernacula.

No

14. Does the project include activities within documented Indiana bat habitat [1][2]?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

15. Will the removal or trimming of habitat or trees occur within suitable but undocumented Indiana bat roosting/foraging habitat or travel corridors?

Yes

16. What time of year will the removal or trimming of habitat or trees within suitable but undocumented Indiana bat roosting/foraging habitat or travel corridors occur^[1]?

[1] Coordinate with the local Service Field Office for appropriate dates.

A) During the active season

17. When in the active season will the removal or trimming of habitat or trees occur within suitable but undocumented Indiana bat roosting/foraging habitat or travel corridors?

C) During the active season both during and outside of the period May 1 to July 31

18. Will the removal or trimming of habitat or trees within suitable but undocumented Indiana bat roosting/foraging habitat or travel corridors that occurs between May 1 and July 31 be limited such that all trees can be visually assessed for use by bats?

Yes

19. Does the project include activities within documented NLEB habitat [1][2]?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

20. Will the removal or trimming of habitat or trees occur within suitable but undocumented NLEB roosting/foraging habitat or travel corridors?

Yes

21. What time of year will the removal or trimming of habitat or trees within suitable but undocumented NLEB roosting/foraging habitat or travel corridors occur?

C) During both the active and inactive seasons

22. Are any trees being removed greater than 9 inches diameter at breast height (dbh)?

Yes

23. Will any tree trimming or removal occur within 100 feet of existing road/rail surfaces?

Yes

24. Will more than 10 trees be removed between 0-100 feet of the road/rail surface during the active season^[1]?

[1] Areas containing more than 10 trees will be assessed by the local Service Field Office on a case-by-case basis with the project proponent.

Yes

25. Will the tree removal alter any documented Indiana bat or NLEB roosts and/or alter any surrounding summer habitat within 0.25 mile of a documented roost?

No

26. Will any tree trimming or removal occur between 100-300 feet of existing road/rail surfaces?

Yes

27. Are all trees that are being removed clearly demarcated?
Yes
28. Will the removal of habitat or the removal/trimming of trees involve the use of temporary lighting?
No
29. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing permanent lighting?
No
30. Does the project include maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins)?
No
31. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?
No
32. Does the project include slash pile burning?
Yes
33. Does the project include any bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?
Yes
34. Is there any suitable habitat^[1] for Indiana bat or NLEB within 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's current [summer survey guidance](#) for our current definitions of suitable habitat.

Yes

35. Has a bridge assessment^[1] been conducted within the last 24 months^[2] to determine if the bridge is being used by bats?

[1] See [User Guide Appendix D](#) for bridge/structure assessment guidance

[2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

Yes

SUBMITTED DOCUMENTS

- AppDBridgeStructureAssessmentForm_Alewine.pdf <https://ecos.fws.gov/ipac/project/AR72TMDENVB63NFZB4HHBE5O6Y/projectDocuments/13800907>
- AppDBridgeStructureAssessmentForm_Hector.pdf <https://ecos.fws.gov/ipac/project/AR72TMDENVB63NFZB4HHBE5O6Y/projectDocuments/13800910>
- AppDBridgeStructureAssessmentForm_Isabell.pdf <https://ecos.fws.gov/ipac/project/AR72TMDENVB63NFZB4HHBE5O6Y/projectDocuments/13800911>

36. Did the bridge assessment detect any signs of bats roosting in/under the bridge (bats, guano, etc.)?

Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

No

37. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing permanent lighting?

No

38. Does the project include the removal, replacement, and/or maintenance of any structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

Yes

39. Is there any suitable habitat^[1] for Indiana bat or NLEB within 1,000 feet of the structure? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's current [summer survey guidance](#) for our current definitions of suitable habitat.

Yes

40. Has a structure assessment^[1] been conducted within the last 24 months^[2] to determine if bats are using the structure(s)?

[1] 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).

[2] Assessments must be completed no more than 2 years prior to conducting any work on the structures, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that structure in subsequent years.

Yes

SUBMITTED DOCUMENTS

- AppDBridgeStructureAssessmentForm_Box culvert.pdf <https://ecos.fws.gov/ipac/project/AR72TMDENVB63NFZB4HHBE5O6Y/projectDocuments/13800909>

41. Did the structure assessment detect bats or sign of bat roosting (bats, guano, etc.) in/under the structure?

No

42. Will the structure removal, replacement, and/or maintenance activities include installing new or replacing existing permanent lighting?

No

43. Will the project involve the use of temporary lighting during the active season?

No

44. Will the project install new or replace existing permanent lighting?

No

45. Does the project include percussives or other activities (not including tree removal/trimming or bridge/structure work) that will increase noise levels above existing traffic/background levels?

Yes

46. Will the activities that use percussives (not including tree removal/trimming or bridge/structure work) and/or increase noise levels above existing traffic/background levels be conducted during the active season^[1]?

[1] Coordinate with the local Service Field Office for appropriate dates.

Yes

47. Will any activities that use percussives (not including tree removal/trimming or bridge/structure work) and/or increase noise levels above existing traffic/background levels be conducted during the inactive season^[1]?

[1] Coordinate with the local Service Field Office for appropriate dates.

Yes

48. Are all project activities that are not associated with habitat removal, tree removal/trimming, bridge or structure removal, replacement, and/or maintenance, lighting, or use of percussives, limited to actions that DO NOT cause any stressors to the bat species, including as described in the BA/BO (i.e. activities that do not involve ground disturbance, percussive noise, temporary or permanent lighting, tree removal/trimming, nor bridge/structure activities)?

Examples: lining roadways, unlighted signage, rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

Yes

49. Will the project raise the road profile above the tree canopy?

No

50. Is the slash pile burning portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

Automatically answered

Yes, because it is near suitable habitat and >0.5 miles from any hibernaculum

51. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) consistent with a Not Likely to Adversely Affect determination in this key?

Automatically answered

Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and are not within documented habitat

52. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) and/or increase noise levels above existing traffic/background levels consistent with a No Effect determination in this key?

Automatically answered

Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and conducted during the inactive season

53. Is the location of this project consistent with a Not Likely to Adversely Affect determination in this key?

Automatically answered

Yes, because no bats were detected during presence/probable absence surveys conducted during the summer survey season and outside of the fall swarming/spring emergence periods. Additionally, all activities were at least 0.5 miles from any hibernaculum.

54. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the bridge has been assessed using the criteria documented in the BA and no signs of bats were detected

55. Is the structure removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the structure has been assessed using the criteria documented in the BA and no signs of bats were detected

56. General AMM 1

Will the project ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

Yes

Project Questionnaire

1. Have you made a No Effect determination for all other species indicated on the FWS IPaC generated species list?

No

2. Have you made a May Affect determination for any other species on the FWS IPaC generated species list?

Yes

3. How many acres^[1] of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

2.4

4. How many acres^[1] of trees are proposed for removal between 100-300 feet of the existing road/rail surface?

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

2.4

5. Please describe the proposed bridge work:

Replacing three existing bridges on existing alignment, two with triple box culverts and one with another bridge.

6. Please state the timing of all proposed bridge work:

year-round

7. Please describe the proposed structure work:

Replace an existing box culvert with a quintuple pipe culvert.

8. Please state the timing of all proposed structure work:

year-round

Avoidance And Minimization Measures (AMMs)

These measures were accepted as part of this determination key result:

GENERAL AMM 1

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

Determination Key Description: FHW A, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat

This key was last updated in IPaC on March 16, 2018. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered Indiana bat (*Myotis sodalis*) and the threatened Northern long-eared bat (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

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
1. Does the project occur wholly outside of the WNS Zone ¹ ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have you contacted the appropriate agency ² 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 Applicant³ (Name, Email, Phone No.): Kayti Ewing, anne.ewing@ardot.gov, 501-569-2083

Project Name: 080529, Hector, Isabell & Alewine Creeks Strs. & Apprs.

Project Location (include coordinates if known): Pope County, 35.358768°, -92.959100°

Basic Project Description (provide narrative below or attach additional information): ArDOT plans to replace three bridges on Highway 105. A detour will be used for maintenance of traffic on the Hector and Alewine bridges during construction. A small section of Highway 105 will be closed while the Isabell Creek bridge is replaced. See kmz design file for more detailed information. A winter clearing restriction will be placed on the job.

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

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

³ 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 ⁴ ? (if yes, report acreage below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Estimated total acres of forest conversion	~ 4.8 acre	
If known, estimated acres ⁵ of forest conversion from April 1 to October 31	0	
If known, estimated acres of forest conversion from June 1 to July 31 ⁶	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	0	
If known, estimated acres of timber harvest from April 1 to October 31	0	
If known, estimated acres of timber harvest from June 1 to July 31	0	
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: 8/29/2018

⁴ 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).

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

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



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:

August 20, 2018

Consultation Code: 04ER1000-2018-SLI-0154

Event Code: 04ER1000-2018-E-02199

Project Name: 080529 Alewine, Hector & Isabell Creek Strs. & Apprs.

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies endangered, threatened, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). This letter only provides an official species list and technical assistance; if you determine that listed species and/or designated critical habitat may be affected in any way by the proposed project, even if the effect is wholly beneficial, consultation with the Service will be necessary.

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

Please visit our website at <http://www.fws.gov/arkansas-es/IPaC/home.html> for species-specific guidance to avoid and minimize adverse effects to federally endangered, threatened, proposed, and candidate species. Our web site also contains additional information on species life history and habitat requirements that may be useful in project planning.

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

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

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

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

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

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be

completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

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

Attachment(s):

- Official Species List

Official Species List

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

This species list is provided by:

Arkansas Ecological Services Field Office
110 South Amity Suite 300
Conway, AR 72032-8975
(501) 513-4470

Project Summary

Consultation Code: 04ER1000-2018-SLI-0154

Event Code: 04ER1000-2018-E-02199

Project Name: 080529 Alewine, Hector & Isabell Creek Strs. & Apprs.

Project Type: BRIDGE CONSTRUCTION / MAINTENANCE

Project Description: Replace 3 bridges along Highway 105 in Pope County.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/35.344290903435365N92.96102333884419W>



Counties: Pope, AR

Endangered Species Act Species

There is a total of 6 threatened, endangered, or candidate species on this species list.

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

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

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

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

Mammals

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

Birds

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

Flowering Plants

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

Critical habitats

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

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

ARDOT Job Number 080529 FAP Number NHPP-0058(44)

Job Title Hector, Isabell, & Alewine Creeks Strs. & Apprs. (S)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impact anticipated – area in attainment
Cultural Resources		X		Historic bridge over Isabell Creek
Economic	X			Will not be impacted by project
Endangered Species		X		“May Affect, Not Likely to Adversely Affect”
Environmental Justice/Title VI	X			No protected populations in project area
Fish and Wildlife		X		Temporary during construction
Floodplains		X		Project lies within SFHA, Zone A
Forest Service Property	X			Not within a National Forest boundary
Hazardous Materials/Landfills	X			None in project area
Land Use		X		3.3 acres proposed ROW, 3.6 acres TCE
Migratory Birds	X			Migratory Bird SP added to contract
Navigation/Coast Guard	X			No navigable waterways in project area
Noise Levels	X			No analysis required for a Type III project
Prime Farmland		X		3.1 acres prime farmland converted to ROW
Protected Waters	X			None in project area
Public Recreation Lands	X			None in project area
Public Water Supply/WHPA	X			None in project area
Relocatees	X			No relocations
Section 4(f)/6(f)		X		Historic bridge programmatic
Social	X			No impacts to the social environment
Underground Storage Tanks	X			None in project area
Visual	X			No changes to visual environment
Streams		X		1,420 linear feet total stream impacts
Water Quality		X		Temporary and minor during construction
Wetlands		X		< 0.5 acre total wetland impacts
Wildlife Refuges	X			None in project area

Section 401 Water Quality Certification Required? No

Short-term Activity Authorization Required? Yes

Section 404 Permit Required? Yes Type Nationwide Permit 23

Remarks:

Compensatory stream mitigation to be purchased from mitigation bank, wetland mitigation from the ARDOT Hartland Bottoms Mitigation Bank

Signature of Evaluator *Susan Staffeld* Date September 11, 2018

ROADWAY DESIGN REQUEST

Job Number 080529 FAP No. _____ County Pope

Job Name Hector, Isabell, & Alewine Creeks Strs. & Apprs. (S) (Site 1)

Design Engineer George W. Davison Environmental Staff _____

Brief Project Description Bridge Replacement with R.C. Box Culvert

A. Existing Conditions:

Roadway Width: 24' Shoulder Type/Width: 2' Gravel

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: 40' Shoulder Type/Width: 8' (2' Paved)

Number of Lanes and Width: 2-12' Proposed Right-of-Way: 195'

Sidewalks? N/A Location: _____ Width: _____

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

C. Construction Information:

If detour: Where: West of C.L. Length: 0.18 mi

D. Design Traffic Data:

2019 ADT: 2500 2039 ADT: 3000 % Trucks: 5

Design Speed: 55 m.p.h.

E. Approximate total length of project: 0.455 mile(s)

F. Justification for proposed improvements: _____

G. Total Relocates: N/A Residences: N/A Businesses: N/A

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

Agency/Official	Person Contacted	Date

EXISTING BRIDGE INFORMATION

Job Number: 080529 FAP Number: NHPP-0058(44) County: Pope

Job Name: Hector, Isabell, & Alewine Creeks Strs. & Apprs. (S)

Design Engineer: Jim Pool Environmental Staff: Susan Staffeld/Kayti Ewing

A. Description of Existing Bridge:

1. Bridge Number 00813 over Hector Creek
2. Location: Rte.: 105 Section: 1 Log Mile: 2.61
3. Length: 24 ft Br. Rdwy. Width: 26.2 ft Deck Width (Out-to-Out): 28.5 ft
4. Type Construction: R.C. Arch Slab with two steel beams on each side of slab supported by concrete abutments
5. Deficiencies: Posted
6. HBRRP Eligibility: Qualif. Code: NQ Sufficiency Rating: 44.90
7. Are any Condition Component Ratings at 3 or less? No

B. Proposed Improvements:

Existing Bridge will be replaced with a Box Culvert.

Please contact the Roadway Division for proposed improvements

ROADWAY DESIGN REQUEST

Job Number 080529 FAP No. _____ County Pope

Job Name Hector, Isabell, & Alewine Creeks Strs. & Apprs. (S) (Site 2)

Design Engineer George W. Davison Environmental Staff _____

Brief Project Description Bridge Replacement

A. Existing Conditions:

Roadway Width: 20' Shoulder Type/Width: 2' Gravel

Number of Lanes and Width: 2-8' Existing Right-of-Way: 80'

Sidewalks? N/A Location: _____ Width: _____

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

B. Proposed Conditions:

Roadway Width: 40' Shoulder Type/Width: 8' (2' Paved)

Number of Lanes and Width: 2-12' Proposed Right-of-Way: 140'

Sidewalks? N/A Location: _____ Width: _____

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

C. Construction Information:

If detour: Where: _____ Length: _____

D. Design Traffic Data:

2019 ADT: 2500 2039 ADT: 3000 % Trucks: 5

Design Speed: 55 m.p.h.

E. Approximate total length of project: 0.455 mile(s)

F. Justification for proposed improvements: _____

G. Total Relocates: N/A Residences: N/A Businesses: N/A

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

Agency/Official	Person Contacted	Date

BRIDGE INFORMATION – Revised PRELIMINARYJob Number: 080529 FAP Number: NHPP-0058(44) County: PopeJob Name: Hector, Isabell, & Alewine Creeks Strs. & Apprs. (S)Design Engineer: Jim Pool Environmental Staff: Susan Staffeld/Kayti Ewing**A. Description of Existing Bridge:**

1. Bridge Number 00811 over Isabell Creek
2. Location: Rte.: 105 Section: 1 Log Mile: 6.97
3. Length: 179 ft Br. Rdwy. Width: 18 ft Deck Width (Out-to-Out): 21 ft
4. Type Construction: R.C.D.G. approach spans supported by concrete abutments and concrete columns on spread footings and a R.C. Deck Arch Main Span
5. Deficiencies: _____
6. HBRRP Eligibility: Qualif. Code: FO Sufficiency Rating: 87.70
7. Are any Condition Component Ratings at 3 or less? No

B. Proposed Improvements:

1. Length: 211 ft Br. Rdwy. Width: 40 ft Deck Width (Out-to-Out): 43.17 ft
2. Travel Lanes: Two 12' lanes
3. Shoulder Width: Two 8' shoulders
4. Sidewalks? No Location: _____ Width: _____ ft

C. Construction Information:

1. Location in relation to existing bridge: On existing alignment
2. Superstructure Type: 210' Continuous Composite Integral W-Beam Unit
3. Span Lengths: Four Spans: 45'-60'-60'-45'
4. Substructure Type: Two Column Bent with Drilled shafts
5. Ordinary High Water Elev. (OHW): 527 No. of Bents inside OHW Contours: 1
6. Concrete Vol. below OHW: NA yd³ Vol. Bent Excavation: NA yd³ Vol. Backfill NA yd³
7. Is Channel Excavation below OHW Required? No Surface Area: _____ ft² Volume: _____ yd³
8. Is Fill below OHW Req'd.? No Surface Area: _____ ft² Volume: _____ yd³
9. Is Riprap below OHW Required? No Volume: _____ yd³

D. Work Road Information:

1. Is Work Road(s) required? Yes Location: C.L. Work Roads approx. 40' left and right of C.L. Construction Top Width: 30 ft
2. Is Fill below OHW required? TBD Surface Area: _____ ft² Volume _____ yd³
3. Are Pipes required to meet Backwater Criteria? Temporary Pipes for Low Flow Only

E. Detour Information:

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

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

Has Bridge Division coordinated with any outside agencies? _____

Agency	Person Contacted	Date

ROADWAY DESIGN REQUEST

Job Number 080529 FAP No. _____ County Pope

Job Name Hector, Isabell, & Alewine Creeks Strs. & Apprs. (S) (Site 3)

Design Engineer George W. Davison Environmental Staff _____

Brief Project Description Two Bridge Replacements with R.C. Box and R.C. Pipe Culverts

A. Existing Conditions:

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

Number of Lanes and Width: 2-11' Existing Right-of-Way: 100'

Sidewalks? N/A Location: _____ Width: _____

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

B. Proposed Conditions:

Roadway Width: 40' Shoulder Type/Width: 8' (4' Paved)

Number of Lanes and Width: 2-12' Proposed Right-of-Way: 135'

Sidewalks? N/A Location: _____ Width: _____

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

C. Construction Information:

If detour: Where: Lt. of C.L. Length: 0.23 mi.

D. Design Traffic Data:

2019 ADT: 2500 2039 ADT: 3000 % Trucks: 5

Design Speed: 55 m.p.h.

E. Approximate total length of project: 0.455 mile(s)

F. Justification for proposed improvements: _____

G. Total Relocates: N/A Residences: N/A Businesses: N/A

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

Agency/Official	Person Contacted	Date

EXISTING BRIDGE INFORMATION

Job Number: 080529 FAP Number: NHPP-0058(44) County: Pope

Job Name: Hector, Isabell, & Alewine Creeks Strs. & Apprs. (S)

Design Engineer: Jim Pool Environmental Staff: Susan Staffeld/Kayti Ewing

A. Description of Existing Bridge:

1. Bridge Number 00809/M3810 over Alewine Creek
2. Location: Rte.: 105 Section: 1 Log Mile: 13.63
3. Length: 29 ft Br. Rdwy. Width: 27.6 ft Deck Width (Out-to-Out): 29.2 ft
4. Type Construction: R.C. Arch Slab with two steel beams on each side of slab supported by concrete abutments
5. Deficiencies: Posted
6. HBRRP Eligibility: Qualif. Code: FO Sufficiency Rating: 43.00
7. Are any Condition Component Ratings at 3 or less? No

B. Proposed Improvements:

Existing Bridge will be replaced with a Box Culvert.

Please contact the Roadway Division for proposed improvements



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

February 21, 2020

Regulatory Division

NATIONWIDE PERMIT NO. **SWL 2019-00141**

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 bridges and upgrading the approaches over Hector Creek, Isabell Creek and Alewine Creek along State Highway 105 in Pope County. The bridges over Hector Creek and Alewine Creek will be replaced with box culverts on existing location and temporary detours will be constructed downstream from the existing structures. The Isabell Creek bridge will be replaced on existing location and the roadway will be closed with a signed detour. The approaches at each crossing will be upgraded to two 12-foot-wide travel lanes with 8-foot-wide shoulders that are partially paved. Permanent impacts to Hector, Isabell and Alewine Creeks will be less than 300 linear feet and 0.1 acres. The construction of a detour at Alewine Creek will require the relocation of approximately 234 linear feet of an unnamed tributary and approximately 0.38 acres of wetlands will be permanently impacted at Isabell Creek. The project may affect the Northern Long-eared Bat (*Myotis septentrionalis*) in accordance with the Final 4(d) Rule and Programmatic Biological Opinion. The project may affect but is not likely to adversely affect the Gray Bat (*Myotis grisescens*), Indiana Bat (*Myotis sodalis*) and Ozark Big-eared Bat (*Corynorhinus townsendii ingens*). The Isabell Creek bridge is on the National Register of Historic Places and will be documented and demolished in accordance with a Memorandum of Agreement. The Federal Highway Administration approved this project as a Tier 3 Categorical Exclusion on September 18, 2018. The bridges are located between Hector and Atkins in section 24, T. 9 N., R. 24 W., in section 12, T. 8 N., R. 19 W., and in section 8, T. 7 N., R. 18 W., Pope County, Arkansas. A vicinity map and project location maps are enclosed.

The proposed activities are authorized by three Department of the Army Nationwide Permit (NWP's) **No. 14** (copy enclosed), provided that the General Conditions therein and the **Special Conditions** 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 Conditions:

- 1. ArDOT agrees to mitigate for the adverse impacts to 0.38 acres of wetlands with 3.33 wetland credits at their Hartman Bottoms Mitigation Bank. Documentation of the mitigation bank transaction will be provided to the U.S. Army Corps of Engineers Little Rock District Transportation Program Manager.**
- 2. ArDOT agrees to mitigate for the adverse impacts to 234 linear feet of an unnamed tributary with 991.8 stream credits at their Bayou Meto Mitigation Bank. Documentation of the mitigation bank transaction will be provided to the U.S. Army Corps of Engineers Little Rock District Transportation Program Manager.**
- 3. ArDOT agrees to prohibit the clearing of trees between March 15 and November 14, or within 0.5 miles of any Indiana Bat hibernaculum.**
- 4. ArDOT agrees to prohibit the clearing of trees between June 1 and July 31 and within 150 feet of any known Northern Long-eared Bat maternity roost tree, or within 0.25 miles of any Northern Long-eared Bat hibernaculum.**
- 5. ArDOT agrees to coordinate any proposed off-site clearing of trees between March 15 and November 14, with the U.S. Fish and Wildlife Service.**

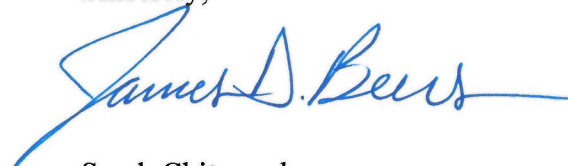
Please pay particular attention to General Condition No. 12 which stipulates that appropriate erosion and siltation controls be used during construction and all exposed soil be permanently stabilized. Erosion control measures must be implemented before, during and after construction. If you have any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

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

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

Your cooperation in the Regulatory Program is appreciated. If you have any additional questions about this permit or any of its provisions, please contact Mr. Johnny McLean at (501) 324-5295 and refer to Permit No. **SWL 2019-00141, ArDOT – Hector, Isabell and Alewine Creeks Structures and Approaches on State Highway 105 between Hector and Atkins (ArDOT Job No. 080529).**

Sincerely,



for Sarah Chitwood
Chief, Regulatory Evaluation Branch

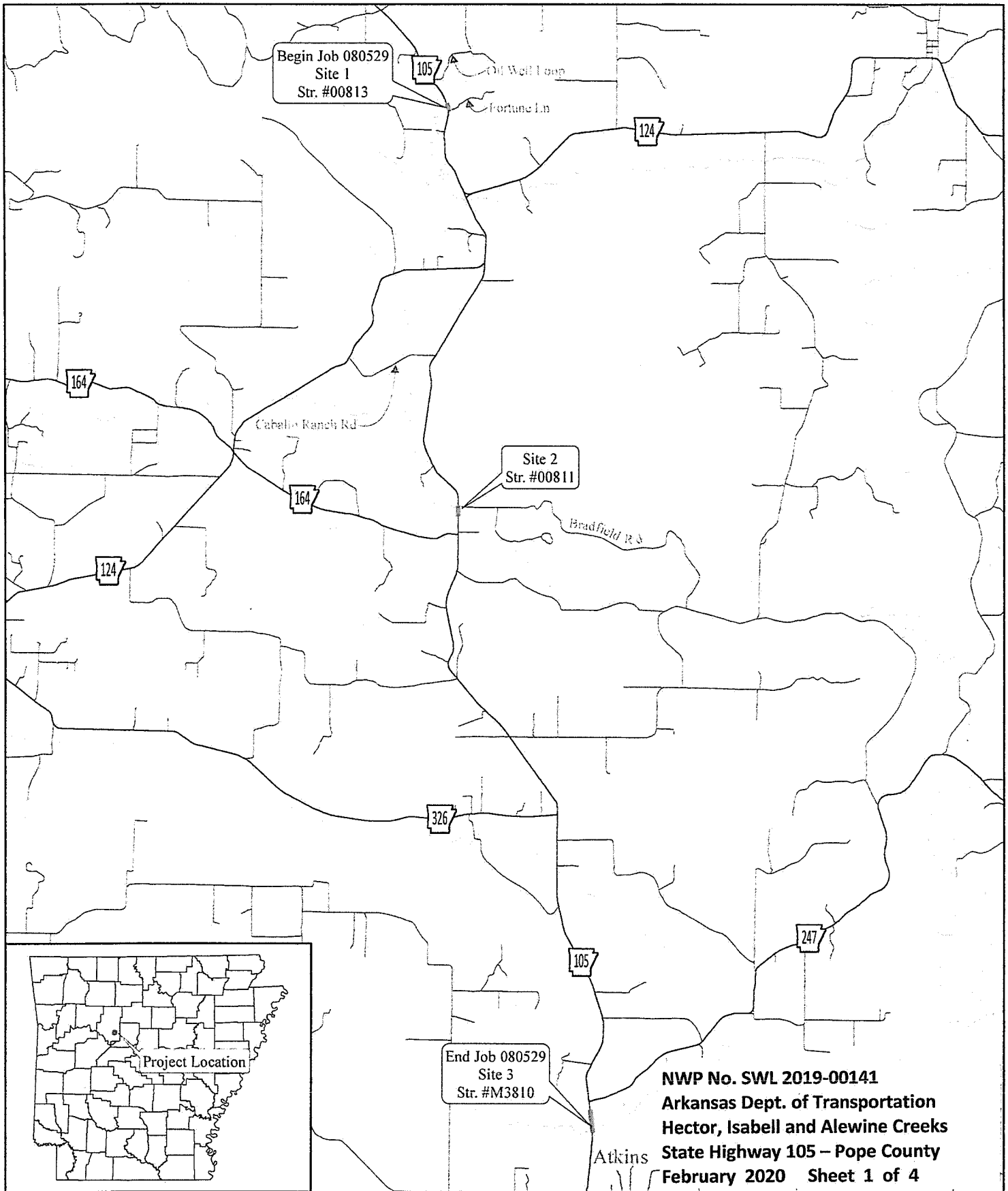
Enclosures

Copy Furnished:

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

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

Regulatory Enforcement, w/cy encls.

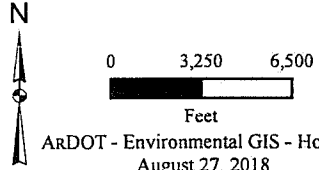


Begin Job 080529
Site 1
Str. #00813

Site 2
Str. #00811

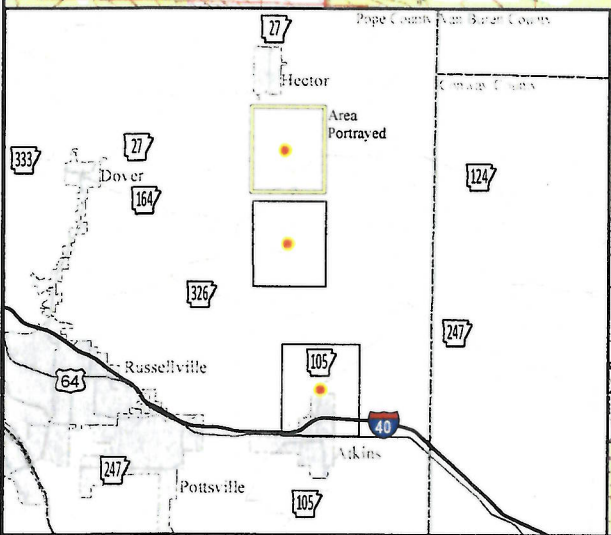
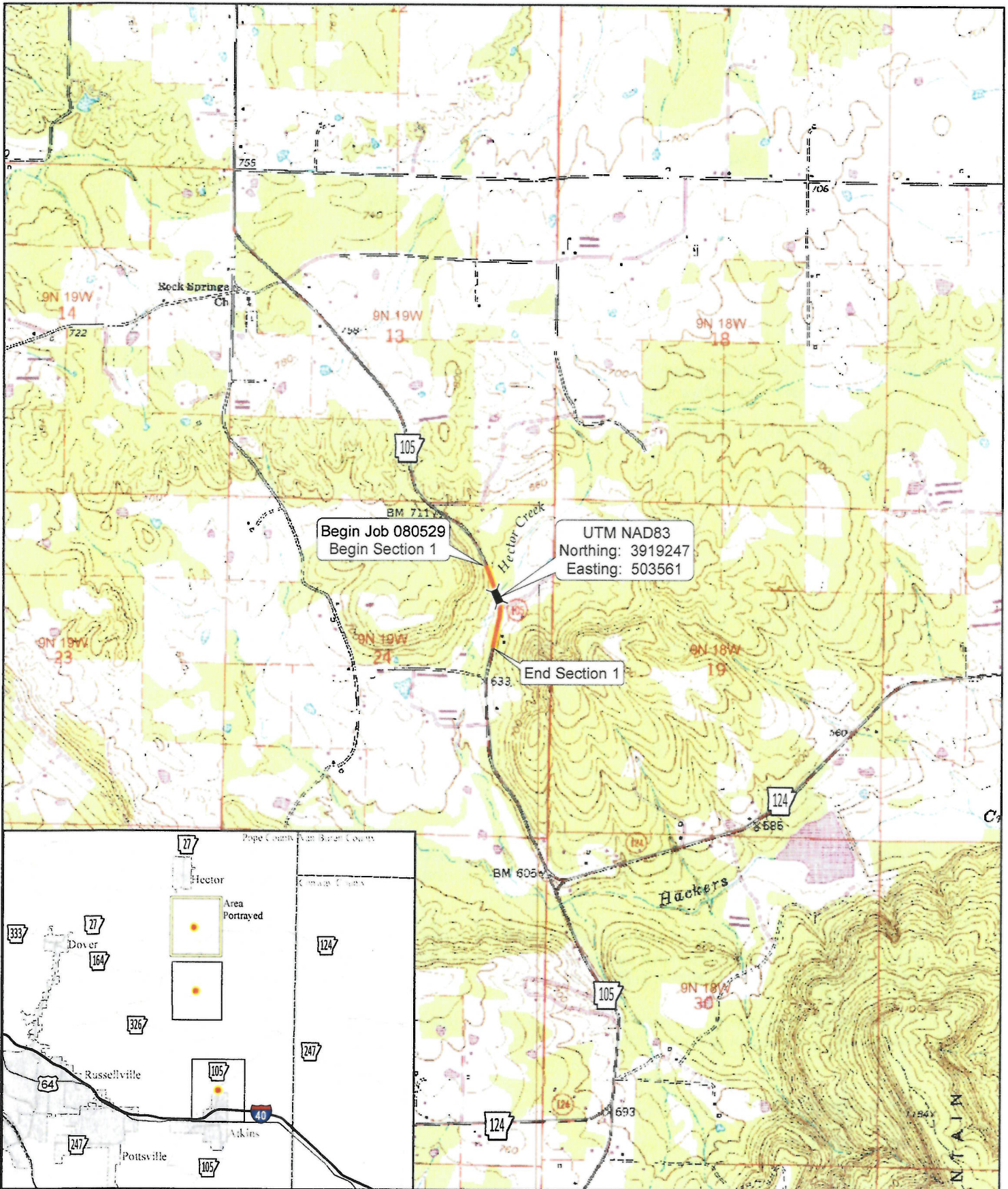
End Job 080529
Site 3
Str. #M3810

NWP No. SWL 2019-00141
Arkansas Dept. of Transportation
Hector, Isabell and Alewine Creeks
State Highway 105 – Pope County
February 2020 Sheet 1 of 4



Job 080529
Hector, Isabell, & Alewine Creeks
Strs. & Apprs. (Hwy. 105)
Pope County

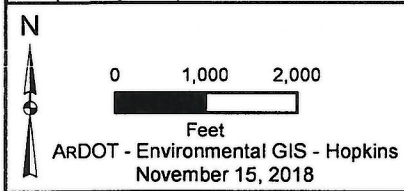
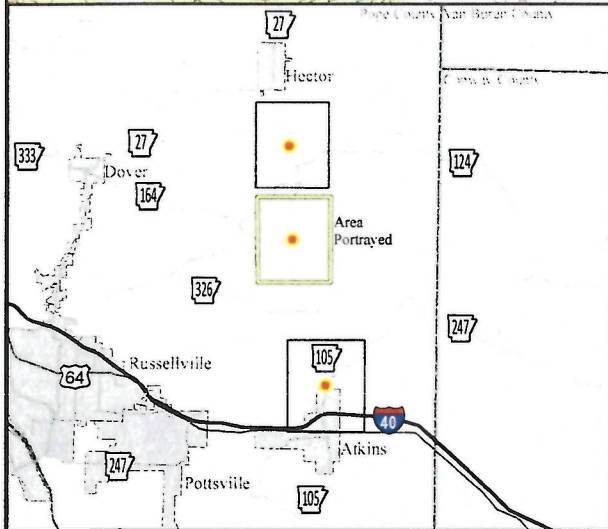
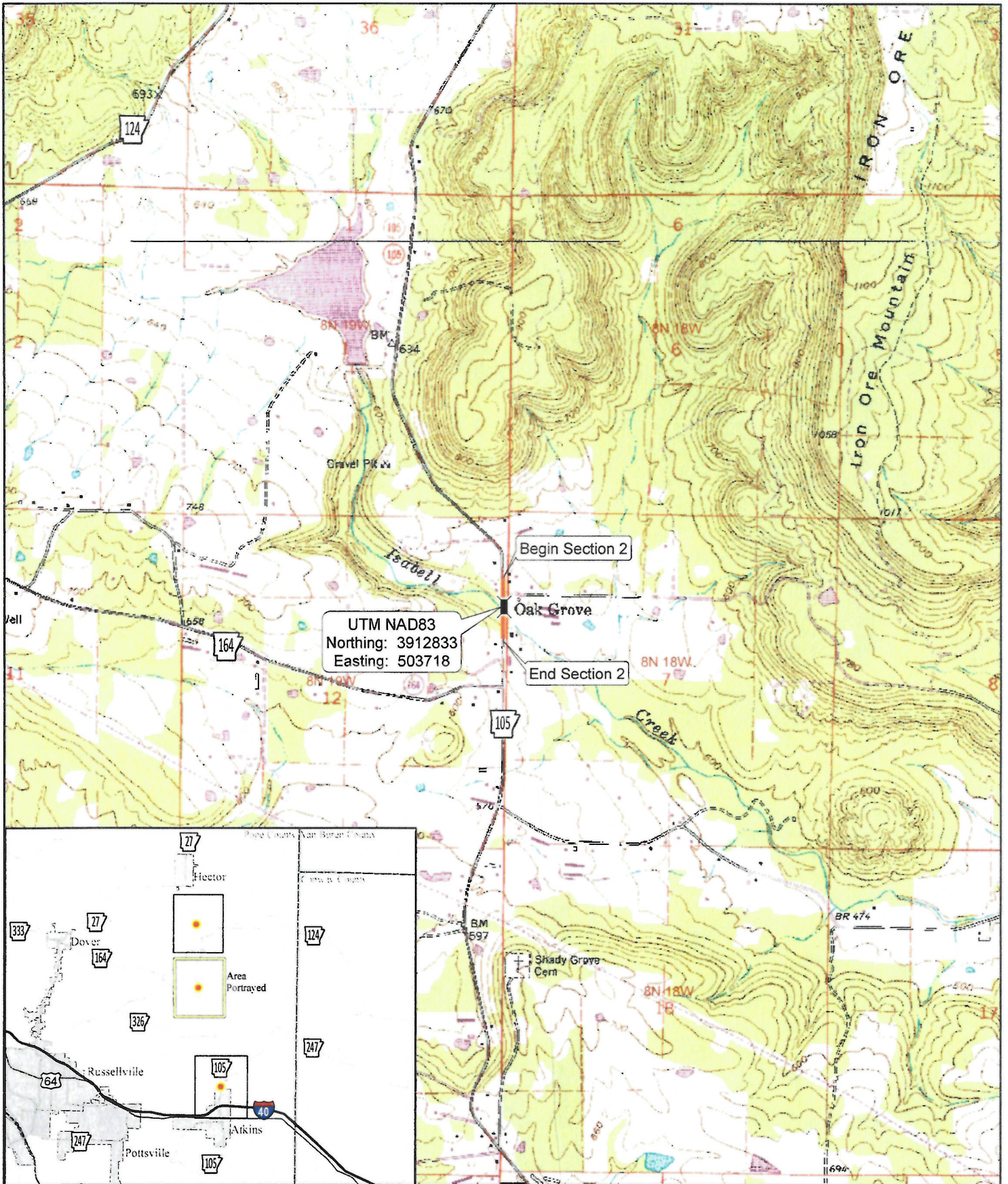
Project Location



N
 0 1,000 2,000
 Feet
 ARDOT - Environmental GIS - Hopkins
 November 15, 2018


Job 080529
 Hector, Isabelle, & Alewine Creeks
 Strs. & Apprs. (Hwy. 105)
 Pope County
 Sheet 1 of 3

Sheet 2 of 4
 Project Location
 USGS Topographic Map:
 Hector 1995

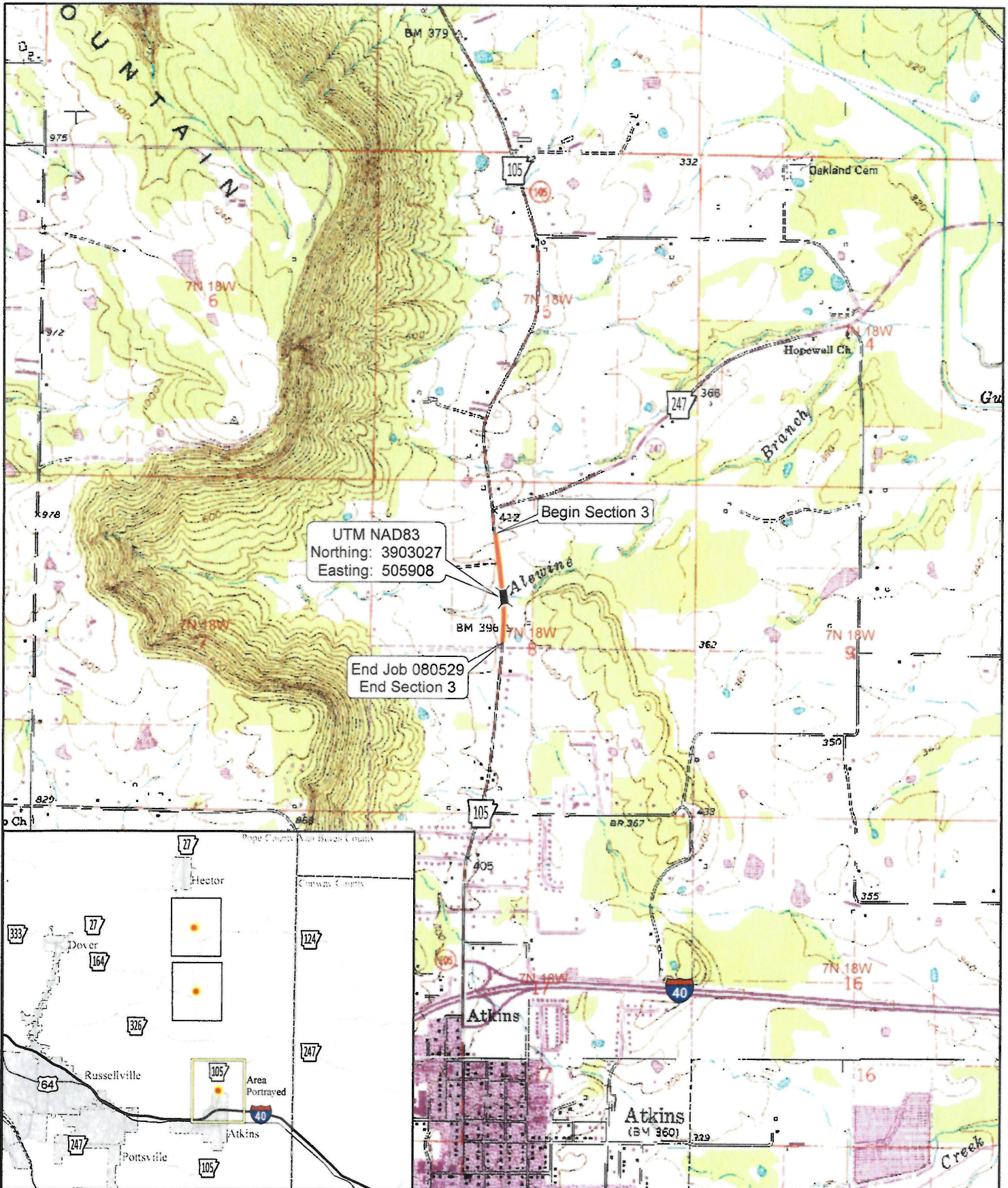


Job 080529
Hector, Isabelle, & Alewine Creeks
Strs. & Apprs. (Hwy. 105)
Pope County
Sheet 2 of 3

Sheet 3 of 4

 Project Location

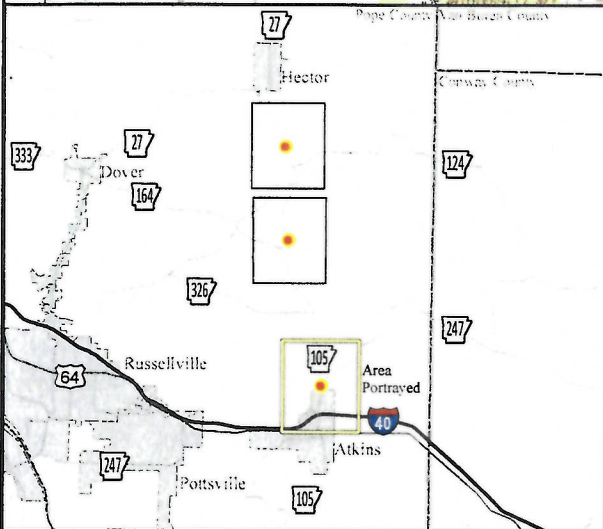
USGS Topographic Map:
Moreland 1995



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End Job 080529
 End Section 3

Begin Section 3



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 November 15, 2018

Job 080529
 Hector, Isabelle, & Alewine Creeks
 Strs. & Apprs. (Hwy. 105)
 Pope County
 Sheet 3 of 3

Sheet 4 of 4
 Project Location
 USGS Topographic Map:
 Moreland 1995