



INTEROFFICE MEMORANDUM

September 15, 2017

TO: Master Files

FROM: *JF* John Fleming, Division Head, Environmental Division *B. Price*

SUBJECT: Job Number 110643
FAP Number NHPP-0054(23)
Coffee Creek & Drainage Ditch Strs. & Apprs. (S)
Bridge Numbers M3920 & M3921
Phillips County
Tier 2 Categorical Exclusion

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

The purpose of this project is to replace two bridges on Highway 316 in Phillips County. Total length of the project is 0.253 mile. A project location map is attached.

The existing roadway consists of two 10-foot wide paved travel lanes with no shoulders. The existing right of way width is approximately 80 feet. Information about the existing structures is provided in Table 1.

Proposed roadway improvements will include two 10-foot wide paved travel lanes with 2-foot wide paved shoulders. The bridges will be replaced with reinforced concrete box culverts on existing location with detours to the north of both bridges. Information about the replacement box culverts is provided in Table 2. The new right of way width will be 125 feet. Approximately 0.13 acre of additional right of way will be required for this project.

Site	Bridge Number	Stream	Sufficiency Rating	Existing Structure
1	M3920	Coffee Creek	96.8, NQ	59' x 30' steel spans
2	M3921	Drainage Ditch	60.9, NQ	29' x 27' timber spans

Site	Stream	Proposed Structure	Detour
1	Coffee Creek	Quadruple 12' x 7' x 46' reinforced concrete box culvert	75 feet north
2	Drainage Ditch	Double 12' x 6' x 44' reinforced concrete box culvert	75 feet north

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2018	250	4	55 mph
2038	300	4	55 mph

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

Permanent wetland impacts (scrub-shrub) are estimated at 0.33 acre, and temporary wetland impacts (scrub-shrub), due to construction of the detours, are estimated at 1.54 acres. Permanent stream impacts resulting from the bridge replacements are estimated to be less than 0.1 acre. Temporary stream impacts resulting from the detours are estimated to be less than 0.2 acre. Total wetland impacts are estimated at 1.87 acres. The Department proposes the use of 19.4 wetland credits to mitigate the 1.87 acres of wetland impacts at Glaise Creek Mitigation Bank. Construction of the proposed project should be allowed under the terms of a Nationwide Permit 23 for Approved Categorical Exclusions.

A review of US Fish and Wildlife Service's Information for Planning and Consultation webtool indicated that there was a potential to impact the following species: Ivory-billed Woodpecker (*Campephilus principalis*), Piping Plover (*Charadrius melodus*) and pallid sturgeon (*Scaphirhynchus albus*). The proposed project area is void of these species' specific habitats; therefore a 'no effect' determination was made.

Phillips County participates in the National Flood Insurance Program. All of the floodplain encroachments within this highway construction project will be designed to comply with the county's local flood damage prevention ordinance. Coffee Creek is located within a Zone AE Special Flood Hazard Area as designated by the National Flood Insurance Program. The final project design will be reviewed to confirm that the design is adequate and that the potential risk

Job Number 110643
Tier 2 Categorical Exclusion
Page 3 of 3

to life and property are minimized. Adjacent properties should not be impacted nor have a greater flood risk than existed before construction of the project. None of the encroachments will constitute a significant floodplain encroachment or a significant risk to property or life.

Based upon the ARDOT's *Policy on Highway Traffic Noise Abatement*, a noise analysis is not required for this project. This project does not involve added capacity, construction of new through lanes or auxiliary lanes, changes in the horizontal or vertical alignment of the roadway or exposure of noise sensitive land uses to a new or existing highway noise source.

Attachments:

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

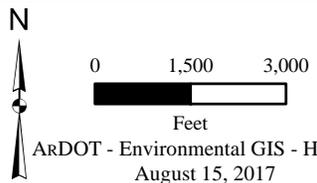
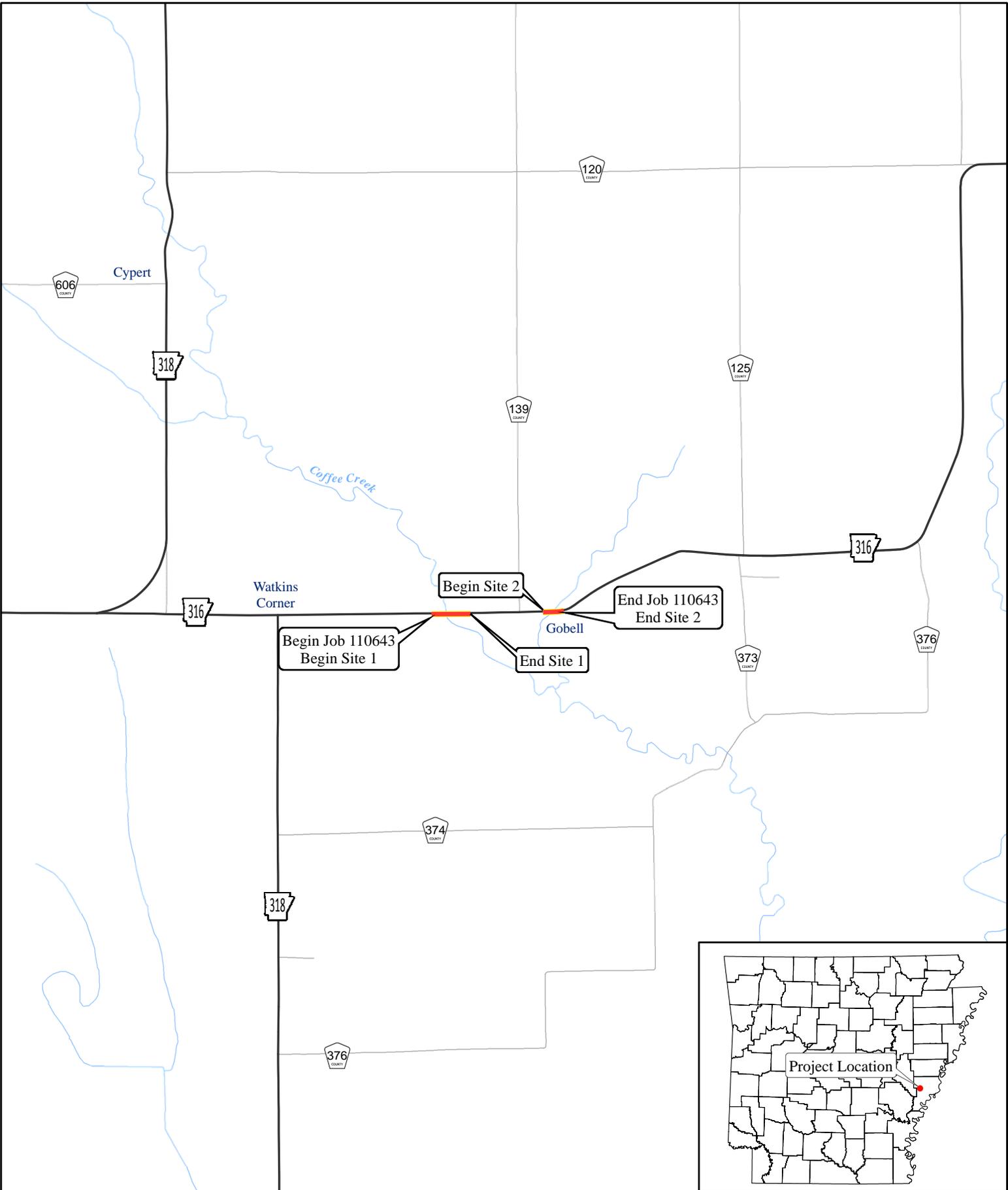
Approved:



Kevin Thornton
Assistant Chief Engineer-Planning

JF:SL:fc

c: Program Management
Right of Way
Roadway Design
District 1
FHWA
Master File



Job 110643
 Coffee Creek & Drainage Ditch
 Strs. & Apprs. (Hwy. 316)
 Phillips 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

September 12, 2017

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

RECEIVED
AHTD

SEP 14 2017

ENVIRONMENTAL
DIVISION

RE: Phillips County – Gobell
Section 106 Review – FHWA
Request for Technical Assistance
ARDOT Job Number 110643
Coffee Creek & Drainage Strs. & Apprs. (S)
AHPP Tracking Number 99029.01

Dear Mr. Fleming:

The staff of the Arkansas Historic Preservation Program has reviewed the documents included with your letter of September 5, 2107. Since no cultural resources were encountered during the survey for the additional right-of-way for this undertaking and structures (1-9) were previously determined not eligible for listing in the National Register of Historic Places (NRHP), we concur that there will be no effect to historic properties as a result of this undertaking.

Tribes that have expressed an interest in the area include the Cherokee Nation (Ms. Elizabeth Toombs), the Chickasaw Nation (Ms. Karen Brunso), the Choctaw Nation of Oklahoma (Dr. Ian Thompson), the Jena Band of Choctaw Indians (Alina J. Shively), the Osage Nation (Dr. Andrea Hunter), the Quapaw Tribe of Oklahoma (Mr. Everett Bandy), the Shawnee Tribe of Oklahoma (Ms. Kim Jumper), and the Tunica-Biloxi Tribe of Louisiana, Inc. (Earl J. Barbry, Jr.). We recommend that they be consulted in accordance with 36 CFR § 800.2 (c) (2).

Once the undertaking is further along in the planning stages, we look forward to reviewing the proposed project. If you should have any questions or comments, please do not hesitate to contact Theresa Russell of my staff at (501)-324-9357.

Sincerely,

Scott Kaufman
Director, AHPP

cc: Mr. Randal Looney, Federal Highway Administration
Dr. Andrea Hunter, Osage Nation
Dr. Ann Early, Arkansas Archeological Survey



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 02, 2017

Consultation Code: 04ER1000-2017-SLI-1073

Event Code: 04ER1000-2017-E-01591

Project Name: 110643 Coffee Creek & Drainage Ditch Str. & Apprs.

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

To Whom It May Concern:

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

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

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

If your project involves in-stream construction activities, oil and natural gas infrastructure, road construction, transmission lines, or communication towers, please review our project

specific guidance at <http://www.fws.gov/arkansas-es/IPaC/ProjSpec.html>.

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

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

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

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

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: 04ER1000-2017-SLI-1073

Event Code: 04ER1000-2017-E-01591

Project Name: 110643 Coffee Creek & Drainage Ditch Str. & Apprs.

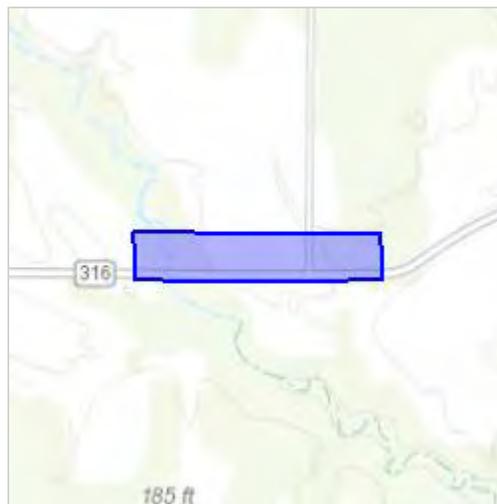
Project Type: BRIDGE CONSTRUCTION / MAINTENANCE

Project Description: Two bridges, one over Coffee Creek and a second over an unnamed tributary to Coffee Creek, will both be replaced with reinforced concrete box culverts along Highway 316 in Phillips County. Both bridges are considered structurally deficient. Both bridges will be replaced on existing alignment, and the temporary detours will go to the north side of Highway 316.

Project Location:

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

<https://www.google.com/maps/place/34.46834495460463N90.93059165896203W>



Counties: Phillips, AR

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. 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.

Birds

NAME	STATUS
Ivory-billed Woodpecker <i>Campephilus principalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8230	Endangered
Piping Plover <i>Charadrius melodus</i> Population: except Great Lakes watershed There is a final critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened

Fishes

NAME	STATUS
Pallid Sturgeon <i>Scaphirhynchus albus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7162	Endangered

Critical habitats

There are no critical habitats within your project area under this office's jurisdiction.

ARDOT ENVIRONMENTAL IMPACTS ASSESSMENT FORM

ARDOT Job Number 110643 FAP Number NHPP-0054(23)

Job Title Coffee Creek & Drainage Ditch Strs. & Apprs. (S)

Environmental Impacts	None	Minor	Significant	Comments
Air Quality	X			
Construction Impacts		X		
Cultural Resources	X			
Economic	X			
Endangered Species	X			'No effect' determination
Energy Resources	X			
Environmental Justice/Title VI	X			
Fish and Wildlife		X		Temporary during construction
Floodplains		X		Floodplain permit required
Forest Service Property	X			
Hazardous Materials/Landfills	X			
Land Use Impacts	X			
Migratory Birds		X		Migratory Bird SP
Navigation/Coast Guard	X			
Noise Levels	X			
Prime Farmland	X			
Protected Waters	X			
Public Recreation Lands	X			
Public Water Supply/WHPA	X			
Relocates	X			
Section 4(f)/6(f)	X			
Social	X			
Underground Storage Tanks	X			
Visual Impacts	X			
Stream Impacts		X		NW23
Water Quality		X		Temporary during construction
Wetlands		X		NW 23
Wildlife Refuges	X			

Section 401 Water Quality Certification Required? No
 Short-term Activity Authorization Required? Yes
 Section 404 Permit Required? Yes Type NW 23

Remarks: _____

Signature of Evaluator *Sherry LeBlanc* Date September 15, 2017

ROADWAY DESIGN REQUEST

Job Number 110643 FAP No. _____ County Phillips

Job Name Coffee Creek & Drainage Ditch Strs. & Apprs. (S)

Design Engineer Stephen Sichmeller Environmental Staff _____

Brief Project Description Replace existing bridges with R.C. Box Culverts.

A. Existing Conditions:

Roadway Width: 20' Shoulder Type/Width: _____

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

Sidewalks? _____ Location: _____ Width: _____

Bike Lanes? _____ Location: _____ Width: _____

B. Proposed Conditions:

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

Number of Lanes and Width: 2-10' Proposed Right-of-Way: 125'

Sidewalks? _____ Location: _____ Width: _____

Bike Lanes? _____ Location: _____ Width: _____

C. Construction Information:

If detour: Where: North Length: 0.463 mile(s)

D. Design Traffic Data:

2018 ADT: 250 2038 ADT: 300 % Trucks: 4

Design Speed: 55 m.p.h.

E. Approximate total length of project: 0.253 mile(s)

F. Justification for proposed improvements: Bridges are Structurally Deficient.

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

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

Agency/Official	Person Contacted	Date



REPLY TO
ATTENTION OF

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

June 15, 2018

Regulatory Division

NATIONWIDE PERMIT NO. MVM 2017-00424

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 over Coffee Creek and an unnamed tributary to Coffee Creek. Both bridges will be replaced with reinforced concrete box culverts on existing locations. Detour roads will be constructed approximately 75 feet to the north of each structure. Construction of the box culvert and detour road at Coffee Creek will adversely impact approximately 1.07 acres of scrub-shrub wetlands. Construction of the box culvert and detour road at the unnamed tributary will adversely impact approximately 0.72 acres of scrub-shrub wetlands. Impacts to each stream will be less than 0.1 acres. There are no endangered species or cultural resources impacts. The project is located on State Highway 316 approximately ten miles north of the City of Elaine, in sections 31 and 32, T. 2 N., R. 2 E., Phillips County, Arkansas. A vicinity map, project location map and wetland credits worksheet are enclosed.

The proposed activities are authorized by Department of the Army Nationwide Permit (NWP) **No. 23** (copy enclosed), provided that the following **Special Condition** and General Conditions therein are met. For your convenience, we have highlighted the General Conditions of the NWP that are the most pertinent to your project. You should become familiar with the conditions and maintain a copy of the permit at the worksite for ready reference. If changes are proposed in the design or location of the project, you should submit revised plans to this office for approval before construction of the change begins.

Special Condition:

ArDOT agrees to mitigate for the adverse impacts to 1.79 acres of wetlands with 18.3 wetland credits at the Glaise Creek Wetland Mitigation Bank located near Worden, Arkansas. ArDOT will provide documentation of the mitigation bank

transaction to the U.S. Army Corps of Engineers Little Rock District Transportation Program Manager.

Please pay particular attention to General Condition No. 12 which stipulates that appropriate erosion and siltation controls be used during construction and all exposed soil be permanently stabilized. Erosion control measures must be implemented before, during and after construction.

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.

For your information, we have enclosed a copy of the Arkansas Department of Environmental Quality (ADEQ) Section 401 Water Quality Certification conditions, which are conditions of your permit. If you have any questions concerning compliance with the conditions of the 401 certification, you should contact Ms. Melanie Treat at the ADEQ, Water Division, 5301 Northshore Drive, North Little Rock, Arkansas 72118, telephone (501) 682-0040.

The NWP determination will be valid until March 18, 2022. If NWP **No. 23** 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. **MVM 2017-00424, Coffee Creek Structure and Approaches north of Elaine (ArDOT Project No. 110643).**

Sincerely,



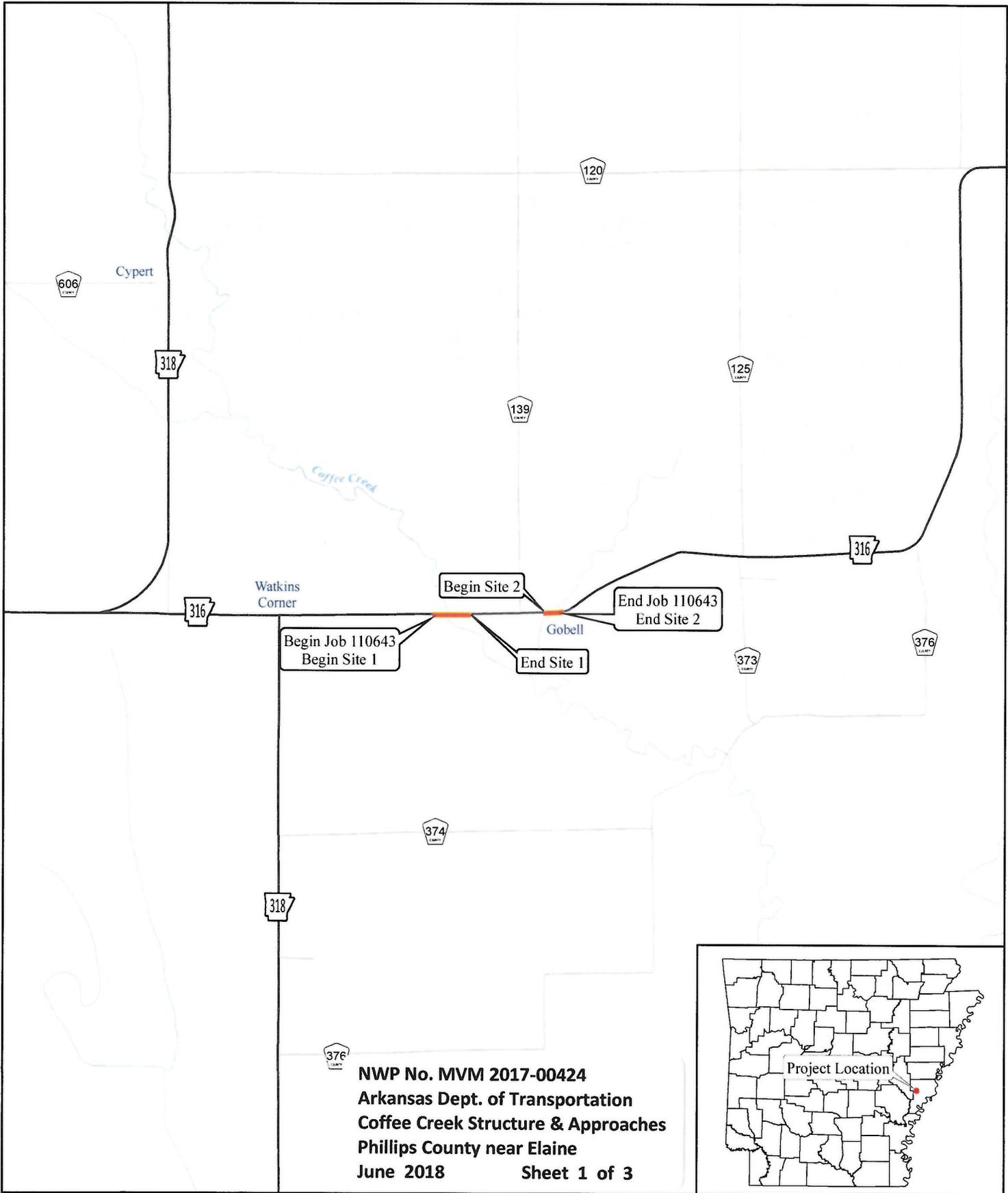
Sarah Chitwood
Chief, Regulatory Evaluation Branch

Copy Furnished:

Mr. Roger Allan, w/cy dwgs

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

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

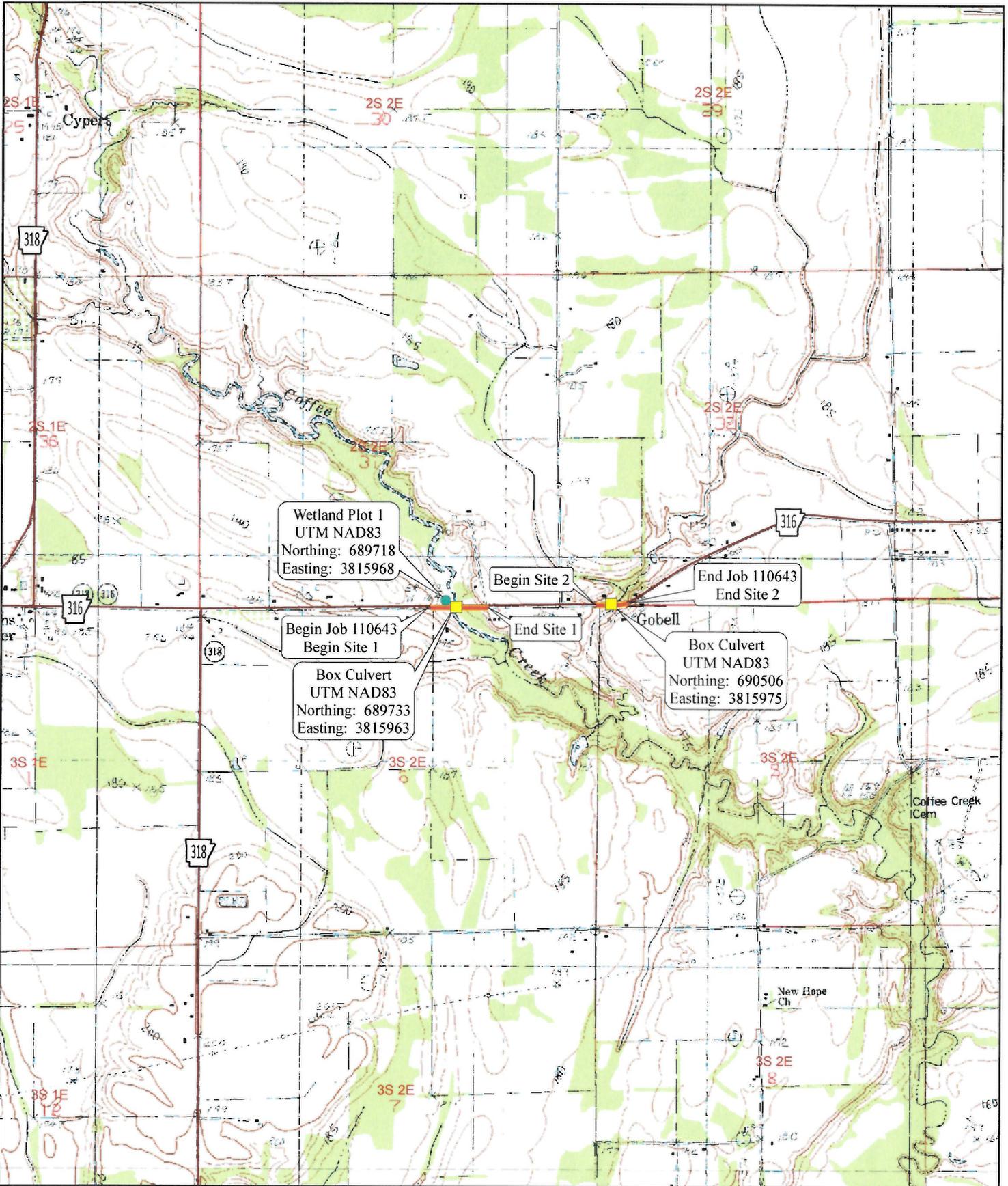


NWP No. MVM 2017-00424
Arkansas Dept. of Transportation
Coffee Creek Structure & Approaches
Phillips County near Elaine
June 2018 **Sheet 1 of 3**

N
 0 1,500 3,000
 Feet
 ARDOT - Environmental GIS - Hopkins
 August 15, 2017

Job 110643
 Coffee Creek & Drainage Ditch
 Strs. & Apprs. (Hwy. 316)
 Phillips County

Project Location



Job 110643
Coffee Creek & Drainage Ditch
Strs. & Apprs. (Hwy. 316)
Phillips County

ADVERSE IMPACT FACTORS FOR WETLANDS AND OTHER WATERS OF THE U.S. EXCLUDING STREAMS

FACTORS	OPTIONS					
Lost Type	Type C 0.2		Type B 2.0		Type A 3.0	
Priority Category	Tertiary 0.5		Secondary 1.5		Primary 2.0	
Existing Condition	Very Impaired 0.1	Impaired 1.0		Slightly Impaired 2.0		Fully Functional 2.5
Duration	Seasonal 0.1	0 to 1 0.2	1 to 3 0.5	3 to 5 1.0	5 to 10 1.5	Over 10 2.0
Dominant Impact	Shade 0.2	Clear 1.0	Dredge 1.5	Drain 2.0	Impound 2.5	Fill 3.0
Cumulative Impact	$0.05 \times \sum AA_i$					
Location	On Site 0.0			Off Site 3.0		

REQUIRED MITIGATION CREDITS WORKSHEET

Factor	Coffee Creek Bridge	Coffee Creek Bridge	Coffee Creek Trib. Bridge	Coffee Creek Trib. Bridge
Lost Type	Type B 2.0	Type B 2.0	Type B 2.0	Type B 2.0
Priority Category	Tertiary 0.5	Tertiary 0.5	Tertiary 0.5	Tertiary 0.5
Existing Condition	Impaired 1.0	Impaired 1.0	Impaired 1.0	Impaired 1.0
Duration	Over 10 2.0	1 to 3 0.5	Over 10 2.0	1 to 3 0.5
Dominant Impact	Permanent Fill 3.0	Temporary Fill 3.0	Permanently Clear 1.0	Temporary Fill 3.0
Cumulative Impact	0.1	0.1	0.1	0.1
Location	Off Site 3.0	Off Site 3.0	Off Site 3.0	Off Site 3.0
Sum of r Factors	$R_1=11.6$	$R_2=10.1$	$R_2=9.6$	$R_2=10.1$
Impacted Area	$AA_1=0.13$	$AA_2=0.94$	$AA_2=0.1$	$AA_2=0.62$
R x AA=	1.5	9.5	0.96	6.3

Total Required Credits = $\sum (R \times AA) = \underline{\underline{18.3}}$

The average credit per acre at the Glaise Creek Mitigation Bank is 3.5 (5.2 acres). The equivalent acreage ratio is 2.9:1.



MAR 16 2017

Colonel Robert G. Dixon
District Commander
U.S. Army Corps of Engineers
P.O. Box 867
Little Rock, Arkansas 72203-0867

RE: Public Notice: Re-issuance of Nationwide Permits

Dear Colonel Dixon:

The Arkansas Department of Environmental Quality (ADEQ) has completed its review of the above referenced public notice for re-issuance of the U.S. Army Corps of Engineers Nationwide Permits (NWPs) for the State of Arkansas.

ADEQ has determined that there is a reasonable assurance that the activities covered under most these NWPs will be conducted in a manner which, according to the Arkansas Pollution Control and Ecology Commission's Regulation No.2, will not physically alter a significant segment of the waterbody and will not violate the water quality criteria.

Therefore, pursuant to §401(a)(1) of the Clean Water Act, the ADEQ hereby issues water quality certification for all NWPs with the exception of NWPs 14, 29, and 43, contingent upon the following conditions:

- 1) An individual water quality certification request must be submitted to ADEQ for Activities which may impact Extraordinary Resource Waters, Ecologically Sensitive Waterbodies, and Natural Scenic Waterways and their tributaries (within 1 mile) as defined in Regulation No. 2, Water Quality Standards.
- 2) The applicant shall contact ADEQ to determine if a Short Term Activity Authorization (STAA) is needed when performing work in the wetted area of any waterbody. More information can be obtained by contacting the Water Division Planning Section of ADEQ at 501-682-0946.
- 3) The applicant shall implement all practicable best management practices (BMPs) to avoid excessive impacts of sedimentation and turbidity to the surface waters.
- 4) The applicant will take all reasonable measures to prevent the spillage or leakage of any chemicals, oil, grease, gasoline, diesel, or other fuels. In the unlikely event such spillage or leakage occurs, the applicant must contact ADEQ immediately.
- 5) The applicant shall limit construction to low flow periods as much as possible to minimize adverse effects on water quality and aquatic life.