



ARKANSAS DEPARTMENT OF TRANSPORTATION

ArDOT.gov | IDriveArkansas.com | Lorie H. Tudor, P.E., Director

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

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

October 7, 2021

Ms. Vivian N. Hoang, P.E.
Division Administrator
Federal Highway Administration
700 West Capitol, Room 3130
Little Rock, Arkansas 72201-3298

RE: Job 080499
FAP STP-0036(18)
Gee Creek Str. & Apprs. (S)
Johnson County
FONSI Request

Dear Ms. Hoang:

An Environmental Assessment (EA) for the referenced project was prepared by and submitted for your approval. The document was signed and approved for public dissemination on May 26, 2021. The public hearing offering, comment period, and EA were made available from July 15, 2021 through September 20, 2021.

A review of the project and its impacts indicates that its construction would have no significant impact on the environment. We have included a Finding of No Significant Impact (FONSI) document with the public hearing information for your review and approval, if acceptable.

The EA and public hearing offering can be viewed at the following location:

<https://vpiph01-job-080499-gee-creek-str-apprs-hwy-123-vphearing-ardot.hub.arcgis.com/>

Should you have questions or require additional information, please contact Don Nichols at (501) 569-2521.

Sincerely,

A handwritten signature in blue ink that reads 'John Fleming'.

John Fleming
Division Head
Environmental Division

Enclosures

JF:SS:sw

ARDOT JOB 080499

*HIGHWAY 123 BRIDGE REPLACEMENT:
GEE CREEK STR. & APPRS. (S)*

FINDING OF NO SIGNIFICANT IMPACT





Title VI

The Arkansas Department of Transportation (ARDOT) ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin or sex in the provision of benefits and services resulting from its federally assisted programs and activities. The ARDOT public involvement process did not exclude any individuals due to income, race, color, religion, national origin, sex, age, or disability. For questions regarding ARDOT 's Title VI Program, you may contact the Department's EEO/DBE Section Head (ADA/504/Title VI Coordinator) at (501) 569-2298 (Voice/TTY 711), or at the following email address: [EEO DBE Section Head@ardot.gov](mailto:EEO_DBE_Section_Head@ardot.gov).

Americans with Disabilities Act (ADA) Information

Materials can be provided in alternative formats: large print, Braille, or audiotape for people with disabilities by contacting ARDOT's EEO/DBE Section Head (ADA/504/Title VI Coordinator) at (501) 569-2298 (Voice/TTY 711), or at the following email address: [EEO DBE Section Head@ardot.gov](mailto:EEO_DBE_Section_Head@ardot.gov). Persons who are deaf or hard of hearing may contact ARDOT through the Arkansas Relay Service at 7-1-1.

A federal agency may publish a notice in the Federal Register, pursuant to 23 USC §139(I), indicating that one or more federal agencies have taken final action on permits, licenses, or approvals for a transportation project. If such notice is published, claims seeking judicial review of those federal agency actions will be barred unless such claims are filed within 180 days after the date of publication of the notice, or within such shorter time period as is specified in the federal laws pursuant to which judicial review of the federal agency action is allowed. If no notice is published, then the periods of time that otherwise are provided by the federal laws governing such claims will apply.

GEE CREEK STR. & APPRS. (S)

ARDOT JOB NUMBER 080499

F.A.P. NUMBER STP-0036(18)

FINDING OF NO SIGNIFICANT IMPACT

Submitted by the U.S. Department of Transportation, Federal Highway Administration, Arkansas Division

The Arkansas Department of Transportation (ARDOT) has completed the assessment of the proposed project and the Federal Highway Administration (FHWA) issues a Finding of No Significant Impact (FONSI) for the Highway 123 bridge replacement (Bridge Number M1864) over Gee Creek in Johnson County, Arkansas.

Upon consideration of the FHWA-approved Environmental Assessment (EA) for the proposed project, public comments, and the considerations following in this document, FHWA has determined that the Preferred Alternative, a bottomless arch culvert, will have no significant impact on the human environment and hereby issues a FONSI pursuant to 23 CFR §771.121(a).

This FONSI is based on FHWA's independent evaluation. The information contained in the EA has been determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and its appropriate mitigation measures. The EA provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. No impacts identified would cause any significant adverse effects to the human or natural environment.

Based upon the EA, additional information included in this document, and public, agency, and organization comments, FHWA concludes that no additional environmental documentation is required for ARDOT job 080499, the Highway 123 bridge replacement project for bridge number M1864 over Gee Creek.



Randal Looney
Environmental Specialist

October 12, 2021

Date of Approval



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APPENDICES

- Appendix A: Public Hearing Packet
- Appendix B: Agency EA Comments
- Appendix C: Inventoried Roadless Area Approval

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Finding of No Significant Impact

This Finding of No Significant Impact (FONSI) document updates the Environmental Assessment (EA), identifies the Preferred Alternative, and incorporates all applicable comments and responses received during the review period.

When does FHWA issue a FONSI?

A FONSI is issued when the environmental analysis and review finds a project to have no significant impacts on the quality of the natural, cultural, or human environment.

1 What is the Highway 123 bridge replacement project?

The Arkansas Department of Transportation (ARDOT), in conjunction with the Federal Highway Administration (FHWA), and in cooperation with the U.S. Forest Service (USFS), is proposing to replace the Highway 123 bridge over Gee Creek approximately 7.4 miles southwest of Highway 7 in Johnson County. See Figure 1 for the project location.

An EA was approved by the FHWA on May 26, 2021. The EA did not identify any significant adverse environmental impacts.

Where can I find the EA and other project documents?

The project documents are available for review at the following locations:

By mail or in person:
ARDOT Central Office
10324 Interstate 30
Little Rock, AR

By calling:
(501) 569-2281

On the ARDOT website:
<http://www.ardot.gov>
*search "080499"

2 Has the project changed since the publication of the EA?

No changes were made to the proposed design for either build alternative considered in the EA, and no additional impacts have been identified. The conditions in the project area have not changed. The EA did mistakenly list the Section 106 finding as “no adverse effect,” when it was actually “no historic properties affected.” This error does not change the findings of the EA.

3 How has the public been involved during the EA comment period?

A Location and Design Public Hearing and public comment period were offered from July 15, 2021 through September 20, 2021. The hearing offering, comment period, and EA availability were advertised in The Courier out of Russellville, Arkansas on August 19 & 24, 2021 and The Johnson County Graphic out of Clarksville, Arkansas on July 7 & 14, 2021. The EA and plan set were available for public inspection on the ARDOT website, the ARDOT Resident Engineer Office in Clarksville, Arkansas, and the Johnson County Public Library in Clarksville, Arkansas. No comments or hearing requests were received. The public hearing packet can be found in [Appendix A](#).

Project Location Map



Figure 1

4 How have state and federal agencies been involved during the EA comment period?

The Arkansas Historic Preservation Program (AHPP) and Arkansas Department of Parks, Heritage & Tourism (ADPHT) submitted comments on the Environmental Assessment as members of the Arkansas Technical Review Committee. The only comments submitted by AHPP were to correct the Section 106 finding in the EA, as mentioned in Section 2 above, and to uphold their previous findings and concurrences.

ADPHT's comments noted that the project would not conflict with public outdoor recreation sites involved in the Outdoor Recreation Grants Program, and that they were pleased that the project appeared to have no adverse effect on the Ozark Highlands Trail and Haw Creek Falls Recreation Area.

These comments can be found in [Appendix B](#).

5 Which alternative was recommended?

After considering the findings of the EA and comments from resource and regulatory agencies, the Build Alternative, which involved replacing the existing bridge with a bottomless culvert downstream of the existing structure, was identified as the Preferred Alternative. The Preferred Alternative meets the project's purpose and need of replacing the existing deteriorated bridge while accommodating aquatic species passage and minimizing impacts to the Gee Creek Inventoried Roadless Area.

6 What impacts are expected with the Preferred Alternative?

The Preferred Alternative is estimated to have a total cost of \$3.9M and would require approximately 2.4 acres of right of way, all of which is within the Ozark-St. Francis National Forests and 0.3 acre of which is within the Gee Creek Inventoried Roadless Area (IRA). There would be approximately 140 linear feet of stream impacts and only temporary and minor visual impacts. All stream impacts will be permitted by the U.S. Army Corps of Engineers and Arkansas Division of Environmental Quality before construction may begin. The project "may affect, but is not likely to adversely affect" the federally-listed species that have the potential to occur in the project area. There are no cultural resources, wetlands, Section 4(f) properties, air quality, environmental justice, prime farmland, or floodplain impacts associated with the Preferred Alternative.

A review of regulations covering management of Inventoried Roadless Areas and impacts of the project on Gee Creek IRA was conducted by the Regional Forester over the USFS Southern Region. The Regional Forester's authorization to proceed with the NEPA process can be found in [Appendix C](#).

7 What commitments have been made?

- ARDOT will comply with all requirements of *The Clean Water Act, as Amended*, for the construction of this project. This includes Section 401: Water Quality Certification, Section 402: National Pollutant Discharge Elimination Permit (NPDES), and Section 404: Permits for Dredged or Fill Material.
- The construction of the proposed project should be allowed under the terms of a Nationwide Permit 14 for Linear Transportation Projects as defined in Federal Register 82(4) 1860-2008. All waterway and stormwater permits will be obtained before construction may begin.
- If hazardous materials, unknown illegal dumps, or underground storage tanks are identified or accidentally uncovered by any ARDOT personnel, contractors, contracting companies, or state regulatory agency, ARDOT will determine the type, size, and extent of the contamination according to the ARDOT response protocol. ARDOT, in consultation with ADEQ, will decide the type of containment, remediation, and disposal methods to be employed for that particular type of contamination.

8 Are significant impacts expected as a result of the Preferred Alternatives?

The 2020 Council on Environmental Quality regulations require consideration of a project's affected environment and degree of effect in determining whether the project would have a significant impact (40 CFR §1501.3):

“Agencies should consider, as appropriate to the specific action, the affected area (national, regional, or local) and its resources, such as listed species and designated critical habitat under the ESA. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significant would usually depend only upon the effects in the local area.”

“In considering the degree of the effects, agencies should consider the following, as appropriate to the specific action: (i) Both short- and long- term effects. (ii) Both beneficial and adverse effects. (iii) Effects on public health and safety. (iv) Effects that would violate Federal, State, Tribal, or local law protecting the environment.”

The following factors were used to determine if there were any significant impacts associated with the Preferred Alternative:

Impacts that may be both beneficial and adverse.

The adverse impacts as a result of the Preferred Alternative are discussed above in Section 2. The beneficial impacts associated with the Preferred Alternative include an improved and safer roadway typical section and a safer structure with the reduced likelihood of failure.

The degree to which the project affects public health or safety.

By providing a safer roadway and structure, the project not only positively benefits the motoring public, but those who live in areas where emergency vehicles use Highway 123 to get to their

property. If the structure were to fail, the highway would be closed to all vehicles, including emergency responders, who would be forced to use a detour of up to 60 miles. There are no adverse impacts to public health or safety anticipated as a result of the Preferred Alternative.

Unique characteristics of the geographical area such as proximity to historic or cultural resources, parks, prime farmland, wetlands, wild and scenic rivers, or ecological critical areas.

The Preferred Alternative would have positive effects on parks and recreational areas, including wild and scenic rivers, by maintaining access to these facilities in the area. These facilities include Haw Creek Falls Recreation Area and the Ozark Highlands Trail in the immediate project area and Big Piney Creek Wild and Scenic River (WSR), located 1.8 mile northeast on Highway 123 (also 1.8 mile downstream on Gee Creek and Haw Creek) of the proposed project. These resources are discussed in the EA and are not anticipated to have any adverse impacts as a result of the Preferred Alternative.

The project is located wholly within the Ozark-St. Francis National Forests. The U.S. Forest Service was a NEPA cooperating agency on the project and was consulted with throughout the project development process and EA preparation. Approximately 2.3 acres of right of way and 0.1 acre of temporary construction easements would be required from the Ozark-St. Francis National Forests for the Preferred Alternative. The Gee Creek Inventoried Roadless Area (IRA) is USFS-protected land within the Ozark-St. Francis National Forests. Approximately 0.3 acre of proposed right of way would be required from the Gee Creek IRA for the Preferred Alternative. The impacts to the Ozark-St. Francis National Forest and Gee Creek IRA are considered minor and acceptable by the U.S. Forest Service in order to maintain the highway infrastructure.

Approximately 140 linear feet of stream impacts would be covered under a Section 404 Nationwide 14 permit. There are no cultural resources, prime farmland, wetlands, or ecological critical areas that would be impacted as a result of the Preferred Alternative.

The degree to which the effects on the environment are expected to be highly controversial.

Scoping letters were sent to property owners in the project area and a list of citizens who wish to be notified of projects occurring in the Ozark-St. Francis National Forests Big Piney Ranger District. No comments were received.

A Location and Design Public Hearing and EA comment period were also offered following the release of the EA for public dissemination by FHWA. No comments were received from the public. The responses received from other state agencies as part of their technical review are discussed in Section 4, but no agencies indicated concerns related to the Preferred Alternative or opposed the proposed project.

The degree to which the effects on the quality of the human environment are highly uncertain or involve unique or unknown risks.

The impacts to the human environment are documented in the EA. There are no known impact areas related to the quality of the human environment that could be considered highly uncertain or involve unique or unknown risks.

The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The FHWA regulations at 23 CFR §771.115(a) list the types of actions typically requiring the preparation of an Environmental Impact Statement. A minor bridge replacement project, such as the replacement of the Highway 123 bridge over Gee Creek, is not included in this list. The project has logical termini and independent utility; it represents a reasonable expenditure; and it does not force additional improvement to be made to the transportation system. The Preferred Alternative would not set a precedent for future actions with significant effects or represent a decision in principle about a future consideration.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

As outlined in the EA, Section 3.12, only minor cumulative impacts on resources such as the Ozark-St. Francis National Forests, Gee Creek IRA, the visual quality of Highway 123, and threatened and endangered species are expected as a result of the Preferred Alternative. No significant cumulative effects have been identified with the proposed project.

The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss of significant scientific, cultural, or historic resources.

Pursuant to Section 106 of the National Historic Preservation Act, a cultural resources survey of the project area was conducted. No cultural or historic resources were identified that would be impacted by the Preferred Alternative, and the State Historic Preservation Officer determined that the project would not impact historic properties.

The degree to which the action may adversely affect and endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act.

The U.S. Fish and Wildlife Service identified eight federally-listed species as potentially occurring in the project area: the Gray Bat (*Myotis grisescens*), Indiana Bat (*Myotis sodalis*), Northern Long-eared Bat (*Myotis septentrionalis*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), American Burying Beetle (*Nicrophorus americanus*), and Missouri Bladderpod (*Physaria filiformis*).

Mist net surveys conducted in the project area did not capture any of the federally-listed bat species. The U.S. Fish and Wildlife Service determined that this project “may affect, but is not

likely to adversely affect” these bat species. The Preferred Alternative would have “no effect” on the remaining species due to a lack of suitable habitat in the project area.

More information on all federally-listed species and the project impacts can be found in the biological evaluation in Appendix D of the EA.

Whether an action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.

The proposed action does not knowingly threaten a violation of federal, state, or local environmental protections. Project clearance has already been obtained for the Preferred Alternative under Section 7 of the Endangered Species Act and Section 106 of the National Historic Preservation Act. Approval to proceed with the NEPA process has been obtained from the U.S. Forest Service for impacts to the Gee Creek IRA. All applicable permits would be acquired prior to construction.

9 What is the FHWA determination for the Preferred Alternative?

Based upon the findings of the EA, public and agency scoping, the public hearing offering and EA comment period, and the agency technical review of the EA, FHWA concludes that the Preferred Alternative would not have a significant impact on the environment and no additional NEPA documentation is required for the proposed project. If changes in laws or regulations that apply to the project occur during design or construction, or there are major design changes that result in substantially greater impacts than those described in this document, a re-evaluation of the EA would be performed. The assessment of the proposed project is complete and FHWA issues a “finding of no significant impact” for the proposed bridge replacement on Highway 123 over Gee Creek in Johnson County, Arkansas.

Appendix A – PUBLIC HEARING PACKET



**NOTICE OF OFFERING
A PUBLIC HEARING
ON HIGHWAY IMPROVEMENTS**

**Gee Creek Str. & Apprs. (Hwy. 123)
Job 080499
Johnson County**

The Arkansas Department of Transportation (ARDOT) is planning improvements to Highway 123 approximately 7.4 miles south of Highway 7 in Johnson County. The proposed improvements to Highway 123 include replacing the existing bridge over Gee Creek structural deficiencies with a three sided box culvert.

Plans showing location and design features of the anticipated work and information relative to environmental studies are available for public inspection and commenting from July 15 through August 19, 2021 at the following locations:

- ARDOT's website: www.ardot.gov/publicmeetings
- ARDOT's Resident Engineer Office #82, 2702 West Main, Clarksville, AR 72830. The office is open weekdays from 7:00 a.m. until 4:30 p.m.
- Johnson County Public Library, 2 Taylor Circle, Clarksville, AR 72830. The library hours vary, please contact (479) 754-3135.

Any interested citizen, in the vicinity of this proposed project, may request that a public hearing be held regarding this project and its economic and environmental effects by submitting a written request to the Arkansas Department of Transportation, Environmental Division, P.O. Box 2261, Little Rock, AR, 72203-2261 or email environmentalpublicmeetings@ardot.gov. Requests must be received on or before **August 19, 2021 at 4:30 p.m.**

In the event requests are received, a notice of the date, time, and place of the public hearing will be published and advertised in the local media.



ARKANSAS DEPARTMENT OF TRANSPORTATION

ARDOT.gov | IDriveArkansas.com | Lorie H. Tudor, P.E., Director

ENVIRONMENTAL DIVISION

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261 | Phone: 501.569.2281 | Fax: 501.569.2009

August 17, 2021

Patricia Spears
Russellville Courier
Legal Advertising
201 E. Second St.
Russellville, AR 72801
Email: legals@couriernews.com

Re: ARDOT Job 080499

Greetings:

Please publish the enclosed "Notice of Offering a Public Hearing" legal ad in the local news section on the following dates:

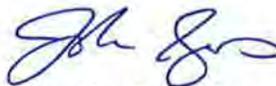
Thursday, August 19, 2021

Tuesday, August 24, 2021

Send one copy of the proof of publication with invoice for payment to:

Arkansas Department of Transportation
Attention: Environmental Division / Shaná Williams
Reference Job 080499
P. O. Box 2261
Little Rock, Arkansas 72203
Phone: 501-569-2563
Fax: 501-569-2009

Sincerely,


for Ruby Jordan-Johnson
Section Head - Public Involvement
Environmental Division

Enclosure

NOTICE OF OFFERING A PUBLIC HEARING ON HIGHWAY IMPROVEMENTS

Gee Creek Str. & Apprs. (Hwy. 123)
Job 080499
Johnson County

The Arkansas Department of Transportation (ARDOT), in cooperation with the United States Department of Agriculture, Forest Service, is planning improvements to Highway 123 approximately 7.4 miles south of Highway 7 in Johnson County. The proposed improvements to Highway 123 include replacing the existing bridge over Gee Creek with a three-sided box culvert.

Plans showing location and design features of the anticipated work and information relative to environmental studies are available for public inspection and comment at the following locations:

- Website: www.ardot.gov/publicmeetings
- Email: environmentalpublicmeetings@ardot.gov
- ARDOT's District 8 Office, 372 Aspen Lane, Russellville, AR 72811. The office is open weekdays from 7:00 a.m. until 4:30 p.m.
- Pope County Library-Russellville Main Branch, 116 East 3rd Street, Russellville, AR 72801. The Library is open from 8:30am to 5:30pm. For questions, please contact (479) 968-4368.

Any interested citizen may request that a public hearing be held regarding this project and its economic and environmental effects by submitting a written request to the Arkansas Department of Transportation, Environmental Division, P.O. Box 2261, Little Rock, AR, 72203-2261. Requests must be received on or before **September 20, 2021 at 4:30 p.m.** In addition, comments may be submitted at comments-southern-ozark-stfrancis@usda.gov up to 30 days following the date of publication of this legal notice in the *Courier*.

In the event requests are received, a notice of the date, time, and place of the public hearing will be published and advertised in the local media.

The Courier
 The Courier
 PO Box 1200
 Paducah, KY 42002-1200

ADVERTISING INVOICE / STATEMENT 1/1

BILLING DATE	TERMS OF PAYMENT
08/29/2021	Standard Terms

BILLED ACCOUNT NO.	AGENCY/CLIENT
70041730	70041730
NAME OF AGENCY/CLIENT	
Arkansas Department of Transportation	

Shana Williams
 Arkansas Department of Transportation
 P.O. Box 2261
 Little Rock, AR 72203

DATE	AD #	TRANS #	DESCRIPTION	INS	UNITS	AMOUNT	TOTAL
08/19/2021	70141336	300346801	Reference Job 080499 - 70141336 Reference 120RCD1 Russellville Courier -	1	8.43in	94.68	94.68
08/24/2021	70141336	300354802	Reference Job 080499 - 70141336 Reference 120RCI1 RC Website - Reference Job 120RCD1 Russellville Courier - 120RCI1 RC Website - Reference Job	1 1 1 1	8.43in 8.43in 8.43in 8.43in	94.68	189.36

AUGUST 2021	AGING			
	July 2021	June 2021	May 2021	April 2021
\$ 189.36	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

TOTAL NET AMOUNT DUE
\$ 189.36

PLEASE RETURN THIS PORTION
 WITH YOUR REMITTANCE

If you desire to charge this amount to your credit card, please complete the following information and return to the address below: Visa Mastercard Discover American Express
 Acct# _____ Exp Date: _____
 Signature _____

PMG underwent a system upgrade on March 24. You will see your balance transferred from the old system on that date.

BILLED ACCOUNT NO.	BILLED ACCOUNT NAME	AMOUNT DUE
120 70041730	Arkansas Department of Transportation	\$ 189.36

REMIT TO
The Courier c/o Paxton Media Group PO Box 1200 Paducah, KY 42002-1200 Phone: 270-575-8731 Fax: 270-575-8726

Payment in full is due upon receipt of the statement. A service charge on all balances over 30 days will be computed by a 'Periodic Rate' of 1-1/2% per month, which is an ANNUAL PERCENTAGE RATE OF 18%, this applies to the previous balance after deducting current payments and credits appearing on your statement. Refunds less than \$10.00 will be refunded electronically, donated to NIE, or collected in cash at the newspaper.

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 09/08/2021

Remittance Advice

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ARKANSAS DEPARTMENT OF TRANSPORTATION

ArDOT.gov | IDriveArkansas.com | Lorie H. Tudor, P.E., Director

ENVIRONMENTAL DIVISION

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261 | Phone: 501.569.2281 | Fax: 501.569.2009

June 29, 2021

Gerald Sanders
The Johnson County Graphic
Legal Advertising
P. O. Box 289
Clarksville, AR 72830
Email: gerald@thegraphic.org

Re: ARDOT Job 080499

Greetings:

Please publish the enclosed "Notice of Offering a Public Hearing" legal ad in the local news section on the following dates:

Wednesday, July 7, 2021
Wednesday, July 14, 2021

Send one copy of the proof of publication with invoice for payment to:

Arkansas Department of Transportation
Attention: Environmental Division / Shaná Williams
Reference Job 080499
P. O. Box 2261
Little Rock, Arkansas 72203
Phone: 501-569-2563
Fax: 501-569-2009

Sincerely,

Ruby Jordan-Johnson
Section Head - Public Involvement
Environmental Division

Enclosure

NOTICE OF OFFERING A PUBLIC HEARING ON HIGHWAY IMPROVEMENTS

Gee Creek Str. & Apprs. (Hwy. 123)
Job 080499
Johnson County

The Arkansas Department of Transportation (ARDOT) is planning improvements to Highway 123 approximately 7.4 miles south of Highway 7 in Johnson County. The proposed improvements to Highway 123 include replacing the existing bridge over Gee Creek structural deficiencies with a three sided box culvert.

Plans showing location and design features of the anticipated work and information relative to environmental studies are available for public inspection and comment at the following locations:

- Website: www.ardot.gov/publicmeetings
- ARDOT's Resident Engineer Office #82, 2702 West Main, Clarksville, AR 72830. The office is open weekdays from 7:00 a.m. until 4:30 p.m.
- Johnson County Public Library, 2 Taylor Circle, Clarksville, AR 72830. The library hours vary, please contact (479) 754-3135.

Any interested citizen, in the vicinity of this proposed project, may request that a public hearing be held regarding this project and its economic and environmental effects by submitting a written request to the Arkansas Department of Transportation, Environmental Division, P.O. Box 2261, Little Rock, AR, 72203-2261 or email environmentalpublicmeetings@ardot.gov. Requests must be received on or before **August 19, 2021 at 4:30 p.m.**

In the event requests are received, a notice of the date, time, and place of the public hearing will be published and advertised in the local media.

-INVOICE-

JOHNSON COUNTY GRAPHIC, INC.

203 EAST CHERRY STREET
 479-754-2005 • Fax: 479-754-2098
 Published Wednesday
 ads@TheGraphic.org

Date 7-14-21 P.O. Box 289 • Clarksville, AR 72830-0289

Arkansas Department of Transportation
 Environmental Division
 P.O. Box 2261
 Little Rock, AR 72203

LEGAL NOTICE

Public Hearing Notice: Highway Improvements..Gee Creek Str. & Apprs.
 (Hwy 123) Job 080499

236 words @ .35 per word per insertion.....\$165.20

Published
 7-7-21
 and
 7-14-21

KS

RECEIVED
 ARDOT
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 DIVISION

LEGAL NOTICES

NOTICE OF OFFERING A PUBLIC HEARING ON HIGHWAY IMPROVEMENTS

Gee Creek Str. and Apprs. (Hwy123), Job 080499, Johnson County

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- Website: www.ardot.gov/publicmeetings
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- Johnson County Public Library, 2 Taylor Circle, Clarksville, AR 72830. The library hours vary, please contact (479) 754-3135.

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In the event requests are received, a notice of the date, time, and place of the public hearing will be published and advertised in the local media.

(Published in the *Johnson County Graphic* July 7 and 14, 2021)

Proof of Publication

STATE OF ARKANSAS

COUNTY OF JOHNSON

I, RON WYLIE, publisher of The Johnson County Graphic, a weekly newspaper published at Clarksville in the County of Johnson, State of Arkansas, solemnly swear that the legal notice, of which the annexed is a true copy, was published in said newspaper 2 times, as follows:

7-07-21

7-14-21

and that the said newspaper was published and had a bona fide circulation in Johnson County, Arkansas, for more than one year before the first insertion and during the time of publication of the said legal notice.

Ron Wylie

Subscribed and sworn to before me this 15 day July, 2021.

Wanda Williams

Cost of Publication: \$ 165.20

My Commission Expires 7-11-30



KS

**ARKANSAS DEPARTMENT OF TRANSPORTATION (ARDOT)
 CITIZEN COMMENT FORM
 Public Hearing Offering
 ARDOT Job 080499
 Gee Creek Str. & Apprs. (Hwy. 123)
 Johnson County**

**Location:
 Johnson County Public Library
 2 Taylor Circle, Clarksville, AR, 72830**

July 15, 2021 through August 19, 2021

Please Print

Date: _____

Name: _____

Address: _____

Street Address

City, State, Zip

Comments:

(Use additional sheets if necessary)
Mail, fax or email you comments by 4:30 p.m., Thursday, August 19, 2021 to the following information below:

Arkansas Department of Transportation
 Environmental Division
 P.O. Box 2261
 Little Rock, Arkansas 72203-2261
 Telephone: 501-569-2281
 Fax: 501-569-2009
 Email: environmentalpmmeetings@ardot.gov

For additional information, please visit our website at www.ardot.gov/publicmeetings



PUBLIC REGISTER

Date: July 15, 2021

Location: Johnson County Public Library
Job Name: Gee Creek Str. & Apprs.

Job 080499

<i>PLEASE PRINT</i> Name	Street or P.O. Box	City, Zip	Representing: Organization or "Self"	How did you hear about this meeting? (Radio, Newspaper, Flyer, etc.)
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ARKANSAS DEPARTMENT OF TRANSPORTATION (ARDOT)

CITIZEN COMMENT FORM

Public Hearing Offering

ARDOT Job 080499

Gee Creek Str. & Apprs. (Hwy. 123)

Johnson County

Location:

Pope County Library-Russellville Main Branch

116 E 3rd St., Russellville, AR, 72801

August 19, 2021 through September 20, 2021

Please Print

Date: _____

Name: _____

Address: _____

Street Address

City, State, Zip

Comments:

(Use additional sheets if necessary)

Mail, fax or email you comments by 4:30 p.m., Monday, September 20, 2021 to the following information below:

Arkansas Department of Transportation

Environmental Division

P.O. Box 2261

Little Rock, Arkansas 72203-2261

Telephone: 501-569-2281

Fax: 501-569-2009

Email: environmentalpmmeetings@ardot.gov

For additional information, please visit our website at www.ardot.gov/publicmeetings



PUBLIC REGISTER

Date: August 19, 2021

Location: Pope County Library-Russellville Main Branch
Job Name: Gee Creek Str. & Apprs.

Job 080499

<i>PLEASE PRINT</i> Name	Street or P.O. Box	City, Zip	Representing: Organization or "Self"	How did you hear about the availability of the project information?
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ARKANSAS DEPARTMENT OF TRANSPORTATION (ARDOT)

CITIZEN COMMENT FORM

Public Hearing Offering

ARDOT Job 080499

Gee Creek Str. & Apprs. (Hwy. 123)

Johnson County

Location:

ARDOT District 8 Office

372 Aspen Lane, Russellville, AR, 72811

August 19, 2021 through September 20, 2021

Please Print

Date: _____

Name: _____

Address: _____

Street Address

City, State, Zip

Comments:

(Use additional sheets if necessary)

Mail, fax or email you comments by 4:30 p.m. Monday, September 2021, to the following information below:

Arkansas Department of Transportation

Environmental Division

P.O. Box 2261

Little Rock, Arkansas 72203-2261

Telephone: 501-569-2281

Fax: 501-569-2009

Email: environmentalpi meetings@ardot.gov

For additional information, please visit our website at www.ardot.gov/publicmeetings



PUBLIC REGISTER

Date: August 19, 2021

Location: ARDOT District 8 Office
Job Name: Gee Creek Str. & Apprs.

Job 080499

<i>PLEASE PRINT</i> Name	Street or P.O. Box	City, Zip	Representing: Organization or "Self"	How did you hear about the availability of the project information?
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ARKANSAS DEPARTMENT OF TRANSPORTATION (ARDOT)

CITIZEN COMMENT FORM

Public Hearing Offering

ARDOT Job 080499

Gee Creek Str. & Apprs. (Hwy. 123)

Johnson County

Location:

ARDOT Resident Engineer Office
2702 West Main, Clarksville, AR, 72830

July 15, 2021 through August 19, 2021

Please Print

Date: _____

Name: _____

Address: _____

Street Address

City, State, Zip

Comments:

(Use additional sheets if necessary)

Mail, fax or email you comments by 4:30 p.m., Monday, August 19, 2021 to the following information below:

Arkansas Department of Transportation
Environmental Division
P.O. Box 2261
Little Rock, Arkansas 72203-2261
Telephone: 501-569-2281
Fax: 501-569-2009

Email: environmentalpublicmeetings@ardot.gov

For additional information, please visit our website at www.ardot.gov/publicmeetings



PUBLIC REGISTER

Date: July 15, 2021

Location: Resident Engineer Office #82
Job Name: Gee Creek Str. & Apprs.

Job No: 080499

<i>PLEASE PRINT</i> Name	Street or P.O. Box	City, Zip	Representing: Organization or "Self"	How did you hear about this meeting? (Radio, Newspaper, Flyer, etc.)
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Appendix B – AGENCY EA COMMENTS



STATE OF ARKANSAS

Department of Finance and Administration

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206

https://www.dfa.arkansas.gov/intergovernmental-services

MEMORANDUM

TO: Technical Review Committee Members
FROM: State Clearinghouse
DATE: June 16, 2021
SUBJECT: Environmental Assessment # 3170
Arkansas Dept. of Transportation-Job 080499-Hwy 123 Bridge Replacement
Randal Looney FHWA, John Fleming ArDOT- Johnson County, Arkansas

Please review the above stated document under the provisions of the National Historic Preservation Act (1966), National Environmental Policy Act (1969), Clean Water Act (1972), Environmental Assessments / Environmental Impact Statements and the Arkansas Project Notification and Review System.

Your comments should be emailed by July 7th to Laura Brown, Laura.Brown@arkansas.gov from the office of Arkansas Natural Resources Commission (ANRC). The Director of ANRC and the Technical Review Committee Chairman is Bruce Holland. Ms. Brown will ensure that he is informed of any needed information.

It is imperative that your response be sent by the date requested. If you have "No Comments," this should be indicated below and submitted. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Laura Brown at (501) 682-3985 or the State Clearinghouse Office at (501) 683-0927.

- Support
Do Not Support (Comments Attached)
Comments Attached
Support with Following Conditions
[X] No Comments
Non-Degradation Certification Issues (Applies to ADEQ Only)

Four horizontal lines for signature or additional information.

Name (Print) Jeff LeMaster Date July 7, 2021
Agency Division of Environmental Quality Phone Number 501.682.0740



Asa Hutchinson
Governor

ARKANSAS DEPARTMENT OF AGRICULTURE

1 Natural Resources Drive, Little Rock, AR 72205
agriculture.arkansas.gov
(501) 225-1598



Wes Ward
Secretary of Agriculture

MEMORANDUM

TO: Christopher Rice
State Clearinghouse

FROM: Bruce Holland, Chairman
Technical Review Committee

SUBJECT: # 3170 Environmental Assessment
Arkansas Dept. of Transportation Job #080499
Hwy 123 Bridge Replacement – Johnson County, Arkansas

DATE: July 7, 2021

*B. Holland
2 July 2021*

Members of the Technical Review Committee have reviewed the above referenced project:

The Arkansas Department of Transportation is proposing to replace the Highway 123 roadway bridge over Gee Creek in Johnson County. Highway 123 is functionally classified as a major collector connecting Interstate 40 near Clarksville and Highway 65 south of Harrison. It crosses the Ozark-St. Francis national Forests, connecting several U.S. Forest Service recreational areas and campgrounds, the Buffalo National River, the Gene Rush Buffalo River Management Area, and several state highways including an arterial route, Highway 7. Highway 123 provides recreational access to Haw Creek Falls Recreation Area and Campground and serving as an arterial highway for logging trucks. The bridge over Gee Creek was constructed in 1938 and has been reinforced many times since its original construction. The purpose of the project is to correct existing structural deficiencies in the bridge that if not corrected will result in escalating maintenance costs and eventual closure. No significant environmental concerns have been identified at this time as long as proper permits are obtained before construction begins. Agency comments are included for your review.

The Committee supports this project with the following conditions:

- 1) The applicant obtains a Construction Stormwater General Permit and short-term activity authorization from the Arkansas Division of Environmental Quality before construction activity begins.
- 2) If proposed activities disturb at least one acre or more on the project site, a Construction Stormwater Permit will need to be obtained from the Division of Environmental Quality before any activity begins.

Memorandum

Page 2.

July 7, 2021

- 3) Appropriate erosion control measures should be implemented during demolition and construction activities to minimize impacts to Gee Creek water quality.

The opportunity to comment is appreciated.

BH/lab



STATE OF ARKANSAS

Department of Finance and Administration

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206

https://www.dfa.arkansas.gov/intergovernmental-services

MEMORANDUM

TO: Technical Review Committee Members
FROM: State Clearinghouse
DATE: June 16, 2021
SUBJECT: Environmental Assessment # 3170
Arkansas Dept. of Transportation-Job 080499-Hwy 123 Bridge Replacement
Randal Looney FHWA, John Fleming ArDOT- Johnson County, Arkansas

Please review the above stated document under the provisions of the National Historic Preservation Act (1966), National Environmental Policy Act (1969), Clean Water Act (1972), Environmental Assessments / Environmental Impact Statements and the Arkansas Project Notification and Review System.

Your comments should be emailed by July 7th to Laura Brown, Laura.Brown@arkansas.gov from the office of Arkansas Natural Resources Commission (ANRC). The Director of ANRC and the Technical Review Committee Chairman is Bruce Holland. Ms. Brown will ensure that he is informed of any needed information.

It is imperative that your response be sent by the date requested. If you have "No Comments," this should be indicated below and submitted. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Laura Brown at (501) 682-3985 or the State Clearinghouse Office at (501) 683-0927.

- Support
Do Not Support (Comments Attached)
Comments Attached
Support with Following Conditions
[X] No Comments
Non-Degradation Certification Issues (Applies to ADEQ Only)

Name (Print) John Beasley BMP Forester
Date 6/23/21

Agency Arkansas Agriculture Department Phone
Number 870-312-9999



STATE OF ARKANSAS

Department of Finance and Administration

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206

https://www.dfa.arkansas.gov/intergovernmental-services

MEMORANDUM

TO: Technical Review Committee Members
FROM: State Clearinghouse
DATE: June 16, 2021
SUBJECT: Environmental Assessment # 3170
Arkansas Dept. of Transportation-Job 080499-Hwy 123 Bridge Replacement
Randal Looney FHWA, John Fleming ArDOT- Johnson County, Arkansas

Please review the above stated document under the provisions of the National Historic Preservation Act (1966), National Environmental Policy Act (1969), Clean Water Act (1972), Environmental Assessments / Environmental Impact Statements and the Arkansas Project Notification and Review System.

Your comments should be emailed by July 7th to Laura Brown, Laura.Brown@arkansas.gov from the office of Arkansas Natural Resources Commission (ANRC). The Director of ANRC and the Technical Review Committee Chairman is Bruce Holland. Ms. Brown will ensure that he is informed of any needed information.

It is imperative that your response be sent by the date requested. If you have "No Comments," this should be indicated below and submitted. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Laura Brown at (501) 682-3985 or the State Clearinghouse Office at (501) 683-0927.

Support Do Not Support (Comments Attached)
Comments Attached Support with Following Conditions
X No Comments Non-Degradation Certification Issues (Applies to ADEQ Only)

[Blank lines for signature]

Name (Print) Trevor Drown Date June 23, 2021
Agency Commissioner of State Lands Phone Number 501-291-9430



STATE OF ARKANSAS

Department of Finance and Administration

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206

https://www.dfa.arkansas.gov/intergovernmental-services

MEMORANDUM

TO: Technical Review Committee Members
FROM: State Clearinghouse
DATE: June 16, 2021
SUBJECT: Environmental Assessment # 3169
Arkansas Dept. of Transportation-Job 080499-Hwy 123 Bridge Replacement
Randal Looney FHWA, John Fleming ArDOT- Johnson County, Arkansas

Please review the above stated document under the provisions of the National Historic Preservation Act (1966), National Environmental Policy Act (1969), Clean Water Act (1972), Environmental Assessments / Environmental Impact Statements and the Arkansas Project Notification and Review System.

Your comments should be emailed by (DATE) to Laura Brown, Laura.Brown@arkansas.gov from the office of Arkansas Natural Resources Commission (ANRC). The Director of ANRC and the Technical Review Committee Chairman is Bruce Holland. Ms. Brown will ensure that he is informed of any needed information.

It is imperative that your response be sent by the date requested. If you have "No Comments," this should be indicated below and submitted. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Laura Brown at (501) 682-3985 or the State Clearinghouse Office at (501) 683-0927.

- X Support
Do Not Support (Comments Attached)
Comments Attached
Support with Following Conditions
X No Comments
Non-Degradation Certification Issues (Applies to ADEQ Only)

Four horizontal lines for signature or additional information.

Name (Print) William Lee Prior Date 6-21-2021

Agency) Arkansas Geological Survey- E & E. Phone Number 501-684-0117



STATE OF ARKANSAS

Department of Finance and Administration

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206

https://www.dfa.arkansas.gov/intergovernmental-services

MEMORANDUM

TO: Technical Review Committee Members
FROM: State Clearinghouse
DATE: June 16, 2021
SUBJECT: Environmental Assessment # 3170
Arkansas Dept. of Transportation-Job 080499-Hwy 123 Bridge Replacement
Randal Looney FHWA, John Fleming ArDOT- Johnson County, Arkansas

Please review the above stated document under the provisions of the National Historic Preservation Act (1966), National Environmental Policy Act (1969), Clean Water Act (1972), Environmental Assessments / Environmental Impact Statements and the Arkansas Project Notification and Review System.

Your comments should be emailed by July 7th to Laura Brown, Laura.Brown@arkansas.gov from the office of Arkansas Natural Resources Commission (ANRC). The Director of ANRC and the Technical Review Committee Chairman is Bruce Holland. Ms. Brown will ensure that he is informed of any needed information.

It is imperative that your response be sent by the date requested. If you have "No Comments," this should be indicated below and submitted. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Laura Brown at (501) 682-3985 or the State Clearinghouse Office at (501) 683-0927.

- Support
Do Not Support (Comments Attached)
Comments Attached
Support with Following Conditions
X No Comments
Non-Degradation Certification Issues (Applies to ADEQ Only)

Four horizontal lines for signature or additional information.

Name (Print) Darren Spinks Date 6/25/2021

Agency Arkansas Department of Agriculture, Forestry Division Phone Number (501) 944-2577



STATE OF ARKANSAS
**Department of Finance
and Administration**

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206

<https://www.dfa.arkansas.gov/intergovernmental-services>

MEMORANDUM

TO: Technical Review Committee Members
FROM: State Clearinghouse
DATE: June 16, 2021
SUBJECT: Environmental Assessment # 3170
Arkansas Dept. of Transportation-Job 080499-Hwy 123 Bridge Replacement
Randal Looney FHWA, John Fleming ArDOT- Johnson County, Arkansas

Please review the above stated document under the provisions of the National Historic Preservation Act (1966), National Environmental Policy Act (1969), Clean Water Act (1972), Environmental Assessments / Environmental Impact Statements and the Arkansas Project Notification and Review System.

Your comments should be emailed by **July 7th** to [Laura Brown, Laura.Brown@arkansas.gov](mailto:Laura.Brown@arkansas.gov) from the office of Arkansas Natural Resources Commission (ANRC). The Director of ANRC and the Technical Review Committee Chairman is Bruce Holland. Ms. Brown will ensure that he is informed of any needed information.

It is imperative that your response be sent by the date requested. If you have "No Comments," this should be indicated below and submitted. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact [Laura Brown](mailto:Laura.Brown@arkansas.gov) at (501) 682-3985 or the [State Clearinghouse Office](#) at (501) 683-0927.

Support Do Not Support (Comments Attached)
 Comments Attached Support with Following Conditions
 No Comments Non-Degradation Certification Issues
(Applies to ADEQ Only)

No apparent or immediate conflict with public outdoor recreation sites monitored by the Outdoor Recreation Grants Program.

We are pleased that the project appears to have no adverse effect on the adjacent Ozark Highlands Trail and Haw Creek Falls Recreation Area (USFS – OSFNF).

Name: (Print) Randy Roberson Date June 25, 2021
Arkansas Department of Parks, Heritage & Tourism,
Agency: Outdoor Recreation Grants Program Phone Number 682-6946



STATE OF ARKANSAS

Department of Finance and Administration

OFFICE OF INTERGOVERNMENTAL SERVICES

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https://www.dfa.arkansas.gov/intergovernmental-services

MEMORANDUM

TO: Technical Review Committee Members
FROM: State Clearinghouse
DATE: June 16, 2021
SUBJECT: Environmental Assessment # 3170
Arkansas Dept. of Transportation-Job 080499-Hwy 123 Bridge Replacement
Randal Looney FHWA, John Fleming ArDOT- Johnson County, Arkansas

Please review the above stated document under the provisions of the National Historic Preservation Act (1966), National Environmental Policy Act (1969), Clean Water Act (1972), Environmental Assessments / Environmental Impact Statements and the Arkansas Project Notification and Review System.

Your comments should be emailed by July 7th to Laura Brown, Laura.Brown@arkansas.gov from the office of Arkansas Natural Resources Commission (ANRC). The Director of ANRC and the Technical Review Committee Chairman is Bruce Holland. Ms. Brown will ensure that he is informed of any needed information.

It is imperative that your response be sent by the date requested. If you have "No Comments," this should be indicated below and submitted. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Laura Brown at (501) 682-3985 or the State Clearinghouse Office at (501) 683-0927.

- Support (checked)
Do Not Support (Comments Attached)
Comments Attached
Support with Following Conditions
No Comments (checked)
Non-Degradation Certification Issues (Applies to ADEQ Only)

Blank lines for additional comments or notes.

Name (Print) KON BRADL Date 6/30/21
Agency ADA, NATURAL RESOURCES DIVISION Phone Number



Asa Hutchinson
Governor
Stacy Hurst
Secretary

July 15, 2021

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

Re: Johnson County - General
Section 106 Review - FHWA
Gee Creek Str. & Apprs. (S)
Route 123, Section 3
Environmental Assessment - *ARDOT Job 080499 Highway 123 Bridge Replacement: Gee Creek Str. & Apprs. Environmental Assessment (May 2021)*
ARDOT Job Number 080499
AHPP Tracking Number 99492.06

Dear Mr. Fleming:

The staff of the Arkansas Historic Preservation Program (AHPP) reviewed the above-referenced environmental assessment (EA) for Arkansas Department of Transportation Job 080499. The EA provides the incorrect effect finding for the Build Alternative. The EA notes the State Historic Preservation Officer review resulted in a finding of no adverse effect. Our letter dated October 11, 2019 (AHPP Tracking Number 99492.04) in Appendix B of the EA, provided our concurrence with a finding of no historic properties affected. We request amending the EA to provide the correct effect finding.

In correspondence dated April 1, 2019 (AHPP Tracking Number 99492.02), the AHPP concurred that Bridge M1864 is not eligible for inclusion in the National Register of Historic Places (NRHP). The AHPP also upholds our concurrence that Site 3JO0827 is not eligible for inclusion in the NRHP and with the finding of **no historic properties affected pursuant to 36 CFR § 800.4(d)(1)**.

Thank you for the opportunity to review this EA. If you have any questions, please contact Eric Mills of my staff at (501) 324-9784 or eric.mills@arkansas.gov.

Sincerely,

for
Scott Kaufman
Director, AHPP

cc: Mr. Randal Looney, Federal Highway Administration
Dr. Melissa Zabecki, Arkansas Archeological Survey

Appendix C – INVENTORIED ROADLESS AREA APPROVAL



Forest Service

Southern Region

1720 Peachtree Street, NW
Atlanta, GA 30309

File Code: 1920 **Date:** August 31, 2021
Route To:
Subject: Ozark-St. Francis Gee Creek
To: Forest Supervisor, Ozark-St. Francis National Forest

This is in response to your letter of July 20, 2021 and supporting documentation, requesting Regional Forester review of a proposed highway improvement including the replacement of the Gee Creek bridge structures and approaches on State Highway 123 in Johnson County, Arkansas. The proposal is consistent with 36 Code of Federal Regulations (CFR) 294. The Forest is seeking concurrence of the proposed project in cooperation with the Arkansas Department of Transportation (ARDOT).

This project is a Federal Highway Administration (FHWA)-funded project. Public safety and environmental damage would be improved by the project and the Roadless Rule allows for these activities. The project would prevent bridge failure and highway closures and accidents by replacing a bridge that is not structurally sound. The existing bridge has had numerous interim reinforcements added in the past to remove weight restrictions to accommodate heavy loads for highway bridge work further down Highway 123 and extend the life of the bridge until it could be replaced. The bridge would continue to need more extensive repairs as the condition deteriorates if it is not replaced. The inspection report for the bridge lists the condition of the superstructure as 4 (poor, indicative of advanced deterioration) and deck and substructure as 5 (fair, indicative of minor section loss).

The proposed bridge replacement over Gee Creek would require only 0.5 acre of easements from the Gee Creek IRA and an additional 2.0 acres of easements from the Ozark-St. Francis National Forests, negligible compared to the total acreage of the Gee Creek IRA (7,948 acres) and the Ozark-St. Francis National Forests (over 1.2 million acres). Existing access points within the Gee Creek IRA would be maintained, but no additional access points into the IRA would be constructed under the subject project.

The bridge would be replaced next to the existing structure, on the non-IRA downstream side of the existing highway, in order to maintain traffic during construction. The new structure would be a bottomless concrete culvert to accommodate fish passage and better maintain the natural channel over time. An FHWA Environmental Assessment (EA) will be prepared with the Forest Service participating as a National Environmental Policy Act (NEPA) cooperating agency.

The proposed project affects only Forest Service land on existing and proposed ARDOT easements. Merchantable timber that would be impacted by the proposed project within the Gee Creek IRA has been inventoried by certified Forest Service timber cruisers. A Location and Design Public Hearing will be offered following the approval of the EA for public dissemination. No public opposition is expected.

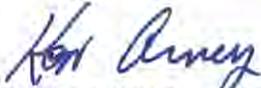


Forest Supervisor, Ozark-St. Francis National Forest

2

The Regional Office believes that changing the southern boundary of Gee Creek IRA is appropriate for improving the safety of highway users. Therefore, I approve your request to proceed with the respective NEPA documentation.

If you have any questions or concerns, please contact Stephanie "Lee" Madson at 404-527-9659 or Stephanie Medlin 423-790-2817.



KENDERICK ARNEY
Regional Forester

cc: Stephanie Medlin, Amy Burt