

TIER 3 CATEGORICAL EXCLUSION

ARDOT JOB NUMBER 070471

FAP NUMBER NHPP-0014(35)

CORNIE BAYOU, HARPER & LAPILE CREEKS STRS. & APPRS. (S)

ROUTE 82, SECTIONS 4 & 6

COLUMBIA & UNION COUNTIES

Submitted Pursuant to 42 U.S.C. 4332(2)

By the

U.S. Department of Transportation

Federal Highway Administration

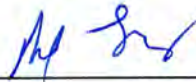
And the

Arkansas Department of Transportation

April 2020

04/27/2020

Date of Approval



Randal Looney
Environmental Coordinator
Federal Highway Administration

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 Programmatic 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 structures over Cornie Bayou (Str. #02667), Harper Creek (Str. #02668), and Lapile Creek (Str. #02912). Total length of the project is 0.8 mile. A project location map is attached.

The existing roadway at Cornie Bayou and Harper Creek consists of two 11' wide paved travel lanes with 5' wide paved shoulders. Existing conditions at Lapile Creek consists of two 12' wide paved travel lanes with 5' wide paved shoulders. Average existing right of way width is 160'.

Proposed improvements include new bridges in each location with approaches that consist of four 12' wide paved travel lanes with an 11' painted median and 8' wide paved shoulders. The average proposed right of way width will be 220 feet. Approximately 3.6 acres of additional right of way will be required for this project.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2021	5,000	15	60 mph
2041	5,700	15	60 mph

There are no relocations, hazardous materials, environmental justice populations, or cultural resources associated with this project. Approximately 0.3 acre of prime farmland will be converted to highway right of way. Form NRCS-CPA-106 for farmland impacts and State Historic Preservation Officer clearance are attached.

Columbia and Union Counties participate in the National Flood Insurance Program. All sites lie within Zone A Special Flood Hazard Areas. 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 substantial floodplain encroachment or risk to property or life.

This project has been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special mobile source

air toxic (MSAT) concerns. As such, this project will not result in changes in traffic volumes, vehicle mix, basic project location, or any other factor that would cause a meaningful increase in MSAT impacts of the project from that of the no-build alternative.

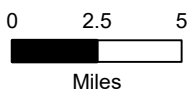
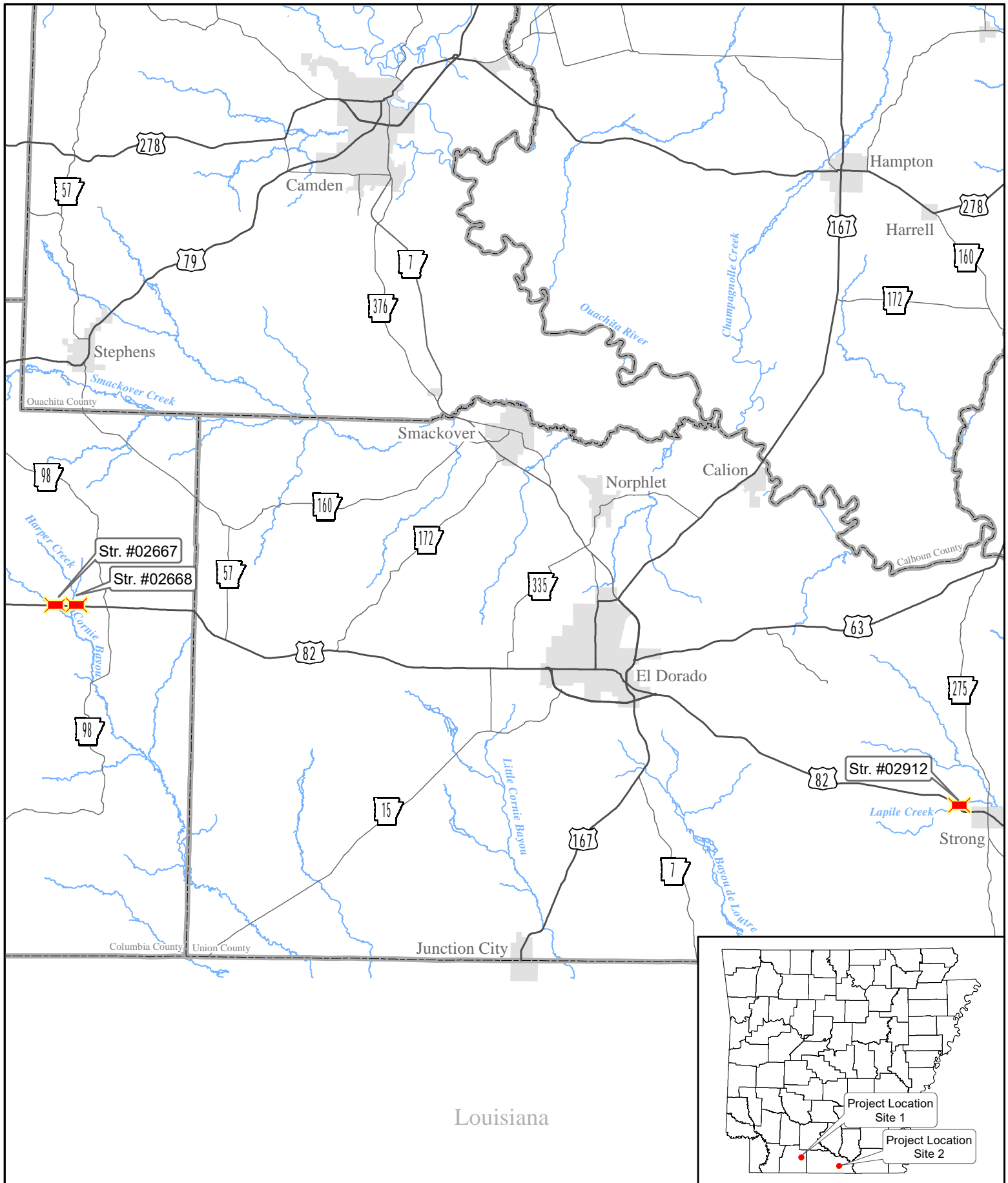
Based on the ARDOT noise policy, a noise analysis is not required for this project. The bridge replacements will not involve adding capacity, substantially changing the roadway alignment, or exposing noise sensitive land uses to traffic noise sources. In compliance with federal guidelines, local authorities will not require notification.

The official species list obtained through the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation website identifies the following federally-listed species as having the potential to occur in the project area: the endangered Red-cockaded Woodpecker (*Picoides borealis*), the threatened Red Knot (*Calidris canutus rufa*), and the threatened Piping Plover (*Charadrius melodus*). The USFWS species list is attached.

The attached Arkansas Determination Key reached a determination of “may affect, not likely to adversely affect” for the Red-cockaded Woodpecker, and a “no effect” determination was reached for the Red Knot and Piping Plover. The USFWS concurred on March 18, 2020.

Permanent stream impacts to Cornie Bayou are estimated to be 280'. Impacts to one unnamed tributary to Cornie Bayou are estimated to be 70'. Impacts to a second unnamed, intermittent tributary to Cornie Bayou are estimated to be 430'. Permanent stream impacts to Harper Creek are estimated to be 340'. Impacts to one unnamed tributary to Harper Creek are estimated to be 60'. Impacts to a second unnamed tributary to Harper Creek are estimated to be 140'. Permanent impacts to Lapile Creek are estimated at 210'.

Permanent impacts to wetlands associated with Lapile Creek are estimated at 0.7 acre. Construction of the proposed project should be allowed under the terms of a Section 404 Nationwide 23 Permit for Approved Categorical Exclusions. ARDOT proposes to provide compensatory stream and wetland mitigation at the nearest approved mitigation bank that services the area.



ARDOT - Environmental GIS - Hopkins
April 3, 2020

Job 070471
Cornie Bayou, Harper & Lapile Creeks
Strs. & Apprs. (Hwy. 82)
Columbia & Union Counties





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

99737.02
FHWA

April 13, 2020

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

AHPP
APR 13 2020

RE: Job Number 070471
Cornie Bayou, Harper & Lapile
Creeks Strs. & Apprs. (S)
Highway 82, Sections 4 & 6
Columbia & Union Counties

Dear Secretary Hurst:

A Project Identification Form (PIF) for the referenced project is enclosed. Please review for concurrence with the findings of my staff. If you have any questions or require additional information, please contact Jason Kennedy of my staff at (501) 569-2038.

Date 4.15.20
No known historic properties will be
affected by this undertaking. This
effect determination could change
should new information come to light.
Eric Mills
FOR Arkansas State Historic Preservation Officer

Sincerely,

John Fleming

John Fleming
Division Head
Environmental Division

JF:KB:JK:cb

Enclosure
PIF

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I (To be completed by Federal Agency) Job 070471		3. Date of Land Evaluation Request		4. Sheet 1 of _____	
1. Name of Project		5. Federal Agency Involved			
2. Type of Project		6. County and State			
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 <input type="checkbox"/> NO <input type="checkbox"/>		4. Acres Irrigated Average Farm Size	
5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: _____ % _____		7. Amount of Farmland As Defined in FPPA Acres: _____ % _____		
8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System		10. Date Land Evaluation Returned by NRCS		
PART III (To be completed by Federal Agency)		Alternative Corridor For Segment			
		Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly, Or To Receive Services					
C. Total Acres In Corridor					
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide And Local Important Farmland					
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			
2. Perimeter in Nonurban Use		10			
3. Percent Of Corridor Being Farmed		20			
4. Protection Provided By State And Local Government		20			
5. Size of Present Farm Unit Compared To Average		10			
6. Creation Of Nonfarmable Farmland		25			
7. Availability Of Farm Support Services		5			
8. On-Farm Investments		20			
9. Effects Of Conversion On Farm Support Services		25			
10. Compatibility With Existing Agricultural Use		10			
TOTAL CORRIDOR ASSESSMENT POINTS		160			
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100			
Total Corridor Assessment (From Part VI above or a local site assessment)		160			
TOTAL POINTS (Total of above 2 lines)		260			
1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>		
5. Reason For Selection:					

Signature of Person Completing this Part:

DATE

Joshua Graham

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



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:

March 17, 2020

Consultation Code: 04ER1000-2020-SLI-0662

Event Code: 04ER1000-2020-E-01565

Project Name: ArDOT Job #070471 Cornie Bayou, Harper & Lapile Creeks Strs. & Apprs. (S)

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

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

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

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

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

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

Attachment(s):

- Official Species List

Official Species List

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

This species list is provided by:

Arkansas Ecological Services Field Office

110 South Amity Suite 300

Conway, AR 72032-8975

(501) 513-4470

Project Summary

Consultation Code: 04ER1000-2020-SLI-0662

Event Code: 04ER1000-2020-E-01565

Project Name: ArDOT Job #070471 Cornie Bayou, Harper & Lapile Creeks Strs. & Apprs. (S)

Project Type: BRIDGE CONSTRUCTION / MAINTENANCE

Project Description: Replacement of three 2-lane bridges with 4-lane bridges on existing alignments, widening all three bridges and their approaches on the south side of the existing alignments.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/33.25014114110913N93.09321067048421W>



Counties: Columbia, AR | Union, AR

Endangered Species Act Species

There is a total of 4 threatened, endangered, or candidate species on this species list.

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

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

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

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

Birds

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10477	Proposed Threatened
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
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Red-cockaded Woodpecker <i>Picoides borealis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7614	Endangered

Critical habitats

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



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>



IPaC Record Locator: 415-20816695

March 17, 2020

Subject: Consistency letter for 'ArDOT Job #070471 Cornie Bayou, Harper & Lapile Creeks Strs. & Apprs. (S)' for specified federally threatened and endangered species and designated critical habitat that may occur in your proposed project area consistent with the Arkansas Determination Key for project review and guidance for federally listed species (Arkansas Dkey).

Dear Joseph Ledvina:

The U.S. Fish and Wildlife Service (Service) received on **March 17, 2020** your effect determination(s) for the 'ArDOT Job #070471 Cornie Bayou, Harper & Lapile Creeks Strs. & Apprs. (S)' (the Action) using the Arkansas DKey within the Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based on your answers and the assistance in the Service's Arkansas DKey, the proposed Action, including species protective measures that you confirmed will be implemented, is consistent with a determination(s) of "no effect" and/or "may affect, but not likely to adversely affect (NLAA)" for the following species.

Species	Determination
Endangered Red-cockaded Woodpecker (<i>Picoides borealis</i>)	NLAA
Proposed Threatened Eastern Black Rail (<i>Laterallus jamaicensis ssp. jamaicensis</i>)	No Effect
Threatened Red Knot (<i>Calidris canutus rufa</i>)	No Effect
Threatened Piping Plover (<i>Charadrius melodus</i>)	No Effect

Consultation Status

Consultation with the Service is not complete. The above effect determination(s) becomes applicable when the lead Federal action agency or designated non-federal representative submits them as a request to the Service to rely on the Arkansas DKey in order to satisfy the agency's consultation requirements for this project.

Please provide this consistency letter to the lead Federal action agency or its designated non-federal representative with a request for its review, and as the agency deems appropriate, to submit for concurrence verification through the IPaC system. The lead Federal action agency or designated non-federal representative should log into IPaC using their agency email account and click "Search by record locator". They will need to enter the record locator 415-20816695.

The Service recommends that your agency contact the Arkansas Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope, timing, duration, or location of the proposed project changes, 2) new information reveals the action may affect listed species or designated critical habitat; 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Arkansas Ecological Services Field Office should take place before project changes are final or resources committed.

Bald and Golden Eagle Protection Act: The following resources are provided to project proponents and consulting agencies as additional information. Bald and golden eagles are not included in this section 7(a)(2) consultation and this information does not constitute a determination of effects by the Service.

The Service developed the National Bald Eagle Management Guidelines to advise landowners, land managers, and others who share public and private lands with Bald Eagles when and under what circumstances the protective provisions of the BGEPA may apply to their activities. The guidelines should be consulted prior to conducting new or intermittent activity near an eagle nest. This document may be downloaded from the following site: <https://www.fws.gov/southeast/our-services/permits/eagles/>

To determine if your proposed activity is likely to take or disturb Bald Eagles, complete our step-by-step online self-certification process, which is located at <https://www.fws.gov/southeast/our-services/eagle-technical-assistance/>.

If the recommendations detailed in the National Bald Eagle Management Guidelines cannot be followed, you may apply for a permit to authorize removal or relocation of an eagle nest in certain instances. The application form is located at <http://www.fws.gov/forms/3-200-72.pdf>.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

ArDOT Job #070471 Cornie Bayou, Harper & Lapile Creeks Strs. & Apprs. (S)

2. Description

The following description was provided for the project 'ArDOT Job #070471 Cornie Bayou, Harper & Lapile Creeks Strs. & Apprs. (S)':

Replacement of three 2-lane bridges with 4-lane bridges on existing alignments, widening all three bridges and their approaches on the south side of the existing alignments.

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/33.25014114110913N93.09321067048421W>



Qualification Interview

1. Have you made an effects determination of "no effect" for all species in the area of the project? A "no effect" determination means the project will have no beneficial effect, no short-term adverse effects, and no long-term adverse effects on any of the species on the IPaC-generated species list for the proposed project or those species habitat. A project with effects that cannot be meaningfully measured, detected or evaluated, effects that are extremely unlikely to occur, or entirely beneficial effects should not have a "no effect" determination. (If unsure, select "No").

No

2. Choose the consulting agency:

d. Federal Highway Administration

3. Will project proponents follow [Special Provisions for avoidance and minimization](#) measures for listed species in Arkansas?

Yes

4. [Semantic] Does the project intersect designated critical habitat for the Leopard Darter?

Automatically answered

No

5. [Semantic] Does the project intersect designated critical habitat for the Neosho Mucket?

Automatically answered

No

6. [Semantic] Does the project intersect designated critical habitat for Yellowcheek Darter?

Automatically answered

No

7. [Semantic] Does the project intersect designated critical habitat for Rabbitsfoot?

Automatically answered

No

8. [Semantic] Does the project intersect the American burying beetle consultation area ?

Automatically answered

No

9. [Semantic] Does the project intersect the red-cockaded woodpecker AOI?

Automatically answered

Yes

10. [Semantic] Is the project located within the Ouachita NF?

Automatically answered

No

11. [Semantic] Does the project intersect the Eastern black rail AOI?

Automatically answered

Yes

12. Will the project affect sand and gravel areas or shorelines along rivers, lakes, or reservoirs?

No

13. Does the project take place in marshy or flooded open field habitat?

No

14. [Semantic] Does the project intersect the red knot AOI?

Automatically answered

Yes

15. [Semantic (same answer as "8.1.3")] Will the project affect sand and gravel areas or shorelines along rivers, lakes, or reservoirs?

Automatically answered

No

16. [Semantic (same answer as "8.2")] Does the project take place in marshy or flooded open field habitat?

Automatically answered

No

17. [Semantic] Does the project intersect the Piping Plover AOI?

Automatically answered

Yes

18. [Semantic (same answer as "8.1.3 or 9.3")] Will the project affect sand and gravel areas or shorelines along rivers, lakes, or reservoirs?

Automatically answered

No

19. [Semantic] Does the project intersect the Whooping Crane AOI?

Automatically answered

No

20. [Semantic] Does the project intersect the interior least tern AOI?

Automatically answered

No

21. [Semantic] Does the project intersect the Gray Bat AOI?

Automatically answered

No

22. [Semantic] Does the project intersect the Ozark Big-eared Bat AOI?

Automatically answered

No

23. [Semantic] Does the project intersect the Indiana bat AOI?

Automatically answered

No

24. [Semantic] Does the project intersect the Northern Long-eared bat AOI?

Automatically answered

No

25. [Semantic] Does the project intersect the Benton County Cave Crayfish AOI?

Automatically answered

No

26. [Semantic] Does the project intersect the Hell Creek Cave Crayfish AOI?

Automatically answered

No

27. [Semantic] Does the project intersect the Ozark cavefish AOI?

Automatically answered

No

28. [Semantic] Does the project intersect the Missouri bladderpod AOI?

Automatically answered

No

29. [Semantic] Does the project intersect the Geocarpon AOI?

Automatically answered

No

30. [Semantic] Does the project intersect the running buffalo clover AOI?

Automatically answered

No

31. [Semantic] Does the project intersect the Pondberry AOI?

Automatically answered

No

From: [Lewis, Lindsey](#)
To: [Ledvina, Joseph](#)
Subject: Re: [EXTERNAL] ArDOT Job #070471
Date: Wednesday, March 18, 2020 9:02:35 AM

CAUTION: This email originated from outside of ArDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Joe,

The Service has no additional comments or concerns and agrees with the determination made through the Arkansas Dkey.

Thanks,

Lindsey Lewis
Biologist

US Fish & Wildlife Service
Arkansas Field Office
110 South Amity Rd., Suite 300
Conway, Arkansas 72032

(501) 513-4489 - voice
(501) 513-4480 - fax
Lindsey_Lewis@fws.gov
<http://www.fws.gov/arkansas-es/>

NOTE: This email correspondence and any attachments to and from this sender is subject to the Freedom of Information Act (FOIA) and may be disclosed to third parties.

From: Ledvina, Joseph <Joseph.Ledvina@ardot.gov>
Sent: Tuesday, March 17, 2020 9:34 AM
To: Lewis, Lindsey <lindsey_lewis@fws.gov>
Subject: [EXTERNAL] ArDOT Job #070471

Lindsey,

ARDOT proposes to replace three bridges on Highway 82 in Columbia and Union Counties, crossing Cornie Bayou (33.25029, -93.09348), Harper Creek (33.249991, -93.077523), and Lapile Creek (33.116164, -92.381223). Minimal tree clearing and typical soil disturbance will occur during the installation wider, 4-lane bridges and 4-lane approaches on the existing alignment and just to the south of it for all three bridges. These actions may temporary impair water quality, but will be minimized with the use of sediment reduction best management practices. Along with standard best management practices, we will include water pollution control special provisions in the contract. The official species list from IPaC (attached) identifies the following three listed species as having the potential to occur in the project area: the endangered Red-cockaded Woodpecker (*Picoides borealis*)

and the threatened Red Knot (*Calidris canutus rufa*) and Piping Plover (*Charadrius melodus*).

The Arkansas Determination Key (see attached NLAA consistency letter) reached a determination of “**no effect**” for the Red Knot and Piping Plover, due to the lack of open marsh or riverine sandbar wetland habitat in the project area. The Arkansas Determination key reached a determination of “**may affect, but not likely to adversely affect**” for the Red-cockaded Woodpecker. Due to the limited tree removal and lack of known occurrences in the project areas, we seek concurrence for that determination.

Please let me know if you need anything else,
Joe

ARDOT ENVIRONMENTAL VERIFICATION CHECKLIST FOR CONSIDERATION OF POTENTIAL IMPACTS

ARDOT Job Number 070471 FAP Number NHPP-0014(35)

Job Title Cornie Bayou, Harper & Lapile Creeks Strs. & Apprs. (S)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No MSAT impacts anticipated
Cultural Resources	X			"No historic properties affected"
Economic	X			Will not be impacted by project
Endangered Species		X		"May affect, not likely to adversely affect"
Environmental Justice/Title VI	X			No impacts anticipated
Fish and Wildlife		X		Temporary impacts during construction
Floodplains		X		Project within Zone A SFHAs
Forest Service Property	X			None in project area
Hazardous Materials/Landfills	X			No impacts anticipated
Land Use		X		3.6 acres of additional ROW required
Migratory Birds	X			Migratory Bird SP included
Navigation/Coast Guard	X			No navigable waters in project area
Noise Levels	X			No increases due to project
Prime Farmland		X		0.3 acre prime farmland to be converted
Protected Waters	X			None in project area
Public Recreation Lands	X			None in project area
Public Water Supply/WHPA	X			WHP SP for offsite areas
Relocatees	X			No relocations
Section 4(f)/6(f)	X			4f resources not present
Social	X			No impacts to the social environment
Underground Storage Tanks	X			No USTs in project area
Visual	X			No changes to visual environment
Streams		X		7 streams impacted, maximum 430'
Water Quality		X		Temporary decrease during construction
Wetlands		X		0.7 acre wetland impacts
Wildlife Refuges	X			None in area

Section 401 Water Quality Certification Required? No

Short-term Activity Authorization Required? Yes

Section 404 Permit Required? Yes Type Nationwide 23

Remarks:

Signature of Evaluator Kathryn Rose Date 4/22/2020

Date Sent: March 31, 2020

ROADWAY DESIGN REQUEST

Job Number 070471 FAP No. NHPP-0014(35) County Columbia & Union

Job Name Cornie Bayou, Harper & Lapile Creeks Strs. & Apprs. (S)

Design Engineer Michael Baker Environmental Staff _____

Brief Project Description 3 bridge replacements

A. Existing Conditions:

Roadway Width: Sites 1 & 2 – 32'
Site 3 – 34' Shoulder Type/Width: 5' / Paved

Number of Lanes and Width: 2 @ 11'
2 @ 12' Existing Right-of-Way: 160'

Sidewalks? No Location: _____ Width: _____

Bike Lanes? No Location: _____ Width: _____

B. Proposed Conditions:

Roadway Width: 75' Shoulder Type/Width: 8' Paved

Number of Lanes and Width: 4 @ 12'
1 @ 11' Proposed Right-of-Way: 220'

Sidewalks? No Location: _____ Width: _____

Bike Lanes? No Location: _____ Width: _____

C. Construction Information:

If detour: Where: N/A Length: _____

D. Design Traffic Data:

2021 ADT: 5000 2041 ADT: 5700 % Trucks: 15%
Design Speed: 60 m.p.h.

E. Approximate total length of project: 0.814 mile(s)

F. Justification for proposed improvements: Bridges need to be replaced.

G. Total Relocatees: 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