February 13, 2018

TO: Master Files

FROM: John Fleming, Division Head, Environmental Division

SUBJECT: Job Number 020583
          FAP Number NHPP-0040(35)
          Clear Creek Str. & Apprs.
          Bridge Number M0338
          Lincoln County
          Tier 2 Categorical Exclusion

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

The purpose of this project is to replace a weight restricted bridge on Highway 11S in Lincoln County. Total length of the project is 0.025 mile. The attached figure illustrates the project location.

Existing Highway 11S consists of two 10-foot wide travel lanes with no shoulders. The existing bridge (#M0338) has a 24’ x 42’ reinforced concrete deck on steel beams. The bridge is has a sufficiency rating of 51.9. There is no recorded right of way.

Proposed improvements include a Triple 9’ x 7’ x 58’ reinforced concrete box culvert with two 10-foot wide paved travel lanes and 4-foot shoulders (2-foot paved). The proposed average right of way width will be 125 feet. Approximately 1.09 acre of additional right of way will be required for this project.
Design data for this project is as follows:

<table>
<thead>
<tr>
<th>Design Year</th>
<th>Average Daily Traffic</th>
<th>Percent Trucks</th>
<th>Design Speed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>450</td>
<td>4</td>
<td>55 mph</td>
</tr>
<tr>
<td>2038</td>
<td>550</td>
<td>4</td>
<td>55 mph</td>
</tr>
</tbody>
</table>

There are no relocations, endangered species, or environmental justice issues associated with this project. No impacts to cultural resources are anticipated; concurrence from the State Historic Preservation Officer is attached. Field inspections found no evidence of existing underground storage tanks or hazardous waste deposits. Approximately 0.44 acre of Farmland of Statewide Importance will be converted to highway right of way. Form NRCS-CPA-106 is attached.

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

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

The proposed project lies within the range of the following federally listed mussel species: Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*) and Winged Mapleleaf (*Quadrula fragosa*). A ‘no effect’ determination was made for all federally listed mussel species, as no suitable habitat is found in the project area. Please see attached US Fish and Wildlife Service species list.

Permanent stream impacts to Clear Creek from bridge construction, including the detour, are estimated at 275 linear feet (less than 0.1 acre). Construction of the proposed project should be allowed under the terms of a Nationwide 14 Section

Attachments:
- Project Location Map
- SHPO Clearance
- Form NRCS-CPA-106
- USFWS Species List
- Environmental Study Checklist
- Design Sheet

Approved:
Kevin Thornton
Assistant Chief Engineer-Planning

JF:JB:fc

c: Program Management
  Right of Way
  Roadway Design
  District 2
  FHWA
January 22, 2018

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

RE: Lincoln County – General
   Section 106 Review – FHWA
   Request for Technical Assistance
   ARDOT Job Number 020583
   Clear Creek Str. & Apprs. (S)
   AHPP Tracking Number 100204

Dear Mr. Fleming:

This letter is written in response to your inquiry regarding properties of architectural or historical significance in the area of the proposed referenced project. The staff of the Arkansas Historic Preservation Program (AHPP) has reviewed the documents for the structures included in your letter of January 22, 2018. We have determined that ARDOT Bridge Number M0338 is not eligible for inclusion in the National Register of Historic Place. We concur that this undertaking will have no effect to historic properties.

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

Thank you for the opportunity to review this undertaking. If you have any questions, please call Theresa Russell of my staff at (501)-324-9357. Please refer to the AHPP Tracking Number listed above in all correspondence.

Sincerely,

Scott Kaufman
Director, AHPP

cc: Mr. Randal Looney, Federal Highway Administration
    Dr. Andrea Hunter, Osage Nation
    Dr. Ann Early, Arkansas Archeological Survey
FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS

PART I (To be completed by Federal Agency)

1. Name of Project: Clear Creek Str. & Apprs. (S)
2. Type of Project: Bridge Replacement
3. Date of Land Evaluation Request: 2/9/18
4. Sheet of
5. Federal Agency Involved: FHWA

PART II (To be completed by Federal Agency)

1. Date Request Received by NRCS
2. Person Completing Form
3. Does the corridor contain prime, unique statewide or local important farmlands? (If no, the FPPA does not apply - Do not complete additional parts of this form)
   - YES
   - NO
4. Acres Irrigated
5. Major Crop(s)
6. Farmland 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)

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: .44
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value

PART V (To be completed by NRCS) Land Evaluation Information Criteria Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Corridor A</th>
<th>Corridor B</th>
<th>Corridor C</th>
<th>Corridor D</th>
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<tr>
<td>Area in Nonurban Use</td>
<td>15</td>
<td>15</td>
<td></td>
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<tr>
<td>Perimeter in Nonurban Use</td>
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<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent Of Corridor Being Farmed</td>
<td>20</td>
<td>20</td>
<td></td>
<td></td>
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<tr>
<td>Protection Provided By State And Local Government</td>
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<td>0</td>
<td></td>
<td></td>
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<tr>
<td>Size of Present Farm Unit Compared To Average</td>
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<tr>
<td>Creation Of Nonfarmable Farmland</td>
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<td>Availability Of Farm Support Services</td>
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<td>5</td>
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<tr>
<td>On-Farm Investments</td>
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<td></td>
<td></td>
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<tr>
<td>Effects Of Conversion On Farm Support Services</td>
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<td>0</td>
<td></td>
<td></td>
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<tr>
<td>Compatibility With Existing Agricultural Use</td>
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<td>0</td>
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<tr>
<td>TOTAL CORRIDOR ASSESSMENT POINTS</td>
<td>160</td>
<td>40</td>
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PART VII (To be completed by Federal Agency)

Relative Value Of Farmland (From Part V)

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<th>Corridor</th>
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<th>100</th>
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<th>100</th>
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Total Corridor Assessment (From Part VI above or a local site assessment)

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<th>Corridor</th>
<th>160</th>
<th>40</th>
<th>160</th>
<th>40</th>
</tr>
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</table>

TOTAL POINTS (Total of above 2 lines)

<table>
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<tr>
<th>Corridor</th>
<th>260</th>
<th>140</th>
<th>260</th>
<th>140</th>
</tr>
</thead>
</table>

1. Corridor Selected: New Location Adjacent to existing
2. Total Acres of Farmlands to be Converted by Project: .44 acres of Farmland of Statewide Importance
3. Date Of Selection:
4. Was A Local Site Assessment Used? YES ☐  NO ☐

5. Reason For Selection:

Signature of Person Completing this Part: [Signature]

NOTE: Complete a form for each segment with more than one Alternate Corridor
In Reply Refer To: January 29, 2018
Consultation Code: 04ER1000-2018-SLI-0453
Event Code: 04ER1000-2018-E-00676
Project Name: 020583 Clear Creek Str. & Apprs.

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

To Whom It May Concern:

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

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

Please visit our website at http://www.fws.gov/arkansas-es/IPaC/home.html for species-specific guidance to avoid and minimize adverse effects to federally endangered, threatened, proposed, and candidate species. Our web site also contains additional information on species life history and habitat requirements that may be useful in project planning.
If your project involves in-stream construction activities, oil and natural gas infrastructure, road construction, transmission lines, or communication towers, please review our project specific guidance at [http://www.fws.gov/arkansas-es/IPaC/ProjSpec.html](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](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 Burring 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](http://www.fws.gov/endangered/esa-library/index.html#consultations).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be
completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

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

Attachment(s):

- Official Species List
Official Species List

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

This species list is provided by:

Arkansas Ecological Services Field Office
110 South Amity Suite 300
Conway, AR 72032-8975
(501) 513-4470
Project Summary
Consultation Code: 04ER1000-2018-SLI-0453
Event Code: 04ER1000-2018-E-00676
Project Name: 020583 Clear Creek Str. & Apprs.
Project Type: BRIDGE CONSTRUCTION / MAINTENANCE
Project Description: The ArDOT is proposing to replace the existing bridge over Clear Creek in Lincoln County on Highway 11S with a box culvert. For maintenance of traffic, ArDOT is proposing a detour to the north of the existing bridge.
Project Location:
Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/33.89313981098583N91.89186698873218W

Counties: Lincoln, AR
Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

Clams

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pink Mucket (pearl mussel) <em>Lampsilis abrupta</em></td>
<td>Endangered</td>
</tr>
<tr>
<td>No critical habitat has been designated for this species.</td>
<td></td>
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<tr>
<td>Species profile: <a href="https://ecos.fws.gov/ecp/species/7829">https://ecos.fws.gov/ecp/species/7829</a></td>
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</tr>
<tr>
<td>Rabbitsfoot <em>Quadrula cylindrica cylindrica</em></td>
<td>Threatened</td>
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<tr>
<td>There is final critical habitat for this species. Your location is outside the critical habitat.</td>
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<td>Species profile: <a href="https://ecos.fws.gov/ecp/species/5165">https://ecos.fws.gov/ecp/species/5165</a></td>
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<tr>
<td>Winged Mapleleaf <em>Quadrula fragosa</em></td>
<td>Endangered</td>
</tr>
<tr>
<td>Population: Wherever found, except where listed as an experimental population</td>
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<tr>
<td>No critical habitat has been designated for this species.</td>
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Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.
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<th>Environmental Impacts</th>
<th>None</th>
<th>Minor</th>
<th>Significant</th>
<th>Comments</th>
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<tr>
<td>Air Quality</td>
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<tr>
<td>Construction Impacts</td>
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<td>Cultural Resources</td>
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<td>Economic</td>
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<td>Energy Resources</td>
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<td>Environmental Justice/Title VI</td>
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<td>Fish and Wildlife</td>
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<td>Minor loss of habitat</td>
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<tr>
<td>Floodplains</td>
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<td>Forest Service Property</td>
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<td>Hazardous Materials/Landfills</td>
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<td>Land Use Impacts</td>
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<td>Migratory Birds</td>
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<td>Bird SP</td>
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<td>Navigation/Coast Guard</td>
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<tr>
<td>Noise Levels</td>
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<tr>
<td>Prime Farmland</td>
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<td>.44 acre of Farmland of Statewide Importance</td>
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<tr>
<td>Protected Waters</td>
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<td>Public Water Supply/WHPA</td>
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<td>NW14 Sect. 404 Permit</td>
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<td>Water Quality</td>
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<td>Wildlife Refuges</td>
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Section 401 Water Quality Certification Required?  
No

Short-term Activity Authorization Required?  
Yes

Section 404 Permit Required?  
Yes  Type NW14

Remarks:  

Signature of Evaluator  
5/17/2011  
Date February 12, 2018
ROADWAY DESIGN REQUEST

Job Number 020583  FAP No. NHPP-0040(35)  County Lincoln
Job Name Clear Creek Str. & Apprs. (S)
Design Engineer  Primary Design  Environmental Staff

Brief Project Description Replaced weight restricted bridge.

A. Existing Conditions:
   Roadway Width: 20’  Shoulder Type/Width: N/A
   Number of Lanes and Width: 2-10’  Existing Right-of-Way: N/A
   Sidewalks? N/A  Location: Width: 
   Bike Lanes? N/A  Location: Width: 

B. Proposed Conditions:
   Roadway Width: 20’  Shoulder Type/Width: 4’(2’ Paved)
   Number of Lanes and Width: 2-10’  Proposed Right-of-Way: 125’
   Sidewalks? N/A  Location: Width: 
   Bike Lanes? N/A  Location: Width: 

C. Construction Information:
   If detour: Where: 68’ Downstream  Length: 787.25’

D. Design Traffic Data:
   2018 ADT: 450  2038 ADT: 550  % Trucks: 4
   Design Speed: 55 m.p.h.

E. Approximate total length of project: 0.025 mile(s)

F. Justification for proposed improvements: Replaced weight restricted bridge.

G. Total Relocatees: 0  Residences:  Businesses: 

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

<table>
<thead>
<tr>
<th>Agency/Official</th>
<th>Person Contacted</th>
<th>Date</th>
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<tbody>
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