



INTEROFFICE MEMORANDUM

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:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2018	450	4	55 mph
2038	550	4	55 mph

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

Job Number 020583
Tier 2 Categorical Exclusion
Page 3 of 3

404 Permit for Linear Transportation Projects as defined in the Federal Register
82(4):1860-2008.

Attachments:

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

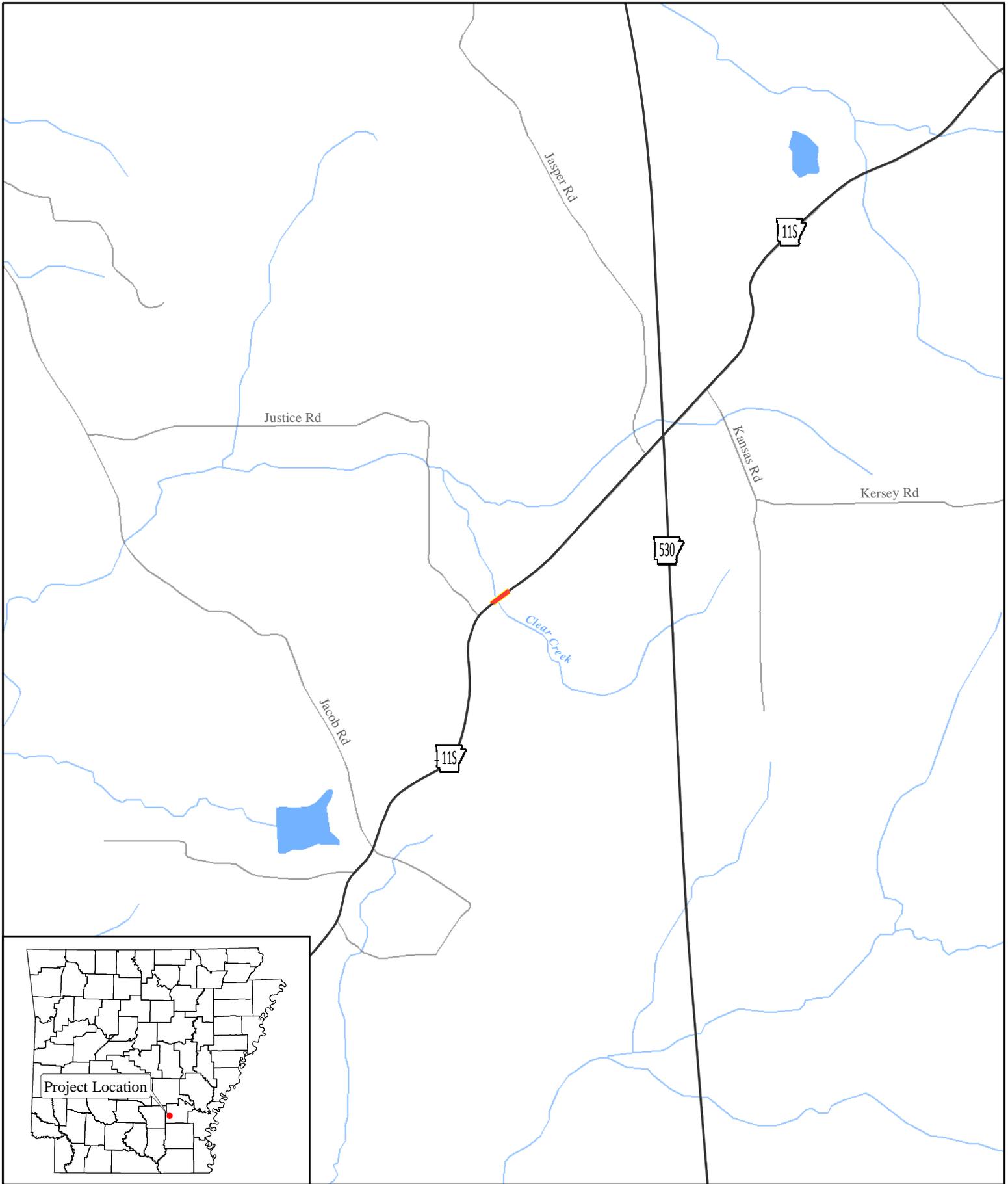
Approved:



Kevin Thornton
Assistant Chief Engineer-Planning

JF:JB:fc

c: Program Management
Right of Way
Roadway Design
District 2
FHWA



Scale - 1:24,000

ARDOT - Environmental GIS - Hopkins
December 5, 2017

Job 020583
Clear Creek Str. & Apprs.
(Hwy. 11S)
Lincoln County





THE DEPARTMENT OF ARKANSAS
HERITAGE

Asa Hutchinson
Governor

Stacy Hurst
Director

January 22, 2018

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

**RECEIVED
ARDOT**

JAN 24 2018

**ENVIRONMENTAL
DIVISION**

Arkansas Arts Council

*
Arkansas Natural
Heritage Commission

*
Arkansas State Archives

*
Delta Cultural Center

*
Historic Arkansas Museum

*
Mosaic Templars
Cultural Center

*
Old State House Museum

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



ARKANSAS HISTORIC
PRESERVATION PROGRAM



1100 North Street
Little Rock, AR 72201

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

e-mail:

info@arkansaspreservation.org

website:

www.arkansaspreservation.com

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency) Job 020583		3. Date of Land Evaluation Request 2/6/18	4. Sheet 1 of
1. Name of Project Clear Creek Str. & Apprs. (S)		5. Federal Agency Involved FHWA	
2. Type of Project Bridge Replacement		6. County and State Lincoln AR	
PART II (To be completed by NRCS)		1. Date Request Received by NRCS	2. Person Completing Form
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form)		YES	NO
5. Major Crop(s)		4. Acres Irrigated Average Farm Size	
6. Farmable Land in Government Jurisdiction		7. Amount of Farmland As Defined in FPPA	
Acres: %		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	.44			
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				
PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)				
PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points			
1. Area in Nonurban Use	15	15		
2. Perimeter in Nonurban Use	10	10		
3. Percent Of Corridor Being Farmed	20	10		
4. Protection Provided By State And Local Government	20	0		
5. Size of Present Farm Unit Compared To Average	10	0		
6. Creation Of Nonfarmable Farmland	25	0		
7. Availability Of Farm Support Services	5	5		
8. On-Farm Investments	20	0		
9. Effects Of Conversion On Farm Support Services	25	0		
10. Compatibility With Existing Agricultural Use	10	0		
TOTAL CORRIDOR ASSESSMENT POINTS	160	40		
PART VII (To be completed by Federal Agency)				
Relative Value Of Farmland (From Part V)	100	100		
Total Corridor Assessment (From Part VI above or a local site assessment)	160	40		
TOTAL POINTS (Total of above 2 lines)	260	140		
1. Corridor Selected: <input type="checkbox"/> New <input type="checkbox"/> 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 <input type="checkbox"/> NO <input type="checkbox"/>	
5. Reason For Selection:				

Signature of Person Completing this Part:

DATE

2/13/18

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:

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>.

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/engangered/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

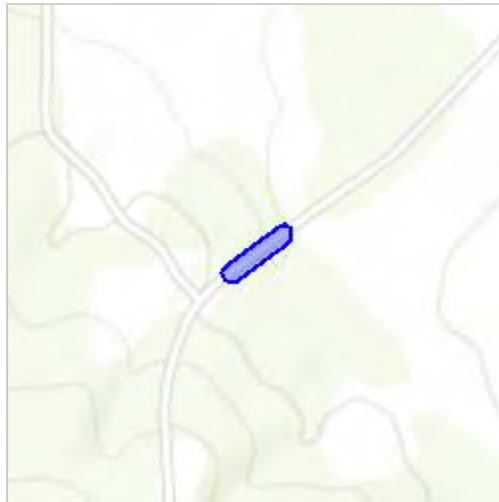
Project Name: 020583 Clear Creek Str. & Apprs.

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

NAME	STATUS
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7829	Endangered
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165	Threatened
Winged Mapleleaf <i>Quadrula fragosa</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4127	Endangered

Critical habitats

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

AHTD ENVIRONMENTAL IMPACTS ASSESSMENT FORM

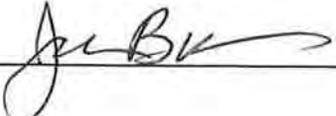
AHTD Job Number 020583 FAP Number NHPP-0040(35)

Job Title Clear Creek Str. & Apprs.

Environmental Impacts	None	Minor	Significant	Comments
Air Quality	X			
Construction Impacts		X		Temporary
Cultural Resources	X			
Economic	X			
Endangered Species	X			'No effect' determination
Energy Resources	X			
Environmental Justice/Title VI	X			
Fish and Wildlife		X		Minor loss of habitat
Floodplains		X		
Forest Service Property	X			
Hazardous Materials/Landfills	X			
Land Use Impacts	X			
Migratory Birds		X		Bird SP
Navigation/Coast Guard	X			
Noise Levels	X			
Prime Farmland		X		.44 acre of Farmland of Statewide Importance
Protected Waters	X			
Public Recreation Lands	X			
Public Water Supply/WHPA	X			
Relocates	X			
Section 4(f)/6(f)	X			
Social	X			
Underground Storage Tanks	X			
Visual Impacts	X			
Stream Impacts		X		NW14 Sect. 404 Permit
Water Quality		X		Temporary during construction
Wetlands	X			
Wildlife Refuges	X			

Section 401 Water Quality Certification Required? No
 Short-term Activity Authorization Required? Yes
 Section 404 Permit Required? Yes Type NW14

Remarks: _____

Signature of Evaluator  Date February 12, 2018

ROADWAY DESIGN REQUESTJob Number 020583 FAP No. NHPP-0040(35) County LincolnJob 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/ANumber of Lanes and Width: 2-10' Existing Right-of-Way: N/ASidewalks? 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: 4Design 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 Relocates: 0 Residences: _____ Businesses: _____H. Have you coordinated with any outside agencies (e.g., FHWA, City, County, etc.)? N/A

Agency/Official	Person Contacted	Date