September 19, 2019

TO: Master Files

FROM: John Fleming, Division Head, Environmental Division

SUBJECT: Job Number 030525
FAP Number NHPP-0037(41)
Walker Creek Str. & Apprs. (S)
Route 53, Section 5
Bridge Number M0998
Lafayette County
Tier 2 Categorical Exclusion

The Environmental Division reviewed the referenced project and has determined 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 replace the bridge over Walker Creek on Highway 53 in Lafayette County, Arkansas. Total length of the project is 0.25 mile. A project location map is attached.

The existing bridge (M0998) is 25’ wide and 39’ long consisting of a concrete deck supported by concrete piles with cast in place concrete substructures. Highway 53 has two 10’ wide travel lanes with 4’ wide unpaved shoulders. There is no existing right of way of record.

The new structure will be a quadruple 10’ x 5’ x 63’ steel reinforced concrete box culvert, built on the existing location. A detour route will be provided 80’ to the east of the existing structure. The proposed approaches will consist of two 11’ travel lanes with 4’ shoulders (2’ paved). The new right of way width will be 114’. Approximately 4.2 acres of new right of way and 0.96 acre of temporary construction easements will be needed to complete the 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>2020</td>
<td>510</td>
<td>5</td>
<td>55 mph</td>
</tr>
<tr>
<td>2040</td>
<td>580</td>
<td>5</td>
<td>55 mph</td>
</tr>
</tbody>
</table>
There are no relocations, prime farmlands, environmental justice issues, hazardous materials, wellhead protection areas/public water supplies, or cultural resources associated with this project. Concurrence from the State Historic Preservation Officer is attached. 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 concerns.

The official species list obtained through US Fish and Wildlife Service’s (USFWS) Information for Planning and Consultation website identifies the threatened Piping Plover (*Charadrius melodus*) and the endangered Red-cockaded Woodpecker (*Picoides borealis*). A “no effect” determination was made for the federally listed bird species.

Permanent stream impacts are estimated at 63’ in order to construct the concrete box culvert. Temporary stream impacts are estimated at 56’ due to construction of the detour and its triple pipe culvert. Total impacts, including both permanent and temporary, to waters of the US are estimated at less than 0.1 acre. Construction of the proposed project should be allowed under the terms of a Nationwide 14 Section 404 Permit for Linear Transportation Projects as defined in the Federal Register 82(4):1860-2008.

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

Attachments:  
- Project Location Map  
- SHPO Clearance  
- USFWS Species List  
- Environmental Study Checklist  
- Design Sheets  

Approved:  

Kevin Thornton  
Assistant Chief Engineer-Planning

JF:TT:am

c: Program Management  
   Right of Way  
   Roadway Design  
   Bridge Division  
   District 3  
   FHWA
May 20, 2019

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

RE: Lafayette County — General Section 106 Review — FHWA Response Letter: Walker Creek Str. & Apprs. (S) Route 53, Section 5 ARDOT Job Number: 030525 AHPP Tracking Number: 103719.01

Dear Mr. Fleming:

The staff of the Arkansas Historic Preservation Program (AHPP) reviewed the Project Identification Form for the above-referenced job. The proposed undertaking entails replacing ARDOT Bridge #M0998 on Arkansas Highway 53 north of Walker Creek in Lafayette County, Arkansas. The environmental clearance area for this project is 660 meters long with a total area of approximately 10.2 acres.

In correspondence dated May 8, 2019, the AHPP concurred that Bridge #M0998 is not eligible for inclusion in the National Register of Historic Places. Standing water north of the bridge prohibited subsurface investigation. Excavation of ten shovel tests by an ARDOT archaeologist within the environmental clearance area south of the bridge proved negative for cultural materials. There are no known historic properties within or proximal to the area of potential effects. Based on the provided information, the AHPP concurs with the finding of no historic properties affected pursuant to 36 CFR § 800.4(d)(1).

Tribes that have expressed an interest in the area include the Caddo Nation (Ms. Tamara Francis), the Delware Nation (Ms. Kim Penrod), the Osage Nation (Dr. Andrea Hunter), the Quapaw Nation (Mr. Everett Bandy), the Shawnee Tribe of Oklahoma (Ms. Tonya Tipton), and the United Keetoowah Band of Cherokee Indians (Ms. Erin Thompson and Charlotte Wolfe). We recommend consultation in accordance with 36 CFR § 800.2(c)(2).

Thank you for the opportunity to review this undertaking. Please refer to the AHPP Tracking Number listed above in all correspondence. If you have any questions, please call Eric Mills of my staff at 501-324-9784 or email eric.mills@arkansas.gov.

Sincerely,

Scott Kaufman
Director, AHPP

cc: Mr. Randall Looney, Federal Highway Administration
Dr. Ann Early, Arkansas Archeological Survey
In Reply Refer To:  
Consultation Code: 04ER1000-2019-SLI-1351  
Event Code: 04ER1000-2019-E-02741  
Project Name: Hwy 53 Walker Creek Structures and Approaches (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](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 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](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: 04ER1000-2019-SLI-1351

Event Code: 04ER1000-2019-E-02741

Project Name: Hwy 53 Walker Creek Structures and Approaches (S)

Project Type: TRANSPORTATION

Project Description: Bridge over Walker Creek in LaFayette County is being replaced with a large box culvert. Roadway in the approach to the new culvert will be widened from 28 feet to 30 feet. Length of the entire project will be ~1319 feet (1/4 mile).

Project Location:
Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/33.19560424975006N93.53189381600848W

Counties: Lafayette, AR
Endangered Species Act Species

There is a total of 2 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 Fisheries, 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](https://www.noaa.gov), 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

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Piping Plover</strong> <em>Charadrius melodus</em></td>
<td>Threatened</td>
</tr>
<tr>
<td>Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered.</td>
<td></td>
</tr>
<tr>
<td>There is final critical habitat for this species. Your location is outside the critical habitat.</td>
<td></td>
</tr>
<tr>
<td>Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a></td>
<td></td>
</tr>
<tr>
<td><strong>Red-cockaded Woodpecker</strong> <em>Picoides borealis</em></td>
<td>Endangered</td>
</tr>
<tr>
<td>No critical habitat has been designated for this species.</td>
<td></td>
</tr>
<tr>
<td>Species profile: <a href="https://ecos.fws.gov/ecp/species/7614">https://ecos.fws.gov/ecp/species/7614</a></td>
<td></td>
</tr>
</tbody>
</table>

### Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.
<table>
<thead>
<tr>
<th>Environmental Resource</th>
<th>None</th>
<th>Minimal</th>
<th>Major</th>
<th>Comments-required for each item</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Quality</td>
<td>X</td>
<td></td>
<td></td>
<td>No MSAT impacts anticipated</td>
</tr>
<tr>
<td>Cultural Resources</td>
<td>X</td>
<td></td>
<td></td>
<td>SHPO clearance attached</td>
</tr>
<tr>
<td>Economic</td>
<td>X</td>
<td></td>
<td></td>
<td>Will not be impacted by project</td>
</tr>
<tr>
<td>Endangered Species</td>
<td>X</td>
<td></td>
<td></td>
<td>&quot;No Effect&quot; upon endangered species</td>
</tr>
<tr>
<td>Environmental Justice/Title VI</td>
<td>X</td>
<td></td>
<td></td>
<td>No protected populations in project area</td>
</tr>
<tr>
<td>Fish and Wildlife</td>
<td>X</td>
<td></td>
<td></td>
<td>Temporary impacts during construction</td>
</tr>
<tr>
<td>Floodplains</td>
<td>X</td>
<td></td>
<td></td>
<td>No Floodplain SP required</td>
</tr>
<tr>
<td>Forest Service Property</td>
<td>X</td>
<td></td>
<td></td>
<td>None in project area</td>
</tr>
<tr>
<td>Hazardous Materials/Landfills</td>
<td>X</td>
<td></td>
<td></td>
<td>No sites in project area</td>
</tr>
<tr>
<td>Land Use</td>
<td>X</td>
<td></td>
<td></td>
<td>Will not be impacted by project</td>
</tr>
<tr>
<td>Migratory Birds</td>
<td>X</td>
<td></td>
<td></td>
<td>Migratory Bird SP to be placed in contract</td>
</tr>
<tr>
<td>Navigation/Coast Guard</td>
<td>X</td>
<td></td>
<td></td>
<td>No navigable waterways involved</td>
</tr>
<tr>
<td>Noise Levels</td>
<td>X</td>
<td></td>
<td></td>
<td>No increases due to project</td>
</tr>
<tr>
<td>Prime Farmland</td>
<td>X</td>
<td></td>
<td></td>
<td>No farmland impacted</td>
</tr>
<tr>
<td>Protected Waters</td>
<td>X</td>
<td></td>
<td></td>
<td>None occur in project area</td>
</tr>
<tr>
<td>Public Recreation Lands</td>
<td>X</td>
<td></td>
<td></td>
<td>None in project area</td>
</tr>
<tr>
<td>Public Water Supply/WHPA</td>
<td>X</td>
<td></td>
<td></td>
<td>No public water supplies or WHPA’s</td>
</tr>
<tr>
<td>Relocatees</td>
<td>X</td>
<td></td>
<td></td>
<td>No relocations</td>
</tr>
<tr>
<td>Section 4(f)/6(f)</td>
<td>X</td>
<td></td>
<td></td>
<td>4(f)/6(f) resources not present</td>
</tr>
<tr>
<td>Social</td>
<td>X</td>
<td></td>
<td></td>
<td>No impacts to the social environment</td>
</tr>
<tr>
<td>Underground Storage Tanks</td>
<td>X</td>
<td></td>
<td></td>
<td>No USTs in project area</td>
</tr>
<tr>
<td>Visual</td>
<td>X</td>
<td></td>
<td></td>
<td>No changes to visual environment</td>
</tr>
<tr>
<td>Streams</td>
<td>X</td>
<td></td>
<td></td>
<td>Stream impacts less than 0.1 acre</td>
</tr>
<tr>
<td>Water Quality</td>
<td>X</td>
<td></td>
<td></td>
<td>Temporary impacts during construction</td>
</tr>
<tr>
<td>Wetlands</td>
<td>X</td>
<td></td>
<td></td>
<td>None in project area</td>
</tr>
<tr>
<td>Wildlife Refuges</td>
<td>X</td>
<td></td>
<td></td>
<td>None in project area</td>
</tr>
</tbody>
</table>

Section 401 Water Quality Certification Required?  
N

Short-term Activity Authorization Required?  
Y

Section 404 Permit Required?  
Y  Type NWP-14

Remarks: 

Signature of Evaluator:  
Date: September 11, 2019
PROJECT DESIGN CRITERIA

JOB NO: 030525
ROUTE / SECTION: 63 / 5
LENGTH: 0.25 mile
COUNTY: Lafayette
MIN ORDER: 2018-080

2020 ADT: 610
2040 ADT: 680
TRUCK: 5%
4-LANE GRID SYSTEM: No

APHN: No
INCENTIVE/DISINCENTIVE: No
FUNCTIONAL CLASSIFICATION: Major Collector

EXISTING CONDITIONS
ROADWAY WIDTH: 29'
WIDTH OF TRAVELED WAY: 20'
CRASH RATE: 0.00
STATEWIDE CRASH RATE: 1.07
SHOULDERS (WIDTH/TYP): 4' unpaved

BRIDGE INFORMATION
Bridge No. Log Mile Length x Width Structure Type BCI Deck Rating Superstructure Rating Substructure Rating Posted
M0998 13.94 39.0' x 25.0' Steel Multi-Beam 52.92 5 5 6 3

* Refer to PDC Bridge Information Codes

RECOMMENDED CRITERIA
NO. OF LANES: 2
WIDTH: 11'
SHOULDERS (WIDTH/TYP): 4' shoulder (2' paved)
DIVIDED: N/A
MEDIAN WIDTH: N/A
PARKING: N/A
BRIDGE WIDTHS: N/A
DESIGN SPEED - RURAL: 55 mph
URBAN: N/A
DEGREE OF ACCESS CONTROL: N/A
CLEAR ZONE: 6:1 - 18'
LOCATION OF INTERCHANGES: N/A
CHANNELIZED INTERSECTION: N/A
TRAFFIC SIGNALS: N/A
RR X-ING PROTECTION: N/A
PREVIOUS PLANNING STUDY: N/A
STUDY FINDING: N/A

RECOMMENDED TYPE FUNDS:
PRELIM COST ESTIMATE:
ROADWAY: $760,000
BRIDGE: $0
TOTAL: $760,000

REMARKS:
Replace 1 Structure with R.C. Box Culvert
Use AASHTO Green Book

RECOMMENDED BY:
Charles Ellis: [Signature]
Date: 7/2/19
Trinity Smith: [Signature]
Date: 7/2/19

APPROVED BY:
Mike Fugett: [Signature]
Date: 7/5/19

(ATTACH NEW PROJECT MEMO, LOCATION MAP, AND CRASH ANALYSIS)
ROADWAY DESIGN REQUEST

Job Number  030525  FAP No.  NHPP-0037(41)  County  Lafayette
Job Name  Walker Creek Str. & Apprs. (S)
Design Engineer  Taylor Clark  Environmental Staff
Brief Project Description  Structure Replacement

A. Existing Conditions:
   Roadway Width:  28'  Shoulder Type/Width:  4' Unpaved
   Number of Lanes and Width:  2 @ 10'  Existing Right-of-Way:  N/A
   Sidewalks?  No  Location:  Width: 
   Bike Lanes?  No  Location:  Width: 

B. Proposed Conditions:
   Roadway Width:  30'  Shoulder Type/Width:  4' (2' Paved)
   Number of Lanes and Width:  2 @ 11'  Proposed Right-of-Way:  114'
   Sidewalks?  No  Location:  Width: 
   Bike Lanes?  No  Location:  Width: 

C. Construction Information:
   If detour:  Where:  East of Existing  Length:  0.25 Miles

D. Design Traffic Data:
   2020 ADT:  510  2040 ADT:  580  % Trucks:  5
   Design Speed:  55  m.p.h.

E. Approximate total length of project:  0.25 mile(s)

F. Justification for proposed improvements:  Structure Replacement Required

G. Total Relocatees:  0  Residences:  0  Businesses:  0

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

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