




INTEROFFICE MEMORANDUM

April 2, 2018

TO: Master Files

FROM: John Fleming, Division Head, Environmental Division 

SUBJECT: Job Number 070417
FAP Number NHPP-0052(22)
Two Bayou Creek Str. & Apprs. (S)
Route 274, Section 1
Bridge M2641
Ouachita & Calhoun Counties
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 the weight restricted bridge over Two Bayou Creek on Highway 274 at the border of Ouachita and Calhoun Counties. Total length of the project is 0.057 mile. A project location map is attached.

The existing bridge (M2641) consists of a 4-span, 62' x 46' timber frame structure supported by a multi-beam timber substructure with timber end caps and asphalt surfacing. The bridge sufficiency rating is 70.5. The existing roadway approaches consist of two 11-foot wide paved travel lanes with 8-foot wide paved shoulders. There is no existing right of way along the route.

Proposed improvements include construction of a quintuplet 11' x 9' x 84' box culvert on existing location. A detour road will be constructed approximately 85 feet south of the existing bridge. The new approaches will consist of two

11-foot wide paved travel lanes with 8-foot wide paved shoulders. The average new right of way width will be 170 feet. Approximately 1.68 acres of additional right of way and 1.56 acres of temporary construction easements will be required.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2019	5,400	11	55 mph
2039	5,600	11	55 mph

There are no relocations, environmental justice issues, prime farmlands, cultural resources, wellhead protection areas, or public water supplies associated with this project. Field inspections found no evidence of existing underground storage tanks or hazardous waste deposits. Clearance from the State Historic Preservation Officer is attached.

The official species list obtained through the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation website lists Rabbitsfoot (*Theliderma cylindrica*) and Pink Mucket Mussel (*Lampsilis abrupta*) as species potentially affected by the proposed project. This project will not affect these listed species due to a lack of suitable habitat.

Approximately 0.03 acre of wetlands will be impacted by the temporary detour and approximately 215 linear feet of Two Bayou Creek will be impacted. The project should be authorized by a Nationwide Permit 14 for Linear Transportation Projects as defined in Federal Register 82(4):1860-2008.

Ouachita and Calhoun Counties participate in the National Flood Insurance Program. The project lies within Zone AE, 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.

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

Job Number 070417
Tier 2 Categorical Exclusion
Page 3 of 3

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

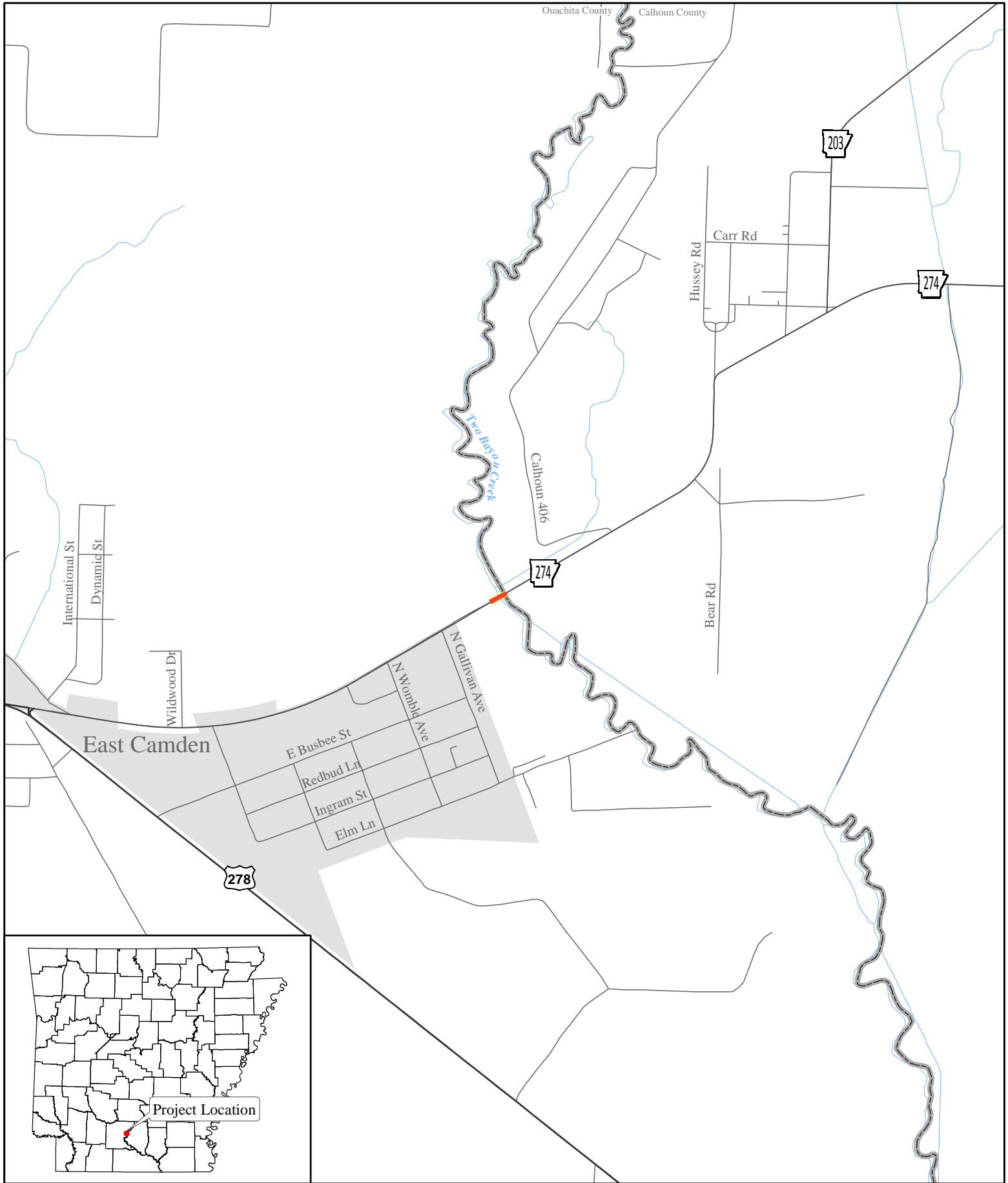
Approved:



Kevin Thornton
Assistant Chief Engineer-Planning

JF:TT:fc

c: Program Management
Right of Way
Roadway Design
Bridge Division
District 7
FHWA



Job 070417
 Two Bayou Creek Str. & Apprs.
 (Hwy. 274)
 Ouachita & Calhoun Counties

 Project Location

N
 0 1,000 2,000
 Feet
 ARDOT - Environmental GIS - Hopkins
 March 26, 2018

ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT

97200.01
FHWA

Scott E. Bennett, P.E.
Director
Telephone (501) 569-2000
Voice/TTY 711



P.O. Box 2261
Little Rock, Arkansas 72203-2261
Telefax (501) 569-2400
www.arkansashighways.com

March 21, 2017

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

AHPP


MAR 21 2017

RE: AHTD Job Number 070417
Two Bayou Creek Str. & Apprs. (S)
Ouachita and Calhoun Counties

Dear Ms. Hurst:

A Project Identification Form 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 Eads of my staff at (501) 569-2181.


Sincerely,


for John Fleming
Division Head
Environmental Division

Enclosure
PIF

JF:DW:JE:ym

RECEIVED
AHTD
MAR 23 2017
ENVIRONMENTAL
DIVISION

Date **MAR 22 2017**
No known historic properties will be affected by this undertaking. This effect determination could change should new information come to light.

Frances McSwain, Deputy State
Historic Preservation Officer

MAR 21 2017



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 26, 2018

Consultation Code: 04ER1000-2018-SLI-0764

Event Code: 04ER1000-2018-E-01085

Project Name: 070417 Two Bayou Creek Str. & 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.**

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: 04ER1000-2018-SLI-0764

Event Code: 04ER1000-2018-E-01085

Project Name: 070417 Two Bayou Creek Str. & Apprs. (S)

Project Type: TRANSPORTATION

Project Description: Replace the bridge on existing alignment. A temporary detour ~75 feet to the south will be utilized.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/33.616085840343274N92.73285041542016W>



Counties: Calhoun, AR | Ouachita, 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 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.

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

Critical habitats

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

ARDOT ENVIRONMENTAL IMPACTS ASSESSMENT FORM

ARDOT Job Number 070417 FAP Number NHPP-0052(22)

Job Title Two Bayou Creek Str. & Apprs. (S)

Environmental Impacts	None	Minor	Significant	Comments
Air Quality	X			
Construction Impacts		X		Temporary
Cultural Resources	X			SHPO clearance attached
Economic	X			
Endangered Species	X			
Energy Resources	X			
Environmental Justice/Title VI	X			
Fish and Wildlife	X			
Floodplains	X			
Forest Service Property	X			
Hazardous Materials/Landfills	X			
Land Use Impacts	X			
Migratory Birds	X			
Navigation/Coast Guard	X			
Noise Levels	X			
Prime Farmland	X			
Protected Waters	X			
Public Recreation Lands	X			
Public Water Supply/WHPA	X			
Relocatees	X			
Section 4(f)/6(f)	X			
Social	X			
Underground Storage Tanks	X			
Visual Impacts	X			
Stream Impacts		X		~215 feet
Water Quality		X		Temporary during construction
Wetlands		X		0.03 acre
Wildlife Refuges	X			

Section 401 Water Quality Certification Required? N
 Short-term Activity Authorization Required? N
 Section 404 Permit Required? Y Type NW 14

Remarks: _____

Signature of Evaluator  Date March 29, 2018

Date Sent: March 20, 2018

ROADWAY DESIGN REQUEST

Job Number 070417 FAP No. NHPP-0052(22) County Ouachita/Calhoun

Job Name Two Bayou Creek Str. & Apprs. (S)

Design Engineer George W. Davison Environmental Staff _____

Brief Project Description Bridge Replacement w/ R.C. Box Culvert

A. Existing Conditions:

Roadway Width: 38'-0" Shoulder Type/Width: 8' Paved

Number of Lanes and Width: 2-11' Existing Right-of-Way: 0'

Sidewalks? n/a Location: _____ Width: _____

Bike Lanes? n/a Location: _____ Width: _____

B. Proposed Conditions:

Roadway Width: 38'-0" Shoulder Type/Width: 8' Paved

Number of Lanes and Width: 2-11' Proposed Right-of-Way: 170'

Sidewalks? n/a Location: _____ Width: _____

Bike Lanes? n/a Location: _____ Width: _____

C. Construction Information:

If detour: Where: South/East Length: 0.174

D. Design Traffic Data:

2019 ADT: 5400 2039 ADT: 5600 % Trucks: 11

Design Speed: 55 m.p.h.

E. Approximate total length of project: 0.057 mile(s)

F. Justification for proposed improvements: _____

G. Total Relocates: n/a Residences: n/a Businesses: n/a

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

Agency/Official	Person Contacted	Date