

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

INTEROFFICE MEMORANDUM

July 25, 2017

TO: Master Files

FROM: *JFM* John Fleming, Division Head, Environmental Division *h Price*

SUBJECT: AHTD Job Number 090471
FAP Number STPU-9082(2)
Hwy. 102B/Seba Rd. Signal & Ped. Impvts. (Centerton)(S)
Benton 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 AHTD/FHWA Memorandum of Agreement on the processing of Categorical Exclusions. A public hearing will not be offered for this project.

The purpose of the project is to signalize and make other improvements to the intersection of Highway 102B/Seba Road/Town Vu Road. Highway 102B will be widened at the intersection from two 11-foot travel lanes and no shoulders to two 12-foot travel lanes with a 12-foot center left turn lane. Seba Road and Town Vu Road will retain their two 11-foot travel lanes. Curb and gutter drainage, 3-foot grass berms, and 5-foot concrete sidewalks will be constructed in the project area. The right of way width along Highway 102B will increase from 70 foot to 80 foot, requiring approximately 1.82 acres of additional right of way for the 0.18-mile project. A project location map is attached. A public hearing will not be offered.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2017	4,700	1	40 mph
2037	5,700	1	40 mph

There are no wellhead protection areas, prime farmlands, relocatees, 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.

There are no streams or wetlands that will be impacted by the construction of this project. No Section 404 permit will be required.

The U.S. Fish and Wildlife Service Information for Planning and Consultation (IPaC) identified gray bat (*Myotis grisescens*), Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), Ozark big-eared bat (*Corynorhinus townsendii ingens*), Piping Plover (*Charadrius melodus*), Ozark cavefish (*Amblyopsis rosae*), and Neosho mucket (*Lampsilis rafinesqueana*) as potentially occurring at or near the project location. Due to the urbanized and developed nature of the project location, minimal size of the construction area, and lack of any suitable habitat for any of the above species, no impacts to threatened or endangered species are expected to occur. The official species list from IPaC is attached.

Based upon the AHTD's *Policy on Highway Traffic Noise Abatement*, a noise analysis is not required for this project. This project does not involve added capacity or expose noise sensitive land uses to a new or existing highway noise source. In compliance with Federal guidelines, local authorities will not require notification.

Attachments:

Location Map
SHPO Clearance
USFWS Correspondence
Environmental Study Checklist
Design Sheet

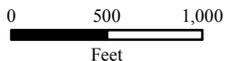
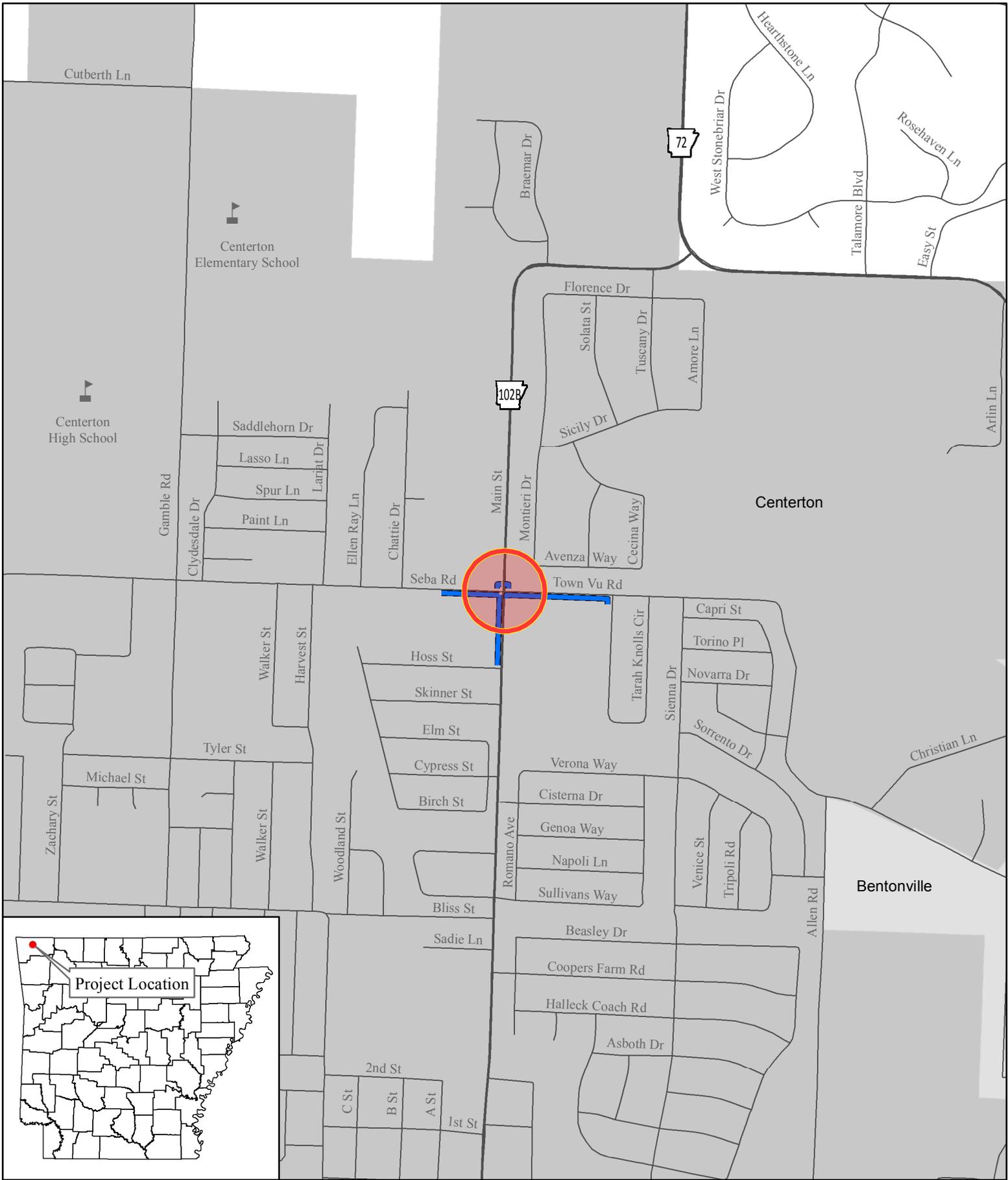
Approved:



Kevin Thornton
Assistant Chief Engineer-Planning

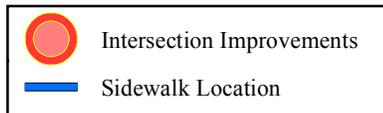
JF:TT:fc

c: Program Management
Right of Way
Roadway Design
District 9
FHWA
Master File



AHTD - Environmental GIS - Strawn
April 5, 2017

Job 090471
Hwy. 102B/Seba Rd.
Signal and Ped. Impvts. (Centerton)
Benton County



ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT

99084
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

July 19, 2017

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

AHPP

JUL 20 2017

RECEIVED
AHTD

JUL 24 2017

ENVIRONMENTAL
DIVISION

Re: AHTD Job Number 090471
Hwy. 102B/Seba Rd. Signal & Ped.
Impvts. (Centerton)(S)
Benton County

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 Wm. Lane Shields of my staff at 501-569-2077.

Sincerely,

Brenda Price

for John Fleming
Division Head
Environmental Division

Enclosure
PIF

JF:DW:WLS:ym

JUL 21 2017

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

JUL 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:

July 19, 2017

Consultation Code: 04ER1000-2017-SLI-1016

Event Code: 04ER1000-2017-E-01491

Project Name: Job 090471 Hwy. 102B/Seba Rd. Signal & Ped. Impvts. (Centerton) (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: 04ER1000-2017-SLI-1016

Event Code: 04ER1000-2017-E-01491

Project Name: Job 090471 Hwy. 102B/Seba Rd. Signal & Ped. Impvts. (Centerton) (S)

Project Type: TRANSPORTATION

Project Description: Add a signal and sidewalk to the intersection of Seba Rd and Hwy 102B in Centerton. The job is currently scheduled to let in August 2017.

Project Location:

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/36.372928989513895N94.28451431999171W>



Counties: Benton, AR

Endangered Species Act Species

There is a total of 7 threatened, endangered, or candidate species on your 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. Please contact the designated FWS office if you have questions.

Mammals

NAME	STATUS
<p>Gray Bat (<i>Myotis grisescens</i>)</p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6329</p>	Endangered
<p>Indiana Bat (<i>Myotis sodalis</i>)</p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5949</p>	Endangered
<p>Northern Long-eared Bat (<i>Myotis septentrionalis</i>)</p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045</p>	Threatened
<p>Ozark Big-eared Bat (<i>Corynorhinus (=Plecotus) townsendii ingens</i>)</p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7245</p>	Endangered

Birds

NAME	STATUS
<p>Piping Plover (<i>Charadrius melodus</i>)</p> <p>Population: except Great Lakes watershed There is a final critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039</p>	Threatened

Fishes

NAME	STATUS
<p>Ozark Cavefish (<i>Amblyopsis rosae</i>)</p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6490</p>	Threatened

Clams

NAME	STATUS
<p>Neosho Mucket (<i>Lampsilis rafinesqueana</i>)</p> <p>There is a final critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3788</p>	Endangered

Critical habitats

There are no critical habitats within your project area.

AHTD ENVIRONMENTAL IMPACTS ASSESSMENT FORM

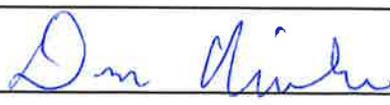
AHTD Job Number 090471 FAP Number STPU-9082(2)

Job Title Hwy. 102B/Seba Rd. Signal & Ped. Impvts. (Centeron)(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			
Water Quality	X			
Wetlands	X			
Wildlife Refuges	X			

Section 401 Water Quality Certification Required? No
 Short-term Activity Authorization Required? No
 Section 404 Permit Required? No Type N/A

Remarks: _____

Signature of Evaluator  Date July 19, 2017

ROADWAY DESIGN REQUEST

Job Number 090471 FAP No. STPU-9082(2) County Benton

Job Name Hwy. 102B/Seba Rd. Signal & Gamble Rd. Sidewalks (Centerton)(S)

Design Engineer Crafton-Tull Environmental Staff TT/LS/NG

Brief Project Description Add signals at Seba Rd./Hwy. 102B intersections and sidewalks.

A. Existing Conditions:

Roadway Width: 22' Shoulder Type/Width: _____

Number of Lanes and Width: 2-11' Existing Right-of-Way: 70'

Sidewalks? None Location: _____ Width: _____

Bike Lanes? None Location: _____ Width: _____

B. Proposed Conditions:

Roadway Width: 36' Shoulder Type/Width: C&G

Number of Lanes and Width: 3-12' Proposed Right-of-Way: 80'

Sidewalks? Yes Location: Lt. Width: 5'

Bike Lanes? No Location: _____ Width: _____

C. Construction Information:

If detour: Where: _____ Length: _____

D. Design Traffic Data:

2017 ADT: 4700 2037 ADT: 5700 % Trucks: 1

Design Speed: 40 m.p.h.

E. Approximate total length of project: 0.18 mile(s)

F. Justification for proposed improvements: TAP

G. Total Relocates: 0 Residences: 0 Businesses: 0

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

Agency/Official	Person Contacted	Date
City of Centerton	Rick Hudson	2/15/17