



INTEROFFICE MEMORANDUM

February 16, 2018

TO: Master Files

FROM: John Fleming, Division Head, Environmental Division 

SUBJECT: Job Number 100950
FAP Number HSIP-0016(67)
Hwy. 158/Hwy. 163 Inters. Safety Impvts. (S)
Craighead 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 information meeting will be offered for this project during construction in order to educate the public on the proper use of a roundabout.

The purpose of this project is construction of a roundabout to improve safety at the intersection of Highways 158/163 in Craighead County. The total length of the project is 0.397 mile. A project location map is attached.

Existing Highway 158 consists of two 13.5-foot paved travel lanes with 0' - 6.5' gravel shoulders. The existing right of way width varies between 60' - 80'.

Existing Highway 163 consists of two 10.5-foot paved travel lanes with 0' - 6.5' paved shoulders. The existing right of way width for Highway 163 varies between 110' - 120'.

Proposed improvements include the construction of a roundabout at the four-leg intersection, with a single circulating travel lane, incorporating all four legs of the currently un-signalized intersection. The roundabout will eliminate the need for signalization and allow more efficient and safer travel through the intersection. The roundabout is designed as a 16-foot wide single lane roundabout. Proposed lane widths for the highway approaches will be 12 feet with a 14-foot entry width. The central island of the roundabout will feature a mountable curb and paved truck apron to allow for larger vehicles. The project is not expected to incorporate significant changes to either road except at the roundabout. Curb and gutter will be constructed throughout the roundabout limits. The proposed right of way will vary between 73' - 260'.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2018	1,700	9	20 mph
2038	2,100	9	20 mph

There are no relocations or environmental justice issues associated with this project. Field inspections found no evidence of existing underground storage tanks or hazardous waste deposits. No impacts to cultural resources are anticipated; concurrence from the State Historic Preservation Officer is attached. Approximately 2.45 acres of new right of way will be required, all of which is Prime Farmland. Form NRCS-CPA-106 is attached.

The U.S. Fish and Wildlife Services (USFWS) Information for Planning and Consultation website lists Indiana bat (*Myotis sodalis*), Fat Pocketbook (*Potamilus capax*), Rabbitsfoot (*Theliderma cylindrica*), Scaleshell (*Leptodea leptodon*), and pondberry (*Lindera melissifolia*) as threatened and endangered species potentially occurring at or near the project location. The proposed project area has no suitable habitat for any of the listed species, and a 'no effect' determination was made. The USFWS species list and consistency letter are attached.

No wetlands or streams will be impacted as a result of this project. No 404 permit will be required.

Attachments:

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

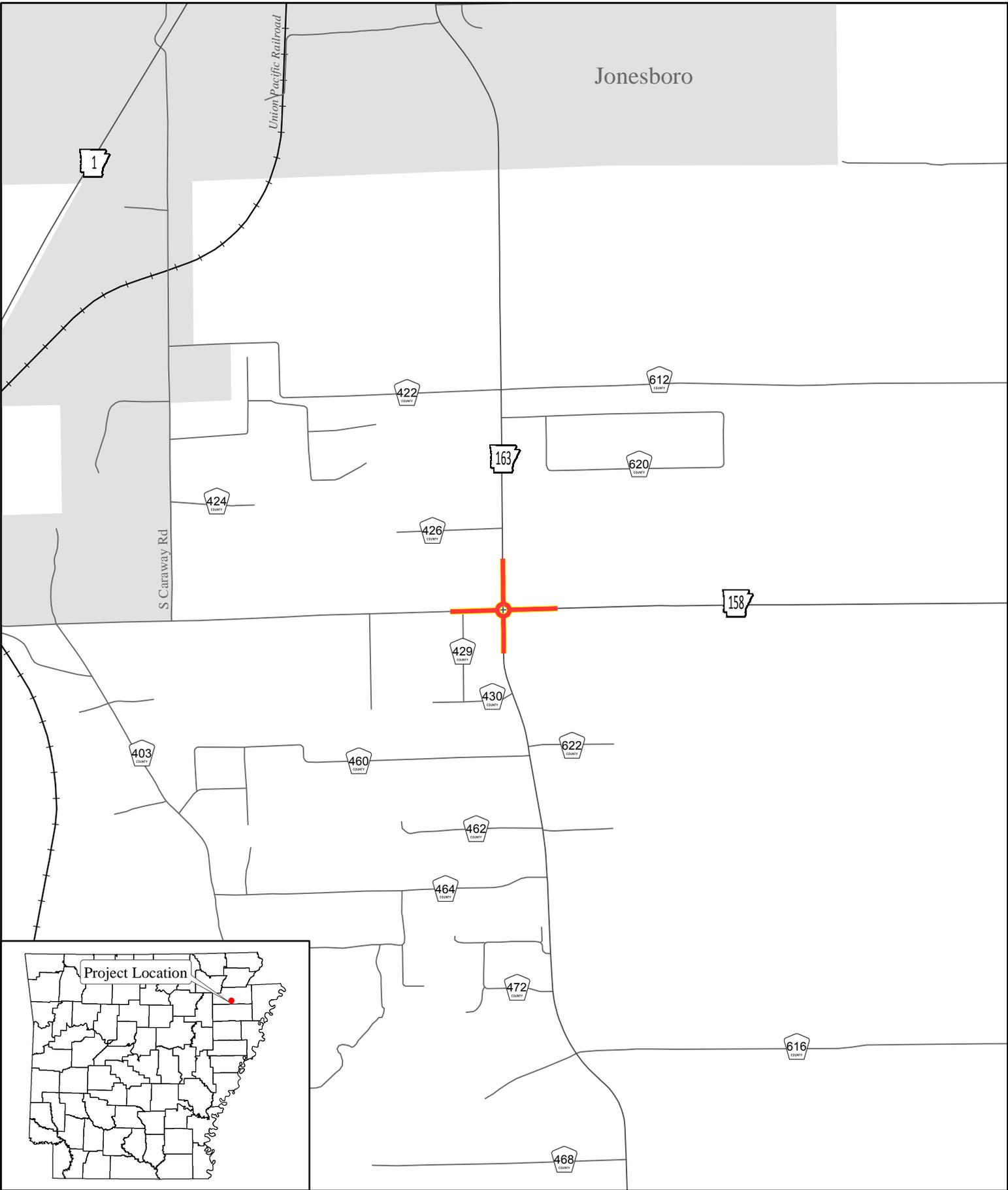
Approved:



Kevin Thornton
Assistant Chief Engineer-Planning

JF:SL:fc

c: Program Management
Right of Way
Roadway Design
District 10
FHWA



Jonesboro

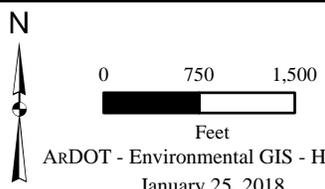
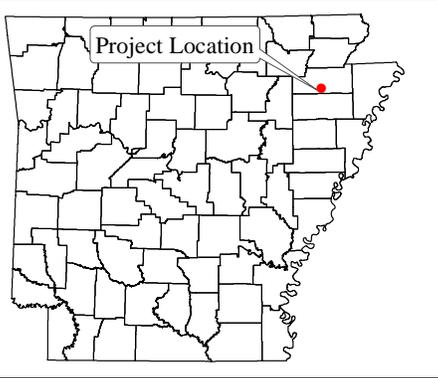
1

Union Pacific Railroad

S Caraway Rd

163

158



Job 100950
 Hwy. 158/Hwy. 163
 Inters. Safety Impvts.
 Craighead County

Project Location



ARKANSAS DEPARTMENT OF TRANSPORTATION

ArDOT.gov | IDriveArkansas.com | Scott E. Bennett, P.E., Director

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261

Phone: 501.569.2000 | Voice/TTY 711 | Fax: 501.569.2400

99226.41
FHWA

December 8, 2017

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

AHPP

DEC 08 2017

Re: Job Number 100950
Hwy. 158/Hwy. 163 Inters. Safety
Impvts. (S)
Craighead 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,

John Fleming
Division Head
Environmental Division

JF:DW:WLS:fc

Enclosure
PIF

Date 12/11/2017
No known historic properties will be affected by this undertaking. This effect determination could change should new information come to light.

Arkansas State Historic Preservation Officer

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

PART I (To be completed by Federal Agency) Job 100950		3. Date of Land Evaluation Request 1/25/18	4. Sheet 1 of _____
1. Name of Project Hwy 158/Hwy 163 Inters. Safety Impvts. S)		5. Federal Agency Involved FHWA	
2. Type of Project Inter. Safety Impvts..		6. County and State Craighead 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	4. Acres Irrigated Average Farm Size
5. Major Crop(s)	6. Farmable Land 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)	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	2.45			
B. Total Acres Statewide And Local Important Farmland				
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	20		
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	50		

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	50		
TOTAL POINTS (Total of above 2 lines)	260	150		

1. Corridor Selected: <input type="checkbox"/> New <input checked="" type="checkbox"/> Existing	2. Total Acres of Farmlands to be Converted by Project: 2.45 acres of Prime Farmland	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>
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5. Reason For Selection:

Signature of Person Completing this Part: 	DATE 2/14/18
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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 30, 2018

Consultation Code: 04ER1000-2018-SLI-0457

Event Code: 04ER1000-2018-E-00684

Project Name: Hwy. 158/Hwy. 163 Inters. Safety Impvts. (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-0457

Event Code: 04ER1000-2018-E-00684

Project Name: Hwy. 158/Hwy. 163 Inters. Safety Impvts. (S)

Project Type: TRANSPORTATION

Project Description: Intersection Improvement at Hwy 158 and hwy 163 Craighead County.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/35.74864327634104N90.66549280174573W>



Counties: Craighead, AR

Endangered Species Act Species

There is a total of 5 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.

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered

Clams

NAME	STATUS
Fat Pocketbook <i>Potamilus capax</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2780	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
Scaleshell Mussel <i>Leptodea leptodon</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5881	Endangered

Flowering Plants

NAME	STATUS
Pondberry <i>Lindera melissifolia</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1279	Endangered

Critical habitats

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



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>

IPaC Record Locator: 658-10987977

January 30, 2018

Subject: Consistency letter for the 'Hwy. 158/Hwy. 163 Inters. Safety Impvts. (S)' project under the December 15, 2016 FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated to verify that the **Hwy. 158/Hwy. 163 Inters. Safety Impvts. (S)** (Proposed Action) may rely on the December 15, 2016 FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*). Based on the information you provided (Project Description repeated below), the Proposed Action will have no effect on the endangered Indiana bat (*Myotis sodalis*) or the threatened Northern long-eared bat (*Myotis septentrionalis*). If the Proposed Action is not modified, **no consultation is required for these two species.**

If the Proposed Action may affect any other federally-listed or proposed species or designated critical habitat, additional consultation between the lead Federal action agency and this Office is required. Please advise the lead Federal action agency for the Proposed Action accordingly.

The following species may occur in your project area and **are not** covered by this determination:

- Fat Pocketbook, *Potamilus capax* (Endangered)
- Pondberry, *Lindera melissifolia* (Endangered)
- Rabbitsfoot, *Quadrula cylindrica cylindrica* (Threatened)
- Scaleshell Mussel, *Leptodea leptodon* (Endangered)

Project Description

The following project name and description was collected in IPaC as part of the endangered species review process.

Name

Hwy. 158/Hwy. 163 Inters. Safety Impvts. (S)

Description

Intersection improvements at the intersection of Hwy 158 and hwy 163 in Craighead County.

Determination Key Result

Based on your answers provided, this project will have no effect on the endangered Indiana bat and/or the threatened Northern long-eared bat. No consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) is required for these two species.

Qualification Interview

1. Is the project within the range of the Indiana bat^[1]?

[1] See [Indiana bat species profile](#)

Automatically answered

Yes

2. Is the project within the range of the Northern long-eared bat^[1] (NLEB)?

[1] See [Northern long-eared bat species profile](#)

Automatically answered

No

3. Which Federal Agency is the lead for the action?

A) Federal Highway Administration (FHWA)

4. Are *all* project activities limited to non-construction activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, property inspections, planning and technical studies, property sales, property easements, and equipment purchases)

No

5. Are *all* project activities completely within the existing road/rail surface^[1] (e.g., road line painting)?

[1] Road surface is defined as the driving surface and shoulders (may be pavement, gravel, etc.) and rail surface is defined as the edge of the rail ballast.

No

6. Are *all* project activities limited to the maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins)?

No

7. Are *all* project activities limited to wetland or stream protection activities associated with compensatory wetland mitigation?

No

8. Will the project raise the road profile **above the tree canopy** within 1,000 feet of known summer habitat (based on documented roosts and/or captures)?

No

9. Does the project include percussives or other activities (not including the removal of trees) that will increase noise levels above existing traffic/background levels?

No

10. Is there any suitable summer habitat^[1] for Indiana Bat or NLEB within the project area? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

No

11. Does the project include any ground disturbing activities?

Yes

12. Is the project located within a karst area?

No

13. Will the project include any type of activity that could impact a **known** hibernaculum^[1], or impact a karst feature (e.g., sinkhole, losing stream, or spring) that could result in effects to a **known** hibernaculum?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

14. Does the project include any activities **within** 0.5 miles of an Indiana bat and/or NLEB hibernaculum^[1]?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

15. Does the project include any activities **greater than** 300 feet from existing road/rail surfaces?
No
 16. Does the project include slash pile burning?
Yes
 17. Is the only project activity slash pile burning?
No
 18. Does the project include any bridge removal and/or replacement activities?
No
 19. Does the project include any bridge maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?
No
 20. Does the project include the removal and/or replacement of any structures other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)
No
 21. Does the project include maintenance activities of any structures other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)
No
 22. Will the project involve the use of **temporary** lighting during the construction/maintenance activities?
No
 23. Will the project install new (or replace existing) **permanent** lighting?
No
-

Determination Key Description: FHW A, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat

This key was last updated in IPaC on April 03, 2017. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [revised programmatic biological opinion for transportation projects dated December 15, 2016](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

U.S. Fish & Wildlife Service Contact List

Determination key office contact information

Assistant Director-Ecological Services

5275 Leesburg Pike, Ms: Es
Falls Church, VA 22041-3803
(703) 358-2171

Offices with jurisdiction over project area

Arkansas Ecological Services Field Office

110 South Amity Suite 300
Conway, AR 72032-8975
(501) 513-4470

ROADWAY DESIGN REQUEST

Job Number 100950 FAP No. _____ County Craighead

Job Name Hwy. 158/Hwy. 163 Inters. Safety Impvts. (S)

Design Engineer Stephen Sichmeller Environmental Staff _____

Brief Project Description Construct Roundabout

A. Existing Conditions:

Roadway Width: 21' – 27' Shoulder Type/Width: 0' – 6.5'

Number of Lanes and Width: 2 – 10.5' & 13.5' Existing Right-of-Way: 60' – 120'

Sidewalks? N/A Location: _____ Width: _____

Bike Lanes? N/A Location: _____ Width: _____

B. Proposed Conditions:

Roadway Width: 30' – 85' Shoulder Type/Width: C&G

Number of Lanes and Width: 2 – 12', 14', & 16' Proposed Right-of-Way: 73' – 260'

Sidewalks? N/A Location: _____ Width: _____

Bike Lanes? N/A Location: _____ Width: _____

C. Construction Information:

If detour: Where: N/A Length: _____

D. Design Traffic Data:

2018 ADT: 1,700 2038 ADT: 2,100 % Trucks: 9

Design Speed: 20 m.p.h.

E. Approximate total length of project: 0.397 mile(s)

F. Justification for proposed improvements: Safety Improvements

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

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

Agency/Official	Person Contacted	Date