



INTEROFFICE MEMORANDUM

October 24, 2017

TO: Master Files

FROM: John Fleming, Division Head, Environmental Division 

SUBJECT: Job Number 110615
FAP Number NHPP-0074(35)
Hwy. 33 Str. & Apprs. (S)
Bridge Number M0759
Woodruff 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 substandard bridge over an unnamed ditch on Highway 33 in Woodruff County. The total length of the project is 0.053 mile. A project location map is attached.

The existing roadway consists of two 10-foot wide paved travel lanes with no shoulders. Existing right of way width is approximately 100 feet. The existing 22' x 25' bridge (M0759) consists of a one span concrete slab supported on concrete abutments. This bridge has a sufficiency rating of 43.6 and is structurally deficient.

Proposed improvements include replacing the existing bridge with a double 10' x 6' x 60' R.C. box culvert at the location of the existing bridge. The bridge approaches will have two 11-foot travel lanes and 6-foot shoulders. The new

average right of way width will be 170 feet. A temporary detour will be located immediately west of the existing bridge.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2017	430	15	55 mph
2037	440	15	55 mph

There are no relocations, environmental justice issues, hazardous materials, wetlands, or cultural resources associated with this project. Concurrence from the State Historic Preservation Officer is attached. Approximately 0.32 acre of additional right of way will be required for this project, of which 0.08 acre is prime farmland. Form NRCS-CPA-106 is attached.

Woodruff County participates in the National Flood Insurance Program. All of the floodplain encroachments within this highway construction project will be designed to comply with the county's local flood damage prevention ordinance. The unnamed ditch is located within a Zone A Special Flood Hazard Area as designated by the National Flood Insurance Program. 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.

There are no wetland impacts due to construction of this project. Impacts to the unnamed intermittent tributary are estimated to be less than 0.1 acre. Construction should be allowed under the terms of a Nationwide 14 Permit for Linear Transportation Projects as defined in the Federal Register 82 (4):1860 - 2008.

The United States Fish and Wildlife Service (USFWS) IPaC Species List identified two endangered species and two threatened species that may occur within the project area. The Ivory-billed woodpecker (*Campephilus principalis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), and

Job Number 110615
Tier 2 Categorical Exclusion
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pondberry (*Lindera melissifolia*) were identified as possibly occurring within the project area. Based on the lack of habitat and distance to known species, it is our determination that the project will have no effect on the listed species.

Attachments:

Project Location Map
SHPO Clearance
USFWS Species List
Environmental Study Checklist
Design Sheet

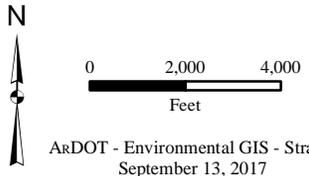
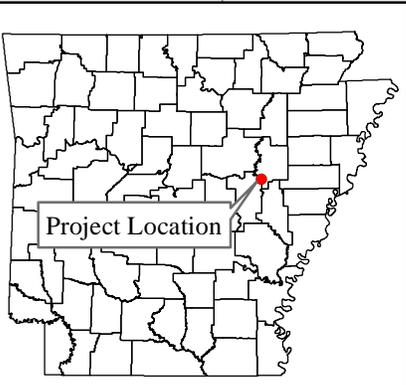
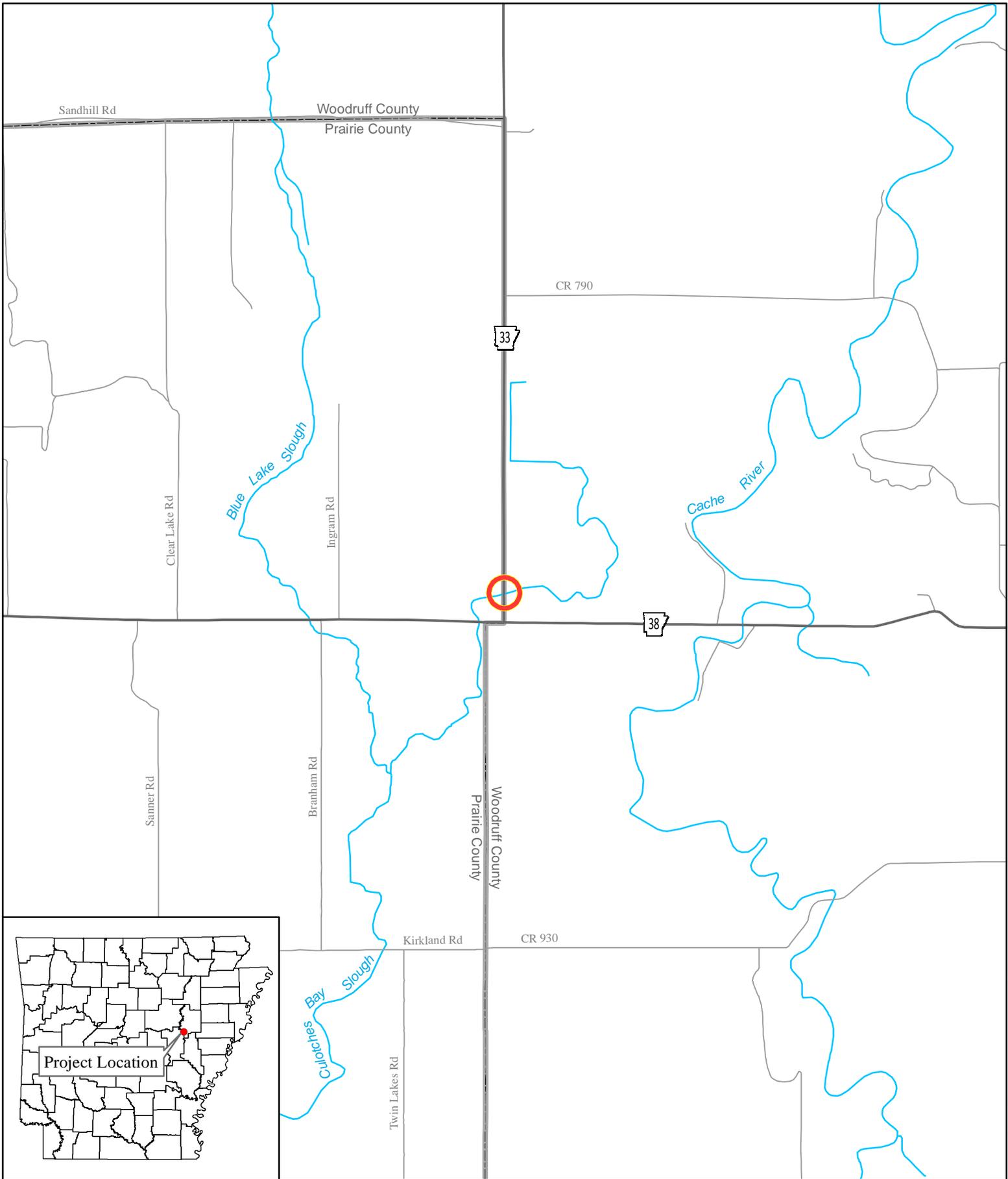
Approved:



Kevin Thornton
Assistant Chief Engineer-Planning

JF:SL:fc

c: Program Management
Right of Way
Roadway Design
District 1
FHWA
Master File



Job 110615
Hwy. 33 Str. & Apprs.
Woodruff County

 Project Location



THE DEPARTMENT OF ARKANSAS
HERITAGE

Asa Hutchinson
Governor

Stacy Hurst
Director

October 18, 2017

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AHTD

OCT 20 2017

ENVIRONMENTAL
DIVISION

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

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: Woodruff County – General
Section 106 Review – FHWA
Request for Technical Assistance
ARDOT Job Number 110615
Hwy. 33 Str. & Apprs. (S)
AHPP Tracking Number 99484

Dear Mr. Fleming:

The staff of the Arkansas Historic Preservation Program has reviewed the documents included with your letter of October 16, 2107. Since no cultural resources were encountered during the survey for the temporary detour facility for this undertaking and ARDOT Bridge Number M0759 has been determined not eligible for listing in the National Register of Historic Places (NRHP), we concur that there will be no effect to historic properties as a result of this undertaking.

Tribes that have expressed an interest in the area include the Cherokee Nation (Ms. Elizabeth Toombs), the Chickasaw Nation (Ms. Karen Brunso), the Choctaw Nation of Oklahoma (Dr. Ian Thompson), 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).

Once the undertaking is further along in the planning stages, we look forward to reviewing the proposed project. If you should have any questions or comments, please do not hesitate to contact Theresa Russell of my staff at (501)-324-9357.

Sincerely,

Stacy Hurst
Director and State Historic Preservation Officer

cc: Mr. Randal Looney, Federal Highway Administration
Dr. Andrea Hunter, Osage Nation
Dr. Ann Early, Arkansas Archeological Survey



ARKANSAS HISTORIC
PRESERVATION PROGRAM



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Little Rock, AR 72201

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www.arkansaspreservation.com

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

PART I (To be completed by Federal Agency) Job 110615	3. Date of Land Evaluation Request 9/14/17	4. Sheet 1 of _____
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1. Name of Project Hwy. 33 Str. Apprs.	5. Federal Agency Involved FHWA
2. Type of Project Bridge replacement	6. County and State Woodruff AR.

PART II (To be completed by NRCS)

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	0.08			
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: .08 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: *[Signature]* DATE: 10/24/17

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:

August 02, 2017

Consultation Code: 04ER1000-2017-SLI-1075

Event Code: 04ER1000-2017-E-01595

Project Name: Hwy. 33 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/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-1075

Event Code: 04ER1000-2017-E-01595

Project Name: Hwy. 33 Str. & Apprs.

Project Type: TRANSPORTATION

Project Description: replace existing bridge with a structurally sufficient structure

Project Location:

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

<https://www.google.com/maps/place/35.01002927919082N91.36462142999484W>



Counties: Prairie, AR | Woodruff, AR

Endangered Species Act Species

There is a total of 4 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.

Birds

NAME	STATUS
Ivory-billed Woodpecker <i>Campephilus principalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8230	Endangered
Piping Plover <i>Charadrius melodus</i> 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	Threatened
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

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.

ARDOT ENVIRONMENTAL IMPACTS ASSESSMENT FORM

ARDOT 110615 FAP Number NHPP-0074(35)

Job Title Hwy. 33 Str. & Apprs.

Environmental Impacts	None	Minor	Significant	Comments
Air Quality	X			
Construction Impacts		X		During construction
Cultural Resources	X			
Economic	X			
Endangered Species	X			
Energy Resources	X			
Environmental Justice/Title VI	X			
Fish and Wildlife		X		During construction
Floodplains		X		Zone A Flood impact statement
Forest Service Property	X			
Hazardous Materials/Landfills	X			
Land Use Impacts	X			
Migratory Birds	X			Migratory Bird SP included
Navigation/Coast Guard	X			
Noise Levels	X			
Prime Farmland		X		Form NRCS-CPA-106 is attached
Protected Waters	X			
Public Recreation Lands	X			
Public Water Supply/WHPA				
Relocates	X			
Section 4(f)/6(f)	X			
Social	X			
Underground Storage Tanks	X			
Visual Impacts	X			
Stream Impacts		X		During construction
Water Quality		X		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 *Sherry LeBlanc* Date October 23, 2017

ROADWAY DESIGN REQUEST

Job Number 110615 FAP No. _____ County Woodruff

Job Name Hwy. 33 Str. & Apprs. (S)

Design Engineer Mark Earl Environmental Staff _____

Brief Project Description Structure replacement

A. Existing Conditions:

Roadway Width: 20 Shoulder Type/Width: none

Number of Lanes and Width: 2-10' Existing Right-of-Way: 100'

Sidewalks? no Location: _____ Width: _____

Bike Lanes? no Location: _____ Width: _____

B. Proposed Conditions:

Roadway Width: 22' Shoulder Type/Width: 2' paved
4' agg.

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

Sidewalks? no Location: _____ Width: _____

Bike Lanes? no Location: _____ Width: _____

C. Construction Information:

If detour: Where: On site left side Length: 718'

D. Design Traffic Data:

2017 ADT: 430 2037 ADT: 440 % Trucks: 15

Design Speed: 55 m.p.h.

E. Approximate total length of project: 0.053 mile(s)

F. Justification for proposed improvements: Structure is deficient

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