

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

INTER OFFICE MEMORANDUM

May 17, 2017

TO: Master Files

FROM: *for* John Fleming, Division Head, Environmental Division *John Fleming*

SUBJECT: AHTD Job Number 110620
FAP Number NHPP-0074(34)
Ditch at L.M. 10.96 Str. & Apprs. (S)
Bridge Number M3207
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 AHTD/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 structurally deficient bridge over the ditch at L.M. 10.96 with a box culvert on Highway 17 in Woodruff County, Arkansas. The total length of the project is approximately 0.038 mile. A project location map is attached.

Highway 17 consists of two 10-foot wide paved travel lanes with 4-foot wide gravel shoulders. The existing right of way width is approximately 80 feet.

The existing 58' x 29' bridge (M3207) consists of three spans, composed of timber girders and a concrete deck supported by timber pile bents. The bridge has a qualifying code of Structurally Deficient with a sufficiency rating of 37.5.

The bridge will be replaced on existing location with a quadruple 12' x 7' x 48' reinforced concrete box culvert. The new approaches will consist of two 10-foot wide paved travel lanes with 4-foot wide paved shoulders. Highway 17 will be closed during construction and a signed detour route will be utilized. The detour route will include the use of County Road 668 and Highway 260. No new right of way will be required for this project.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2018	240	15	40 mph
2038	300	15	40 mph

No environmental justice issues, hazardous waste deposits, prime farmland, relocatees, protected waters, or underground storage tanks are associated with this project. A floodplain permit will not be required. Cultural resource impacts are not anticipated; concurrence from the State Historic Preservation Officer is attached.

Construction of the new box culvert will impact less than 0.1 acre of waters of the United States. Construction should be allowed under the terms of a Nationwide Permit 14 for Linear Transportation Projects as defined in the Federal Register 82(4):1860-2008.

The United States Fish and Wildlife Service IPaC database determined that three threatened/endangered species could be located within the project boundaries. The endangered ivory-billed woodpecker (*Campephilus principalis*), rabbitsfoot mussel (*Quadrula cylindrica cylindrica*), and pondberry (*Lindera melissifolia*) were identified as species that may occur in the proposed project location. Based on the lack of available habitat in the project area, it has been determined that the project will have no effect on these species.

Based upon the AHTD's *Policy on Highway Traffic Noise Abatement*, a noise analysis is not required for this project. The project meets the criteria for a Type III project established in 23 CFR 772. Therefore, the project requires no analysis for highway traffic noise impacts. Type III projects do 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
U.S. Fish & Wildlife Species List
Environmental Study Checklist
Design Sheet

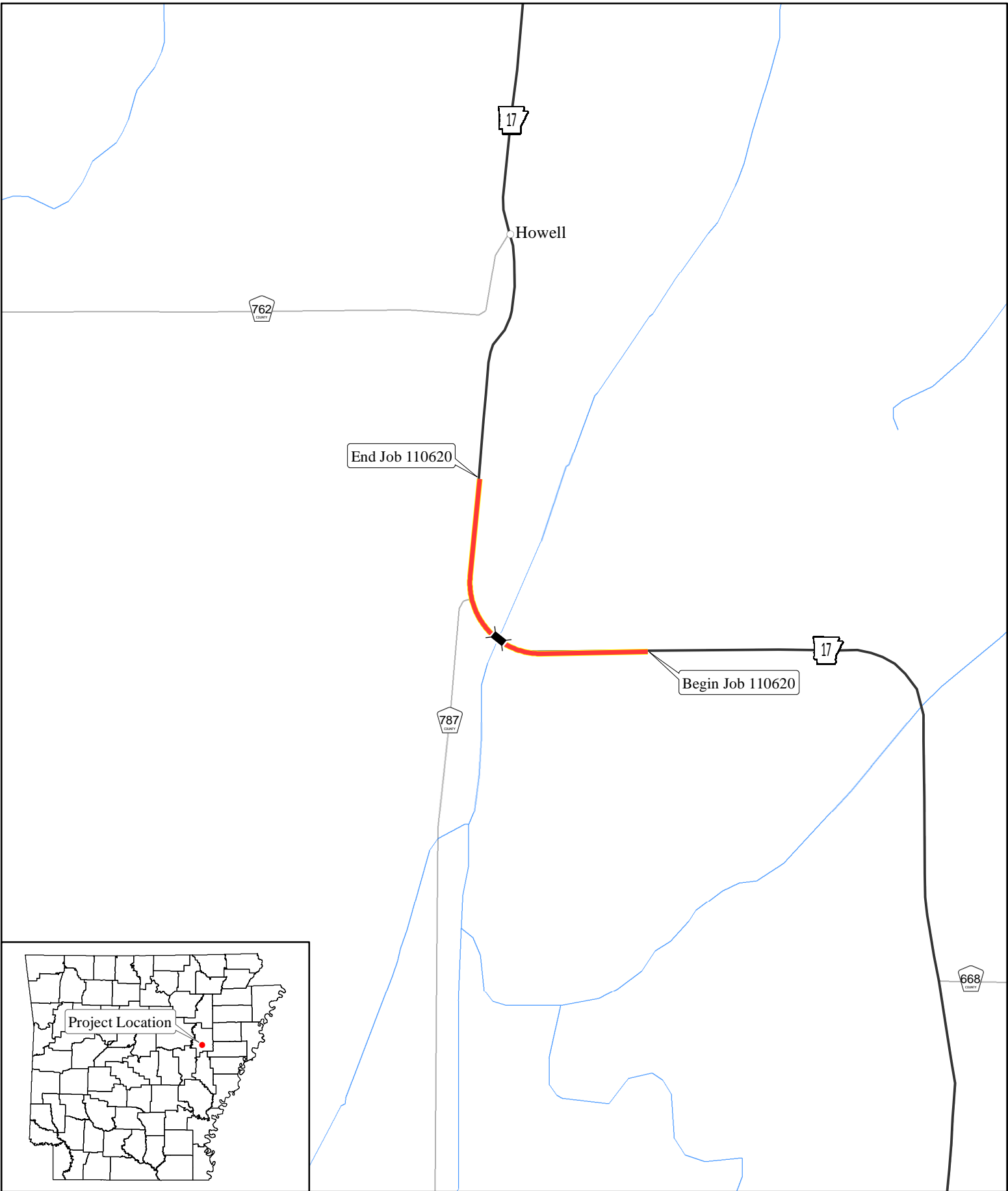
Approved:



Kevin Thornton
Assistant Chief Engineer-Planning

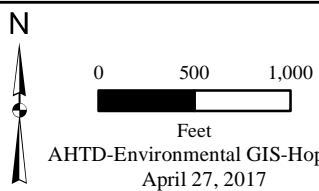
JF:KS:fc

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



End Job 110620

Begin Job 110620



Job 110620
Ditch at L.M. 10.96
Str. & Apprs. (Hwy. 17)
Woodruff

Project Location

ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT

98215
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

April 28, 2017

AHPP
MAY 02 2017

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

RE: AHTD Job No. 110620
Ditch at L.M. 10.96 Strs. & Apprs. (S)
Woodruff 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 Jason Eads of my staff at (501) 569-2181.

Sincerely,

A handwritten signature in blue ink that reads "John Fleming".

John Fleming
Division Head
Environmental Division

Enclosure
PIF

JF:DW:JE:ym

RECEIVED
AHTD

MAY 08 2017

ENVIRONMENTAL
DIVISION

Date MAY 03 2017

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

A handwritten signature in black ink that reads "Frances McSwain".

Frances McSwain, Deputy State
Historic Preservation Officer



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:

April 18, 2017

Consultation Code: 04ER1000-2017-SLI-0667

Event Code: 04ER1000-2017-E-00897

Project Name: Ditch at L.M. 10.96 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-0667

Event Code: 04ER1000-2017-E-00897

Project Name: Ditch at L.M. 10.96 Str. & Apprs.

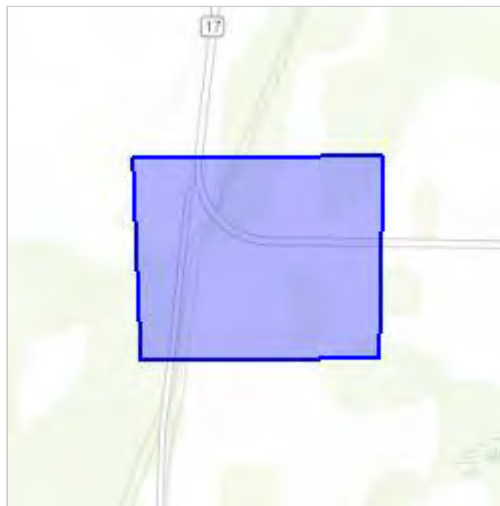
Project Type: TRANSPORTATION

Project Description: Replace an existing bridge with a quad. concrete box culvert on existing location

Project Location:

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

<https://www.google.com/maps/place/35.1060593887087N91.24472797878096W>



Counties: Woodruff, AR

Endangered Species Act Species

There is a total of 3 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.

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

Clams

NAME	STATUS
Rabbitsfoot (<i>Quadrula cylindrica cylindrica</i>) 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/5165	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.

AHTD ENVIRONMENTAL IMPACTS ASSESSMENT FORM

AHTD Job Number 110620 FAP Number NHPP-0074(34)

Job Title Ditch at L.M. 10.96 Str. & Apprs. (S)

Environmental Impacts	None	Minor	Significant	Comments
Air Quality	X			
Construction Impacts		X		Temporary
Cultural Resources	X			
Economic	X			
Endangered Species	X			
Energy Resources	X			
Environmental Justice/Title VI	X			
Fish and Wildlife		X		During construction
Floodplains	X			
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			
Protected Waters	X			
Public Recreation Lands	X			
Public Water Supply/WHPA	X			
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  Date 05/16/17

ROADWAY DESIGN REQUESTJob Number 110620 FAP No. NHPP-0074(34) County WoodruffJob Name Ditch at L.M. 10.96 Str. & Apprs. (S)Design Engineer Primary Environmental Staff _____Brief Project Description Replace a bridge structure with a Precast R.C. Box Culvert

A. Existing Conditions:

Roadway Width: 20' Shoulder Type/Width: 4' gravelNumber of Lanes and Width: 2 Existing Right-of-Way: 80'

Sidewalks? _____ Location: _____ Width: _____

Bike Lanes? _____ Location: _____ Width: _____

B. Proposed Conditions:

Roadway Width: 20 Shoulder Type/Width: 4' pavedNumber of Lanes and Width: 2 Proposed Right-of-Way: N/A

Sidewalks? _____ Location: _____ Width: _____

Bike Lanes? _____ Location: _____ Width: _____

C. Construction Information:

If detour: _____ Where: _____ Length: _____

D. Design Traffic Data:

2018 ADT: 240 2038 ADT: 300 % Trucks: 15Design Speed: 40 m.p.h.E. Approximate total length of project: .038 mile(s)F. Justification for proposed improvements: Structurally deficientG. Total Relocates: N/A Residences: _____ Businesses: _____H. Have you coordinated with any outside agencies (e.g., FHWA, City, County, etc.)? Yes

Agency/Official	Person Contacted	Date
Woodruff County	Judge Charles Dallas	3-9-2017
Augusta School Dist.	Steve Stovall	3-9-2017
Woodruff Co. Emerg. Mgmt.	Brenda Byerly	3-9-2017