

TIER 3 CATEGORICAL EXCLUSION

**ARDOT JOB NUMBER 070510
FAP NUMBER NHPP-0007(31)
CREEK AT L.M. 6.07 STR. & APPRS. (S)
ROUTE 203, SECTION 2
CALHOUN COUNTY**

Submitted Pursuant to 42 U.S.C. 4332(2)

By the

U.S. Department of Transportation

Federal Highway Administration

And the

Arkansas Department of Transportation

August 2019

August 7, 2019

Date of Approval



Randal Looney
Environmental Coordinator
Federal Highway Administration

The Environmental Division reviewed the referenced project and has determined it falls within the definition of the Tier 3 Categorical Exclusion as defined by the ARDOT/FHWA Memorandum of Agreement on the processing of Categorical Exclusions. The following information is included for your review and, if acceptable, approval as the environmental documentation for this project.

The purpose of this project is to replace a bridge with a box culvert at L.M 6.07 on Highway 203 in Calhoun County. Total length of the project is 0.01 mile. The attached figure illustrates the project location.

The existing roadway consists of two 10' wide paved travel lanes with 2' unpaved shoulders. The existing bridge (10918) is 44' x 29' and in poor condition. No existing right of way could be established for the project.

Proposed improvements include a triple 9' x 5' x 72' reinforced concrete box culvert with two 11' paved travel lanes and 4' paved shoulders. The new right of way width will average 70'. Approximately 0.54 acre of 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
2020	700	4	55 mph
2040	800	4	55 mph

The project will not involve relocations, prime farmlands, wetlands, floodplains, underground storage tanks, hazardous materials, any environmental justice issues, or cultural resources. The State Historic Preservation Officer's clearance is attached. No public involvement meeting will be offered for the project.

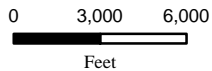
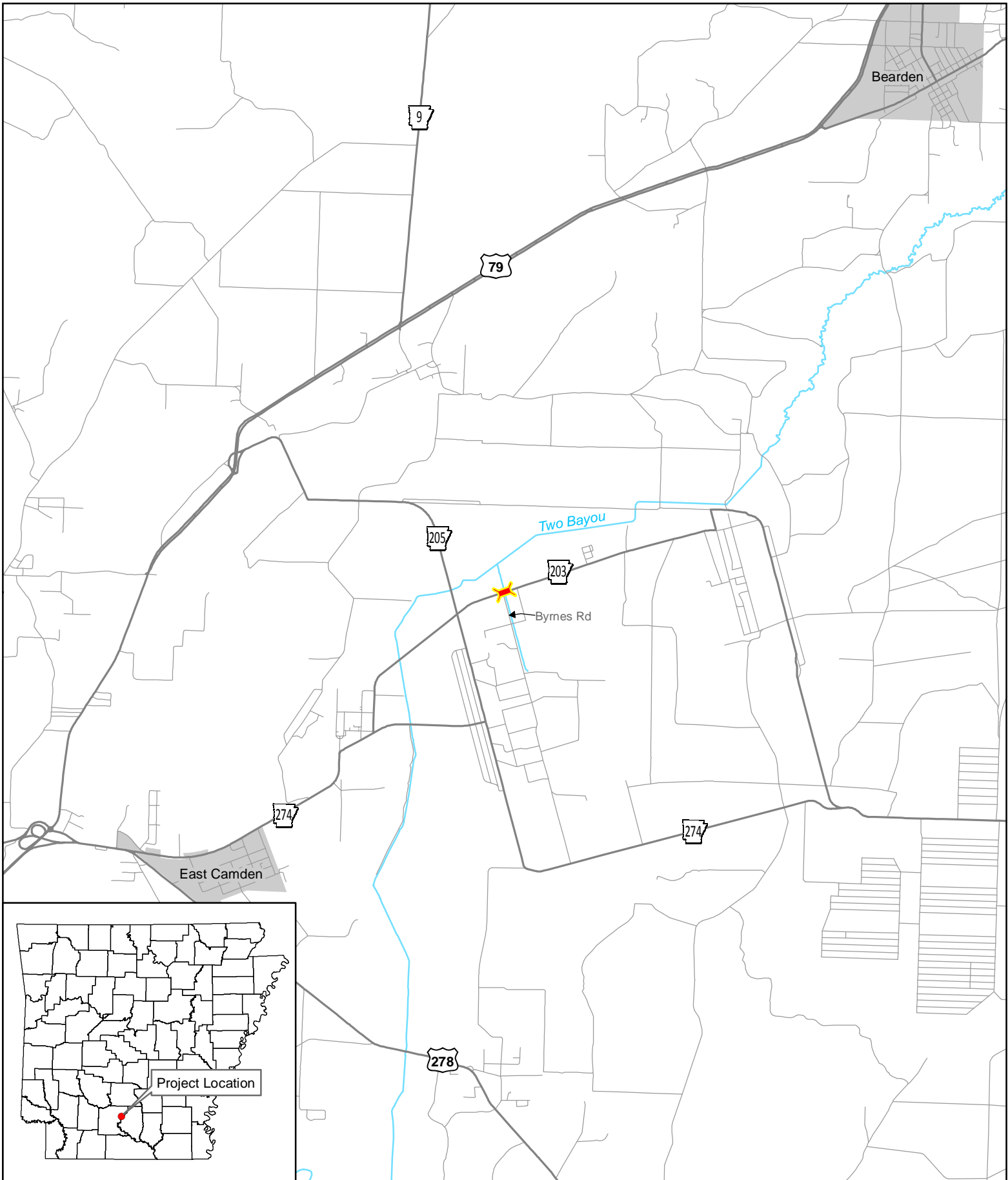
This project has been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special mobile source air toxic (MSAT) concerns. As such, this project will not result in changes in traffic volumes, vehicle mix, basic project location, or any other factor that would cause a meaningful increase in MSAT impacts of the project from that of the no-build alternative.

The official species list obtained through US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation website identifies the following federally listed species as having the potential to occur in the project area: red-cockaded woodpecker (*Picoides borealis*), Pink Mucket (*Lampsilis abrupta*), and Rabbitsfoot

(*Theliderma cylindrica*). The small ditch does not include any suitable mussel habitat, and the project will have no effect on the two mussel species. The potential to remove trees on the margin of suitable foraging habitat for the red-cockaded woodpecker leads to a determination of may affect, not likely to adversely affect. Concurrence was received from the USFWS on July 15, 2019.

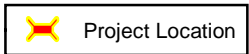
Stream impacts are estimated at less than 0.1 acre. Construction of the proposed project should be allowed under the terms of a Nationwide 14 Section 404 Permit for Linear Transportation Projects as defined in the Federal Register 82(4):1860-2008.

Based on the ARDOT noise policy, a noise analysis is not required for this project. The construction of a bridge on existing location does not involve added capacity or expose noise sensitive land uses to a new traffic noise source. In compliance with federal guidelines, local authorities will not require notification



ARDOT - Environmental GIS - Strawn
July 9, 2019

Job 070510
Creek at L.M. 6.07 Str. & Apprs.
(Hwy. 203)
Calhoun County





THE DEPARTMENT OF ARKANSAS
HERITAGE

Asa Hutchinson
Governor

Stacy Hurst
Director

May 1, 2019

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

Arkansas Arts Council

Arkansas Historic
Preservation Program

Arkansas Natural
Heritage Commission

Arkansas State Archives

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars
Cultural Center

Old State House Museum

RE: Calhoun County — General
Section 106 Review — FHWA
Response Letter: Creek at L.M. 6.07 Str. & Apprs. (S),
Route 203, Section 2
ARDOT Job Number: 070510
AHPP Tracking Number: 103654

Dear Mr. Fleming:

The staff of the Arkansas Historic Preservation Program (AHPP) reviewed the Project Identification Form for the above-referenced project in Sections 25, 30, and 36, Township 12 South, Range 15 and 16 West. The Arkansas Department of Transportation (ARDOT) proposes to replace a bridge on State Highway 203 in the Highland Industrial Park near Camden, Calhoun County. ARDOT employed an expansive survey to accommodate different design plans, which were not finalized at the time of the field investigation. The project area is approximately 635 meters (2,085 feet) long and covers an area of approximately 4.9 hectares (12 acres).

Bridge 10918 spans a constructed ditch that drains into Two Bayou. The bridge is a treated wood multi-beam design constructed in 1942. There is no association under Criterion A or B. Bridge 10918 is not the earliest, or best-known example of its design type and therefore is not eligible under Criterion C. The AHPP concurs with the determination that **Bridge 10918 is not eligible for inclusion in the National Register of Historic Places pursuant to 36 CFR § 60.4.**

The PIF notes the right-of-way is disturbed from edge to edge. There are no documented historic properties or unevaluated properties within or proximal to the project area. Surface inspection and subsurface excavations did not yield cultural materials.

Based on the information presented in the PIF, the AHPP concurs with the finding of **no historic properties affected pursuant to 36 CFR § 800.4(d)(1).**

Tribes that have expressed an interest in the area include the Caddo Nation (Ms. Tamara Francis), the Choctaw Nation of Oklahoma (Mr. Daniel Ragle), the Jena Band of Choctaw Indians (Ms. Alina J. Shively), the Quapaw Nation



ARKANSAS HISTORIC
PRESERVATION PROGRAM



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Little Rock, AR 72201

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(Mr. Everett Bandy), the Shawnee Tribe of Oklahoma (Ms. Tonya Tipton), and the United Keetoowah Band of Cherokee Indians (Ms. Erin Thompson and Charlotte Wolfe). We recommend consultation in accordance with 36 CFR § 800.2(c)(2).

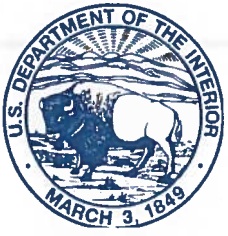
Thank you for the opportunity to review this undertaking. Please refer to the AHPP Tracking Number listed above in all correspondence. If you have any questions, please call Eric Mills of my staff at 501-324-9784 or email eric.mills@arkansas.gov.

Sincerely,



Scott Kaufman
Director, AHPP

cc: Mr. Randall Looney, Federal Highway Administration
Dr. Ann Early, Arkansas Archeological Survey



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Arkansas Ecological Service Field Office
110 South Amity Road, Suite 300
Conway, Arkansas 72032



July 15, 2019

Mr. John Fleming
c/o Joseph Ledvina
Arkansas Department of Transportation
10324 Interstate 30
Little Rock, Arkansas 72209

Dear Mr. Fleming:

The U.S. Fish and Wildlife Service (Service) is responding to your request dated July 9, 2019, regarding ArDOT Job 070510, replacement of the bridge over a channelized ditch in Calhoun County, AR. The project was described and assessed as follows (abbreviated):

The Arkansas Department of Transportation (ArDOT) is proposing to replace a bridge on route 203 in Highland Industrial Park, near East Camden, in Calhoun County, Arkansas. The bridge crosses a small ditch and will be replaced on location with a 9' X 5' X 72' box culvert.

A species list for this project was generated using the Information for Planning and Conservation (IPaC) system. The following federally-listed species are included: Red-cockaded Woodpecker (*Picoides borealis*), Pink Mucket (*Lampsilis abrupta*), and Rabbitsfoot (*Theliderma cylindrica*).

A "no effect" determination was made for the federally listed mussel species due to the lack of habitat and known occurrence in the project area.

A "may affect, not likely to adversely affect" determination was made for the Red-cockaded Woodpecker. The nearest known colonies are about 12 miles to the southeast. The surrounding open-canopy loblolly pine stands may represent suitable habitat for this woodpecker. The width of the box culvert may require the removal of 1 to 4 mature pine trees along the roadside. These effects are discountable because these trees do not contain cavities and trees along the right-of-way are not important for foraging.

Due to the limited scope of the action (i.e., bridge replacement with a box culvert), minimal to no adjacent habitat effect, distance to known species locations, minimal potential foraging habitat effects, the standard special provision for sediment control, and the special provision for water pollution control, the Service concurs with the determination of "may affect, not likely to adversely affect" for Red-cockaded Woodpecker. No further consultation regarding this species or any of the species identified within the assessment is necessary at this time.

Mr. John Fleming

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If you have any questions regarding our response or if you need additional information, please contact Lindsey Lewis at (501) 513-4489 or lindsey_lewis@fws.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Melvin L. Tobin', with a stylized flourish at the end.

Melvin L. Tobin
Field Supervisor

cc: Project File
Read File

Filename: C:\Users\lilewis\Documents\PROJECTS\FY2019\ARDOT\ArDOT Job 100763 ESTS
Determination\AFO Letter-ArDOT Job 100763 ESTS - Comments.docx



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:
Consultation Code: 04ER1000-2019-SLI-1095
Event Code: 04ER1000-2019-E-02146
Project Name: 070510 - Creek at LM 6.07 Str & Apprs

July 01, 2019

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.**

If you determine that this project will have no effect on listed species and their habitat in any way, then you have completed Section 7 consultation with the Service and may use this letter in your project file or application.

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: 04ER1000-2019-SLI-1095

Event Code: 04ER1000-2019-E-02146

Project Name: 070510 - Creek at LM 6.07 Str & Apprs

Project Type: BRIDGE CONSTRUCTION / MAINTENANCE

Project Description: replacing bridge with box culvert

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/33.64956944367448N92.6915773379143W>



Counties: Calhoun, AR

Endangered Species Act Species

There is a total of 3 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.

Birds

NAME	STATUS
Red-cockaded Woodpecker <i>Picoides borealis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7614	Endangered

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 VERIFICATION CHECKLIST
FOR CONSIDERATION OF POTENTIAL IMPACTS**

ARDOT Job Number 070510 FAP Number NHPP-0007(31)

Job Title Creek at L.M. 6.07 Str. & Apprs. (S)

Environmental Resource	None	Minimal	Major	Comments-required for each item
Air Quality	X			No MSAT impacts anticipated
Cultural Resources	X			SHPO approval attached
Economic	X			Will not be impacted by project
Endangered Species		X		May affect, but not likely to affect
Environmental Justice/Title VI	X			No protected populations in project area
Fish and Wildlife		X		Temporary during construction
Floodplains	X			None occur in project area
Forest Service Property	X			None in project area
Hazardous Materials/Landfills	X			No sites in project area
Land Use	X			Will not be impacted by project
Migratory Birds		X		Migratory Bird SP
Navigation/Coast Guard	X			No navigable waterways involved
Noise Levels	X			No increases due to project
Prime Farmland	X			No farmlands within city limits
Protected Waters	X			None occur in project area
Public Recreation Lands	X			None in project area
Public Water Supply/WHPA	X			WHP SP for offsite areas
Relocatees	X			No relocations
Section 4(f)/6(f)	X			4(f)/6(f) resources not present
Social	X			No impacts to the social environment
Underground Storage Tanks	X			No UST's to be impacted
Visual	X			No changes to the visual environment
Streams		X		Less than 0.1 acre of impacts
Water Quality		X		Temporary during construction
Wetlands	X			No wetlands
Wildlife Refuges	X			None in project area

Section 401 Water Quality Certification Required? No
 Short-term Activity Authorization Required? Yes
 Section 404 Permit Required? Yes Type NW-14

Remarks: _____

Signature of Evaluator  Date July 31, 2019

PROJECT DESIGN CRITERIA

DATE: June 25, 2019

REV.: _____

JOB NO: 070510 ROUTE / SECTION: 203 / 2 LENGTH: 0.01 mile COUNTY: Calhoun
 JOB NAME: Creek at L.M. 6.07 Str. & Apprs. (S) MIN ORDER: 2018-080
 2020 ADT: 700 2040 ADT: 800 TRUCK: 4% 4-LANE GRID SYSTEM: No
 APHN: No INCENTIVE/DISINCENTIVE: No FUNCTIONAL CLASSIFICATION: Major Collector

EXISTING CONDITIONS

ROADWAY WIDTH: 24'-0" WIDTH OF TRAVELED WAY: 20'-0" SHOULDERS (WIDTH/TYPE): 2' Unpaved
 CRASH RATE: 0.00 STATEWIDE CRASH RATE: 1.07

BRIDGE INFORMATION

Bridge No.	Log Mile	Length x Width	Structure Type	BCI	Deck Rating	Superstructure Rating	Substructure Rating	Posted
10918	6.07	44.0' x 29.2'	Timber Multi-Beam	55.74	5	5	5	2

* Refer to PDC Bridge Information Codes

RECOMMENDED CRITERIA

NO. OF LANES: 2 WIDTH: 22'-0" SHOULDERS (WIDTH/TYPE): 4' Paved
 DIVIDED: No MEDIAN WIDTH: N/A PARKING: No
 BRIDGE WIDTHS: N/A DESIGN SPEED - RURAL: 55 mph URBAN: N/A
 DEGREE OF ACCESS CONTROL: None CLEAR ZONE: 24' (4:1)
 LOCATION OF INTERCHANGES: N/A CHANNELIZED INTERSECTION: As Warranted
 TRAFFIC SIGNALS: N/A RR X-ING PROTECTION: N/A
 PREVIOUS PLANNING STUDY: N/A
 STUDY FINDING: N/A

RECOMMENDED TYPE FUNDS: _____
 PRELIM COST ESTIMATE: ROADWAY: \$300,000 BRIDGE: \$0 TOTAL: \$300,000

REMARKS:

- R.C. Box Culvert
- Use AASHTO Green Book
- Minimum Pavement Design

RECOMMENDED BY:

Charles Ellis: *Charles R. Ellis*
 Date: 7/1/19

Trinity Smith: *Trinity Smith*
 Date: 6/27/19

APPROVED BY:

Mike Fugett: *Mike Fugett*
 ACE Design

Date: 7-2-19