



INTEROFFICE MEMORANDUM

November 13, 2017

TO: Master Files

FROM: *JF* John Fleming, Division Head, Environmental Division *hPrice*

SUBJECT: Job Number 030483
FAP Number STPR-0055(28)
Hwy. 70 – Clark Co. Line (Sel. Secs) (S)
Pike 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 correct existing safety and pavement issues on 6.1 miles of Highway 8 in Pike County between Highway 70 and the Clark County line. The project will consist of an overlay from the beginning to end of the job, with an approximately 0.2 mile long left turn lane to provide access to Centerpoint Elementary School and the addition of 2' wide paved shoulders on approximately 1.9 miles. The attached project location map shows the location of these improvements. Approximately 0.6 acre of right of way will be required.

Design data for the left turn lane portion of the project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2018	3,100	9	45 mph
2038	3,500	9	45 mph

There are no relocations, environmental justice issues, wetlands, streams, prime farmlands, floodplains, public water supplies, or endangered species associated with this project. Field inspections found no evidence of existing underground storage tanks

Job Number 030483
Tier 2 Categorical Exclusion
Page 2 of 2

or hazardous waste deposits. No impacts to cultural resources are anticipated; concurrence from the State Historic Preservation Officer is attached.

Based upon the ARDOT Policy on Highway Traffic Noise Abatement, a noise analysis is not required for this project. This project does 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.

The U.S. Fish and Wildlife Service (USFWS) identified the northern long-eared bat (*Myotis septentrionalis*), Piping Plover (*Charadrius melodus*), Arkansas Fatmucket (*Lampsilis powellii*), Ouachita Rock Pocketbook (*Arcidens wheeleri*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*), Spectaclecase (*Margaritifera monodonta*), Winged Mapleleaf (*Quadrula fragosa*), and American burying beetle (*Nicrophorus americanus*) as potentially occurring at or near the project location. With the distance to known records, no tree clearing, limited scope of the project, the incorporation of sediment and erosion control, and special provisions for water pollution control, the project was determined to have "no effect" on listed species. USFWS coordination is attached.

Attachments:

Project Location Map
SHPO Clearance
USFWS Coordination
Environmental Study Checklist
Roadway Design Sheet

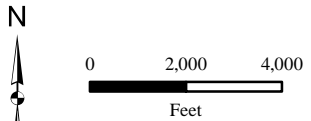
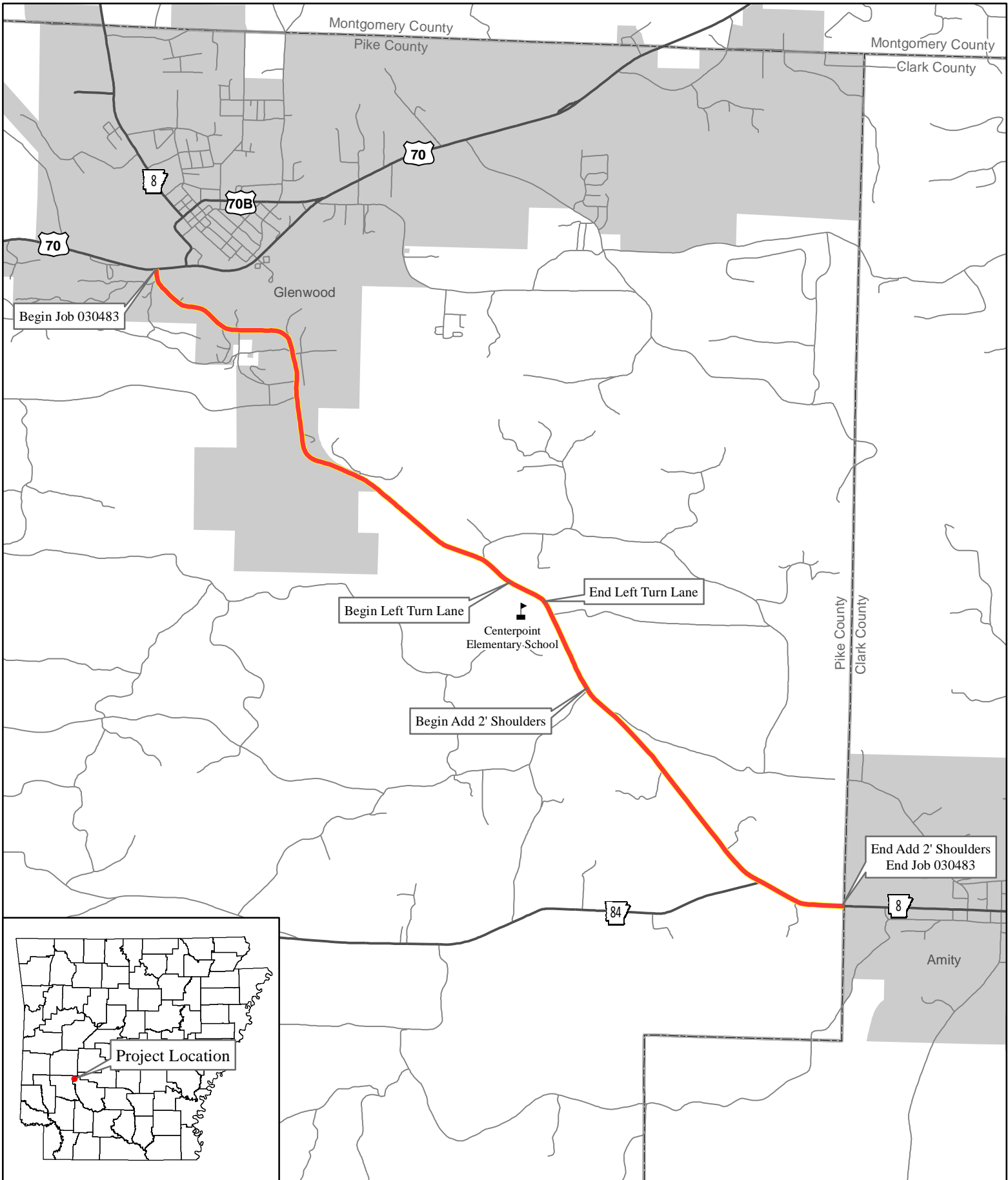
Approved:



Kevin Thornton
Assistant Chief Engineer-Planning

JF:SS:fc

c: Program Management
Right of Way
Roadway Design
District 3
FHWA
Master File



ARDOT - Environmental GIS - Strawn
October 19, 2017

Job 030483
Hwy. 70 - Clark Co. Line
(Sel. Secs.) (Hwy. 8)
Pike 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

October 17, 2017

99500
FHWA

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

AHPP

OCT 19 2017

RECEIVED
AHTD

OCT 23 2017

ENVIRONMENTAL
DIVISION

RE: Job No. 030483
Hwy. 70-Clark Co. Line
(Sel. Secs.) (S)
Pike County

Dear Ms. Hurst:

A Project Identification Form (PIF) for the above-referenced project is enclosed. Please review for concurrence with the findings of my staff. If you have any questions or require additional information about the project, please contact Jason Eads of my staff at (501) 569-2181.

Sincerely,

John Fleming
Division Head
Environmental Division

Enclosures
PIF

JF:DW:JE:ym

Date 10/19/2017

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



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:

October 19, 2017

Consultation Code: 04ER1000-2018-SLI-0066

Event Code: 04ER1000-2018-E-00114

Project Name: Job 030483 Hwy. 70 – Clark Co. Line (Sel. Secs.) (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-0066

Event Code: 04ER1000-2018-E-00114

Project Name: Job 030483 Hwy. 70 – Clark Co. Line (Sel. Secs.) (S)

Project Type: TRANSPORTATION

Project Description: Overlay 3.22 miles, add left turn lane at school, and add 2' shoulders on 1.94 miles along highway 8 between Glenwood and Clark County line.

Project Location:

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

<https://www.google.com/maps/place/34.29330049690604N93.51496549066445W>



Counties: Clark, AR | Pike, AR

Endangered Species Act Species

There is a total of 9 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
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened

Clams

NAME	STATUS
Arkansas Fatmucket <i>Lampsilis powellii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2213	Threatened
Ouachita Rock Pocketbook <i>Arkansia wheeleri</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4509	Endangered
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
Spectaclecase (mussel) <i>Cumberlandia monodonta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7867	Endangered
Winged Mapleleaf <i>Quadrula fragosa</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4127	Endangered

Insects

NAME	STATUS
American Burying Beetle <i>Nicrophorus americanus</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/66	Endangered

Critical habitats

There are no critical habitats within your project area under this office's jurisdiction.


ARDOT ENVIRONMENTAL IMPACTS ASSESSMENT FORM

ARDOT Job Number 030483 FAP Number STPR-0055(28)
 Job Title Hwy. 70 – Clark Co. Line (Sel. Secs.) (S)

Environmental Impacts	None	Minor	Significant	Comments
Air Quality	X			
Construction Impacts		X		Temporary during construction
Cultural Resources	X			
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		0.6 acre proposed right of way
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 None

Remarks: _____

Signature of Evaluator  Date November 9, 2017

ROADWAY DESIGN REQUEST

Job Number 030483 FAP No. _____ County Pike

Job Name Hwy. 70 – Clark Co. Line (Sel. Secs.) (S)

Design Engineer Primary Environmental Staff _____

Brief Project Description Overlay between log miles 0.00 - 3.22, add left turn lane between log miles 3.22 – 3.41, add 2' shoulders between log miles 4.02 - 5.13, and between log miles 5.30 – 6.13.

A. Existing Conditions:

Roadway Width: 30' Shoulder Type/Width: 0 - 3'

Number of Lanes and Width: 2-12' Existing Right-of-Way: 70'

Sidewalks? N/A Location: _____ Width: _____

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

B. Proposed Conditions:

Roadway Width: 24', 36' Shoulder Type/Width: 2', 6'

Number of Lanes and Width: 2-12', 3-12' Proposed Right-of-Way: 100'

Sidewalks? N/A Location: _____ Width: _____

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

C. Construction Information:

If detour: Where: _____ Length: _____

D. Design Traffic Data:

2018 ADT: 3100 2038 ADT: 3500 % Trucks: 9

Design Speed: 45 m.p.h.

E. Approximate total length of project: 6.13 mile(s)

F. Justification for proposed improvements: Safety improvements

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

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

Agency/Official	Person Contacted	Date