

**TIER 3 CATEGORICAL EXCLUSION**

**ARDOT JOB NUMBER 110715**

**FAP NUMBER NHPP-3948(1)**

**BIG CREEK, LITTLE PINEY CREEK & BIG CREEK BRANCH STRS. & APPRS. (S)**

**ROUTE 78, SECTION 2**

**ROUTE 238, SECTION 1**

**ROUTE 259, SECTION 1**

**LEE AND MONROE COUNTIES**

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

By the

U.S. Department of Transportation

Federal Highway Administration

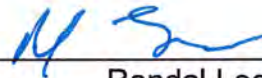
And the

Arkansas Department of Transportation

December 2019

12/11/2019

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 Programmatic 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 three existing bridges, ARDOT Bridges M2575 and 02898 in Lee County and Bridge M2503 in Monroe County, Arkansas. See the attached project location map.

The existing roadways consist of two 10' wide paved travel lanes with 4' wide unpaved shoulders. The Big Creek Bridge (2898) is a 103' x 29', the Little Piney Creek Bridge (M2503) is a 39' x 29', and the Big Creek Branch Bridge (M2575) is a 39' x 23'.

Proposed improvements include two 11' wide paved travel lanes with 4' wide (2' paved) shoulders. One bridge and two box culverts are planned for replacement of the existing structures. The projects could acquire up to 19.4 acres of additional right of way. Of this acreage, up to 5.7 acres of Prime Farmland and 13.7 acres of Farmland of Statewide Importance may be impacted. Form NRCS-CPA-106 is attached.

Design data for this project is as follows:

Highway	Design Year	Average Daily Traffic	Percent Trucks	Design Speed
78	2021	700	5	55 mph
78	2041	900	5	55 mph
238	2021	400	4	55 mph
238	2041	500	4	55 mph
259	2021	450	7	55 mph
259	2041	560	7	55 mph

The project will not involve relocations, underground storage tanks, hazardous materials, wellhead protection areas/public water supplies, or any environmental justice issues. The State Historic Preservation Officer's clearance is attached.

The official species list obtained through US Fish and Wildlife Service's Information for Planning and Consultation website identifies the endangered Ivory-billed Woodpecker (*Campephilus principalis*), the threatened Piping Plover (*Charadrius*

*melodus*), the endangered Red-cockaded Woodpecker (*Dryobates borealis*), and the endangered pondberry (*Lindera melissifolia*). A “no effect” determination was made for the federally listed plant and bird species, due to a lack of suitable habitat and distance to known occurrence records in the project area.

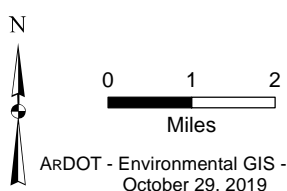
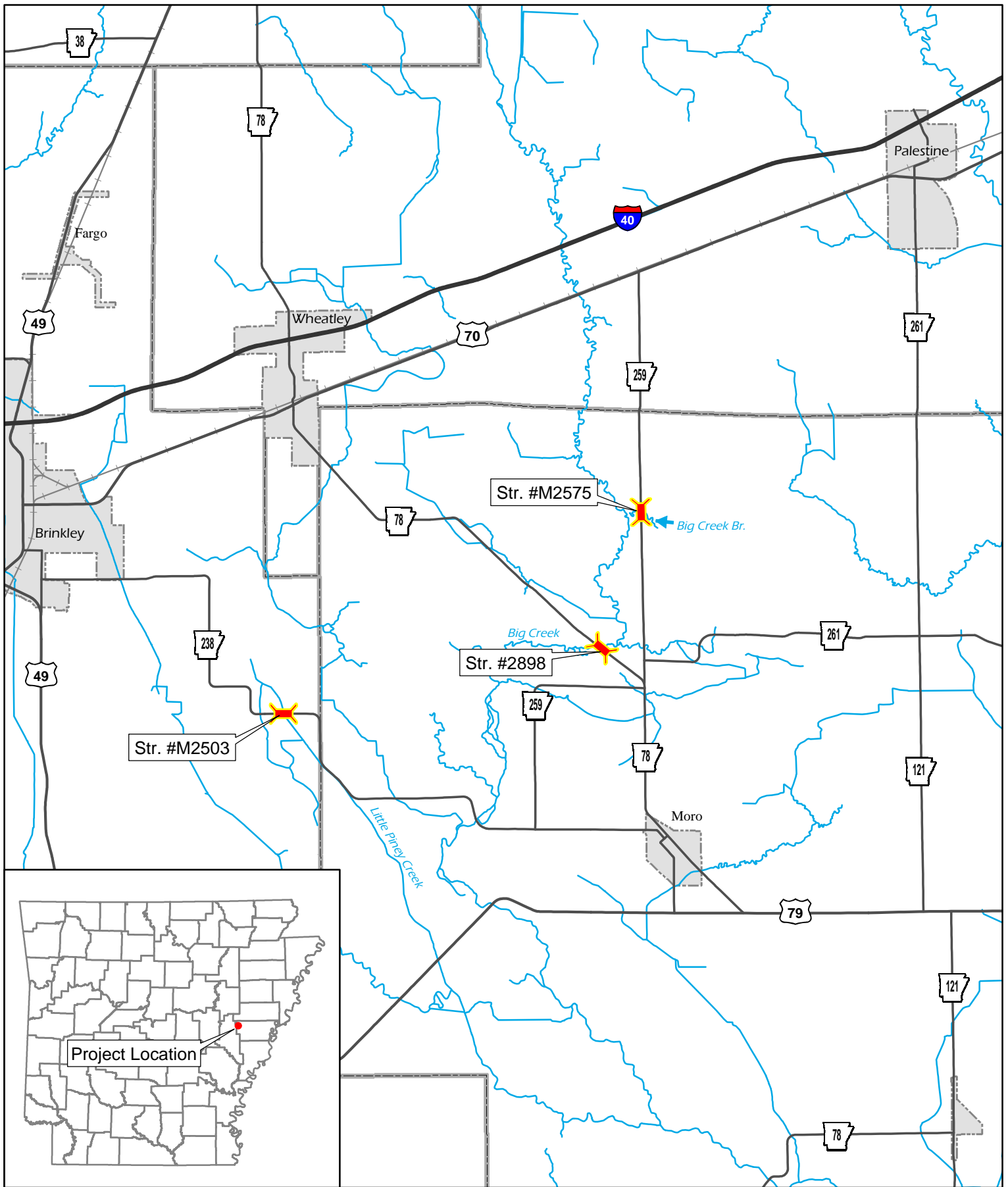
Permanent stream impacts are estimated at up to 138'. Wetland impacts are estimated at up to 12 acres. Construction of the proposed project should be allowed under the terms of a Nationwide 23 Section 404 Permit for Approved Categorical Exclusions.

Based on the ARDOT noise policy, a noise analysis is not required for this project. Replacing the bridges will not involve substantially realigning the roadways or exposing noise sensitive receptors to traffic noise sources. In compliance with federal guidelines, local authorities will not require notification.

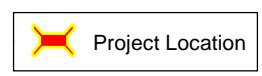
Lee and Monroe County participate in the National Flood Insurance Program. The projects lie within a Zone A Special Flood Hazard Area. The final project design will be reviewed to confirm that the design is adequate and that the potential risk to life and property are minimized. Adjacent properties should not be impacted nor have a greater flood risk than existed before construction of the project. None of the encroachments will constitute a substantial floodplain encroachment or a risk to property or life.

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.

No other adverse environmental impacts were identified. The checklist used to verify consideration of potential environmental impacts is attached.



Job 110715  
 Big Creek, Little Piney Creek, &  
 Big Creek Branch Strs. & Apprs.  
 Lee & Monroe Counties





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


103675.01  
FHUA

November 4, 2019

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

AHPP

NOV 05 2019

Date 11-15-19  
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

RE: Job Number 110715  
Big Creek, Little Piney Creek & Big Creek Branch Strs. & Apprs. (S)  
Routes 78, 238, and 259,  
Sections 2, 1, and 1  
Lee & Monroe Counties

Dear Secretary Hurst:

A Project Identification Form (PIF) 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 Daniel Hildebran of my staff at (501) 569-4512.

Sincerely,



for John Fleming  
Division Head  
Environmental Division

JF:KB:DH:cb

Enclosure  
PIF

### FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

<b>PART I (To be completed by Federal Agency)</b> Job 110715	3. Date of Land Evaluation Request 11/7/2019	4. Sheet 1 of 1
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1. Name of Project Big Creek, Little Piney Creek & Big Creek Branch Strs. & Apprs. (S)	5. Federal Agency Involved FHWA
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2. Type of Project Bridge Replacements	6. County and State Lee & Monroe Counties, Arkansas.
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<b>PART II (To be completed by NRCS)</b>	1. Date Request Received by NRCS	2. Person Completing Form
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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
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5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: %	7. Amount of Farmland As Defined in FPPA Acres: %
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8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS
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**PART III (To be completed by Federal Agency)** **Alternative Corridor For Segment**

	Big Creek	Little Piney	Big Creek Br.	Corridor D
A. Total Acres To Be Converted Directly	8.82	5.68	4.92	
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	11.1	5.78	5.78	

**PART IV (To be completed by NRCS) Land Evaluation Information**

A. Total Acres Prime And Unique Farmland	0.25	3.50	1.94	
B. Total Acres Statewide And Local Important Farmland	8.57	2.18	2.98	
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	15	15	
2. Perimeter in Nonurban Use	10	10	10	10	
3. Percent Of Corridor Being Farmed	20	0	0	0	
4. Protection Provided By State And Local Government	20	0	0	0	
5. Size of Present Farm Unit Compared To Average	10	2	2	2	
6. Creation Of Nonfarmable Farmland	25	0	0	0	
7. Availability Of Farm Support Services	5	5	5	5	
8. On-Farm Investments	20	0	0	0	
9. Effects Of Conversion On Farm Support Services	25	0	0	0	
10. Compatibility With Existing Agricultural Use	10	0	0	0	
<b>TOTAL CORRIDOR ASSESSMENT POINTS</b>	<b>160</b>	32	32	32	

**PART VII (To be completed by Federal Agency)**

Relative Value Of Farmland (From Part V)	100	100	100	100	
Total Corridor Assessment (From Part VI above or a local site assessment)	160	32	32	32	
<b>TOTAL POINTS (Total of above 2 lines)</b>	<b>260</b>	130	132	132	

1. Corridor Selected: Adjacent to existing structures	2. Total Acres of Farmlands to be Converted by Project: 5.69 acres Prime Farmland 13.73 acres of Statewide Importance	3. Date Of Selection: November 7, 2019	4. Was A Local Site Assessment Used?  YES <input type="checkbox"/> NO <input type="checkbox"/>
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5. Reason For Selection:  
  
Best locations

Signature of Person Completing this Part: \_\_\_\_\_ DATE: \_\_\_\_\_

November 7, 2019

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:

October 11, 2019

Consultation Code: 04ER1000-2020-SLI-0052

Event Code: 04ER1000-2020-E-00145

Project Name: 110715 - Little Piney Creek

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](http://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

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## Project Summary

Consultation Code: 04ER1000-2020-SLI-0052

Event Code: 04ER1000-2020-E-00145

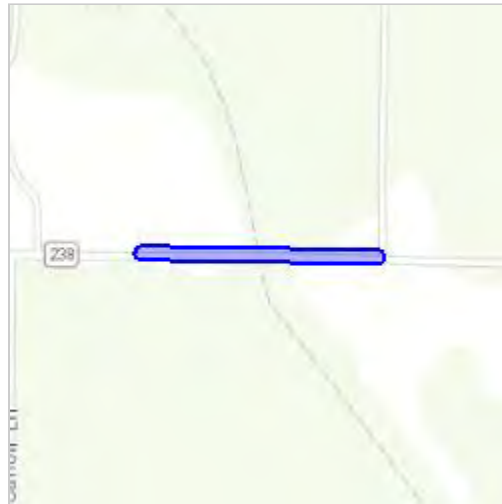
Project Name: 110715 - Little Piney Creek

Project Type: BRIDGE CONSTRUCTION / MAINTENANCE

Project Description: This bridge replacement is one of three on this job.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.83078215283966N91.11233353614809W>



Counties: Monroe, AR

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## 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 Fisheries<sup>1</sup>, 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
Ivory-billed Woodpecker <i>Campephilus principalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/8230">https://ecos.fws.gov/ecp/species/8230</a>	Endangered
Red-cockaded Woodpecker <i>Picoides borealis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/7614">https://ecos.fws.gov/ecp/species/7614</a>	Endangered

### Flowering Plants

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

### Critical habitats

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

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## United States Department of the Interior



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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 11, 2019

Consultation Code: 04ER1000-2020-SLI-0054

Event Code: 04ER1000-2020-E-00149

Project Name: 110715 - Hwy 259 Big Creek Branch

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.

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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](http://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

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## Project Summary

Consultation Code: 04ER1000-2020-SLI-0054

Event Code: 04ER1000-2020-E-00149

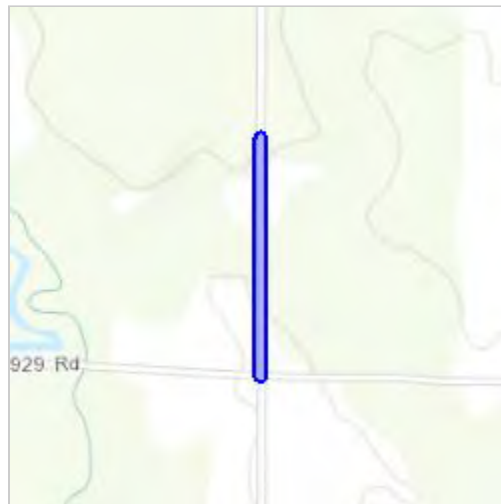
Project Name: 110715 - Hwy 259 Big Creek Branch

Project Type: BRIDGE CONSTRUCTION / MAINTENANCE

Project Description: This bridge replacement site is 3 of 3 within this job.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.8819506587592N90.99647283554079W>



Counties: Lee, AR

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## Endangered Species Act Species

There is a total of 1 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 Fisheries<sup>1</sup>, 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
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 <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened

## Critical habitats

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

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## 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 11, 2019

Consultation Code: 04ER1000-2020-SLI-0053

Event Code: 04ER1000-2020-E-00147

Project Name: 110715 - Hwy 78 Big Creek

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.**

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**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](http://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

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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

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## Project Summary

Consultation Code: 04ER1000-2020-SLI-0053

Event Code: 04ER1000-2020-E-00147

Project Name: 110715 - Hwy 78 Big Creek

Project Type: BRIDGE CONSTRUCTION / MAINTENANCE

Project Description: This bridge replacement site is 2 of 3 on this job.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.84543733640142N91.0086715221405W>



Counties: Lee, AR

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## Endangered Species Act Species

There is a total of 1 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 Fisheries<sup>1</sup>, 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.

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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
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 <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened

## Critical habitats

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

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**ARDOT ENVIRONMENTAL VERIFICATION CHECKLIST  
FOR CONSIDERATION OF POTENTIAL IMPACTS**


ARDOT Job Number 110715 FAP Number NHPP-3948(1)

Job Title Big Creek, Little Piney Creek & Big Creek Branch Strs. & 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			"No effect" determinations
Environmental Justice/Title VI	X			No protected populations in project area
Fish and Wildlife		X		Temporary impacts during construction
Floodplains		X		Zone A
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 the project
Migratory Birds		X		Migratory Bird SP included
Navigation/Coast Guard	X			No navigable waterways involved
Noise Levels	X			No increases due to project
Prime Farmland		X		NRCS-CPA-106 form attached
Protected Waters	X			None in project area
Public Recreation Lands	X			None in project area
Public Water Supply/WHPA	X			None in project area
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		Nationwide 23 Section 404 Permit
Water Quality		X		Temporary during construction.
Wetlands		X		Nationwide 23 Section 404 Permit
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 23

Remarks: \_\_\_\_\_

Signature of Evaluator  Date November 25, 2019

**PROJECT DESIGN CRITERIA**

DATE: October 8, 2019  
REV: \_\_\_\_\_

JOB NO: 110715      ROUTE / SECTION: 78 / 2<sup>(1)</sup>  
238 / 1<sup>(2)</sup>  
269 / 1<sup>(3)</sup>      LENGTH: 0.57 mile<sup>(1)</sup>  
0.04 mile<sup>(2)</sup>  
0.04 mile<sup>(3)</sup>      COUNTY: Lee<sup>(1,3)</sup> & Monroe<sup>(2)</sup>

JOB NAME: Big Creek, Little Piney Creek & Blg Creek Branch Strs. & Apprs. (S)      MIN ORDER: 2018-080

2021 ADT: 700<sup>(1)</sup>  
400<sup>(2)</sup>  
450<sup>(3)</sup>      2041 ADT: 900<sup>(1)</sup>  
500<sup>(2)</sup>  
580<sup>(3)</sup>      TRUCK: 5%<sup>(1)</sup>  
4%<sup>(2)</sup>  
7%<sup>(3)</sup>      4-LANE GRID SYSTEM: No

APHN: No      INCENTIVE/DISINCENTIVE: No      FUNCTIONAL CLASSIFICATION: Major Collector

**EXISTING CONDITIONS**

ROADWAY WIDTH: 28'      WIDTH OF TRAVELED WAY: 20'      SHOULDERS (WIDTH/TYPE): 4' / Unpaved

BIKE/PED ACCOMMODATIONS: N/A      CRASH RATE: 2.19<sup>(1)</sup>  
0.00<sup>(2,3)</sup>      STATEWIDE CRASH RATE: 1.07

**BRIDGE INFORMATION**

Bridge No.	Log Mile	Length x Width	Structure Type	BCI	Deck/Culvert Rating	Superstructure Rating	Substructure Rating	Posted
2898 <sup>(1)</sup>	6.57	103.0' x 28.6'	Steel Multi-Beam	54.58	8	5	7	2
M2503 <sup>(2)</sup>	7.52	39.0' x 29.3'	Timber Multi-Beam	31.25	5	5	6	1
M2575 <sup>(3)</sup>	2.98	39.0' x 23.4'	Timber Multi-Beam	18.35	6	5	5	0

\* Refer to PDC Bridge Information Codes

**RECOMMENDED CRITERIA**

NO. OF LANES: 2      WIDTH: 11'      SHOULDERS (WIDTH/TYPE): 4' (2' Paved)

DIVIDED: No      MEDIAN WIDTH: N/A      PARKING: No

BRIDGE WIDTHS: 30'<sup>(1)</sup>      DESIGN SPEED - RURAL: 55 mph      URBAN: N/A

DEGREE OF ACCESS CONTROL: None      CLEAR ZONE: 24' @ 4:1 or 18' @ 6:1<sup>(1)</sup>  
18' @ 4:1 or 14' @ 6:1<sup>(2,3)</sup>

LOCATION OF INTERCHANGES: N/A      CHANNELIZED INTERSECTION: As warranted

TRAFFIC SIGNALS: As warranted      RR X-ING PROTECTION: N/A

BIKE/PED ACCOMMODATIONS: N/A

PREVIOUS PLANNING STUDY: None

STUDY FINDING: N/A

RECOMMENDED TYPE FUNDS: NHPP

PRELIM COST ESTIMATE:      ROADWAY: \$2,500,000      BRIDGE: \$500,000      TOTAL: \$3,000,000

**REMARKS:**

1 Bridge & 2 R.C. Box Culverts  
Use AASHTO Green Book (2018)  
(1) Site 1, (2) Site 2, (3) Site 3

**RECOMMENDED BY:**

Charles Ellis: *Charles R. Ellis*  
Date: 10-10-19

Trinity Smith: *Trinity Smith*  
Date: 10/8/19

**APPROVED BY:**

Mike Fugett: *[Signature]*      Date: 10/11/19  
ACE-Design

(ATTACH NEW PROJECT MEMO, LOCATION MAP, AND CRASH ANALYSIS)