



# INTEROFFICE MEMORANDUM

August 2, 2024

**TO:** Master Files

**FROM:** Josh Seagraves, Division Head – Environmental 

**SUBJECT:** Job FA7119  
FAP STPR-0072(44)  
Co. Rd. 1750 Drainage Improvements (S)  
County Road 1750  
Van Buren County  
Tier 1 Categorical Exclusion

The proposed project would replace a failing 60" corrugated metal pipe with a concrete pipe of the same size and at the same location on County Road 1750 in Van Buren County. A project location map is attached.

The project would not involve relocations or impacts to Important Farmland, wetlands, underground storage tanks, hazardous materials, environmental justice populations, floodplains, public water supplies, or cultural resources. 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 toxics concerns. Cultural resources clearance is attached.

The attached official species list obtained through the U.S. Fish and Wildlife Service Information for Planning and Consultation website lists the following species as possibly occurring within the project area: Gray Bat (*Myotis grisescens*), Tricolored Bat (*Perimyotis subflavus*), Northern Long-eared Bat (*Myotis septentrionalis*), Indiana Bat (*Myotis sodalis*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Rufa Red Knot (*Calidris canutus rufa*), Piping Plover (*Charadrius melodus*), Alligator Snapping Turtle (*Macrochelys temminckii*), Monarch Butterfly (*Danaus plexippus*), and Missouri bladderpod (*Physaria filiformis*). It has been determined that the project would have "no effect" on these species due the limited scope of the project, lack of habitat, and distance to known populations.

The Alligator Snapping Turtle is a proposed threatened species, the Tricolored Bat is a proposed endangered species, and the Monarch Butterfly is a candidate species. The proposed project would not jeopardize the continued existence of these species.

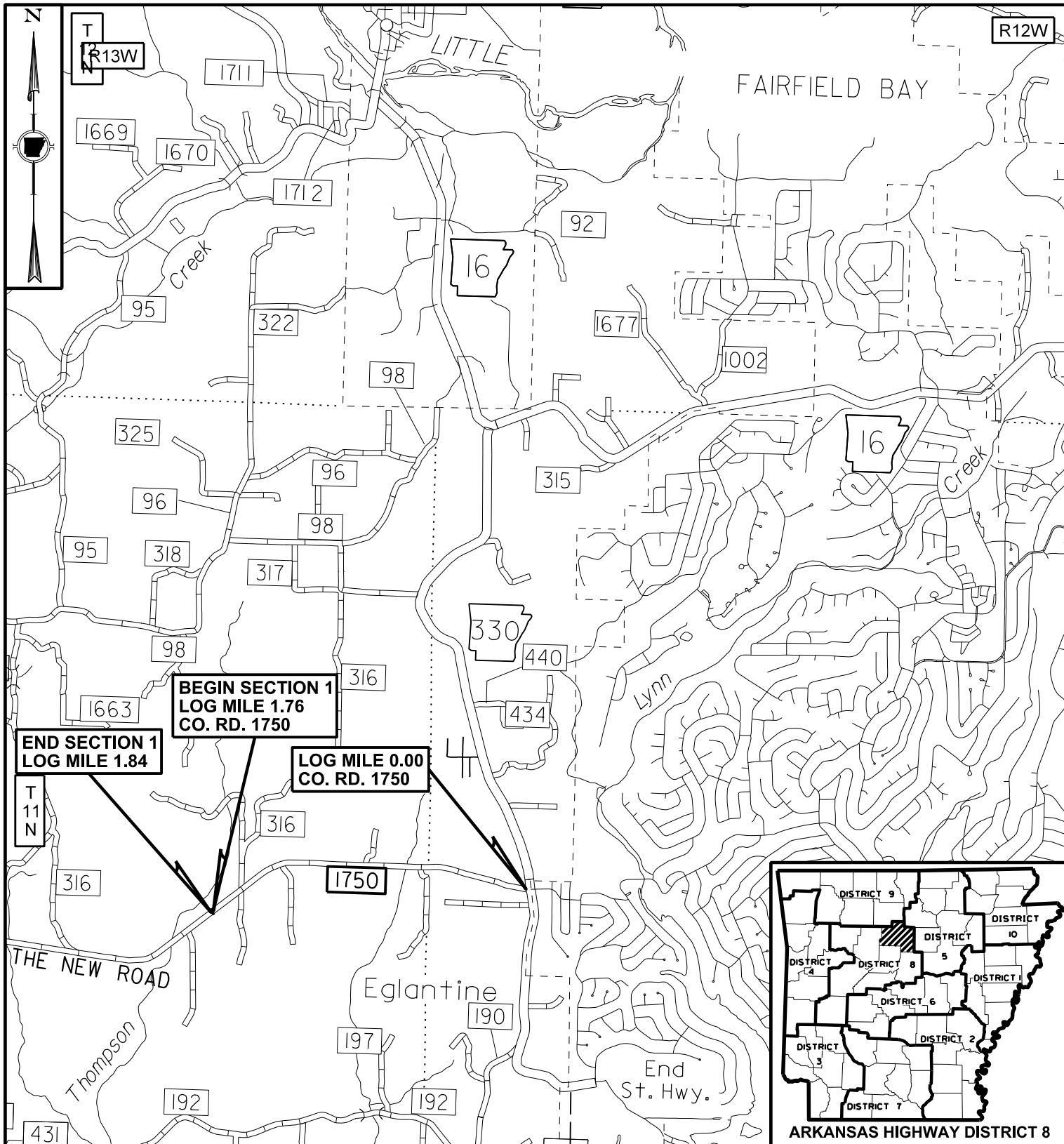
Impacts to Waters of the United States are estimated at less than 0.1 acre. The project is authorized by Nationwide Permit 14 for Linear Transportation Projects as defined in Federal Register 86(245): 73522-73583. Preconstruction notification is not required.

After appropriate environmental review, it has been determined that the subject job is a Tier 1 Categorical Exclusion as described by the ARDOT/FHWA Programmatic Agreement on Categorical Exclusion Documentation and Processing. A public hearing will not be offered for this project.

Attachments

c: Program Management  
Right of Way  
State Aid  
District 8  
FHWA

JS:SS:sw



**JOB FA7119**  
**CO. RD. 1750 DRAINAGE IMPROVEMENTS (S)**  
**CO. RD. 1750**  
**VAN BUREN COUNTY**

**PRELIMINARY**  
 SUBJECT  
 TO REVISION  
**ARDOT**  
**STATE AID**  
**DIVISION**

**APPROXIMATE CENTER OF JOB**  
**LATITUDE: N 35° 35' 14"**  
**LONGITUDE: W 92° 20' 08"**




## INTEROFFICE MEMORANDUM

July 31, 2024

**TO:** Environmental Job File

**FROM:** Wm. Lane Shields, Cultural Resources Section



**SUBJECT:** Cultural Resources Clearance  
Job FA7119  
Co. Rd. 1750 Drainage Improvements (S)  
Van Buren County

This project proposes to replace a pipe culvert along a rural stretch of County Road 1750, aka The New Road, about 1.8 miles west of the intersection of Highway 330. The new culvert will be replaced with a concrete culvert on existing location. No new right-of-way (ROW) will be acquired.

An archeological and historic records review was conducted for this project, which includes the Arkansas Archeological Survey site files in the Automated Management of Archeological Site Data in Arkansas (AMASDA), the Arkansas Historic Preservation Program (AHPP) recorded structures files, and ARDOT's CR Viewer files for previously recorded sites, structures, and historic bridges. Other background research includes the General Land Office (GLO) plat for Township 11 North, Range 13 West (1840), the 1936 Van Buren County General Highway and Transportation Map, and all 21 versions of USGS topographic quadrangles for the area. The quadrangles range from 1892 to 2024. Only an aerial from 1972 covers the area in the last 45 years. All sources were reviewed for cemeteries, potentially historic structures, and landforms conducive to hold archeological sites in or near the project.

There are no nearby sites or projects in AMASDA and no nearby structures in AHPP. The GLO survey plat shows no cultural features and few natural features. There are no cemeteries near the project. None of the other historic maps or aerials show cultural features or historic properties in or near the project area. The present alignment was constructed between 1992–1994.

The current scope of the project occurs within previously disturbed areas. This type of undertaking will not affect historic properties. All work will be within the existing ROW, and the limited scope of the project occurs within previously disturbed areas. Therefore, this project requires no Section 106 review under Appendix C, Activity 18, of the 2021 Programmatic Agreement.



## 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

In Reply Refer To:

08/01/2024 13:52:44 UTC

Project Code: 2024-0124530

Project Name: FA7119 CO. RD. 1750 DRAINAGE IMPROVEMENTS (S)

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, 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.*).

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 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 IPaC system by completing the same process used to receive the enclosed list.

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.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

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 Code 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

Project Code: 2024-0124530

Project Name: FA7119 CO. RD. 1750 DRAINAGE IMPROVEMENTS (S)

Project Type: Culvert Repair/Replacement/Maintenance

Project Description: Replace a culvert on existing location with the same size culvert.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.5877002,-92.33468325,14z>



Counties: Van Buren County, Arkansas



## ENDANGERED SPECIES ACT SPECIES

There is a total of 10 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. Note that 1 of these species should be considered only under certain conditions.

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.

**MAMMALS**

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6329">https://ecos.fws.gov/ecp/species/6329</a>	Endangered
Indiana Bat <i>Myotis sodalis</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>▪ This species only needs to be considered if the project includes wind turbine operations.</li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>	Proposed Endangered

**BIRDS**

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10477">https://ecos.fws.gov/ecp/species/10477</a>	Threatened
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 does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is <b>proposed</b> critical habitat for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1864">https://ecos.fws.gov/ecp/species/1864</a>	Threatened

**REPTILES**

NAME	STATUS
Alligator Snapping Turtle <i>Macrochelys temminckii</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/4658">https://ecos.fws.gov/ecp/species/4658</a>	Proposed Threatened

**INSECTS**

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species.	Candidate

NAME	STATUS
Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	

## FLOWERING PLANTS

NAME	STATUS
Missouri Bladderpod <i>Physaria filiformis</i>	Threatened
No critical habitat has been designated for this species.	
Species profile: <a href="https://ecos.fws.gov/ecp/species/5361">https://ecos.fws.gov/ecp/species/5361</a>	

## CRITICAL HABITATS

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

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

## **IPAC USER CONTACT INFORMATION**

Agency: Arkansas Department of Transportation

Name: mickey matthews

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72203

Email: mickey.matthews@ardot.gov

Phone: 5015692594

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Federal Highway Administration

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)

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

ARDOT Job Number FA7119 FAP Number STPR-0072(44)

Job Title Co. Rd. 1750 Drainage Improvements (S)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impacts anticipated
Cultural Resources	X			Falls within Section 106 Programmatic
Economic	X			No impacts anticipated
Endangered Species	X			"No effect" on all listed species
Environmental Justice/Title VI	X			No impacts anticipated
Fish and Wildlife		X		Temporary and minor during construction
Floodplains	X			No regulatory floodplains mapped in area
Forest Service Property	X			No impacts anticipated
Hazardous Materials/Landfills	X			No impacts anticipated
Land Use	X			All work in existing county right of way
Migratory Birds	X			No structures with nests
Navigation/Coast Guard	X			None in project area
Noise Levels	X			No impacts anticipated
Prime Farmland	X			No impacts anticipated
Protected Waters	X			No impacts anticipated
Public Recreation Lands	X			No impacts anticipated
Public Water Supply/WHPA	X			No impacts anticipated
Relocatees	X			No relocations anticipated
Section 4(f)/6(f)	X			No impacts anticipated
Social	X			No impacts anticipated
Underground Storage Tanks	X			No impacts anticipated
Visual	X			No impacts anticipated
Streams		X		<0.1 acre stream impacts
Water Quality		X		Temporary and minor during construction
Wetlands	X			No impacts anticipated
Wildlife Refuges	X			No impacts anticipated

Section 401 Water Quality Certification Required? No  
 Short-term Activity Authorization Required? Yes  
 Section 404 Permit Required? Yes Type Nationwide 14; no PCN

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

Signature of Evaluator Simon Staffeld Date August 2, 2024



# INTEROFFICE MEMORANDUM

Date Submitted July 24, 2024

Date Returned \_\_\_\_\_

## STATE AID DESIGN REQUEST

Job Number: FA7119 FAP Number: 9970FA7119 County: Van Buren

Job Name: FA7119

Design Engineer: John Bettis Environmental Staff

Brief Project Description: Replacing a structurally deficient pipe culvert

### A. Existing Conditions:

- 1. Roadway Width: Metric \_\_\_\_\_ English 24'-0"
- 2. Shoulder Width: Metric \_\_\_\_\_ English 2 @ 8'-0"
- 3. Number of Lanes and Width: Metric \_\_\_\_\_ English 2 @ 12'-0"
- 4. Existing Right-of-Way: Metric \_\_\_\_\_ English 142.37'

### B. Proposed Improvements:

- 1. Roadway Width: Metric \_\_\_\_\_ English 24'-0"
- 2. Shoulder Width: Metric \_\_\_\_\_ English 2 @ 8'-0"
- 3. Number of Lanes and Width: Metric \_\_\_\_\_ English 2 @ 12'-0"
- 4. Average Right-of-Way: Metric \_\_\_\_\_ English 142.37'

If bridge(s) will be replaced by culverts give dimensions: \_\_\_\_\_

### C. Construction Information:

Detour: (if applicable)

Where: N/A

Approximate total length of detour: \_\_\_\_\_ kilometer(s) \_\_\_\_\_ mile(s)

### D. Design Data:

2024 ADT: N/A 2044 ADT: N/A Trucks: N/A

Design Speed: 40 M.P.H.

E. Approximate total length of project: \_\_\_\_\_ kilometer(s) 0.076 mile(s)

F. Justification for proposed improvements: Existing pipe culvert is structurally deficient

G. Total Relocates: 0 Residences: \_\_\_\_\_ Businesses: \_\_\_\_\_

H. Have you coordinated with any of the following: (Provide name and date.)

County Officials: Van Buren County Judge - June 21, 2024

State Agency: \_\_\_\_\_

Federal Agency: \_\_\_\_\_