




INTEROFFICE MEMORANDUM

February 16, 2018

TO: Master Files

FROM: John Fleming, Division Head, Environmental Division 

SUBJECT: Job Number 090445
FAP Number HSIP-0004(66)
Hwy. 12/Hwy. 43 Inters. Safety Impvts.
Benton 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 information meeting will be offered for this project during construction in order to educate the public on the proper use of a roundabout.

The purpose of this project is to construct a roundabout at the intersection of Highway 12 and Highway 43 in Benton County. The roundabout will eliminate the need for signalization and allow more efficient and safer travel through the intersection. The total length of the project will be 0.359 mile. A project location map is attached.

Existing Highway 12 consists of two 10.5-foot wide paved travel lanes with 4-foot wide gravel shoulders. The existing right of way width for Highway 12 is approximately 80 feet.

Existing Highway 43 consists of two 11-foot wide paved travel lanes with 4-foot wide gravel shoulders. The existing right of way width for Highway 43 is approximately 80 feet.

Proposed improvements include constructing a roundabout at the intersection, with a single 16-foot wide circulating travel lane, at all four legs of the intersection. Proposed lane widths for the approaches will be 12-foot wide with a 14-foot wide entry width. The central island will feature a mountable curb and paved truck apron. Curb and gutter will be constructed through the project limits. The proposed right of way width will vary between 80' – 195'. Approximately 1.58 acre of 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
2019	2,800	9	20 mph
2039	3,700	9	20 mph

There are no relocations, endangered species, floodplains, or environmental justice issues associated with this project. No impacts to cultural resources are anticipated; concurrence from the State Historic Preservation Officer is attached. Field inspections found no evidence of existing underground storage tanks or hazardous waste deposits. Approximately 1.03 acre of Farmland of Statewide Importance and 0.55 acre of Prime Farmland will be converted to highway right of way. Form NRCS-CPA-106 is attached.

The U.S. Fish and Wildlife Services (USFWS) Information for Planning and Consultation identified gray bat (*Myotis grisescens*), Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), Ozark big-eared bat (*Corynorhinus townsendii ingens*), Piping Plover (*Charadrius melodus*), Ozark cavefish (*Amblyopsis rosae*), Rabbitsfoot (*Quadrula cylindrica cylindrica*), and Neosho mucket (*Lampsilis rafinesqueana*) as potentially occurring at or near the project location. Due to the minimal size of the construction area and lack of any suitable habitat for any of the above species, no impacts to threatened or endangered species are expected to occur. The USFWS species list is attached.

The project will not have a discharge of dredged or fill material into waters of the United States, therefore a Section 404 permit will not be required.

Job Number 090445
Tier 2 Categorical Exclusion
Page 3 of 3

Based upon the ARDOT's *Policy on Highway Traffic Noise Abatement*, a noise analysis is not required for this project. The construction of a roundabout does not involve added capacity or expose noise sensitive land uses to a new or existing highway noise source. Although the realignment of the intersection will change the horizontal and vertical alignment, the distance to the nearest sensitive receptor is not reduced by half.

Attachments:

Project Location Map
SHPO Clearance
Form NRCS-CPA-106
Species List
Environmental Study Checklist
Design Sheet

Approved:



Kevin Thornton
Assistant Chief Engineer-Planning

JF:JB:fc

c: Program Management
Right of Way
Roadway Design
District 9
FHWA

Cherokee City

Floyd Moore Rd

Floyd Moore Rd

Lamphear Rd

Ruby Hall Rd

Morris Maxwell Ln

116

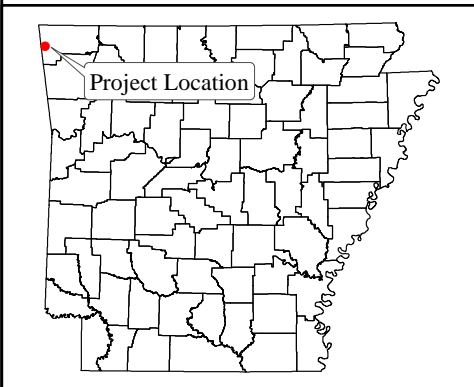
12

43

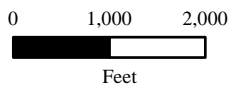
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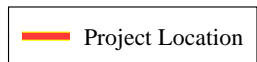
S State Line Rd



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Job 090445
Hwy. 12/Hwy. 43
Inters. Safety Impvts.
Benton County





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

100269

F.H.W.A

January 31, 2018

ANPP

JAN 31 2018

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

RE: Job No. 090445
Hwy. 12/Hwy. 43 Inters. Safety
Impvts. (S)
Benton County

Dear Ms. Hurst:

Enclosed for your review is a Project Identification Form regarding the above referenced project. Please provide your effect finding as soon as possible. If you have any questions, contact Richard Jenkins of my staff at 569-2357.

Sincerely,

John Fleming

John Fleming
Division Head
Environmental Division

JF:DW:RJ:fc

Enclosure
PIF

RECEIVED
ARDOT

FEB 05 2018

ENVIRONMENTAL
DIVISION

Date *2/1/2018*
No known historic properties will be affected by this undertaking. This effect determination could change should new information come to light.
[Signature]
Arkansas State Historic Preservation Officer

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency) Job 090445		3. Date of Land Evaluation Request 2/8/18	4. Sheet 1 of
1. Name of Project Hwy. 12/Hwy. 43 Inters Safety Impvts. S)		5. Federal Agency Involved FHWA	
2. Type of Project Inters. Safety Impvts..		6. County and State Benton AR.	
PART II (To be completed by NRCS)		1. Date Request Received by NRCS	2. Person Completing Form
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
5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: %	7. Amount of Farmland As Defined in FPPA Acres: %	
8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS	

PART III (To be completed by Federal Agency)	Alternative Corridor For Segment			
	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly				
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor				

PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	0.55			
B. Total Acres Statewide And Local Important Farmland	1.03			
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		
2. Perimeter in Nonurban Use	10	10		
3. Percent Of Corridor Being Farmed	20	20		
4. Protection Provided By State And Local Government	20	0		
5. Size of Present Farm Unit Compared To Average	10	0		
6. Creation Of Nonfarmable Farmland	25	0		
7. Availability Of Farm Support Services	5	5		
8. On-Farm Investments	20	0		
9. Effects Of Conversion On Farm Support Services	25	0		
10. Compatibility With Existing Agricultural Use	10	0		
TOTAL CORRIDOR ASSESSMENT POINTS	160	50		

PART VII (To be completed by Federal Agency)				
Relative Value Of Farmland (From Part V)	100	100		
Total Corridor Assessment (From Part VI above or a local site assessment)	160	50		
TOTAL POINTS (Total of above 2 lines)	260	150		

1. Corridor Selected: New Location Adjacent to existing	2. Total Acres of Farmlands to be Converted by Project: 0.55 acres of Prime Farmland 1.03 Farmland of Statewide Importance	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>
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5. Reason For Selection:

Signature of Person Completing this Part: 

DATE: 2/13/17



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:

July 19, 2017

Consultation Code: 04ER1000-2017-SLI-1022

Event Code: 04ER1000-2017-E-01503

Project Name: Job 090445 Hwy. 12/Hwy. 43 Inters. Safety Impvts. (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: 04ER1000-2017-SLI-1022

Event Code: 04ER1000-2017-E-01503

Project Name: Job 090445 Hwy. 12/Hwy. 43 Inters. Safety Impvts. (S)

Project Type: TRANSPORTATION

Project Description: Improve intersection into a roundabout for traffic safety.

Project Location:

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

<https://www.google.com/maps/place/36.27656541909431N94.57369575877675W>



Counties: Benton, AR

Endangered Species Act Species

There is a total of 8 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area. Please contact the designated FWS office if you have questions.

Mammals

NAME	STATUS
<p>Gray Bat (<i>Myotis grisescens</i>)</p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6329</p>	Endangered
<p>Indiana Bat (<i>Myotis sodalis</i>)</p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5949</p>	Endangered
<p>Northern Long-eared Bat (<i>Myotis septentrionalis</i>)</p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045</p>	Threatened
<p>Ozark Big-eared Bat (<i>Corynorhinus (=Plecotus) townsendii ingens</i>)</p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7245</p>	Endangered

Birds

NAME	STATUS
<p>Piping Plover (<i>Charadrius melodus</i>)</p> <p>Population: except Great Lakes watershed There is a final critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039</p>	Threatened

Fishes

NAME	STATUS
<p>Ozark Cavefish (<i>Amblyopsis rosae</i>)</p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6490</p>	Threatened

Clams

NAME

STATUS

Neosho Mucket (*Lampsilis rafinesqueana*)

Endangered

There is a **final critical habitat** designated for this species. Your location is outside the designated critical habitat.

Species profile: <https://ecos.fws.gov/ecp/species/3788>

Rabbitsfoot (*Quadrula cylindrica cylindrica*)

Threatened

There is a **final critical habitat** designated for this species. Your location is outside the designated critical habitat.

Species profile: <https://ecos.fws.gov/ecp/species/5165>

Critical habitats

There are no critical habitats within your project area.

ARDOT ENVIRONMENTAL IMPACTS ASSESSMENT FORM

ARDOT Job Number 090445 FAP Number HSIP-0004(66)

Job Title Hwy.12/Hwy.43 Inters Safety Impvts. (S)

Environmental Impacts	None	Minor	Significant	Comments
Air Quality	X			
Construction Impacts		X		Temporary
Cultural Resources	X			
Economic	X			
Endangered Species	X			
Energy Resources	X			
Environmental Justice/Title VI	X			
Fish and Wildlife	X			
Floodplains	X			
Forest Service Property	X			
Hazardous Materials/Landfills	X			
Land Use Impacts	X			
Migratory Birds	X			
Navigation/Coast Guard	X			
Noise Levels	X			
Prime Farmland		X		.55 acres of Prime Farmland 1.03 acres of Farmland of Statewide Importance
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 _____

Remarks: _____

Signature of Evaluator  Date February 13, 2018

ROADWAY DESIGN REQUEST

Job Number 090445 FAP No. _____ County Benton

Job Name Hwy. 12/Hwy. 43 Inters. Safety Impvts. (S)

Design Engineer Stephen Sichmeller Environmental Staff _____

Brief Project Description Construct Roundabout

A. Existing Conditions:

Roadway Width: 21' – 22' Shoulder Type/Width: 0' – 3.81'

Number of Lanes and Width: 2 – 10.5' & 11' Existing Right-of-Way: 80'

Sidewalks? N/A Location: _____ Width: _____

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

B. Proposed Conditions:

Roadway Width: 30' – 85' Shoulder Type/Width: C&G

Number of Lanes and Width: 2 – 12', 14', & 16' Proposed Right-of-Way: 80' – 195'

Sidewalks? N/A Location: _____ Width: _____

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

C. Construction Information:

If detour: Where: N/A Length: _____

D. Design Traffic Data:

2019 ADT: 2,800 2039 ADT: 3,700 % Trucks: 9

Design Speed: 20 m.p.h.

E. Approximate total length of project: 0.359 mile(s)

F. Justification for proposed improvements: Safety Improvements

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

H. Have you coordinated with any outside agencies (e.g., FHWA, City, County, etc.)? No

Agency/Official	Person Contacted	Date