

TIER 3 CATEGORICAL EXCLUSION

ARDOT JOB NUMBER 020588

FAP NUMBER STPC-9345(41)

11TH AVE. – HARDING AVE. (HWY. 190) (PINE BLUFF) (S)

ROUTE 190, SECTION 5

JEFFERSON COUNTY

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

By the

U.S. Department of Transportation

Federal Highway Administration

And the

Arkansas Department of Transportation

August 2019

August 12, 2019

Date of Approval



Randal Looney
Environmental Coordinator
Federal Highway Administration

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

The purpose of this project is to improve 0.4 mile of Highway 190 and replace a bridge that does not meet current design standards. The project is located within the City of Pine Bluff, Jefferson County. A project location map is attached. The City of Pine Bluff will assume ownership of Highway 190 following completion of the proposed project and ARDOT job 020628.

The existing cross-section consists of three 12' wide paved travel lanes with curb and gutter or 4' wide unpaved open shoulders. There are no existing sidewalks. The average existing right of way width is 57'.

The proposed cross-section would still have three 12' wide paved travel lanes, but the shoulders would all consist of curb-and-gutter with 5' wide sidewalks on both sides of the highway. The new 97' x 54' three-span bridge would be constructed on the existing alignment using a temporary highway closure with a signed detour. The average proposed right of way width would be 116', requiring approximately 0.2 acre of temporary construction easements and 1.3 acre of right of way.

Design data for the project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2019	6,200 vpd	2	35 mph
2039	6,800 vpd		

There are no relocations, environmental justice issues, hazardous waste deposits, public water supply impacts, or prime farmland associated with this project. Field inspections found evidence of existing underground storage tanks in the project area, but none that would likely be impacted by construction of the proposed project.

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

Based on the ARDOT noise policy, a noise analysis is not required for this project. The project does not involve adding through-traffic lanes, increasing capacity, reducing the distance to noise sensitive receptors by 50% of the existing distance, or exposing noise sensitive land uses to a new traffic noise source. The bridge will be replaced either on the existing location or on an alignment that is not substantially different from the existing alignment. In compliance with federal guidelines, local authorities will not require notification.

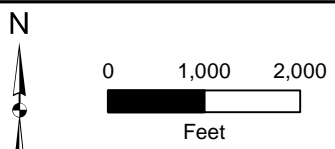
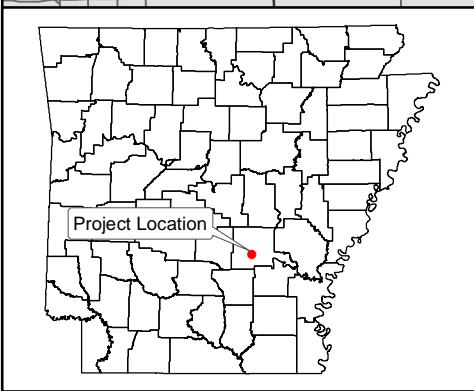
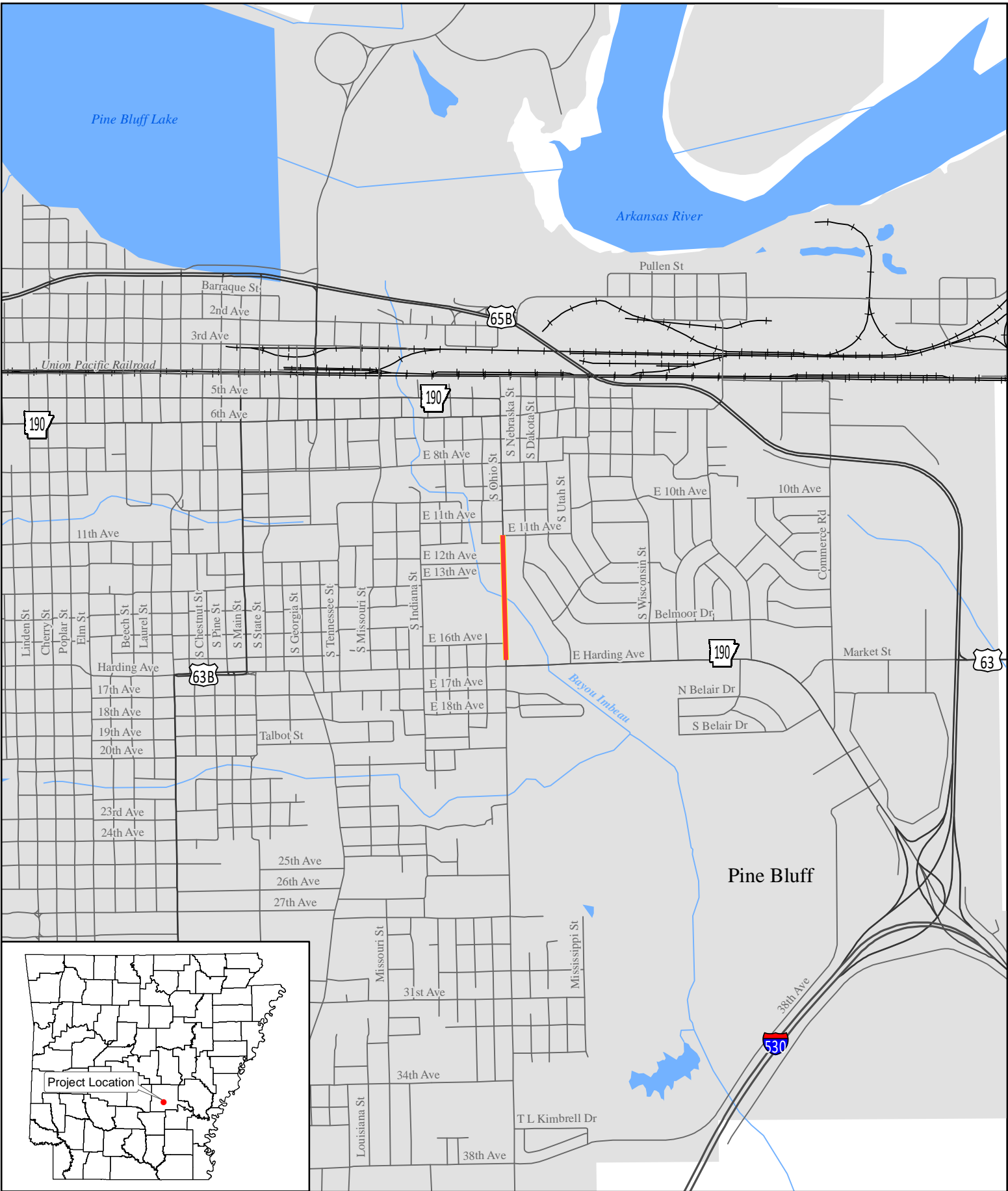
The project involves less than 0.1 acre of stream impacts. Construction of the project should be allowed under the terms of a Section 404 Nationwide Permit 14 for Linear Transportation Crossings as defined in Federal Register 82 (4):1860-2008.

The attached U.S. Fish and Wildlife Service species list identified the Piping Plover (*Charadrius melodus*) as a threatened species potentially occurring within the project area. Due to a lack of habitat and distance to known locations for the species, the proposed project would have “no effect” on listed species.

The City of Pine Bluff participates in the National Flood Insurance Program. The project lies within Zone AE, 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 would constitute a substantial floodplain encroachment or risk to property or life.

The proposed project would involve minor impacts to two historic properties eligible for inclusion in the National Register of Historic Places. The project would require 0.2 acre from the State Highway Department District 2 Complex and 0.01 acre from the Arthur J. Arney & Company Building. These historic properties are subject to protection under Section 4(f) of the Department of Transportation Act of 1966. Due to the minor property acquisition and that none of the eligible structures would be adversely affected, the project qualifies for a *de minimis* finding under Section 4(f). The Section 4(f) *de minimis* evaluation for these properties and State Historic Preservation Officer clearance are attached.

An open-forum public involvement meeting was held on April 30, 2019 at Coleman Intermediate School. A synopsis of this public involvement meeting is attached.



Job 020588
 11th Ave. - Harding Ave.
 (Hwy. 190) (Pine Bluff)
 Jefferson County

Project Location



THE DEPARTMENT OF ARKANSAS
HERITAGE

Asa Hutchinson
Governor

Stacy Hurst
Director

April 18, 2019

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

Arkansas Arts Council

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Arkansas Historic
Preservation Program

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Arkansas Natural
Heritage Commission

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Arkansas State Archives

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Delta Cultural Center

*

Historic Arkansas Museum

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Mosaic Templars
Cultural Center

*

Old State House Museum

RE: Jefferson County — Pine Bluff
Section 106 Review — FHWA
Response Letter: 11th Ave. – Harding Ave. (Hwy. 190) (Pine Bluff) (S)
Route 190, Section 5
ARDOT Job Number: 020588
AHPP Tracking Number: 102891.01

Dear Mr. Fleming:

The staff of the Arkansas Historic Preservation Program (AHPP) reviewed the cultural resources survey (CRS) for the above-referenced project. The proposed undertaking entails widening State Highway 190 from two 11-foot travel lanes with no shoulder to three 12-foot travel lanes with curbs and gutter. Additional work will include sidewalk construction from 11th Avenue to Harding Avenue in Pine Bluff. The length of the area of potential effects (APE) in .40 miles (.64 kilometers). The width of the proposed right-of- (ROW) will expand from 58 to 68 feet to 72 to 153 feet (at the bridge over Bayou Imbeau). The project will require acquisition of additional ROW.

The investigation documented one new archeological site: 3JE0513. The site appears to be the remnants of an early to mid-twentieth century structure. The AHPP concurs that Site 3JE0513 is not eligible for inclusion in the National Register of Historic Places (NRHP) pursuant to 36 CFR § 60.4.

The proposed undertaking will affect the State Highway Department District #2 Complex (AHPP Resource Number JE0908). The complex consists of five contributing Works Progress Administration buildings (4a-4f). In 2007, the property was determined eligible for inclusion in the NRHP under Criteria A and C. The ROW expansion will require acquisition of .21 acres of the property. The largest portion of this acquisition will be an existing paved parking lot. The remaining acquired area will include a fence and tree line. The AHPP concurs with the finding of No Adverse Effect pursuant to 36 CFR § 800.5(b) for JE0908.

Property 9 is a Quonset hut with vernacular stonework built in 1949. The property possesses integrity and retains the majority of its character defining features. The AHPP concurs that Property 9 is eligible for inclusion in the



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info@arkansaspreservation.org
www.arkansaspreservation.com

NRHP under Criterion C pursuant to 36 CFR § 60.4. Additional ROW expansion will require acquisition of .01 acres of a paved parking lot associated with Property 9. The AHPP concurs with the finding of No Adverse Effect pursuant to 36 CFR § 800.5(b) for Property 9.

The project is within an area of interest for several federally recognized tribes, including the Caddo Nation (Ms. Tamara Francis), the Cherokee Nation (Ms. Elizabeth Toombs), the Chickasaw Nation (Ms. Karen Brunso), the Choctaw Nation of Oklahoma (Mr. Daniel Ragle), the Jena Band of Choctaw Indians (Ms. Alina J. Shively), the Muscogee (Creek) Nation (Ms. Corain Lowe-Zepeda), the Osage Nation (Dr. Andrea Hunter), the Quapaw Nation (Mr. Everett Bandy), and the Shawnee Tribe of Oklahoma (Ms. Tonya Tipton). We recommend consultation in accordance with 36 CFR § 800.2(c)(2).

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

Sincerely,



Scott Kaufman
Director, AHPP

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



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:

May 06, 2019

Consultation Code: 04ER1000-2019-SLI-0827

Event Code: 04ER1000-2019-E-01579

Project Name: 11th Ave. - Harding Ave. (Hwy. 190) (Pine BLuff) (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.**

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

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found on our website.

Please visit our website at <http://www.fws.gov/arkansas-es/IPaC/home.html> for species-specific guidance to avoid and minimize adverse effects to federally endangered,

threatened, proposed, and candidate species. Our web site also contains additional information on species life history and habitat requirements that may be useful in project planning.

If your project involves in-stream construction activities, oil and natural gas infrastructure, road construction, transmission lines, or communication towers, please review our project specific guidance at <http://www.fws.gov/arkansas-es/IPaC/ProjSpec.html>.

The karst region of Arkansas is a unique region that covers the **northern third of Arkansas** and we have specific guidance to conserve sensitive cave-obligate and bat species. **Please visit <http://www.fws.gov/arkansas-es/IPaC/Karst.html> to determine if your project occurs in the karst region and to view karst specific-guidance.** Proper implementation and maintenance of best management practices specified in these guidance documents is necessary to avoid adverse effects to federally protected species and often avoids the more lengthy formal consultation process.

If your species list includes any mussels, Northern Long-eared Bat, Indiana Bat, Yellowcheek Darter, Red-cockaded Woodpecker, or American Burying Beetle, your project may require a presence/absence and/or habitat survey prior to commencing project activities. Please check the appropriate species-specific guidance on our website to determine if your project requires a survey. We strongly recommend that you contact the appropriate staff species lead biologist (see office directory or species page) prior to conducting presence/absence surveys to ensure the appropriate level of effort and methodology.

Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service, to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally-listed threatened or endangered fish or wildlife species without the appropriate permit.

Through the consultation process, we will analyze information contained in a biological assessment that you provide. If your proposed action is associated with Federal funding or permitting, consultation will occur with the Federal agency under section 7(a)(2) of the ESA. Otherwise, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA (also known as a habitat conservation plan) is necessary to harm or harass federally listed threatened or endangered fish or wildlife species. In either case, there is no mechanism for authorizing incidental take "after-the-fact." For more information regarding formal consultation and HCPs, please see the Service's Consultation Handbook and Habitat Conservation Plans at www.fws.gov/endangered/esa-library/index.html#consultations.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to

federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, **the accuracy of this species list should be verified after 90 days.** This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Arkansas Ecological Services Field Office

110 South Amity Suite 300

Conway, AR 72032-8975

(501) 513-4470

Project Summary

Consultation Code: 04ER1000-2019-SLI-0827

Event Code: 04ER1000-2019-E-01579

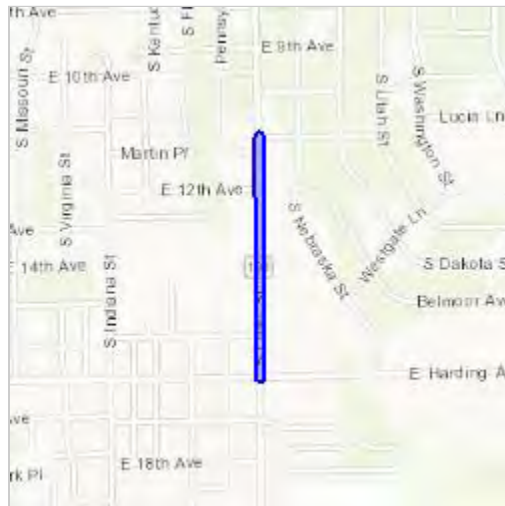
Project Name: 11th Ave. - Harding Ave. (Hwy. 190) (Pine Bluff) (S)

Project Type: TRANSPORTATION

Project Description: Minor widening including curb and gutter and sidewalks. Replace existing bridge over Outlet Canal.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.21582119589111N91.98949098587036W>



Counties: Jefferson, AR

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 Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
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

Critical habitats

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

**EVALUATION AND DOCUMENTATION OF A
DE MINIMIS FINDING TO SECTION 4(F) PROPERTY
FOR HISTORIC SITES**

ARDOT Job Number 020588
FAP Number STPC-9345(1)
11th Ave. - Harding Ave. (Hwy. 190) (Pine Bluff)
Jefferson County

The State Highway Department District 2 Complex
and
The Arthur J. Arney & Company Building

June 2019

Submitted Pursuant to 49 U.S.C. Section 303 and 23 U.S.C. Section 138 by the
U.S. Department of Transportation Federal Highway Administration and the
Arkansas Department of Transportation.

Section 4(f) Finding of *De Minimis* Impact

What is Section 4(f)?

Section 4(f) of the Department of Transportation Act of 1966 is intended to protect public parks, recreation areas, wildlife/waterfowl refuges, and important historic sites from being harmfully affected by transportation projects.

Does Section 4(f) apply to the State Highway Department District 2 Complex and the Arthur J. Arney & Company Building?

The State Highway Department District 2 Complex (Figure 1) and the Arthur J. Arney & Company Building (Figure 2) both qualify as historic sites; therefore, Section 4(f) applies. In 2007, the Arkansas State Historic Preservation Officer (SHPO) determined the State Highway Department District 2 Complex was eligible for inclusion in the National Register of Historic Places (NRHP). In 2019 in consultation with the SHPO regarding this project, the Arthur J. Arney & Company Building (Property 9) was also determined eligible for inclusion in the NRHP.



Figure 1. State Highway Department District 2 Complex

What properties does Section 4(f) protect?

Properties protected by Section 4(f) include significant publicly-owned parks, recreation areas, wildlife or waterfowl refuges, and historic site listed or eligible for listing in the NRHP with national, state, or local significance.

How is the significance of a historic site determined?

The NRHP criteria apply to determine if a property has enough significance to be a historic site. Such properties qualify only if they hold significance in American history, architecture, archeology, engineering, and culture and retain aspects of integrity, and are:

- A) associated with an event, broad patterns, or trends of history;
- B) associated with an important person(s);
- C) embody typical features of a type, period, or construction method, that represent the work of a master, or possess high artistic values; or
- D) that have or will likely yield significant information for history or prehistory.

(National Register Bulletin No.15:<https://www.nps.gov/NR/PUBLICATIONS/bulletins/nrb15/>)



Figure 2: Arthur J. Arney & Company Building

After we do an evaluation like this one, some Section 4(f) impacts can be recognized as “*de minimis*,” which means relatively minor. We will present information to prove no harmful impacts will occur to either historic site. We can use a Section 4(f) *de minimis* finding on projects that meet the conditions shown in Table 1. The *de minimis* impact determination finding does not require an evaluation of alternatives.

Table 1

When Can We Use A Section 4(f) <i>De Minimis</i> Finding on a Historic Site?	Does It Apply To This Project?
The Section 106 consultation process results in a determination of “no adverse effects” or “no historic properties affected”.	Yes
Written concurrence from the State Historic Preservation Officer (SHPO) that “no adverse effects” will occur to the historic sites.	Yes
FHWA through ARDOT informed SHPO that the <i>de minimis</i> impact determination was based on their written concurrence in accordance with 23 CFR 774.5(1)(ii).	Yes

What is the proposed road project?

The Arkansas Department of Transportation (ARDOT), in conjunction with the Federal Highway Administration (FHWA), proposes to do minor widening including an additional turn lane, curb-and-gutter, and sidewalks, along with a bridge replacement on Highway 190 in

SECTION 4(F) FINDING OF *DE MINIMIS* IMPACT

Jefferson County (Figure 3). See Figure 4 for the project location. This project requires minor right of way acquisition from both historic properties (shown in Figures 5 and 6).

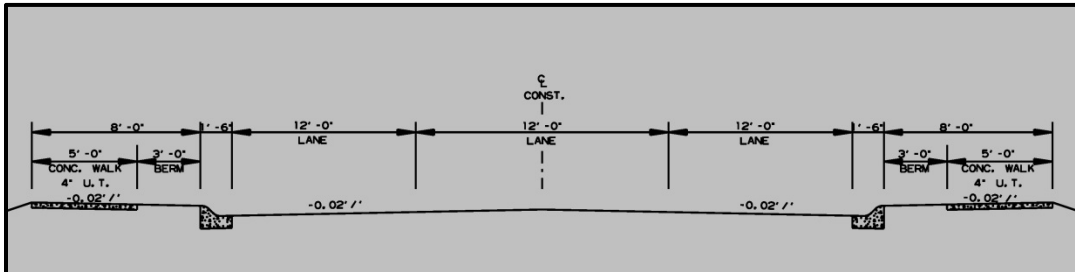


Figure 3: Design Typical Section for Job 020588

Why are these historic sites important?

State Highway Department District 2 Complex

The State Highway Department District 2 Complex is a notable example of a maintenance/automotive complex. The Works Progress Administration (WPA), a Depression-era New Deal program, built it in either 1938 or 1939. The complex served the Highway Department District 2 until 1966, when the City of Pine Bluff Street Department took ownership. The complex is composed of five contributing buildings and one sign, all of which are likely original to the complex.

While some alterations have occurred, the complex has retained the majority of its character-defining features and its use. The State Highway Department District 2 Complex is eligible for inclusion in the NRHP under Criterion A for its association with the WPA. It is also eligible under Criterion C as these buildings embody typical features and a construction method that represents the workmanship of the WPA.

Arthur J. Arney & Company Building

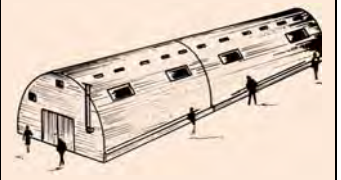
The Arthur J. Arney & Company Building is a good example of Quonset hut construction with the addition of vernacular stonework. The building retains the original shape, rectangular plan, and oversized side door and is a good representative of the post-war re-use of materials. The stonework on the front facade, likely added by Arney, remains a distinctive feature not commonly seen on Quonset huts. The Arthur J. Arney & Company Building is eligible for inclusion in the NRHP under Criterion C as a notable example of a Quonset hut structure in the post-war years.

What was the Works Projects Administration?

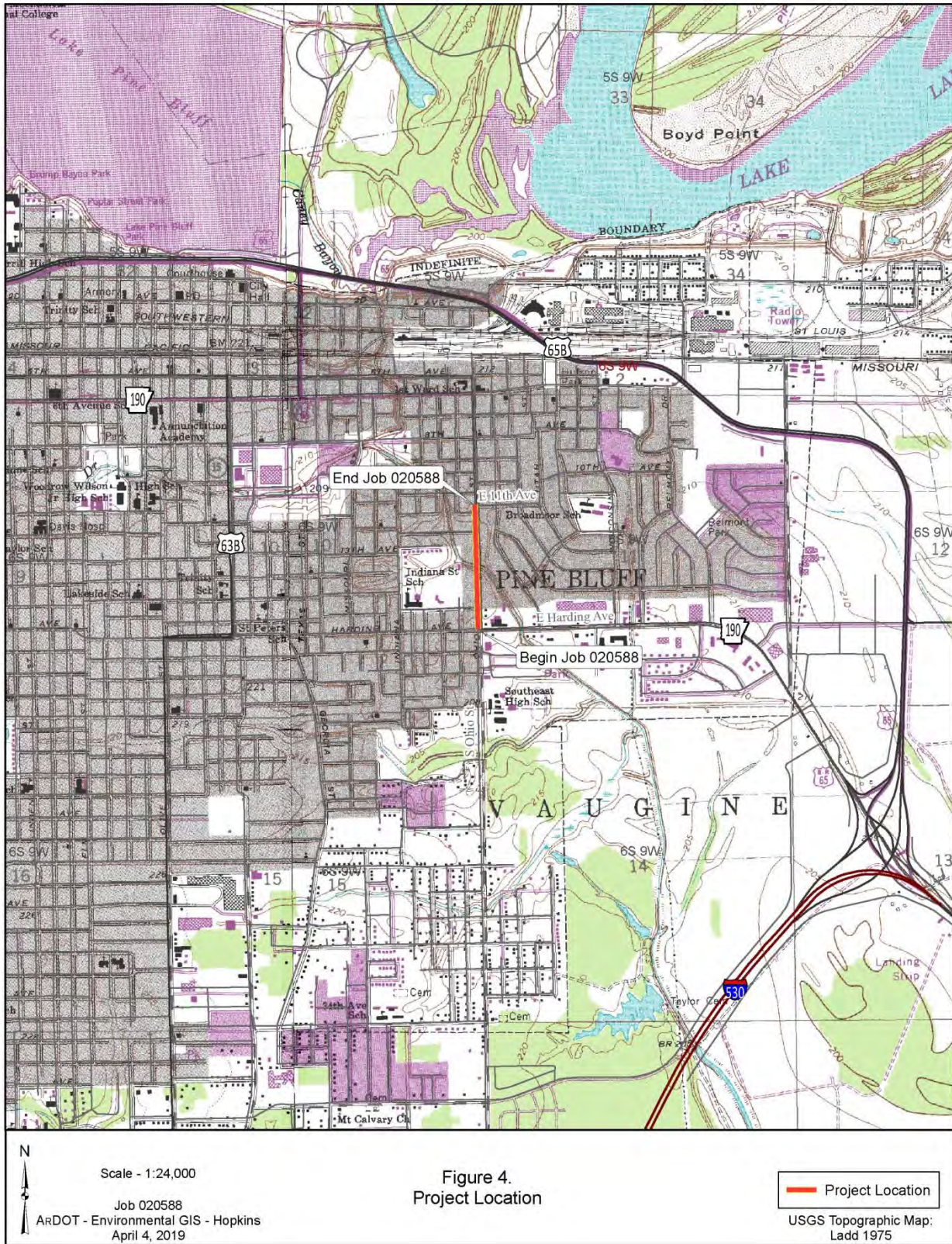
The Works Progress Administration (WPA), later renamed the Works Projects Administration in 1939, came into existence under President Franklin Delano Roosevelt's New Deal. WPA operations in Arkansas dated from 1935 through June 1943. The program employed Arkansians to construct roads, bridges, and culverts, as well as some public buildings. The WPA structures are known for craftsmanship created through concrete and stone construction.

What is a Quonset hut?

Quonset huts display a metal outer shell in a half-cylinder shape with a rectangular plan. These structures originated in World War I for ease of installing, dismantling, and transporting. Originally intended for defense and worker housing, the United States military began selling surplus Quonset huts following World War II.



SECTION 4(F) FINDING OF *DE MINIMIS* IMPACT



How will the project affect the historic sites?

State Highway Department District 2 Complex

The roadway improvements will require 0.21 acres (9,148 square feet) of the State Highway Department District 2 Complex land to be acquired on the west side of Highway 190, as shown in Figure 5. The acquired acres include a fence denoting the current property boundary and a line of oak and pine trees along 157 feet of the 461-foot fence. The proposed right of way (ROW) will likely include the entire tree barrier, which may not have been original to the property. The trees provide little vegetative screen for the complex, so no visual impacts will occur. The impacts will not affect the use of the complex. Vehicular access will remain at existing locations.



Figure 5. Proposed ROW to be acquired from the State Highway Department District 2 Complex

How are impacts to historic sites determined?

The National Historic Preservation Act of 1966, includes a provision for historic properties known as Section 106 that applies if federal funds, permits, or properties are involved. Section 106 is implemented in 36 CFR Part 800. These regulations require consultation with the SHPO.

Impacts may be direct, indirect, or foreseeable.

The lead federal agency must determine if the effects of the project alter the characteristics of a historic property that qualify it for inclusion in the National Register of Historic Places in a manner that diminishes the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

SECTION 4(F) FINDING OF *DE MINIMIS* IMPACT

The minor reduction in acreage from the property will not greatly alter the existing setting or any of the characteristics of the site that convey its historic significance. The archeological survey failed to find any intact deposits or features within the proposed ROW. Through consultation with the SHPO, a finding of No Adverse Effect for the State Highway Department District 2 Complex was proposed and agreed upon pursuant to 36 CFR § 800.5(b).

Arthur J. Arney & Company Building

The improvements will require 0.01 acres (436 square feet) of the Arthur J. Arney & Company Building land to be acquired on the east side of Highway 190. The impacts are shown in Figure 6. A concrete/asphalt parking lot is directly adjoined to the roadway. The proposed ROW will include most, if not all, of the current parking lot.

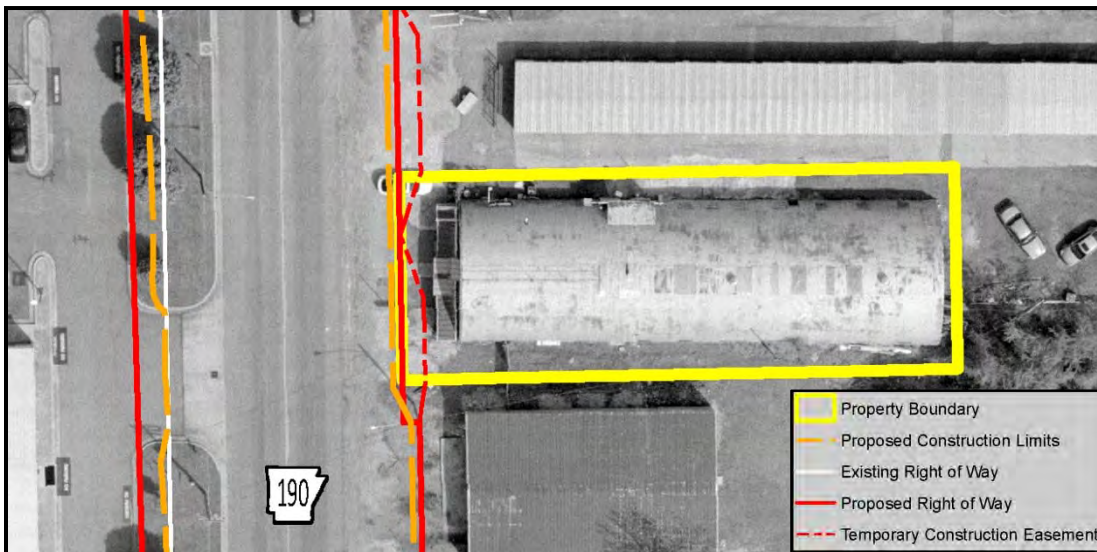


Figure 6. Proposed ROW to be acquired from the Arthur J. Arney & Company Building

No visual impacts are expected to occur. A concrete/asphalt surface already exists directly in front of the building, so moving the roadway closer to the building will not diminish the integrity of setting. The minor reduction of acreage from the property will not alter any of the characteristics of the site that convey its significance. Through consultation with the SHPO, a finding of No Adverse Effect to the Arthur J. Arney & Company Building was proposed and agreed upon pursuant to 36 CFR § 800.5(b).

What was done to reduce harm to the historic sites?

The historic sites are on opposite sides of the current two-lane road. ROW acquisition from only one side of the roadway would have potentially resulted in an Adverse Effect determination to one of the historic sites. The improvements were centered along the roadway to reduce ROW acquisition on both sides of the roadway and reduce harm to the historic sites.

Who was involved in this evaluation?

A Public Notice in the local newspaper has invited everyone to review and comment on the proposed project’s impacts. No comments regarding impacts to the State Highway Department District 2 Complex or the Arthur J. Arney & Company Building were received.

A public involvement meeting was held on April 30, 2019. At this meeting, the proposed project’s impacts were presented on displays and handouts, with the opportunity to comment on the project. No comments regarding impacts to the State Highway Department District 2 Complex or the Arthur J. Arney & Company Building were received.

The SHPO has agreed that this project will have No Adverse Effect on the State Highway Department District 2 Complex and the Arthur J. Arney & Company Building. SHPO correspondence is included in Appendix A.

What is the decision?

This evaluation shows that the proposed roadway improvements will not harm the protected features or qualities that make the historic sites important under Section 4(f), thus qualifying for a *de minimis* finding on the State Highway Department District 2 Complex and the Arthur J. Arney & Company Building.

How is a *de minimis* impact determination reached?

A *de minimis* impact is one that, after taking into account any measures to minimize harm (such as avoidance, minimization, mitigation or enhancement measures), results in either:

- A) A Section 106 finding of no adverse effect or no historic properties affected on a historic property; or
- B) A determination that the project would not adversely affect the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f).

APPENDIX A

SHPO COORDINATION



THE DEPARTMENT OF ARKANSAS
HERITAGE

Asa Hutchinson
Governor

Stacy Hurst
Director

January 31, 2019

**RECEIVED
ARDOT**

FEB 04 2019

**ENVIRONMENTAL
DIVISION**

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

Arkansas Arts Council

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Arkansas Historic
Preservation Program

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Arkansas Natural
Heritage Commission

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Arkansas State Archives

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Delta Cultural Center

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Historic Arkansas Museum

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Mosaic Templars
Cultural Center

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Old State House Museum

RE: Jefferson County – Pine Bluff
Section 106 Review – FHWA
ARDOT Job Number 020588
Request for Technical Assistance
11th Ave. – Harding Ave. (S)
Route 190, Section 5
AHPP Tracking Number 102891

Dear Mr. Fleming:

This letter is written in response to your inquiry regarding properties of architectural or historical significance in the area of the proposed referenced project. The staff of the Arkansas Historic Preservation Program (AHPP) has reviewed the documents for the structure included in your letter of January 30, 2019. We concur that Properties 4/JE0908-4f and 9 are eligible for inclusion in the National Register of Historic Places (NRHP) while Properties 1-3a, 5-8, 10-14 are not eligible.

Tribes that have expressed an interest in the area include the Caddo Nation (Ms. Tamara Francis), the Cherokee Nation (Ms. Elizabeth Toombs), the Chickasaw Nation (Ms. Karen Brunso), the Choctaw Nation of Oklahoma (Dr. Ian Thompson), the Jena Band of Choctaw Indians (Ms. Alina J. Shively), the Muscogee (Creek) Nation (Ms. Corain Lowe-Zepeda), the Osage Nation (Dr. Andrea Hunter), the Quapaw Nation of Oklahoma (Mr. Everett Bandy), and the Shawnee Tribe of Oklahoma (Ms. Tonya Tipton). We recommend that they be consulted in accordance with 36 CFR § 800.2 (c) (2).

Once the undertaking is further along in the planning stages, we look forward to reviewing the proposed project. If you should have any questions or comments, please do not hesitate to contact Theresa Russell of my staff at (501)-324-9357.

Sincerely,

Scott Kaufman
Director, AHPP

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



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Little Rock, AR 72201

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www.arkansaspreservation.com

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THE DEPARTMENT OF ARKANSAS
HERITAGE

Asa Hutchinson
Governor

Stacy Hurst
Director

April 18, 2019

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

Arkansas Arts Council

*

Arkansas Historic
Preservation Program

*

Arkansas Natural
Heritage Commission

*

Arkansas State Archives

*

Delta Cultural Center

*

Historic Arkansas Museum

*

Mosaic Templars
Cultural Center

*

Old State House Museum

RE: Jefferson County — Pine Bluff
Section 106 Review — FHWA
Response Letter: 11th Ave. – Harding Ave. (Hwy. 190) (Pine Bluff) (S)
Route 190, Section 5
ARDOT Job Number: 020588
AHPP Tracking Number: 102891.01

Dear Mr. Fleming:

The staff of the Arkansas Historic Preservation Program (AHPP) reviewed the cultural resources survey (CRS) for the above-referenced project. The proposed undertaking entails widening State Highway 190 from two 11-foot travel lanes with no shoulder to three 12-foot travel lanes with curbs and gutter. Additional work will include sidewalk construction from 11th Avenue to Harding Avenue in Pine Bluff. The length of the area of potential effects (APE) is .40 miles (.64 kilometers). The width of the proposed right-of-way (ROW) will expand from 58 to 68 feet to 72 to 153 feet (at the bridge over Bayou Imbeau). The project will require acquisition of additional ROW.

The investigation documented one new archeological site: 3JE0513. The site appears to be the remnants of an early to mid-twentieth century structure. The AHPP concurs that Site 3JE0513 is not eligible for inclusion in the National Register of Historic Places (NRHP) pursuant to 36 CFR § 60.4.

The proposed undertaking will affect the State Highway Department District #2 Complex (AHPP Resource Number JE0908). The complex consists of five contributing Works Progress Administration buildings (4a-4f). In 2007, the property was determined eligible for inclusion in the NRHP under Criteria A and C. The ROW expansion will require acquisition of .21 acres of the property. The largest portion of this acquisition will be an existing paved parking lot. The remaining acquired area will include a fence and tree line. The AHPP concurs with the finding of No Adverse Effect pursuant to 36 CFR § 800.5(b) for JE0908.

Property 9 is a Quonset hut with vernacular stonework built in 1949. The property possesses integrity and retains the majority of its character defining features. The AHPP concurs that Property 9 is eligible for inclusion in the



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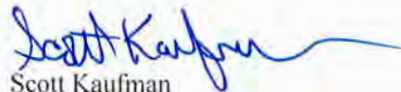
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NRHP under Criterion C pursuant to 36 CFR § 60.4. Additional ROW expansion will require acquisition of .01 acres of a paved parking lot associated with Property 9. The AHPP concurs with the finding of No Adverse Effect pursuant to 36 CFR § 800.5(b) for Property 9.

The project is within an area of interest for several federally recognized tribes, including the Caddo Nation (Ms. Tamara Francis), the Cherokee Nation (Ms. Elizabeth Toombs), the Chickasaw Nation (Ms. Karen Brunso), the Choctaw Nation of Oklahoma (Mr. Daniel Ragle), the Jena Band of Choctaw Indians (Ms. Alina J. Shively), the Muscogee (Creek) Nation (Ms. Corain Lowe-Zepeda), the Osage Nation (Dr. Andrea Hunter), the Quapaw Nation (Mr. Everett Bandy), and the Shawnee Tribe of Oklahoma (Ms. Tonya Tipton). We recommend consultation in accordance with 36 CFR § 800.2(c)(2).

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

Sincerely,



Scott Kaufman
Director, AHPP

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

PUBLIC INVOLVEMENT SYNOPSIS

Job Number 020588: 11th Ave. – Harding Ave. (Hwy. 190) (Pine Bluff) (S)

&

Job Number 020628: I-530 – Hwy. 79B (Franklin St. & 6th Ave.) (S)

Jefferson County

Tuesday, April 30, 2019

An open forum public involvement meeting for the proposed Highway 190 improvement projects in Pine Bluff was held at Coleman Intermediate School from 4:00 – 7:00 p.m. on Tuesday, April 30, 2019. Efforts to involve minorities and the public in the meeting included flyers distributed to the local residents on April 16, 2019, a display ad in the *Pine Bluff Commercial* on April 20 and 27, 2019, and a public service announcement that ran on Cumulus Media-Power 92.3FM from April 27-30, 2019.

The following information was available for inspection and comment. Small-scale copies of the displays are attached.

- Preliminary design of the proposed projects
- Aerial map of the project area

Handouts for the public included a comment sheet and a small-scale map the project location. Copies of these are attached.

Table 1 describes the results of the public participation at the meeting.

TABLE 1	
Public Participation	Totals
Attendance at meeting (including ARDOT staff)	50
Comments received	15

ARDOT staff reviewed all comments received and evaluated their contents. The summary of comments listed below reflects the personal perception or opinion of the person or organization making the statement. The sequencing of the comments is random and is not intended to reflect importance or numerical values. Some of the comments were combined and/or paraphrased to simplify the synopsis process.

An analysis of the responses received as a result of the public survey is shown in Table 2.

Comment Form Results	Totals
Believes there is a need for the proposed projects	11
Does not believe there is a need for the proposed projects	2
Knowledge of cultural resources sites	2*
Knowledge of environmental constraints	2**
Believes beneficial impacts due to the proposed projects	8
Believes adverse impacts due to the proposed projects	3
Did not indicate beneficial or adverse impacts	2

*Comments mentioned an old church building and cemetery

**Comments mentioned old junk yards with scrap metal and cars

A listing of general comments concerning the proposed project follows:

- The projects would provide much-needed drainage improvements.
- The existing deep ditches are a safety hazard.
- The proposed sidewalks are not needed.
- The streets need to be widened and paved.
- The project would attract crime and more traffic in a safe, crime-free area.
- The project would reduce the available yard space for adjacent property owners.
- The proposed sidewalks are needed as pedestrians are currently walking on streets.
- Relocation of structures would have an adverse impact on properties.
- Relocation of the sanitary sewers should be considered as the highway will become city property after the improvements are complete.
- The current traffic volumes do not justify the investment of time and money involved in the proposed projects.
- The proposed projects would adversely affect area businesses, especially due to the road closure associated with the bridge replacement.
- The proposed projects would improve traffic flow now and for future development.
- The old highway should be built to current standards.
- The proposed projects would improve aesthetics in the area.
- The existing streets are too narrow.
- The proposed projects would improve property values in the area.

Job Numbers 020588 & 020628 - PI Synopsis

April 30, 2019

Page 3 of 3

Attachments: Public handouts, including blank comment form
Small-scale display copies

RJ RT
DN DN
SS: tt

**ARKANSAS DEPARTMENT OF TRANSPORTATION (ARDOT)
CITIZEN COMMENT FORM**

AHTD JOB NUMBERS

**020588 – 11th Ave. - Harding Ave. (Hwy. 190) (Pine Bluff)
020628 – I-530 - Hwy. 79B (Franklin St. & 6th Ave.)
JEFFERSON COUNTY**

LOCATION:

**COLEMAN INTERMEDIATE SCHOOL
(CAFETERIA)
4600 W. 13TH AVENUE
PINE BLUFF, AR
4:00 – 7:00 P.M.
TUESDAY, APRIL 30, 2019**

Make your comments on this form and leave it with ARDOT personnel at the meeting or mail it by 4:30 p.m. on **Wednesday, May 15, 2019** to: Arkansas Department of Transportation, Environmental Division, Post Office Box 2261, Little Rock, Arkansas 72203-2261. Email: environmentalpimeetings@ardot.gov.

Yes

No

Do you feel there is a need for the proposed widening of Hwy. 190 between 11th Avenue and Harding Avenue and between I-530 and U.S. Highway 79B (Franklin St. and 6th Ave.) in Pine Bluff? Comment (optional) _____

Do you know of any historical sites, family cemeteries, or archaeological sites in the project area? Please note and discuss with staff. _____

Do you know of any environmental constraints, such as endangered species, hazardous waste sites, existing or former landfills, or parks and public lands in the vicinity of the project? Please note and discuss with ARDOT staff. _____

Yes No

Does your home or property offer any limitations to the project, such as septic systems, that the Department needs to consider in its design? _____

Do you have a suggestion that would make this proposed project better serve the needs of the community? _____

Do you feel that the proposed improvements project will have any impacts (Beneficial or Adverse) on your property and/or community (economic, environmental, social, etc.)? Please explain. _____

It is often necessary for ARDOT to contact property owners along potential routes. If you are a property owner along or adjacent to the route under consideration, please provide information below. Thank you.

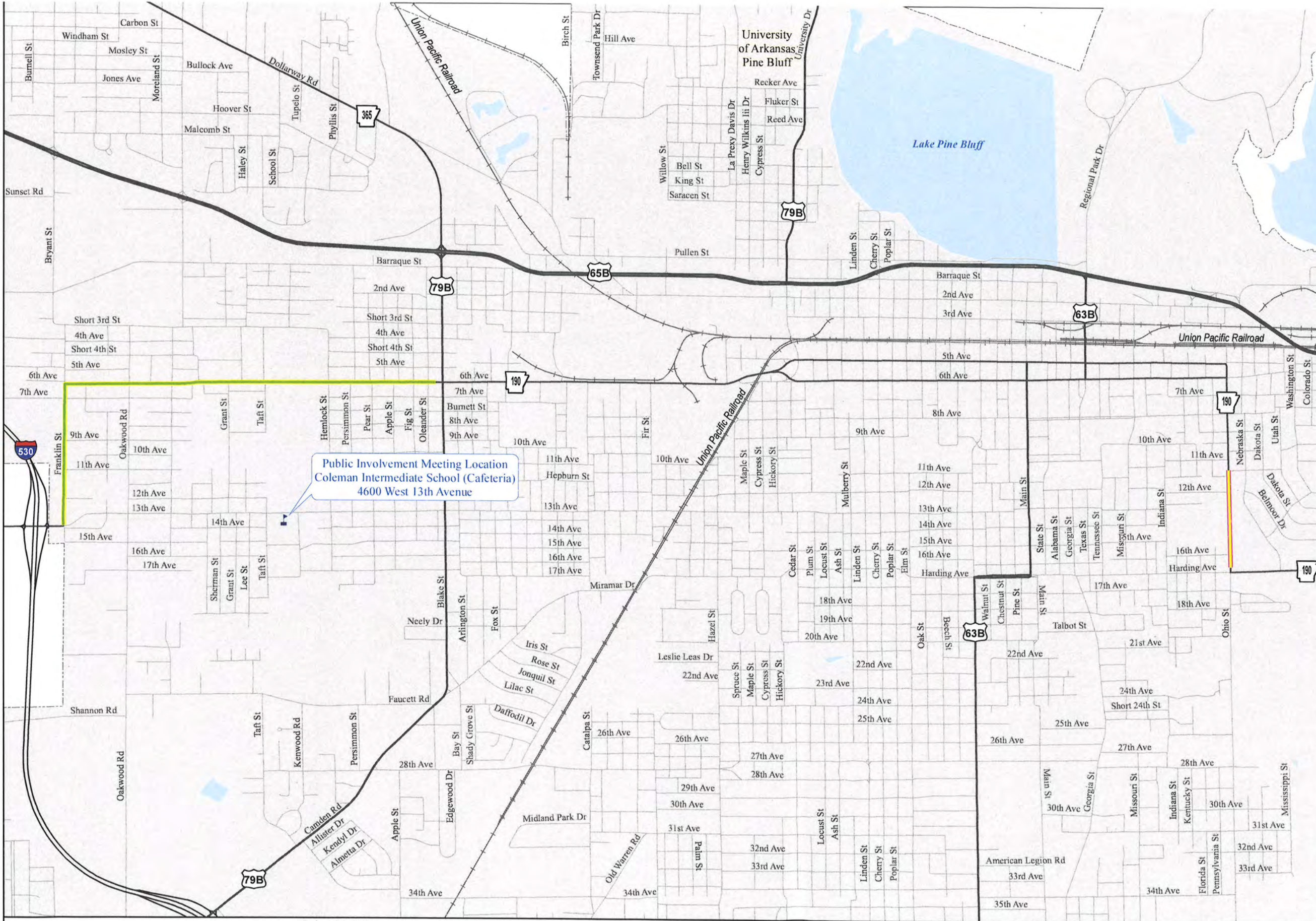
Name : _____ (Please Print)

Address: _____ Phone: (____) _____ -- _____

E-mail: _____

Please make additional comments here. _____

For additional information, please visit our website at www.ardot.gov



Public Involvement Meeting Location
 Coleman Intermediate School (Cafeteria)
 4600 West 13th Avenue

Notes:

N
 0 1,000 2,000
 Feet
 ARDOT - Environmental GIS - Hopkins
 Map Date - April 24, 2019
 Meeting Date - April 30, 2019
 Public Involvement Meeting Handout

Job 020628
 Interstate 530 - Highway 79B
 (Franklin Street and 6th Avenue)
 (Highway 190)
 Jefferson County

Project Location



Job 020588
 11th Ave. - Harding Ave.
 (Hwy. 190) (Pine Bluff)
 Jefferson County

Project Location

Preliminary
 Subject to Revision

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

ARDOT Job Number 020588 FAP Number STPC-9345(41)

Job Title 11th Ave. – Harding Ave. (Hwy. 190) (Pine Bluff) (S)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impacts anticipated
Cultural Resources		X		"No adverse effects" to historic properties
Economic	X			No impacts anticipated
Endangered Species	X			"No effect" to all listed species
Environmental Justice/Title VI	X			No protected populations in project area
Fish and Wildlife		X		Temporary during construction
Floodplains		X		Within SFHA, Zone AE
Forest Service Property	X			None in project area
Hazardous Materials/Landfills	X			None known in project area
Land Use		X		1.3 acre ROW, 0.2 acre TCE
Migratory Birds	X			Migratory Bird SP added to contract
Navigation/Coast Guard	X			None in project area
Noise Levels	X			No increases due to project
Prime Farmland	X			None in project area
Protected Waters	X			None in project area
Public Recreation Lands	X			None in project area
Public Water Supply/WHPA	X			No impacts anticipated
Relocatees	X			No relocations
Section 4(f)/6(f)	X			De minimis 4f attached
Social	X			No impacts anticipated
Underground Storage Tanks	X			No impacts anticipated
Visual		X		Temporary construction impacts; beneficial permanent impacts
Streams		X		< 0.1 acre
Water Quality		X		Temporary during construction
Wetlands	X			No impacts anticipated
Wildlife Refuges	X			None in the project area

Section 401 Water Quality Certification Required? No

Short-term Activity Authorization Required? Yes

Section 404 Permit Required? Yes Type Nationwide Permit #14

Remarks: _____

Signature of Evaluator Susan Staffeld Date August 8, 2019

Date Sent: April 17, 2019

ROADWAY DESIGN REQUEST

Job Number 020588 FAP No. _____ County Jefferson

Job Name 11th Ave. – Harding Ave. (Hwy. 190) (Pine Bluff) (S)

Design Engineer Taylor Clark Environmental Staff _____

Brief Project Description Minor widening including curb and gutter and sidewalks. Replace bridge No.02875.

A. Existing Conditions:

Roadway Width: 38' (C&G) Shoulder Type/Width: 1' (C&G)
32' (OS) 4' Unpaved (OS)

Number of Lanes and Width: 2-3 @ 12' Existing Right-of-Way: 57' Avg.

Sidewalks? yes Location: Beginning and end of project Width: 5'

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

B. Proposed Conditions:

Roadway Width: 38' Shoulder Type/Width: 1' (Curb and Gutter)

Number of Lanes and Width: (3) 12' Proposed Right-of-Way: 116' Avg.

Sidewalks? yes Location: Entire project Width: 5'

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

C. Construction Information:

If detour: Where: N/A Length: N/A

D. Design Traffic Data:

2019 ADT: 6200 2039 ADT: 6800 % Trucks: 2
Design Speed: 35 m.p.h.

E. Approximate total length of project: 0.38 mile(s)

F. Justification for proposed improvements: Refer to Planning and Research study reports, Bridge ratings, etc.

G. Total Relocates: N/A Residences: N/A Businesses: N/A

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

Agency/Official	Person Contacted	Date

BRIDGE INFORMATION - PRELIMINARY - REVISED

Job Number: 020588 FAP Number: STPC-9345(41) County: Jefferson
 Job Name: 11th Ave. - Harding Ave. (Hwy. 190)(Pine Bluff) (S)
 Design Engineer: Jim Pool Environmental Staff: Clint Hutcheson/Susan Staffeld

A. Description of Existing Bridge:

1. Bridge Number: 02875 over Outlet Canal
2. Location: Rte.: 190 Section: 5 Log Mile: 6.89
3. Length: 86.3 ft Br. Rdwy. Width: 28 ft Deck Width (Out-to-Out): 35.5 ft
4. Type Construction: 4 steel I-beam spans supported by precast concrete pile bents
5. Deficiencies: Functionally Obsolete
6. HBRRP Eligibility: Qualif. Code: FO Sufficiency Rating: 74.8
7. Are any Condition Component Ratings at 3 or less? No

B. Proposed Improvements:

1. Length: 96.5 ft Br. Rdwy. Width: 38 ft Deck Width (Out-to-Out): 53.5 ft
2. Travel Lanes: Three 12' lanes
3. Shoulder Width: NA
4. Sidewalks? yes Location: Both sides of bridge Width: 6.5 ft

C. Construction Information:

1. Location in relation to existing bridge: Same location
2. Superstructure Type: 95'-6" Integral Prestressed Concrete Girder Unit
3. Span Lengths: Three Spans: 31.75'-32'-31.75'
4. Substructure Type: Concrete Pile Bents
5. Ordinary High Water Elev. (OHW): 200 No. of Bents inside OHW Contours: 2
6. Concrete Volume below OHW: NA yd³ Vol. Bent Excavation: NA yd³ Vol. Backfill: NA yd³
7. Is Channel Excavation below OHW Required? No Surface Area: _____ ft² Volume: _____ yd³
8. Is Fill below OHW Req'd.? No Surface Area: _____ ft² Volume: _____ yd³
9. Is Riprap below OHW required? No Volume: _____ yd³

D. Work Road Information:

1. Is Work Road(s) required? Yes Location: C.L. Work Road approx. 46.5' left of C.L. Construction
Top Width: 20 ft
2. Is Fill below OHW required? Yes Surface Area: 1,290 ft² Volume: 110 yd³
3. Are Pipes required to meet Backwater Criteria? Yes Waterway Opening: 37.7 ft²

E. Detour Information:

1. Is a detour bridge required? No Location in relation to Existing Br.: _____
2. Length: _____ ft Br. Rdwy. Width: _____ ft Deck Elevation: _____
3. Volume of Fill below OHW: _____ yd³ Surface Area: _____ ft²

F. Coordination with Outside Agencies (e.g., FHWA, City, County, C of E, USCG):

Has Bridge Division coordinated with any outside agencies? No

Agency	Person Contacted	Date