





# INTEROFFICE MEMORANDUM

February 22, 2024

**TO:** Master Files

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

**SUBJECT:** Job 012479, Hwys. 100 & 167 Cable Median Barrier Impvts. (S)  
Job 012480, Hwy. 412 Cable Median Barrier Impvts. (S)  
Various Routes, Various Sections  
Various Counties  
Tier 1 Categorical Exclusion

The proposed projects would install cable median barriers to highways that have been identified as high priority locations in a recent statewide median crossover study. Tables and project location maps are attached that outline the proposed locations.

The projects would not involve relocations, prime farmlands, wetlands, underground storage tanks, hazardous materials, any environmental justice issues, or cultural resources. These projects have 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. The cultural resources clearances are attached.

The official species lists obtained through the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation identified the following species as potentially occurring within the project areas: Gray Bat (*Myotis grisescens*), Indiana Bat (*Myotis sodalis*), Northern Long-eared Bat (*Myotis septentrionalis*), Ozark Big-eared Bat (*Corynorhinus townsendii ingens*), Tricolored Bat (*Perimyotis subflavus*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Red-cockaded Woodpecker (*Picoides borealis*), Alligator Snapping Turtle (*Macrochelys temminckii*), Ozark Cavefish (*Amblyopsis rosae*), Ouachita Fanshell (*Cyprogenia sp. cf. aberti*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*), Winged Mapleleaf (*Quadrula fragosa*), Missouri bladderpod (*Physaria filiformis*), and Monarch Butterfly (*Danaus plexippus*). The official species list is attached. These projects will have "no effect" on the aforementioned species due to the limited scope of the action, lack of suitable habitat, and distance to known species locations.

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

These projects would not have a discharge of dredged or fill material into waters of the United States; therefore, a Section 404 permit will not be required.

After appropriate environmental review, it has been determined that the subject jobs are 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 these projects.

Attachments

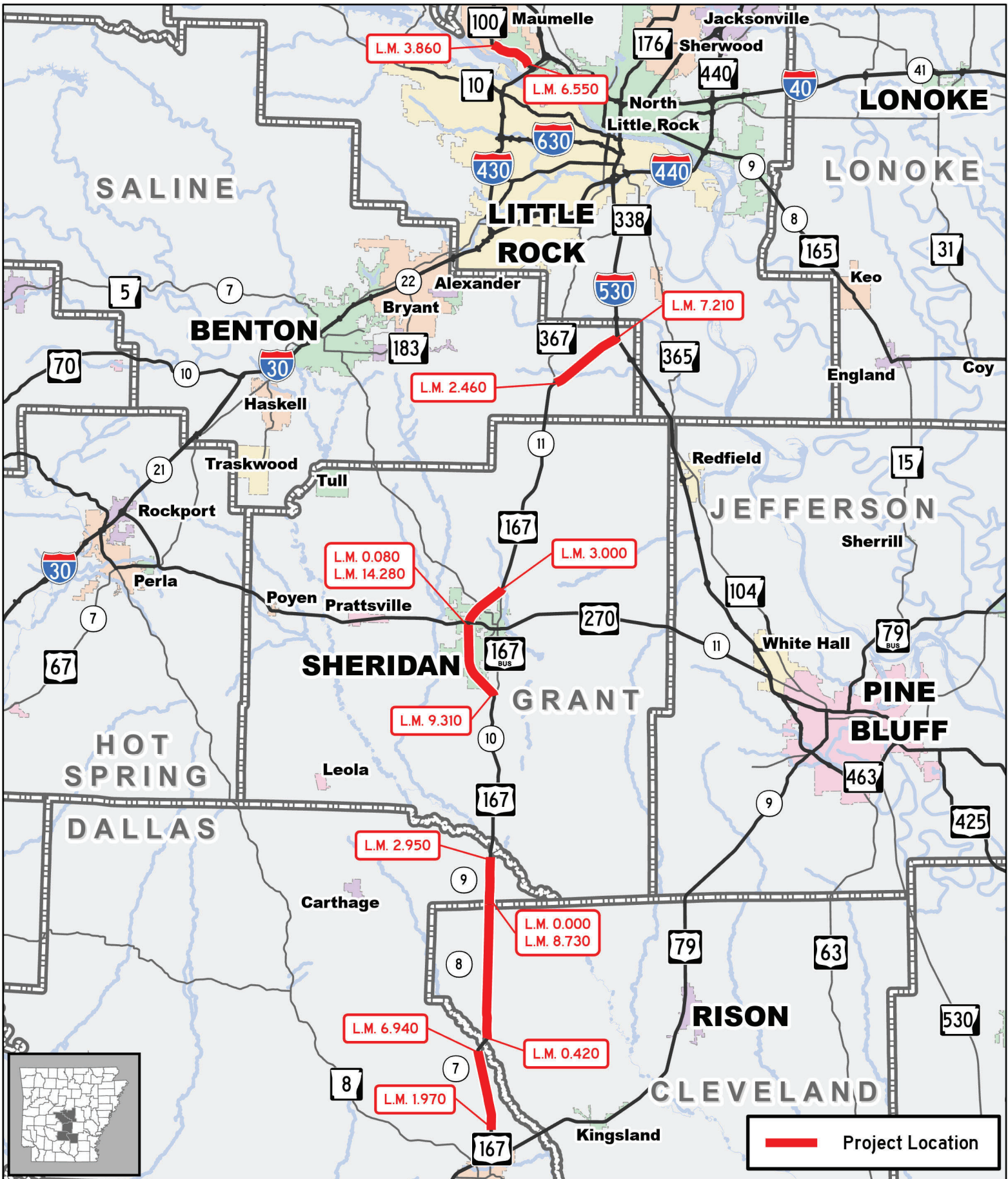
c: Program Management  
Right of Way  
Roadway Design  
Districts 2, 4, 6, 7 & 9  
FHWA

JF:DH:sw

### Cable Median Barrier Locations

Job 012479						
County	Route	Section	Begin Logmile	End Logmile	Length (miles)	Median Type
Pulaski	100	0	3.860	6.550	2.690	Unprotected
Dallas	167	7	1.970	6.940	4.970	Unprotected
Cleveland	167	8	0.420	8.730	8.310	Unprotected
Dallas	167	9	0.000	2.950	2.950	Unprotected
Grant	167	10	9.310	14.280	4.970	Unprotected
Grant	167	11	0.080	3.000	2.920	Unprotected
Saline	167	12	2.460	7.210	4.750	Unprotected

Job 012480						
County	Route	Section	Begin Logmile	End Logmile	Length (miles)	Median Type
Washington	412	2	18.130	24.990	6.860	Unprotected
Madison	412	3	0.000	10.150	10.150	Unprotected



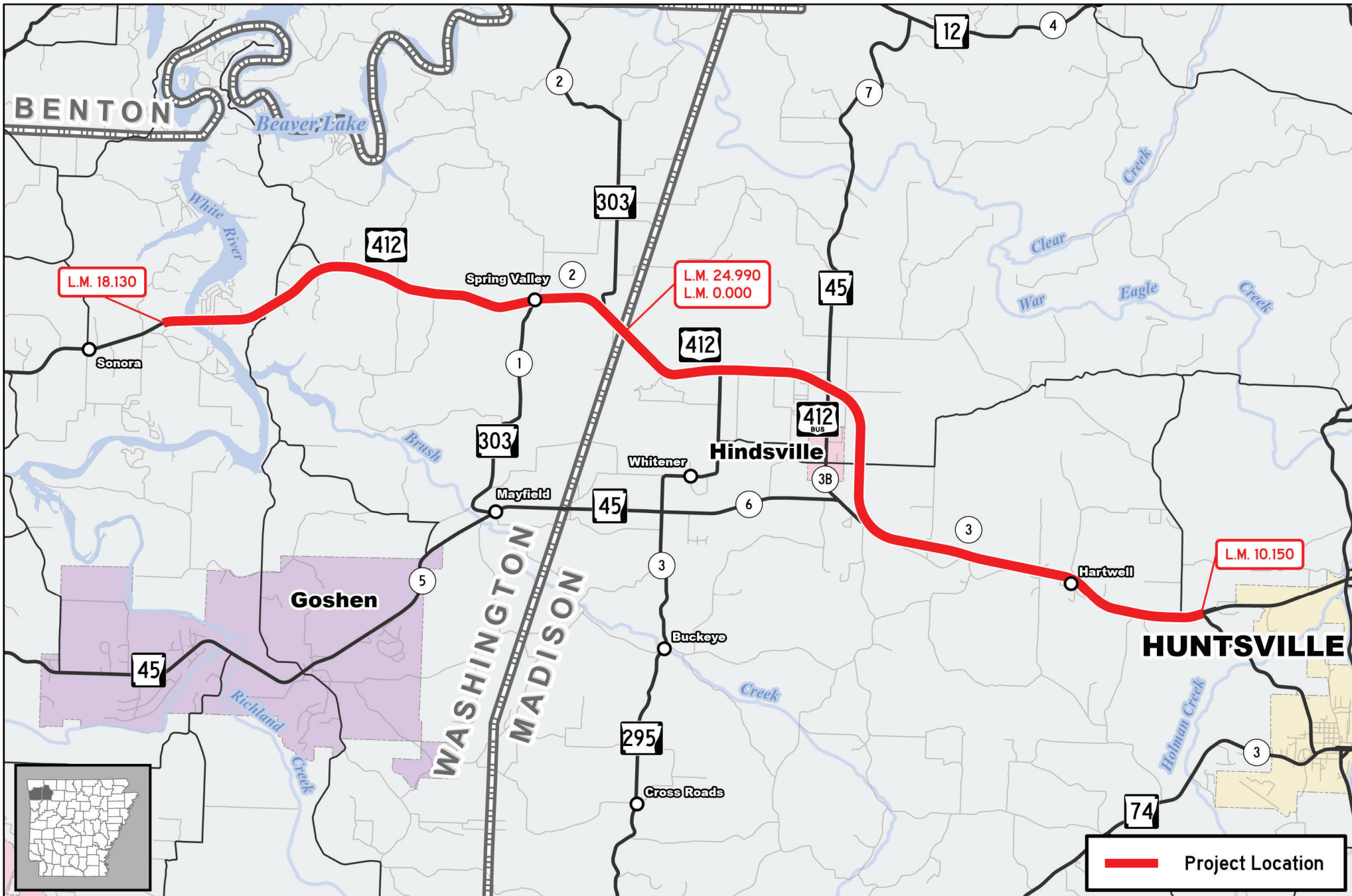
# Job 012479

## Hwys. 100 & 167 Cable Median Barrier Impvts. (S)

Hwy. 100, Sec. 0  
 Hwy. 167, Various Secs.  
 Various Counties







# Job 012480

## Hwy. 412 Cable Median Barrier Impvts. (S)

Hwy. 412, Secs. 2 & 3  
Madison & Washington Counties

0 0.5 1 2  
Miles




## INTEROFFICE MEMORANDUM

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October 11, 2023

**TO:** Environmental Job File

**FROM:** Jason Eads, Cultural Resources Section  


**SUBJECT:** Cultural Resources Clearance  
Job 012479  
Hwys. 100 & 167 Cable Median Barrier Impvts. (S)  
Route 100, Section 0  
Route 167, Various Sections  
Various Counties

This job proposes 31.56 miles of cable median barriers on Highways 100 and 167, in Pulaski, Dallas, Cleveland, Grant, and Saline Counties.

A records review included an examination of site files at the Arkansas Archeological Survey's (ARAS) database for previously recorded archeological sites and the Arkansas Historic Preservation Program's (AHPP) database for structures, properties or features eligible for or listed on the National Register of Historic Places (NRHP). Map review included the 1819, 1822, 1827, 1845, 1858, and 1865 General Land Office (GLO) plats of Township 2 North, Range 13 West; Township 2 South, Range 12 West; Township 4 South, Range 13 West; Township 5 South, Range 13 West; Township 7 South, Range 13 West; Township 8 South, Range 13 West; Township 9 South, Range 13 West; Township 10 South, Range 13 West; the 1936 Pulaski, Dallas, Cleveland, Grant, and Saline County Highway and Transportation maps; and the 7.5' Pinnacle Mountain (1986), North Little Rock (1986), Spring Lake (1987), Ivan (1985), Fordyce (1985), Sheridan (1984), and Bunn (1984), ARK topographic maps.

The review of the ARAS and the AHPP databases identified four sites (3DA0481, 3CV0047, and 3CV0048- GLO fields with houses and 3DA0659-

historic scatter, destroyed) near the project limits. The 1865 GLO plat shows the GLO fields and houses that were recorded as sites 3DA0481, 3CV0047, and 3CV0048. None of the other resources reviewed indicated any potential cultural resources in or near the project.

The highway infrastructure and known construction practices were examined to assess previous ground disturbance. This type of undertaking will not affect historic properties. All work will take place 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 19, of the 2021 Programmatic Agreement.




## INTEROFFICE MEMORANDUM

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October 11, 2023

**TO:** Environmental Job File

**FROM:** Jason Eads, Cultural Resources Section  


**SUBJECT:** Cultural Resources Clearance  
Job 012480  
Hwy. 412 Cable Median Barrier Impvts. (S)  
Route 412, Sections 2 & 3  
Madison and Washington Counties

This job proposes 17.01 miles of cable median barriers on Highway 412, in Madison and Washington County.

A records review included an examination of site files at the Arkansas Archeological Survey's (ARAS) database for previously recorded archeological sites and the Arkansas Historic Preservation Program's (AHPP) database for structures, properties or features eligible for or listed on the National Register of Historic Places (NRHP). Map review included the 1839 General Land Office (GLO) plats of Township 17 North, Range 26 West; Township 17 North, Range 27 West; Township 17 North, Range 28 West; Township 17 North, Range 29 West; the 1843 GLO plat of Township 18 North, Range 28 West; the 1936 Washington and Madison County Highway and Transportation maps; and the 7.5' 1976 Sonora, Spring Valley, Hindsville, and 1973 Hartwell, ARK topographic maps.

The review of the ARAS database identified seven sites (3WA1181- historic wall, destroyed; 3WA1182- prehistoric isolated find, destroyed; 3WA1183- prehistoric scatter, destroyed; 3WA1184- historic scatter, destroyed; 3MA0359- historic scatter; 3MA0372- historic scatter, destroyed; and 3MA0364- prehistoric scatter, destroyed) near the project limits.



The review of the AHPP database identified one historic property (WA0361-Spring Valley School District # 120 Building) listed on the NRHP near the project. While it is within viewshed, it will not be affected. The 1839 GLO plat for Township 17 North, Range 27 West shows a "Road from Osage Prairie to Izard County" roughly following Hwy. 412. None of the other resources reviewed indicated any potential cultural resources in or near the project.

The highway infrastructure and known construction practices were examined to assess previous ground disturbance. This type of undertaking will not affect historic properties. All work will take place 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 19, 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:  
Project Code: 2024-0045027  
Project Name: 012479 & 012480 - 2024 Cable Median Barrier Jobs

February 05, 2024

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: 2024-0045027  
Project Name: 012479 & 012480 - 2024 Cable Median Barrier Jobs  
Project Type: Road/Hwy - Maintenance/Modification  
Project Description: Cable Median Barriers  
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@34.54374305,-92.30763538539057,14z>



Counties: Arkansas

## ENDANGERED SPECIES ACT SPECIES

There is a total of 17 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

## 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. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered
Ozark Big-eared Bat <i>Corynorhinus (=Plecotus) townsendii ingens</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/7245">https://ecos.fws.gov/ecp/species/7245</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
Red-cockaded Woodpecker <i>Picoides borealis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/7614">https://ecos.fws.gov/ecp/species/7614</a>	Endangered
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

**FISHES**

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

**CLAMS**

NAME	STATUS
Ouachita Fanshell <i>Cyprogenia sp. cf. aberti</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/10889">https://ecos.fws.gov/ecp/species/10889</a>	Threatened
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/7829">https://ecos.fws.gov/ecp/species/7829</a>	Endangered
Rabbitsfoot <i>Quadrula cylindrica cylindrica</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/5165">https://ecos.fws.gov/ecp/species/5165</a>	Threatened
Winged Mapleleaf <i>Quadrula fragosa</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/4127">https://ecos.fws.gov/ecp/species/4127</a>	Endangered

**INSECTS**

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

**FLOWERING PLANTS**

NAME	STATUS
Missouri Bladderpod <i>Physaria filiformis</i> 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>	Threatened

**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: Nicholas Dial

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: [nicholas.dial@ardot.gov](mailto:nicholas.dial@ardot.gov)

Phone: 5015692617

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

ARDOT Job 012479 & 012480 FAP HSIP-0076(335) & HSIP-4472(2)

Job Title Cable Median Barrier Improvement Projects

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impacts anticipated
Cultural Resources	X			See attached cultural resources clearance
Economic	X			No impacts anticipated
Endangered Species	X			No Effect determination
Environmental Justice/Title VI	X			No impacts anticipated
Fish and Wildlife	X			None in project area
Floodplains	X			No impacts anticipated
Forest Service Property	X			None in project area
Hazardous Materials/Landfills	X			No impacts anticipated
Land Use	X			No impacts anticipated
Migratory Birds	X			No impacts anticipated
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
Relocates	X			No relocations
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			No impacts anticipated
Water Quality	X			No impacts anticipated
Wetlands	X			None in project area
Wildlife Refuges	X			None in project area

Section 401 Water Quality Certification Required? No  
 Short-term Activity Authorization Required? No  
 Section 404 Permit Required? No Type N/A

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

Signature of Evaluator *Janell E. Henry* Date 02/20/2024