




# INTEROFFICE MEMORANDUM

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April 12, 2024

**TO:** Master Files

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

**SUBJECT:** Job 070591, Hwy. 7 Cable Median Barrier Impvts. (S)  
FAP HSIP-5270(2)  
Route 7, Sections 2 & 3  
Ouachita & Union Counties  
&  
Job 101174, Hwy. 226 Cable Median Barrier Impvts. (S)  
FAP HSIP-0016(101)  
Route 226, Section 2  
Craighead County  
Tier 1 Categorical Exclusion

The proposed projects would install cable median barriers on sections of highways that have been identified as high priority locations in a recent statewide median crossover study. Project location maps and a table are attached that show and describe the proposed locations.

The projects would not involve relocations, Important Farmland, wetlands, underground storage tanks, hazardous materials, environmental justice populations, or cultural resources. These projects have been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and have not been linked with any special mobile source air toxics concerns. Cultural resources clearances are attached.

The attached official species list obtained through the U.S. Fish and Wildlife Service Information for Planning and Consultation website identified the following species as potentially occurring within the project area: Indiana Bat (*Myotis sodalis*), Northern Long-eared Bat (*Myotis septentrionalis*), 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*), pondberry (*Lindera melissifolia*), and Monarch Butterfly (*Danaus plexippus*). This project would have “no effect” on these species due to the limited scope of the project, 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. The proposed project would not jeopardize the continued existence of these species.

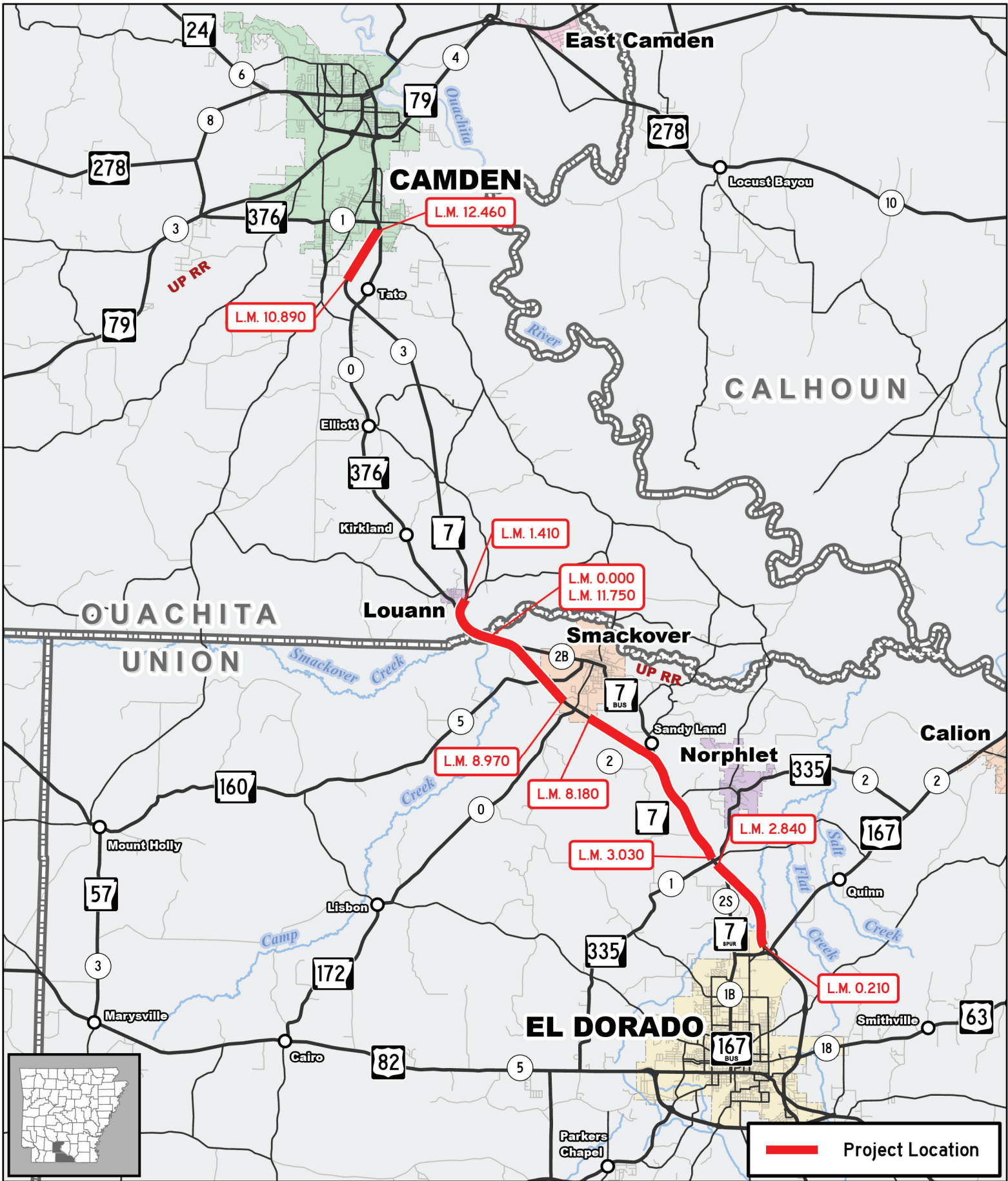
This project would not have a discharge of dredged or fill material into Waters of the United States. A Section 404 permit will not be required.

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 7 & 10  
FHWA

JF:DH:sw

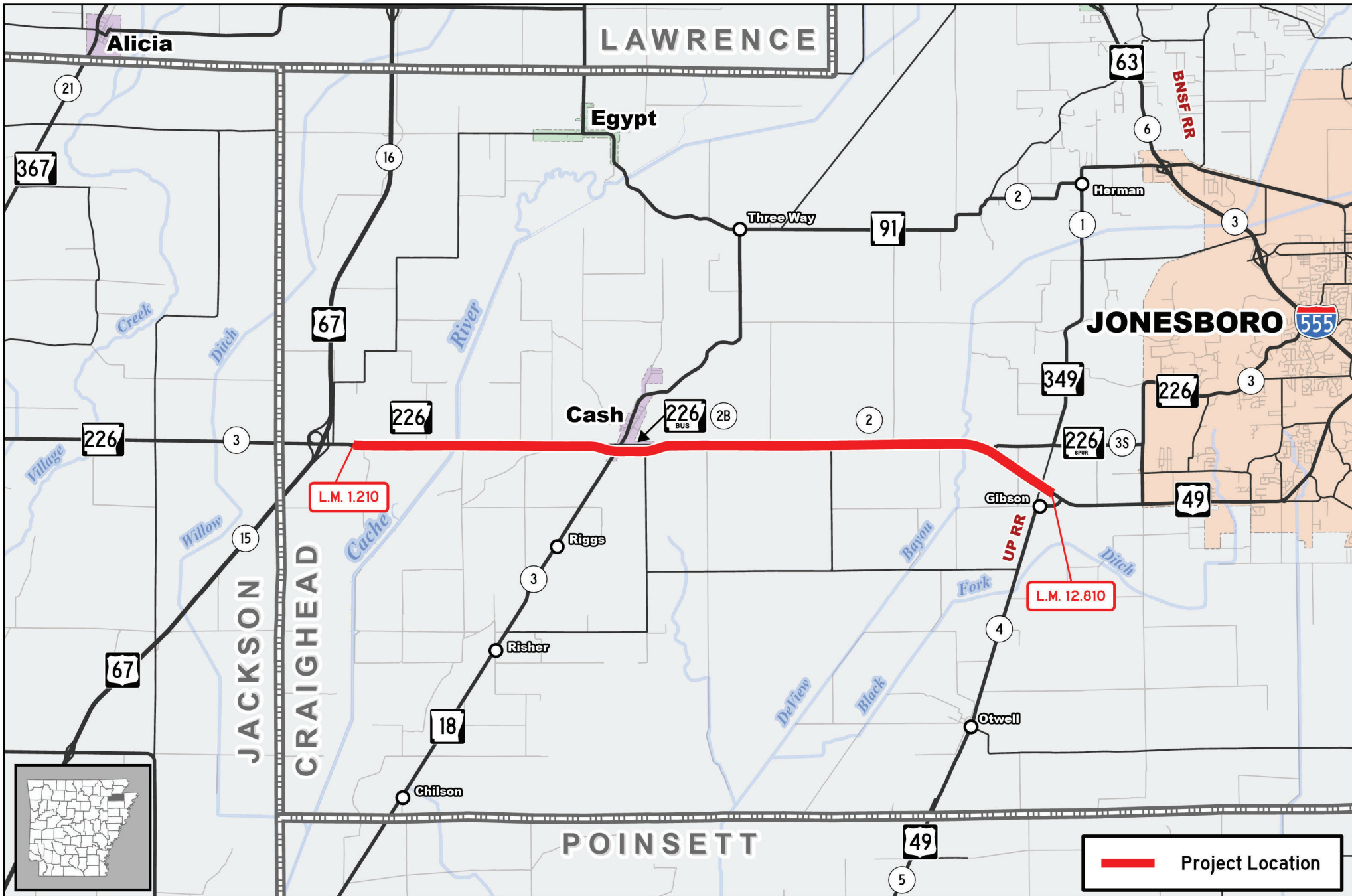


# Job 070591

## Hwy. 7 Cable Median Barrier Impvts. (S)

Hwy. 7, Secs. 2 & 3  
Ouachita & Union Counties





# Job 101174

## Hwy. 226 Cable Median Barrier Impvts. (S)

Hwy. 226, Sec. 2  
Craighead County



## Cable Median Barrier Locations

Job 070591						
County	Route	Section	Begin Logmile	End Logmile	Length (miles)	Median Type
Union	7	2	0.210	2.840	2.630	Unprotected
Union	7	2	3.030	8.180	5.150	Unprotected
Union	7	2	8.970	11.750	2.780	Unprotected
Ouachita	7	3	0.000	1.410	1.410	Unprotected
Ouachita	7	3	10.890	12.460	1.570	Unprotected


Job 101174						
County	Route	Section	Begin Logmile	End Logmile	Length (miles)	Median Type
Craighead	226	2	1.210	12.810	11.600	Unprotected



## INTEROFFICE MEMORANDUM

March 5, 2024

**TO:** Assessments

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


**SUBJECT:** Cultural Resources Clearance  
Job 070591  
Hwy. 7 Cable Median Barrier Impvts. (S)  
Route 7, Sections 2 & 3  
Ouachita & Union Counties

This job consists of cable median barriers (CMBs) along five portions of Hwy. 7 between El Dorado and Camden, of which three are in Union County and two are in Ouachita County. The first four segments are more-or-less continuous between El Dorado and Louann, followed by a large skip to just south of Cullendale (Camden). All work will be restricted to existing right-of-way (ROW) with a total distance of 13.54 mi./21.8 km.

An archeological and historic records review was conducted for this project, which includes the Arkansas Archeological Survey (ARAS) site files of documented Native American and historical archeological sites, structures or features presented in the Automated Management of Archeological Site Data in Arkansas (AMASDA), the Arkansas Historic Preservation Program (AHPP) recorded structures files, and ARDOT's CR Viewer files for previously recorded sites, structures and bridges. National Register of Historic Places (NRHP) status was checked for all resources. Other background research includes five General Land Office (GLO) plats from 1844–1848, the 1936 Union County General Highway and Transportation Map, the 1936 Ouachita County General Highway and Transportation Map and all 47 versions of USGS topographic quadrangles for the area. The project extends (south to north) across T17S-R15W (El Dorado), T16S- R15W, T16S-R16W, T15S-R16W (Louann) and T14S-R17W (Cullendale). Three aerials between 1956–1983 were also examined. All sources were reviewed for cemeteries, potentially historic structures, and landforms conducive to hold archeological sites in or near the project.

The ARAS documents 13 nearby sites, all of which are in Union County and none of which are in proximity to the highway. AMASDA lists 10 nearby projects, eight of which intersect

the corridors. AMASDA projects 4958, 6314, 6719 and 7961 are all ARDOT jobs. Only a single project, associated with the Ouachita River's Calion Navigation Pool, was in Ouachita County. There are nine cemeteries near the corridors, two of which are recorded as archeological sites: 3UN416 (Rehobeth Graveyard) and 3UN419 (Norphlet Cemetery). None of the cemeteries are within viewshed of the project.

AHPP has records for 24 structures in and near the corridors. Several are NRHP listed (OU0030, OU0094, OU0145, UN0589), two are Arkansas Register of Historic Places (ARHP) listed (OU0179, OU0261), and one is ARHP eligible (UN0453). None of the eligible or listed properties are within viewshed of the project.

There are eight pairs of bridges associated with the job routes; six of those pairs have one bridge each older than 45 years of age. South to north, these older structures are Bridges 05220 (built 1972, north-bound), 05221 (built 1972, north-bound), 05590 (built 1975, south-bound), 05591 (built 1974, south-bound), 05592 (1974, south-bound) and 05593 (1976, south-bound). Bridges 05220–05221 and 05591–05592 are evaluated as not eligible under the Advisory Council's 'post-1945 program comment' (per Job 012356). Bridge 05593 falls under the same program comment and is evaluated as not eligible under the current ongoing inventory. Bridge 05590 is considered not eligible (AHPP tracking 105016).

The GLO survey plats mostly show natural features, although fields are relatively common and several road areas are shown. A road running roughly north/south is crossed by the project between Norphlet and Smackover. It is labeled 'Road from Ecore Fabre to Munio'. Ecore Fabre today is the named township where Camden is located. However, the mapped road is headed northeast in this location, not northwest toward Camden. No references to 'Munio' were found. The project roads all miss the swamps mapped in the 1840s.

The 1936 county maps show the expected, relatively dense and evenly distributed structures between El Dorado and Norphlet, with much lower density in the vicinity of Smackover. Density is again high south of Camden. The USGS quadrangles, while numerous, are not much use for documenting rural populations due to scale issues. Comparative maps for the Camden vicinity are from 1903 (1:125,000) and 1951 (1:24,000), but coverage elsewhere starts in 1954 (1:250,000) and 7.5' maps date to single versions from 1962 to the south, and 1971 to the north. A little less than half to the current corridor follows routes established prior to 1936. Aerials show the current divided highway was constructed between 1970 and 1983.

The existing road infrastructure, known construction practices, utilities, and plans were examined to assess previous ground disturbance. The current scope of the project occurs within previously disturbed areas within the existing ROW. This type of undertaking will not affect historic properties. Therefore, this project requires no Section 106 review under Appendix C, Activity 19, of the 2021 Programmatic Agreement.



## INTEROFFICE MEMORANDUM

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April 11, 2024

**TO:** Assessments

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

**SUBJECT:** Cultural Resources Clearance  
Job 101174  
Hwy. 226 Cable Median Barrier Impvts. (S)  
Route 226, Section 2  
Craighead County

This job consists of installing cable median barriers (CMBs) along Hwy. 226 from just east of US 67 to the vicinity of Gibson where the divided highway ends in Craighead County. All work will be restricted to existing right-of-way (ROW) with a total distance of 11.6 mi./18.7 km.

An archeological and historic records review was conducted for this project, which includes the Arkansas Archeological Survey's (ARAS) Automated Management of Archeological Site Data in Arkansas (AMASDA), the Arkansas Historic Preservation Program (AHPP) recorded structures files, and ARDOT's CR Viewer files for previously recorded sites, structures and bridges. National Register of Historic Places (NRHP) status was checked for all resources. Six General Land Office (GLO) plats for Township 13 North-Ranges 1-3 East (1825, 1846, 1847) and Township 14 North-Ranges 1-3 East (1825, 1828, 1828) cover the project. Other background research includes the 1936 Craighead County General Highway and Transportation Map, and all 29 versions of USGS topographic quadrangles for the area. The quadrangles range from 1935 to 2020. The 1957 and 1974 aerials were reviewed. All sources were reviewed for cemeteries, potentially historic structures, and landforms conducive to hold archeological sites in or near the project.

The ARAS documents 52 nearby sites, quite a few of which were recorded by ARDOT and many are in proximity to the highway. Most of these sites are considered not eligible for the NRHP due to various impacts, often rice farming. AMASDA lists 13 nearby projects, three of which were major jobs by or for ARDOT and associated with the highway (tracking 2621, 3816, 5862). Job 3816 tested multiple sites associated with the highway and those considered eligible are not in proximity. Projects that cross or touch the



highway include 6, 51, 2735, 3549, 4351, and 7195. The remaining nearby projects are 3590, 5201 (ARDOT), 5233 (ARDOT) and 7621. Several of these projects (2621, 3549, 3590, 4351 and 5862) documented the extensive laser leveling used in rice production.

In the USGS' Geographic Names Information System (2011), there are two cemeteries (Johnson and Worley Cemeteries) near the corridors that are not recorded. Neither is within viewshed of the project.

AHPP has records for four structures in and near the corridors. Two are non-extant pony truss bridges (CG0085 and CG0086). Structure CG0400, the Cash Gymnasium, is considered eligible for the Arkansas Register, and structure CG0254, the Crain Company rice processing complex, is considered eligible for the NRHP. The Cash Gymnasium is not visible from the highway. The Crain Company complex is visible from the highway, but none of the associated structures are in proximity. There are 17 bridges on this route but all are recent.

The GLO survey plats mostly show only the largest natural features, such as the Cache River and the Blackfork of Bayou La View (now Big Creek). No fields or houses are plotted and the only road is labeled 'From Elizabeth to Gainesville', neither of which is a known nearby location. One map shows four 'Mounds' all in one area and on quarter section lines. Some areas of prairie are shown near the eastern end of the corridor.

The 1936 county map shows the expected, relatively dense and evenly distributed structures along nearly all the roads with numerous small clusters, especially near communities such as Cash. Of the USGS quadrangles, five maps show structures, but only one is repeated and can be used comparatively. The maps are 1935 Alicia (1:62,500), 1980 Swifton East (1:24,000), 1935 Sedgwick (1:62,500), 1959 Sedgwick (1:62,500), 1980 Cash (1:24,000), and 1980 Herman (1:24,000). The 1935 quadrangles show a denser population than the 1936 county map but also show very few structures along the only paved road, now Highway 18. The 1959 map shows even higher population density, including settlement along Highway 18. All of the later maps show a near abandonment of the rural areas. The aerials also document the reduction of rural settlement. Although some indications of historic and possibly proto/prehistoric activity are noted in and around the highway corridor, the original construction and subsequent major widening of the highway would have destroyed any evidence of these past human activities.

The existing road infrastructure, known construction practices, utilities, and plans were examined to assess previous ground disturbance. The current scope of the project occurs within previously disturbed areas within the existing ROW. This type of undertaking will not affect historic properties. 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: 2024-0047238  
Project Name: 070591 & 101174

February 09, 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: 2024-0047238

Project Name: 070591 & 101174

Project Type: Road/Hwy - Maintenance/Modification

Project Description: Cable median barrier jobs

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.78439335,-90.81698210471129,14z>



Counties: Craighead , Ouachita , and Union counties, Arkansas

## ENDANGERED SPECIES ACT SPECIES

There is a total of 10 threatened, endangered, or candidate species on this species list.

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

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
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
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

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

**CRITICAL HABITATS**

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

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 070591 & 101174 FAP HSIP-5270(2) & HSIP-0016(101)

Job Title Hwy. 7 Cable Median Barrier Impvts. (S) & Hwy. 226 Cable Median Barrier Impvts. (S)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impacts anticipated
Cultural Resources	X			Falls within Section 106 PA
Economic	X			No impacts anticipated
Endangered Species	X			"No effect" determination for all species
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
Public Recreation Lands	X			No impacts anticipated
Public Water Supply/WHPA	X			No impacts
Relocatees	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
Water Quality	X			No impacts
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 None

Remarks:  
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Signature of Evaluator *David E. Henry* Date 03/11/2024