




INTEROFFICE MEMORANDUM

September 12, 2024

TO: Master Files

FROM: Josh Seagraves, Division Head – Environmental 

SUBJECT: Multiple Pavement Preservation Program Projects
Multiple Jobs and FAP Numbers
Various Counties
Tier 1 Categorical Exclusion

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.

The purpose of these projects is to preserve and rehabilitate the highways. The attached table lists the projects, their locations, and type of work. Project location maps and cultural resources clearances are also attached.

These 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 have not been linked with any special mobile source air toxics concerns.

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 area: Gray Bat (*Myotis grisescens*), 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*), Rufa Red Knot (*Calidris canutus rufa*), Alligator Snapping Turtle (*Macrochelys temminckii*), Missouri bladderpod (*Physaria filiformis*), pondberry (*Lindera melissifolia*), and Monarch Butterfly (*Danaus plexippus*). The official species list is attached.

These projects will have "no effect" on Indiana Bat, Northern Long-eared Bat, Eastern Black Rail, Piping Plover, and Rufa Red Knot due to the limited scope of the action, lack of suitable habitat, and distance to known species locations.

The Arkansas Determination Key was evaluated for the projects. It was determined that the projects "may affect but is not likely to adversely affect" Gray Bat, Missouri bladderpod, and pondberry. The USFWS concurred with these determinations on July 23, 2024, and that concurrence is attached.

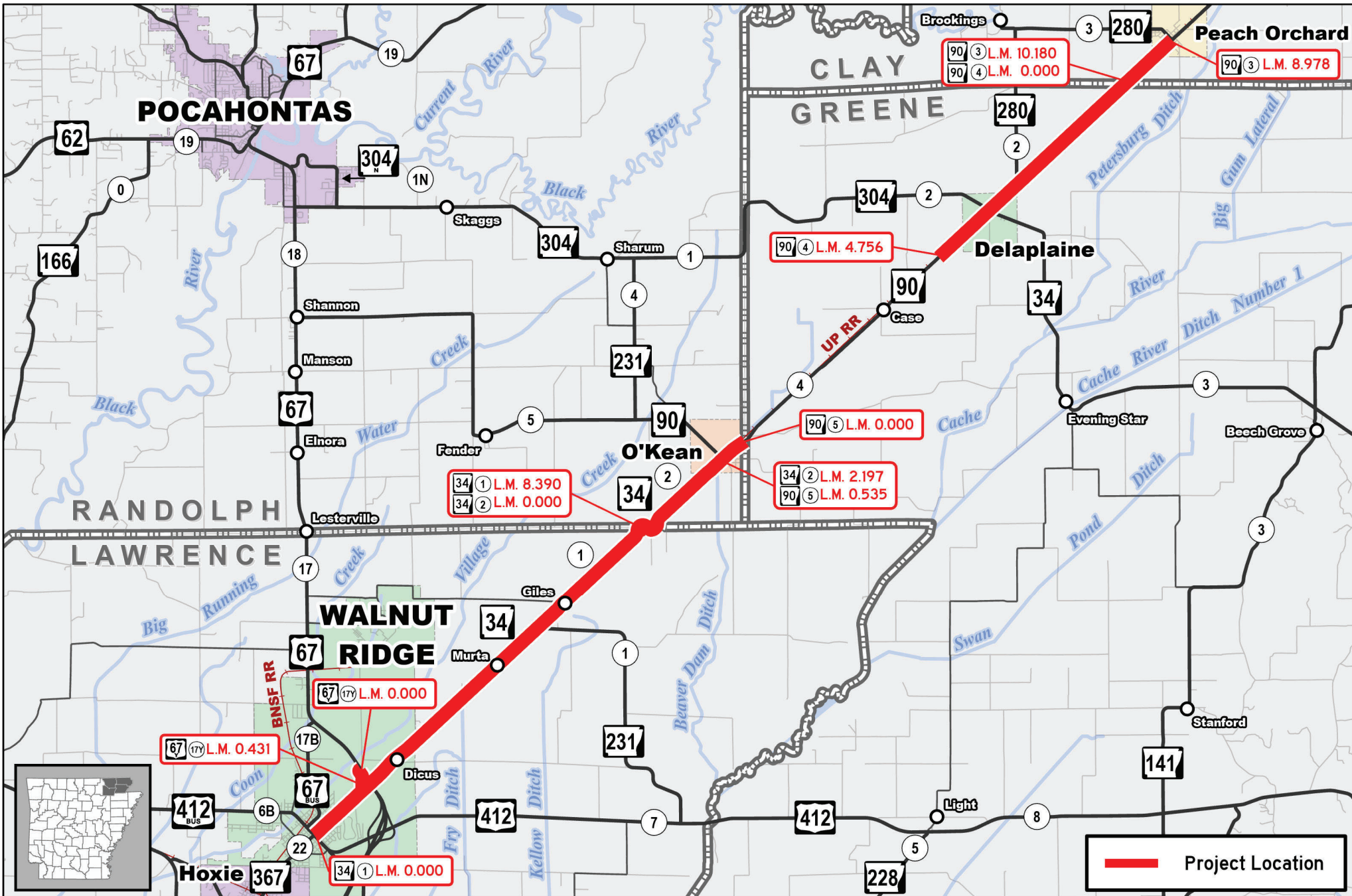
The Alligator Snapping Turtle is currently a proposed threatened species; the Tricolored Bat is a proposed endangered species, and the Monarch Butterfly is a candidate species; however, the proposed projects will not jeopardize the continued existence of any of these species.

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

Attachments

c: Program Management
Right of Way
Roadway Design
District 5, 6, 8, & 10
FHWA

JS:DH:sw

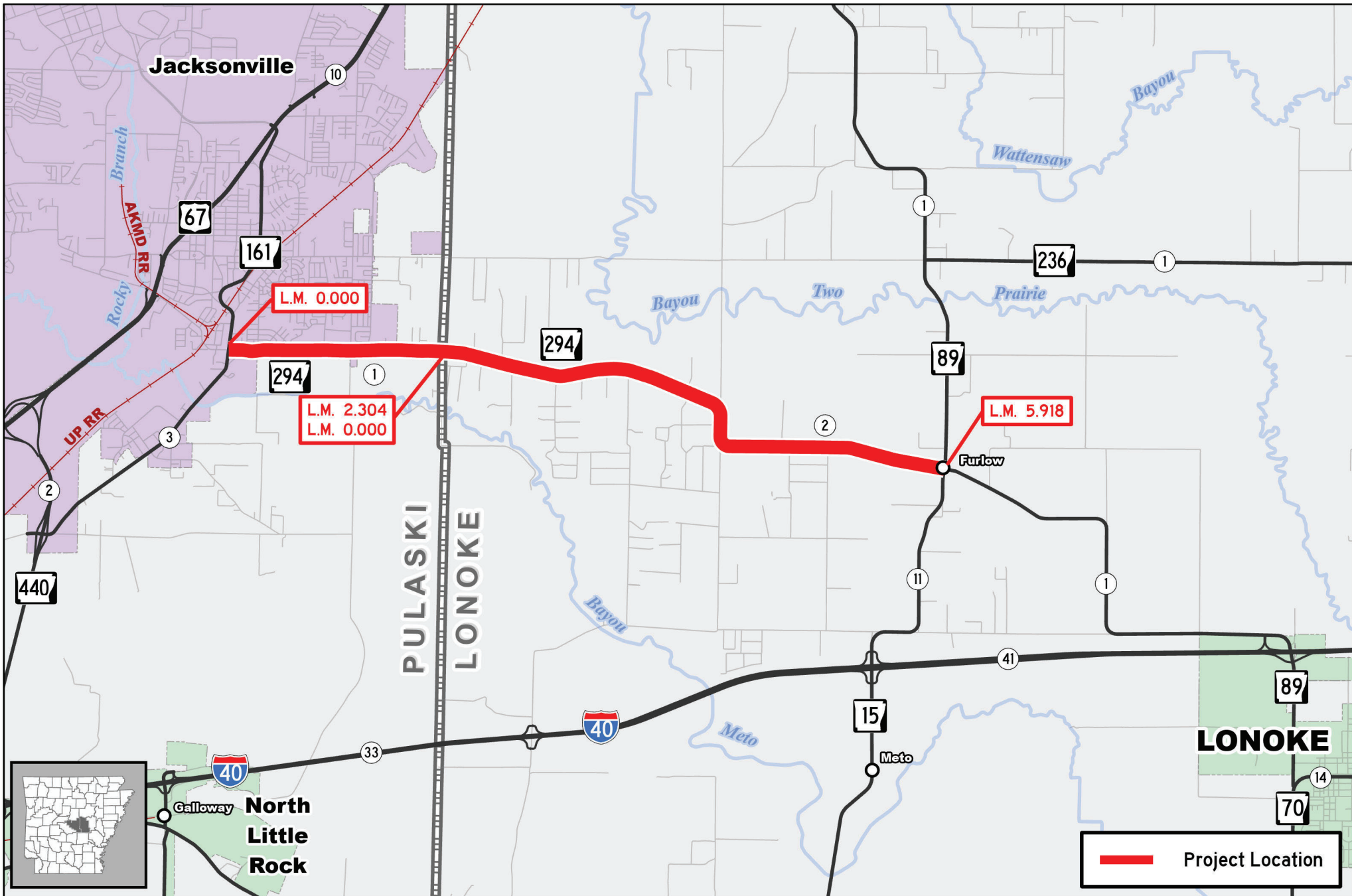


Job A00071

Hwy. 412B – Peach Orchard (Sel. Secs.) (S)

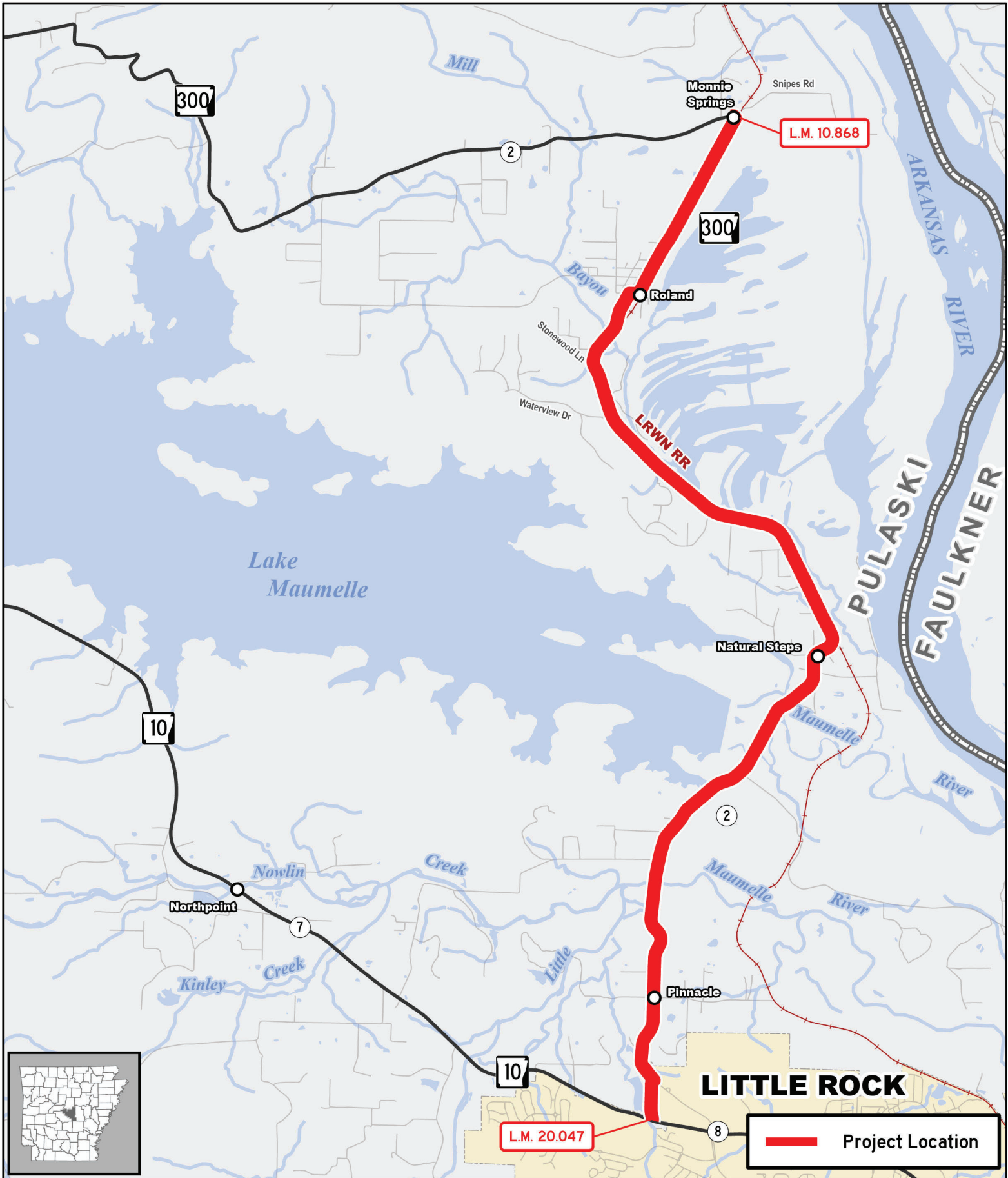
Hwy. 34, Secs. 1 & 2
 Hwy. 67, Sec. 17Y
 Hwy. 90, Secs. 3, 4 & 5
 Clay, Greene, Lawrence & Randolph Counties





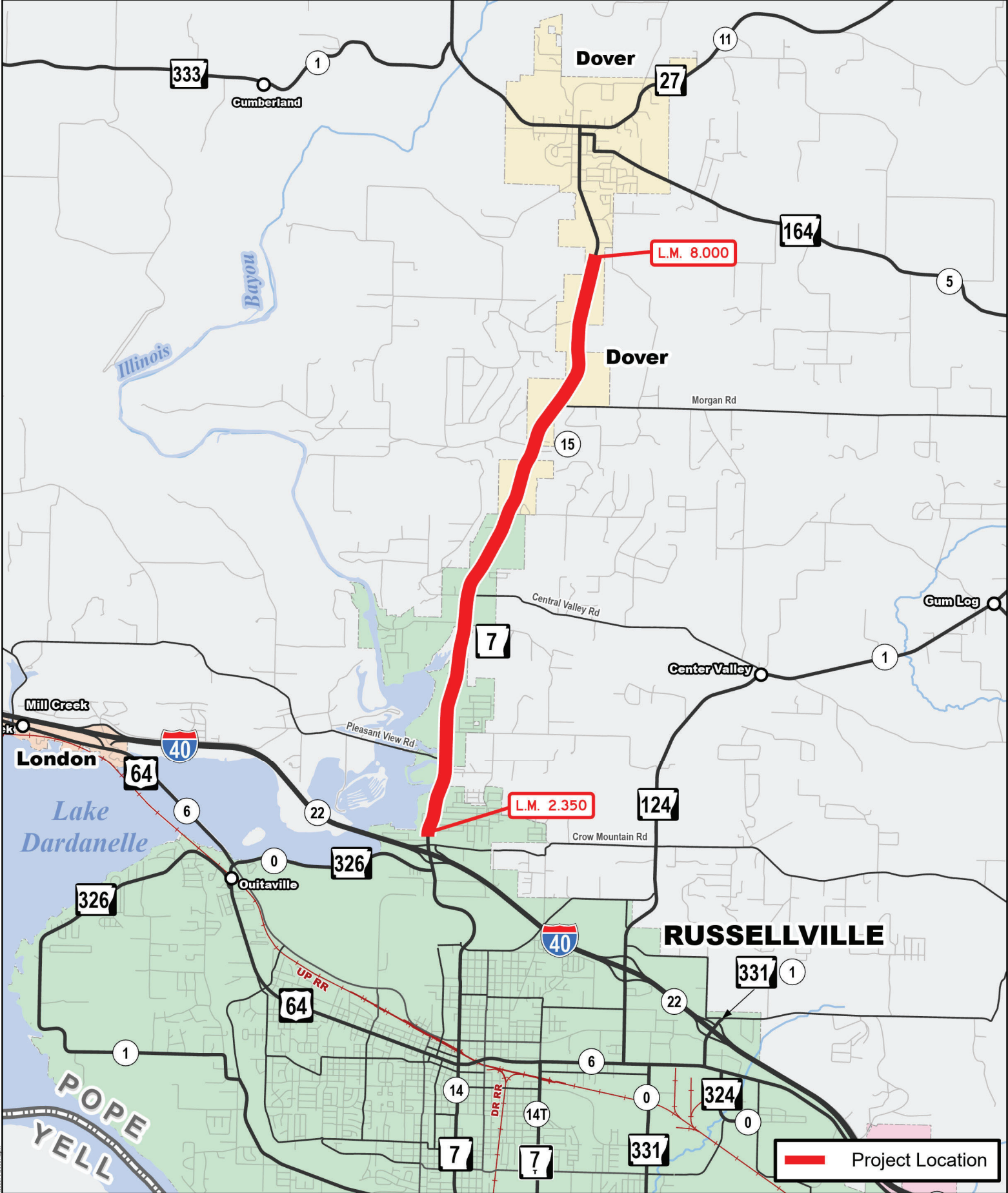
Job A60050
Hwy. 161 – Hwy. 89 (S)
 Hwy. 294, Secs. 1 & 2
 Lonoke & Pulaski Counties

0 0.5 1 2
Miles



Job A60051
Snipes Rd. – Hwy. 10 (S)
 Hwy. 300, Sec. 2
 Pulaski County





Job A80037

I-40 – Dover (S)

Hwy. 7, Sec. 15

Pope County



Document File: \s\proj\Programs\Contract\Sketch\A80037-A80037.dwg

District	Job Number	FAP	Job Name	County	Route / Section	Scope	Job Length
5 & 6	AX0007	STPR-4373(4)	Hwy. 70 – Hwy. 67B (Sel. Secs.) (S)	Lonoke & White	31 / 3 & 4	Mill & Overlay	19.4 mi
10	A00071	STPF-0038(56)	Hwy. 412B – Peach Orchard (Sel. Secs.) (S)	Clay, Greene, Lawrence & Randolph	34 / 1 & 2; 67 / 17Y; 90 / 3 - 5	1" level up & Overlay; 2' Shoulders	17.52 mi
6	A60050	STPR-4360(6)	Hwy. 161 – Hwy. 89 (S)	Lonoke & Pulaski	294 / 1 & 2	2" Mill & Overlay; UTBWC (Sec. 1); Patching (Sec. 2)	8.22 mi
6	A60051	STPF-0060(80)	Snipes Rd. – Hwy. 10 (S)	Pulaski	300 / 2	2" Overlay & 2' Shoulders	9.18 mi
8	A80037 (formerly 080682)	STPF-0058(62)	I-40 - Dover (S)	Pope	7 / 15	2" Mill & Overlay/Inlay	5.65 mi



Sarah Huckabee Sanders
Governor
Shea Lewis
Secretary

May 20, 2024

Mr. Josh Seagraves
Division Head
Environmental Division
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261

Re: Lonoke & White Counties – General
Section 106 Review – FHWA
Route 31
Sections 3 & 4
ARDOT Job Number AX0007
AHPP Tracking Number 112259

Dear Mr. Seagraves:

The staff of the Arkansas Historic Preservation Program (AHPP) reviewed the undertaking received April 5, 2024 for the above-referenced job in Lonoke & White Counties. The undertaking plans to mill and inlay 19.4 miles of Highway 31 in select locations. ARDOT review revealed 56 properties near the project, including 5 separate National Register of Historic Places (NRHP) listed properties, the listed Lonoke Downtown Historic District, and 7 properties identified as being eligible in the district. The resource numbers for the surveyed properties are as follows:

LN0103, WH1391, LN0186, WH1558, LN0141, WH1570, LN0180, WH1571, LN0013, WH1572, LN0188, WH1573, LN0181, WH1574, LN0131, WH1575, LN0102, WH1576, LN0101, WH1578, LN0100, WH1579, LN00251, WH1580, LN0105, WH1581, LN0120 (Historic District), WH1582, LN0030, WH1583, LN0085, WH1584, LN0086, WH1594, LN0087, WH2531, LN0088, WH1597, LN0089, WH1598, LN0090, WH1595, LN0091, WH1616, LN0092, WH1613, LN0093, WH1612, LN0094, LN0095, LN0096, LN0097, LN0098, LN0099, LN0243, and LN0242

Considering the work will be confined to existing paved highway surfaces, based on the provided information, the AHPP concurs with the finding of **no historic properties affected pursuant to 36 CFR § 800.4(d)(1)** for the proposed undertaking.

We appreciate the opportunity to review this undertaking. If you have any questions, please contact George Burson at (501) 324-9270 or at George.Burson@arkansas.gov. Please refer to the AHPP Tracking Number above in any correspondence.

Sincerely,
George
Burson

Digitally signed by George
Burson
Date: 2024.05.20
16:07:07 -05'00'

for

Scott Kaufman

AHPP Director and State Historic Preservation Officer



INTEROFFICE MEMORANDUM

July 29, 2024

TO: Environmental Job File

FROM: Shelby Linck, Cultural Resources Section *SL*

SUBJECT: Cultural Resources Clearance
Job A00071
Hwy. 412B – Peach Orchard (Sel. Secs.) (S)
Route 34, Sections 1 & 2
Route 67, Section 17Y
Route 90, Sections 3, 4, & 5
Clay, Greene, Lawrence & Randolph Counties

The Arkansas Department of Transportation (ARDOT) proposes to complete 1" level up and overlay and 2' shoulders for a total distance of 17.52 miles. Work will be completed between Walnut Ridge and O'Kean and from just south of Delaplaine to Peach Orchard on Highways 34, 67, and 90 in Clay, Greene, Lawrence, and Randolph Counties. All work will occur within the existing right-of-way (ROW).

An examination of the Arkansas Archeological Survey's (ARAS) records was conducted for previously recorded archeological sites located in or adjacent to the proposed project area. According to ARAS records, one previously recorded archeological site (3LW0764) was shown within the proposed project area; however, this point has been mis-plotted. 3LW0764, the Frye Cemetery, is located 0.34 miles to the north on County Road 408, behind a private residence, and is not within the project area. No additional cemeteries were identified within or adjacent to the project area. The closest Trail of Tears removal route is over 14 miles to the northwest of the project area.

Based on the records check of the Arkansas Historic Preservation Program (AHPP) database and the ARDOT Cultural Resources (CR) Viewer for NRHP properties, the Walnut Ridge Commercial Historic District (LW0179), the Missouri Pacific Railroad Depot (LW0037), and the Walnut Ridge Readiness Center (LW0093) are adjacent or within the project area and are either eligible or listed in the NRHP. Six properties are recorded as eligible within a district with only LW0118 adjacent to the project area. The remaining five are within viewshed of the project area. The Walnut Ridge Commercial Historic District (LW0179), the Missouri Pacific Railroad Depot (LW0037), and LW0118 are in downtown Walnut Ridge where shoulders will not be added as there is already a curb and gutter system on that section of the highway. The Walnut Ridge Readiness Center (LW0093) is within viewshed of the project but is to the southeast of the railway line that separates it from Highway 67. The proposed project within this section will be conducted within the current roadway and will not affect the setting or feeling of the historic district

or properties. No ROW will be acquired from the historic properties. Fourteen properties are recorded as not eligible or with an unknown eligibility determination adjacent to or within the viewshed of the project area (See Table 1 below). No historic bridges are within the project area.

In addition to checking ARAS and AHPP records, nineteenth through twentieth century maps were examined. The 1821, 1825, 1826, and 1845 General Land Office plat maps of Townships 16–19 North, Ranges 1–4 East shows no cultural improvements. Some water features are depicted including a possible oxbow lake, what is now named Village Creek, and a pond connecting to Village Creek. The 1932 15' Walnut Ridge, ARK topographical quadrangle map shows the current alignment of the highway. The railway alignment for the Missouri Pacific railroad is also depicted. Walnut Ridge is laid out in a grid pattern with multiple structures and city streets along the highway. Other smaller communities such as Hoxie, Dicus, Murta, Giles, and O'Kean are also shown. The 1965 (1966 edition) 7.5' Walnut Ridge, ARK, 7.5' O'Kean, ARK, 7.5' Manson, ARK, and 7.5' 1964 (1965 edition) Peach Orchard, ARK topographic quadrangle maps show a similar rural landscape with small rural communities and interspersed buildings along the roadway. The community AA Junction is now depicted in addition to the previously mentioned communities.

The existing topography, previous infrastructure, and construction practices were examined to assess previous ground disturbance. This type of undertaking will not affect historic properties. All work will be within existing ROW. This project is subject to the 2021 Programmatic Agreement and falls under Activity 2 in Appendix C. The project requires no Section 106 review.

Table 1. AHPP Previously Recorded Properties

<i>Resource Number</i>	<i>Resource Name</i>	<i>Eligibility Determination</i>	<i>Location Relative to Project Area</i>
LW0076	Little's Bait Shop	Unknown	Adjacent
LW0196	Little's Service Station Car Wash	Eligible for the Arkansas Register	Adjacent
LW0093	Walnut Ridge National Guard Armory	Eligible	Viewshed of project area
LW0157	Dwelling at 116 W. Vine	Eligible in a District	Viewshed of project area, Non-extant
LW0145	Building at 115–119 W. Elm	Eligible in a District	Viewshed of project area
LW0177	Lot on S.W. Front St.	Not Eligible	Adjacent
LW0037	Missouri Pacific Railroad Depot	NRHP-listed	Adjacent
LW0179	Walnut Ridge Commercial Historic District	NRHP-listed	Within and Adjacent
LW0139	Filling Station	Not eligible	Adjacent
LW0118	Building at 107 W. Main St.	Eligible in a District	Adjacent
LW0114	Building at NW Corner Front and W. Main	Not Eligible	Adjacent
LW0169	Building at 121 SE Front	Not Eligible	Viewshed of project area
LW0178	Lot on SE Front St.	Not Eligible	Viewshed of project area
LW0170	Building at 117 SE Front	Eligible in a District	Viewshed of project area
LW0171	Bank and Trust Co.	Not Eligible	Viewshed of project area
LW0172	Building at 109 SE Front St.	Not Eligible	Viewshed of project area
LW0173	City Hall	Not Eligible	Viewshed of project area
LW0174	Filling Station	Not Eligible	Viewshed of project area
LW0164	Bldg. at 109 E. Main	Not Eligible	Viewshed of project area
LW0163	Bldg. at 106 NE Front	Eligible in a District	Viewshed of project area
LW0162	Lawrence County Bank	Eligible in a District	Viewshed of project area
LW0036	Masonic Hall	Unknown	Viewshed of project area
LW0035	Fowler-Hutchinson Furniture Bldg.	Unknown, non-extant	Adjacent



ARKANSAS DEPARTMENT OF TRANSPORTATION

ArDOT.gov | IDriveArkansas.com | Lorie H. Tudor, P.E., Director

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261 | Phone: 501.569.2000

INTEROFFICE MEMORANDUM

July 24, 2024

TO: Environmental Job File

FROM: Jason Kennedy, Cultural Resources Section

SUBJECT: Cultural Resources Clearance
Job A60050
Hwy. 161 – Hwy. 89 (S)
Route 294, Secs. 1 & 2
Lonoke & Pulaski Counties

This job proposes 8.22 miles of 2" mill and overlay and patching on Highway 294 from the Highway 161 intersection in Jacksonville, Pulaski County to the Highway 89 intersection at Furlow, in Lonoke County.

This project is subject to the 2021 Programmatic Agreement and falls under Activities B and C of Appendix B. The project is exempt from further work or Section 106 review.




INTEROFFICE MEMORANDUM

August 15, 2024

TO: Environmental Job File

FROM: Jason Kennedy, Cultural Resources Section



SUBJECT: Cultural Resources Clearance
Job A60051
Snipes Rd. – Hwy 10 (S)
Hwy. 300, Section 2
Pulaski County

The project proposes pavement preservation on Highway 300 in Pulaski County. The work will consist of 2" Overlay and adding 2' Shoulders from the Log Mile 10.868 to the Highway 10 intersection. No new right-of-way (ROW) will be acquired. All work will occur within the existing roadway.

A records check of the Arkansas Archeological Survey's database showed several archeological sites near the proposed project, with only one, 3PU289 – a historic farmstead, adjacent to the project. A records check of Arkansas Historic Preservation Program's database for National Register of Historic Places (NRHP) properties shows one listed property, PU8206 (Maumelle River Bridge), near the project area. The Clay Baylor Cemetery is also adjacent to the project area.

Nineteenth through twentieth century maps were examined. The 1822 General Land Office (GLO) plat of Township 2 North, Range 14 West showed no cultural resources in the vicinity of the project area. The 1857 GLO plat map of Township 3 North, Range 14 West showed several fields in the vicinity of the project area. The 1936 Pulaski County General Highway and Transportation map showed numerous structures along the project area. Bridge M2418 is a concrete channel beam bridge built in 1956. The Advisory Council on Historic Preservation's Program Comment on post-1945 concrete and steel bridges (77 FR 68790) applies to it. This bridge has been determined as not eligible for inclusion to the NRHP and submitted to SHPO in the NRHP Eligibility Determination Report: Pre-1976 Arkansas Historic Highway Bridge Inventory under Job 012356.

The existing topography, aerial imagery, previous infrastructure and construction practices were examined to assess previous ground disturbance. This type of undertaking will not affect historic properties. All work will be within the existing ROW, and the scope of the project occurs within previously disturbed areas. Therefore, this project requires no Section 106 review under Appendix C, Activity 2, of the 2021 Programmatic Agreement.



ARKANSAS DEPARTMENT OF TRANSPORTATION


ArDOT.gov | IDriveArkansas.com | Lorie H. Tudor, P.E., Director

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261 | Phone: 501.569.2000

INTEROFFICE MEMORANDUM

January 24, 2024

TO: Environmental Job File

FROM: Jason Kennedy, Cultural Resources Section


SUBJECT: Cultural Resources Clearance
Job 080682
I-40 – Dover (S)
Route 7, Section 15
Pope County

This job proposes 5.65 miles of Mill & Inlay and Mill & Overlay on Highway 7 from I-40 to Dover in Pope County.

This project is subject to the 2021 Programmatic Agreement and falls under Activity C in Appendix B. This project is exempt from further work or Section 106 review.

Re: [EXTERNAL] November 2024 Pavement Preservation NLAA Concurrence Request

Lewis, Lindsey <lindsey_lewis@fws.gov>

Tue 7/23/2024 3:09 PM

To: Dial, Nicholas T. <Nicholas.Dial@ardot.gov>

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nick,

As stated in the Consistency Letter, the Service concurs with the "No Effect" and "NLAA" determination(s) for the listed species identified. No further consultation for this project is required for these species. The verification letter confirms you may rely on effect determinations provided in the Arkansas Determination Key for project review and guidance for federally listed species to satisfy agency consultation requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 et seq.; ESA)."

The Service has received your concurrence verification letter and request to verify that the Proposed Action may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.). Based on the information you provided, you have determined that the Proposed Action will have "No Effect" on the Indiana Bat (*Myotis sodalis*) or the Northern Long-eared Bat (*Myotis septentrionalis*). If the Proposed Action is not modified, no consultation is required for these two species. If the Proposed Action is modified, or new information reveals that it may affect the Indiana Bat and/or Northern Long-eared Bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required.

The Service recommends that your agency contact the Arkansas Ecological Services Field Office or re-evaluate this key in IPaC if: 1) the scope, timing, duration, or location of the proposed project changes, 2) new information reveals the action may affect listed species, karst habitat, or designated critical habitat; 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Arkansas Ecological Services Field Office should take place before project changes are final or resources committed.

The Service has no additional comments or concerns and agrees with the determinations, justifications provided, and concurrences made through the Arkansas Dkey and the FHWA PBO Dkey.

Thanks,

Lindsey Lewis
BiologistUS Fish & Wildlife Service
Arkansas Field Office
110 South Amity Rd., Suite 300
Conway, Arkansas 72032

(501) 513-4489 - voice

(501) 513-4480 - fax

Lindsey_Lewis@fws.gov<http://www.fws.gov/arkansas-es/>

NOTE: This email correspondence and any attachments to and from this sender is subject to the Freedom of Information Act (FOIA) and may be disclosed to third parties.

From: Dial, Nicholas T. <Nicholas.Dial@ardot.gov>
Sent: Tuesday, July 23, 2024 10:22 AM
To: Lewis, Lindsey <lindsey_lewis@fws.gov>
Subject: [EXTERNAL] November 2024 Pavement Preservation NLAA Concurrence Request

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi Lindsey,

We had a few pavement preservation jobs slide from a 2025 letting to November 2024, so I am needing to clear them. I ran through the keys and got a few NLAA determinations. The scope is limited to pavement work for most of the jobs, but A00071 and A60051 is adding 2' shoulders but with no tree clearing.

Can I please get your concurrence on the NLAA determinations?

Thanks!

-Nicholas D.



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:

07/23/2024 13:43:42 UTC

Project Code: 2024-0119964

Project Name: November 2024 Pavement Preservation

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: 2024-0119964
Project Name: November 2024 Pavement Preservation
Project Type: Road/Hwy - Maintenance/Modification
Project Description: Pavement preservation
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.120712999999995,-90.88321641425459,14z>



Counties: Arkansas

ENDANGERED SPECIES ACT SPECIES

There is a total of 11 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.

MAMMALS

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6329	Endangered
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	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: https://ecos.fws.gov/ecp/species/10477	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 final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

REPTILES

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

INSECTS

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

FLOWERING PLANTS

NAME	STATUS
Missouri Bladderpod <i>Physaria filiformis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5361	Threatened
Pondberry <i>Lindera melissifolia</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1279	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

Phone: 5015692617

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

- **BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)**



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:

07/23/2024 14:22:58 UTC

Project code: 2024-0119964

Project Name: November 2024 Pavement Preservation

Subject: Consistency letter for the 'November 2024 Pavement Preservation' project under the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (NLEB).

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated July 23, 2024 to verify that the **November 2024 Pavement Preservation** (Proposed Action) may rely on the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action will have no effect on the endangered Indiana bat (*Myotis sodalis*) or the endangered northern long-eared bat (*Myotis septentrionalis*). If the Proposed Action is not modified, **no consultation is required for these two species**. If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA section 7(a)(2) may be required.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:

If your initial bridge/culvert or structure assessment failed to detect Indiana bats and/or NLEBs use or occupancy, yet later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of the incident. In these instances, potential incidental take of Indiana bats and/or NLEBs may be exempted provided that the take is reported to the Service.

If the Proposed Action may affect any other federally-listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency accordingly.

The following species may occur in your project area and **are not** covered by this determination:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* Threatened
- Gray Bat *Myotis grisescens* Endangered
- Missouri Bladderpod *Physaria filiformis* Threatened
- Monarch Butterfly *Danaus plexippus* Candidate
- Piping Plover *Charadrius melodus* Threatened
- Pondberry *Lindera melissifolia* Endangered
- Rufa Red Knot *Calidris canutus rufa* Threatened
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

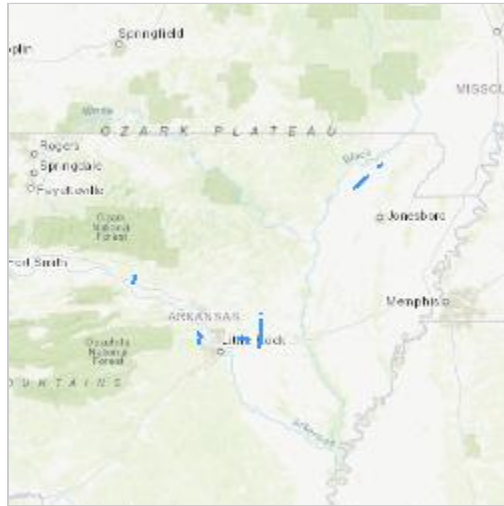
NAME

November 2024 Pavement Preservation

DESCRIPTION

Pavement preservation

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.120712999999995,-90.88321641425459,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the endangered Indiana bat and/or the endangered northern long-eared bat.

Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for these two species.

QUALIFICATION INTERVIEW

1. Is the project within the range of the Indiana bat^[1]?

[1] See [Indiana bat species profile](#)

Automatically answered

Yes

2. Is the project within the range of the northern long-eared bat^[1]?

[1] See [northern long-eared bat species profile](#)

Automatically answered

Yes

3. Which Federal Agency is the lead for the action?

A) Federal Highway Administration (FHWA)

4. Are *all* project activities limited to non-construction^[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces^[1]?

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum^[1]?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

7. Is the project located **within** a karst area?

No

8. Is there *any* suitable^[1] summer habitat for Indiana Bat or NLEB **within** the project action area^[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [User's Guide for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat](#).

Yes

9. Will the project remove *any* suitable summer habitat^[1] and/or remove/trim any existing trees **within** suitable summer habitat?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

No

10. Have presence/probable absence (P/A) summer surveys^{[1][2]} been conducted^{[3][4]} **within** the suitable habitat located within your project action area?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

[3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

[4] Negative presence/probable absence survey results obtained using the [summer survey guidance](#) are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

No

11. Does the project include activities **within documented Indiana bat habitat**^{[1][2]}?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

12. Does the project include activities **within documented NLEB habitat**^{[1][2]}?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

13. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

No

14. Does the project include slash pile burning?

No

15. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

No

16. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

No

17. Will the project involve the use of **temporary** lighting *during* the active season?

No

18. Will the project install new or replace existing **permanent** lighting?

No

19. Does the project include percussives or other activities (**not including tree removal/trimming or bridge/structure work**) that will increase noise levels above existing traffic/background levels?

No

20. Are *all* project activities limited to actions that DO NOT cause any stressors to the bat species, including as described in the BA/BO (i.e., habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives)?

Examples: lining roadways, unlighted signage, rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

Yes

21. Will the project raise the road profile **above the tree canopy**?

No

22. Are *all* project activities consistent with a No Effect determination in this key?

Automatically answered

Yes, all project activities are limited to actions that DO NOT cause any stressors to the bat species as described in the BA/BO

DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING NLEB OR INDIANA BAT

This key was last updated in IPaC on October 30, 2023. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the endangered **northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion \(dated March 23, 2023\) for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

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

Phone: 5015692617

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

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)



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:

07/23/2024 14:19:29 UTC

Project code: 2024-0119964

Project Name: November 2024 Pavement Preservation

Subject: Consistency letter for 'November 2024 Pavement Preservation' for specified federally threatened and endangered species and designated critical habitat that may occur in your proposed project area consistent with the Arkansas Determination Key for project review and guidance for federally listed species (Arkansas Dkey).

Dear Nicholas Dial:

The U.S. Fish and Wildlife Service (Service) received on **July 23, 2024** your effect determination(s) for the 'November 2024 Pavement Preservation' (the Action) using the Arkansas DKey within the Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

Based on your answers and the assistance in the Service's Arkansas DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Eastern Black Rail (<i>Laterallus jamaicensis ssp. jamaicensis</i>)	Threatened	No effect
Gray Bat (<i>Myotis grisescens</i>)	Endangered	NLAA
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	May affect
Missouri Bladderpod (<i>Physaria filiformis</i>)	Threatened	NLAA
Piping Plover (<i>Charadrius melodus</i>)	Threatened	No effect
Pondberry (<i>Lindera melissifolia</i>)	Endangered	NLAA
Rufa Red Knot (<i>Calidris canutus rufa</i>)	Threatened	No effect

Status

Consultation with the Service is not complete. Further consultation or coordination with the Arkansas Ecological Services Office is necessary for those species with a determination of "may affect" (MA) listed above. Please contact our office at 501-513-4470,

arkansas_es_clearance@fws.gov, or your agency point of contact in the Arkansas Ecological Services Office to discuss methods to avoid or minimize potential adverse effects to those species.

The Service concurs with the NLAA determination(s) for the species listed above. Your agency has met consultation requirements by informing the Service of the “No Effect” determinations. No further consultation for this project is required for these species. This letter confirms you may rely on effect determinations provided in the Arkansas Determination Key for project review and guidance for federally listed species to satisfy agency consultation requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 et seq.; ESA).

FHWA projects should not use the Arkansas Dkey for the Northern Long-eared Bat (NLEB) or Indiana Bat. Please complete the FHWA, FRA, FTA Programmatic Consultation for Transportation Projects affecting NLEB or Indiana Bat determination key. This key is intended for projects funded or authorized by FHWA, FRA, or FTA, that may affect the endangered Indiana bat and/or the threatened NLEB, which requires consultation with the Service under Section 7 of the ESA.

The Service recommends that your agency contact the Arkansas Ecological Services Field Office or re-evaluate this key in IPaC if: 1) the scope, timing, duration, or location of the proposed project changes, 2) new information reveals the action may affect listed species or designated critical habitat; 3) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Arkansas Ecological Services Field Office should take place before project changes are final or resources committed.

This letter only covers the listed species in the above table. The following species may also occur in the Action area:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Monarch Butterfly *Danaus plexippus* Candidate
- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

If you determine your project may affect additional listed or proposed listed species not covered by the Arkansas ESFO DKey, please contact our office at 501-513-4470, arkansas_es_clearance@fws.gov, or your agency point of contact Arkansas ESFO to discuss methods to avoid or minimize potential adverse effects to those species. Candidate species are not afforded protection under the ESA; however, we recommend they be considered in project planning and that conservation measures be implemented to avoid or minimize impacts to individuals or their habitat as much as possible.

Bald and Golden Eagle Protection Act: The following resources are provided to project proponents and consulting agencies as additional information. Bald and golden eagles are not included in this section 7(a)(2) consultation and this information does not constitute a determination of effects by the Service.

The Service developed the National Bald Eagle Management Guidelines to advise landowners, land managers, and others who share public and private lands with Bald Eagles when and under what circumstances the protective provisions of the Bald and Golden Eagle Protection Act may apply to their activities. The guidelines should be consulted prior to conducting new or intermittent activity near an eagle nest. Activity specific guidelines begin on page 10 of the document. To access a copy of the National Bald Eagle Management Guidelines please visit the Service's Bald and Golden Eagle Management webpage and scroll down to the Guidance and Tools section: <https://www.fws.gov/library/collections/bald-and-golden-eagle-management>

If the recommendations detailed in the National Bald Eagle Management Guidelines cannot be followed, you may apply for a permit to authorize removal or relocation of an eagle nest in certain instances. To obtain an application form or contact information for Regional Migratory Bird Permit Offices please visit the Service's Bald and Golden Eagle Management webpage and scroll down to the Permits section: <https://www.fws.gov/library/collections/bald-and-golden-eagle-management>

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

November 2024 Pavement Preservation

2. Description

The following description was provided for the project 'November 2024 Pavement Preservation':

Pavement preservation

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.120712999999995,-90.88321641425459,14z>



Species Protection Measures

QUALIFICATION INTERVIEW

1. Have you made an effects determination of "no effect" for all species in the area of the project? A "no effect" determination means the project will have no beneficial effect, no short-term adverse effects, and no long-term adverse effects on any of the species on the IPaC-generated species list for the proposed project or those species habitat. A project with effects that cannot be meaningfully measured, detected or evaluated, effects that are extremely unlikely to occur, or entirely beneficial effects should not have a "no effect" determination. (If unsure, select "No").

No

2. Is the action authorized, funded, or being carried out by a Federal agency?

Yes

3. Are you the the action agency or the designated non-federal representative?

Yes

4. Choose the agency you represent in this consultation with the U.S. Fish and Wildlife Service:

d. Federal Highway Administration

5. Will project proponents follow [Special Provisions for avoidance and minimization](#) measures for listed species in Arkansas?

Yes

6. [Semantic] Does the project intersect designated critical habitat for the Leopard Darter?

Automatically answered

No

7. [Semantic] Does the project intersect designated critical habitat for the Neosho Mucket?

Automatically answered

No

8. [Semantic] Does the project intersect designated critical habitat for Yellowcheek Darter?

Automatically answered

No

9. [Semantic] Does the project intersect designated critical habitat for Rabbitsfoot?

Automatically answered

No

10. [Semantic] Does the project intersect designated critical habitat for Ouachita Fanshell?

Automatically answered

No

11. [Semantic] Does the project intersect the American burying beetle consultation area?

Automatically answered

No

12. [Semantic] Does the project intersect the red-cockaded woodpecker AOI?
Automatically answered
No
13. [Semantic] Does the project intersect the Eastern black rail AOI?
Automatically answered
Yes
14. Will the project take place in freshwater herbaceous wetlands and/or wet prairies?
No
15. [Semantic] Does the project intersect the red knot AOI?
Automatically answered
Yes
16. Will the project affect sand and gravel areas or shorelines along rivers, lakes, or reservoirs?
No
17. Does the project take place in marshy or flooded open field habitat?
No
18. [Semantic] Does the project intersect the Piping Plover AOI?
Automatically answered
Yes
19. [Semantic] Does the project intersect the Whooping Crane AOI?
Automatically answered
No
20. [Semantic] Does the project intersect the interior least tern AOI?
Automatically answered
No
21. [Semantic] Does the project intersect the Gray Bat AOI?
Automatically answered
Yes
22. Does the project involve changes to an existing bridge or large culvert?
No
23. [Semantic] Does the project intersect the Ozark Big-eared Bat AOI?
Automatically answered
No
24. [Semantic] Does the project intersect the Indiana bat AOI?
Automatically answered
Yes
25. [Semantic] Does the project intersect the Benton County Cave Crayfish AOI?
Automatically answered
No

26. [Semantic] Does the project intersect the Hell Creek Cave Crayfish AOI?

Automatically answered

No

27. [Semantic] Does the project intersect the Ozark cavefish AOI?

Automatically answered

No

28. [Semantic] Does the project intersect the Missouri bladderpod AOI?

Automatically answered

Yes

29. [Semantic] Does the project intersect the Geocarpon AOI?

Automatically answered

No

30. [Semantic] Does the project intersect the Pondberry AOI?

Automatically answered

Yes

31. [Semantic] Does the project intersect the interior least tern range?

Automatically answered

No

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

Phone: 5015692617

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

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)

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

ARDOT Job See Table FAP See Table

Job Title November 2024 Pavement Preservation Projects

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impacts anticipated
Cultural Resources	X			See attached CR/SHPO clearances
Economic	X			No impacts anticipated
Endangered Species		X		NLAA – see attached
Environmental Justice/Title VI	X			No impacts anticipated
Fish and Wildlife	X			No impacts anticipated
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			None in project area
Public Recreation Lands	X			No impacts anticipated
Public Water Supply/WHPA	X			A60051 – See Remarks
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
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 None

Remarks:
A60051 - Water Pollution Control (Emulsified Asphalt) SP
A60051 – Coordination Letters and Drinking Water Protection SP

Signature of Evaluator *Janis E. Henry* Date 09/10/2024