



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

September 2, 2020

TO: Master Files

FROM:  John Fleming, Division Head, Environmental Division 

SUBJECT: Job Number C32005
Batesville Myers St. Widening (S)
Independence County
Environmental Documentation for State Funded Projects

The purpose of this project is to construct a roundabout and reconstruct and widen approximately 0.46 mile of Myers Street in Independence County. The project extends from Highway 167 to 20th St./Pioneer Dr. A project location map is attached.

The existing roadway consists of two paved 11' wide travel lanes with no shoulders. The existing right of way (ROW) width is 40'.

Proposed improvements include adding a third paved 11' wide travel lane on a section of Myers St, ~2,986 linear feet of curb and gutter, and a roundabout at the intersection of Myers St. and 20th St./Pioneer Dr. Average additional ROW width would be between 40' and 125'. Approximately 0.39 acre of additional ROW will be required for this project.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2020	2,400	20	30 mph
2040	2,600	20	30 mph

The project will not involve relocations, wetlands, wellhead protection areas/public water supplies, underground storage tanks, hazardous materials, environmental justice issues, or cultural resources. The project is exempt from Section 7 of the Endangered Species Act and a noise analysis because there is no federal nexus for this project. This project has been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special mobile toxic concerns. The cultural resources clearance is attached.

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

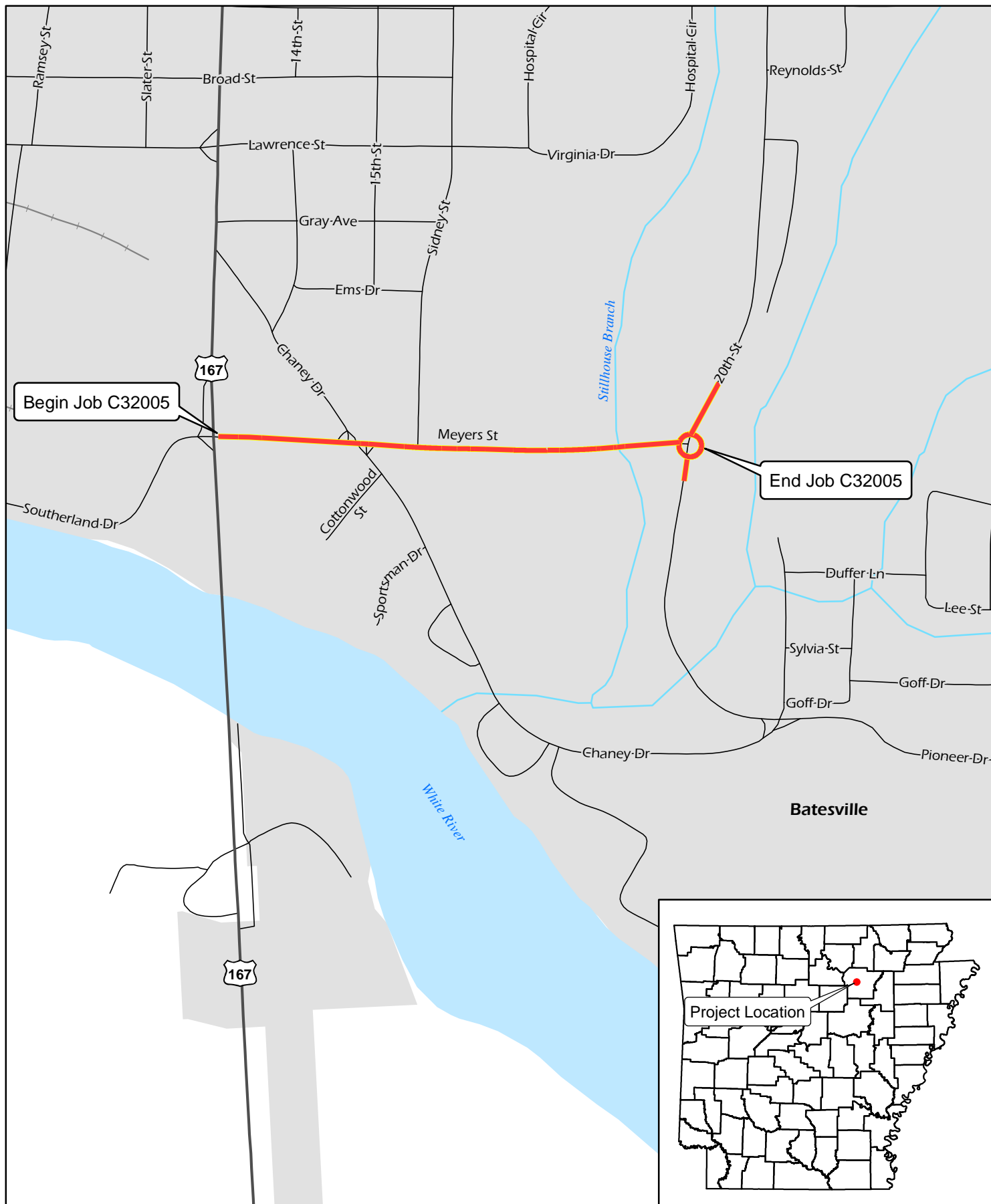
JF:KR:am

Attachments:

- Location Map
- Cultural Resources Clearance
- Environmental Study Checklist
- Design Sheet

c: Program Management

- Right of Way
- State Aid
- District 5
- Master File



0 250 500
Feet

ARdot - Environmental GIS - Dudley
June 18, 2020

Job C32005 Batesville Myers St. Widening Independence County

Project Location



Asa Hutchinson
Governor
Stacy Hurst
Secretary

August 31, 2020

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

Re: Independence County – Batesville
Section 106 Review – FHWA
Batesville Myers St. Widening (S)
Myers Street
ARDOT Job Number C32005
AHPP Tracking Number 102762.01

Dear Mr. Fleming:

The staff of the Arkansas Historic Preservation Program (AHPP) reviewed the Project Identification Form (PIF) for the above-referenced job in Independence County. As described, the proposed undertaking entails widening .456 miles of Myers Street in Batesville. The undertaking will require .73-acres of new right-of-way and 1.63 acres of temporary construction easement. Site 3IN1422 (Oaklawn Cemetery) borders Myers Street to the north near the middle of project area. The AHPP agrees with the conditions of the environmental constraint related to this property.

Based on the provided information and the results of the investigation, the AHPP concurs with the finding of **no historic properties affected pursuant to 36 CFR § 800.4(d)(1)**. In the event of a post-review discovery of historic properties within the APE, please contact the AHPP and other consulting parties in accordance with 36 CFR § 800.13(b)(3).

Tribes that have expressed an interest in the area include the Cherokee, the Eastern Shawnee Tribe, the Osage Nation, the Quapaw Nation, and the Shawnee Tribe. We recommend consultation in accordance with 36 CFR § 800.2(c)(2).

Thank you for the opportunity to review this undertaking and PIF. If you have any questions, please contact Eric Mills of my staff at (501) 324-9784 or eric.mills@arkansas.gov.

Sincerely,


for
Scott Kaufman
Director, AHPP

cc: Mr. Randal Looney, Federal Highway Administration
Dr. George Sabo III, Arkansas Archeological Survey

ARDOT ENVIRONMENTAL VERIFICATION CHECKLIST FOR CONSIDERATION OF POTENTIAL IMPACTS

ARDOT Job Number C32005 FAP Number N/A

Job Title Batesville Myers St. Widening (S)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No air quality/MSAT impacts anticipated
Cultural Resources	X			SHPO clearance attached
Economic	X			No adverse impacts
Endangered Species	X			N/A
Environmental Justice/Title VI	X			EJ populations not impacted
Fish and Wildlife	X			Temporary during construction
Floodplains	X			Zone A and AE SFHA
Forest Service Property	X			None in project area
Hazardous Materials/Landfills	X			No sites in project area
Land Use		X		~0.39 acre new ROW required
Migratory Birds	X			No impacts anticipated
Navigation/Coast Guard	X			None in project area
Noise Levels	X			N/A
Prime Farmland	X			N/A
Protected Waters	X			None in project area
Public Recreation Lands	X			No impacts anticipated
Public Water Supply/WHPA	X			DWP SP included
Relocates	X			No relocations
Section 4(f)/6(f)	X			N/A
Social	X			No impacts anticipated
Underground Storage Tanks	X			No USTs in project area
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? N

Short-term Activity Authorization Required? N

Section 404 Permit Required? N Type

Remarks:

Signature of Evaluator Kathryn Rose Date 7/10/2020

Date Submitted June 15, 2020

Date Returned _____

STATE AID DESIGN REQUEST

Job Number: C32005 FAP Number: _____ County: IndependenceJob Name: C32005Design Engineer: Al Fleagle Environmental Staff _____Brief Project Description: Myers St. Widening

A. Existing Conditions:

1. Roadway Width: Metric _____ English 22'-0"
2. Shoulder Width: Metric _____ English NONE
3. Number of Lanes and Width: Metric _____ English 2 @ 11'-0"
4. Existing Right-of-Way: Metric _____ English 40'

B. Proposed Improvements:

1. Roadway Width: Metric _____ English 33'-0"
2. Shoulder Width: Metric _____ English 0'-0"
3. Number of Lanes and Width: Metric _____ English 2 @ 11'-0" and 3 @ 11'-0"
4. Average Right-of-Way: Metric _____ English Varies 40' – 125'

If bridge(s) will be replaced by culverts give dimensions: N/A

C. Construction Information:

Detour: (if applicable)

Where: N/A

Approximate total length of detour: _____ kilometer(s) _____ mile(s)

D. Design Data:

2020 ADT: 2400 2040 ADT: 2600 Trucks: 20 %Design Speed: 30 MPHE. Approximate total length of project: _____ kilometer(s) 0.456 mile(s)F. Justification for proposed improvements: Widen and reconstruct existing roadwayG. Total Relocates: 0 Residences: 0 Businesses: 0

H. Have you coordinated with any of the following: (Provide name and date.)


City Officials: Mayor Rick Elumbaugh (01-23-2020)State Agency: NoFederal Agency: No



INTEROFFICE MEMORANDUM

April 14, 2025

TO: Master Files

FROM: Josh Seagraves, Division Head – Environmental 

SUBJECT: Job C32005
Batesville Myers St. Widening (S)
Independence County
Environmental Documentation for State Funded Projects Re-evaluation

An Environmental Documentation for State Funded Projects was completed for the subject project on September 2, 2020. Since that time, a stub out has been added to the east side of the roundabout at the east end of the project, requiring a re-evaluation of this project.

This project will not involve relocations, wetlands, wellhead protection areas/public, water supplies, underground storage tanks, hazardous materials, or cultural resources. This project has been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special mobile toxic concerns. The cultural resources clearance is attached. The project is exempt from noise because there is no federal funding.

Permanent impacts to an impoundment of Stillhouse Branch are less than 0.1 acre based on the three cubic yards of riprap associated with the stormwater outfall of the drop inlet. Construction of the proposed project should be allowed under the terms of a Nationwide 14 Section 404 Permit for Linear Transportation Projects as defined in the Federal Register 86(245): 73522-73583. A preconstruction notification is not required.

This project uses no federal funds, which would exempt the project from Section 7 of the Endangered Species Act, however, the fill mentioned above creates a federal nexus.

The official species list obtained from the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation identified the following endangered and threatened species as potentially occurring within the project boundaries: 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*), Ozark Hellbender (*Cryptobranchus alleganiensis bishopi*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*), Western Fanshell (*Cyprogenia aberti*), Monarch Butterfly (*Danaus plexippus*), Missouri bladderpod (*Physaria filiformis*), and pondberry (*Lindera melissifolia*). See the attached USFWS Species List. Due to the lack of suitable habitat limited scope of the project, and distance to known populations it has been determined that this project will

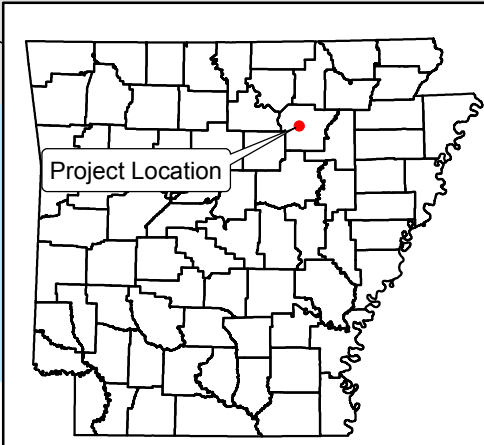
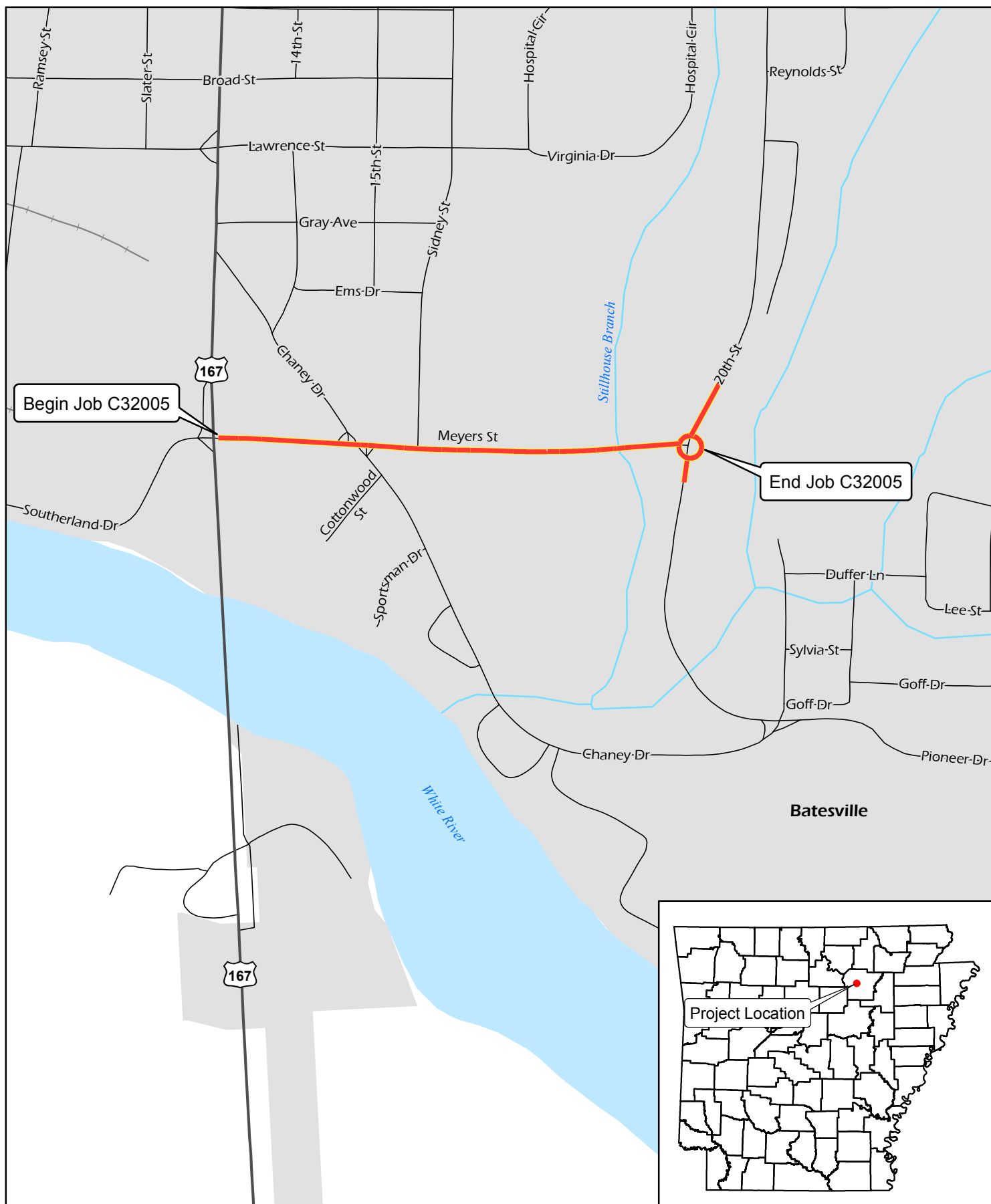
have “no effect” on the federally listed species. It has been determined that this action will not jeopardize the continued existence of the Tricolored Bat, Alligator Snapping Turtle, or Monarch Butterfly.

The City of Batesville participates in the National Flood Insurance Program. The project lies within a Zone A and Zone AE Special Flood Hazard Area. The final project design will be reviewed to confirm that the design is adequate and that the potential risk to life and property are minimized. Adjacent properties should not be impacted nor have a greater flood risk than existed before construction of the project. None of the encroachments will constitute a substantial floodplain encroachment or a risk to property or life.

Attachments

c: Program Management
Right of Way
State Aid
District 5

JS:KR:sw



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Feet

ARDot - Environmental GIS - Dudley
June 18, 2020

Job C32005 Batesville Myers St. Widening Independence County

Project Location



Asa Hutchinson
Governor
Stacy Hurst
Secretary

August 31, 2020

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

Re: Independence County – Batesville
Section 106 Review – FHWA
Batesville Myers St. Widening (S)
Myers Street
ARDOT Job Number C32005
AHPP Tracking Number 102762.01

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Based on the provided information and the results of the investigation, the AHPP concurs with the finding of **no historic properties affected pursuant to 36 CFR § 800.4(d)(1)**. In the event of a post-review discovery of historic properties within the APE, please contact the AHPP and other consulting parties in accordance with 36 CFR § 800.13(b)(3).

Tribes that have expressed an interest in the area include the Cherokee, the Eastern Shawnee Tribe, the Osage Nation, the Quapaw Nation, and the Shawnee Tribe. We recommend consultation in accordance with 36 CFR § 800.2(c)(2).

Thank you for the opportunity to review this undertaking and PIF. If you have any questions, please contact Eric Mills of my staff at (501) 324-9784 or eric.mills@arkansas.gov.

Sincerely,


for
Scott Kaufman
Director, AHPP

cc: Mr. Randal Looney, Federal Highway Administration
Dr. George Sabo III, Arkansas Archeological Survey



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Arkansas Ecological Services Field Office
110 South Amity Suite 300
Conway, AR 72032-8975
Phone: (501) 513-4470 Fax: (501) 513-4480



In Reply Refer To:

04/10/2025 14:14:55 UTC

Project Code: 2025-0081411

Project Name: C32005 Batesville Myers St Widening (S)

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: 2025-0081411

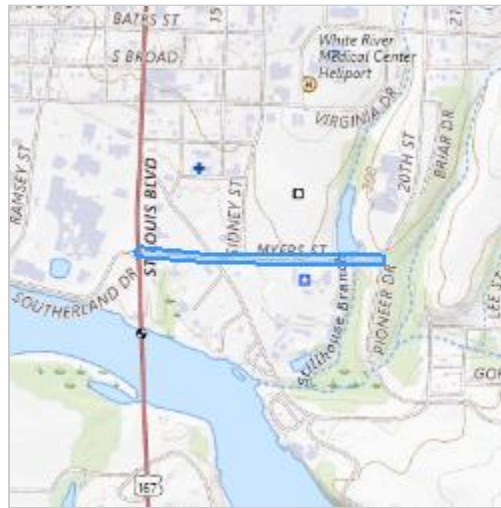
Project Name: C32005 Batesville Myers St Widening (S)

Project Type: Road/Hwy - Maintenance/Modification

Project Description: street improvements and roundabout addition to the eastern terminus.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.76239319691575,-91.63709250078779,14z>



Counties: Independence County, Arkansas

ENDANGERED SPECIES ACT SPECIES

There is a total of 14 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
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. Your location does not overlap the critical habitat. 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

AMPHIBIANS

NAME	STATUS
Ozark Hellbender <i>Cryptobranchus alleganiensis bishopi</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/647	Endangered

CLAMS

NAME	STATUS
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7829	Endangered
Rabbitsfoot <i>Quadrula cylindrica cylindrica</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/5165	Threatened
Western Fanshell <i>Cyprogenia aberti</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/6895	Threatened

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

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: mickey matthews

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72203

Email: mickey.matthews@ardot.gov

Phone: 5015692594

ARDOT ENVIRONMENTAL VERIFICATION CHECKLIST FOR CONSIDERATION OF POTENTIAL IMPACTS

ARDOT Job Number C32005 FAP Number N/A

Job Title Batesville Myers St. Widening (S)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No air quality/MSAT impacts anticipated
Cultural Resources	X			SHPO clearance attached and unaffected
Economic	X			No adverse impacts
Endangered Species	X			No Effect
Civil Rights/Title VI	X			No impacts
Fish and Wildlife		X		Very minor due to urban project
Floodplains		X		Zone A and AE SFHA
Forest Service Property	X			None in project area
Hazardous Materials/Landfills	X			No sites in project area
Land Use		X		~0.39 acre new ROW required. City ROW
Migratory Birds	X			No Structure with nests
Navigation/Coast Guard	X			None in project area
Noise Levels	X			N/A
Prime Farmland	X			N/A
Protected Waters	X			None in project area
Public Recreation Lands	X			Not impacted
Public Water Supply/WHPA		X		Drinking water SP included.
Relocates	X			No relocations
Section 4(f)/6(f)	X			NA
Social	X			No impacts
Underground Storage Tanks	X			None in project area
Visual	X			No impacts
Streams		X		Less than 0.1 acre of impacts
Water Quality		X		Minor during construction
Wetlands	X			None in project area
Wildlife Refuges	X			None in project area

Section 401 Water Quality Certification Required? N

Short-term Activity Authorization Required? Y

Section 404 Permit Required? Y Type NWP 14 No PCN

Remarks: .

Signature of Evaluator Kathryn Rose Date 4/11/2025