



ARKANSAS DEPARTMENT OF TRANSPORTATION

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INTEROFFICE MEMORANDUM

April 7, 2023

TO: Master Files

FROM: John Fleming, Division Head, Environmental Division

SUBJECT: Job 040839
FAP STPF-0065(71)
Hwy. 96 Impvts. (Sebastian Co.) (S)
Route 96, Section 3
Sebastian County
Tier 1 Categorical Exclusion

After appropriate environmental review, it has been determined that the subject job is 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 this project.

The proposed project would complete a 2" mill and overlay of approximately 5.1 miles of Highway 96 in Sebastian County. All work would take place within existing right of way. A project location map is attached.

The project would not involve relocations, prime farmlands, wetlands, underground storage tanks, hazardous materials, any environmental justice issues, 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 source air toxics concerns. The cultural resources clearance is attached.

The official species lists obtained through the US Fish and Wildlife Service's Information for Planning and Consultation 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*), Alligator Snapping Turtle (*Macrochelys temminckii*), American Burying Beetle (*Nicrophorus americanus*), and Monarch Butterfly (*Danaus plexippus*). This project would have “no effect” on the aforementioned species due to the limited scope of the action, lack of suitable habitat, and distance to known species locations.

The Tricolored Bat is currently a proposed endangered species, and the Alligator Snapping Turtle is a proposed threatened species; however, the proposed project would not jeopardize the continued existence of either species. This project would not have a discharge of dredged or fill material into waters of the United States; therefore, a Section 404 permit will not be required.

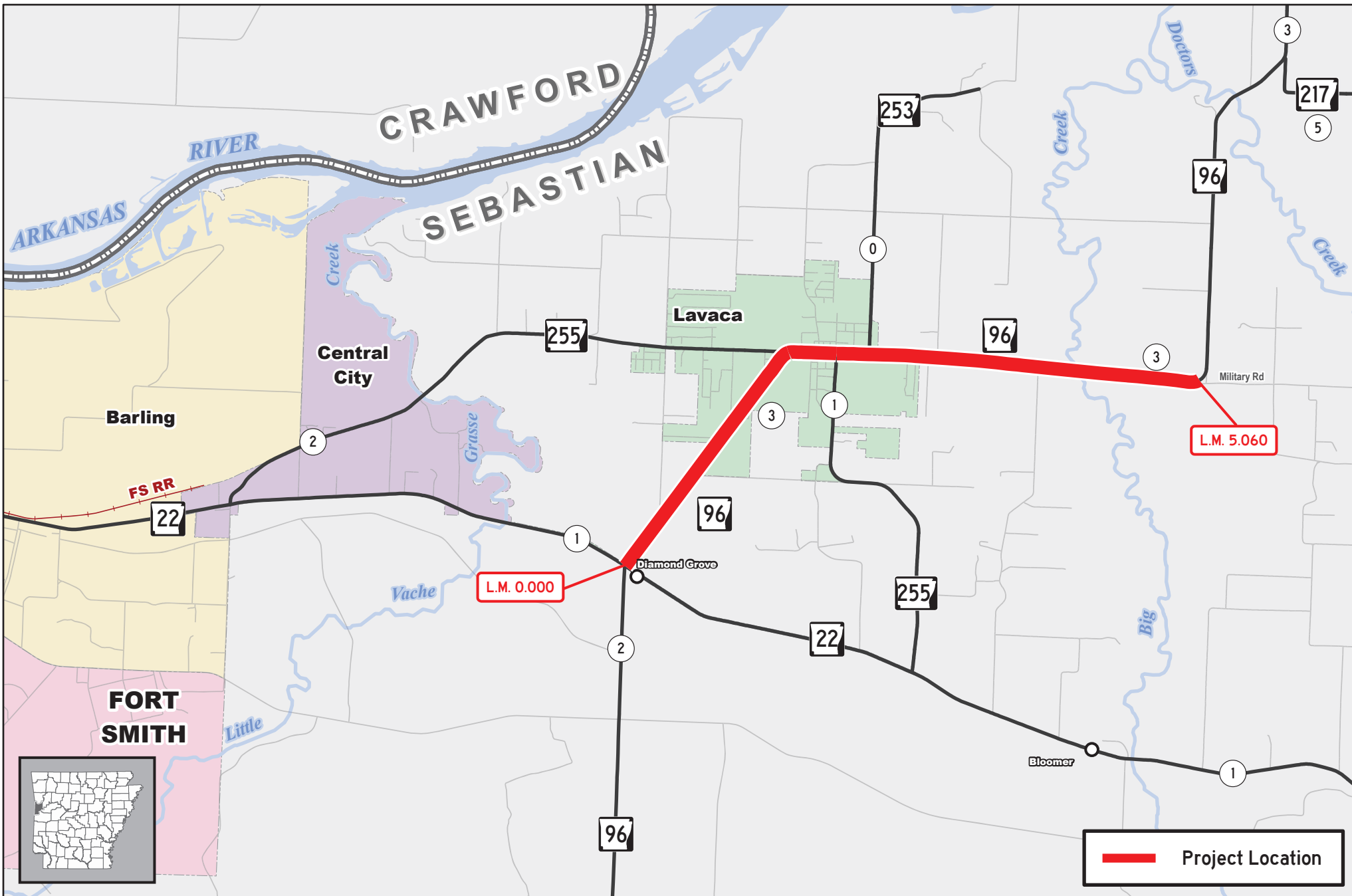
JF:DH:sw

Attachments:

- Location Map
- Cultural Resources Clearance
- Environmental Study Checklist

c: Program Management

- Right of Way
- Roadway Design
- District 4
- FHWA





INTEROFFICE MEMORANDUM

April 3, 2023

TO: Environmental Job File

FROM: Shelby Linck, Cultural Resources Section *SL*

SUBJECT: Cultural Resources Clearance
Job 040839
Hwy. 96 Impvts. (Sel. Secs.) (S)
Route 96, Section 3
Sebastian County

This job proposes 5.06 miles of 2" mill and overlay on select sections of Highway 96. Work will be completed on Highway 96 from the intersection of Highways 22 and 96 at Diamond Grove to the intersection of Highway 96 and Military Road (log miles 0.000–5.060) in Sebastian County.

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

ARDOT ENVIRONMENTAL VERIFICATION CHECKLIST FOR CONSIDERATION OF POTENTIAL IMPACTS

ARDOT Job 040839 FAP STPF-0065(71)

Job Title Hwy. 96 Impvts. (Sebastian Co.) (S)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impacts anticipated
Cultural Resources	X			No Section 106 per Activity C of PA
Economic	X			No impacts anticipated
Endangered Species	X			No Effect determination
Environmental Justice/Title VI	X			No impacts anticipated
Fish and Wildlife	X			None in project area
Floodplains	X			No impacts anticipated
Forest Service Property	X			None in project are
Hazardous Materials/Landfills	X			No impacts anticipated
Land Use	X			No new ROW
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			No impacts anticipated
Relocates	X			No relocations
Section 4(f)/6(f)	X			No impacts anticipated
Social	X			No impacts anticipated
Underground Storage Tanks	X			No impacts anticipated
Visual	X			No impacts anticipated
Streams	X			No impacts anticipated
Water Quality	X			No impacts anticipated
Wetlands	X			None in project area
Wildlife Refuges	X			None in project area

Section 401 Water Quality Certification Required? No

Short-term Activity Authorization Required? No

Section 404 Permit Required? No Type None

Remarks:

Signature of Evaluator  Date 04/06/2023