



ARKANSAS DEPARTMENT OF TRANSPORTATION

[ArDOT.gov](http://ArDOT.gov) | [IDriveArkansas.com](http://IDriveArkansas.com) | Scott E. Bennett, P.E., Director

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

Phone: 501.569.2000 | Voice/TTY 711 | Fax: 501.569.2400

June 21, 2018

Mr. Angel Correa  
Division Administrator  
Federal Highway Administration  
700 West Capitol, Room 3130  
Little Rock, Arkansas 72201-3298

Re: Job Number 080495  
FAP Number PEN-0075(35)  
Hwy. 10 – Hwy. 7 (Safety Impvts.)  
(Sel.Secs) (S)  
Route 27, Section 7  
Yell County  
Tier 3 Categorical Exclusion

Dear Mr. Correa:

The Environmental Division has reviewed the referenced project and it falls within the definition of the Tier 3 Categorical Exclusion as defined by the ARDOT/FHWA Memorandum of Agreement on the processing of Categorical Exclusions. The following information is included for your review and, if acceptable, approval as the environmental documentation for this project.

The purpose of this project is to improve safety along Highway 27 from Highway 10 to Highway 7 in Yell County. The project will involve geometric improvements to the Liberty Road intersection including realignment and left-turn lanes. An overlay along with shoulder and centerline rumble stripes are also proposed for select locations on Highway 27. Total length of the project is 13.09 miles. A project location map is enclosed.

Existing Highway 27 consists of two 10 to 12-foot wide paved travel lanes with paved shoulders that vary between 2 to 4 feet wide. Existing right of way width is 80 feet at the intersection with Liberty Road.

Liberty Road consists of two 10-foot wide paved travel lanes with no shoulders. There is no existing right of way of record for Liberty Road.

Proposed improvements for Highway 27 include resurfacing the roadway and adding rumble stripes. No additional right of way is required for this portion of the project.

The proposed realignment for Liberty Road will include two 10-foot wide paved travel lanes with 4-foot wide shoulders. A 10-foot wide left turn lane will be added to Liberty Road on both sides of its intersection with Highway 27. The average right of way width will be 130 feet. Approximately 2.67 acres of additional right of way will be required for this portion of the project.

Design data for this project is as follows:

Highway 27

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2019	5,000	8	55 mph
2039	6,000	8	55 mph

Liberty Road

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2019	800	2	30 mph
2039	1,000	2	30 mph

There are no relocations, wetlands, cultural resources, or environmental justice issues associated with this project. Field inspections found no evidence of existing underground storage tanks or hazardous waste deposits. Approximately 1.63 acres of Prime Farmland will be converted to highway right of way. Form NRCS-CPA-106 is enclosed.

Construction of this project will extend a double pipe culvert located near the Liberty Road intersection. Impacts to the intermittent unnamed tributary are estimated to be less than 0.1 acre. There are no wetland impacts due to construction of this project. Construction of this project should be covered under the terms of a Nationwide 14 Permit for Linear Transportation Projects as defined in the Federal Register 82(4):1860 – 2008.

The official species list obtained through the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation website lists the northern long-eared bat (*Myotis septentrionalis*), gray bat (*Myotis grisescens*), Piping Plover (*Charadrius melodus*), American burying beetle (*Nicrophorus americanus*) and harperella (*Ptilimnium nodosum*) as species potentially affected by the proposed project. Based on the scope of the project and lack of suitable/available habitat, it is our determination that the project

will have no effect on the gray bat, Piping Plover and harperella. Based on the determination key associated with the Programmatic Biological Opinion for Transportation Projects within the range of the Indiana bat and the northern long-eared bat, the proposed project will have no effect on the northern long-eared bat. Based on the impact acreage (less than 3 acres) for the construction of the Liberty Road intersection, it is our determination that the project may affect, but is not likely to adversely affect the American burying beetle.

Based upon the ARDOT's *Policy on Highway Traffic Noise Abatement*, a noise analysis is not required for this project. The construction of turn lanes, realignment of Liberty Road, and resurfacing Highway 27 does not involve adding capacity or exposing noise sensitive land uses to a new or existing highway noise source. Although the reconfiguration of the intersection will change the horizontal alignment, the distance to the nearest sensitive receptor is not reduced by half.

A public information meeting will be held July 10, 2018 in Danville, AR from 4:00 p.m. to 7:00 p.m. at the ARDOT Maintenance Shop.

If you have any questions, please contact the Environmental Division at 569-2281.

**APPROVED**  
  
Environmental Specialist  
Federal Highway Administration  
Date: 6/26/2018

Sincerely,

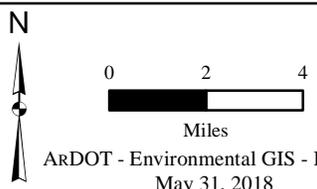
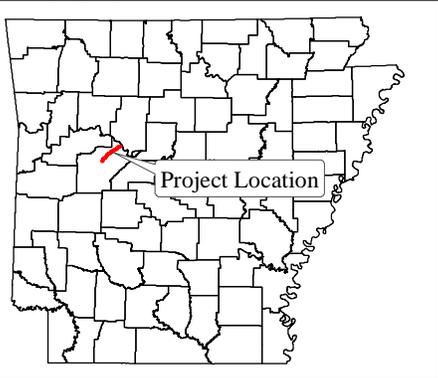
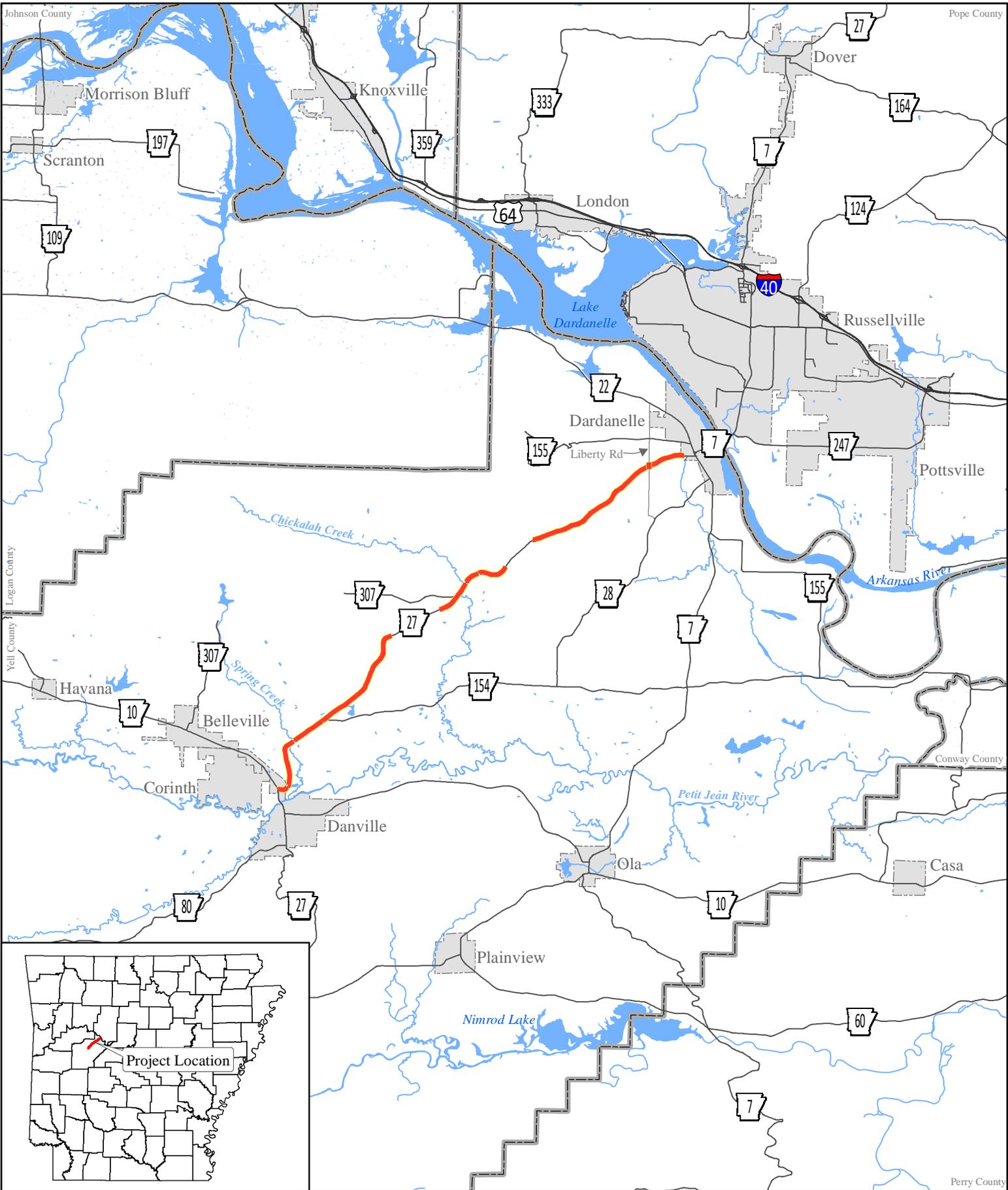


John Fleming  
Division Head  
Environmental Division

Enclosures

JF:SL:fc

c: Program Management  
Right of Way  
Roadway Design  
District 8  
Master File



Job 080495  
 Hwy. 10 - Hwy. 7 (Safety Impvts.)  
 (Sel. Secs.) (Hwy. 27)  
 Yell County

 Project Location



ARKANSAS DEPARTMENT OF TRANSPORTATION

ArDOT.gov | IDriveArkansas.com | Scott E. Bennett, P.E., Director

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

Phone: 501.569.2000 | Voice/TTY 711 | Fax: 501.569.2400

*97161.01  
FHWA*

June 12, 2018

Ms. Stacy Hurst  
Arkansas Historic Preservation Program  
1100 North Street  
Little Rock, Arkansas 72201

**AHPP**

**JUN 12 2018**

Re: Job Number 080495  
Hwy. 10 – Hwy. 7 (Safety Impvts.)  
(Sel. Secs.) (S)  
Route 27, Section 10  
Yell County

Dear Ms. Hurst:

Please find enclosed a Project Identification Form (PIF) for the above referenced project. If you have any questions or require additional information about the project, please contact William McAlexander of my staff at 501-569-2078.

Sincerely,

*Brenda Price*

*for* John Fleming  
Division Head  
Environmental Division

Enclosure:  
PIF

JF:BP:WM:fc

Date 6/13/2018

No known historic properties will be affected by this undertaking. This effect determination could change should new information come to light

*William McAlexander*  
Arkansas State Historic Preservation Officer

### FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

<b>PART I (To be completed by Federal Agency)</b> Job 080495	3. Date of Land Evaluation Request 6/13/18	4. Sheet 1 of
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1. Name of Project Hwy 10 - Hwy 7 (Safety Impvts.) (Hwy 27)	5. Federal Agency Involved FHWA
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2. Type of Project Safety Impvts.	6. County and State Yell AR
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<b>PART II (To be completed by NRCS)</b>	1. Date Request Received by NRCS	2. Person Completing Form
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3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES NO	4. Acres Irrigated   Average Farm Size
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5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: %	7. Amount of Farmland As Defined in FPPA Acres: %
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8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS
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<b>PART III (To be completed by Federal Agency)</b>	<b>Alternative Corridor For Segment</b>			
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	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly				
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor				

<b>PART IV (To be completed by NRCS) Land Evaluation Information</b>				
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A. Total Acres Prime And Unique Farmland	1.63			
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				

<b>PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)</b>				
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PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points				
1. Area in Nonurban Use	15	10			
2. Perimeter in Nonurban Use	10	5			
3. Percent Of Corridor Being Farmed	20	10			
4. Protection Provided By State And Local Government	20	0			
5. Size of Present Farm Unit Compared To Average	10	0			
6. Creation Of Nonfarmable Farmland	25	0			
7. Availability Of Farm Support Services	5	5			
8. On-Farm Investments	20	0			
9. Effects Of Conversion On Farm Support Services	25	0			
10. Compatibility With Existing Agricultural Use	10	0			
<b>TOTAL CORRIDOR ASSESSMENT POINTS</b>	<b>160</b>	<b>30</b>			

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100	100			
Total Corridor Assessment (From Part VI above or a local site assessment)	160	30			
<b>TOTAL POINTS (Total of above 2 lines)</b>	<b>260</b>	<b>130</b>			

1. Corridor Selected: <input type="checkbox"/> New <input checked="" type="checkbox"/> Existing	2. Total Acres of Farmlands to be Converted by Project: 1.63 acres of Prime Farmland	3. Date Of Selection:	4. Was A Local Site Assessment Used?  YES <input type="checkbox"/> NO <input type="checkbox"/>
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5. Reason For Selection:

Signature of Person Completing this Part: 	DATE 6/20/18
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**NOTE:** Complete a form for each segment with more than one Alternate Corridor



IN REPLY REFER TO:

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Arkansas Ecological Service Field Office  
110 South Amity Road, Suite 300  
Conway, Arkansas 72032



June 12, 2018

Mr. John Fleming  
c/o William Bailey  
Arkansas Department of Transportation  
10324 Interstate 30  
Little Rock, Arkansas 72209

Dear Mr. Fleming:

The U.S. Fish and Wildlife Service (Service) is responding to your request dated June 11, 2018, regarding Arkansas Department of Transportation (ArDOT) Job 080495 - Hwy. 10 - Hwy. 7 (Safety Impvts.)(Sel. Secs.) (Proposed Action), Yell County, Arkansas. The project was described and assessed as follows (abbreviated):

ArDOT plans to install left turn lane and intersection improvements at the Liberty Rd./Hwy. 10/7 intersection. The official species list obtained through the U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation website lists the Northern Long-eared Bat (*Myotis septentrionalis*), Gray Bat (*Myotis grisescens*), Piping Plover (*Charadrius melodus*), American Burying Beetle (*Nicrophorus americanus*), and Harperella (*Ptilimnium nodosum*) as species potentially affected by the proposed project. Based on the scope of the project and lack of suitable/available habitat, it is our determination that the project will have "no effect" on the Gray Bat, Piping Plover and Harperella. Based on the determination key associated with the Programmatic Biological Opinion for Transportation Projects within the range of the Indiana Bat and the Northern Long-eared Bat, the proposed project will have "no effect" on the Northern Long-eared Bat. Based on the impact acreage (less than 3 acres) due to construction of the Liberty Road intersection, it is our determination that the project may, but is not likely to adversely affect the American Burying Beetle.

Based on the location of this action, the minimal habitat being affected immediately adjacent to existing roadway and right of way, the distance to known species locations, and application of standard sediment and erosion controls; the Service agrees with your assessment and concurs with your determinations of 'may affect, not likely to adversely affect' for American Burying Beetle. Furthermore, the Service agrees with your assessments and no further consultation for this action regarding the identified species is necessary at this time.

If you have any questions regarding our response or if you need additional information, please contact Lindsey Lewis at (501) 513-4489 or [lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov).

Sincerely,

Melvin L. Tobin  
Field Supervisor



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

In Reply Refer To:

May 31, 2018

Consultation Code: 04ER1000-2018-SLI-1038

Event Code: 04ER1000-2018-E-01580

Project Name: Hwy. 10 - Hwy. 7 (Safety Impvts.)(Sel. Secs.)

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies endangered, threatened, 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.*). **This letter only provides an official species list and technical assistance; if you determine that listed species and/or designated critical habitat may be affected in any way by the proposed project, even if the effect is wholly beneficial, consultation with the Service will be necessary.**

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. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found on our website.

**Please visit our website at <http://www.fws.gov/arkansas-es/IPaC/home.html> for species-specific guidance to avoid and minimize adverse effects to federally endangered, threatened, proposed, and candidate species.** Our web site also contains additional information on species life history and habitat requirements that may be useful in project planning.

**If your project involves in-stream construction activities, oil and natural gas infrastructure, road construction, transmission lines, or communication towers, please review our project specific guidance at <http://www.fws.gov/arkansas-es/IPaC/ProjSpec.html>.**

The karst region of Arkansas is a unique region that covers the **northern third of Arkansas** and we have specific guidance to conserve sensitive cave-obligate and bat species. **Please visit <http://www.fws.gov/arkansas-es/IPaC/Karst.html> to determine if your project occurs in the karst region and to view karst specific-guidance.** Proper implementation and maintenance of best management practices specified in these guidance documents is necessary to avoid adverse effects to federally protected species and often avoids the more lengthy formal consultation process.

**If your species list includes any mussels, Northern Long-eared Bat, Indiana Bat, Yellowcheek Darter, Red-cockaded Woodpecker, or American Burying Beetle, your project may require a presence/absence and/or habitat survey prior to commencing project activities.** Please check the appropriate species-specific guidance on our website to determine if your project requires a survey. We strongly recommend that you contact the appropriate staff species lead biologist (see office directory or species page) prior to conducting presence/absence surveys to ensure the appropriate level of effort and methodology.

**Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further.** Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service, to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally-listed threatened or endangered fish or wildlife species without the appropriate permit.

Through the consultation process, we will analyze information contained in a biological assessment that you provide. If your proposed action is associated with Federal funding or permitting, consultation will occur with the Federal agency under section 7(a)(2) of the ESA. Otherwise, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA (also known as a habitat conservation plan) is necessary to harm or harass federally listed threatened or endangered fish or wildlife species. In either case, there is no mechanism for authorizing incidental take "after-the-fact." For more information regarding formal consultation and HCPs, please see the Service's Consultation Handbook and Habitat Conservation Plans at [www.fws.gov/endangered/esa-library/index.html#consultations](http://www.fws.gov/endangered/esa-library/index.html#consultations).

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

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completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-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 ECOS-IPaC system by completing the same process used to receive the enclosed list.

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 Tracking Number 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

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## Project Summary

Consultation Code: 04ER1000-2018-SLI-1038

Event Code: 04ER1000-2018-E-01580

Project Name: Hwy. 10 - Hwy. 7 (Safety Impvts.)(Sel. Secs.)

Project Type: TRANSPORTATION

Project Description: install left turn lane and intersection improvements at Liberty Rd.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/35.21445074404876N93.19032601157511W>



Counties: Yell, AR

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## Endangered Species Act Species

There is a total of 5 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.

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

### Mammals

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6329">https://ecos.fws.gov/ecp/species/6329</a>	Endangered
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>	Threatened

### Birds

NAME	STATUS
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 is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened

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## Insects

NAME	STATUS
<b>American Burying Beetle</b> <i>Nicrophorus americanus</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/66">https://ecos.fws.gov/ecp/species/66</a>	<b>Endangered</b>

## Flowering Plants

NAME	STATUS
<b>Harperella</b> <i>Ptilimnium nodosum</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/3739">https://ecos.fws.gov/ecp/species/3739</a>	<b>Endangered</b>

## Critical habitats

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

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

IPaC Record Locator: 938-12713937

May 31, 2018

Subject: Consistency letter for the 'Hwy. 10 - Hwy. 7 (Safety Impvts.)(Sel. Secs.)' project (TAILS 04ER1000-2018-R-1038) under 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.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated to verify that the **Hwy. 10 - Hwy. 7 (Safety Impvts.)(Sel. Secs.)** (Proposed Action) may rely on 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 (Project Description shown below), you have determined that the Proposed Action will have no effect on the endangered Indiana bat (*Myotis sodalis*) or the threatened Northern long-eared bat (*Myotis septentrionalis*). If the Proposed Action is not modified, **no consultation is required for these two species.**

**For Proposed Actions that include bridge/structure removal, replacement, and/or maintenance activities:** If your initial bridge/structure assessments failed to detect Indiana bats, but you later detect bats during construction, please submit the Post Assessment Discovery of Bats at Bridge/Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats 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 for the Proposed Action accordingly.

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

- American Burying Beetle, *Nicrophorus americanus* (Endangered)
  - Gray Bat, *Myotis grisescens* (Endangered)
  - Harperella, *Ptilimnium nodosum* (Endangered)
  - Piping Plover, *Charadrius melodus* (Threatened)
-

## Project Description

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

### Name

Hwy. 10 - Hwy. 7 (Safety Impvts.)(Sel. Secs.)

### Description

install left turn lane and intersection improvements at Liberty Rd.

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## 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 threatened 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<sup>[1]</sup>?

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

**Automatically answered**

*No*

2. Is the project within the range of the Northern long-eared bat<sup>[1]</sup>?

[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<sup>[1]</sup> 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<sup>[1]</sup>?

[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*

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6. Does the project include *any* activities **within** 0.5 miles of an Indiana bat and/or NLEB hibernaculum<sup>[1]</sup>?

[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<sup>[1]</sup> summer habitat for Indiana Bat or NLEB **within** the project action area<sup>[2]</sup>? (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 [national consultation FAQs](#).

*No*

9. Does the project include maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins)?

*No*

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

*No*

11. Does the project include slash pile burning?

*No*

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

*No*

13. 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*

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14. Will the project involve the use of **temporary** lighting *during* the active season?  
*No*
  15. Will the project install new or replace existing **permanent** lighting?  
*No*
  16. Will the project raise the road profile **above the tree canopy**?  
*No*
  17. Is the location of this project consistent with a No Effect determination in this key?  
**Automatically answered**  
*Yes, because the project action area is outside of suitable Indiana bat and/or NLEB summer habitat*
-

## Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat

This key was last updated in IPaC on March 16, 2018. 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 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 threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion 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.

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## ARDOT ENVIRONMENTAL IMPACTS ASSESSMENT FORM

ARDOT Job Number 080495 FAP Number PEN-0075(35)

Job Title Hwy. 10 – Hwy. 7 (Safety Impvts.)(Sel. Secs.)(S)

Environmental Impacts	None	Minor	Significant	Comments
Air Quality	X			
Construction Impacts		X		During construction
Cultural Resources	X			
Economic	X			
Endangered Species		X		USFWS concurrence, impacts are under the acreage limitations for ABB
Energy Resources	X			
Environmental Justice/Title VI	X			
Fish and Wildlife		X		During construction
Floodplains	X			
Forest Service Property	X			
Hazardous Materials/Landfills	X			
Land Use Impacts	X			
Migratory Birds	X			
Navigation/Coast Guard	X			
Noise Levels	X			
Prime Farmland		X		Form NRCS-CPA-106 enclosed. 1.63 acres Prime Farmland
Protected Waters	X			
Public Recreation Lands	X			
Public Water Supply/WHPA	X			WHPA SP required
Relocatees	X			
Section 4(f)/6(f)	X			
Social	X			
Underground Storage Tanks	X			
Visual Impacts	X			
Stream Impacts		X		During construction
Water Quality		X		During construction
Wetlands	X			
Wildlife Refuges	X			

Section 401 Water Quality Certification Required? No

Short-term Activity Authorization Required? Yes

Section 404 Permit Required? Yes Type NW14

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

Signature of Evaluator *Shermy LeBlanc* Date June 20, 2018

**ROADWAY DESIGN REQUEST**Job Number 080495 FAP No. \_\_\_\_\_ County YellJob Name Hwy. 10 – Hwy. 7 (Safety Impvts.) (S)Design Engineer David Baker Environmental Staff \_\_\_\_\_Brief Project Description Resurfacing, shoulder and centerline rumble stripes on Hwy. 27.Intersection realignment and turn lane for Liberty Road

## A. Existing Conditions: Hwy. 27

Roadway Width: 22'-24' Shoulder Type/Width: Var.Number of Lanes and Width: 2 (10'-12') Existing Right-of-Way: N/A per M Hammond  
6/13/18 -Hwy 27 ROW  
is 80' at Liberty Road,  
ROW for Hwy 27 rehab  
is n/aSidewalks? No Location: \_\_\_\_\_ Width: \_\_\_\_\_Bike Lanes? No Location: \_\_\_\_\_ Width: \_\_\_\_\_

## Existing Conditions: Liberty Rd.

Roadway Width: 20' Shoulder Type/Width: N/ANumber of Lanes and Width: 2-10' Existing Right-of-Way: N/ASidewalks? No Location: \_\_\_\_\_ Width: \_\_\_\_\_Bike Lanes? No Location: \_\_\_\_\_ Width: \_\_\_\_\_

## B. Proposed Conditions:

Hwy. 27 Roadway 22'-24' Shoulder Type/Width: Var.  
Liberty Rd. Width: 20' 4' (2' paved)Hwy. 27 Number of Lanes and 2-11' Proposed N/A  
Liberty Rd. Width: 2-10' Right-of-Way: 130'Sidewalks? No Location: \_\_\_\_\_ Width: \_\_\_\_\_Bike Lane? No Location: \_\_\_\_\_ Width: \_\_\_\_\_

## C. Construction Information:

If detour: Where: \_\_\_\_\_ Length: \_\_\_\_\_

## D. Design Traffic Data: Hwy. 27

2019 ADT: 5000 2039 ADT: 6000 % Trucks: 8Design Speed: 55 m.p.h.

## Design Traffic Data: Liberty Rd.

2019 ADT: 800 2039 ADT: 1000 % Trucks: 2Design Speed: 30 m.p.h.E. Approximate total length of project: 13.09 mile(s)F. Justification for proposed improvements: Safety ImprovementsG. Total Relocatees: 0 Residences: \_\_\_\_\_ Businesses: \_\_\_\_\_H. Have you coordinated with any outside agencies (e.g. FHWA, City, County, etc.)? No

# PCN Checklist

Job Number and Name: \_\_\_\_\_

Natural Resource Employee: \_\_\_\_\_

**(1)** Does your project occur within (*or within a mile of*) a special resource waterbody (e.g. ERW, ESW, Natural and Scenic or Wild and Scenic)?

Yes  No

\*\*\*If yes, PCN required and Individual Water Quality Certification\*\*\*

Name of waterbody: \_\_\_\_\_

**(2)** Is this a maintenance project involving removal of accumulated sediments near a bridge or culvert?

Yes  No

**(3)** A NWP No 14:

A) With more than 0.1 acre impacts OR

B) A discharge into special aquatic site including wetlands OR

C) In one of the following counties: *Cleburne, Van Buren, Conway, Faulkner, or White?*

Yes  No

**(4)** Is the project a NWP23?

Yes  No

**(5)** Is the project in wetlands:

A) In *Ashley, Clay, Jackson, Lawrence, Woodruff or Craighead County* OR

B) Any of the following waters of the US: Fens, Bogs, Seeps, Dune Depressions OR

C) Cache River and adjacent wetlands downstream of Hwy 18?

Yes  No

**(6)** Is the project in one of the following counties: *Benton or Stone?*

Yes  No

**(7)** Is the project impacting one of the following creeks or rivers?

Antoine River	Frog Bayou	Little Missouri River (Below Greeson)		Saline River (below Dierks Reservoir) *Western	
Arkansas River	Illinois River	Little River (above and below Millwood)		Saline River	
Big Brushy Creek (Montgomery)	Muddy Fork	Little Red River		Alum Fork	Middle Fork
Black River	Irons Fork (Polk)	Devil's Forks	Big Creek	North Fork	South Fork
Brush Creek (Perry and Yell)	Ouachita River	Beech Creek	Middle Fork	Spring River	
Buffalo Creek (Polk)	Iron Fork	Turkey Creek	South Fork	South Fork	
Buffalo River	North Fork	Archey Creek		St. Francis River and Floodway	
Caddo River	South Fork	Mississippi River		Clark Corner Cutoff	Little Bay Ditch
Clear Fork (Scott)	Kings River	Mountain Fork River (Polk)		Cross County Ditch	Little Slough Ditch
Cassatot River	L'Anguille River	Muddy Creek		Ditches 10, 123, 60, 61, 9	St. Francis Bay
Current River	Lewis Creek (Polk)	Myatt Creek		Iron Mines Creek	Straight Slough
Eleven Point River	Little River (Northeast St. Francis Trib)	Rainy Creek (Montgomery)		Strawberry River	
Fiddlers Creek (Montgomery and Yell)	Left Hand Chute	Red River		Tyronza River	
Fourche LaFave River	Right Hand Chute	Robinson Creek (Polk and Sevier)		War Eagle Creek	
Dry Fork	All Ditches	Rolling Fork (Below DeQueen Reservoir)		White River	
South Fork	Little Brushy Creek (Montgomery)				

Yes  No

\*\*\*If you selected yes to any of the questions above a PCN is required\*\*\*

**(8)** IF PCN is required, is the project in an impaired waterbody for turbidity/siltation, a waterbody with a TMDL for turbidity/siltation or within a mile of one the above?

Yes  No

If yes individual Water Quality Certification Required.

Name of Waterbody: \_\_\_\_\_