



## INTEROFFICE MEMORANDUM

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November 18, 2021

**TO:** Master Files

**FROM:** *for* John Fleming, Division Head, Environmental Division *JF*

**SUBJECT:** 2022 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. Public hearings 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. Recent funding changes have resulted in job number changes for all the projects included in this Tier 1 CE. The new and previous job numbers are listed in the attached table.

These projects will 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 toxic 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*), Ozark big-eared bat (*Corynorhinus townsendii ingens*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Ivory-Billed Woodpecker (*Campephilus principalis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Red-Cockaded Woodpecker (*Picoides borealis*), Whooping Crane (*Grus americana*), Ozark hellbender

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(*Cryptobranchus alleganiensis bishopi*), leopard darter (*Percina pantherina*), Ozark cavefish (*Amblyopsis rosae*), pallid sturgeon (*Scaphirhynchus albus*), yellowcheek darter (*Etheostoma moorei*), Arkansas Fatmucket (*Lampsilis powellii*), Curtis Pearlymussel (*Epioblasma curtisii*), Fat Pocketbook (*Potamilus capax*), Louisiana Pearlshell (*Margaritifera hembeli*), Neosho Mucket (*Lampsilis rafinesqueana*), Ouachita Rock Pocketbook (*Arcidens wheeleri*), Pick Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*), Scaleshell Mussel (*Potamilus leptodon*), Snuffbox Mussel (*Epioblasma triquetra*), Speckled Pocketbook (*Lampsilis streckeri*), Spectaclecase (*Cumberlandia monodonta*), Winged Mapleleaf (*Quadrula fragosa*), American burying beetle (*Nicrophorus americanus*), monarch butterfly (*Danaus plexippus*), Benton County cave crayfish (*Cambarus aculabrum*), Hell Creek cave crayfish (*Cambarus zophonastes*), Geocarpon (*Geocarpon minimum*), harperella (*Ptilimnium nodosum*), Missouri bladderpod (*Physaria filiformis*), and pondberry (*Lindera melissifolia*). These projects will have “no effect” on the aforementioned federally listed and candidate species due to the limited scope of the action, lack of suitable habitat, and distance to known species locations.

The monarch butterfly is a candidate species and as such is not federally protected under the Endangered Species Act. However, the USFWS recommends agencies implement conservation measures for candidate species in action areas as these are species, by definition, that may warrant future protection under the Act. ARDOT will plant native wildflowers after construction as a conservation measure.

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

JF:JG:sw

Attachments:

- Project Description Table
- Project Location Maps
- Cultural Resources Clearances
- Environmental Study Checklist

c: Program Management  
Right of Way  
Districts 1-10  
FHWA