



August 17, 2017

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

Re: Job Number 040750
FAP Number ER-0017(43) &
ER-0072(51)
Hwy. 59 Slide Repair
Washington & Crawford Counties
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 repair two slide areas on Highway 59 caused by flooding events in the fall and winter of 2015. Total length of the project is 1.2 mile. Site 1 is located at Log Mile 23.2 approximately 1.9 mile north of Interstate 40 in Crawford County. Site 2 is located between Log Mile 14.3 and 16.10, just north of the Crawford County line in Washington County. Six culverts within Site 2 will also be replaced. A project location map is enclosed.

The project will involve using soil nail walls, a method of landslide stabilization that internally reinforces soil by "nailing" an external wall through the soil to deeper shale or rock. All work will take place within existing right of way.

There are no relocations, hazardous materials, wetland or stream impacts, prime farmland impacts or no *Executive Order 12898* Environmental Justice issues associated with this project. Cultural resources clearance is enclosed.

Early technical assistance provided by the U.S. Fish and Wildlife Service (USFWS) stated no known resources would be affected at Site 1 (see attached email). The USFWS IPAC website lists Piping Plover (*Charadrius melodus*), Ozark cave fish (*Amblyopsis rosae*), and Missouri

bladderpod (*Physaria filiformis*) as species potentially affected by the proposed project at Site 2. Due to the limited scope of the project, lack of habitat present within the project area, and distance to known habitat, a determination was made that the project will not affect these listed species.

IPAC also lists four species of bats: gray bat (*Myotis grisescens*), Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), and Ozark big-eared bat (*Corynorhinus townsendii ingens*) as potentially affected by the proposed project at Site 2. Presence/absence surveys were conducted in July 2017 resulting in the capture of a single Ozark big-eared bat, three northern long-eared bats and no Indiana or gray bats. The northern long-eared bats were tracked to roost trees outside the project area. Based on the survey results and the required cessation of construction activities one hour prior to sunset, the potential to impact bat species in the area will be minimal. The USFWS determined that the proposed project “may affect, but is not likely to adversely affect” any threatened or endangered species.

Based upon ARDOT’s *Policy on Highway Traffic Noise Abatement*, a noise analysis is not required for this project. The project meets the criteria for a Type III project established in 23 CFR 772. Therefore, the project requires no analysis for highway traffic noise impacts. Type III projects do not involve added capacity, construction of new through lanes or auxiliary lanes, changes in the horizontal or vertical alignment of the roadway or exposure of noise sensitive land uses to a new or existing highway noise source. A noise analysis will be required if changes to the proposed project result in reclassification to a Type I project.

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

APPROVED

Environmental Specialist
Federal Highway Administration
Date: 8/17/2017

Sincerely,

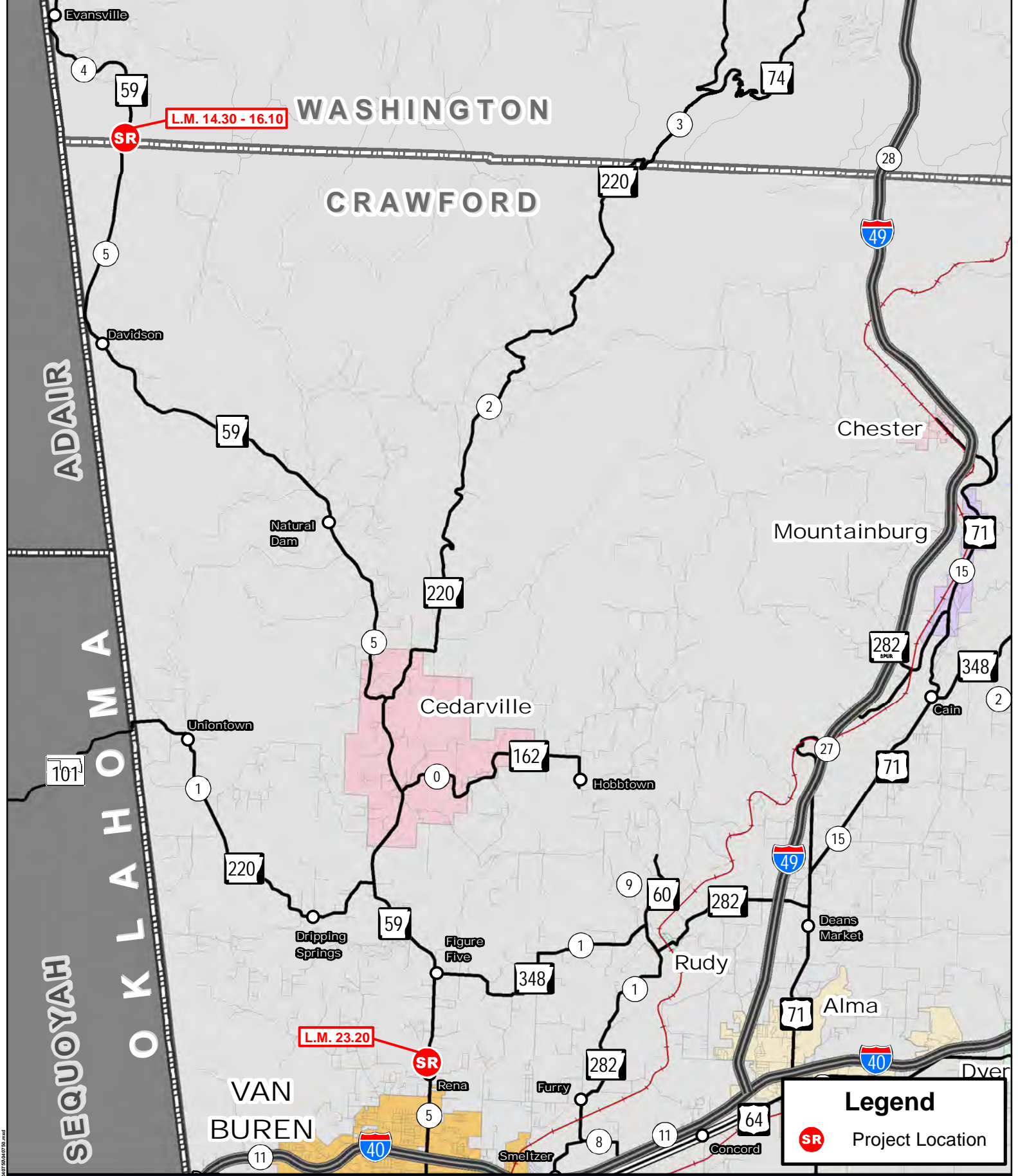


for John Fleming
Division Head
Environmental Division


Enclosures

JF:SS:fc

c: Program Management
Right of Way
Roadway Design
District 4
Master File

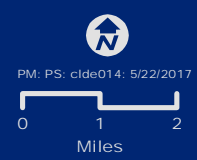


Legend

 Project Location

Job 040750

Hwy. 59 Slide Repair (Washington & Crawford Cos.) (S)
 Hwy. 59, Secs. 4 & 5
 Washington & Crawford Counties




Document Path: \\sawit\GIS\Programs\Contract\Sketch\sketch_040750.mxd

ARKANSAS DEPARTMENT OF TRANSPORTATION

INTEROFFICE MEMORANDUM

August 16, 2017

TO: Job File

FROM: Richard Jenkins, Cultural Resources 

SUBJECT: Archeological Clearance
ARDOT Job Number 040750
Hwy. 59 Slide Repair (Washington & Crawford Counties) (S)
Various Counties

The Arkansas Highway and Transportation Department proposes to repair and reconstruct portions of Highway 59 that is the result of roadway failures. No new right-of-way will be acquired.

An examination of the Arkansas Archeological Survey's (AAS) records was conducted for previously recorded archeological sites and found no sites are near or within the proposed project. A records evaluation at the Department of Arkansas Heritage (AHPP) for National Register listed structures revealed no structures listed on the National Register. The latest topographic quadrangle maps were examined for cemeteries, likely historic structures, and landforms conducive to hold archeological sites; none were found. The 1839 General Land Office maps showed no cultural development near the project. The 1936 Washington and Madison County Highway maps show no structures near this project.

The proposed road improvements will occur in previously disturbed areas inside the current Highway right-of-way. No cultural resources will be impacted. This project is subject to the 1999 MOA and falls under the exempted Work Category "Safety Improvements." The project is not considered an undertaking and requires no further work or Section 106 review.

After a preliminary investigation of archeological and historic properties associated with this job, a discovery of three historic culverts were found to be in place under the existing roadway. Photographs, descriptions, and locations of these structures were submitted to AHPP as part of a Request for Technical Assistance to determine the significance of these structures. All three of the structures were found to be not eligible to the National Register of Historic Places and the project has been recommended to proceed.



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



July 27, 2017

Mickey Matthews
Arkansas Highway & Transportation Department
10324 Interstate 30
Little Rock, AR 72209

Dear Mr. Matthews,

The Service has reviewed your assessment and determinations for AHTD Job Number 040750 Hwy 59 slide repair. The project will involve using soil nail walls, a method of landslide stabilization that internally reinforces soil by “nailing” an external wall through the soil to deeper shale or rock. This repair technique will result in a small footprint. All work will take place within existing right of way, and the technique was chosen to minimize impacts to the creek and clearing requirements. The two sites in southern Crawford county were surveyed for bats (location data was previously provided). Ten bats representing five species were captured; including, one federally endangered Ozark Big-eared Bat, three federally threatened Northern Long-eared Bats, three Evening Bats, two Red Bats, and one Big-Brown Bat. No Indiana Bats were captured. The Northern Long-eared Bats were tracked to roost trees well outside of the project area. The Highway Department proposes as a conservation measure to minimize any potential effects to all bat species to limit construction activities to daytime activities ceasing at least one hour prior to sunset during the active season (March- Nov 15). Construction on this action will not take place until after August 30 and the pup season, thereby minimizing any measurable effects to foraging bat species or their pups. Furthermore, these actions will have temporary and minimal noise and vibration effects in the vicinity of the action.

Based on the results of the survey, conservation measures, location of this action, the minimal habitat being affected, the distance to known species locations and hibernacula, and temporary and limited noise and vibrations; the Service agrees with your assessment and concurs with your determination for Gray Bat, Ozark Big-eared Bat, and Indiana Bat. No further consultation regarding these species is necessary at this time.

Furthermore, the Service has reviewed your determination that the proposed action will not result in any prohibited incidental take for Northern Long-eared Bat. This project may affect the Northern Long-eared Bat; however, there are no effects beyond those previously disclosed in the Service’s programmatic biological opinion for the final 4(d) rule dated January 5, 2016. Any taking that may occur incidental to this project is not prohibited under the final 4(d) rule (50 CFR §17.40(o)). This project is consistent with the description of the proposed action in the programmatic biological opinion, and the 4(d) rule does not prohibit incidental take of the

Mr. Mickey Matthews


Northern Long-eared Bat that may occur as a result of this project. Therefore, the programmatic biological opinion satisfies the "action agency" responsibilities under ESA section 7(a)(2) relative to the Northern Long-eared Bat for this project.

Please keep in mind that you must report any departures from the plans submitted; results of any surveys conducted; or any dead, injured, or sick Northern Long-eared Bats that are found to this office. If this project is not completed within one year of this letter, you must update your determination and resubmit the required information.

Furthermore, due to the limited size of the area being cleared, proximity to the existing right-of-way, minimal adjacent habitat being disturbed, minimal ground disturbance, and distance to known species locations; the Service has no concerns or recommendations to provide as further technical assistance related to this action for any other species identified for this area. No further action is required at this time.

For further assistance or if you have any questions, please contact Lindsey Lewis at (501) 513-4489 or 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:

July 25, 2017

Consultation Code: 04ER1000-2017-SLI-1035

Event Code: 04ER1000-2017-E-01529

Project Name: 040750 Hwy 59 Slide Repairs middle

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.

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 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

Project Summary

Consultation Code: 04ER1000-2017-SLI-1035
Event Code: 04ER1000-2017-E-01529
Project Name: 040750 Hwy 59 Slide Repairs middle
Project Type: TRANSPORTATION
Project Description: Slide Repair

Project Location:

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/35.76043018126936N94.47000801269293W>



Counties: Washington, AR

Endangered Species Act Species

There is a total of 7 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. 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.

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> No critical habitat has been designated for this species. 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	Threatened
Ozark Big-eared Bat <i>Corynorhinus (=Plecotus) townsendii ingens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7245	Endangered

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: except Great Lakes watershed There is a final critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened

Fishes

NAME	STATUS
Ozark Cavefish <i>Amblyopsis rosae</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6490	Threatened

Flowering Plants

NAME

STATUS

Missouri Bladderpod *Physaria filiformis*

Threatened

No critical habitat has been designated for this species.

Species profile: <https://ecos.fws.gov/ecp/species/5361>

Critical habitats

There are no critical habitats within your project area under this office's jurisdiction.



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:

July 25, 2017

Consultation Code: 04ER1000-2017-SLI-1036

Event Code: 04ER1000-2017-E-01531

Project Name: 040750 Hwy 59 Slide Repairs north

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.

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 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

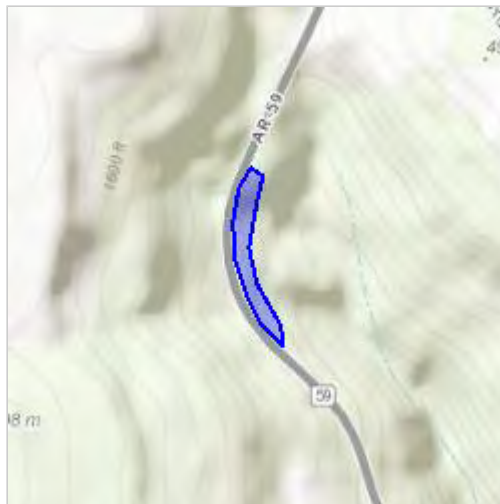
Project Summary

Consultation Code: 04ER1000-2017-SLI-1036
Event Code: 04ER1000-2017-E-01531
Project Name: 040750 Hwy 59 Slide Repairs north
Project Type: TRANSPORTATION
Project Description: Slide repair

Project Location:

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/35.77346432219287N94.47110248454388W>



Counties: Washington, AR

Endangered Species Act Species

There is a total of 7 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. 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.

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> No critical habitat has been designated for this species. 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	Threatened
Ozark Big-eared Bat <i>Corynorhinus (=Plecotus) townsendii ingens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7245	Endangered

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: except Great Lakes watershed There is a final critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened

Fishes

NAME	STATUS
Ozark Cavefish <i>Amblyopsis rosae</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6490	Threatened

Flowering Plants

NAME

STATUS

Missouri Bladderpod *Physaria filiformis*

Threatened

No critical habitat has been designated for this species.

Species profile: <https://ecos.fws.gov/ecp/species/5361>

Critical habitats

There are no critical habitats within your project area under this office's jurisdiction.

Staffeld, Susan

From: Lewis, Lindsey <lindsey_lewis@fws.gov>
Sent: Wednesday, May 24, 2017 12:04 PM
To: Seagraves, Josh
Subject: 2015 Flooding Events Slide Repair

Josh,

Please let me know if you have any questions or need anything else.

Job 030500 - We don't have any knowledge of any listed species in the vicinity of this action or that would be affected by this action.

Job 040749 - We don't have any knowledge of any listed species in the vicinity of this action or that would be affected by this action.

Job 040750 - L.M. 23.20: We don't have any knowledge of any listed species in the vicinity of this action or that would be affected by this action. L.M. 14.30-16.10 This action should be assessed for habitat loss and potential effects to listed bats in the vicinity of the action. If no trees are to be cleared or if trees are cleared outside of the maternity roosting season, it is possible that the effects would be minimal or have no effect depending on the species. Otherwise surveys may be necessary prior to making a determination.

Job 090501 - These actions should be assessed for habitat loss and potential effects to listed bats in the vicinity of the actions. If no trees are to be cleared or if trees are cleared outside of the maternity roosting season, it is possible that the effects would be minimal or have no effect depending on the species. Otherwise surveys may be necessary prior to making a determination.

Job 090503 - This action should be assessed for habitat loss and potential effects to listed bats in the vicinity of the action. This action falls within 3 miles of an Indiana and Northern Long-eared Bat Hibernaculum. If no trees are to be cleared or if trees are cleared outside of the maternity roosting season, it is possible that the effects would be minimal or have no effect depending on the species. Otherwise surveys may be necessary prior to making a determination.

Job 012289 - These actions should be assessed for habitat loss and potential effects to listed bats in the vicinity of the actions. If no trees are to be cleared or if trees are cleared outside of the maternity roosting season, it is possible that the effects would be minimal or have no effect depending on the species. Otherwise surveys may be necessary prior to making a determination.

*The comments herein are for the sole purpose of providing technical assistance to the action agency or for individual pre-project planning assistance. These comments and opinions should not be misconstrued as an "effect determination" or considered as concurrence with any proceeding determination(s) by the action agency in accordance with Section 7 of the Endangered Species Act (ESA). These comments do not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, a finding concurrence letter, etc.) from the Service, both lethal and non-lethal "takes" of protected species are in violation of the ESA.

Lindsey Lewis
Biologist

US 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.

ARDOT ENVIRONMENTAL IMPACTS ASSESSMENT FORM

ARDOT Job Number 040750 FAP Number ER-0017(43) & ER-0072(51)
 Job Title Hwy. 59 Slide Repair (Washington & Crawford Cos.) (S)

Environmental Impacts	None	Minor	Significant	Comments
Air Quality	X			
Construction Impacts		X		Minor during construction
Cultural Resources	X			
Economic	X			
Endangered Species		X		"May affect, not likely to adversely affect"
Energy Resources	X			
Environmental Justice/Title VI	X			
Fish and Wildlife	X			
Floodplains	X			
Forest Service Property	X			
Hazardous Materials/Landfills	X			
Land Use Impacts	X			All work within existing right of way
Migratory Birds	X			
Navigation/Coast Guard	X			
Noise Levels	X			
Prime Farmland	X			
Protected Waters	X			
Public Recreation Lands	X			
Public Water Supply/WHPA	X			
Relocates	X			
Section 4(f)/6(f)	X			
Social	X			
Underground Storage Tanks	X			
Visual Impacts	X			
Stream Impacts	X			
Water Quality	X			
Wetlands	X			
Wildlife Refuges	X			

Section 401 Water Quality Certification Required? No
 Short-term Activity Authorization Required? No
 Section 404 Permit Required? No Type None

Remarks: _____

Signature of Evaluator Susan Staffeld Date August 4, 2017