

TIER 3 CATEGORICAL EXCLUSION

ARDOT JOB NUMBER 030458

FAP NUMBER NHPP-0055(33)

LITTLE MISSOURI RIVER & RELIEF STRS. & APPRS. (S)

ROUTE 19, SECTION 5

NEVADA AND PIKE COUNTIES

Submitted Pursuant to 42 U.S.C. 4332(2)

By the

U.S. Department of Transportation

Federal Highway Administration

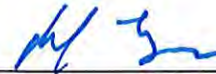
And the

Arkansas Department of Transportation

June 2019

6/20/2019

Date of Approval



Randal Looney
Environmental Coordinator
Federal Highway Administration

The Environmental Division reviewed the referenced project and has determined 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 replace the Highway 19 bridge (Bridge No. 03095) over the Little Missouri River in Nevada and Pike Counties, and repair the deck of the Highway 19 bridge (Bridge No. 06347) over the Little Missouri Relief in Nevada County. Total length of the project is 1.27 miles. A project location map is attached.

The existing roadway consists of two 12' wide paved travel lanes with 8' wide paved shoulders. Bridge No. 03095 is approximately 502' x 40' and Bridge No. 06347 is approximately 425' x 40'; both bridges are in poor condition. Existing right of way width varies from 100' to 240'.

The replacement bridge over the Little Missouri River will be approximately 502' x 40' and constructed adjacent to the existing bridge on the east side. The existing bridge will remain in place for traffic maintenance and removed after the new bridge is constructed. Recent fire damage to Bridge No. 06347 will be repaired. The roadway cross section will not be modified. The average proposed right of way width will vary from 100' to 280'. Approximately 2.09 acres of additional right of way will be required for this project.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2020	920	30	55 mph
2040	1,000	30	55 mph

There are no relocations, wetlands, public water supplies, environmental justice concerns, underground storage tanks/hazardous wastes, or cultural resources associated with this project. State Historic Preservation Officer clearance is attached. Approximately 0.27 acre of Prime Farmland will be converted to highway right of way. Form NRCS-CPA-106 is attached. 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 toxic (MSAT) concerns.

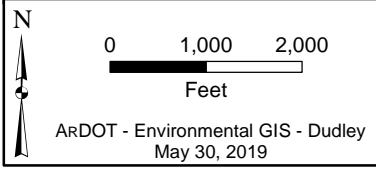
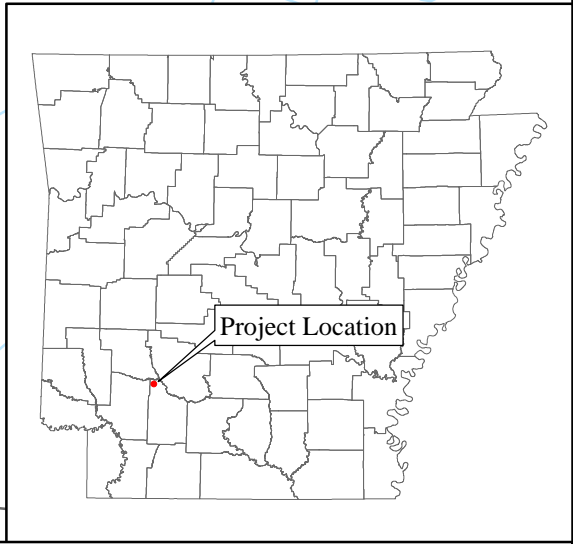
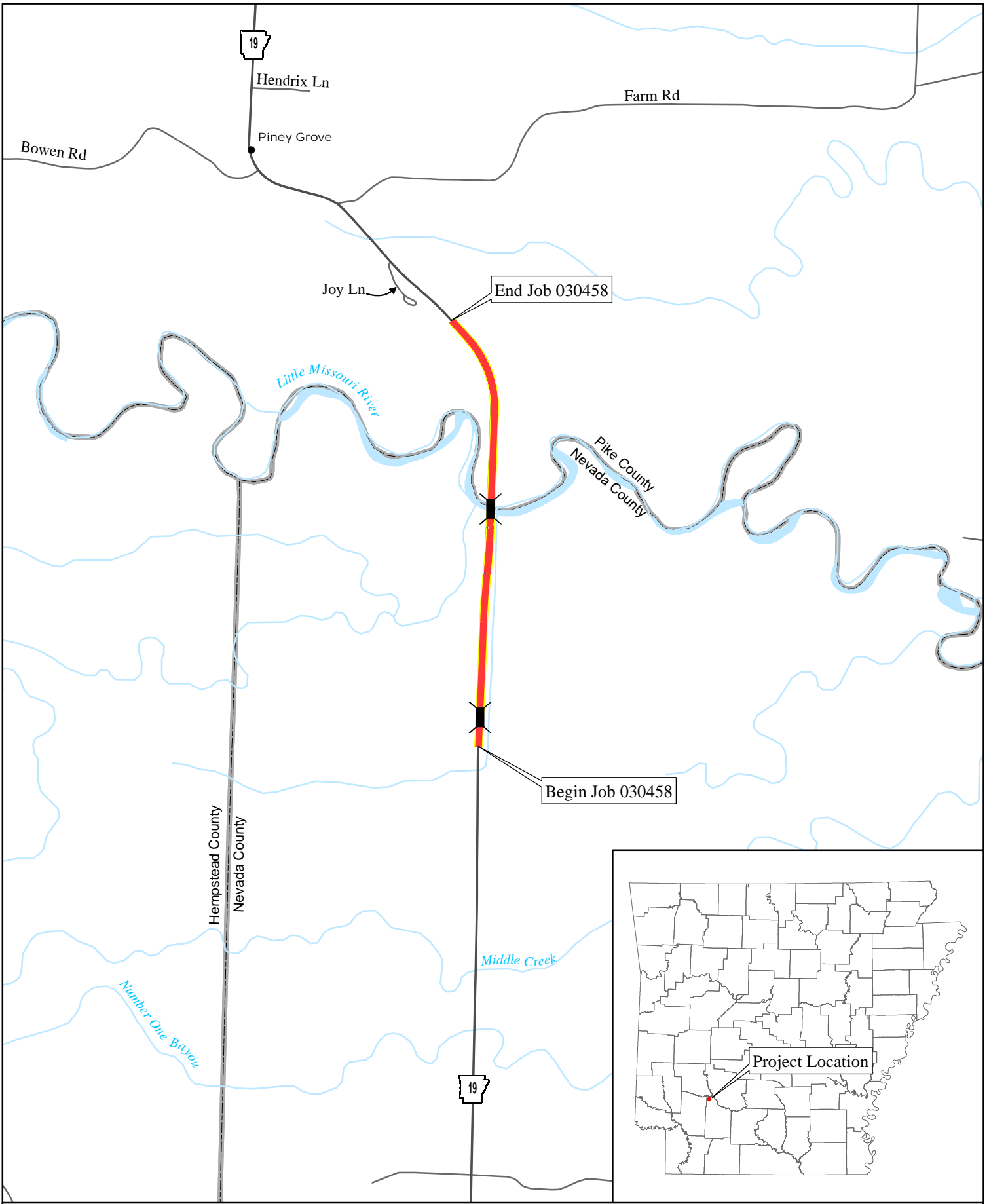
Based on the ARDOT's noise policy, a noise analysis is not required for this project. The project does not involve added capacity, substantial changes in the horizontal or vertical alignment of the roadway, or exposure of noise sensitive land uses to a new or existing traffic noise source. In compliance with federal guidelines, local authorities will not require notification.

Nevada and Pike Counties participate in the National Flood Insurance Program. The project is located in Zone A, 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 project construction. None of the encroachments will constitute a substantial floodplain encroachment or a risk to property or life.

The official species list obtained through the U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) website lists northern long-eared bat (*Myotis septentrionalis*), Ouachita Rock Pocketbook (*Arcidens wheeleri*), Pink Mucket, (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*), and Winged Mapleleaf (*Quadrula fragosa*) as species potentially affected by the proposed project. ARDOT personnel surveyed the area for mussels and found one *Alasmidonta marginata*, two undescribed *Lampsilis* species, and two *Vilosa lienosa*. The nearest known location with listed species is >20 miles downstream (AR mussel database) of the Determination Key within IPaC, a "may affect" determination with no prohibited take was made for the northern long-eared bat. The official species list and 4(d) rule verification letters are attached. Based on negative survey results, distance to known populations of listed species, and the use of appropriate erosion and sediment control, a determination of "may affect, not likely to adversely affect" was made for the remaining listed species. The USFWS concurrence is attached.

The project will have a discharge of dredged or fill material into waters of the U.S. associated with the new bridge; therefore, a Section 404 permit will be required. The project should be authorized by Nationwide Permit 23 for Approved Categorical Exclusions as defined in Federal Register 82(4): 1860-2008.

No other adverse environmental impacts were identified. The checklist used to verify consideration of potential environmental impacts is attached.



Job 030458
Little Missouri River & Relief
Strs. & Apprs. (Hwy. 19)
Nevada County





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

*103706.01
FHWA*

June 28, 2019

AHPP

JUN 28 2019

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

RE: Job Number 030458
Little Missouri River & Relief Strs.
& Apprs. (S)
Route 19, Sections 5 & 6
Nevada & Pike Counties

Dear Ms. Hurst:

An Addendum to the Project identification Form (PIF) is enclosed for above referenced project. Please provide your effect finding as soon as possible. If you have any questions or require additional information about the project, please contact Wm. Lane Shields of my staff at 501-569-2077.

Sincerely,

for **John Fleming**
Division Head
Environmental Division

Enclosure
Addendum PIF

JF:KB:WLS:cb

Date: July 5, 2019

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

Arkansas State Historic Preservation Office

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency) Job 030458	3. Date of Land Evaluation Request 6/4/19	4. Sheet 1 of
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1. Name of Project Little Missouri River & Relief Strs. & Apprs. (Hwy. 19)	5. Federal Agency Involved FHWA
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2. Type of Project Bridge Replacement	6. County and State Nevada AR.
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PART II (To be completed by NRCS)	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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PART III (To be completed by Federal Agency)	Alternative Corridor For Segment			
	Corridor A	Corridor B	Corridor C	Corridor D

A. Total Acres To Be Converted Directly				
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B. Total Acres To Be Converted Indirectly, Or To Receive Services				
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C. Total Acres In Corridor				
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PART IV (To be completed by NRCS) Land Evaluation Information				
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A. Total Acres Prime And Unique Farmland	.27			
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B. Total Acres Statewide And Local Important Farmland				
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C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
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D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				
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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)				
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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				
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1. Area in Nonurban Use	15	15			
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2. Perimeter in Nonurban Use	10	10			
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3. Percent Of Corridor Being Farmed	20	5			
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4. Protection Provided By State And Local Government	20	0			
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5. Size of Present Farm Unit Compared To Average	10	0			
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6. Creation Of Nonfarmable Farmland	25	0			
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7. Availability Of Farm Support Services	5	5			
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8. On-Farm Investments	20	0			
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9. Effects Of Conversion On Farm Support Services	25	0			
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10. Compatibility With Existing Agricultural Use	10	0			
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TOTAL CORRIDOR ASSESSMENT POINTS	160	35			
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PART VII (To be completed by Federal Agency)					
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Relative Value Of Farmland (From Part V)	100	100			
--	------------	-----	--	--	--

Total Corridor Assessment (From Part VI above or a local site assessment)	160	35			
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X _____ (of above 2 lines)	260	135			
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ing	2. Total Acres of Farmlands to be Converted by Project: .27 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
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John Baber

6/4/19

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 6, 2019

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

Dear Mr. Fleming:

Thank you for your email of June 4, 2019. The U.S. Fish and Wildlife Service (Service) is responding to your request regarding Job Number 030458 Little Missouri River & Relief Strs. & Apprs., replacing the Hwy. 19 Bridge over the Little Missouri River and repairing the relief bridge, Nevada and Pike Counties, Arkansas. The project was described and assessed as follows (abbreviated and summarized):

ArDOT is replacing the Hwy. 19 Bridge over the Little Missouri River and repairing the relief bridge. The new bridge will be on new alignment adjacent to the east of the current one.

The official species list obtained through the U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) website lists Northern Long-eared Bat (*Myotis septentrionalis*), Ouachita Rock Pocketbook (*Arcidens wheeleri*), Pink Mucket, (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*), and Winged Mapleleaf (*Quadrula fragosa*) as species potentially affected by the proposed project. ArDOT personnel surveyed the area for mussels and found one *Alasmidonta marginata*, two undescribed *Lampsilis* species, and two *Vilosa lienosa*. The nearest known location with listed species is >20 miles downstream (AR mussel database).

Based on the results of the Determination Key within IPaC, a "may affect" determination with no prohibited take was made for the Northern Long-eared Bat. The 4(d) rule verification letter is attached. Based on negative survey results, distance to known populations of listed species, and the use of appropriate erosion and sediment control, a determination of "may affect, not likely to adversely affect" the remaining listed species.

ArDOT is requesting concurrence with this determination.

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 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.

Based on the negative survey results, location of this action, the minimal habitat being affected immediately adjacent to existing roadway bridges and right of way, the distance to known species locations and suitable habitat, 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 the listed species identified.

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.

Sincerely,



Melvin L. Tobin
Field Supervisor

cc: Project File
Read File
Filename: C:\Users\lilewis\Documents\PROJECTS\FY2019\ARDOT\Job Number 030458
Little Missouri River & Relief\Job Number 030458 Little Missouri River & Relief -
Comments.docx



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:

June 04, 2019

Consultation Code: 04ER1000-2019-SLI-0980

Event Code: 04ER1000-2019-E-01876

Project Name: 030458 - Little Missouri River & Relief Strs. & Apprs. (S)

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.**

If you determine that this project will have no effect on listed species and their habitat in any way, then you have completed Section 7 consultation with the Service and may use this letter in your project file or application.

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: 04ER1000-2019-SLI-0980

Event Code: 04ER1000-2019-E-01876

Project Name: 030458 - Little Missouri River & Relief Strs. & Apprs. (S)

Project Type: TRANSPORTATION

Project Description: Replace the Hwy 19 bridge over the Little Missouri River and repair the deck of the relief bridge.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/33.956567294340985N93.4436345100403W>



Counties: Nevada, AR | Pike, AR

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 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
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

Clams

NAME	STATUS
<p>Ouachita Rock Pocketbook <i>Arkansia wheeleri</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4509</p>	Endangered
<p>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</p>	Endangered
<p>Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165</p>	Threatened
<p>Winged Mapleleaf <i>Quadrula fragosa</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4127</p>	Endangered

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:

June 04, 2019

Consultation Code: 04ER1000-2019-TA-0980

Event Code: 04ER1000-2019-E-01877

Project Name: 030458 - Little Missouri River & Relief Strs. & Apprs. (S)

Subject: Verification letter for the '030458 - Little Missouri River & Relief Strs. & Apprs. (S)' project under the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-eared Bat and Activities Excepted from Take Prohibitions.

Dear Mickey Matthews:

The U.S. Fish and Wildlife Service (Service) received on June 04, 2019 your effects determination for the '030458 - Little Missouri River & Relief Strs. & Apprs. (S)' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. This IPaC key assists users in determining whether a Federal action is consistent with the activities analyzed in the Service's January 5, 2016, Programmatic Biological Opinion (PBO). The PBO addresses activities excepted from "take"^[1] prohibitions applicable to the northern long-eared bat under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, the Action is consistent with activities analyzed in the PBO. The Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the PBO satisfies and concludes your responsibilities for this Action under ESA Section 7(a)(2) with respect to the northern long-eared bat.

Please report to our office any changes to the information about the Action that you submitted in IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation. If the Action is not completed within one year of the date of this letter, you must update and resubmit the information required in the IPaC key.

This IPaC-assisted determination allows you to rely on the PBO for compliance with ESA Section 7(a)(2) only for the northern long-eared bat. It **does not** apply to the following ESA-protected species that also may occur in the Action area:

- Ouachita Rock Pocketbook, *Arkansia wheeleri* (Endangered)
- Pink Mucket (pearlymussel), *Lampsilis abrupta* (Endangered)
- Rabbitsfoot, *Quadrula cylindrica cylindrica* (Threatened)
- Winged Mapleleaf, *Quadrula fragosa* (Endangered)

If the Action may affect other federally listed species besides the northern long-eared bat, a proposed species, and/or designated critical habitat, additional consultation between you and this Service office is required. If the Action may disturb bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act is recommended.

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

030458 - Little Missouri River & Relief Strs. & Apprs. (S)

2. Description

The following description was provided for the project '030458 - Little Missouri River & Relief Strs. & Apprs. (S)':

Replace the Hwy 19 bridge over the Little Missouri River and repair the deck of the relief bridge.

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/33.956567294340985N93.4436345100403W>

**Determination Key Result**

This Federal Action may affect the northern long-eared bat in a manner consistent with the description of activities addressed by the Service's PBO dated January 5, 2016. Any taking that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR §17.40(o). Therefore, the PBO satisfies your responsibilities for this Action under ESA Section 7(a)(2) relative to the northern long-eared bat.

Determination Key Description: Northern Long-eared Bat 4(d) Rule

This key was last updated in IPaC on May 15, 2017. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for Federal actions is to assist determinations as to whether proposed actions are consistent with those analyzed in the Service's PBO dated January 5, 2016.

Federal actions that may cause prohibited take of northern long-eared bats, affect ESA-listed species other than the northern long-eared bat, or affect any designated critical habitat, require ESA Section 7(a)(2) consultation in addition to the use of this key. Federal actions that may affect species proposed for listing or critical habitat proposed for designation may require a conference under ESA Section 7(a)(4).

Determination Key Result

This project may affect the threatened Northern long-eared bat; therefore, consultation with the Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.) is required. However, based on the information you provided, this project may rely on the Service's January 5, 2016, *Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions* to fulfill its Section 7(a)(2) consultation obligation.

Qualification Interview

1. Is the action authorized, funded, or being carried out by a Federal agency?

Yes

2. Have you determined that the proposed action will have "no effect" on the northern long-eared bat? (If you are unsure select "No")

No

3. Will your activity purposefully **Take** northern long-eared bats?

No

4. Is the project action area located wholly outside the White-nose Syndrome Zone?

Automatically answered

No

5. Is the project action area located within 0.25 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency

Automatically answered

No

6. Is the project action area located within 150 feet of a known occupied northern long-eared bat maternity roost tree?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency

Automatically answered

No

Project Questionnaire

If the project includes forest conversion, report the appropriate acreages below. Otherwise, type '0' in questions 1-3.

1. Estimated total acres of forest conversion:

2.1

2. If known, estimated acres of forest conversion from April 1 to October 31

2.1

3. If known, estimated acres of forest conversion from June 1 to July 31

2.1

If the project includes timber harvest, report the appropriate acreages below. Otherwise, type '0' in questions 4-6.

4. Estimated total acres of timber harvest

0

5. If known, estimated acres of timber harvest from April 1 to October 31

0

6. If known, estimated acres of timber harvest from June 1 to July 31

0

If the project includes prescribed fire, report the appropriate acreages below. Otherwise, type '0' in questions 7-9.

7. Estimated total acres of prescribed fire

0

8. If known, estimated acres of prescribed fire from April 1 to October 31

0

9. If known, estimated acres of prescribed fire from June 1 to July 31

0

If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.

10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?
0

**ARDOT ENVIRONMENTAL VERIFICATION CHECKLIST
FOR CONSIDERATION OF POTENTIAL IMPACTS**

ARDOT Job Number 030458 FAP Number NHPP-0055(33)

Job Title Little Missouri River & Relief Strs. & Apprs. (S)

Environmental Resource	None	Minimal	Major	Comments-required for each item
Air Quality	X			No air quality/MSAT impacts
Cultural Resources	X			SHPO clearance attached (5/7/19)
Economic	X			No adverse
Endangered Species	X			NLAA attached (6/6/19)
Environmental Justice/Title VI	X			No EJ populations in project area
Fish and Wildlife		X		Minor disturbance during construction
Floodplains		X		Floodplain SP added (Zone A)
Forest Service Property	X			None in project area
Hazardous Materials/Landfills	X			None identified
Land Use		X		2.09 new ROW
Migratory Birds	X			Bird SP added
Navigation/Coast Guard	X			No navigable waterways involved
Noise Levels	X			No noise impacts identified
Prime Farmland		X		0.27 acre; CPA-106 attached
Protected Waters	X			None in project area
Public Recreation Lands	X			None in project area
Public Water Supply/WHPA	X			None identified in project area
Relocatees	X			No relocations necessary
Section 4(f)/6(f)	X			None identified in project area
Social	X			No adverse social impacts
Underground Storage Tanks	X			None in project area
Visual	X			No adverse visual quality impacts
Streams		X		Minor disturbance during construction
Water Quality		X		Minor disturbance during construction
Wetlands		X		Minor disturbance during construction
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 No. 23

Remarks: _____

Signature of Evaluator Mary Pearson Date June 14, 2019

ROADWAY DESIGN REQUEST

Job Number 030458 FAP No. NHPP-0055(33) County Nevada & Pike

Job Name Little Missouri River & Relief Strs. & Apprs. (S)

Design Engineer Garver Environmental Staff _____

Brief Project Description Replace bridge 03095 and repair bridge deck 06347

A. Existing Conditions:

Roadway Width: 40' Shoulder Type/Width: 8' paved

Number of Lanes and Width: 2-12' Existing Right-of-Way: 100'-240'

Sidewalks? N/A Location: _____ Width: _____

Bike Lanes? N/A Location: _____ Width: _____

B. Proposed Conditions:

Roadway Width: 40' Shoulder Type/Width: 8' paved

Number of Lanes and Width: 2-12' Proposed Right-of-Way: 100'-280'

Sidewalks? N/A Location: _____ Width: _____

Bike Lanes? N/A Location: _____ Width: _____

C. Construction Information:

If detour: Where: N/A Length: _____

D. Design Traffic Data:

2020 ADT: 920 2040 ADT: 1000 % Trucks: 30
Design Speed: 55 m.p.h.

E. Approximate total length of project: 1.27 mile(s)

F. Justification for proposed improvements: Functionally obsolete bridge/recent bridge damage

G. Total Relocates: N/A Residences: N/A Businesses: N/A

H. Have you coordinated with any outside agencies (e.g., FHWA, City, County, etc.)? N/A

Agency/Official	Person Contacted	Date