



## INTEROFFICE MEMORANDUM

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May 4, 2022

**TO:** Master Files

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

**SUBJECT:** Job 012388  
FAP HSIP-0076(258)  
Statewide CMB Impvts. (Sel. Secs.) (2022) (S)  
Various Routes and Sections  
Various Counties  
Tier 1 Categorical Exclusion

After appropriate environmental review, it has been determined that the subject job is a Tier 1 Categorical Exclusion as described by the ARDOT/FHWA Programmatic Agreement on Categorical Exclusion Documentation and Processing. A public hearing will not be offered for this project.

The purpose of this project is to install Cable Median Barriers (CMBs) at 28 locations along Highway 5 and Interstates 30, 40, and 530 in multiple counties. CMBs will be installed 10' from the inside lane edge and anchored in a 6' wide concrete ditch. In addition, selected sections of the project will include installation of guardrails at bridge ends and 75' of concrete barrier wall. All work will occur within the existing right of way. A project location map is attached.

The project will not involve relocations, prime farmlands, wetlands, underground storage tanks, hazardous materials, any environmental justice issues, or cultural resources. This project has been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special mobile source air toxic concerns. A Section 404 permit will not be required. The Cultural Resources clearance is attached.

The official species list obtained through US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation website identified the following species as potentially occurring in the project area: Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Red-cockaded Woodpecker (*Picoides borealis*), Arkansas Fatmucket (*Lampsilis powellii*), Ouachita Rock Pocketbook (*Arkansia wheeleri*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*), Spectaclecase (*Cumberlandia monodonta*), Winged Mapleleaf (*Quadrula fragosa*), monarch butterfly (*Danaus plexxipus*), and Missouri bladderpod (*Physaria filiformis*).

Based on the scope of the project, it has been determined that the project will have 'no effect' for the Indiana bat, northern long-eared bat, Eastern Black Rail, Piping Plover, Red Knot, and Missouri bladderpod.

Utilizing the Arkansas Determination Key, it has been determined that the project 'may affect, but is not likely to adversely affect' the Red Cockaded Woodpecker, Arkansas Fatmucket, Ouachita Rock Pocketbook, Pink Mucket, Rabbitsfoot, Spectaclecase, and Winged Mapleleaf. The USFWS concurred on April 11, 2022.

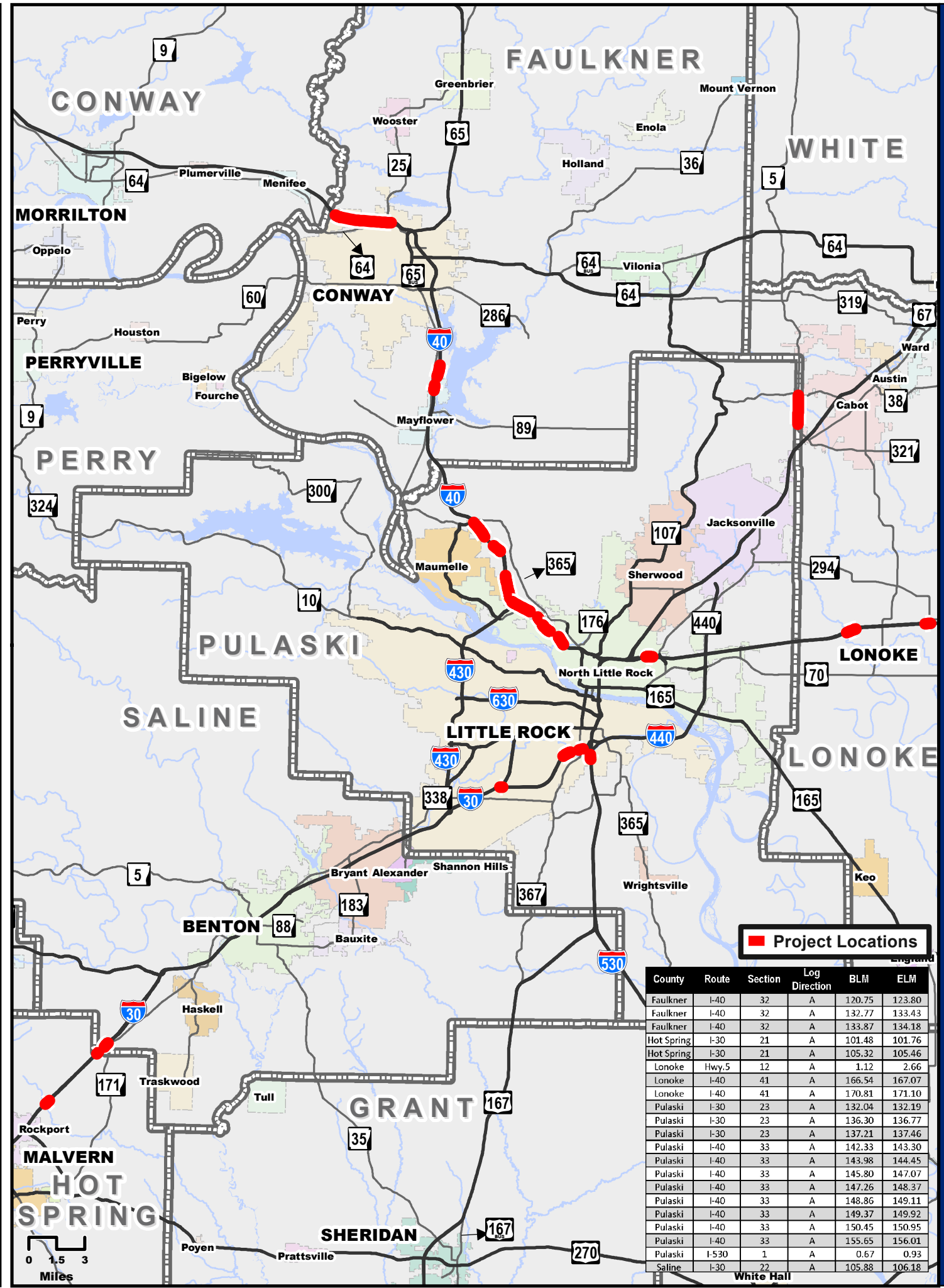
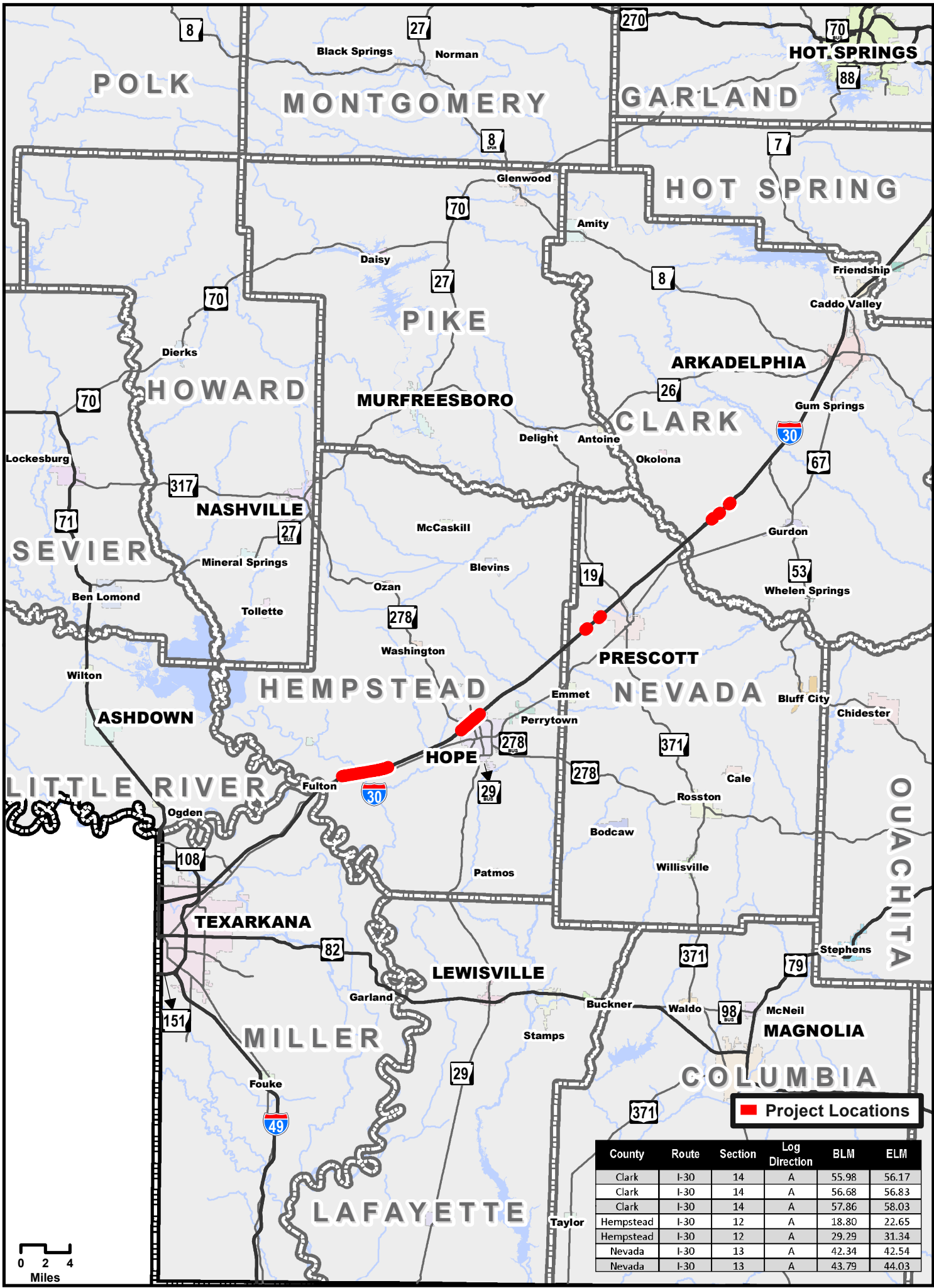
The monarch butterfly is a candidate species and as such is not federally protected under the Endangered Species Act. However, the USFWS recommends agencies implement conservation measures for candidate species in action areas as these are species, by definition, that may warrant future protection under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

JF:JG:sw

Attachments:

- Project Location Map
- Cultural Resources Clearance
- Environmental Study Checklist

c: Program Management  
Right of Way  
Roadway Design  
Districts 3, 6, 7, & 8  
FHWA






## INTEROFFICE MEMORANDUM

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May 12, 2021

**TO:** Job File

**FROM:** Jason Kennedy, Cultural Resources Section  


**SUBJECT:** Cultural Resources Clearance  
Job 012388  
Statewide Cable Median Barrier (2021)  
Various Counties

This project proposes to install Cable Median Barriers (CMBs) at 28 locations on Interstates 30, 40, and 530 and Highway 5 in Clark, Faulkner, Hempstead, Hot Spring, Lonoke, Pulaski, and Saline Counties. No new right-of-way (ROW) will be acquired. All work will occur within the existing roadway.

A records check of the Arkansas Archeological Survey's database showed one archeological site (3HE0028) on or immediately adjacent to the proposed project area. This is a pre-historic site surveyed in 1985 for the construction of I-30. The site was likely destroyed by the construction of I-30. Based on a records check of Arkansas Historic Preservation Program's database for National Register of Historic Places (NRHP) properties, no previously recorded historic structures are located on or adjacent to the proposed project area. No cemeteries are located near the project area.

Nineteenth through twentieth century maps were examined. The 1839 General Land Office (GLO) plat map of Township 3 South Range 17 West shows a road that intersects I-30, the 1855 GLO plat map of Township 2 North Range 12 West shows the Lewisburg Road that intersects I-40, and the 1855 GLO plat map of Township 2 North Range 11 West shows a field that intersects I-40. The 1936 Faulkner, Hempstead, Hot Spring, Lonoke, and Saline County maps show development, including scatterings of small communities and structures that would

have been near or intersected the project area. The 1936 Pulaski County map shows the project within the Little Rock and North Little Rock city limits. None of these structures, if still extant, will be affected by the construction of the CMBs. In addition, the Trail of Tears (ToT) runs parallel to the north of the project area and intersects the I-40 exit ramps at Highways 161 and 365. The ToT will also not be affected by the rehabilitation. Bridges X0138, A2623, B2623, 3179, A3179, A3193, B3193, A3233, B3233, A5051, B5051, A5052, B5052, A3866, B3866, A3867, B3867, and M3038 are 45 years of age or older and are within or adjacent to the project area. They were not evaluated for eligibility to the NRHP due to the Advisory Council on Historic Preservation's Section 106 exemption regarding effects to the Interstate Highway System (filed on the Federal Register as 69 FR 77979-77981 and authority of 16 U.S.C. 470v; 36 CFR 800.14(c) on March 7, 2005).

The existing topography, aerial imagery, previous infrastructure and construction practices were examined to assess previous ground disturbance. This type of undertaking has no potential to cause effects to historic properties. All work will be within the existing ROW, and the scope of the project occurs within previously disturbed areas. Therefore, this project is exempt from additional Section 106 review under Appendix C, Activities 1 and 19 of the 2021 Programmatic Agreement.

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

ARDOT Job 012388 FAP HSIP-0076(258)

Job Title Statewide CMB Impvts. (Sel. Secs.) (2022) (S)

Environmental Resource	None	Minimal	Major	Comments-required for each item
Air Quality	X			No air quality/MSAT impacts
Cultural Resources	X			CR clearance memo attached
Economic	X			No adverse impacts
Endangered Species		X		"No effect" & NLAA determinations made
Environmental Justice/Title VI	X			No impacts anticipated
Fish and Wildlife		X		Temporary disturbance during construction
Floodplains	X			None impacted by project
Forest Service Property	X			None in the project area
Hazardous Materials/Landfills	X			No sites in project area
Land Use	X			Will not be impacted by project
Migratory Birds	X			No impacts anticipated
Navigation/Coast Guard	X			None involved with the project
Noise Levels	X			No increases due to project
Prime Farmland	X			None impacted by project
Protected Waters	X			No impacts anticipated
Public Recreation Lands	X			None in the project area
Public Water Supply/WHPA	X			No impacts anticipated
Relocates	X			No relocations
Section 4(f)/6(f)	X			4f/6f resources not present
Social	X			No impacts to the social environment
Underground Storage Tanks	X			No USTs in project area
Visual	X			No changes to visual environment
Streams	X			None in the project area
Water Quality	X			No impacts anticipated
Wetlands	X			None in the project area
Wildlife Refuges	X			None in the project area

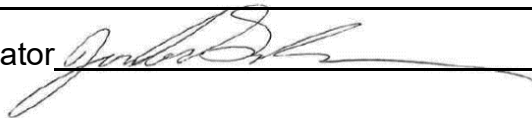
Section 401 Water Quality Certification Required? No

Short-term Activity Authorization Required? No

Section 404 Permit Required? No Type None

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

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Signature of Evaluator  Date 4/26/2022