

TIER 3 CATEGORICAL EXCLUSION

**ARDOT JOB 040885
FAP ER-0017(52)
HWY. 59 REALIGNMENT (CRAWFORD CO.) (S)
ROUTE 59, SECTION 5
CRAWFORD COUNTY**

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

By the

U.S. Department of Transportation

Federal Highway Administration

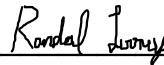
And the

Arkansas Department of Transportation

November 2023

November 16, 2023

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 Programmatic 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 realign Highway 59 in Crawford County to avoid unstable landslide areas. Total length of the project is approximately 0.4 mile. A project location map is attached.

The existing roadway consists of two 12' wide paved travel lanes with 4' wide paved shoulders. Existing right of way (ROW) width averages 85'.

Proposed improvements include two 12' wide paved travel lanes with 8' wide paved shoulders. The average proposed ROW width will average 230'. Approximately 6.5 acres of additional ROW and 0.2 acre of temporary construction easement will be required for this project.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2023	8,000	6%	55 mph
2043	9,900		

There are no underground storage tanks, hazardous materials, prime farmlands, wetlands, wellhead protection area/public water supplies, or cultural resources. The State Historic Preservation Officer's clearance is attached.

Two residential owners and two residential tenants would be relocated for construction of this project. *Public Law 91-646, Uniform Relocation Assistance Act of 1970*, as amended, will apply. A Conceptual Stage Relocation Study is attached.

The proposed project will realign Highway 59 to the east of the current highway, passing through areas that are primarily business and residential properties. This alignment will not sever any subdivisions and will not disrupt community services; however, the project will result in some property impacts. Based on the above discussion and analysis (U.S. Census Bureau and field observations), the proposed project will not cause disproportionately high and adverse effects on any minority populations in accordance with the provisions of E.O. 12898 and FHWA

Order 6640.23. Per the Right of Way Conceptual Stage Relocation Inventory, no elderly residents were identified. No further EJ analysis is required.

An open-forum public involvement meeting was held on June 29, 2023 in Van Buren at the Van Buren Senior Activity Center during the development of this project. A synopsis of this meeting is attached.

Noise predictions were made for this project using the FHWA Traffic Noise Model Version 2.5. As detailed in the attached noise assessment report, one noise sensitive receptor was predicted to experience noise impacts under both existing and future conditions. No additional receptors were predicted to experience noise impacts under future build conditions. Future noise impacts would be minor (noise levels not exceeding a 1 to 2 dBA increase), and no substantial increases (≥ 10 dBA) were predicted.

The official species list obtained from the U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation identified the following species as potentially occurring within the project boundaries: Gray Bat (*Myotis grisescens*), Indiana Bat (*Myotis sodalis*), Northern Long-eared Bat (*Myotis septentrionalis*), Ozark Big-eared Bat (*Corynorhinus townsendii ingens*), Tricolored Bat (*Perimyotis subflavus*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Alligator Snapping Turtle (*Macrochelys temminckii*), American Burying Beetle (*Nicrophorus americanus*), Monarch Butterfly (*Danaus plexippus*), and Missouri bladderpod (*Physaria filiformis*). See the attached USFWS species list.

The "AFO Arkansas Multi-Species Determination Key", "FHWA Programmatic Biological Opinion (PBO) for Transportation Projects within the Range of Indiana Bat and Northern Long-Eared Bat", and "American Burying Beetle Consultation and 4(d) Rule Consistency" were evaluated for this project. This project was found to be outside of the scope of the FHWA bat PBO.

The action will have "no effect" on Eastern Black Rail, Piping Plover, and Red Knot, and "may affect but is not likely to adversely affect" Gray Bat, Indiana Bat, Northern Long-eared Bat, Ozark Big-eared Bat, and Missouri bladderpod. USFWS sent their concurrence with these determinations 08/07/2023.

This action will not jeopardize the continued existence of Alligator Snapping Turtle and Tricolored Bat.

The ABB Final 4(d) Rule applies to the project's activities that have the potential to affect American Burying Beetles. The Final 4(d) Rule exempts the incidental take of American Burying Beetles from take prohibitions in the Endangered Species Act (ESA). The exemptions apply as long as the activities do not occur

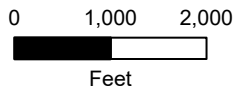
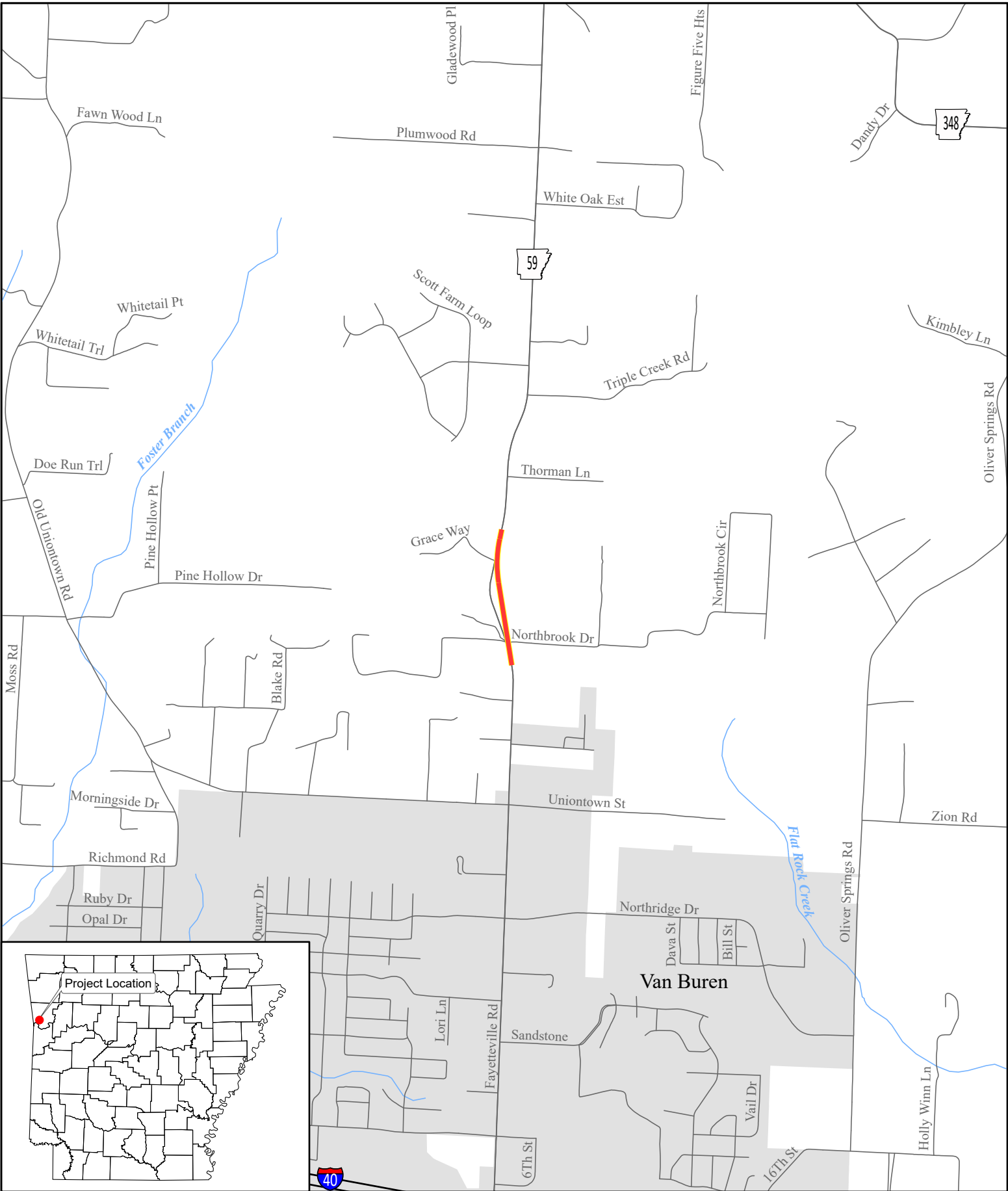
on certain conservation lands in the Southern Plains Analysis Areas. Within Arkansas, these conservation lands are entirely within the existing boundaries of Fort Chaffee. This project occurs outside of the existing boundaries of Fort Chaffee; therefore, the project can proceed without restrictions.

The Monarch Butterfly is a candidate species, and as such, is not federally protected under the ESA. 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 ESA. ARDOT will plant native wildflowers after construction as a conservation measure. ARDOT has determined that this action will not jeopardize the continued existence of the Monarch butterfly.


Waters of the U.S. will not be impacted; therefore, a Section 404 permit is not needed.

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 toxics (MSAT) concerns. As such, this project will not result in changes in traffic volumes, vehicle mix, basic project location, or any other factor that would cause a meaningful increase in MSAT impacts of the project from that of the no-build alternative.

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



Job 040885
 Hwy. 59 Realignment
 Crawford County

	Project Location
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Sarah Huckabee Sanders
Governor
Shea Lewis
Secretary

November 2, 2023

Mr. John Fleming
Division Head
Environmental Division
Arkansas Department of Transportation
10324 Interstate 30
Little Rock, AR 72203-2261

RE: Crawford County: General
Section 106 Review: FHWA
Proposed Undertaking: Hwy. 59 Realignment (Crawford Co.) (S)
ArDOT Job Number: 040885
AHPP Tracking Number: 111463.01

Dear Mr. Fleming:

The staff of the Arkansas Historic Preservation Program (AHPP) has reviewed the Project Identification Form (PIF) for the above-referenced undertaking in Section 1, Township 9 North, Range 32 West in Crawford County, Arkansas. The proposed project entails the realignment of 0.38 miles of Hwy. 59. The total area of potential effect (APE) consists of 6.68 acres, which includes 6.45 acres of proposed right-of-way (ROW) and 0.23 acres of temporary construction easement (TCE).

An architectural survey of the APE identified thirteen properties, and the survey was sent to the AHPP for concurrence on NRHP eligibility determinations for these properties. The AHPP concurred with all eligibility determinations on September 5, 2023. An archeological survey of the APE was also conducted, and a total of 30 shovel tests were excavated, all of which were negative for cultural materials. During the pedestrian survey, a historic trash dump was located (associated with one of the historic structures which the AHPP concurred was ineligible for the NRHP). The AHPP concurs that the trash dump (3CW1383) is also ineligible for inclusion in the NRHP. An NRHP-eligible historic road (AHPP resource CW0573) was located near the proposed ROW but lies outside of the APE and will not be indirectly or directly impacted by the proposed practices.

Based on the provided information, the AHPP concurs with the finding of **no historic properties affected pursuant to 36 CFR § 00.4(d)(1)** for the proposed undertaking. In the event of a post-review discovery of historic properties within the area of potential effects, please contact the AHPP and other consulting parties in accordance with 36 CFR § 800.13(b)(3).

We appreciate the opportunity to review this undertaking. If you have any questions, contact Hannah Di Domenico at hannah.didomenico@arkansas.gov or 501.324.9876. Please refer to the AHPP Tracking Number listed above in any further correspondence.

Sincerely,

Hannah Di
Domenico

Digitally signed by
Hannah Di Domenico
Date: 2023.11.02
12:36:11 -05'00'

for

Scott Kaufman
State Historic Preservation Officer and Director, AHPP

cc: Dr. Melissa Zabecki, Arkansas Archeological Survey
Mr. Randal Looney, Federal Highway Administration

Conceptual Stage Relocation Statement, Inventory and Cost Estimate

The Arkansas Department of Transportation



Job Number 040885
Hwy. 59 Realignment
(Crawford Co.) (S)

Prepared for the Environmental Division
By the Relocation Section, Right of Way Division

Finalized on August 9, 2023



INTEROFFICE MEMORANDUM

TO: John Fleming, Division Head, Environmental Division

FROM: Kevin T. White, Division Head, Right of Way Division
(KTU)

SUBJECT: JOB 040885
HWY. 59 REALIGNMENT (CRAWFORD CO.) (S)
ROUTE 59 SECTION 5
CRAWFORD COUNTY
CONCEPTUAL STAGE RELOCATION STATEMENT

GENERAL STATEMENT OF RELOCATION PROCEDURE

Persons displaced as a direct result of acquisition for the proposed project will be eligible for relocation assistance in accordance with Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970, as amended (The Uniform Act). The Relocation Program provides advisory assistance and payments to minimize the adverse impact and hardship of displacement upon such persons. No lawful occupant shall be required to move without receiving a minimum of 90 days advance written notice. All displaced persons; residential, business, farm, nonprofit organization, and personal property relocatees are eligible for reimbursement for actual reasonable moving costs.

It is the Department's Policy that adequate replacement housing will be made available, built if necessary, before any person is required to move from their dwelling. All replacement housing must be fair housing and offered to all affected persons regardless of race, color, religion, sex or national origin. Construction of the project will not begin until decent, safe and sanitary replacement housing is in place and offered to all affected persons.

There are two basic types of residential relocation payments: (1) Replacement Housing payments and (2) Moving Expense payments. Replacement Housing payments are made to qualified owners and tenants. An owner may receive a payment of up to \$31,000.00 for the increased cost of a comparable replacement dwelling. The amount of this payment is determined by a study of the housing market. Owners may also be eligible for payments to compensate them for the increased interest cost for a new mortgage and the incidental expenses incurred in connection with the purchase of a replacement dwelling. A tenant may receive a rental subsidy payment of up to \$7,200.00. Tenants may elect to receive a down payment rather

than a rental subsidy to enable them to purchase a replacement dwelling. Replacement housing payments are made in addition to moving expense payments.

Businesses, farms and nonprofit organizations are eligible for reestablishment payments, not to exceed \$50,000.00. Reestablishment expense payments are made in addition to moving expense payments. A business, farm or nonprofit organization may be eligible for a fixed payment in lieu of the moving costs and reestablishment costs if relocation cannot be accomplished without a substantial loss of existing patronage. The fixed payment will be computed in accordance with the Uniform Relocation Act and cannot exceed \$40,000.00.

If the displacee is not satisfied with the amounts offered as relocation payments, they will be provided a form to assist in filing a formal appeal. A hearing will be arranged at a time and place convenient for the displacee, and the facts of the case will be promptly and carefully reviewed.

Relocation services will be provided until all persons are relocated or their relocation eligibility expires. The Relocation Office will have listings of available replacement housing and commercial properties. Information is also maintained concerning other Federal and State Programs offering assistance to displaced persons.

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Based on preliminary construction plans, aerial photographs, and an on-site project review, it is estimated that the subject project could cause the following displacements and costs:

Proposed Project:

2 Residential Owners	\$ 200,000.00
2 Residential Tenant Services	\$ 100,000.00
	\$ 54,000.00
Total	\$ 354,000.00

The general characteristics of the displacees to be relocated are listed on the Conceptual Stage Inventory Record forms in the back of this report. The general characteristics have been determined by interviews with the individuals at the potential displacement locations by Relocation Coordinators and Environmental staff.

An available housing inventory has been compiled and it indicates there are at least forty-one comparable replacement dwellings available for sale and seventeen comparable replacement dwellings available for rent within a reasonable proximity of

the project area. Commercial Properties were not inventoried. A breakdown of the available properties is as follows:

Residential (For Sale)	<u>Number Of Units</u>
\$ 0.00 - 100,000	1
\$ 100,001 - 200,000	12
\$ 200,001 - 300,000	15
\$ 300,001 - 400,000	5
\$ 400,001 - 600,000	6
\$ 600,001 and up	<u>2</u>
Total	41
Residential (Monthly Rent)	
\$ 0.00 - 500.00	0
\$ 501.00 - 1,000.00	9
\$1,001.00 - 1,500.00	6
\$1,501.00 - and up	<u>2</u>
Total	17

This is a realignment project that will realign a portion of Arkansas Highway 59 through Van Buren, AR. The units contained in the housing inventory are in Crawford County. The dwellings and number of dwellings are comparable and adequate to provide replacement housing for the families displaced on the project. The housing market should not be detrimentally affected and there should be no problems with insufficient housing at this time. In the event housing cannot be found or can be found but not within the displacees' economic means at the time of displacement, Section 206 of Public Law 91-646 (Housing of Last Resort) will be utilized to its fullest and practical extent.

The replacement property inventory was compiled from data obtained from real estate companies and web sites for the subject area. The dwellings contained in the inventory have been determined to be comparable and decent, safe and sanitary. The locations of the comparable dwellings are not less desirable in regard to public utilities and public and commercial facilities, are reasonably accessible to the displacees' places of employment, adequate to accommodate the displacees, and in neighborhoods which are not subject to unreasonable adverse environmental factors. It has also been determined that the available housing is within the financial means of the displacees and is fair housing open to all persons regardless of race, color, sex, religion or national origin consistent with the requirements of 49 CFR, Subpart A, Section 24.2 and Title VIII of the Civil Rights Act of 1968.

A commercial property inventory was not performed in the subject area at this time because it is anticipated that there will be no business will be relocated.

It is estimated that there will be no minorities, no low-income, no disabled person and no elderly residential person displaced by the project. All displacees will be offered relocation assistance under provisions in the applicable FHWA regulations. At the time of displacement another inventory of available housing in the subject area will be obtained and an analysis of the market made to ensure that there are dwellings adequate to meet the needs of all displacees. Also, special relocation advisory services and assistance will be administered commensurate with displacees' needs, when necessary. Examples of these include, but are not limited to, Housing of Last Resort as previously mentioned and consultation with local officials, social and federal agencies and community groups.

There are no other identified unusual conditions involved with this project.

PUBLIC INVOLVEMENT SYNOPSIS

Job 040885

Hwy. 59 Realignment (Crawford Co.) (S)

Crawford County

Thursday June 29, 2023

An in-person public involvement (PI) meeting for the proposed realignment of Highway 59 in Crawford County was held at the Van Buren Senior Activity Center in Van Buren, Arkansas from 4:00 – 7:00 p.m. on Thursday, June 29, 2023. The project information was made available on the ARDOT's website from June 29, 2023 through July 14, 2023. Efforts to involve minorities and the public in the meeting included:

- Display advertisement placed in the *Southwest Times Record* on June 23 and 27, 2023.
- Letters mailed to Public Officials on June 21, 2023.
- Flyers mailed to citizens.

The following information was available for inspection and comment. Small-scale copies of the displays are attached.

- Project design plans
- Typical sections
- Project location map
- Comment form/Online comment form
- Laptops showing project website
- Short video presentation about the project
- Interactive project map
- Frequently asked questions with answers

Copies of the public meeting notice, comment form, and project location map are attached.

Table 1 describes the results of the public participation at the meeting.

TABLE 1	
Public Participation	Totals
Public Officials Registration	4
Citizens registered at meeting	52
Online registration	3
English/Spanish website views	73/22
Total comments received	3
In-Person comment forms received	1
Public Officials comment forms received	2

ARDOT staff reviewed all comments received and evaluated their contents. The summary of comments listed below reflects the personal perception or opinion of the person or organization making the statement. The sequencing of the comments is random and is not intended to reflect importance or numerical values. Some of the comments were combined and/or paraphrased to simplify the synopsis process.

An analysis of the responses received as a result of the public survey is shown in Table 2.

TABLE 2	
Questions	Totals
Believes there is a need for the proposed project	3
Believes the project will have beneficial impacts	2
Believes the project will have beneficial and adverse impacts	1
Had a suggestion to improve the project	0
Knowledge of property limitations	0
Knowledge of cultural resources limitations	0
Knowledge of environmental resource limitations	0

Job Number 040885- Public Involvement Synopsis

June 29, 2023

Page 3 of 3

A listing of general comments associated with the project are as follows:

- The project eliminates a dangerous area of Highway 59.
- The project is needed because the road keeps collapsing.
- Traffic will flow better and the road will be safer.

Attachments:

Public Meeting Notice

Blank Comment Form

Project Location Exhibit

DN:KR:sw



PUBLIC INVOLVEMENT MEETING NOTICE

Hwy. 59 Realignment (Crawford Co.) Hwy. 59
Pointer Trl.-McKibben St. (Van Buren) (Widening) Hwy. 59
(Crawford County)

Job 040885
Job 040872

You're Invited!

Visit anytime during the scheduled hours.

What: The Arkansas Department of Transportation (ARDOT) will conduct a Public Involvement Meeting to discuss the proposed plans to realign a portion of Hwy. 59 and widen Hwy. 59 from Pointer Trl.—McKibben Street to three lanes in Van Buren, AR (Crawford County).

When: Thursday, June 29, 2023
4:00 p.m.- 7:00 p.m.

Where: Van Buren Senior Activity Center
(Dining Hall)
18 Lafayette Street
Van Buren, AR 72956

Link to Project Information:

www.ardot.gov/publicmeetings

Comment form availability begins **June 29, 2023**
and ends at 4:30 p.m. on **July 14, 2023**.

For further assistance, contact Karla Sims:

Phone: (501) 569-2000 or e-mail: karla.sims@ardot.gov

Special Accommodations:

Anyone needing project information or special accommodations under the Americans with Disabilities Act (ADA) is encouraged to write to Ruby Jordan-Johnson, P.O. Box 2261, Little Rock, AR 72203-2261, call (501)569-2379, fax (501)569-2009 or email environmentalmeetings@ardot.gov. Hearing or speech impaired, please contact the Arkansas Relay System at (Voice/TTY 711). Requests should be made at least four days prior to the public meeting.

Notice of Nondiscrimination

The Arkansas Department of Transportation (ARDOT) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance.

Therefore, the Department does not discriminate on the basis of race, sex, color, age, national origin, religion (not applicable as a protected group under the Federal Motor Carrier Safety Administration Title VI Program), disability, Limited English Proficiency (LEP), or low-income status in the admission, access to and treatment in the Department's programs and activities, as well as the Department's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the Department's nondiscrimination policies may be directed to Joanna P. McFadden EEO/DBE Officer (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501) 569-2298, (Voice/TTY 711), or the following email address: joanna.mcfadden@ardot.gov

Free language assistance for Limited English Proficient individuals is available upon request.. This notice is available from the ADA/504/Title VI Coordinator in large print, on audio tape and in Braille.

**ARKANSAS DEPARTMENT OF TRANSPORTATION (ARDOT)
CITIZEN COMMENT FORM**

**JOB 040885
Hwy. 59 Realignment
CRAWFORD COUNTY**

**LOCATION:
VAN BUREN SENIOR ACTIVITY CENTER
(DINING HALL)
18 LAFAYETTE ST.
VAN BUREN, AR 72956
4:00PM – 7:00PM
JUNE 29, 2023**

Make your comments on this form and mail it by 4:30 p.m. on **Friday, July 14, 2023** to: Arkansas Department of Transportation, Environmental Division, P.O. Box 2261, Little Rock, AR, 72203-2261. Email: environmentalmeetings@ardot.gov.

Yes No

Do you feel there is a need for the proposed realignment of Hwy. 59 near the City of Van Buren, Crawford County? Comment (optional)

Do you feel that the proposed project will have any impacts (Beneficial or Adverse) on your property and/or community (economic, environmental, social, etc.)? Please explain. _____

Do you have a suggestion that would make this proposed project better serve the needs of the community? _____

Does your home or property offer any limitations to the project, such as septic systems, that the Department needs to consider in its design?

(Continue on Back)

Yes No

Do you know of any historical sites, family cemeteries, or archaeological sites in the project area? Please note and discuss with staff. _____

Do you know of any environmental constraints, such as endangered species, hazardous waste sites, existing or former landfills, or parks and public lands in the vicinity of the project? Please note and discuss with ARDOT staff. _____

It is often necessary for the ARDOT to contact property owners along potential routes. If you are a property owner along or adjacent to the route under consideration, please provide information below. Thank you.

Name: _____ (Please Print)

Address: _____ Phone: (____) _____--_____

E-mail: _____

Please make additional comments here. _____

For additional information, please visit our website at www.ardot.gov/publicmeetings



Job 040885
Hwy. 59 Realignment
Crawford County



Preliminary Subject to Revision



Project Location

0 600 1,200 Feet

AR DOT - Environmental GIS - Strawn
Map Date: June 12, 2023
Virtual Public Involvement Exhibit

**NOISE ASSESSMENT REPORT
SCREENING LEVEL NOISE ANALYSIS
ARDOT JOB NUMBER 040885
HWY. 59 REALIGNMENT (CRAWFORD CO.) (S)**

Fundamentals of Sound and Noise

Noise is defined as unwanted or undesirable sound. The three basic parameters of how noise affects people are summarized below.

Intensity is determined by the level of sound expressed in units of decibels (dB). A 3 dB change in sound level is barely perceptible to most people in a common outdoor setting. However, a 5 dB increase presents a noticeable change and a 10 dB sound level increase is perceived to be twice as loud. Outdoor conversation at normal levels at a distance of 3 feet becomes difficult when the sound level exceeds the mid-60 dBA range.

Frequency is related to the tone or pitch of the sound. The amplification or attenuation of different frequencies of sound to correspond to the way the human ear “hears” these frequencies is referred to as “A-weighting.” The A-weighted sound level in decibels is expressed as dBA.

Variation with time occurs because most noise fluctuates from moment to moment. A single level called the equivalent sound level (Leq) is used to compensate for this fluctuation. The Leq is a steady sound level containing the same amount of sound energy as the actual time-varying sound evaluated over the same time period. The Leq averages the louder and quieter moments, but gives more weight to the louder moments.

For highway noise assessment purposes, Leq is typically evaluated over the worst 1-hour period and written as Leq(h). The Leq(h) commonly describes sound levels at locations of outdoor human use and activity, and reflects the conditions that will typically produce the worst traffic noise (e.g., the highest traffic volumes traveling at the highest possible speeds).

Noise Impact and Abatement Criteria

Traffic noise impacts are determined by comparing design year Leq(h) values to: (1) a set of Noise Abatement Criteria (NAC) for different land use categories; and (2) existing Leq(h) values. A noise impact occurs when design year (future build) levels approach or exceed the NAC value or a substantial increase in noise occurs. An approach is considered to be 1 dBA less than the NAC value. A substantial increase is defined as 10 dBA or greater than existing noise levels.

A *noise sensitive receptor* (receptor) is defined as a representative location of a noise sensitive area for various land uses. Most receptors associated with highway traffic noise analysis are categorized as NAC Activity Category B (residential) and C (e.g., parks, hospitals, schools, churches). Since the NAC value for Activity Categories B and C is 67 dBA, noise impacts would occur at 66 dBA or greater.

Consideration of noise abatement measures is required when the NAC value is approached or exceeded, or when a substantial increase is predicted. Noise barriers (e.g., walls or berms) are the most common noise abatement measures.

Screening Level Noise Analysis

A screening level noise analysis (screening analysis) may be performed for projects that are unlikely to cause noise impacts and/or where noise abatement measures are likely to be unfeasible for acoustical or engineering reasons. Factors common to these types of projects include low traffic volumes, slower speeds, the presence of few or no receptors, and the need for roadway access points (e.g., driveways, roadway intersections, etc.). For screening analysis purposes, the ARDOT noise policy requires determining noise levels within 4 dBA of the NAC value. The screening analysis threshold would therefore be 63 dBA for Activity Categories B and C.

Screening analysis results represent a worst-case scenario with higher sound levels than would be expected in detailed modeling. The results may be used to determine the need for detailed analysis if noise impacts are likely and the placement of noise barriers is feasible. It may also be used for projects that lack receptors in order to assess impacts on undeveloped land.

The FHWA Traffic Noise Model Version 2.5 (TNM) software program is used to predict existing and future Leq(h) traffic noise levels. The TNM straight line model uses the existing year and design year traffic and roadway information. Receivers (discrete points modeled in the TNM program) are incrementally placed away from the roadway centerline to determine the distance to which impacts extend. The model assumes that the roadway and receivers were located at the same elevation with no intervening barriers such as topography or dense vegetation.

Project Evaluation and Screening Analysis Results

Activity Category B (residences) receptors were identified in the project area. However, noise abatement measures were determined to not be feasible because the existing driveways in the project footprint are required to maintain

access. A screening analysis was therefore considered an appropriate level of noise assessment for this project.

TNM modeling was completed using the existing year 2023 and design year 2041 (future build) traffic and roadway information. Receivers were extended from the centerline of Hwy. 59 to distances correlating to approximately 66 dBA for existing and future build conditions, and 63 dBA for future build conditions. The tenth value was used for rounding the decibel levels (e.g., 65.8 dBA reported as 66 dBA). The model calculation tables and input data are attached.

One receptor was predicted to experience noise impacts under both existing and future build conditions. No additional receptors were predicted to experience noise impacts within a distance of 125 feet under future build conditions. A total of six receptors were predicted to experience noise levels within the 63 dBA screening analysis threshold at a distance of 200 feet under future build conditions. The predicted noise impact and screening analysis threshold distances and receptors are attached.

No substantial increases (≥ 10 dBA) were predicted. Because noise levels in the project area are already dominated by traffic noise from the existing roadway, the impacts caused by the proposed project would be minor (e.g., noise levels not exceeding a 1 to 2 dBA increase).

As previously noted, driveway access is needed along the project corridor. For engineering reasons, it would not be possible to construct an effective noise barrier accommodating these access points. A detailed noise analysis is therefore not recommended for this project.

Project construction operations typically increase noise levels. These increases would be temporary and have minimal to minor adverse effects on land uses and activities in the project area. Local ordinances may prohibit construction activities or restrict noise levels or high noise levels between certain time periods (e.g., nighttime and/or weekend work). Temporary construction noise reduction measures such as nighttime and/or weekend work restrictions may also be considered.

Planning Information for Local Officials

The ARDOT encourages local communities and developers to practice noise compatibility planning. As presented in **Table 1**, noise level predictions for future build conditions were made at incremental distances. As previously described, Activity Category B exterior areas would be impacted within a distance of approximately 125 feet and reach the screening level threshold within 200 feet

from the centerline of Hwy. 59. These predictions do not represent noise levels at every location at a particular distance back from the roadway. Noise levels will vary with changes in terrain and other site conditions.

Table 1. Noise Levels for Compatibility Planning

Distance (ft)*	Leq(h), dBA**
125	66
200	63
300	58
400	54
500	52

* Perpendicular to centerline of Hwy. 59

** Rounded to tenth value

Table 2 presents the NAC. This information is included to inform local officials and planners of anticipated noise levels so that future development will be compatible. In compliance with federal guidelines, a copy of this screening analysis will be transmitted to the City of Van Buren for land use planning purposes.

Table 2. Noise Abatement Criteria (NAC)

Activity Category	L_{eq(h)} dBA	Evaluation Location	Activity Description
A	57	Exterior	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B*	67	Exterior	Residential properties.
C*	67	Exterior	Active sport areas, amphitheaters, auditoriums, campgrounds, cemeteries, day care centers, hospitals, libraries, medical facilities, parks, picnic areas, places of worship, playgrounds, public meeting rooms, public or nonprofit institutional structure, radio stations, recording studios, recreation areas, Section 4(f) sites, schools, television studios, trails, and trail crossings.
D	52	Interior	Auditoriums, day care centers, hospitals, libraries, medical facilities, places of worship, public meeting rooms, public or nonprofit institutional structure, radio studios, recording studios, schools, and television studios.
E*	72	Exterior	Hotels, motels, offices, restaurants/bars, and other developed lands, properties or activities not included in A-D, or F.
F	---	---	Agriculture, airports, bus yards, emergency services, industrial, logging, maintenance facilities, manufacturing, mining, rail yards, retail facilities, shipyards, utilities (water resources, water treatment, electrical), and warehousing.
G	---	---	Undeveloped lands that are not permitted.

* Includes undeveloped lands permitted for this activity category.

RESULTS: SOUND LEVELS

Job 040885

ARDOT
M.Pearson

24 August 2023
TNM 2.5
Calculated with TNM 2.5

RESULTS: SOUND LEVELS

PROJECT/CONTRACT: Job 040885
 RUN: Existing 2023
 BARRIER DESIGN: INPUT HEIGHTS
 ATMOSPHERICS: 68 deg F, 50% RH

Average pavement type shall be used unless a State highway agency substantiates the use of a different type with approval of FHWA.

Receiver													
Name	No.	#DUs	Existing	No Barrier			Increase over existing		Type Impact	With Barrier			
			LAeq1h	LAeq1h	Crit'n	Calculated	Crit'n	Calculated		Noise Reduction	Goal	Calculated minus Goal	
			dBA	dBA	dBA	dB	dB		dBA	dB	dB	dB	
25	1	1	0.0	73.4	66	73.4	10	Snd Lvl	73.4	0.0	8	-8.0	
50	2	1	0.0	70.0	66	70.0	10	Snd Lvl	70.0	0.0	8	-8.0	
75	3	1	0.0	68.0	66	68.0	10	Snd Lvl	68.0	0.0	8	-8.0	
100	4	1	0.0	66.6	66	66.6	10	Snd Lvl	66.6	0.0	8	-8.0	
110	5	1	0.0	66.1	66	66.1	10	Snd Lvl	66.1	0.0	8	-8.0	
150	6	1	0.0	63.5	66	63.5	10	----	63.5	0.0	8	-8.0	
175	7	1	0.0	61.8	66	61.8	10	----	61.8	0.0	8	-8.0	
200	9	1	0.0	60.2	66	60.2	10	----	60.2	0.0	8	-8.0	
225	10	1	0.0	58.8	66	58.8	10	----	58.8	0.0	8	-8.0	
250	11	1	0.0	57.6	66	57.6	10	----	57.6	0.0	8	-8.0	
300	12	1	0.0	55.6	66	55.6	10	----	55.6	0.0	8	-8.0	
350	13	1	0.0	53.9	66	53.9	10	----	53.9	0.0	8	-8.0	
400	14	1	0.0	52.5	66	52.5	10	----	52.5	0.0	8	-8.0	
500	15	1	0.0	50.1	66	50.1	10	----	50.1	0.0	8	-8.0	
Dwelling Units		# DUs	Noise Reduction										
			Min	Avg	Max								
			dB	dB	dB								
All Selected		14	0.0	0.0	0.0								
All Impacted		5	0.0	0.0	0.0								
All that meet NR Goal		0	0.0	0.0	0.0								

RESULTS: SOUND LEVELS

Job 040885

ARDOT
M.Pearson

24 August 2023
TNM 2.5
Calculated with TNM 2.5

RESULTS: SOUND LEVELS

PROJECT/CONTRACT:

Job 040885

RUN:

Proposed 2043

BARRIER DESIGN:

INPUT HEIGHTS

Average pavement type shall be used unless a State highway agency substantiates the use of a different type with approval of FHWA.

ATMOSPHERICS:

68 deg F, 50% RH

Receiver

Name	No.	#DUs	Existing	No Barrier		Increase over existing		Type Impact	With Barrier			Calculated minus Goal
			LAeq1h	LAeq1h	Crit'n	Calculated	Crit'n		Calculated	Noise Reduction	Goal	
			dBA	dBA	dBA	dB	dB		dBA	dB	dB	dB
25	1	1	0.0	74.4	66	74.4	10	Snd Lvl	74.4	0.0	8	-8.0
45	2	1	0.0	71.5	66	71.5	10	Snd Lvl	71.5	0.0	8	-8.0
75	3	1	0.0	69.0	66	69.0	10	Snd Lvl	69.0	0.0	8	-8.0
100	4	1	0.0	67.5	66	67.5	10	Snd Lvl	67.5	0.0	8	-8.0
125	5	1	0.0	66.4	66	66.4	10	Snd Lvl	66.4	0.0	8	-8.0
150	6	1	0.0	65.4	66	65.4	10	----	65.4	0.0	8	-8.0
175	7	1	0.0	64.0	66	64.0	10	----	64.0	0.0	8	-8.0
200	9	1	0.0	62.5	66	62.5	10	----	62.5	0.0	8	-8.0
250	10	1	0.0	59.8	66	59.8	10	----	59.8	0.0	8	-8.0
300	11	1	0.0	57.7	66	57.7	10	----	57.7	0.0	8	-8.0
350	12	1	0.0	55.9	66	55.9	10	----	55.9	0.0	8	-8.0
400	13	1	0.0	54.4	66	54.4	10	----	54.4	0.0	8	-8.0
500	14	1	0.0	52.0	66	52.0	10	----	52.0	0.0	8	-8.0
Dwelling Units		# DUs	Noise Reduction									
			Min	Avg	Max							
			dB	dB	dB							
All Selected		13	0.0	0.0	0.0							
All Impacted		5	0.0	0.0	0.0							
All that meet NR Goal		0	0.0	0.0	0.0							

NOISE DATA WORKSHEET

Job No:

Job Name:

Roadway Reference:

County:

Design Year:

Year(s) To Be Modeled:

Roadway Cross-Sections:

Note: DHV = (ADT)(K)
 DDHV = (ADT)(K)(D)
 K - Percent of ADT occuring in design hour
 D - Directional Distribution

Operating Speed:

Traffic Data:

YEAR	ADT	%TRUCK	DHV	CARS	MT	HT	CARS/2	MT/2	HT/2
				0	10%	90%	0	0	0
2023	8,000	6%	800	752	5	43	376	2	22

NOISE DATA WORKSHEET

Job No:

Job Name:

Roadway Reference:

County:

Design Year:

Year(s) To Be Modeled:

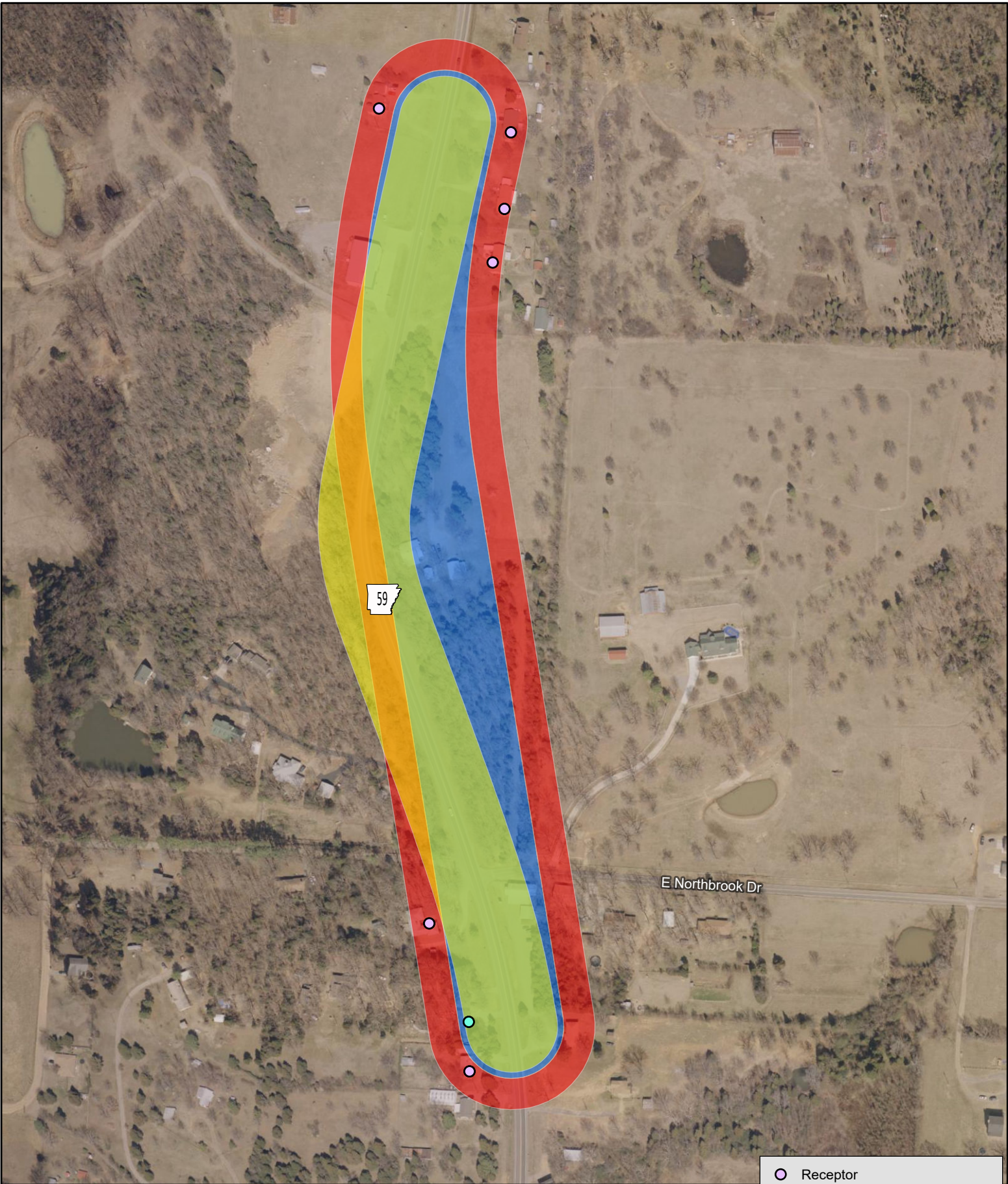
Roadway Cross-Sections:

Note: DHV = (ADT)(K)
 DDHV = (ADT)(K)(D)
 K - Percent of ADT occuring in design hour
 D - Directional Distribution

Operating Speed:

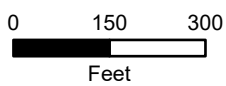
Traffic Data:

YEAR	ADT	%TRUCK	DHV	CARS	MT	HT	CARS/2	MT/2	HT/2
				0	10%	90%	0	0	0
2043	9,900	6%	990	931	6	53	465	3	27








59

E Northbrook Dr



Noise Level Distances

Job 040885
 ARDOT - Environmental GIS - Hopkins
 August 25, 2023

-  Receptor
-  Impacted - Existing & Proposed
-  110 ft. Buffer - Existing
-  125 ft. Buffer - Proposed
-  200 ft. Buffer - Proposed



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



August 7, 2023

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

Consultation Code: 2022-0081628

Dear Mr. Fleming:

The U.S. Fish and Wildlife Service (Service) reviewed your August 3, 2023, request, assessment, and determinations for Arkansas Department of Transportation (ArDOT) Job '040885 - Hwy. 59 Realignment (Crawford Co.) (S) in Crawford County, Arkansas. ARDOT is planning to realign a section of Arkansas Highway 59 in Crawford County, Arkansas, north of Van Buren, AR. The project will include clearing 5.05 acres of suitable bat roosting habitat.

ARDOT determined the project will have no effect on the Piping Plover (*Charadrius melodus*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), and Red Knot (*Calidris canutus rufa*) and that the project will not jeopardize the existence of the Alligator Snapping Turtle (*Macrochelys temminckii*), Tricolored Bat (*Perimyotis subflavus*), or Monarch Butterfly (*Danaus plexippus*). Using the Arkansas Dkey, ARDOT made the determination that the project may affect, but is not likely to adversely affect Gray Bat (*Myotis grisescens*) and Missouri Bladderpod (*Physaria filiformis*). ARDOT proposes a “may affect, not likely to adversely affect” determination for Ozark Big-eared Bat (*Corynorhinus townsendii ingens*), Indiana Bat (*Myotis sodalis*), and Northern Long-eared Bat (*Myotis septentrionalis*).

Due to the location of the area being affected occurring adjacent to existing roadway and agricultural environments, having relatively limited suitable habitat within the footprint of the action area, the distance to known species locations, distance to known caves and karst recharge areas, active season avoidance restriction, voluntary conservation/restoration of the suitable habitat on site, and the implementation of standard SPs/BMPs for sediment, erosion, and contaminants, the Service concurs with ARDOT’s determinations of “may affect, not likely to adversely affect” for the Indiana Bat, Northern Long-eared Bat, Gray Bat, Ozark Big-eared Bat, and Bladderpod, as we cannot be reasonably certain that this action will have anything more than insignificant and/or discountable direct or indirect effects to these species when considering both the potential for effects and conservation benefits of the action as a whole. Furthermore, the Service concurs with your non-jeopardy determinations for Tri-colored Bat and Alligator Snapping Turtle. This concurrence concludes your ESA Section 7 responsibilities for these species related to this action.

The Monarch Butterfly is a candidate species, and as such, is not federally protected under the ESA. However, the Service 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. In accordance with the 2020 Voluntary Prelisting Species Conservation Program (VPL Program), ARDOT will plant and maintain native wildflowers after construction as a conservation measure. The Service appreciates and supports this voluntary conservation action.

The American Burying Beetle (*Nicrophorus americanus*) (ABB) Final 4(d) Rule applies to the project's activities that have the potential to affect American burying beetles. The Final 4(d) Rule exempts the incidental take of American burying beetles from take prohibitions in the ESA. The exemptions apply as long as the activities do not occur on certain conservation lands in the Southern Plains Analysis Areas. Within Arkansas, these conservation lands are entirely within the existing boundaries of Fort Chaffee. This project occurs outside of the existing boundaries of Fort Chaffee; therefore, the project can proceed without restrictions.

In summary, the Service has no additional comments or concerns, concurs with your determinations, fully supports the voluntary conservation measures, and agrees with the assessments made by ARDOT for this action. The Service recommends that your agency contact the Arkansas Ecological Services Field Office to re-initiate consultation or re-evaluate the determination key(s) in IPaC if: 1) the scope, timing, duration, or location of the proposed project changes, 2) new information/surveys reveal the action may affect listed species or designated critical habitat; a karst feature is encountered; or 3) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Arkansas Ecological Services Field Office should take place before project changes are final or resources are committed.

For further assistance or if you have any questions, please contact Lindsey Lewis at (501) 513-4489 or lindsey_lewis@fws.gov.

Sincerely,

CHRISTOPHER
DAVIDSON

Digitally signed by
CHRISTOPHER DAVIDSON
Date: 2023.08.07 09:09:40 -05'00'

Chris Davidson
Acting Field Supervisor

cc: Project File

Read File

Filename: [https://doimsp-](https://doimsp-my.sharepoint.com/personal/lindsey_lewis_fws_gov/Documents/Documents/PROJECTS/FY2023/ARDOT/ARDOT%20Job%20040885%20-%20HWY%2059/20230803_Ltr_Concurrence_ARDOT%20Job%20040885%20-%20HWY%2059_LCL.docx)

[my.sharepoint.com/personal/lindsey_lewis_fws_gov/Documents/Documents/PROJECTS/FY2023/ARDOT/ARDOT Job 040885 - HWY 59/20230803_Ltr_Concurrence_ARDOT Job 040885 - HWY 59_LCL.docx](https://doimsp-my.sharepoint.com/personal/lindsey_lewis_fws_gov/Documents/Documents/PROJECTS/FY2023/ARDOT/ARDOT%20Job%20040885%20-%20HWY%2059/20230803_Ltr_Concurrence_ARDOT%20Job%20040885%20-%20HWY%2059_LCL.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

In Reply Refer To:

August 02, 2023

Project Code: 2022-0081628

Project Name: 040885 - Hwy. 59 Realignment (Crawford Co.) (S)

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

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, 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.*).

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.

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.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

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 Code 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

ENDANGERED SPECIES ACT SPECIES

There is a total of 12 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
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> There is final critical habitat for this species. Your location does not overlap the critical habitat. 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	Endangered
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
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10477	Threatened
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 final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

REPTILES

NAME	STATUS
Alligator Snapping Turtle <i>Macrochelys temminckii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4658	Proposed Threatened

INSECTS

NAME	STATUS
American Burying Beetle <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: https://ecos.fws.gov/ecp/species/66	Threatened
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Missouri Bladderpod <i>Physaria filiformis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5361	Threatened

CRITICAL HABITATS

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

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Matthew Schrum

Address: 10324 I30

City: Little Rock

State: AR

Zip: 72209

Email: matthew.schrum@ardot.gov

Phone: 5015692083

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

Endangered Species Act Review

EVALUATING: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING NLEB OR INDIANA BAT

Qualification interview

The following questions will determine whether this key applies to your project and provide guidance to help you make appropriate determinations for the species covered by this key.

1. Is the project within the range of the Indiana bat^[1]? 001

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

Automatically answered

Yes

2. Is the project within the range of the northern long-eared bat^[1]? 002

[1] See [northern long-eared bat species profile](#)

Automatically answered

Yes

3. Which Federal Agency is the lead for the action? 003

A) Federal Highway Administration (FHWA)

4. Are *all* project activities limited to non-construction^[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales) 004

[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^[1]? 005

[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.

Yes

6. Are *all* project activities **greater than** 300 feet from existing road/rail surfaces^[1]? 006

[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

7. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum^[1]? 007

[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

8. Is the project located **within** a karst area? 010

Yes

9. Will the project include *any* type of activity that could impact a **known** hibernaculum^[1], or impact a karst feature (e.g., sinkhole, losing stream, or spring) that could result in effects to a **known** hibernaculum? 011

[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

10. Is there *any* suitable^[1] summer habitat for Indiana Bat or NLEB **within** the project action area^[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat) 012

[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 [User's Guide for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat](#).

Yes

11. Will the project remove *any* suitable summer habitat^[1] and/or remove/trim any existing trees **within** suitable summer habitat? 013

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

Yes

12. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail? 014

No

13. Have presence/probable absence (P/A) summer surveys^{[1][2]} been conducted^{[3][4]} **within** the suitable habitat located within your project action area? 017

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

[3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

[4] Negative presence/probable absence survey results obtained using the [summer survey guidance](#) are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

No

14. Does the project include activities **within documented Indiana bat habitat**^[1] [2]? 022.Q

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

15. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented Indiana bat** roosting/foraging habitat or travel corridors? 026.Q

Yes

16. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented Indiana bat** roosting/foraging habitat or travel corridors occur^[1]? 027

[1] Coordinate with the local Service Field Office for appropriate dates.

B) During the inactive season

17. Does the project include activities **within documented NLEB habitat**^{[1][2]}? 030.Q

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

18. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors? 034.Q

Yes

19. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur? 035

B) During the inactive season

20. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces? 043

Yes

21. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces? 044

Yes

22. Will *any* tree trimming or removal occur **greater than** 300 feet from existing road/rail surfaces? 045.Q

Yes

EVALUATION PROGRESS

Your project is outside of the scope of the programmatic consultation for this key because you have indicated that as part of the habitat removal and/or tree removal/trimming within suitable habitat you will be removing habitat outside of 300 feet from existing road/rail surfaces without a valid Presence/Probable Absence survey indicating that bats are not present.



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

In Reply Refer To:

August 02, 2023

Project code: 2022-0081628

Project Name: 040885 - Hwy. 59 Realignment (Crawford Co.) (S)

Subject: Consistency letter for '040885 - Hwy. 59 Realignment (Crawford Co.) (S)' for specified federally threatened and endangered species and designated critical habitat that may occur in your proposed project area consistent with the Arkansas Determination Key for project review and guidance for federally listed species (Arkansas Dkey).

Dear Matthew Schrum:

The U.S. Fish and Wildlife Service (Service) received on **August 02, 2023** your effect determination(s) for the '040885 - Hwy. 59 Realignment (Crawford Co.) (S)' (the Action) using the Arkansas DKey within the Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based on your answers and the assistance in the Service's Arkansas DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
American Burying Beetle (<i>Nicrophorus americanus</i>)	Threatened	May affect
Eastern Black Rail (<i>Laterallus jamaicensis ssp. jamaicensis</i>)	Threatened	No effect
Gray Bat (<i>Myotis grisescens</i>)	Endangered	NLAA
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	May affect
Missouri Bladderpod (<i>Physaria filiformis</i>)	Threatened	NLAA
Ozark Big-eared Bat (<i>Corynorhinus (=Plecotus) townsendii ingens</i>)	Endangered	May affect
Piping Plover (<i>Charadrius melodus</i>)	Threatened	No effect
Red Knot (<i>Calidris canutus rufa</i>)	Threatened	No effect

Status

Consultation with the Service is not complete. Further consultation or coordination with the Arkansas Ecological Services Office is necessary for those species with a determination of “may affect” (MA) listed above. Please contact our office at 501-513-4470, arkansas_es_clearance@fws.gov, or your agency point of contact in the Arkansas Ecological Services Office to discuss methods to avoid or minimize potential adverse effects to those species.

The Service concurs with the NLAA determination(s) for the species listed above. Your agency has met consultation requirements by informing the Service of the “No Effect” determinations. No further consultation for this project is required for these species. This letter confirms you may rely on effect determinations provided in the Arkansas Determination Key for project review and guidance for federally listed species to satisfy agency consultation requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 et seq.; ESA).

The proposed project may affect the American burying beetle (ABB). However, this project complies with the final 4(d) rule with incidental take covered by the Service’s October 15, 2020, Intra-Service Programmatic Biological Opinion on the final 4(d) rule for the ABB addressing “Activities Excepted from Take Prohibitions”. 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 Act Section 7(a)(2) with respect to the ABB.

FHWA projects should not use the Arkansas Dkey for the Northern Long-eared Bat (NLEB) or Indiana Bat. Please complete the FHWA, FRA, FTA Programmatic Consultation for Transportation Projects affecting NLEB or Indiana Bat determination key. This key is intended for projects funded or authorized by FHWA, FRA, or FTA, that may affect the endangered Indiana bat and/or the threatened NLEB, which requires consultation with the Service under Section 7 of the ESA.

The Service recommends that your agency contact the Arkansas Ecological Services Field Office or re-evaluate this key in IPaC if: 1) the scope, timing, duration, or location of the proposed project changes, 2) new information reveals the action may affect listed species or designated critical habitat; 3) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Arkansas Ecological Services Field Office should take place before project changes are final or resources committed.

This letter only covers the listed species in the above table. The following species may also occur in the Action area:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Monarch Butterfly *Danaus plexippus* Candidate
- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

If you determine your project may affect additional listed or proposed listed species not covered by the Arkansas ESFO DKey, please contact our office at 501-513-4470, arkansas_es_clearance@fws.gov, or your agency point of contact Arkansas ESFO to discuss

methods to avoid or minimize potential adverse effects to those species. Candidate species are not afforded protection under the ESA; however, we recommend they be considered in project planning and that conservation measures be implemented to avoid or minimize impacts to individuals or their habitat as much as possible.

Bald and Golden Eagle Protection Act: The following resources are provided to project proponents and consulting agencies as additional information. Bald and golden eagles are not included in this section 7(a)(2) consultation and this information does not constitute a determination of effects by the Service.

The Service developed the National Bald Eagle Management Guidelines to advise landowners, land managers, and others who share public and private lands with Bald Eagles when and under what circumstances the protective provisions of the Bald and Golden Eagle Protection Act may apply to their activities. The guidelines should be consulted prior to conducting new or intermittent activity near an eagle nest. Activity specific guidelines begin on page 10 of the document. To access a copy of the National Bald Eagle Management Guidelines please visit the Service's Bald and Golden Eagle Management webpage and scroll down to the Guidance and Tools section: <https://www.fws.gov/library/collections/bald-and-golden-eagle-management>

If the recommendations detailed in the National Bald Eagle Management Guidelines cannot be followed, you may apply for a permit to authorize removal or relocation of an eagle nest in certain instances. To obtain an application form or contact information for Regional Migratory Bird Permit Offices please visit the Service's Bald and Golden Eagle Management webpage and scroll down to the Permits section: <https://www.fws.gov/library/collections/bald-and-golden-eagle-management>

Action Description

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

1. Name

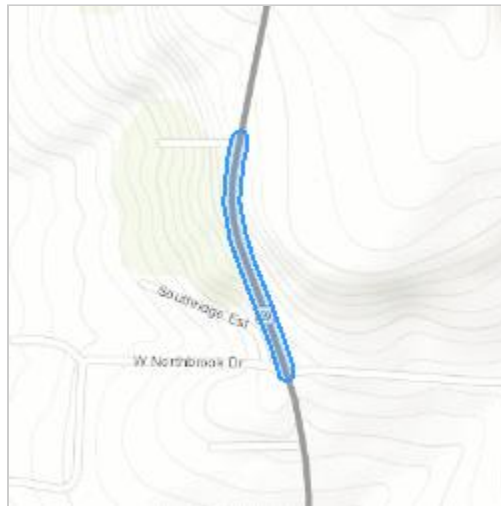
040885 - Hwy. 59 Realignment (Crawford Co.) (S)

2. Description

The following description was provided for the project '040885 - Hwy. 59 Realignment (Crawford Co.) (S)':

This project proposes to realign a section of Hwy. 59 in Crawford County AR, north of Rena.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.48957815,-94.35694324679072,14z>



Species Protection Measures

QUALIFICATION INTERVIEW

1. Have you made an effects determination of "no effect" for all species in the area of the project? A "no effect" determination means the project will have no beneficial effect, no short-term adverse effects, and no long-term adverse effects on any of the species on the IPaC-generated species list for the proposed project or those species habitat. A project with effects that cannot be meaningfully measured, detected or evaluated, effects that are extremely unlikely to occur, or entirely beneficial effects should not have a "no effect" determination. (If unsure, select "No").

No

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

Yes

3. Are you the the action agency or the designated non-federal representative?

Yes

4. Choose the agency you represent in this consultation with the U.S. Fish and Wildlife Service:

d. Federal Highway Administration

5. Will project proponents follow [Special Provisions for avoidance and minimization](#) measures for listed species in Arkansas?

Yes

6. [Semantic] Does the project intersect designated critical habitat for the Leopard Darter?

Automatically answered

No

7. [Semantic] Does the project intersect designated critical habitat for the Neosho Mucket?

Automatically answered

No

8. [Semantic] Does the project intersect designated critical habitat for Yellowcheek Darter?

Automatically answered

No

9. [Semantic] Does the project intersect designated critical habitat for Rabbitsfoot?

Automatically answered

No

10. [Semantic] Does the project intersect the American burying beetle consultation area?

Automatically answered

Yes

11. Have you determined that the proposed action will have "no effect" on the American burying beetle? (If you are unsure select "No")

No

12. Will your activity **purposefully take** American burying beetles?

No

13. [Semantic] Is your project wholly inside the 4d rule Analysis Area? For areas of your project occurring inside the Analysis Area (New England, Northern Plains, Southern Plains), your project may qualify for exemptions. For areas of your project occurring outside the Analysis Area, all incidental take is exempted according to the ABB 4d Rule.

Automatically answered

Yes

14. Is American burying beetle [suitable habitat](#) present within the action area?

Yes

15. Will suitable habitat be affected by the proposed action? Suitable habitat may be impacted if the action involves soil disturbance, use of vehicles or heavy equipment, artificial lighting, vegetation removal, use of herbicides, pesticides, other hazardous chemicals.

Yes

16. [Semantic] Does the project intersect the red-cockaded woodpecker AOI?

Automatically answered

No

17. [Semantic] Does the project intersect the Eastern black rail AOI?

Automatically answered

Yes

18. Will the project take place in freshwater herbaceous wetlands and/or wet prairies?

No

19. [Semantic] Does the project intersect the red knot AOI?

Automatically answered

Yes

20. Will the project affect sand and gravel areas or shorelines along rivers, lakes, or reservoirs?

No

21. Does the project take place in marshy or flooded open field habitat?

No

22. [Semantic] Does the project intersect the Piping Plover AOI?

Automatically answered

Yes

23. [Semantic] Does the project intersect the Whooping Crane AOI?

Automatically answered

No

24. [Semantic] Does the project intersect the interior least tern AOI?

Automatically answered

No

25. [Semantic] Does the project intersect the Gray Bat AOI?
Automatically answered
Yes
26. Does the project involve changes to an existing bridge or large culvert?
No
27. [Semantic] Does the project intersect the Ozark Big-eared Bat AOI?
Automatically answered
Yes
28. Are there any caves within 0.5 mile of the project area?
No
29. Does the project occur in a subdivision or urban area?
No
30. Does the project involve blasting of any type or tree removal of greater than 10 acres?
Yes
31. [Semantic] Does the project intersect the Indiana bat AOI?
Automatically answered
Yes
32. [Semantic] Does the project intersect the Benton County Cave Crayfish AOI?
Automatically answered
No
33. [Semantic] Does the project intersect the Hell Creek Cave Crayfish AOI?
Automatically answered
No
34. [Semantic] Does the project intersect the Ozark cavefish AOI?
Automatically answered
No
35. [Semantic] Does the project intersect the Missouri bladderpod AOI?
Automatically answered
Yes
36. [Semantic] Does the project intersect the Geocarpon AOI?
Automatically answered
No
37. [Semantic] Does the project intersect the running buffalo clover AOI?
Automatically answered
No
38. [Semantic] Does the project intersect the Pondberry AOI?
Automatically answered
No
-

PROJECT QUESTIONNAIRE

1. Estimate the total acres of suitable American burying beetle habitat that may be affected.

6.08

2. Please estimate the total number of acres of **temporary impacts** to American burying beetle habitat. See definitions

0.00

3. Please estimate the total number of acres of **permanent impacts** to American burying beetle habitat. See definitions

6.08

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Matthew Schrum

Address: 10324 I30

City: Little Rock

State: AR

Zip: 72209

Email: matthew.schrum@ardot.gov

Phone: 5015692083

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration



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

In Reply Refer To:

August 02, 2023

Project code: 2023-0112354

Project Name: 040885 - Hwy. 59 Realignment (Crawford Co.) (S) (BATS & ABB)

Subject: Verification letter for '040885 - Hwy. 59 Realignment (Crawford Co.) (S) (BATS & ABB)' project under the October 15, 2020, Programmatic Biological Opinion on Final 4(d) Rule for the American burying beetle and Activities Excepted from Take Prohibitions (50 CFR § 17.47(d), Federal Register Citation 85 FR 65241).

Dear Matthew Schrum:

The U.S. Fish and Wildlife Service (Service) received on **August 02, 2023** your effect determination(s) for the '040885 - Hwy. 59 Realignment (Crawford Co.) (S) (BATS & ABB)' (the Action) using the American burying beetle (*Nicrophorus americanus*) determination key within the Information for Planning and Consultation (IPaC) system.

This determination key assists users in determining whether a Federal action is consistent with the activities analyzed in the Service's October 15, 2020, Programmatic Biological Opinion (PBO). The PBO addresses activities excepted from incidental "take"^[1] prohibitions applicable to the American burying beetle under the Endangered Species Act of 1973 (Act) (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 American burying beetle; however, any incidental take that may occur as a result of the Action is not prohibited under the Act Section 4(d) rule adopted for this species at 50 CFR §17.47(d). **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 Act Section 7(a)(2) with respect to the American burying beetle.**

Please report any changes to the information about the Action that you submitted in IPaC, the results of any American burying beetle surveys conducted in the Action area, and any dead, injured, or sick American burying beetles 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 Act Section 7(a)(2) only for the American burying beetle.

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

This letter covers only the American burying beetle. It **does not** apply to the following ESA-protected species that also may occur in the Action area:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* Threatened
- Gray Bat *Myotis grisescens* Endangered
- Indiana Bat *Myotis sodalis* Endangered
- Missouri Bladderpod *Physaria filiformis* Threatened
- Monarch Butterfly *Danaus plexippus* Candidate
- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Ozark Big-eared Bat *Corynorhinus (=Plecotus) townsendii ingens* Endangered
- Piping Plover *Charadrius melodus* Threatened
- Red Knot *Calidris canutus rufa* Threatened
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

If your project may affect additional listed species, you must evaluate additional DKeys for other species, or submit a request for consultation for the additional species to your local Ecological Services Field Office.

Action Description

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

1. Name

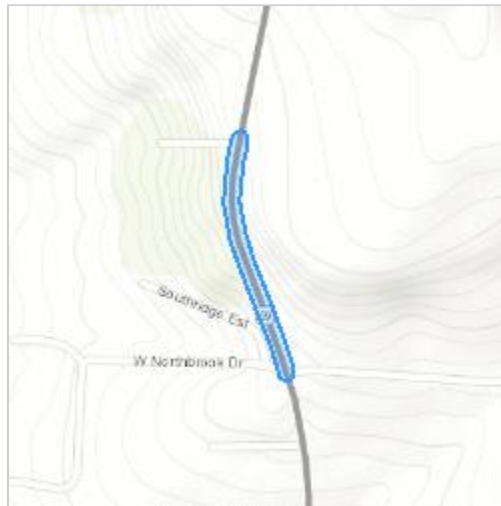
040885 - Hwy. 59 Realignment (Crawford Co.) (S) (BATS & ABB)

2. Description

The following description was provided for the project '040885 - Hwy. 59 Realignment (Crawford Co.) (S) (BATS & ABB)':

This project is a copy for the purposes of evaluating the IBAT/NLEB PBO and ABB d-keys.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.48957815,-94.35694324679072,14z>



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 American burying beetle? (If you are unsure select "No")

No

3. Will your activity **purposefully take** American burying beetles?

No

4. Is your project wholly inside the 4d rule Analysis Area? For areas of your project occurring inside the Analysis Area (New England, Northern Plains, Southern Plains), your project may qualify for exemptions. For areas of your project occurring outside the Analysis Area, all incidental take is exempted according to the ABB 4d Rule.

Automatically answered

Yes

5. Is American burying beetle [suitable habitat](#) present within the action area?

Yes

6. Will suitable habitat be affected by the proposed action? Suitable habitat may be impacted if the action involves soil disturbance, use of vehicles or heavy equipment, artificial lighting, vegetation removal, use of herbicides, pesticides, other hazardous chemicals.

Yes

PROJECT QUESTIONNAIRE

Please select the activity that best matches your proposed action.

8. Soil disturbance related to road construction and maintenance

If you chose 13 above, please describe below. If you did not choose 13 above, please type "0".

0

Estimate the total acres of suitable American burying beetle habitat that may be affected.

6.08

Please estimate the total number of acres of **temporary impacts** to American burying beetle habitat. See definitions

0.00

Please estimate the total number of acres of **permanent impacts** to American burying beetle habitat. See definitions

6.08

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Matthew Schrum

Address: 10324 I30

City: Little Rock

State: AR

Zip: 72209

Email: matthew.schrum@ardot.gov

Phone: 5015692083

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

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

ARDOT Job 040885 FAP ER-0017(52)
Job Title Hwy. 59 Realignment (Crawford Co.) (S)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impacts anticipated
Cultural Resources	X			SHPO clearance attached
Economic	X			No impacts anticipated
Endangered Species		X		NLAAs, see USFWS consultation
Environmental Justice/Title VI	X			No impacted populations
Fish and Wildlife		X		Temporary during construction
Floodplains	X			None in project area
Forest Service Property	X			None in project area
Hazardous Materials/Landfills	X			None in project area
Land Use		X		~6.5 acres new ROW and 0.2 acre TCE
Migratory Birds	X			No bridge or large culvert work
Navigation/Coast Guard	X			No navigable waters
Noise Levels		X		Screening level noise analysis attached
Prime Farmland	X			No impacts anticipated
Protected Waters	X			None in project area
Public Recreation Lands	X			None in project area
Public Water Supply/WHPA	X			None in project area
Relocates		X		An estimated two residential tenants and two residential owners to be relocated
Section 4(f)/6(f)	X			No impacts anticipated
Social	X			No impacts anticipated
Underground Storage Tanks	X			No impacts anticipated
Visual	X			No impacts anticipated
Streams	X			No direct impacts
Water Quality		X		Temporary during construction
Wetlands	X			None in project area
Wildlife Refuges	X			None in project area

Section 401 Water Quality Certification Required? No
 Short-term Activity Authorization Required? No
 Section 404 Permit Required? No Type N/A

Remarks: _____

Signature of Evaluator Katheryn Rose Date 10/20/2023

Date Sent: August 7, 2023

ROADWAY DESIGN REQUEST

Job Number 040885 FAP No. _____ County Crawford

Job Name Hwy. 59 Realignment (Crawford Co.) (S)

Design Engineer Austin Hales Environmental Staff _____

Detailed Project Description Realign Hwy. 59 to avoid unstable landslide areas.

A. Existing Conditions:

Roadway Width: 32' Shoulder Type/Width: 4' Paved

Number of Lanes and Width: 2 @ 12' Existing Right-of-Way: 85' avg.

Sidewalks? No Location: N/A Width: N/A

Bike Lanes? No Location: N/A Width: N/A

B. Proposed Conditions:

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

Number of Lanes and Width: 2 @ 12' Proposed Right-of-Way: 230' avg.

Sidewalks? No Location: N/A Width: N/A

Bike Lanes? No Location: N/A Width: N/A

C. Construction Information:

If detour: Where: N/A Length: N/A

D. Design Traffic Data:

2023 ADT: 8,000 2043 ADT: 9,900 % Trucks: 6

Design Speed: 55 m.p.h.

E. Approximate total length of project: 0.379 mile(s)

F. Justification for proposed improvements: Emergency Repair for unstable landslide areas.

G. Total Relocates: 4 Residences: 4 Businesses: 0

H. Have you coordinated with any outside agencies (e.g., FHWA, City, County, etc.)? No

Agency/Official	Person Contacted	Date