

TIER 3 CATEGORICAL EXCLUSION

ARDOT JOB NUMBER 061631  
FAP NUMBER NHPP-9065(29)  
HWY. 5 - HWY. 89 (CABOT) P.E.  
ROUTE 67, SECTION 11  
LONOKE COUNTY

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

By the

U.S. Department of Transportation

Federal Highway Administration

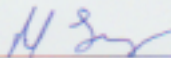
And the

Arkansas Department of Transportation

May 2020

May 12, 2020

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 improve capacity on Highway 67 (future Interstate 57) main lanes and interchanges in the City of Cabot, Lonoke County. The proposed project would widen the main lanes between the interchanges at Highways 5/321/367 and Highway 89 (construction job number 061642) and improve those same interchanges by converting them to single point urban interchanges, (SPUIs) (construction job number 061371). Total length of the project is 3.1 miles. A project location map is attached.

The existing Highway 67 typical section consists of four 12' wide paved travel lanes with 6' wide paved shoulders on the inside and 10' wide paved shoulders on the outside. Existing right of way width averages between 270'-450'.

The proposed improved cross section of Highway 67 would consist of six 12' wide paved travel lanes with 12' wide paved shoulders on the inside and 10' wide paved shoulders on the outside. The twin bridges over Bayou Two Prairie will also be replaced to accommodate the extra travel lanes. All work for the main lane widening, including the bridge replacements, will occur within existing right of way.

The interchange improvements on Highway 67 at Highways 5/321/367 and Highway 89 would involve the conversion of both interchanges from partial cloverleaf designs to single point urban interchanges (SPUIs). Instead of intersections on either side of Highway 67 where the ramps meet the non-controlled highways, all traffic meets at a single intersection and traffic signal in the middle of the overpass bridge over the freeway. This will allow for better traffic flow and improved safety by adding slip ramps, reducing the overall number and proximity of traffic signals within and immediately adjacent to the interchanges, and reducing the number of conflict points.

The interchange improvements also involve a new roundabout to be constructed at the intersection of Highway 89 and Rockwood Drive (the southbound frontage road), replacement of the overpasses at both interchanges to accommodate the SPUI, minor widening of the adjacent highways to add capacity for turning movements at major intersections, and adding 5' wide sidewalks to the adjacent highways. Additional cross section and design information are on the attached design sheets. Approximately 7.2 acres of additional right of way will be required for construction of the interchange improvements.

Design data for Highway 67 in the project area is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2020	38,000 vpd	11	70 mph
2040	54,000 vpd		

There are no impacts to prime farmland, public water supplies, environmental justice/Title VI populations, known hazardous materials or underground storage tanks, or cultural resources associated with this project. There is one residential relocation anticipated as a result of the proposed project; *Public Law 91-646, Uniform Relocation Assistance Act of 1970*, as amended, will apply. Cultural resources clearances are attached.

This project has been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special mobile source air toxic (MSAT) concerns. 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.

Construction of this project will impact approximately 3.1 acres of forested wetlands and relocate approximately 1,055 linear feet of ephemeral stream. Mitigation for the wetland impacts (27.06 credits) will be debited from the ARDOT Ink Bayou Mitigation Bank. Mitigation for the stream impacts (3,288.3 credits) will be debited from the ARDOT Bayou Meto Mitigation Bank. Construction should be allowed under the terms of a Nationwide Permit 23 for Approved Categorical Exclusions.

The attached official species list obtained through the U.S. Fish and Wildlife Service Information for Planning and Consultation website lists the Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Piping Plover (*Charadrius melodus*), and Red Knot (*Calidris canutus rufa*) as protected species potentially occurring in the project area. Based on the lack of habitat and distance to known species occurrences, it has been determined that the proposed project will have “no effect” on all listed species.

A traffic noise impact analysis (noise analysis) was completed for the proposed project in accordance with the ARDOT noise policy. The noise analysis was used to: determine noise impacts under current conditions and predicted conditions if the project is constructed (“future” or “build”); predict noise impacts resulting from

project construction; identify noise sensitive land use locations (receptors); and evaluate potential noise abatement measures.

The following residential areas south of Highway 67 were identified as Noise Study Areas (NSA), with each single-family residence representing a potential receptor:

1. NSA 1 – Subdivision east of Exit 16 (Highways 5/321/367) in the vicinity of Southfork Drive and Ewing Lane.
2. NSA 2 – Subdivision west of Exit 19 (Highway 89) in the vicinity of Dakota Street and Dakota Drive.
3. NSA 3 – Maple Hill Estates mobile home park and residences east of Exit 19 (Highway 89) and north of Locust Street.

The FHWA Traffic Noise Model 2.5 (TNM) software was used to predict existing and future noise impacts. TNM modeling was completed using existing year 2017 and design year 2041 traffic and roadway information. For residences, the ARDOT noise policy considers A-weighted sound levels in decibels (dBA) of 66 dBA and above as noise impacts.

The following table summarizes the total number receptors for each NSA, the total number of receptors predicted to experience noise impacts under existing and future conditions, and the predicted dBA increase under future conditions. According to the ARDOT noise policy, the noise level increases would be considered minor. No substantial noise level increases ( $\geq 10$  dBA) were predicted.

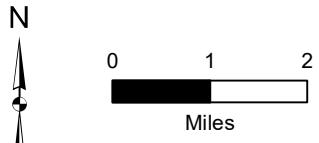
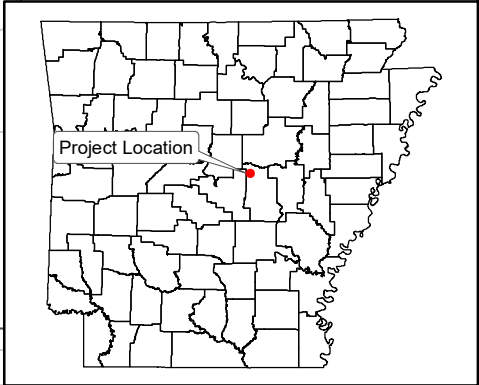
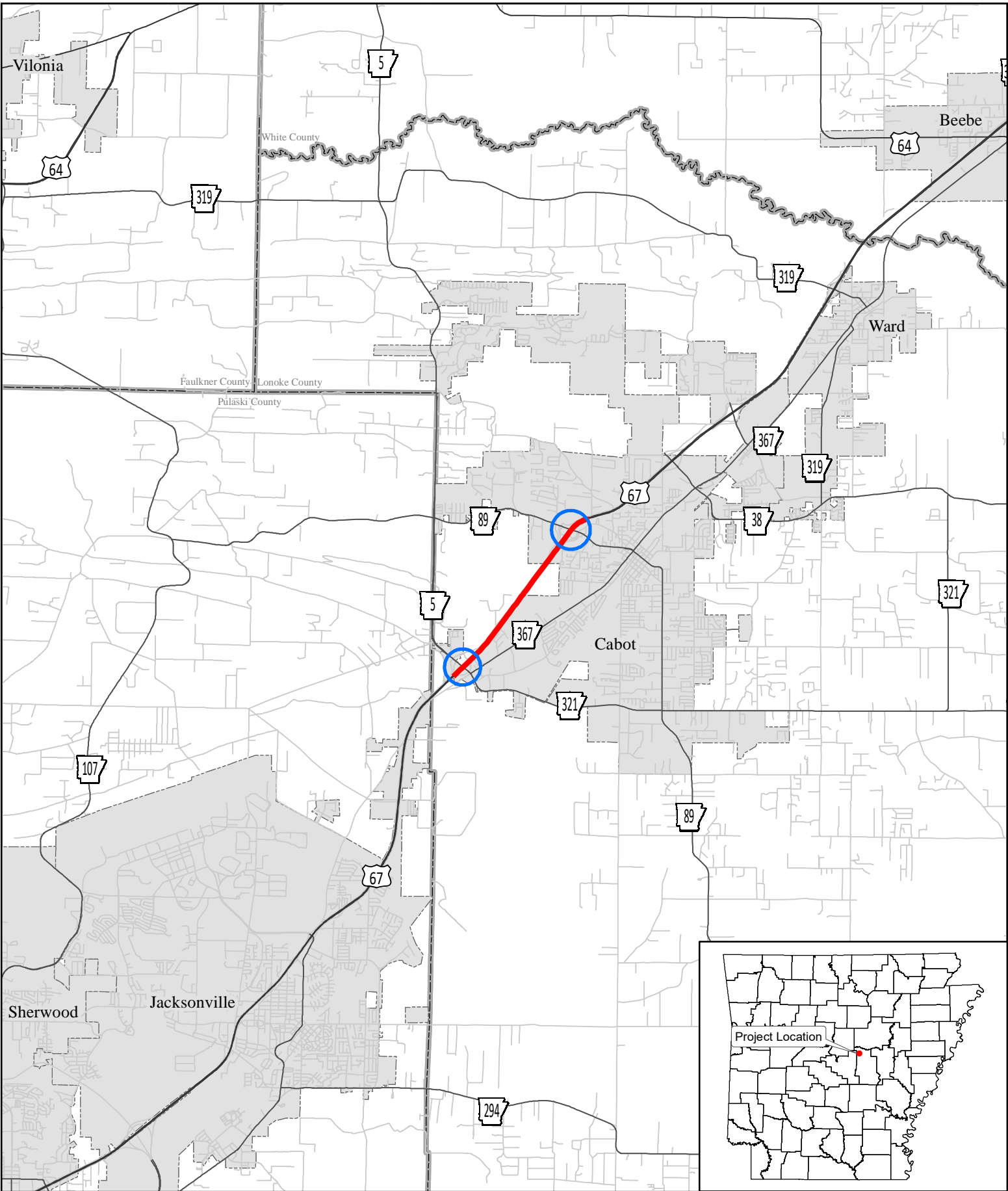
NSA	Receptors	Existing Impacts (2017)	Future Impacts (2041)	Future Noise Level Increase (dBA)
1	37	14	20	2 - 3
2	20	2	5	2 - 3
3	16	4	8	2 - 5

Noise barriers were determined to be the only available potential abatement measure to reduce noise levels for impacted areas. Based on the noise barrier analysis, a preliminary determination was made that noise barriers would be feasible (e.g., constructible) and reasonable (e.g., cost effective) for NSA 1. Noise barriers were not found to be reasonable for NSA 2 or NSA 3.

A neighborhood noise meeting will be held to solicit input from residents who would benefit from a noise barrier. The ARDOT will consider residents' input when making the final decision about noise barrier construction. The noise analysis report will be available upon completion.

The City of Cabot participates in the National Flood Insurance Program. The project lies within Zone A and AE Special Flood Hazard Areas. The final project design will be reviewed to confirm that the design is adequate and that the potential risk to life and property are minimized. Adjacent properties should not be impacted nor have a greater flood risk than existed before construction of the project. None of the encroachments will constitute a substantial floodplain encroachment or risk to property or life.

Open-forum public involvement meetings were held for the interchange improvements on April 18, 2019, and the main lane widening on August 29, 2019. Synopses of both public involvement meetings are attached.



**Job 061631  
Construction Job Locations**

○ Job 061371  
— Job 061642



ARKANSAS DEPARTMENT OF TRANSPORTATION

ARDOT.gov | IDriveArkansas.com | Lorie H. Tudor, P.E., Director


10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261 | Phone: 501.569.2000

## INTEROFFICE MEMORANDUM

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April 20, 2020

**TO:** Job File

**FROM:** Richard Jenkins, Cultural Resources 

**SUBJECT:** Cultural Resources Clearance  
Job Number 061371  
Hwy.67 Intchnng. Impvts. (Cabot) (S)  
Route 67, Section 11  
Lonoke County

The revised right-of-way (ROW) for the above mentioned job will consist of an approximate 400-foot permanent roadway easement that will be necessary to facilitate turning movements at the intersection of Highway 5 and Rockwood Drive. The location of the revised ROW is between Stations 1028+66 and is located within paved and disturbed areas and will not have any impacts to historic properties. The revised location falls within the ARDOT study area previously surveyed under the current project number. No cultural resources were identified by that survey (Arkansas Historic Preservation Program Tracking Number 101637.02). No further Section 106 review is required.




## INTEROFFICE MEMORANDUM

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January 27, 2020

**TO:** Job File

**FROM:** Richard Jenkins, Cultural Resources 

**SUBJECT:** Cultural Resources Clearance  
Job Number 061642  
Hwy. 5 – Hwy. 89 (Widening) (S)  
Route 67, Section 11  
Lonoke County

The Arkansas Department of Transportation (ARDOT) proposes to widen 2.73 miles of Highway 67 from 4 lanes to 6 lanes in Lonoke County. No new right-of-way (ROW) will be acquired.

An examination of the Arkansas Archeological Survey's records was conducted for previously recorded archeological sites and was negative. A records evaluation of the Arkansas Historic Preservation Program's database for historic properties was also negative. The Cabot topographic quadrangle map was examined for cemeteries, likely historic structures, and landforms conducive to hold archeological sites along the project's route; none were found. The General Land Office map showed no cultural features near the project. The 1936 Lonoke County Highway map shows few structures near this project.

The proposed road improvements will occur in previously disturbed areas inside the current ARDOT ROW. This undertaking has no potential to cause effects on historic properties as defined in 36 CFR 800.3(a)(1); therefore, the project requires no further work or Section 106 review.

# PUBLIC INVOLVEMENT SYNOPSIS

**Job Number 061631**  
**Hwy. 5 – Hwy. 89 (Cabot) P.E.**  
**Lonoke County**  
**Thursday, August 29, 2019**

An open forum Public Involvement meeting for the proposed Highway 67 widening between Highway 5 and Highway 89 at the Veterans Park Event Center in Cabot from 4:00 – 7:00 p.m. on Thursday, August 29, 2019. Efforts to involve minorities and the public in the meeting included:

- Display advertisement placed in the *Arkansas Democrat-Gazette* on Sunday, August 25, 2019.
- Display advertisement placed in *The Leader* on Wednesday, August 21, 2019 and Wednesday, August 28, 2019.
- Public Service Announcement ran on Cumulus Media – Power 92.3 FM from Monday, August 26, 2019 – Thursday, August 29, 2019.
- Outreach letters mailed to public officials.
- Distribution of flyers in the project area.

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

- Displays of an aerial-based project location map.
- Preliminary project design plans.

Handouts for the public included a comment sheet and a small-scale project location map.

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

<b>TABLE 1</b>	
<b>Public Participation</b>	<b>Totals</b>
Attendance at meeting (including ARDOT staff)	69
Comments received	8

*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.

<b>TABLE 2</b>	
<b>Survey Results</b>	<b>Totals</b>
Feels that the proposed Highway 67 widening is needed	7
Does not feel proposed widening is needed	1
Knowledge of cultural resources in project area	0
Knowledge of environmental constraints in project area	0
Believes beneficial impacts due to the proposed project	5
Adverse impacts due to the proposed project	2
Did not indicate beneficial or adverse impacts	1

A listing of general comments concerning the proposed project follows:

- The proposed project would result in noise impacts and loss of trees along the right of way.
- A noise barrier should be included in the proposed project.
- The proposed project will help grow the community and help ease traffic congestion in central Arkansas.
- The speed limit should be reduced to 60-65 mph instead of 70 mph or greater.
- All construction should occur at the same time.
- The highway pavement condition has deteriorated considerably, causing a very rough ride.
- Excessive commuter traffic necessitates additional lanes.
- More people will be drawn to the area with improved roads and reduced traffic congestion.
- The proposed widening should be extended to exit 21.
- Area drainage, especially for residences along South Rockwood, should be considered in the project plans.

Attachments:

- Blank Comment Form
- Small-Scale Project Location Map

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

**AHTD JOB NUMBER 061631  
Hwy. 5 – Hwy. 89 (Cabot) P.E.  
LONOKE COUNTY**

**LOCATION:  
VETERANS PARK EVENT CENTER  
508 NORTH LINCOLN STREET  
CABOT, AR  
4:00 – 7:00 P.M.  
THURSDAY, AUGUST 29, 2019**

Make your comments on this form and leave it with ARDOT personnel at the meeting or mail it by 4:30 p.m. on **Friday, September 13, 2019** to: Arkansas Department of Transportation, Environmental Division, Post Office Box 2261, Little Rock, Arkansas 72203-2261. Email: [environmentalpi meetings@ardot.gov](mailto:environmentalpi meetings@ardot.gov).

Yes  No

Do you feel there is a need for the proposed widening of Highway 67 between the Highway 5 and Highway 89 interchanges in Lonoke County? Comment (optional) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Do you feel that the proposed improvements 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? \_\_\_\_\_

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

\_\_\_\_\_  
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(Continued on back)

Yes    No

    Do you know of any historical sites, family cemeteries, or archeological 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 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. \_\_\_\_\_

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For additional information, please visit our website at [www.ardot.gov](http://www.ardot.gov)





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 ARDOT - Environmental GIS - Reed  
 Map Date: August 29, 2019  
 Meeting Date: August 29, 2019  
 Public Involvement Meeting Handout

**PRELIMINARY**  
 SUBJECT TO REVISION

Job 061631  
 Highway 5 - Highway 89  
 (Cabot) (Highway 67)  
 Lonoke County



Photography Date: January 2017

Notes:

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## PUBLIC INVOLVEMENT SYNOPSIS

**Job Number 061371**

**Hwy. 67 Intchn. Impvts. (Cabot) (Hwy. 67)**

**Lonoke County**

**Thursday, April 18, 2019**

An open forum Public Involvement meeting was held for the proposed Highway 67 interchange improvements at Highways 5/321/367 and Highway 89 at the Veterans Park Event Center from 4:00 – 7:00 p.m. on Thursday, April 18, 2019. Efforts to involve minorities and the public in the meeting included:

- Display advertisement placed in the *Arkansas Democrat-Gazette* on Sunday, April 14, 2019.
- Display advertisement placed in *The Leader* on Wednesday, April 10, 2019 and Wednesday, April 17, 2019.
- Public Service Announcement ran on Cumulus Media - Power 92.3 FM. from Monday, April 15, 2019 through Thursday, April 18, 2019.
- Outreach letters mailed to public officials.
- Distribution of flyers in the project area.

The following information was available at the meetings for review and comment:

- Displays of an aerial-based project location map.
- Preliminary project design plans.

Public handouts included a comment form and a small-scale project location map. Copies of these handouts are attached to this synopsis.

Table 1 summarizes public participation at the meeting.

<b>TABLE 1</b>	
<b>Public Participation</b>	<b>Totals</b>
Attendance at Public Involvement meeting (including ARDOT staff)	84
Total comment forms received	21
Total letters received	1
Total comments received	22

*ARDOT staff reviewed all the comments received. The summary below reflects the perception or opinion of the person or organization making the comment(s). The order in which the comments are listed is random and does not reflect the number of times comments were made or their significance. Not all commenters responded to every Comment Form question, and some responses were ambiguous. A few of the comments were combined and/or paraphrased to simplify this synopsis.*

Table 2 summarizes responses to Comment Form questions.

<b>TABLE 2</b>	
<b>Survey Results</b>	<b>Totals</b>
Feels that the proposed Highway 67 interchange improvements are needed	21
Does not feel that the proposed improvements are needed	0
Knowledge of cultural resources in project area	0
Knowledge of environmental constraints in project area	0
Home or property limitations	1
Suggestions to better serve the needs of the community	7
Beneficial impacts due to the proposed project	9
Adverse impacts due to the proposed project	4

Comments regarding the proposed roundabout at Hwy. 89 and Rockwood Rd. included:

- Do not put in a traffic circle. This would cause more accidents and increased difficulty in accessing Walmart and surrounding stores/restaurants/banks.
- Adding the traffic circle is even more reason for me to sell my home.
- Pedestrian access and safety does not appear to be addressed in the proposed design.
- The proposed traffic circle at Hwy. 89 and Rockwood Rd. would further restrict pedestrian access and make it even MORE hazardous for those who "exercise" their right to walk, unless you build a pedestrian/bicycle bridge over the circle intersection.
- A sidewalk and bicycle lane should be provided the full length of the new Hwy. 89 interchange over Hwy. 67.
- The proposed traffic circle at Hwy. 89 and Rockwood Rd. also does not appear to be a satisfactory solution for traffic management at this intersection. At low to moderate traffic volume, it might facilitate traffic flow, but at the higher traffic

congestion periods this area sees, it will create a worse situation than we have now.

- I also question the desirability of having a signalized entrance/exit crisscross intersection at the middle of the Hwy. 67 overpass. In trying to relieve choke points at other places, it will create a bigger choke point at peak traffic times. This non-traditional design will create more confusion, resulting in reduced traffic flow capacity, especially during peak times.
- Based on the curb & gutter line designations it appears that reasonable access may be cut off for many of the businesses close to the Rockwood Rd. intersection south of Hwy. 89.
- Do not put in a roundabout at Hwy. 89 and Rockwood Rd., too much industrial traffic (18-wheelers and lumber trucks).
- Completely rehab the Hwys. 5 and 89 frontage roads to allow them to handle big trucks with heavy loads. This will provide additional options to access Walmart.
- The traffic circle is not going to handle the flow of traffic during the Christmas season. Please consider multi-lane roads and widening.
- Consider a roundabout at Locust Street instead of the existing light.

Comments regarding traffic lights include:

- Add lighting at the interchanges.
- Please add a traffic light at First Street and Hwy. 321.
- Make sure all traffic lights are synced to help with traffic flow.
- Add a roundabout at Hwys. 5/321/367 intersection instead of a stop light.

Comments regarding specific property impacts include:

- Moyer Family state: The project will render my property unusable for business and uninhabitable. The current right of way is 38ft from our home. The proposal will put it approximately 15-18 ft reducing my acreage by 21-25%.
- Noise level already high.
- New Life Church request: During construction of the project, please remove trees in front of New Life Church. The trees are in ARDOT right of way.
- Sharp Family Dentistry state: Storm water drainage along the northbound Hwys. 5/321 off ramp is poor. Any additional sediment siltation from ramp demolition would lead to flooding at Sharp Family Dentistry. Ensure contract addresses their concern.
- FAB&T state: The proposed easement line eliminates our drive and renders the drive-thru unusable at our Rockwood Rd. location. Request visit by ARDOT.

Comments regarding walkability for pedestrians:

- Great to see this project will provide for pedestrian traffic. This project is fantastic.
- The bridges are outdated. We need sidewalks, pedestrian crossovers on both sides at both locations.

Additional comments:

- All three intersections on Hwy. 89 need to be multilane commercial roundabouts like in Conway by Sam's Club. Traffic stalls for several hours at both locations.
- Project will help traffic back-ups during morning and evening commutes.
- This project will provide for better traffic flow.
- Happy to see improvements being made, happy to see more uses of the roundabouts.
- Traffic getting off the highway is a nightmare.
- Better traffic flow equals happier community and smoother travel.

Attachments:

Blank Comment Form

Small-Scale Project Location Map

RJ

DN



SS:tt

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

**AHTD JOB NUMBER 061371  
Hwy. 67 Intchng. Impvts. (Cabot) (Hwy. 67)  
LONOKE COUNTY**

**LOCATION:  
VETERANS PARK EVENT CENTER  
508 NORTH LINCOLN STREET  
CABOT, AR  
4:00 – 7:00 P.M.  
THURSDAY, APRIL 18, 2019**

Make your comments on this form and leave it with ARDOT personnel at the meeting or mail it by 4:30 p.m. on **Friday, May 3, 2019** to: Arkansas Department of Transportation, Environmental Division, Post Office Box 2261, Little Rock, Arkansas 72203-2261. Email: [environmentalpi meetings@ardot.gov](mailto:environmentalpi meetings@ardot.gov).

Yes  No

Do you feel there is a need for the proposed Highway 67 interchange improvements at the Highway 5/321/367 and Highway 89 interchanges in Lonoke County? Comment (optional) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Continued on back)

Yes

No

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

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

It is often necessary for 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: (\_\_\_\_) \_\_\_\_\_ -- \_\_\_\_\_

\_\_\_\_\_

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E-mail: \_\_\_\_\_

Please make additional comments here. \_\_\_\_\_

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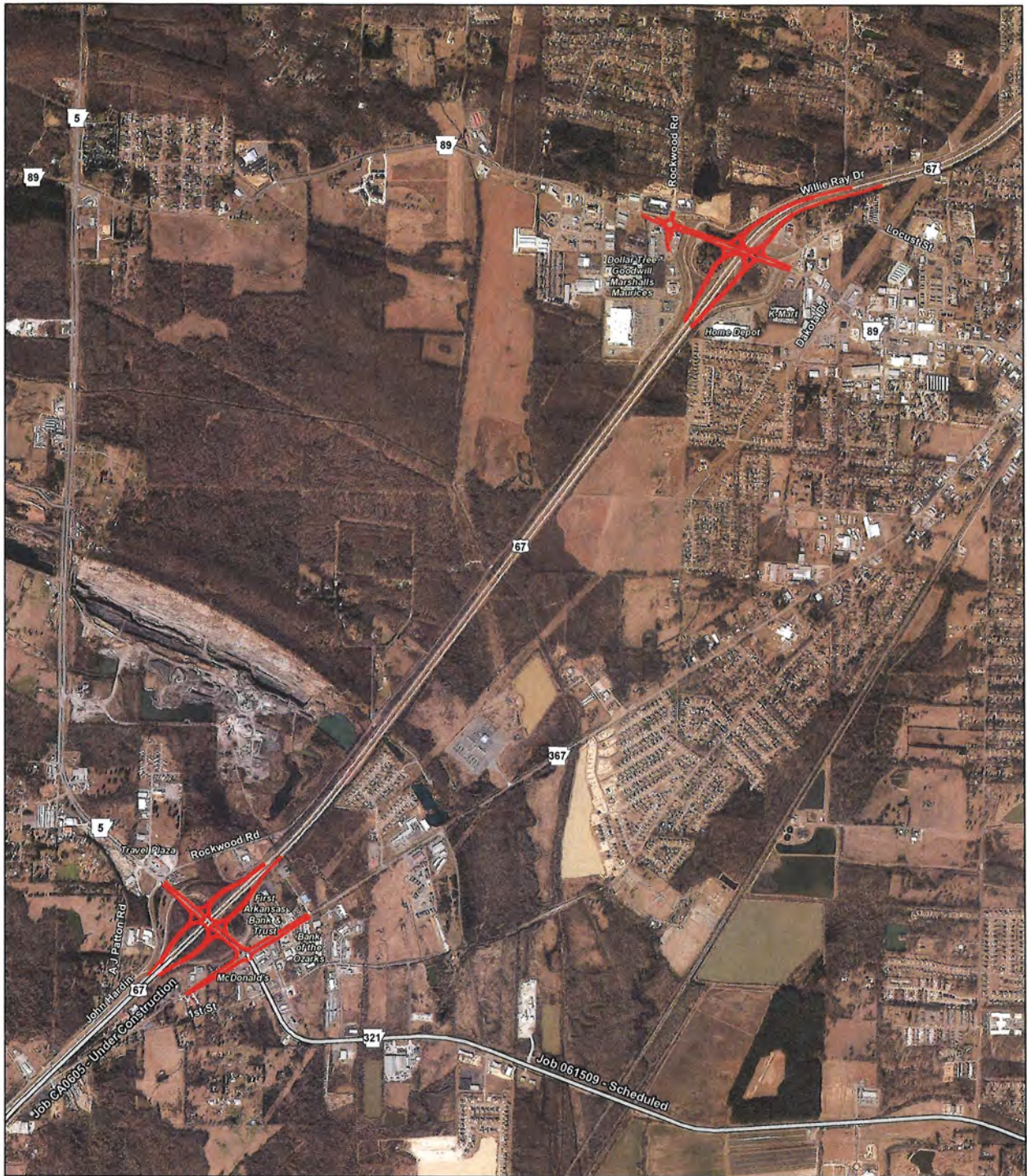
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For additional information, please visit our website at [www.ardot.gov](http://www.ardot.gov)



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ARDOT - Environmental GIS - Reed  
 Map Date: April 15, 2019  
 Meeting Date: April 18, 2019  
 Public Involvement Meeting Handout

**PRELIMINARY**  
 SUBJECT TO REVISION

**Job 061371**  
**Highway 67 Interchange Improvements**  
**(Cabot)**  
**Lonoke County**

Project Location

Photography Date: January 2017

Notes:

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## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Arkansas Ecological Services Field Office  
110 South Amity Suite 300  
Conway, AR 72032-8975  
Phone: (501) 513-4470 Fax: (501) 513-4480  
<http://www.fws.gov/arkansas-es>

In Reply Refer To:

April 13, 2020

Consultation Code: 04ER1000-2020-SLI-0763

Event Code: 04ER1000-2020-E-01849

Project Name: 061631 Hwy. 5 - Hwy. 89 P.E.

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

To Whom It May Concern:

The enclosed species list identifies endangered, threatened, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). **This letter only provides an official species list and technical assistance; if you determine that listed species and/or designated critical habitat may be affected in any way by the proposed project, even if the effect is wholly beneficial, consultation with the Service will be necessary.**

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

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found on our website.

**Please visit our website at <http://www.fws.gov/arkansas-es/IPaC/home.html> for species-specific guidance to avoid and minimize adverse effects to federally endangered,**

**threatened, proposed, and candidate species.** Our web site also contains additional information on species life history and habitat requirements that may be useful in project planning.

**If your project involves in-stream construction activities, oil and natural gas infrastructure, road construction, transmission lines, or communication towers, please review our project specific guidance at <http://www.fws.gov/arkansas-es/IPaC/ProjSpec.html>.**

The karst region of Arkansas is a unique region that covers the **northern third of Arkansas** and we have specific guidance to conserve sensitive cave-obligate and bat species. **Please visit <http://www.fws.gov/arkansas-es/IPaC/Karst.html> to determine if your project occurs in the karst region and to view karst specific-guidance.** Proper implementation and maintenance of best management practices specified in these guidance documents is necessary to avoid adverse effects to federally protected species and often avoids the more lengthy formal consultation process.

**If your species list includes any mussels, Northern Long-eared Bat, Indiana Bat, Yellowcheek Darter, Red-cockaded Woodpecker, or American Burying Beetle, your project may require a presence/absence and/or habitat survey prior to commencing project activities.** Please check the appropriate species-specific guidance on our website to determine if your project requires a survey. We strongly recommend that you contact the appropriate staff species lead biologist (see office directory or species page) prior to conducting presence/absence surveys to ensure the appropriate level of effort and methodology.

**Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further.** Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service, to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally-listed threatened or endangered fish or wildlife species without the appropriate permit.

Through the consultation process, we will analyze information contained in a biological assessment that you provide. If your proposed action is associated with Federal funding or permitting, consultation will occur with the Federal agency under section 7(a)(2) of the ESA. Otherwise, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA (also known as a habitat conservation plan) is necessary to harm or harass federally listed threatened or endangered fish or wildlife species. In either case, there is no mechanism for authorizing incidental take "after-the-fact." For more information regarding formal consultation and HCPs, please see the Service's Consultation Handbook and Habitat Conservation Plans at [www.fws.gov/endangered/esa-library/index.html#consultations](http://www.fws.gov/endangered/esa-library/index.html#consultations).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to

federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, **the accuracy of this species list should be verified after 90 days**. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment(s):

- Official Species List
-

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Arkansas Ecological Services Field Office**

110 South Amity Suite 300

Conway, AR 72032-8975

(501) 513-4470

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## Project Summary

Consultation Code: 04ER1000-2020-SLI-0763

Event Code: 04ER1000-2020-E-01849

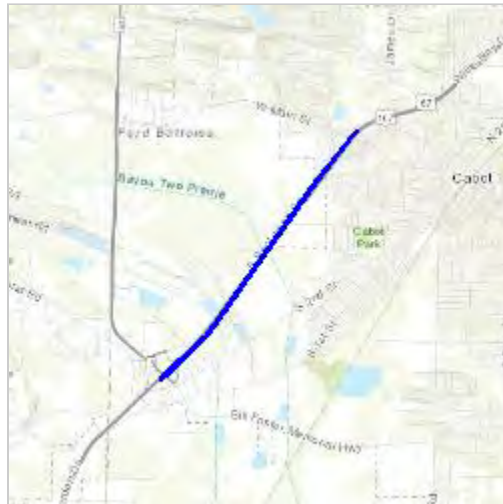
Project Name: 061631 Hwy. 5 - Hwy. 89 P.E.

Project Type: TRANSPORTATION

Project Description: widen 67/167 and re-configure Hwy. 5 and 89 interchanges

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.96441295156332N92.04802127870951W>



Counties: Lonoke, AR

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## Endangered Species Act Species

There is a total of 3 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 Fisheries<sup>1</sup>, 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.

## Birds

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10477">https://ecos.fws.gov/ecp/species/10477</a>	Proposed 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 <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1864">https://ecos.fws.gov/ecp/species/1864</a>	Threatened

## Critical habitats

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

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

ARDOT Job Number 061631 FAP Number NHPP-9065(29)

Job Title Hwy. 5 – Hwy. 89 (Cabot) P.E.

Environmental Resource	None	Minimal	Major	Comments
Air Quality		X		Minimal impacts anticipated
Cultural Resources	X			No impacts anticipated
Economic		X		Improved capacity on future Interstate 57
Endangered Species	X			“No effect” on all listed species
Environmental Justice/Title VI	X			No impacts anticipated
Fish and Wildlife		X		Temporary impacts during construction
Floodplains		X		Project within Zones A/AE SFHAs
Forest Service Property	X			Not within a National Forest boundary
Hazardous Materials/Landfills	X			No impacts anticipated
Land Use		X		7.2 acres proposed right of way
Migratory Birds	X			Migratory Bird SP added
Navigation/Coast Guard	X			No navigable waterways in project area
Noise Levels		X		33 receptors impacted across three areas
Prime Farmland	X			No impacts anticipated
Protected Waters	X			Water Pollution Control SP added
Public Recreation Lands	X			No impacts anticipated
Public Water Supply/WHPA	X			None in project area
Relocatees		X		One residential relocation
Section 4(f)/6(f)	X			No impacts anticipated
Social	X			No impacts anticipated
Underground Storage Tanks	X			No impacts anticipated
Visual		X		Minor changes to visual environment
Streams		X		1055 linear feet of stream relocation
Water Quality		X		Temporary impacts during construction
Wetlands		X		3.1 acres wetland impacts
Wildlife Refuges	X			None in project area

Section 401 Water Quality Certification Required? No  
 Short-term Activity Authorization Required? Yes  
 Section 404 Permit Required? Yes Type Nationwide Permit No. 23

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

Signature of Evaluator *Susan Stapfield* Date May 12, 2020

**ROADWAY DESIGN REQUEST**Job Number 061371 FAP No. \_\_\_\_\_ County LonokeJob Name Hwy. 67 Intchng. Impvts. (Cabot) (S)Design Engineer Taylor Clark Environmental Staff \_\_\_\_\_Brief Project Description Construct two SPUI Interchanges, Bridge Replacement, Construct Roundabout, and Widening of Hwy. 5, Hwy. 367, and Hwy. 89

## A. Existing Conditions:

Roadway Width:	<u>(1)42'-52'</u>	Shoulder Type/Width:	<u>(1)1' Paved</u>
	<u>(2)42'-65'</u>		<u>(2)3'-16' Paved</u>
	<u>(3)24'-44'</u>		<u>(3)1'-4' Paved</u>
	<u>(4)25'-34'</u>		<u>(4)4' Inside &amp; 6' Outside</u>

Number of Lanes and Width:	<u>(1)4 @ 10' to 5 @ 10'</u>	Existing Right-of-Way:	<u>(1)(5)79'-230'</u>
	<u>(2)3 @ 12' to 4 @ 11' &amp; 1 @ 12'</u>		<u>(2)(5)131'-190'</u>
	<u>(3)2 @ 11' to 3 @ 12'</u>		<u>(3)124' Average</u>
	<u>(4)1 @ 15' to 2 @ 12'</u>		<u>(4)295'-2000'</u>

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

## B. Proposed Conditions:

Roadway Width:	<u>(1)58'-82'</u>	Shoulder Type/Width:	<u>(1)1' Gutter</u>
	<u>(2)58'-85'</u>		<u>(2)1' Gutter</u>
	<u>(3)24'-81'</u>		<u>(3)1' Gutter</u>
	<u>(4)25'-58'</u>		<u>(4)4' Inside &amp; 6' Outside</u>

Number of Lanes and Width:	<u>(1)4 @ 11' &amp; 1 @ 12' to 4 @ 11' &amp; 3 @ 12'</u>	Proposed Right-of-Way:	<u>(1)(5)98'-1055'</u>
	<u>(2)4 @ 11' &amp; 1 @ 12' to 4 @ 11', 2 @ 12', &amp; 1 @ 15'</u>		<u>(2)(5)131'-225'</u>
	<u>(3)2 @ 11' to 5 @ 11' &amp; 2 @ 12'</u>		<u>(3)137' Average</u>
	<u>(4)1 @ 15' to 4 @ 12'</u>		<u>(4)295'-2000'</u>

Sidewalks? (1)(2)(3)Yes Location: Lt. & Rt. Width: 5'  
(4)No N/A N/ABike Lanes? (1)(2)(3)(4)No Location: N/A Width: N/A

## C. Construction Information:

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

## D. Design Traffic Data:

<u>2020</u> ADT: <u>37000</u>	<u>2040</u> ADT: <u>51000</u>	% Trucks: <u>7</u>
Design Speed: <u>30-50</u> m.p.h.		

E. Approximate total length of project: (1)0.49 mile(s)  
(2)0.48 mile(s)  
(3)0.59 mile(s)  
(4)2.86 mile(s)

F. Justification for proposed improvements: Traffic Relief and Bridge Replacement

G. Total Relocates: 1 Residences: 1 Businesses: 0

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

Agency/Official	Person Contacted	Date
City of Cabot		

- (1) Hwy. 89
- (2) Hwy. 5
- (3) Hwy. 367
- (4) Ramps
- (5) Right of Way in the areas of the interchanges will be included with Ramps.

Date Sent: January 21, 2020

**ROADWAY DESIGN REQUEST**

Job Number 061642 FAP No. \_\_\_\_\_ County Lonoke

Job Name Hwy. 5 – Hwy. 89 (Widening) (S)

Design Engineer Garver Environmental Staff \_\_\_\_\_

Brief Project Description Main lane reconstruction and widening from 4 lanes to 6 lanes

A. Existing Conditions:

Roadway Width: Var. (128' Avg.) Shoulder Type/Width: Paved (6' in./10' out.)

Number of Lanes and Width: 4-12' Existing Right-of-Way: Var. (270'-450')

Sidewalks? N/A Location: \_\_\_\_\_ Width: \_\_\_\_\_

Bike Lanes? N/A Location: \_\_\_\_\_ Width: \_\_\_\_\_

B. Proposed Conditions:

Roadway Width: 118' Shoulder Type/Width: Paved (12' in./10' out.)

Number of Lanes and Width: 6-12' Proposed Right-of-Way: N/A

Sidewalks? N/A Location: \_\_\_\_\_ Width: \_\_\_\_\_

Bike Lanes? N/A Location: \_\_\_\_\_ Width: \_\_\_\_\_

C. Construction Information:

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

D. Design Traffic Data:

2020 ADT: 38000 2040 ADT: 54000 % Trucks: 11  
Design Speed: 70 m.p.h.

E. Approximate total length of project: 3.134 mile(s)

F. Justification for proposed improvements: Capacity and structural improvements needed

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

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

Agency/Official	Person Contacted	Date

**TIER 3 CATEGORICAL EXCLUSION RE-EVALUATION**

**ARDOT JOB 061631  
FAP NHPP-9065(29)  
HWY. 5 – HWY. 89 (CABOT) P.E.  
ROUTE 67, SECTION 11  
LONOKE 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

July 2025

07/28/2025

Date of Approval

*For*

\_\_\_\_\_  
Jeffrey A. Schmidt, P.E.  
Acting Arkansas Division Administrator  
Federal Highway Administration

A Tier 3 Categorical Exclusion (CE) was approved by the Federal Highway Administration (FHWA) under the ARDOT/FHWA Programmatic Agreement on the Processing of Categorical Exclusions on May 12, 2020. The Interstate widening is currently under construction, but the proposed Highway 5/321/367 and Highway 89 interchange improvements are still in final design. The alignment of the roundabout at Rockwood Drive was shifted based on coordination with the local businesses.

The design change at Rockwood Drive would result in an additional 0.2 acre of proposed right of way and the relocation of a commercial business between South Rockwood Drive and the existing interstate ramps. Additionally, a property in the northeast quadrant of Highway 67/167 and Highway 89 was vacant at the time of the CE approval but was later occupied by a business renting the facility. Both the landlord and business received relocation assistance during the right of way acquisition process. These changes resulted in the addition of two businesses and one landlord business relocations from what was reported in the CE.

The attached official species list obtained through the U.S. Fish and Wildlife Service Information for Planning and Consultation identified the following species as potentially occurring within the area of the design change: 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*), and Monarch Butterfly (*Danaus plexippus*). The design change would have “no effect” on these species due to the limited scope of the action, lack of suitable habitat, and distance to known species locations.

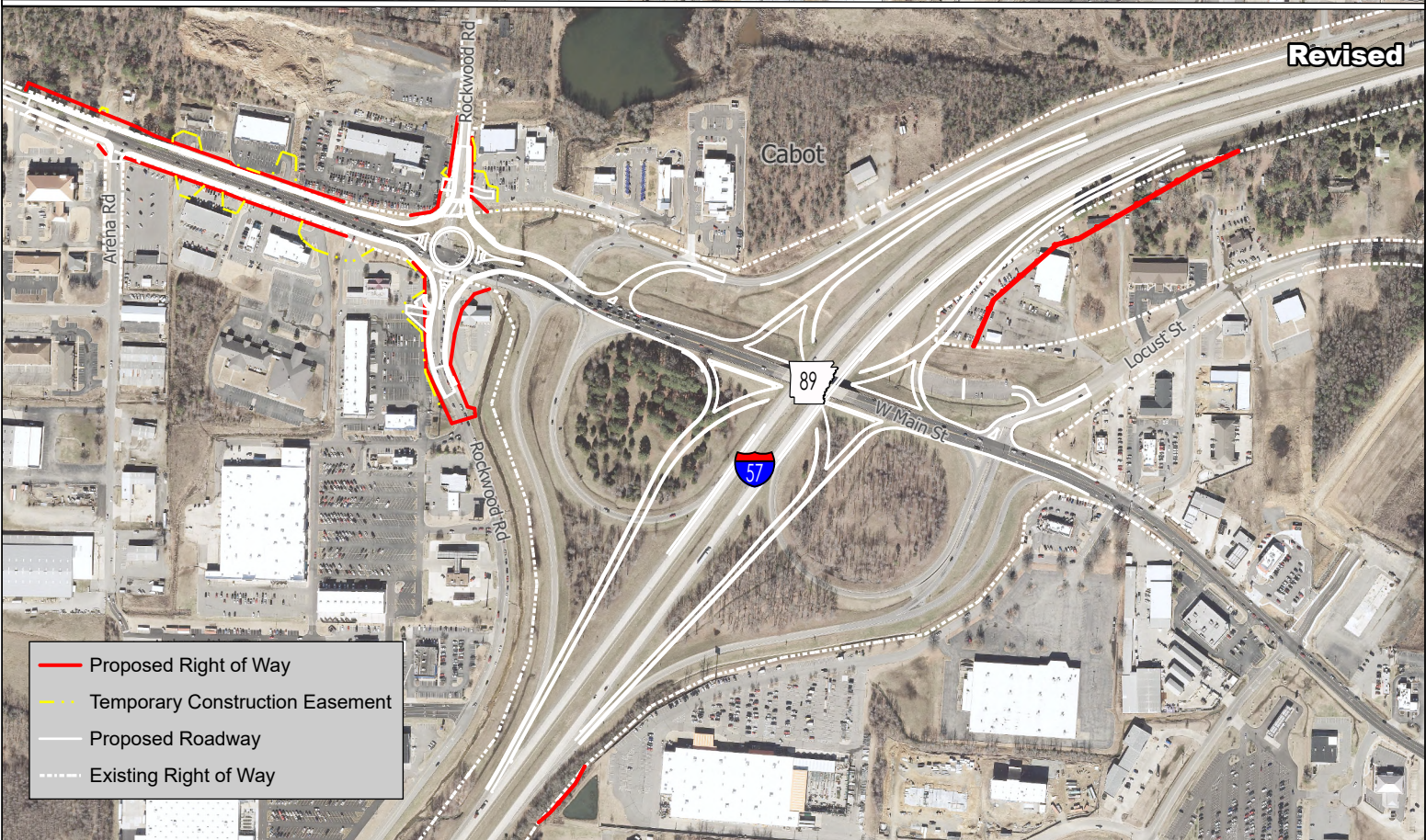
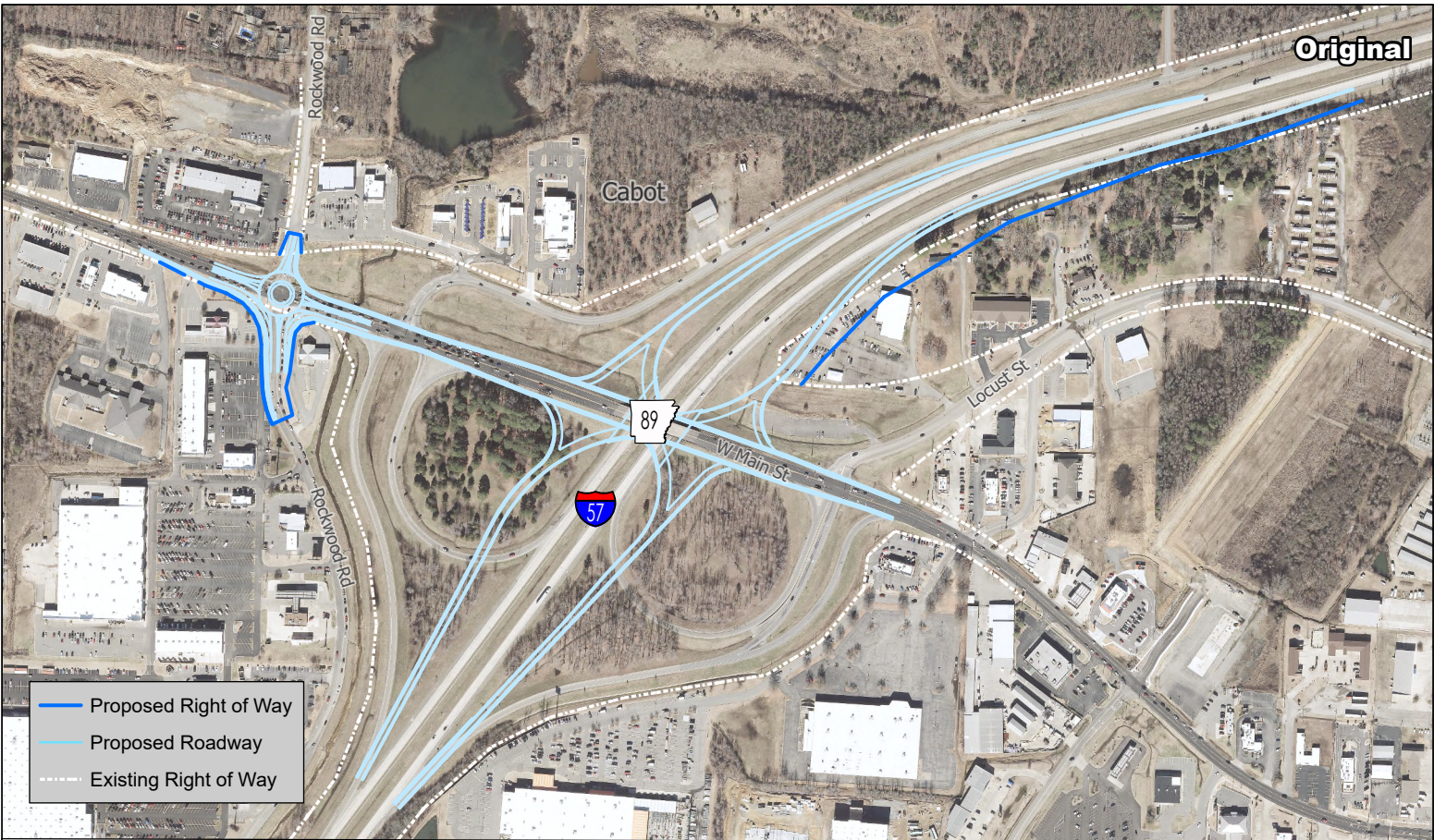
The Alligator Snapping Turtle and Monarch Butterfly are proposed threatened species, and the Tricolored Bat is a proposed endangered species. The proposed design change would not jeopardize the continued existence of these species.

The design change would reduce permanent stream impacts by 545.9 linear feet and increase permanent wetland impacts by 0.5 acre. The project should be authorized by a Standard Individual Permit as defined in Federal Register 86(245): 73522-73583. Preconstruction notification is required.

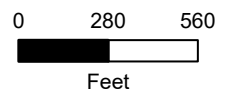
The City of Cabot participates in the National Flood Insurance Program. The design change lies within a Zone A Special Flood Hazard Area. The final project design was reviewed and it was confirmed that the design is adequate and that the potential risk to life and property were minimized. Adjacent properties should not be impacted nor have a greater flood risk than existed before construction of the project. The encroachment would not constitute a substantial floodplain encroachment or risk to property or life.

This design change was 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. The design change would 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.

The project remains eligible for National Environmental Policy Act compliance as a CE under the ARDOT/FHWA Programmatic Agreement on the Processing of Categorical Exclusions.



Job 061631  
Design Changes





**Sarah Huckabee Sanders**  
Governor  
**Shea Lewis**  
Secretary

April 2, 2025

Mr. Josh Seagraves  
Division Head  
Environmental Division  
Arkansas Department of Transportation  
P.O. Box 2261  
Little Rock, AR 72203-2261

Re: Lonoke County – General  
Section 106 Review Addendum – FHWA  
Hwys. 67/89 Intchnng.  
Route 67, Section 11  
ARDOT Job Number 061859  
AHPP Tracking Number 101637.03

Dear Mr. Seagraves:

The staff of the Arkansas Historic Preservation Program (AHPP) reviewed the Architectural Resources Survey Addendum received February 26, 2025 for the above-referenced job in Lonoke County. The project footprint will remain in the same area, but will expand to encompass approximately 0.25 miles of new ROW on the western end of Hwy. 89. Although a site (3LN0270) is in the vicinity of the project, it is outside of the ROW. Considering this information, the AHPP maintains its concurrence that no historic properties will be affected.

We appreciate the opportunity to review this undertaking. If you have any questions, please contact George Burson at (501) 324-9270 or at [George.Burson@arkansas.gov](mailto:George.Burson@arkansas.gov). Please refer to the AHPP Tracking Number above in any correspondence.

Sincerely,  
George  
Burson  
*for*

Digitally signed by George  
Burson  
Date: 2025.04.02  
10:33:21 -05'00'

Scott Kaufman  
AHPP Director and State Historic Preservation Officer



## 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:

02/25/2025 17:22:42 UTC

Project Code: 2025-0060655

Project Name: 061631 - Hwy. 5 - Hwy. 89 (Cabot) P.E.

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 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 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:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.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/program/migratory-bird-permit/what-we-do>.

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/library/collections/threats-birds>.

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/partner/council-conservation-migratory-birds>.

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

## **OFFICIAL SPECIES LIST**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

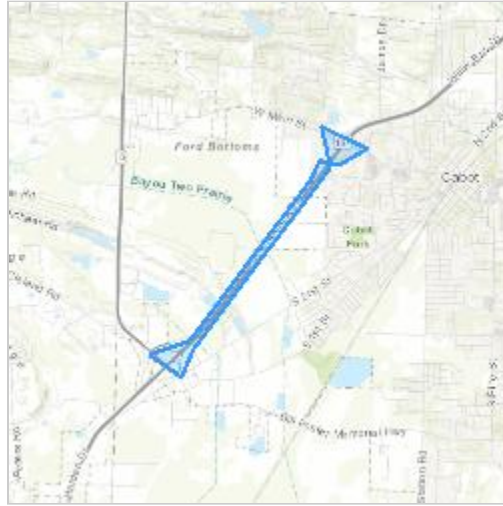
This species list is provided by:

**Arkansas Ecological Services Field Office**  
110 South Amity Suite 300  
Conway, AR 72032-8975  
(501) 513-4470

## PROJECT SUMMARY

Project Code: 2025-0060655  
Project Name: 061631 - Hwy. 5 - Hwy. 89 (Cabot) P.E.  
Project Type: Road/Hwy - Maintenance/Modification  
Project Description: Interstate widening and reconfiguration of interchanges.  
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@34.96569745,-92.04686526182542,14z>



Counties: Lonoke County, Arkansas

## ENDANGERED SPECIES ACT SPECIES

There is a total of 6 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 Fisheries<sup>1</sup>, 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
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>	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: <a href="https://ecos.fws.gov/ecp/species/10477">https://ecos.fws.gov/ecp/species/10477</a>	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 <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is <b>proposed</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/1864">https://ecos.fws.gov/ecp/species/1864</a>	Threatened

**REPTILES**

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

**INSECTS**

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is <b>proposed</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Proposed 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: Nicholas Dial

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: nicholas.dial@ardot.gov

Phone: 5015692617

You have indicated that your project falls under or receives funding through the following special project authorities:

- **BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)**



## 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:

02/25/2025 17:25:48 UTC

Project code: 2025-0060655

Project Name: 061631 - Hwy. 5 - Hwy. 89 (Cabot) P.E.

Subject: Technical Assistance letter for '061631 - Hwy. 5 - Hwy. 89 (Cabot) P.E.' 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 Nicholas Dial:

The U.S. Fish and Wildlife Service (Service) received on **February 25, 2025** your effect determination(s) for the '061631 - Hwy. 5 - Hwy. 89 (Cabot) P.E.' (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 the answers provided, the proposed Action is consistent with a determination of “no effect” for the following species as outlined in the Service’s Arkansas Determination Key for project review and guidance for federally listed species.

Species	Listing Status	Determination
Eastern Black Rail ( <i>Laterallus jamaicensis ssp. jamaicensis</i> )	Threatened	No effect
Piping Plover ( <i>Charadrius melodus</i> )	Threatened	No effect
Rufa Red Knot ( <i>Calidris canutus rufa</i> )	Threatened	No effect

### Status

Your agency has met consultation requirements for these species by informing the Service of the “no effect” determinations. No further consultation for this project is required for these species. This technical assistance letter confirms you may rely on effect determinations you reached by considering the Arkansas DKey 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 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* Proposed Threatened
- 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](mailto: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

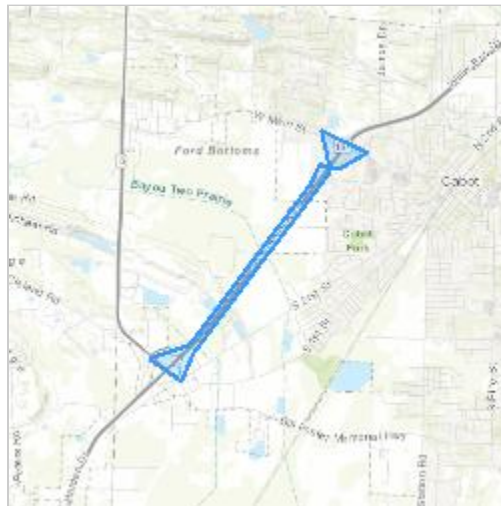
061631 - Hwy. 5 - Hwy. 89 (Cabot) P.E.

### 2. Description

The following description was provided for the project '061631 - Hwy. 5 - Hwy. 89 (Cabot) P.E.':

Interstate widening and reconfiguration of interchanges.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@34.96569745,-92.04686526182542,14z>



## **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 designated critical habitat for Ouachita Fanshell?

**Automatically answered**

*No*

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

**Automatically answered**

*No*

12. [Semantic] Does the project intersect the red-cockaded woodpecker AOI?  
**Automatically answered**  
*No*
13. [Semantic] Does the project intersect the Eastern black rail AOI?  
**Automatically answered**  
*Yes*
14. Will the project take place in freshwater herbaceous wetlands and/or wet prairies?  
*No*
15. [Semantic] Does the project intersect the red knot AOI?  
**Automatically answered**  
*Yes*
16. Will the project affect sand and gravel areas or shorelines along rivers, lakes, or reservoirs?  
*No*
17. Does the project take place in marshy or flooded open field habitat?  
*No*
18. [Semantic] Does the project intersect the Piping Plover AOI?  
**Automatically answered**  
*Yes*
19. [Semantic] Does the project intersect the Whooping Crane AOI?  
**Automatically answered**  
*No*
20. [Semantic] Does the project intersect the interior least tern AOI?  
**Automatically answered**  
*No*
21. [Semantic] Does the project intersect the Gray Bat AOI?  
**Automatically answered**  
*No*
22. [Semantic] Does the project intersect the Ozark Big-eared Bat AOI?  
**Automatically answered**  
*No*
23. [Semantic] Does the project intersect the Indiana bat AOI?  
**Automatically answered**  
*No*
24. [Semantic] Does the project intersect the Benton County Cave Crayfish AOI?  
**Automatically answered**  
*No*
25. [Semantic] Does the project intersect the Hell Creek Cave Crayfish AOI?  
**Automatically answered**  
*No*

26. [Semantic] Does the project intersect the Ozark cavefish AOI?

**Automatically answered**

*No*

27. [Semantic] Does the project intersect the Missouri bladderpod AOI?

**Automatically answered**

*No*

28. [Semantic] Does the project intersect the Geocarpon AOI?

**Automatically answered**

*No*

29. [Semantic] Does the project intersect the Pondberry AOI?

**Automatically answered**

*No*

30. [Semantic] Does the project intersect the interior least tern range?

**Automatically answered**

*No*

## IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Nicholas Dial

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: nicholas.dial@ardot.gov

Phone: 5015692617

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)

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

ARDOT Job 061631 FAP NHPP-9065(29)

Job Title Hwy. 5 – Hwy. 89 (Cabot) P.E.

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impacts anticipated
Cultural Resources	X			"No historic properties affected"
Economic	X			No impacts anticipated
Endangered Species	X			"No effect" on all listed species
Civil Rights/Title VI	X			No impacts anticipated
Fish and Wildlife		X		Temporary during construction
Floodplains		X		Project in Zones A/AE SFHAs
Forest Service Property	X			No impacts anticipated
Hazardous Materials/Landfills	X			No impacts anticipated
Land Use		X		7.4 acres proposed right of way
Migratory Birds	X			No impacts anticipated
Navigation/Coast Guard	X			No impacts anticipated
Noise Levels		X		33 receptors impacted within three NSAs
Prime Farmland	X			No impacts anticipated
Protected Waters	X			No impacts anticipated
Public Recreation Lands	X			No impacts anticipated
Public Water Supply/WHPA	X			No impacts anticipated
Relocatees		X		One residential, two business, one landlord
Section 4(f)/6(f)	X			No impacts anticipated
Social	X			No impacts anticipated
Underground Storage Tanks	X			No impacts anticipated
Visual		X		Minor changes to visual environment
Streams		X		Impacts: perm. 509.1 lf; temp. 221.8lf
Water Quality		X		Temporary during construction
Wetlands		X		Permanent 3.6 acres; temporary 3.5 acres
Wildlife Refuges	X			No impacts anticipated

Section 401 Water Quality Certification Required? Yes

Short-term Activity Authorization Required? Yes

Section 404 Permit Required? Yes Type Individual

Remarks: .

Impacts described above are for total project impacts under the revised design.

Signature of Evaluator Susan Staffeld Date May 30, 2025