





## INTEROFFICE MEMORANDUM

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June 12, 2020

**TO:** Master Files

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

**SUBJECT:** Job Number 061682  
FAP Number NHPP-30-2(271)  
Social Hill Rest Area – West (S)  
Route I-30, Section 21  
Hot Spring County  
Tier 1 Categorical Exclusion

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

The purpose of this project is to overlay approximately 10.9 miles of Interstate 30, including polymer overlay of four bridges with joint replacements as necessary. This project will extend from the Social Hill Rest Area near Malvern west to the Friendship exit. All work will take place within the existing right of way. A project location map is attached.

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

The official species list obtained through the US Fish and Wildlife Service's Information for Planning and Consultation website lists the northern long-eared bat

(*Myotis septentrionalis*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Red-Cockaded Woodpecker (*Picoides borealis*), Arkansas Fatmucket (*Lampsilis powellii*), Ouachita Rock Pocketbook (*Arkansia wheeleri*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Theiliderma cylindrica*), Spectaclecase Mussel (*Cumberlandia monodonta*), American burying beetle (*Nicrophorus americanus*), and Missouri bladderpod (*Physaria filiformis*) as protected species potentially occurring in the proposed project area. Based on the lack of habitat, scope of the project, and the distance to known occurrences of species, it has been determined that the proposed project will have “no effect” on all listed species.

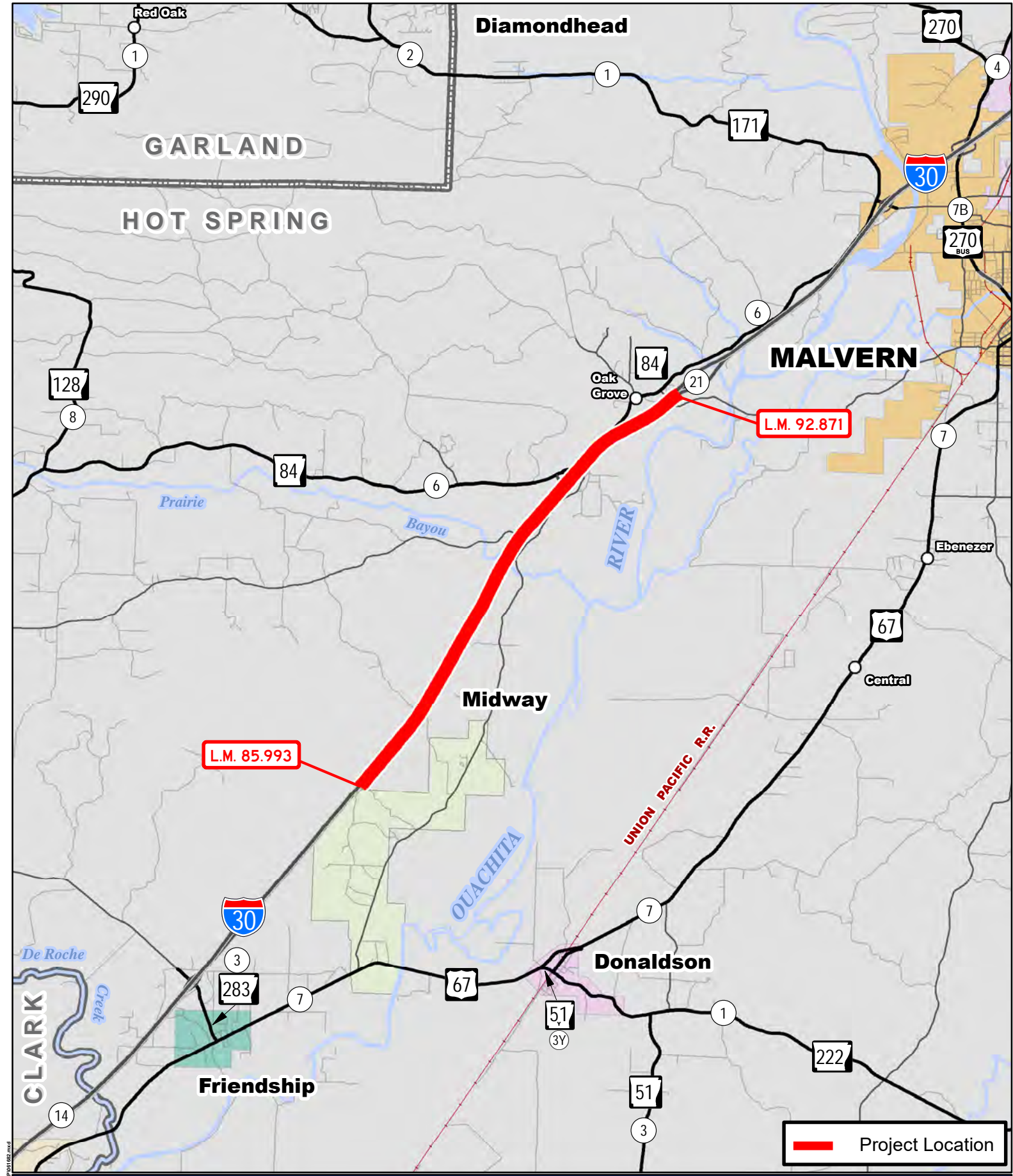
A Section 404 Permit will not be required for the construction of this project.

JF:KR:am

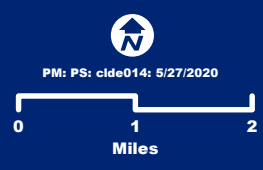
Attachments:

- Location Map
- Cultural Resources clearance
- Environmental Study Checklist

c: Program Management  
Right of Way  
Roadway Design  
District 6  
FHWA



**Job 061682**  
**Social Hill Rest Area – West (S)**  
 I-30, Sec. 21  
 Hot Spring County



Document Path: C:\work\HOTSPRING\14\Map\Project\061682.mxd




## INTEROFFICE MEMORANDUM

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April 27, 2020

**TO:** Job File

**FROM:** Jason Eads, Cultural Resources  


**SUBJECT:** Cultural Resources Clearance  
Job Number 061682  
Social Hill Rest Area - West (F)  
Route I-30, Section 21  
Hot Spring County

This job proposes to overlay an existing 10.858 miles of road surface with asphalt pavement on Interstate 30, from the Social Hill Rest Area to just south of Hwy. 283, in Hot Spring County. A records check at the Arkansas Archeological Survey shows two sites (3HS0361- an 1857 General Land Office [GLO] field and 3HS0494- a lithic scatter) in the right-of-way (ROW). No historic structures were shown on the Arkansas Historic Preservation Program's structure database that are eligible or listed on the National Register of Historic Places (NRHP) near the project. No cultural indicators were found on the 1825 or 1834 GLO maps near the project; however, the 1857 GLO map shows a field in Sections 30 and 31 Township 5 South, Range 18 South, within the existing ROW. The 1936 Hot Spring County road map shows no structures along the existing Interstate.

The Choctaw Nation Trail of Tears Corridor follows Interstate 30 but is not an official designated trail. The "Thayer" and "Steele's Expedition" historic trails were paths taken during the Civil War that roughly follow present-day Interstate 30. The "Heritage Trail Route Southwest Trail" was used by the military and homesteaders in the early 1800s up through the Civil War. No traces of the historic trails are present in or near the project area, due to urban development.

There are six bridges (ARDOT Bridge Numbers A3898, B3898, A3941, B3941, A5025, and B5025) and four RC Box culverts (ARDOT Bridge Numbers X0109, X0110, X0111, and X0115) within the project limits. The ten bridges/culverts are historic bridges/culverts built in 1966 and 1967; however, they were not evaluated for eligibility to the NRHP due to the Advisory Council on Historic Preservation's Section 106 exemption regarding effects to the Interstate Highway System (filed on the Federal Register as 69 FR 77979-77981 and authority of 16 U.S.C. 470v; 36 CFR 800.14(c) on March 7, 2005).

The project will require no new ROW. All work will be within the existing ROW and the extremely limited scope of the project does not have the potential to affect any undisturbed land surfaces or potential historic properties. This project is subject to the 1999 MOA and falls under the exempted Work Category "Resurfacing". The project is not considered an undertaking and requires no further work or Section 106 review.

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

ARDOT Job Number 061682 FAP Number NHPP-30-2(271)

Job Title Social Hill Rest Area – West (S)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impacts anticipated
Cultural Resources	X			Cultural Resources clearance attached
Economic	X			No impacts anticipated
Endangered Species	X			No effect determination
Environmental Justice/Title VI	X			No impacts anticipated
Fish and Wildlife	X			No impacts anticipated
Floodplains	X			Flood zone A SFHA occurs w/in project limits
Forest Service Property	X			None in the project area
Hazardous Materials/Landfills	X			No sites in project area
Land Use	X			Will not be impacted by project
Migratory Birds	X			No impacts anticipated
Navigation/Coast Guard	X			None in the project area
Noise Levels	X			No increases due to project
Prime Farmland	X			No impacts anticipated
Protected Waters	X			None in the project area
Public Recreation Lands	X			None in project area
Public Water Supply/WHPA	X			No impacts anticipated
Relocates	X			No relocations
Section 4(f)/6(f)	X			No impacts anticipated
Social	X			No impacts to the social environment
Underground Storage Tanks	X			No impacts anticipated
Visual	X			No changes to visual environment
Streams	X			No impacts anticipated
Water Quality	X			No impacts anticipated
Wetlands	X			None in the project area
Wildlife Refuges	X			None in the project area

Section 401 Water Quality Certification Required? No

Short-term Activity Authorization Required? No

Section 404 Permit Required? No Type \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

Signature of Evaluator Kathryn Rose Date 6/10/2020

**TIER 3 CATEGORICAL EXCLUSION**

**ARDOT JOB NUMBER 061682  
FAP NUMBER NHPP-30-2(271)  
SOCIAL HILL REST AREA – WEST (S)  
ROUTE I-30, SECTION 21  
HOT SPRING 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

September 2020

September 9, 2020

Date of Approval

Randal Looney

Randal Looney  
Environmental Coordinator  
Federal Highway Administration

This project was evaluated in a Tier 1 Categorical Exclusion approved on June 12, 2020. Since the finalization of that document, special clearing was added to the project. The Environmental Division re-evaluated the referenced project and has determined it now 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 overlay approximately 10.9 miles of Interstate 30, including polymer overlay of four bridges with joint replacements as necessary. The project will also include special clearing of the right of way extending 25 feet into the median from each interior lane and 30 feet to the outside of each exterior lane. A project location map is attached.

The project will not involve relocations, prime farmlands, wetlands, underground storage tanks, hazardous materials, any environmental justice issues, or cultural resources. The cultural resources clearance is attached.

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

The official species list obtained through the US Fish and Wildlife Service's Information for Planning and Consultation website lists the northern long-eared bat (*Myotis septentrionalis*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Arkansas Fatmucket (*Lampsilis powellii*), Ouachita Rock Pocketbook (*Arkansia wheeleri*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Thelliderma cylindrica*), and Missouri bladderpod (*Physaria filiformis*) as protected species potentially occurring in the proposed project area. See attached USFWS Species List.

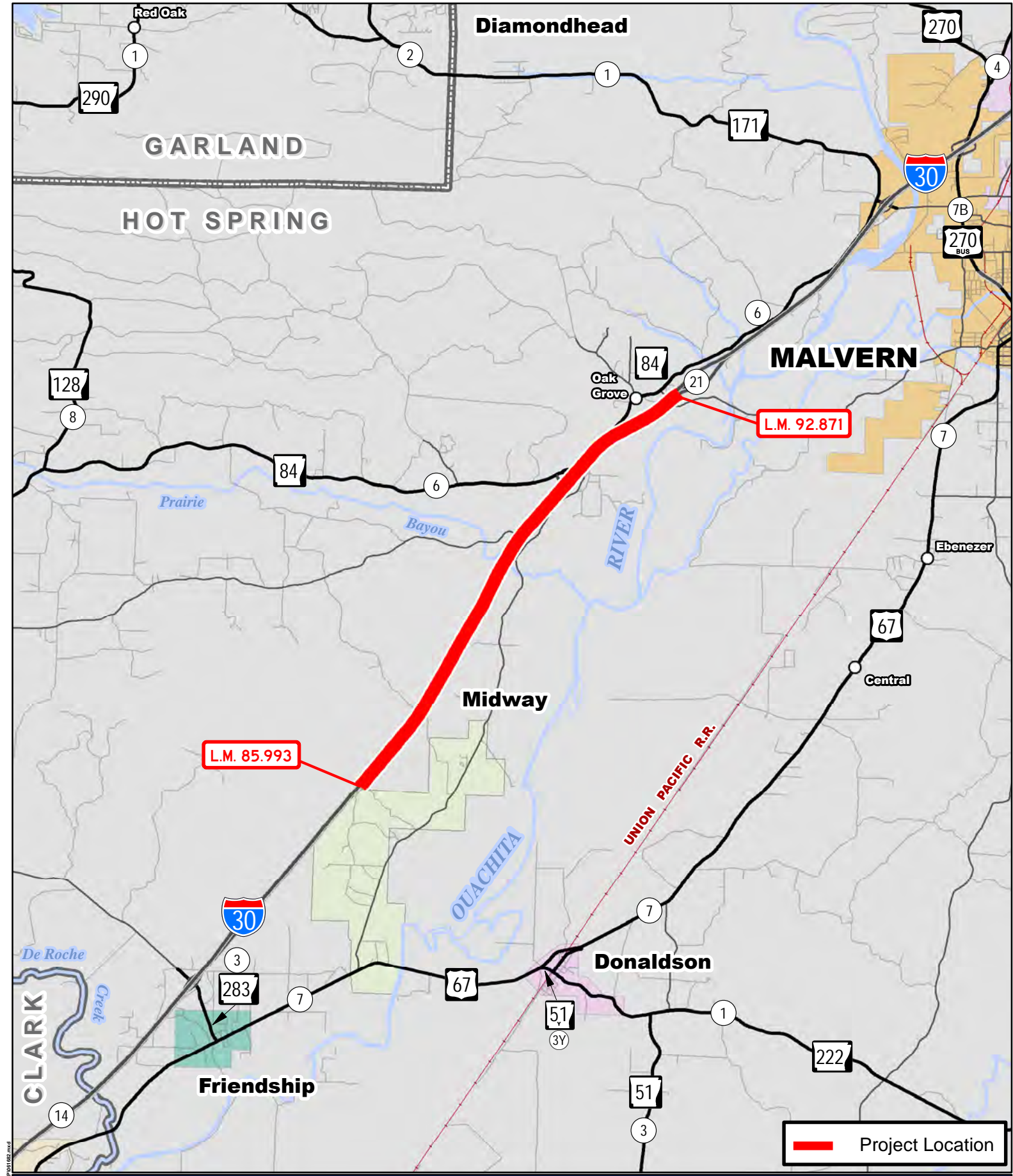
Based on the lack of habitat, scope of the project, and the distance to known occurrences of species, it has been determined that the proposed project will have "no effect" on Eastern Black Rail, Piping Plover, Red Knot, and Missouri bladderpod.

Based on the scope of the project, minimal habitat effected, and distance to known species occurrences, it has been determined that the proposed project "may affect, but is not likely to adversely affect" the Arkansas Fatmucket, Ouachita Rock Pocketbook, Pink Mucket, and Rabbitsfoot. Relying on the Final 4(d) Rule and its

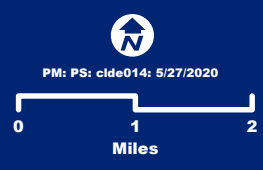
accompanying Programmatic Biological Opinion, it has been determined that the proposed project “may affect, but is not likely to adversely affect” the northern long-eared bat. The USFWS concurred on August 31, 2020.

No Section 404 permit will be required for the construction of this project.

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



**Job 061682**  
**Social Hill Rest Area – West (S)**  
 I-30, Sec. 21  
 Hot Spring County



Document Path: C:\work\KUTCD\JOB 061682\Map\Project\061682.mxd




## INTEROFFICE MEMORANDUM

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April 27, 2020

**TO:** Job File

**FROM:** Jason Eads, Cultural Resources  


**SUBJECT:** Cultural Resources Clearance  
Job Number 061682  
Social Hill Rest Area - West (F)  
Route I-30, Section 21  
Hot Spring County

This job proposes to overlay an existing 10.858 miles of road surface with asphalt pavement on Interstate 30, from the Social Hill Rest Area to just south of Hwy. 283, in Hot Spring County. A records check at the Arkansas Archeological Survey shows two sites (3HS0361- an 1857 General Land Office [GLO] field and 3HS0494- a lithic scatter) in the right-of-way (ROW). No historic structures were shown on the Arkansas Historic Preservation Program's structure database that are eligible or listed on the National Register of Historic Places (NRHP) near the project. No cultural indicators were found on the 1825 or 1834 GLO maps near the project; however, the 1857 GLO map shows a field in Sections 30 and 31 Township 5 South, Range 18 South, within the existing ROW. The 1936 Hot Spring County road map shows no structures along the existing Interstate.

The Choctaw Nation Trail of Tears Corridor follows Interstate 30 but is not an official designated trail. The "Thayer" and "Steele's Expedition" historic trails were paths taken during the Civil War that roughly follow present-day Interstate 30. The "Heritage Trail Route Southwest Trail" was used by the military and homesteaders in the early 1800s up through the Civil War. No traces of the historic trails are present in or near the project area, due to urban development.

There are six bridges (ARDOT Bridge Numbers A3898, B3898, A3941, B3941, A5025, and B5025) and four RC Box culverts (ARDOT Bridge Numbers X0109, X0110, X0111, and X0115) within the project limits. The ten bridges/culverts are historic bridges/culverts built in 1966 and 1967; however, they were not evaluated for eligibility to the NRHP due to the Advisory Council on Historic Preservation's Section 106 exemption regarding effects to the Interstate Highway System (filed on the Federal Register as 69 FR 77979-77981 and authority of 16 U.S.C. 470v; 36 CFR 800.14(c) on March 7, 2005).

The project will require no new ROW. All work will be within the existing ROW and the extremely limited scope of the project does not have the potential to affect any undisturbed land surfaces or potential historic properties. This project is subject to the 1999 MOA and falls under the exempted Work Category "Resurfacing". The project is not considered an undertaking and requires no further work or Section 106 review.



## 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:

August 31, 2020

Consultation Code: 04ER1000-2020-SLI-1388

Event Code: 04ER1000-2020-E-03454

Project Name: 061682 Social Hill Rest Area - West (b)

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-1388

Event Code: 04ER1000-2020-E-03454

Project Name: 061682 Social Hill Rest Area - West (b)

Project Type: TRANSPORTATION

Project Description: overlay and polymer overlay bridges

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.31638707219163N92.93472886379473W>



Counties: Hot Spring, AR

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## Endangered Species Act Species

There is a total of 9 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
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

### 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

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## Clams

NAME	STATUS
Arkansas Fatmucket <i>Lampsilis powellii</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2213">https://ecos.fws.gov/ecp/species/2213</a>	Threatened
Ouachita Rock Pocketbook <i>Arkansia wheeleri</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/4509">https://ecos.fws.gov/ecp/species/4509</a>	Endangered
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/7829">https://ecos.fws.gov/ecp/species/7829</a>	Endangered
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> 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/5165">https://ecos.fws.gov/ecp/species/5165</a>	Threatened

## Flowering Plants

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

## Critical habitats

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



## United States Department of the Interior



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

In Reply Refer To:

August 26, 2020

Consultation Code: 04ER1000-2020-TA-0953

Event Code: 04ER1000-2020-E-03402

Project Name: 061682 Social Hill Rest Area - West

Subject: Verification letter for the '061682 Social Hill Rest Area - West' project under the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-eared Bat and Activities Excepted from Take Prohibitions.

Dear William Bailey:

The U.S. Fish and Wildlife Service (Service) received on August 26, 2020 your effects determination for the '061682 Social Hill Rest Area - West' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. This IPaC key assists users in determining whether a Federal action is consistent with the activities analyzed in the Service's January 5, 2016, Programmatic Biological Opinion (PBO). The PBO addresses activities excepted from "take"<sup>[1]</sup> prohibitions applicable to the northern long-eared bat under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

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

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

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

- American Burying Beetle, *Nicrophorus americanus* (Endangered)
- Arkansas Fatmucket, *Lampsilis powellii* (Threatened)
- Eastern Black Rail, *Laterallus jamaicensis ssp. jamaicensis* (Proposed Threatened)
- Missouri Bladderpod, *Physaria filiformis* (Threatened)
- Ouachita Rock Pocketbook, *Arkansia wheeleri* (Endangered)
- Pink Mucket (pearlymussel), *Lampsilis abrupta* (Endangered)
- Piping Plover, *Charadrius melodus* (Threatened)
- Rabbitsfoot, *Quadrula cylindrica cylindrica* (Threatened)
- Red Knot, *Calidris canutus rufa* (Threatened)
- Red-cockaded Woodpecker, *Picoides borealis* (Endangered)
- Spectaclecase (mussel), *Cumberlandia monodonta* (Endangered)

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

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

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**Action Description**

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

**1. Name**

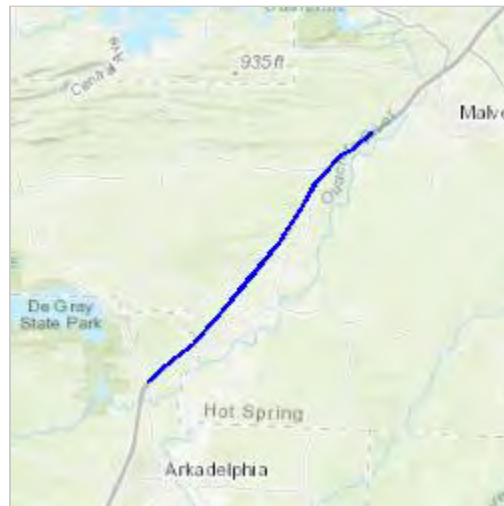
061682 Social Hill Rest Area - West

**2. Description**

The following description was provided for the project '061682 Social Hill Rest Area - West':

overlay of I30 and polymer overaly of 4 bridges, median clearing on I30

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.27192684607962N92.97010860445232W>

**Determination Key Result**

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

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

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

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

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

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

## Determination Key Result

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

## Qualification Interview

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

*Yes*

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

*No*

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

*No*

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

**Automatically answered**

*No*

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

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

**Automatically answered**

*No*

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

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

**Automatically answered**

*No*

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## Project Questionnaire

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

1. Estimated total acres of forest conversion:

0

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

0

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

0

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

4. Estimated total acres of timber harvest

10

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

0

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

0

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

7. Estimated total acres of prescribed fire

0

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

0

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

0

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

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



# 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:

August 31, 2020

Consultation Code: 04ER1000-2020-TA-1388

Event Code: 04ER1000-2020-E-03455

Project Name: 061682 Social Hill Rest Area - West (b)

Subject: Verification letter for '061682 Social Hill Rest Area - West (b)' 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 William Bailey:

The U.S. Fish and Wildlife Service (Service) received on **August 31, 2020** your effect determination(s) for the '061682 Social Hill Rest Area - West (b)' (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.

<b>Species</b>	<b>Determination</b>
Proposed Threatened Eastern Black Rail ( <i>Laterallus jamaicensis ssp. jamaicensis</i> )	No Effect
Threatened Red Knot ( <i>Calidris canutus rufa</i> )	No Effect
Threatened Piping Plover ( <i>Charadrius melodus</i> )	No Effect
Threatened Northern Long-eared Bat ( <i>Myotis septentrionalis</i> )	May Affect
Threatened Missouri bladderpod ( <i>Physaria filiformis</i> )	NLAA
Threatened Rabbitsfoot ( <i>Quadrula cylindrica cylindrica</i> )	NLAA
Endangered Ouachita Rock Pocketbook ( <i>Arkansia wheeleri</i> )	NLAA
Endangered Pink Mucket ( <i>Lampsilis abrupta</i> )	NLAA
Threatened Arkansas Fatmucket ( <i>Lampsilis powellii</i> )	NLAA

**Status**

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 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; 4) 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.

FHWA projects should not use this key for Northern Long-eared Bat determinations. Please complete the FHWA, FRA, FTA Programmatic Consultation for Transportation Projects affecting NLEB or Indiana Bat Release date: December 2, 2019

The key is intended for projects funded or authorized by FHWA, FRA, or FTA, that may affect the endangered Indiana bat and/or the threatened northern long-eared bat, which requires consultation with the USFWS under Section 7 of the ESA.

**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 BGEPA may apply to their activities. The guidelines should be consulted prior to conducting new or intermittent activity near an eagle nest. This document may be downloaded from the following site: <https://www.fws.gov/southeast/our-services/permits/eagles/>

To determine if your proposed activity is likely to take or disturb Bald Eagles, complete our step-by-step online self-certification process, which is located at <https://www.fws.gov/southeast/our-services/eagle-technical-assistance/>.

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. The application form is located at <http://www.fws.gov/forms/3-200-72.pdf>.

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**Action Description**

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

**1. Name**

061682 Social Hill Rest Area - West (b)

**2. Description**

The following description was provided for the project '061682 Social Hill Rest Area - West (b)':

overlay and polymer overlay bridges

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.31638707219163N92.93472886379473W>



**Species Protection Measures**

Bridges and Culverts

<https://www.fws.gov/southeast/pdf/species-protective-measures/bridge-and-culvert-projects.pdf>

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

*d. Federal Highway Administration*

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

*Yes*

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

**Automatically answered**

*No*

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

**Automatically answered**

*No*

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

**Automatically answered**

*No*

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

**Automatically answered**

*No*

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

**Automatically answered**

*No*

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10. [Semantic] Does the project intersect the red-cockaded woodpecker AOI?  
**Automatically answered**  
*No*
11. [Semantic] Does the project intersect the Eastern black rail AOI?  
**Automatically answered**  
*Yes*
12. Will the project affect sand and gravel areas or shorelines along rivers, lakes, or reservoirs?  
*No*
13. Does the project take place in marshy or flooded open field habitat?  
*No*
14. [Semantic] Does the project intersect the red knot AOI?  
**Automatically answered**  
*Yes*
15. [Semantic (same answer as "8.1.3")] Will the project affect sand and gravel areas or shorelines along rivers, lakes, or reservoirs?  
**Automatically answered**  
*No*
16. [Semantic (same answer as "8.2")] Does the project take place in marshy or flooded open field habitat?  
**Automatically answered**  
*No*
17. [Semantic] Does the project intersect the Piping Plover AOI?  
**Automatically answered**  
*Yes*
18. [Semantic (same answer as "8.1.3 or 9.3")] Will the project affect sand and gravel areas or shorelines along rivers, lakes, or reservoirs?  
**Automatically answered**  
*No*
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 Northern Long-eared bat AOI?  
**Automatically answered**  
*Yes*
25. [Semantic] Does the project intersect the Benton County Cave Crayfish AOI?  
**Automatically answered**  
*No*
26. [Semantic] Does the project intersect the Hell Creek Cave Crayfish AOI?  
**Automatically answered**  
*No*
27. [Semantic] Does the project intersect the Ozark cavefish AOI?  
**Automatically answered**  
*No*
28. [Semantic] Does the project intersect the Missouri bladderpod AOI?  
**Automatically answered**  
*Yes*
29. [Semantic] Does the project intersect the Geocarpon AOI?  
**Automatically answered**  
*No*
-

30. [Semantic] Does the project intersect the running buffalo clover AOI?  
**Automatically answered**  
*No*
31. [Semantic] Does the project intersect the Pondberry AOI?  
**Automatically answered**  
*No*
32. [Semantic] Does the project occur within the survey coordination area?  
**Automatically answered**  
*No*
33. Does the project contain any of the following activity types:  
Boat Ramps,  
Bridges,  
Culverts,  
Development,  
Dams or Impoundments (including berms and levees),  
Streambank Stabilization (or other streambank work),  
Pipeline and linear projects,  
Water intakes/withdrawals, or  
Stream or ditch relocation?  
*Yes*
34. Does the project include Streambank Stabilization (or other streambank work)?  
*No*
35. Does the project include Boat Ramps?  
*No*
36. Does the project include Bridges and Culverts?  
*Yes*
37. Does the project include the Bridges and Culverts species [protective measures](#), as applicable to the project and site characteristics?  
*Yes*
38. Does the project include Dams and Impoundments (including berms or levees)?  
*No*
-

39. Does the project include Development?  
*No*
40. Is the project a Pipeline or Linear Project?  
*No*
41. Does the project include Water Intakes/Withdrawals?  
*No*
42. Does the project include Stream or Ditch Relocation?  
*No*
43. [Semantic] Does the project intersect the rabbitsfoot AOI?  
**Automatically answered**  
*Yes*
44. [Semantic] Does the project intersect the neosho mucket AOI?  
**Automatically answered**  
*No*
45. [Semantic] Does the project intersect the Spectaclecase AOI?  
**Automatically answered**  
*No*
46. [Semantic] Does the project intersect the snuffbox AOI?  
**Automatically answered**  
*No*
47. [Semantic] Does the project intersect the speckled pocketbook AOI?  
**Automatically answered**  
*No*
48. [Semantic] Does the project intersect the ouachita rock pocketbook AOI?  
**Automatically answered**  
*Yes*
49. [Semantic] Does the project intersect the fat pocketbook AOI?  
**Automatically answered**  
*No*
-

50. [Semantic] Does the project intersect the Curtis pearlymussel AOI?  
**Automatically answered**  
*No*
51. [Semantic] Does the project intersect the scaleshell AOI?  
**Automatically answered**  
*No*
52. [Semantic] Does the project intersect the pink mucket AOI?  
**Automatically answered**  
*Yes*
53. [Semantic] Does the project intersect the Arkansas fatmucket AOI?  
**Automatically answered**  
*Yes*
54. [Semantic] Does the project intersect the winged mapleleaf AOI?  
**Automatically answered**  
*No*
55. [Semantic] Does the project intersect the leopard darter AOI?  
**Automatically answered**  
*No*
56. [Semantic] Does the project intersect the Yellowcheek darter AOI?  
**Automatically answered**  
*No*
57. [Semantic] Does the project intersect the Ozark hellbender AOI?  
**Automatically answered**  
*No*
58. [Semantic] Does the project intersect the harperella AOI?  
**Automatically answered**  
*No*
59. [Semantic] Does the project intersect the pallid sturgeon AOI?  
**Automatically answered**  
*No*
-

## Project Questionnaire

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

1. Estimated total acres of forest conversion:

0

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

0

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

0

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

4. Estimated total acres of timber harvest

10

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

0

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

0

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

7. Estimated total acres of prescribed fire

0

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

0

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

0

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

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

0

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

ARDOT Job Number 061682 FAP Number NHPP-30-2(271)

Job Title Social Hill Rest Area – West (S)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impacts anticipated
Cultural Resources	X			Cultural Resources clearance attached
Economic	X			No impacts anticipated
Endangered Species		X		USFWS concurrence 8/31/2020
Environmental Justice/Title VI	X			No impacts anticipated
Fish and Wildlife	X			No impacts anticipated
Floodplains	X			Flood zone A SFHA occurs w/in project limits
Forest Service Property	X			None in the project area
Hazardous Materials/Landfills	X			No sites in project area
Land Use	X			Will not be impacted by project
Migratory Birds	X			No impacts anticipated
Navigation/Coast Guard	X			None in the project area
Noise Levels	X			No increases due to project
Prime Farmland	X			No impacts anticipated
Protected Waters	X			None in the project area
Public Recreation Lands	X			None in the project area
Public Water Supply/WHPA	X			None in the project area
Relocates	X			No relocations
Section 4(f)/6(f)	X			No impacts anticipated
Social	X			No impacts to the social environment
Underground Storage Tanks	X			No impacts anticipated
Visual	X			No impacts anticipated
Streams	X			No impacts anticipated
Water Quality	X			No impacts anticipated
Wetlands	X			None in the project area
Wildlife Refuges	X			None in the project area

Section 401 Water Quality Certification Required? No

Short-term Activity Authorization Required? No

Section 404 Permit Required? No Type \_\_\_\_\_

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

Signature of Evaluator Kathryn Rose Date 9/3/2020