

**TIER 3 CATEGORICAL EXCLUSION**

**ARDOT JOB 101115  
FAP STPF-0061(25)  
ELEVEN POINT RIVER STREAM RESTORATION (S)  
RANDOLPH 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

October 2021

October 15, 2021

Date of Approval



Randal Looney  
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 the project is to restore 1,100 linear feet of the left descending bank of the Eleven Point River within and near ARDOT's Eleven Point River Mitigation Area. The attached figure shows the location of the mitigation area and the area of stream bank restoration. The stream bank restoration will consist of removing existing vegetation (trees, root wads, limbs and woody brush), terracing the stream bank, and installing live brush, logs and root wads along those terraces. In addition, native trees will be planted in the terraced landscape, areas of deforestation, and excavated areas used in construction of the terraces.

The project will not involve relocations, underground storage tanks, hazardous materials, noise impacts, any environmental justice issues, or cultural resources. This project has been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special mobile source air toxic concerns. The Arkansas Historic Preservation Program clearance is attached. No public involvement will be held for the project.

The official species list was obtained through the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation website and lists the following species as possibly occurring within the project area: gray bat (*Myotis grisescens*), northern long-eared bat (*Myotis septentrionalis*), Indiana bat (*Myotis sodalis*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Red Knot (*Calidris canutus rufa*), Piping Plover (*Charadrius melodus*), Ozark hellbender (*Cryptobranchus alleganiensis bishopi*), Pink Mucket (*Lampsilis abrupta*), pondberry (*Lindera melissifolia*), Rabbitsfoot (*Theliderma cylindrica*), Snuffbox Mussel (*Epioblasma triquetra*), monarch butterfly (*Danaus plexippus*), and Missouri bladderpod (*Physaria filiformis*). See the attached species list.

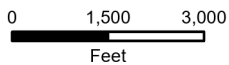
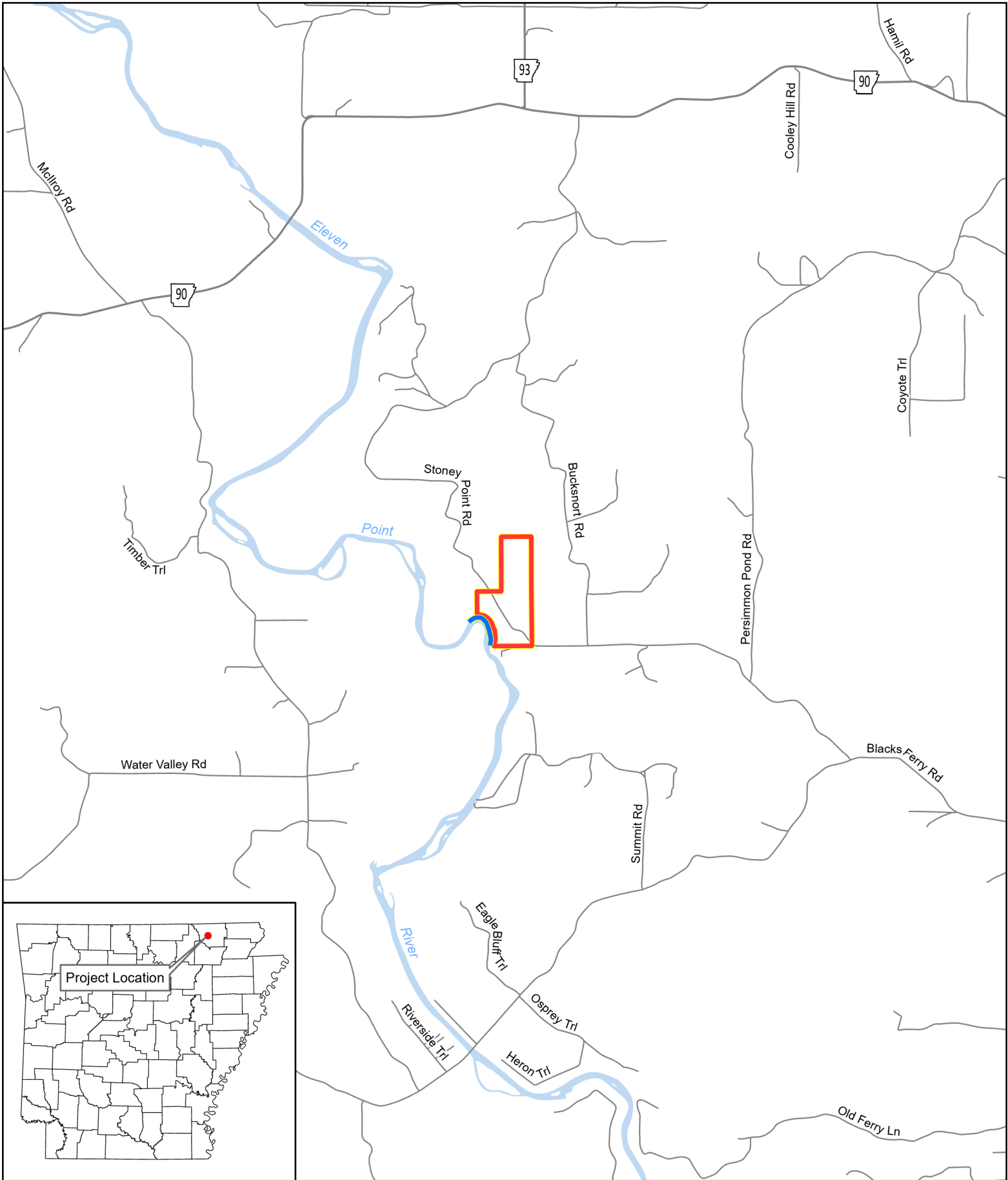
The monarch butterfly is a candidate species and as such is not federally protected under the Endangered Species Act. However, The U. S. Fish and Wildlife Service (USFWS) recommends agencies implement conservation measures for candidate species in action areas as these are species, by definition, that may warrant future protection under the Act. The ARDOT will plant native wildflowers as a conservation measure. It has been determined that the project will have "no effect" on the Eastern Black Rail, Piping Plover, and Red Knot due to lack of habitat and distance to known populations. Utilizing the Arkansas Determination Key, it has been determined that the project "may affect, but is not likely to adversely affect" the gray bat, Ozark hellbender, Pink Mucket, pondberry, Rabbitsfoot, Snuffbox Mussel, Missouri bladderpod, northern long-eared bat and Indiana bat. ARDOT

has determined these two bat species are also not likely to be adversely affected. The USFWS concurred on September 17, 2021.

The project will have a discharge of dredged or fill material into waters of the United States; therefore, a Section 404 permit will be required. The project will impact approximately 1,100 linear feet of the Eleven Point River. The project should be authorized under a Nationwide Permit.

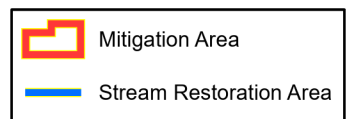
Randolph County participates in the National Flood Insurance Program. The project is located in a Zone A Special Flood Hazard Area. The final project design will be reviewed to confirm that the design is adequate and that the potential risk to life and property are minimized. Adjacent properties should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

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.



ARDOT - Environmental GIS - Strawn  
August 4, 2021

Job 101115  
Eleven Point River  
Stream Restoration  
Randolph County





Asa Hutchinson  
Governor  
Stacy Hurst  
Secretary

September 16, 2021

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

RE: Randolph County: Little Rock  
Section 106 Review: FHWA  
Proposed Undertaking: Eleven Point River Stream Restoration (S)  
ARDOT Job Number: 101115  
AHPP Tracking Number: 108721

Dear Mr. Fleming:

The staff of the Arkansas Historic Preservation Program (AHPP) reviewed the Project Identification Form (PIF) for the above referenced undertaking in Randolph County, Arkansas in Section 5, Township 19 North, Range 1 West. The proposed undertaking entails stabilizing a stream bank along the Eleven Point River on an existing mitigation area, northwest of Pocahontas. The property consists of 55.6 acres and is divided by a gravel county road. A portion of the 17 acres on the west side of the road was surveyed and AHPP concurred with the results (AHPP Tracking Number 78785.13) in February 2018. The stream bank stabilization will require trees being harvested from two locations on the east side of the road. The areas of potential effect (APE) total approximately 1.9 acres. A total of sixteen shovel tests were excavated in the APE, all of which were negative for cultural materials.

Based on the provided information, the AHPP concurs that **no historic properties affected pursuant to 36 CFR § 800.4(d)(1)** for the proposed undertaking and that no further archeological work is needed.

Tribes that have expressed an interest in the area include the Cherokee Nation, the Osage Nation, the Quapaw Nation, and the Shawnee Tribe. We recommend consultation in accordance with 36 CFR § 800.2(c)(2).

Thank you for the opportunity to review this undertaking. Please refer to the AHPP Tracking Number listed above in all correspondence. If you have any questions, call Jessica Cogburn at 501-324-9357 or email [jessica.cogburn@arkansas.gov](mailto:jessica.cogburn@arkansas.gov).

Sincerely,  
Jessica H.  
Cogburn

Digitally signed by Jessica H.  
Cogburn  
Date: 2021.09.16 16:33:58  
-05'00'

for  
Scott Kaufman  
Director, AHPP

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



## 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:

September 09, 2021

Consultation Code: 04ER1000-2021-SLI-1574

Event Code: 04ER1000-2021-E-04610

Project Name: 101115 - Eleven Point Stream Restoration

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 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

## Endangered Species Act Species

There is a total of 13 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.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6329">https://ecos.fws.gov/ecp/species/6329</a>	Endangered
Indiana Bat <i>Myotis sodalis</i> There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
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

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## 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. The location of the critical habitat is not available. 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> There is <b>proposed</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/1864">https://ecos.fws.gov/ecp/species/1864</a>	Threatened

## Amphibians

NAME	STATUS
Ozark Hellbender <i>Cryptobranchus alleganiensis bishopi</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/647">https://ecos.fws.gov/ecp/species/647</a>	Endangered

## Clams

NAME	STATUS
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. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/5165">https://ecos.fws.gov/ecp/species/5165</a>	Threatened
Snuffbox Mussel <i>Epioblasma triquetra</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/4135">https://ecos.fws.gov/ecp/species/4135</a>	Endangered

## Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## 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
Pondberry <i>Lindera melissifolia</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1279">https://ecos.fws.gov/ecp/species/1279</a>	Endangered

## Critical habitats

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

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IN REPLY REFER TO:

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Arkansas Ecological Service Field Office  
110 South Amity Road, Suite 300  
Conway, Arkansas 72032



September 17, 2021

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

Consultation Code: 04ER1000-2021-SLI-1574

Dear Mr. Fleming:

The U.S. Fish and Wildlife Service (Service) has reviewed your request, assessment, and determinations for Arkansas Department of Transportation (ARDOT) Job proposal to stabilize the left descending bank of the Eleven Point River in Randolph County, Arkansas. We received your initial request on September 14, 2021.

The project was described and assessed as follows (abbreviated):

ARDOT will be stabilizing the left descending bank of the Eleven Point River in Randolph, County. I have attached the IPAC species list for your convenience. The project should have no effect on the Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), and Monarch Butterfly (*Danaus plexippus*) due to limited scope of the project, lack of habitat, and distance to known populations, as indicated in the USFWS Arkansas Determination Key (DKey) consistency letter. The Arkansas DKey determined the project is not likely to affect the following species: Gray Bat (*Myotis grisescens*), Ozark Hellbender (*Cryptobranchus alleganiensis bishopi*), Pink Mucket (*Lampsilis abrupta*), Pondberry (*Lindera melissifolia*), Rabbitsfoot (*Theliderma cylindrica*), Snuffbox Mussel (*Epioblasma triquetra*), and Missouri Bladderpod (*Physaria filiformis*) and may affect the Northern Long-eared Bat (*Myotis septentrionalis*) and Indiana Bat (*Myotis sodalis*). ARDOT has determined these two bat species are also not likely to be adversely affected.

The Arkansas Department of Transportation is requesting concurrence with these effects determinations.

The Service concurs with these “No Effect” determinations for the listed species identified. No further consultation for this project is required for these species.


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; and 3) a new species is listed or critical habitat designated. If any of the above

conditions occur, additional consultation with the Arkansas Ecological Services Field Office should take place before project changes are final or resources committed.

Due to the limited scope of the action (i.e., bank stabilization and restoration of an eroding streambank with no existing trees), minimal to no adjacent habitat effects, distance to known species locations, lack of stable streambed habitat for mussels, and the standard special provision for sediment control, the Service concurs with the determination of "may affect, not likely to adversely affect" for Gray Bat, Ozark Hellbender, Pink Mucket, Pondberry, Rabbitsfoot, Snuffbox Mussel, Missouri Bladderpod, Northern Long-eared Bat, and Indiana Bat. No further consultation regarding this species or any of the species identified within the assessment is necessary at this time.

If you have any questions regarding our response or if you need additional information, please contact Lindsey Lewis at (501) 513-4489 or [lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Melvin L. Tobin', with a stylized flourish at the end.

Melvin L. Tobin  
Field Supervisor

cc: Project File  
Read File

Filename: <C:\Users\lilewis\Documents\PROJECTS\FY2021\ARDOT\ARDOT Job 101115 Eleven Point River Stream Restoration\AFO Letter -ARDOT Job 101115 Eleven Point River Stream Restoration.docx>

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

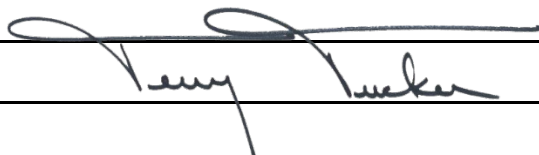
ARDOT Job 101115 FAP STPF-0061(25)

Job Title Eleven Point River Stream Restoration (S)

Environmental Resource	None	Minimal	Major	Comments-required for each item
Air Quality	X			No air quality impacts anticipated
Cultural Resources	X			AHPP concurrence attached
Economic	X			No impacts anticipated
Endangered Species		X		NLAA determination
Environmental Justice/Title VI	X			No impacts anticipated
Fish and Wildlife		X		Minor impacts during construction
Floodplains		X		Within Zone A Special Flood Hazard Area
Forest Service Property	X			None in project area
Hazardous Materials/Landfills	X			No impacts anticipated
Land Use	X			No impacts anticipated
Migratory Birds	X			No impacts anticipated
Navigation/Coast Guard	X			None in project area
Noise Levels	X			No impacts anticipated
Prime Farmland	X			No impacts anticipated
Protected Waters		X		Eleven Point is an ERW.
Public Recreation Lands	X			No impacts anticipated
Public Water Supply/WHPA	X			None in project area
Relocatees	X			No impacts anticipated
Section 4(f)/6(f)	X			No impacts anticipated
Social	X			No impacts anticipated
Underground Storage Tanks	X			No impacts anticipated
Visual	X			No impacts anticipated
Streams		X		~1,100 stream impacts
Water Quality		X		Temporary decrease during construction
Wetlands	X			None in project area
Wildlife Refuges	X			None in project area

Section 401 Water Quality Certification Required? Y  
 Short-term Activity Authorization Required? Y  
 Section 404 Permit Required? Y Type NWP

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

Signature of Evaluator  Date October 6, 2021

**PROGRAMMATIC CATEGORICAL EXCLUSION  
RE-EVALUATION**

**ARDOT JOB 101115  
FAP STPF-0061(25)  
ELEVEN POINT RIVER STREAM RESTORATION (S)  
RANDOLPH COUNTY**

Submitted Pursuant to 23 CR Part 771.117  
and the Programmatic Agreement between  
the Federal Highway Administration  
and the  
Arkansas Department of Transportation

March 2026

March 5, 2026

\_\_\_\_\_  
Date of Approval

*Justin Boykin*  
for \_\_\_\_\_  
Josh Seagraves  
Division Head – Environmental  
Arkansas Department of Transportation

A Tier 3 Categorical Exclusion as described by the former Programmatic Agreement on Categorical Exclusion (CE) Documentation and Processing was approved on October 15, 2021. Construction has not commenced on this project. Due to the length of time since the completion of the CE, a re-evaluation was necessary.

ARDOT proposes to establish a stream mitigation bank by stabilizing 1,200 linear feet of the Eleven Point River. This section of the river is experiencing an accelerated lateral migration, which is introducing large amounts of sediment into the river during each bank full event. Restoration efforts to the north side of the bank will be accomplished by terracing the existing riverbank and installing live fascines and geolifts with live brush, logs, and root wads. Construction will be done in segments of approximately 50-100 linear feet, one after another starting from upstream and moving downstream until completion. Upon completion of the riverbank stabilization work, all disturbed floodplain areas including staging areas will be seeded and mulched, along with the planting of trees along the upper terraces. Live woody debris will be salvaged from upland areas within ARDOT's Eleven Point mitigation property; however, a pup season restriction will be in place from May 15 through July 31, and only cedar trees may be removed from the upland areas.

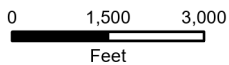
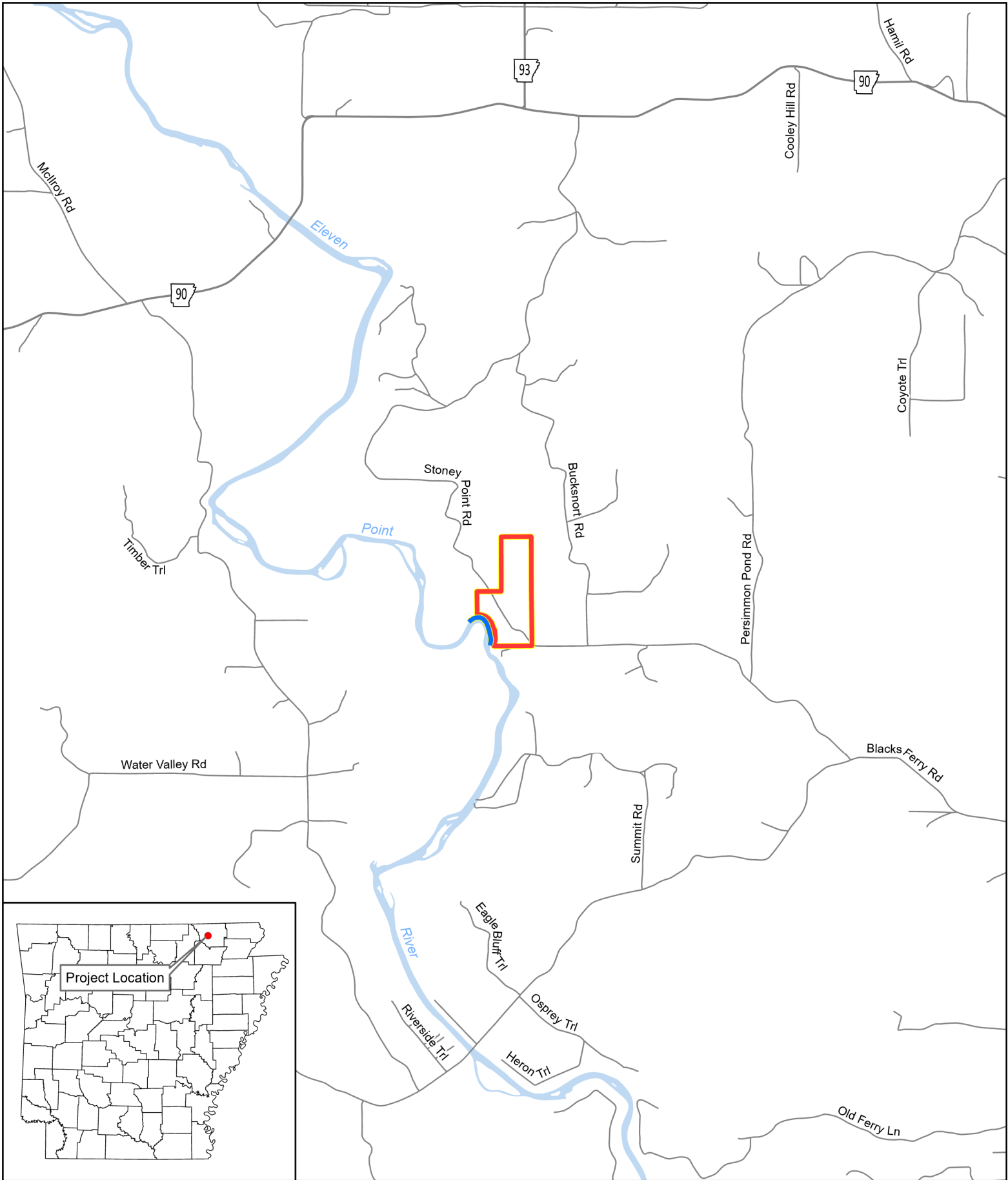
The official species list obtained from the US Fish and Wildlife Service's Information for Planning and Consultation website identified the Gray Bat (*Myotis grisescens*), Indiana Bat (*Myotis sodalis*), Northern Long-eared Bat (*Myotis septentrionalis*), Tricolored Bat (*Perimyotis subflavus*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Piping Plover (*Charadrius melodus*), Rufa Red Knot (*Calidris canutus rufa*) Alligator Snapping Turtle (*Macrochelys temminckii*), Ozark Hellbender (*Cryptobranchus alleganiensis bishop*), Pink Mucket (*Lampsilis abrupta*), Snuffbox Mussel (*Epioblasma triquetra*), Western Fanshell (*Cyprogenia aberti*), Monarch Butterfly (*Danaus plexippus*), Missouri bladderpod (*Physaria filiformis*) and pondberry (*Lindera melissfolia*) as species potentially occurring within the project area.

Due to the timing restrictions and scope of the project, it has been determined that the project "may affect but is not likely to adversely affect" the Ozark Hellbender, Pink Mucket, Gray Bat, Indiana Bat, Northern Long-eared Bat, Missouri bladderpod, pondberry, Snuffbox, and Western Fanshell. The project will have "no effect" on the Eastern Black Rail, Piping Plover and Rufa Red Knot. Restoration work will be confined to the left descending bank of the Eleven Point River and in an area that is lacking habitat for the Ozark Hellbender and Pink mucket.

The Alligator Snapping Turtle and Monarch Butterfly are proposed threatened species, and the Tricolored Bat is a proposed endangered species; however, the proposed project will not jeopardize the continued existence of either species.

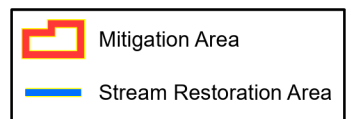
Job 101115  
PCE Re-evaluation  
Page 2 of 2

No additional impacts are expected as a result of this project.



ARDOT - Environmental GIS - Strawn  
August 4, 2021

Job 101115  
Eleven Point River  
Stream Restoration  
Randolph County





Asa Hutchinson  
Governor  
Stacy Hurst  
Secretary

September 16, 2021

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

RE: Randolph County: Little Rock  
Section 106 Review: FHWA  
Proposed Undertaking: Eleven Point River Stream Restoration (S)  
ARDOT Job Number: 101115  
AHPP Tracking Number: 108721

Dear Mr. Fleming:

The staff of the Arkansas Historic Preservation Program (AHPP) reviewed the Project Identification Form (PIF) for the above referenced undertaking in Randolph County, Arkansas in Section 5, Township 19 North, Range 1 West. The proposed undertaking entails stabilizing a stream bank along the Eleven Point River on an existing mitigation area, northwest of Pochontas. The property consists of 55.6 acres and is divided by a gravel county road. A portion of the 17 acres on the west side of the road was surveyed and AHPP concurred with the results (AHPP Tracking Number 78785.13) in February 2018. The stream bank stabilization will require trees being harvested from two locations on the east side of the road. The areas of potential effect (APE) total approximately 1.9 acres. A total of sixteen shovel tests were excavated in the APE, all of which were negative for cultural materials.

Based on the provided information, the AHPP concurs that **no historic properties affected pursuant to 36 CFR § 800.4(d)(1)** for the proposed undertaking and that no further archeological work is needed.

Tribes that have expressed an interest in the area include the Cherokee Nation, the Osage Nation, the Quapaw Nation, and the Shawnee Tribe. We recommend consultation in accordance with 36 CFR § 800.2(c)(2).

Thank you for the opportunity to review this undertaking. Please refer to the AHPP Tracking Number listed above in all correspondence. If you have any questions, call Jessica Cogburn at 501-324-9357 or email [jessica.cogburn@arkansas.gov](mailto:jessica.cogburn@arkansas.gov).

Sincerely,  
Jessica H.  
Cogburn

Digitally signed by Jessica H.  
Cogburn  
Date: 2021.09.16 16:33:58  
-05'00'

for  
Scott Kaufman  
Director, AHPP

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



IN REPLY REFER TO:

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Arkansas Ecological Service Field Office  
110 South Amity Road, Suite 300  
Conway, Arkansas 72032



March 5, 2026

Mr. Clint Hutcheson  
Arkansas Department of Transportation  
10324 Interstate 30  
Little Rock, Arkansas 72209

Consultation Code: 2026-0057245

Dear Mr. Hutcheson:

The U.S. Fish and Wildlife Service (Service) reviewed your March 4, 2026, request, assessment, and determinations for Arkansas Department of Transportation (ARDOT) Job 101115, Eleven Point River Stream Restoration Mitigation site in Randolph County, Arkansas. The proposal is to stabilize approximately 1,200 linear feet of the left descending bank of the river in an outside migrating bend with a failing cut bank and lacking riparian trees and stabilizing structure. During the restoration efforts, selective tree harvest will take place on the upland portion of the property to supply material for the woody debris and geolifts.

As stated in the consistency letter, the Service concurs with the "no effect" and "not likely to adversely affect" determinations for the listed species identified in IPaC. No further consultation for this project is required for these species. The verification 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 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 et seq.; ESA).

Due to the minimal amount of habitat disturbance/removal being limited to eastern red cedar tree removal, distance to known species locations, distance to known caves and karst recharge areas, pup season avoidance tree clearing restriction, and implementation of best management practices for sediment, erosion, and contaminants, the Service concurs with ARDOT's determinations of "may affect, not likely to adversely affect" for Indiana bat and northern long-eared bat, as we cannot be reasonably certain that this action will have anything more than insignificant and/or discountable direct or indirect effects to these species when considering the potential effects. Due to the distance to known species locations, lack of habitat at or near the site, and the implementation of best management practices for sediment, erosion, and contaminants, the Service concurs with ARDOT's determinations of "may affect, not likely to adversely affect" for Ozark hellbender and pink mucket, as we cannot be reasonably certain that this action will have anything more than insignificant and/or discountable direct or indirect effects to these species when considering the potential effects. Furthermore, the Service concurs with your non-jeopardy determinations for tri-colored bat, alligator snapping turtle, and monarch butterfly. This


concurrence concludes your ESA Section 7 responsibilities for these species related to this action.

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

For further assistance or if you have any questions, please contact Lindsey Lewis at (501) 513-4489 or [lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov).

Sincerely,

CHRISTOPHER  
DAVIDSON

 Digitally signed by CHRISTOPHER  
DAVIDSON  
Date: 2026.03.05 12:55:50 -06'00'

For Jason Hight  
Field Supervisor



## 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:

03/03/2026 16:05:21 UTC

Project Code: 2026-0057245

Project Name: 101115 Eleven Point River Stream Restoration

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 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>.

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: 2026-0057245  
Project Name: 101115 Eleven Point River Stream Restoration  
Project Type: Government / Municipal (Non-Military) Construction  
Project Description: Bank stabilization project on the Eleven Point River in Randolph County. Stabilization approximately 1,200 linear feet of river bank. And the removal of cedar trees for the purpose of providing material for the geolift within the bank stabilization.

### Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.321850600000005,-91.09698504687924,14z>



Counties: Randolph County, Arkansas

## ENDANGERED SPECIES ACT SPECIES

There is a total of 15 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
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6329">https://ecos.fws.gov/ecp/species/6329</a>	Endangered
Indiana Bat <i>Myotis sodalis</i> 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/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
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>	Endangered
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 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

**AMPHIBIANS**

NAME	STATUS
Ozark Hellbender <i>Cryptobranchus alleganiensis bishopi</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/647">https://ecos.fws.gov/ecp/species/647</a>	Endangered

**CLAMS**

NAME	STATUS
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
Snuffbox Mussel <i>Epioblasma triquetra</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/4135">https://ecos.fws.gov/ecp/species/4135</a>	Endangered
Western Fanshell <i>Cyprogenia aberti</i> 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/6895">https://ecos.fws.gov/ecp/species/6895</a>	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

**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
Pondberry <i>Lindera melissifolia</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1279">https://ecos.fws.gov/ecp/species/1279</a>	Endangered

**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: clint hutcheson

Address: PO Box 2261

City: Little Rock

State: AR

Zip: 72203

Email: clinton.hutcheson@ardot.gov

Phone: 5017767797

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 101115 FAP STPF-0061(25)

Job Title Eleven Point River Stream Restoration

Class Determination C (25)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impacts
Community/Social	X			No impacts
Cultural Resources	X			AHPP concurrence
Economic	X			No impacts
Federal Lands	X			None in project area
Floodplains		X		Zone A SFHA
Hazardous Materials	X			No impacts
Important Farmland	X			No impacts
Land Use	X			No impacts
Protected Species		X		NLAA for, Indiana Bat, Gray Bat, Northern Long-eared Bat, Missouri Bladdepod, Pondberry, Snuffbox, and Western Fanshell.
Protected Waters		X		NRI, ERW
Public Water Supply	X			No impacts
Relocations	X			None
Section 4(f)/6(f) properties	X			No impacts
Solid Waste	X			No impacts
Streams		X		1200 linear feet of stream restoration
Traffic Noise	X			No impacts
Visual	X			No impacts
Water Quality	X	X		Temporary during construction
Wetlands	X			No impacts

**Permits: Indicate either a "yes" or "no" if permit is required or not.**

Section 404 Permit Required? Yes Type NW27

Section 408 Approval Required? No

Section 9 USCG Bridge Permit Required? No

Section 10 Navigable Waters Permit Required? No

Section 401 Water Quality Certification Required? Yes

Short-term Activity Authorization Required? Yes

Remarks:

NRI Coordination completed

Signature of Evaluator  Date 3-5-2026