




## INTEROFFICE MEMORANDUM

July 22, 2024

**TO:** Master Files

**FROM:** Josh Seagraves, Division Head – Environmental 

**SUBJECT:** Job 110859  
FAP NHPP-0019(63)  
St. Francis River Str. Recovery (Coldwater) (S)  
Route 42, Section 3  
Cross 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 remove the structure (M3057) on Highway 42 that collapsed into the St. Francis River on June 28, 2024. A project location map is attached.

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

The official species list obtained from the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) identified the following endangered and threatened species as potentially occurring within the project boundaries: Northern Long-eared Bat (*Myotis septentrionalis*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Piping Plover (*Charadrius melodus*), Rufa Red Knot (*Calidris canutus rufa*), Alligator Snapping Turtle (*Macrochelys temminckii*), Fat Pocketbook (*Potamilus capax*), Monarch Butterfly (*Danaus plexippus*), and pondberry (*Lindera melissifolia*). See the attached USFWS Species List.

Utilizing the Determination Keys in IPaC, it has been determined that this project will have "no effect" on Northern Long-eared Bat and Eastern Black Rail, and "may affect, but is not likely to adversely affect" Fat Pocketbook, Piping Plover, Rufa Red Knot, and pondberry. USFWS sent their concurrence with these determinations 07/15/2024.

ARDOT has determined that this project will not jeopardize the continued existence of Alligator Snapping Turtle.

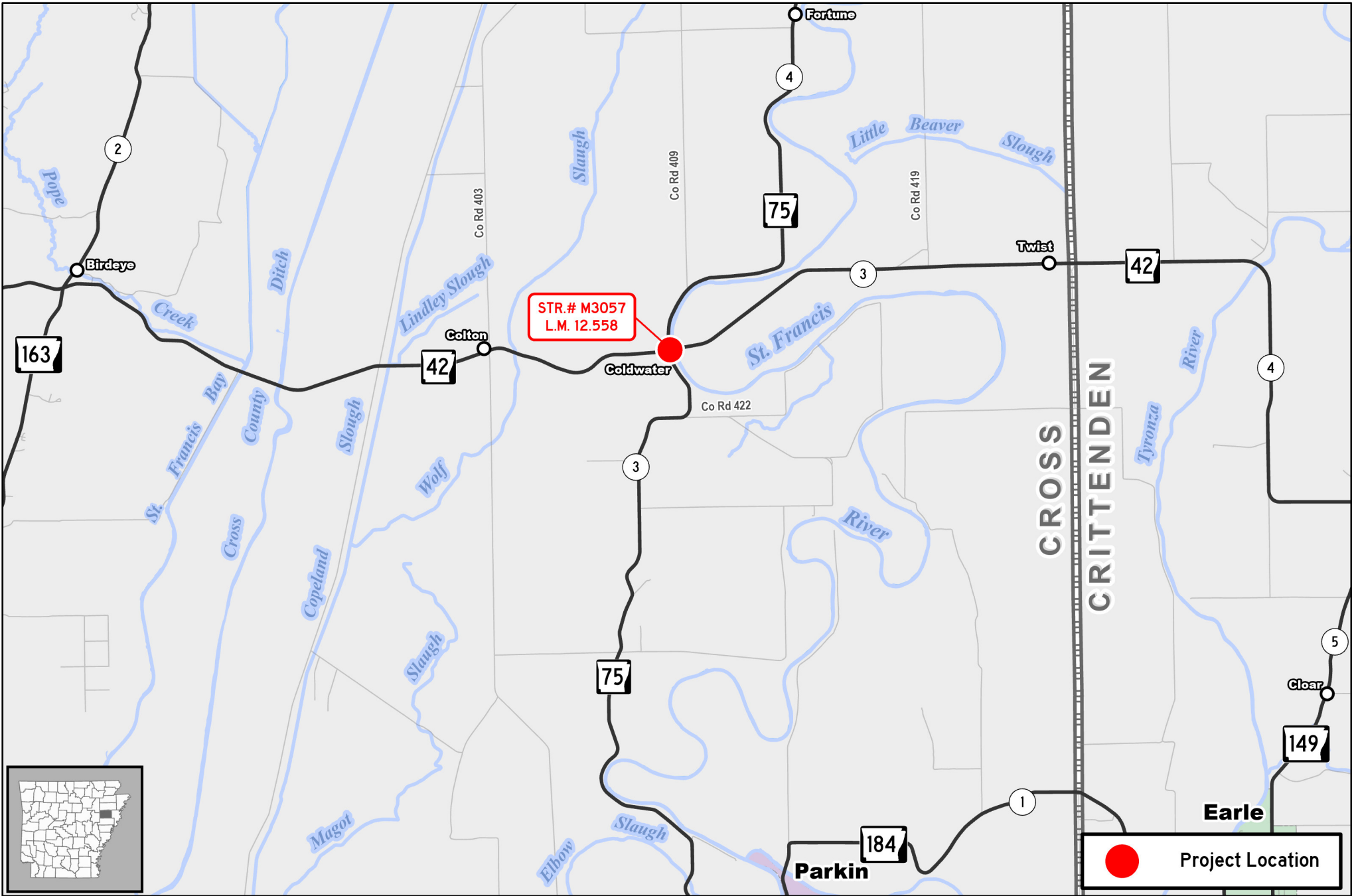
The Monarch butterfly is a candidate species, and as such, is not federally protected under the Endangered Species Act (ESA). However, the USFWS recommends agencies implement conservation measures for candidate species in action areas, as these are, by definition, species that may warrant future protection under the ESA. ARDOT will plant native wildflowers after construction as a conservation measure. ARDOT has determined that this action will not jeopardize the continued existence of the Monarch butterfly.

Temporary impacts to the St. Francis River total up to 0.20 acre for bridge recovery and 0.06 acre for work road construction. Construction of the proposed project should be allowed under the terms of a Nationwide 3 Section 404 Permit for Maintenance as defined in the Federal Register 86(245): 73522-73583.

#### Attachments

c: Program Management  
Right of Way  
Roadway Design  
District 1  
FHWA

JS:KR:sw



# Job 110859

## St. Francis River Str. Recovery (Coldwater) (S)

Hwy. 42, Sec. 3  
Cross County

0 0.5 1 2  
Miles



## INTEROFFICE MEMORANDUM

July 18, 2024

**TO:** Environmental Job File

**FROM:** Nikki Senn, Cultural Resources *MS*

**SUBJECT:** Cultural Resources Clearance  
Job 110859  
St. Francis River Str. Removal (Coldwater) (S)  
Route 42, Section 3  
Cross County

The project proposes to remove the collapsed ARDOT Bridge M3057, which previously carried Highway 42 over the St. Francis River in Coldwater, Cross County. No new right-of-way (ROW) will be acquired.

A records review included an examination of site files at the Arkansas Archeological Survey's (ARAS) database for previously recorded archeological sites and the Arkansas Historic Preservation Program's (AHPP) database for structures, properties or features eligible for or listed on the National Register of Historic Places (NRHP). Map review included the 1846 General Land Office plat of Township 9 North, Range 5 East, the 1940 through 1966 15' Prinedale, ARK topographic quadrangle maps, the 1984 (photorevised 1993) 7.5' Parkin, ARK topographic quadrangle map, and five aerial images between 1957 and 2021.

The review of the ARAS and the AHPP databases identified one archeological site (3CS0271- pre-historic scatter) near the proposed project area; however, it is not within 200 meters of the project area. The 1940 (1947 ed.) and 1956 (1957 ed.) 15' Prinedale, ARK USGS topographic maps and the 1974 USGS aerial photography show several structures in the project vicinity. Only one structure within the current project viewshed is in the same location as the 1974 aerial; however, it does not retain the same footprint. None of the other reviewed resources indicated any potential cultural resources in or near the project.

Bridge M3057, built in 1968, was determined not eligible for inclusion to the NRHP in the NRHP Eligibility Determination Report: Pre-1976 Arkansas Historic Highway Bridge Inventory submitted to the State Historic Preservation Officer under Job 012356. The bridge was closed to traffic in November 2023 and collapsed in June 2024.

The highway infrastructure and known construction practices were examined to assess previous ground disturbance. This type of undertaking will not affect historic properties. All work will take place within the existing ROW, and the limited scope of the project occurs within previously disturbed areas. Therefore, this project requires no further Section 106 review under Appendix C, Activity 16, of the 2021 Programmatic Agreement.

**From:** [Lewis, Lindsey](#)  
**To:** [Schrum, Matthew C.](#)  
**Subject:** Re: [EXTERNAL] Coldwater-St. Francis River Hwy. 42 mussel survey  
**Date:** Monday, July 15, 2024 2:09:10 PM

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Matt,

As stated in the Consistency Letter, the Service concurs with the "No Effect" and "NLAA" determination(s) for the listed species identified. 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 (87 Stat. 884, as amended 16 U.S.C. 1531 et seq.; ESA)."

The Service has received your concurrence verification letter and request to verify that the Proposed Action may rely on the concurrence provided by the Northern Long-eared Bat (*Myotis septentrionalis*) Decision Key (NLEB Dkey) to satisfy 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.). Based on the information you provided, you have determined that the Proposed Action will have "No Effect" on the Northern Long-eared Bat. If the Proposed Action is not modified, no consultation is required for these two species. If the Proposed Action is modified, or new information reveals that it may affect the Northern Long-eared Bat in a manner or to an extent not considered previously, further review to conclude the requirements of ESA Section 7(a)(2) may be required.

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.

The Service has no additional comments or concerns and agrees with the determinations, mussel survey results, assessment, justifications provided, non-jeopardy determinations, Monarch Butterfly conservation measures, and concurrences made through the Arkansas Dkey and the NLEB Dkey.

Thanks,

Lindsey Lewis  
Biologist

US Fish & Wildlife Service  
Arkansas Field Office  
110 South Amity Rd., Suite 300

Conway, Arkansas 72032

(501) 513-4489 - voice

(501) 513-4480 - fax

[Lindsey\\_Lewis@fws.gov](mailto:Lindsey_Lewis@fws.gov)

<http://www.fws.gov/arkansas-es/>

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**From:** Schrum, Matthew C. <Matthew.Schrum@ardot.gov>

**Sent:** Monday, July 15, 2024 9:20 AM

**To:** Lewis, Lindsey <lindsey\_lewis@fws.gov>

**Subject:** RE: [EXTERNAL] Coldwater-St. Francis River Hwy. 42 mussel survey

Lindsey,

The work description for ARDOT Job 110859 – St. Francis River Str. Recovery (Coldwater) (S) is in my email below from 07/12/2024. A mussel survey (03/12/2024) was conducted for the cancelled ARDOT Job A10043 at this location. We will be relying on the negative survey results for Fat Pocketbook (*Potamilus capax*) for the new bridge recovery job.

The official species list obtained from the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) identified the following endangered and threatened species as potentially occurring within the project boundaries; the endangered Northern Long-eared Bat (*Myotis septentrionalis*), the threatened Eastern Black Rail (*Laterallus jamaicensis* ssp. *jamaicensis*), the threatened Piping Plover (*Charadrius melodus*), the threatened Rufa Red Knot (*Calidris canutus rufa*), the proposed threatened Alligator Snapping Turtle (*Macrochelys temminckii*), the endangered Fat Pocketbook (*Potamilus capax*), the candidate Monarch Butterfly (*Danaus plexippus*), and the endangered Pondberry (*Lindera melissifolia*). See attached USFWS Species List.

The "AFO Arkansas Multi-Species Determination Key" and "NLEB Rangewide Determination Key" were evaluated for the project. See the attached

"No effect" determinations were given for Northern Long-eared Bat and Eastern Black Rail.

"May affect, not likely to adversely affect" (NLAA) determinations were given for Fat Pocketbook, Piping Plover, Rufa Red Knot, and pondberry.

This project will not jeopardize the continued existence of Alligator Snapping Turtle.

Monarch butterfly habitat will not be impacted by this project.

Matthew Schrum  
Aquatic Biologist  
Environmental Division  
Arkansas DOT  
Office: (501) 569-2083  
Cell: (573) 330-6449

---

**From:** Lewis, Lindsey <lindsey\_lewis@fws.gov>  
**Sent:** Monday, July 15, 2024 8:00 AM  
**To:** Schrum, Matthew C. <Matthew.Schrum@ardot.gov>  
**Subject:** Re: [EXTERNAL] Coldwater-St. Francis River Hwy. 42 mussel survey

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Matt,

I'm guessing TCB was removed due to there no longer being a bridge. Since the work type and location are different, you probably need to get another IPaC key determination and I can confirm with an email as usual. The previous mussel survey is sufficient.

Lindsey Lewis  
Biologist

US Fish & Wildlife Service  
Arkansas Field Office  
110 South Amity Rd., Suite 300  
Conway, Arkansas 72032

(501) 513-4489 - voice  
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[Lindsey\\_Lewis@fws.gov](mailto:Lindsey_Lewis@fws.gov)  
<http://www.fws.gov/arkansas-es/>

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**From:** Schrum, Matthew C. <[Matthew.Schrum@ardot.gov](mailto:Matthew.Schrum@ardot.gov)>  
**Sent:** Friday, July 12, 2024 11:44 AM  
**To:** Lewis, Lindsey <[lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov)>  
**Subject:** RE: [EXTERNAL] Coldwater-St. Francis River Hwy. 42 mussel survey

Lindsey,

I'm sure you're aware of the collapse of the Hwy. 42 St. Francis River bridge at Coldwater. Job A10043 for bridge rehab has been cancelled, and Jobs 110859 – St. Francis River Str. Recovery (Coldwater) (S) and 110861 – St. Francis River Str. & Apprs. (Coldwater) (S) have been programmed for the removal of the collapsed bridge from the river channel and the replacement of the bridge, respectively.

Job 110859 will likely consist of removal of the bridge deck sections and pilings with a large crane from the bank. Designs for the recovery work will not be produced. ARDOT's Bridge Operations Division is planning to have the recovery work done by the end of the year. A start date of work is currently not available. ARDOT currently has a STAA for the emergency structure removal work. No in-channel work had happened at the time of the bridge collapse. ARDOT had only started on rehabbing the pilings with steel jackets.

My question is, can I rely on the determinations made in my March 18<sup>th</sup> 2024 concurrence request and the mussel survey for A10043, and get a new concurrence letter with the new job number (110859) and name (St. Francis River Str. Recovery (Coldwater) (S)) and description of work for the recovery job, or do I need to submit a completely new concurrence request? Species from the new USFWS species list (attached) are listed below. For some reason Tricolored Bat has been removed from the species for this location.

The official species list obtained from the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) identified the following endangered and threatened species as potentially occurring within the project boundaries; the endangered Northern Long-eared Bat (*Myotis septentrionalis*), the threatened Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), the threatened Piping Plover (*Charadrius melodus*), the threatened Rufa Red Knot (*Calidris canutus rufa*), the proposed threatened Alligator Snapping Turtle (*Macrochelys temminckii*), the endangered Fat Pocketbook (*Potamilus capax*), the candidate Monarch Butterfly (*Danaus plexippus*), and the endangered Pondberry (*Lindera melissifolia*). See attached USFWS Species List.

Matthew Schrum  
Aquatic Biologist  
Environmental Division  
Arkansas DOT  
Office: (501) 569-2083  
Cell: (573) 330-6449

---

**From:** Schrum, Matthew C.

**Sent:** Friday, March 22, 2024 9:53 AM

**To:** Lewis, Lindsey <[lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov)>

**Subject:** RE: [EXTERNAL] Coldwater-St. Francis River Hwy. 42 mussel survey

Thanks Lindsey.

-Matt

---

**From:** Lewis, Lindsey <[lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov)>  
**Sent:** Friday, March 22, 2024 9:16 AM  
**To:** Schrum, Matthew C. <[Matthew.Schrum@ardot.gov](mailto:Matthew.Schrum@ardot.gov)>  
**Subject:** Re: [EXTERNAL] Coldwater-St. Francis River Hwy. 42 mussel survey

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Matt,

As stated in the Consistency Letter, the Service concurs with the "No Effect" and "NLAA" determination(s) for the listed species identified. 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 (87 Stat. 884, as amended 16 U.S.C. 1531 et seq.; ESA)."

The Service has received your concurrence verification letter and request to verify that the Proposed Action may rely on the concurrence provided. Based upon your IPaC submission and a standing analysis, your project has reached the determination of "No Effect" on the Northern Long-eared Bat. The Service agrees with your assessment and concurs with this determination.

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.

The Service has no additional comments or concerns and agrees with the negative results mussel survey, determinations, non-jeopardy determinations, conservation measures for Monarch Butterfly, justifications provided, and concurrences made through the Arkansas Dkey and NLEB Determination Key.

Thanks,

Lindsey Lewis  
Biologist

US Fish & Wildlife Service  
Arkansas Field Office  
110 South Amity Rd., Suite 300  
Conway, Arkansas 72032

(501) 513-4489 - voice  
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**From:** Schrum, Matthew C. <[Matthew.Schrum@ardot.gov](mailto:Matthew.Schrum@ardot.gov)>  
**Sent:** Monday, March 18, 2024 2:30 PM  
**To:** Lewis, Lindsey <[lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov)>  
**Subject:** RE: [EXTERNAL] Coldwater-St. Francis River Hwy. 42 mussel survey

Lindsey,

ARDOT proposes to rehabilitate the existing timber pilings of the Hwy. 42 bridge M3057 over the St. Francis River at Coldwater in Cross County, AR. See the attached programming document and email. Repair activities will likely consist of steel or concrete jacketing placed around salvageable pilings and replacement of unsalvageable pilings. These repair activities will require low-water dry season conditions, and temporary dewatering of areas around 2 or 3 of the bents. Any channel diversion required should remain within the footprint outlined in the attached email. Work will likely start in September 2024.

The official species list obtained from the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) identified the following endangered and threatened species as potentially occurring within the project boundaries; the endangered Northern Long-eared Bat (*Myotis septentrionalis*), the proposed endangered Tricolored Bat (*Perimyotis subflavus*), the threatened Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), the threatened Piping Plover (*Charadrius melodus*), the threatened Rufa Red Knot (*Calidris canutus rufa*), the proposed threatened Alligator Snapping Turtle (*Macrochelys temminckii*), the endangered Fat Pocketbook (*Potamilus capax*), the candidate Monarch Butterfly (*Danaus plexippus*), and the endangered Pondberry (*Lindera melissifolia*). See attached USFWS Species List.

A freshwater mussel survey was conducted 03/12/2024 by ARDOT personnel. No federally listed mussels were detected. See the attached freshwater mussel survey report.

The "AFO Arkansas Multi-Species Determination Key" and "Northern Long-eared Bat Rangewide Determination Key" were evaluated for this project. "No effect" determinations were given for Northern Long-eared Bat and Eastern Black Rail. "May affect, not likely to adversely affect" determinations were given for Piping Plover, Rufa Red Knot, Fat Pocketbook, and Pondberry.

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

The Monarch Butterfly is a candidate species, and as such, is not federally protected under the ESA. However, The USFWS recommends agencies implement conservation measures for candidate

species in action areas, as these are species, by definition, that may warrant future protection under the Act. ARDOT will plant native wildflowers after construction as a conservation measure. ARDOT has determined that this action will not jeopardize the continued existence of the Monarch Butterfly.

Let me know if any additional information is required.

Matthew Schrum  
Aquatic Biologist  
Environmental Division  
Arkansas DOT  
Office: (501) 569-2083  
Cell: (573) 330-6449

---

**From:** Schrum, Matthew C.  
**Sent:** Thursday, March 14, 2024 1:16 PM  
**To:** Lewis, Lindsey <[lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov)>  
**Subject:** RE: [EXTERNAL] Coldwater-St. Francis River Hwy. 42 mussel survey

Lindsey,  
See the attached mussel survey report for A10043 – St. Francis River Str. Rehab (Coldwater) (S). No federally listed species were found.  
-Matt

---

**From:** Lewis, Lindsey <[lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov)>  
**Sent:** Tuesday, February 27, 2024 4:39 PM  
**To:** Schrum, Matthew C. <[Matthew.Schrum@ardot.gov](mailto:Matthew.Schrum@ardot.gov)>  
**Subject:** Fw: [EXTERNAL] Coldwater-St. Francis River Hwy. 42 mussel survey

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Matt,

See Chris' comments and you are good to go.

Thanks,

Lindsey Lewis  
Biologist

US Fish & Wildlife Service  
Arkansas Field Office  
110 South Amity Rd., Suite 300  
Conway, Arkansas 72032

(501) 513-4489 - voice  
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<http://www.fws.gov/arkansas-es/>

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**From:** Davidson, Chris <[chris\\_davidson@fws.gov](mailto:chris_davidson@fws.gov)>  
**Sent:** Tuesday, February 27, 2024 4:35 PM  
**To:** Lewis, Lindsey <[lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov)>  
**Subject:** Re: [EXTERNAL] Coldwater-St. Francis River Hwy. 42 mussel survey

I concur.

All the W. Fanshell records from the St. Francis River in AR are considered historical records. We considered the AR reach likely extirpated in the SSA. That's the reason why there's no AOI in IPaC.

---

**From:** Lewis, Lindsey <[lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov)>  
**Sent:** Tuesday, February 27, 2024 3:17 PM  
**To:** Davidson, Chris <[chris\\_davidson@fws.gov](mailto:chris_davidson@fws.gov)>  
**Subject:** Fw: [EXTERNAL] Coldwater-St. Francis River Hwy. 42 mussel survey

Chris,

Please see the proposed mussel survey for you review.

Thanks,

Lindsey Lewis  
Biologist

US Fish & Wildlife Service  
Arkansas Field Office  
110 South Amity Rd., Suite 300  
Conway, Arkansas 72032

(501) 513-4489 - voice  
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<http://www.fws.gov/arkansas-es/>

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**From:** Schrum, Matthew C. <[Matthew.Schrum@ardot.gov](mailto:Matthew.Schrum@ardot.gov)>

**Sent:** Tuesday, February 27, 2024 2:49 PM

**To:** Lewis, Lindsey <[lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov)>

**Cc:** Ewing, Kayti K. <[Anne.Ewing@ardot.gov](mailto:Anne.Ewing@ardot.gov)>; Seagraves, Josh H. <[Josh.Seagraves@ardot.gov](mailto:Josh.Seagraves@ardot.gov)>; Matthews, Mickey W. <[Mickey.Matthews@ardot.gov](mailto:Mickey.Matthews@ardot.gov)>

**Subject:** [EXTERNAL] Coldwater-St. Francis River Hwy. 42 mussel survey

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Lindsey,

ARDOT proposes to make repairs to the bents of the Hwy. 42 bridge over the St. Francis River at Coldwater AR. The bents are composed of wooden piles, and many of the piles are in various stages of deterioration. The bridge is currently closed to traffic. ARDOT's Bridge Division plans to begin repairs in September to take advantage of low water levels. These repairs will require in-channel rerouting of low-flow to allow for dewatering around the bents during repair.

Attached is a mussel survey proposal for this project. Let me know if you need any additional information or edits to our survey proposal.

Matthew Schrum  
Aquatic Biologist  
Environmental Division  
Arkansas DOT  
Office: (501) 569-2083  
Cell: (573) 330-6449



## 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:

07/12/2024 16:33:28 UTC

Project Code: 2024-0022407

Project Name: 110859 - St. Francis River Str. Recovery (Coldwater) (S)

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

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

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

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

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

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

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

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

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

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

Attachment(s):

- Official Species List

## **OFFICIAL SPECIES LIST**

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

This species list is provided by:

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

## PROJECT SUMMARY

Project Code: 2024-0022407

Project Name: 110859 - St. Francis River Str. Recovery (Coldwater) (S)

Project Type: Bridge - Maintenance

Project Description: This project covers the recovery of the collapse Hwy. 42 St. Francis River bridge at Coldwater in Cross County Arkansas.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.3643285,-90.57821839193548,14z>



Counties: Cross County, Arkansas

## ENDANGERED SPECIES ACT SPECIES

There is a total of 8 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. Note that 1 of these species should be considered only under certain conditions.

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. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>This species only needs to be considered if the project includes wind turbine operations.</li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered

## BIRDS

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10477">https://ecos.fws.gov/ecp/species/10477</a>	Threatened
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is <b>proposed</b> critical habitat for this species. 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

## CLAMS

NAME	STATUS
Fat Pocketbook <i>Potamilus capax</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2780">https://ecos.fws.gov/ecp/species/2780</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

---

Pondberry *Lindera melissifolia*

Endangered

No critical habitat has been designated for this species.

Species profile: <https://ecos.fws.gov/ecp/species/1279>

## CRITICAL HABITATS

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

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

## **IPAC USER CONTACT INFORMATION**

Agency: Arkansas Department of Transportation  
Name: Matthew Schrum  
Address: 10324 I30  
City: Little Rock  
State: AR  
Zip: 72209  
Email: matthew.schrum@ardot.gov  
Phone: 5015692083

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Federal Highway Administration

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

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Arkansas Ecological Services Field Office  
110 South Amity Suite 300  
Conway, AR 72032-8975  
Phone: (501) 513-4470 Fax: (501) 513-4480

In Reply Refer To:

07/15/2024 13:49:22 UTC

Project code: 2024-0022407

Project Name: 110859 - St. Francis River Str. Recovery (Coldwater) (S)

Subject: Concurrence verification letter for '110859 - St. Francis River Str. Recovery (Coldwater) (S)' for specified federally threatened and endangered species and designated critical habitat that may occur in your proposed project area consistent with the Arkansas Determination Key for project review and guidance for federally listed species (Arkansas Dkey).

Dear Matthew Schrum:

The U.S. Fish and Wildlife Service (Service) received on **July 15, 2024** your effect determination(s) for the '110859 - St. Francis River Str. Recovery (Coldwater) (S)' (the Action) using the Arkansas DKey within the Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based on your answers, and the assistance in the Service's Arkansas DKey, you made the following effect determination(s) for the proposed Action, including species protective measures that you confirmed will be implemented.

Species	Listing Status	Determination
Eastern Black Rail ( <i>Laterallus jamaicensis ssp. jamaicensis</i> )	Threatened	No effect
Fat Pocketbook ( <i>Potamilus capax</i> )	Endangered	NLAA
Piping Plover ( <i>Charadrius melodus</i> )	Threatened	NLAA
Pondberry ( <i>Lindera melissifolia</i> )	Endangered	NLAA
Rufa Red Knot ( <i>Calidris canutus rufa</i> )	Threatened	NLAA

## Status

The Service concurs with the NLAA determination(s) for the species listed above. No further consultation for this project is required for these species. Your agency has met consultation

requirements by informing the Service of your “No Effect” determinations. No consultation for this project is required for species that you determined will not be affected by this action.

This concurrence verification letter confirms you may rely on effect determinations you reached by considering the Arkansas DKey to satisfy agency consultation requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 et seq.; ESA). No further consultation for this project is required for species that you determined will not be affected by this action.

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

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

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

If you determine your project may affect additional listed or proposed listed species not covered by the Arkansas ESFO DKey, please contact our office at 501-513-4470, [arkansas\\_es\\_clearance@fws.gov](mailto:arkansas_es_clearance@fws.gov), or your agency point of contact Arkansas ESFO to discuss methods to avoid or minimize potential adverse effects to those species. Candidate species are not afforded protection under the ESA; however, we recommend they be considered in project planning and that conservation measures be implemented to avoid or minimize impacts to individuals or their habitat as much as possible.

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

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

If the recommendations detailed in the National Bald Eagle Management Guidelines cannot be followed, you may apply for a permit to authorize removal or relocation of an eagle nest in

certain instances. To obtain an application form or contact information for Regional Migratory Bird Permit Offices please visit the Service's Bald and Golden Eagle Management webpage and scroll down to the Permits section: <https://www.fws.gov/library/collections/bald-and-golden-eagle-management>

## Action Description

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

### 1. Name

110859 - St. Francis River Str. Recovery (Coldwater) (S)

### 2. Description

The following description was provided for the project '110859 - St. Francis River Str. Recovery (Coldwater) (S)':

This project covers the recovery of the collapse Hwy. 42 St. Francis River bridge at Coldwater in Cross Country Arkansas.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.3643285,-90.57821839193548,14z>



## **Species Protection Measures**

### Bridges and Culverts

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

## QUALIFICATION INTERVIEW

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

*No*

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

*Yes*

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

*Yes*

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

*d. Federal Highway Administration*

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

*Yes*

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

**Automatically answered**

*No*

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

**Automatically answered**

*No*

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

**Automatically answered**

*No*

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

**Automatically answered**

*No*

10. [Semantic] Does the project intersect designated critical habitat for Ouachita Fanshell?

**Automatically answered**

*No*

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

**Automatically answered**

*No*

12. [Semantic] Does the project intersect the red-cockaded woodpecker AOI?  
**Automatically answered**  
*No*
13. [Semantic] Does the project intersect the Eastern black rail AOI?  
**Automatically answered**  
*Yes*
14. Will the project take place in freshwater herbaceous wetlands and/or wet prairies?  
*No*
15. [Semantic] Does the project intersect the red knot AOI?  
**Automatically answered**  
*Yes*
16. Will the project affect sand and gravel areas or shorelines along rivers, lakes, or reservoirs?  
*Yes*
17. Will any part of the project take place between March 15 and May 15 OR between July 15 and October 1?  
*Yes*
18. [Semantic] Does the project intersect the Piping Plover AOI?  
**Automatically answered**  
*Yes*
19. [Semantic (same answer as "8.3" or "9.9")] Will any part of the project take place between March 15 and May 15 OR between July 15 and October 1?  
**Automatically answered**  
*Yes*
20. [Semantic] Does the project intersect the Whooping Crane AOI?  
**Automatically answered**  
*No*
21. [Semantic] Does the project intersect the interior least tern AOI?  
**Automatically answered**  
*No*
22. [Semantic] Does the project intersect the Gray Bat AOI?  
**Automatically answered**  
*No*
23. [Semantic] Does the project intersect the Ozark Big-eared Bat AOI?  
**Automatically answered**  
*No*
24. [Semantic] Does the project intersect the Indiana bat AOI?  
**Automatically answered**  
*No*

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**  
*No*
29. [Semantic] Does the project intersect the Geocarpon AOI?  
**Automatically answered**  
*No*
30. [Semantic] Does the project intersect the Pondberry AOI?  
**Automatically answered**  
*Yes*
31. Does the project contain any of the following activity types: Dams or Impoundments (including berms or levees), Municipal or industrial effluent discharge, Mining, Mine reclamation, Disposal of mine wastewater or tailings, Construction of natural gas or oil well pads, Construction greater than 40 acres, Dredging or snag removal, Energy development within floodplain, or OHV trail construction or maintenance?  
*No*
32. Does the project contain any of the following activity types: Boat Ramps, Bridges, Culverts, Residential or Commercial Development, Streambank Stabilization (or other streambank work), Pipeline and linear projects, Water intakes/withdrawals, Forest conversion within 100 ft of occupied streams, or Stream or ditch relocation, or straightening?  
*Yes*
33. Does the project include Streambank Stabilization (or other streambank work)?  
*No*
34. Does the project include Boat Ramps?  
*No*
35. Does the project include Bridges and Culverts?  
*Yes*
36. Does the project include the Bridges and Culverts species [protective measures](#), as applicable to the project and site characteristics?  
*Yes*

37. Does the project include Development?  
*No*
38. Is the project a Pipeline or Linear Project?  
*No*
39. Does the project include Water Intakes/Withdrawals?  
*No*
40. Does the project include Stream or Ditch Relocation, or Straightening?  
*No*
41. [Semantic] Does the project intersect the rabbitsfoot AOI?  
**Automatically answered**  
*No*
42. [Semantic] Does the project intersect the neosho mucket AOI?  
**Automatically answered**  
*No*
43. [Semantic] Does the project intersect the Spectaclecase AOI?  
**Automatically answered**  
*No*
44. [Semantic] Does the project intersect the snuffbox AOI?  
**Automatically answered**  
*No*
45. [Semantic] Does the project intersect the speckled pocketbook AOI?  
**Automatically answered**  
*No*
46. [Semantic] Does the project intersect the ouachita rock pocketbook AOI?  
**Automatically answered**  
*No*
47. [Semantic] Does the project intersect the fat pocketbook AOI?  
**Automatically answered**  
*Yes*
48. Does the project occur in a perennial flowing stream or ditch?  
*Yes*
49. Have you contacted the Arkansas Ecological Services Office to determine if a species or suitable habitat survey is recommended for this project?  
*Yes*
50. Was a species survey recommended by the Arkansas ES Field Office?  
*Yes*

51. Has a presence/absence survey been conducted by a permitted biologist with valid survey results?

*Yes*

**SUBMITTED DOCUMENTS**

- *a10043 Mussel Survey Report.pdf* <https://ipac.ecosphere.fws.gov/project/EKVUTQW3BJCQPAJZXKSKPVKAYQ/projectDocuments/140273948>

52. Were fat pocketbook found on the survey?

*No*

53. [Semantic] Does the project intersect the Curtis pearlymussel AOI?

**Automatically answered**

*No*

54. [Semantic] Does the project intersect the scaleshell AOI?

**Automatically answered**

*No*

55. [Semantic] Does the project intersect the pink mucket AOI?

**Automatically answered**

*No*

56. [Semantic] Does the project intersect the Arkansas fatmucket AOI?

**Automatically answered**

*No*

57. [Semantic] Does the project intersect the winged mapleleaf AOI?

**Automatically answered**

*No*

58. [Semantic] Does the project intersect the leopard darter AOI?

**Automatically answered**

*No*

59. [Semantic] Does the project intersect the Yellowcheek darter AOI?

**Automatically answered**

*No*

60. [Semantic] Does the project intersect the Ouachita fanshell AOI?

**Automatically answered**

*No*

61. [Semantic] Does the project intersect the Ozark hellbender AOI?

**Automatically answered**

*No*

62. [Semantic] Does the project intersect the harperella AOI?

**Automatically answered**

*No*

63. [Semantic] Does the project intersect the pallid sturgeon AOI?

**Automatically answered**

*No*

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

**Automatically answered**

*No*

## **IPAC USER CONTACT INFORMATION**

Agency: Arkansas Department of Transportation  
Name: Matthew Schrum  
Address: 10324 I30  
City: Little Rock  
State: AR  
Zip: 72209  
Email: matthew.schrum@ardot.gov  
Phone: 5015692083

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Federal Highway Administration

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

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Arkansas Ecological Services Field Office  
110 South Amity Suite 300  
Conway, AR 72032-8975  
Phone: (501) 513-4470 Fax: (501) 513-4480

In Reply Refer To:

07/15/2024 14:05:39 UTC

Project code: 2024-0022407

Project Name: 110859 - St. Francis River Str. Recovery (Coldwater) (S)

Federal Action Agency (if applicable): Federal Highway Administration

**Subject:** Record of project representative's no effect determination for '110859 - St. Francis River Str. Recovery (Coldwater) (S)'

Dear Matthew Schrum:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on July 15, 2024, for '110859 - St. Francis River Str. Recovery (Coldwater) (S)' (here forward, Project). This project has been assigned Project Code 2024-0022407 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

### **Ensuring Accurate Determinations When Using IPaC**

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

### **Determination for the Northern Long-Eared Bat**

Based upon your IPaC submission and a standing analysis, your project has reached the determination of "No Effect" on the northern long-eared bat. To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed

action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

### **Other Species and Critical Habitat that May be Present in the Action Area**

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* Threatened
- Fat Pocketbook *Potamilus capax* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate
- Piping Plover *Charadrius melodus* Threatened
- Pondberry *Lindera melissifolia* Endangered
- Rufa Red Knot *Calidris canutus rufa* Threatened

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

### **Next Steps**

Based upon your IPaC submission, your project has reached the determination of "No Effect" on the northern long-eared bat. If there are no updates on listed species, no further consultation/coordination for this project is required with respect to the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the Arkansas Ecological Services Field Office and reference Project Code 2024-0022407 associated with this Project.

**Action Description**

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

**1. Name**

110859 - St. Francis River Str. Recovery (Coldwater) (S)

**2. Description**

The following description was provided for the project '110859 - St. Francis River Str. Recovery (Coldwater) (S)':

This project covers the recovery of the collapse Hwy. 42 St. Francis River bridge at Coldwater in Cross Country Arkansas.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.3643285,-90.57821839193548,14z>



## DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the Endangered northern long-eared bat (*Myotis septentrionalis*). Therefore, no consultation with the U.S. Fish and Wildlife 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 for those species.

## QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

**Note:** Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

*No*

2. The proposed action does not intersect an area where the northern long-eared bat is likely to occur, based on the information available to U.S. Fish and Wildlife Service as of the most recent update of this key. If you have data that indicates that northern long-eared bats are likely to be present in the action area, answer "NO" and continue through the key.

Do you want to make a no effect determination?

*Yes*

# PROJECT QUESTIONNAIRE

## **IPAC USER CONTACT INFORMATION**

Agency: Arkansas Department of Transportation

Name: Matthew Schrum

Address: 10324 I30

City: Little Rock

State: AR

Zip: 72209

Email: matthew.schrum@ardot.gov

Phone: 5015692083

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Federal Highway Administration

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 110859 FAP NHPP-0019(63)  
Job Title St. Francis River Str. Recovery (Coldwater) (S)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impacts
Cultural Resources	X			Cultural resources clearance attached
Economic	X			No impacts
Endangered Species		X		NLAAs, see USFWS consultation
Environmental Justice/Title VI	X			No impacted populations
Fish and Wildlife		X		Temporary during construction
Floodplains	X			No impacts to floodplains
Forest Service Property	X			None in project area
Hazardous Materials/Landfills	X			None in project area
Land Use	X			No new ROW required
Migratory Birds	X			Bird nesting SP not required
Navigation/Coast Guard	X			None in project area
Noise Levels	X			No impacts
Prime Farmland	X			No impacts
Protected Waters	X			None in project area
Public Recreation Lands	X			No impacts
Public Water Supply/WHPA	X			None in project area
Relocatees	X			No relocations
Section 4(f)/6(f)	X			No impacts
Social	X			No impacts
Underground Storage Tanks	X			No impacts
Visual	X			No impacts
Streams		X		0.20 acre of material removal and 0.06 acre of temporary fill for work roads
Water Quality		X		Temporary during construction
Wetlands	X			No impacts to wetlands
Wildlife Refuges	X			None in project area

Section 401 Water Quality Certification Required? No  
 Short-term Activity Authorization Required? Yes  
 Section 404 Permit Required? Yes Type NW 3

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

Signature of Evaluator Kathryn Rose Date 7/19/2024