




INTEROFFICE MEMORANDUM

November 18, 2025

TO: Master Files

FROM: Josh Seagraves, Division Head – Environmental 

SUBJECT: 2026 Pavement Preservation Program Projects
Multiple Jobs and FAPs
Various Counties
Tier 1 Categorical Exclusion

After appropriate environmental review, it has been determined that the subject jobs are Tier 1 Categorical Exclusions as described by the ARDOT/FHWA Programmatic Agreement on Categorical Exclusion Documentation and Processing. A public hearing will not be offered for these projects.

The purpose of the proposed projects is to preserve and rehabilitate deteriorating pavement on state highways. The attached table lists the projects, their locations, and type of work. Project location maps are attached.

The projects would not involve relocations or impacts to Important Farmland, underground storage tanks, hazardous materials, or cultural resources. These projects have been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and have not been linked with any special mobile source air toxics concerns. Cultural resource clearances are attached.

The attached official species lists obtained through the U.S. Fish and Wildlife Service Information for Planning and Consultation website (IPaC) identified the following species as potentially occurring within the project areas: Gray Bat (*Myotis grisescens*), Indiana Bat (*Myotis sodalis*), Northern Long-eared Bat (*Myotis septentrionalis*), Ozark Big-eared Bat (*Corynorhinus townsendii ingens*), Tricolored Bat (*Perimyotis subflavus*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Ivory-Billed Woodpecker (*Campephilus principalis*), Piping Plover (*Charadrius melodus*), Red-cockaded Woodpecker (*Dryobates borealis*), Rufa Red Knot (*Calidris canutus rufa*), Alligator Snapping Turtle (*Macrochelys temminckii*), Ozark Hellbender (*Cryptobranchus alleganiensis bishopi*), Yellowcheek Darter (*Nothonotus moorei*), Leopard Darter (*Percina pantherina*), Arkansas Fatmucket (*Lampsilis powellii*), Fat Pocketbook (*Potamilus capax*), Neosho Mucket (*Lampsilis rafinesqueana*), Ouachita Fanshell (*Cyprogenia sp. cf. aberti*), Ouachita Rock Pocketbook (*Arcidens wheeleri*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*), Snuffbox Mussel (*Epioblasma triquetra*), Speckled Pocketbook (*Lampsilis streckeri*), Western Fanshell (*Cyprogenia aberti*), Winged Mapleleaf (*Quadrula fragosa*), American Burying Beetle (*Nicrophorus americanus*), Monarch Butterfly (*Danaus plexippus*), Western Regal Fritillary (*Argynnis idalia occidentalis*), Benton County Cave Crayfish (*Cambarus aculabrum*), Hell Creek Cave Crayfish (*Cambarus zophonastes*), Missouri bladderpod (*Physaria filiformis*), and pondberry (*Lindera melissifolia*).

Utilizing the determination keys within IPaC, it was determined that the projects would have “no effect” on these species due to the limited scope of the actions, lack of suitable habitat, and distance to known species locations.

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

Jobs A10051, A50046, A70035, and A00096 are within wellhead protection areas. Coordination about these projects was sent to the Arkansas Department of Health (ADH) and the well owners. Special provisions to protect the wellhead areas will be added to the project contracts.

Jobs A10031, A20033, A30028, A30029, A30039, A30040, A40047, A40049, A70039, A70041, A70042, A80042, A80043, A80046, A90038, A90039, A90040, and AX0009 require water pollution control special provisions because they intersect wellhead protection areas. However, coordination with ADH and the well owners is not required, as there is no soil disturbance associated with these jobs.

Job A90043 crosses War Eagle Creek, which is listed on the Nationwide Rivers Inventory, and Kings River, an Extraordinary Resource Water. Job A40049 crosses the Mulberry River, an Extraordinary Resource Water. Job A90040 crosses the Kings River, an Extraordinary Resource Water. Job A80046 crosses a surface water protection area, but there are no surface water intakes in the project area. Job A80046 is also near East Fork Cadron Creek, which is 303(d) listed as impaired for turbidity. No impacts are anticipated because the creek is approximately a mile away. A special provision will be added to these project contracts to protect water quality.

For Job A80046, permanent impacts to multiple tributaries of Black Fork Creek would consist of less than 175 total cubic yards of concrete extensions added on to nine existing box culverts and two existing pipe culverts. Construction of the proposed project should be allowed under the terms of a Nationwide 14 Section 404 Permit for Linear Transportation Projects as defined in the Federal Register 86(245): 73522-73583. A preconstruction notification is not required for this project. The other proposed projects would not have a discharge of dredged or fill material into Waters of the U.S. and do not require Section 404 permits.

Attachments

c: Program Management
Right of Way
Roadway Design
District 1-10
FHWA

JS:MS:sw

District	Job #	FAP	Job Name	County	Route/Section	Scope	Length
1	A10051	STPR-0018(69)	Crawfordsville – Clarkedale (S)	Crittenden	50/4; 64/17C	4" Overlay & 2' Shoulders (Hwy. 50); Thin Overlay (1") & 2' Shoulders (Hwy. 64)	11.4
1	A10052	NHPP-0048(45)	Hwy. 49 – East (S)	Lee & Monroe	79/14 & 15	Thin Overlay (1")	4.8
2	A20033	NHPP-0222(6)	Hwys. 82 & 425 Impvts. (S)	Ashley & Drew	82/8; 425/2 & 3	Thin Overlay (Hwy. 82 & Hwy. 425 Sec. 2 LM 0-1.076); 2" Mill & 2" Overlay (Hwy. 425 Sec. 2 LM 1.076-12.159 & Sec. 3)	15.7
2	A20037	NHPP-0035(77)	Cleveland Co. Line – North (S)	Jefferson	79/9	2" Mill & 2" Overlay	9.2
2	A20038	NHPP-0027(37)	Sheridan Bypass Impvts. (S)	Grant	167/10 & 11	2" Mill & 2" Overlay	8.3
3	A30044	NHPP-0046(56)	Texas State Line – East (S)	Miller	151/0	Patching; Joint Re-Seal; Diamond Grind	1.2
4	A40047	NHPP-9142(58)	Benton Co. Line – Fayetteville (S)	Washington	16/2	2" Overlay & Scrub Seal (LM 0.000-10.349); 2" Mill & Overlay (LM 10.349-12.935); 2' Shoulders (LM 0.0 -3.4)	12.9
4	A40049	STPR-0017(60)	Alma – Franklin Co. Line (S)	Crawford	64/2	2" Mill & 2" Overlay Outside Lanes & 2" Overlay Entire Roadway (LM 8.705-10.15); 2" Mill & 2" Overlay (LM 10.15-14.22, 18.80-19.39); Level Up & 2" Overlay (LM 14.22-18.80, 19.39-20.245)	11.5
4	A40050	NHPP-STPR-0063(34)	Hwys. 71 & 272 Impvts. (Waldron) (S)	Scott	71/10 & 10B; 272/0	Level Up & 2" Overlay (Hwy. 272); 2" Mill & 2" Overlay (Hwys. 71 & 71B); 2' Shoulders (Hwy. 272)	6.8
4	A40051	STPR-0057(32)	Hwys. 88 & 272 Impvts. (Polk Co.) (S)	Polk	88/1; 272/1	Level Up & 2" Overlay; Spot patching (Hwy. 272); Guardrail replacement (Hwy. 88); 2' Shoulders (Hwy. 88 & Hwy. 272)	18.0

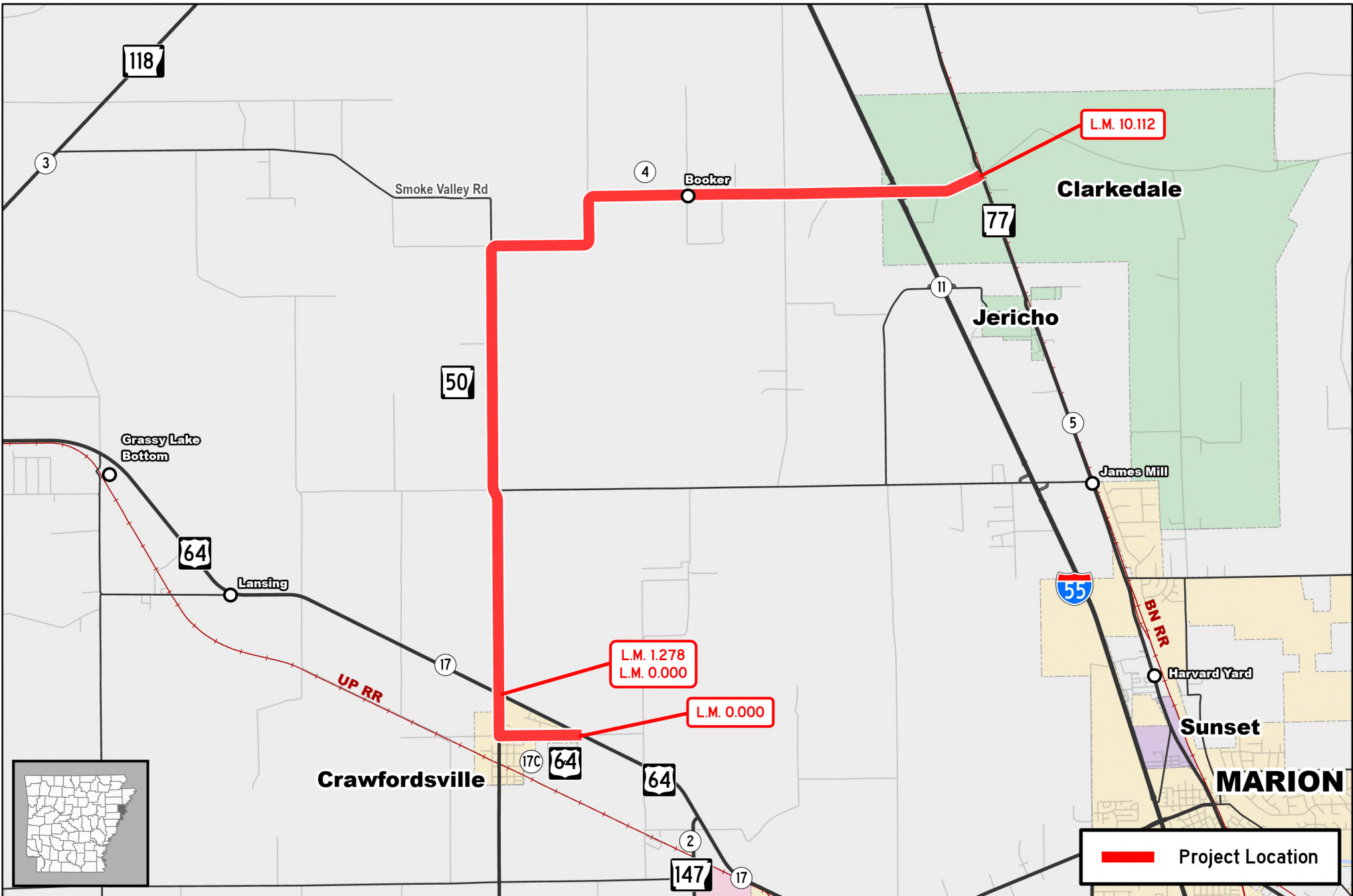
4	A40052	NHPP-9142(59)	I-49 – School Ave. (Fayetteville) (S)	Washington	180/0	2" Mill & 2" Overlay	1.7
5	A50044	STPR-0069(25)	Hwy. 5 Impvts. (Stone Co.) (S)	Stone	5/16	2" Overlay (LM 8.75 - 11.95), 2" Mill & 2" Overlay (LM 11.95 - 16.89), UTBWC (LM 16.89 - 19.927)	9.9
5	A50045	STPR-0073(101)	Lonoke Co. Line – Hwy. 31 (S)	White	13/12; 267/0	2" Overlay; 2' Shoulders	4.3
5	A50046	STPSC-9026(15)	Batesville – East (S)	Independence	25/5	Level Up & UTBWC, 2' Shoulders (LM 4.55-9.983)	10.0
6	A60057	STPR-0059(25)	Hwy. 70 – Arkansas Co. Line (S)	Prairie	63/11	2" Overlay	14.6
6	A60058	NHPP-0030(36)	I-30 – Grant Co. Line (S)	Hot Spring	270/8	2" Mill & 2" Overlay (LM 0-7.0); Level Up & UTBWC (LM 7.0-10.21)	10.2
6	A60059	NHPP-9315(68)	Hwy. 365 - Cornish St. (NLR) (S)	Pulaski	70/13	2" Mill & 2" Overlay	1.4
7	A70039	STPR-0014(49)	Louisiana State Line – Hwy. 79B (S)	Columbia	19/1	Level Up & UTBWC (LM 0.0-17.69); 2" Mill & 2" Inlay (LM 17.69-17.99)	18.0
7	A70041	STPR-0006(44)	Hermitage – Hwy. 8 (S)	Bradley	160/9	2" Overlay	17.5
7	A70042	STPR-0720(1)	Hwy. 275 – Fordyce (S)	Calhoun & Dallas	274/3 & 4	Level Up & UTBWC (Sec. 3 LM 9.62-19.36); Level Up & 2" Overlay (Sec. 3 LM 19.36-22.35; Sec. 4)	13.7
8	A80042	STPR-0075(59)	N. of Petit Jean River – Dardanelle (S)	Yell	7/13	2" Mill & Overlay	8.6
8	A80043	STPR-0075(60)	Logan Co. Line – W. of Ola (S)	Yell	10/3 & 4	2" Mill & 2" Overlay (Sec. 3 & Sec. 4 LM 0.0-2.175); Level Up & 2" Overlay (Sec. 4 LM 2.175-8.679)	28.7

8	A80045	STPR-0042(23)	Hwys. 109 & 393 Impvts. (Logan Co.) (S)	Logan	109/3; 393/0	Level & 2" Overlay (Hwy. 109 LM 0.0-5.43, LM 7.56-7.78; Hwy. 393); 2" Mill & Overlay (Hwy. 109 LM 5.43-7.56)	11.0
8	A80046	STPR-0023(73)	Greenbrier – Hwy. 107 (S)	Faulkner	225/1	1.5" Overlay; Spot Leveling; 2' Shoulders; Culvert Extension	12.6
9	A90038	STPR-0064(22)	Marion Co. Line – Baxter Co. Line (S)	Searcy	14/4	2" Overlay	15.6
9	A90039	STPR-0003(58)	Searcy Co. Line – Stone Co. Line (S)	Baxter	14/5	2" Overlay	7.4
9	A90040	STPF-0008(54)	Eureka Springs - Berryville (S)	Carroll	62/4	2" Overlay	12.6
9	A90043	NHPP-0844(4)	Huntsville – W. of Alpena (Sel. Secs.) (S)	Carroll & Madison	412/4 & 5	2" Overlay (Sec. 4 LM 1.7-12.04, Sec. 5 LM 0.0-1.33 & 9.849-18.760)	20.6
10	A00074	STPSC-0047(95)	Osceola – West (S)	Mississippi	140/2	Level Up & 2" Overlay; Deep Shoulder Repairs	4.8
10	A00091 ¹	NHPP-0056(71)	Hwy. 158 – Craighead Co. Line (Sel. Secs.) (S)	Poinsett	1/16	2" Mill & 2" Overlay	3.9
10	A00092	NHPP-9051(16)	I-55 – Hwy. 312 (Blytheville) (S)	Mississippi	18/7	2" Mill & Overlay	3.6
10	A00093	STPR-0011(70)	Corning – E. of McDougal (S)	Clay	62/20	2" Overlay (LM 0.0-9.16); Level & UTBWC (LM 9.16-14.343)	14.3
10	A00095 ²	STPR-0016(105)	Poinsett Co. Line – Hwy. 158 (S)	Craighead	135/2	Level Up & UTBWC	4.0
10	A00096	STPR-1628(8)	Co. Rd. 764 – Hwy. 412 (S)	Craighead & Greene	141/1 & 2	Level Up & 2" Overlay; 2' Shoulders	12.4

¹ Previously Job 101151

² Previously Job 101166

10	A00097	NHPP-0011(79)	Hwy. 67 Impvts. (Clay Co.) (S)	Clay	67/20	Full depth concrete replacement	0.5
11	AX0008	NHPP-07-6(389)	Hwy. 305 – Hwy. 17 (I-57 Ramps) (S)	Jackson, Lonoke & White	I-57/2, 3, & 4	2" Mill & 2" Overlay, Diamond Grinding	21.2
11	AX0009	STPR-5360(3)	Hwy. 9 – Goodson Rd. (S)	Perry & Pulaski	10/6 & 7	2" Overlay (Sec. 6); 2" Mill & 2" Overlay & Crack Seal (Sec. 7 LM 0-6.4); 1" Mill & 2" Overlay (Sec. 7 LM 6.4-14.5); Spot leveling Combined Jobs 012463 & 061785	15.6



Job A10051

Crawfordsville – Clarkedale (S)

Hwy. 50, Sec. 4
 Hwy. 64, Sec. 17C
 Crittenden County

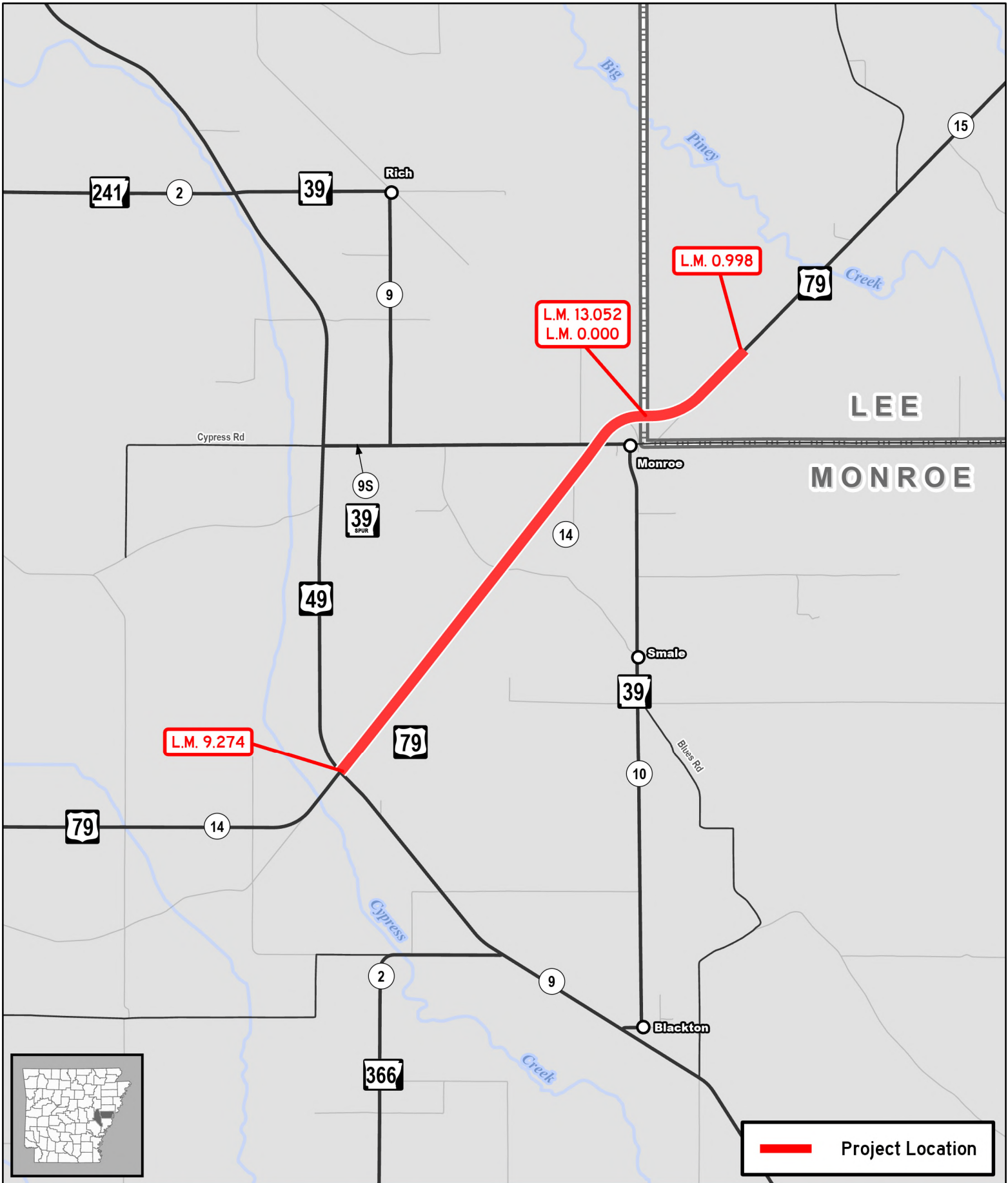
 Project Location




AR DOT
 ARKANSAS DEPARTMENT
 OF TRANSPORTATION



0 0.38 0.75 1.5
 Miles



Job A10052

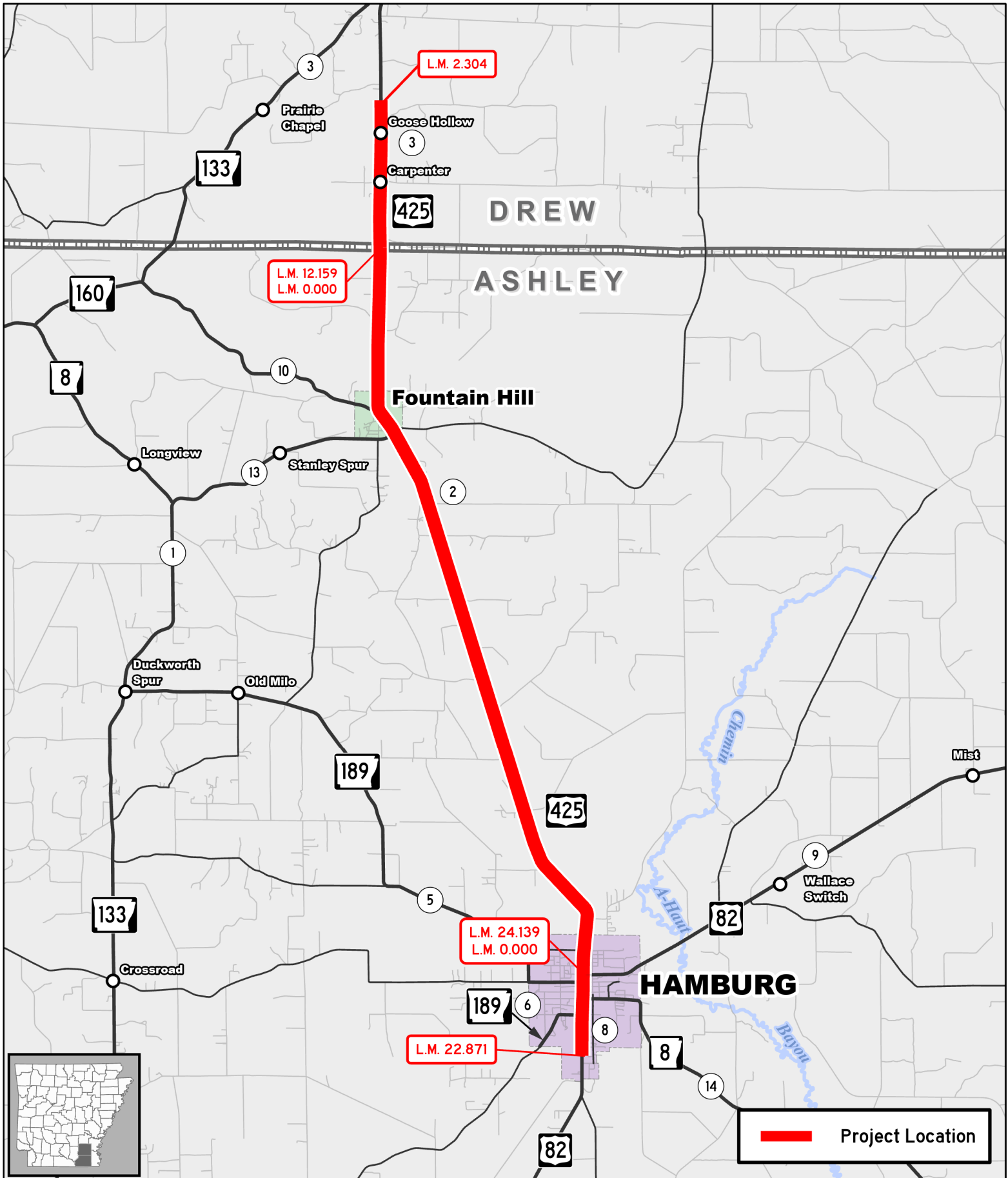
Hwy. 49 – East (S)

Hwy. 79, Secs. 14 & 15

Lee & Monroe Counties

 Project Location



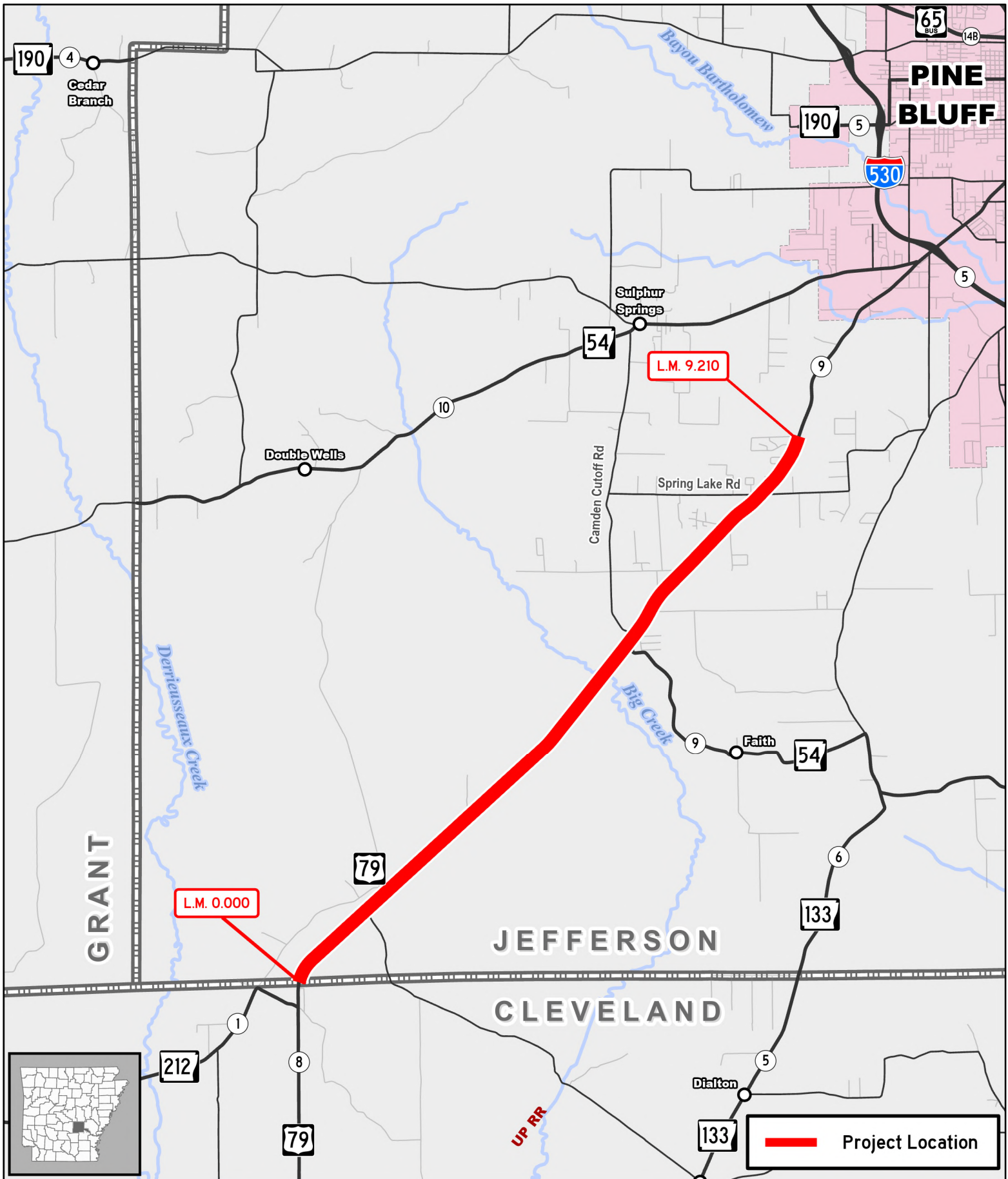


Job A20033

Hwys. 82 & 425 Impvts. (S)

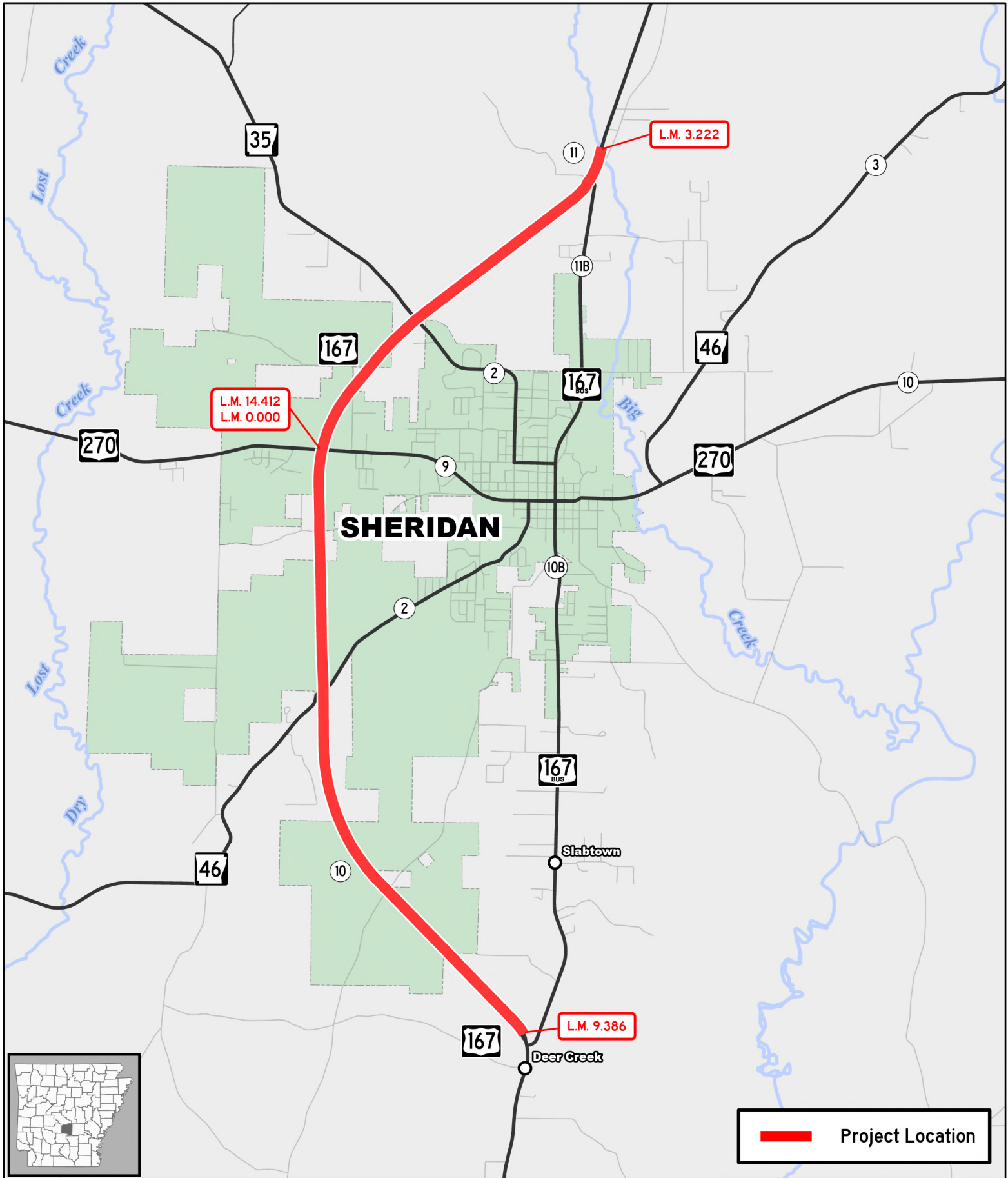
Hwy. 82, Sec. 8
 Hwy. 425, Secs. 2 & 3
 Ashley & Drew Counties





Job A20037
Cleveland Co. Line – North (S)
 Hwy. 79, Sec. 9
 Jefferson County

Miles



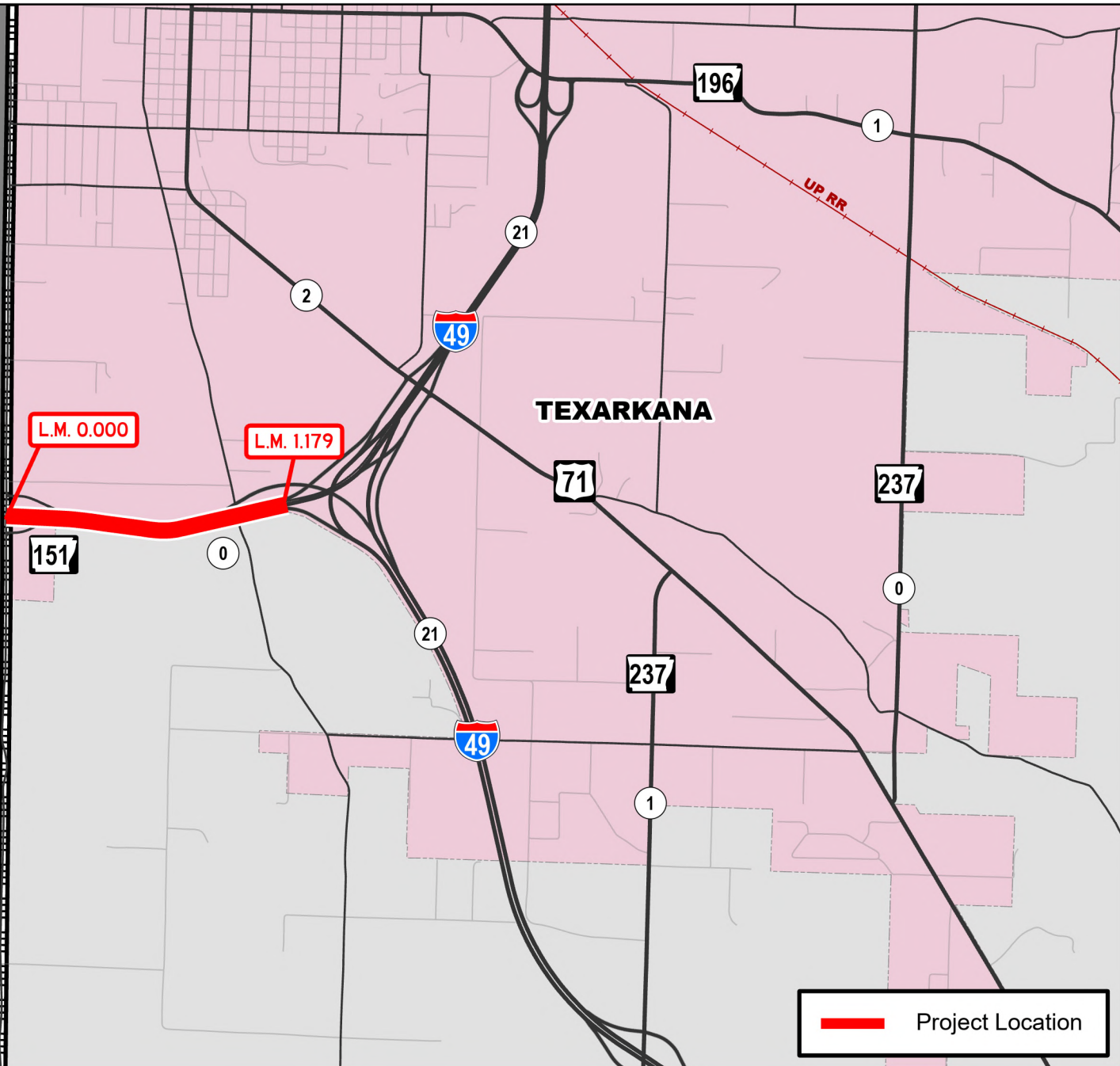
Job A20038

Sheridan Bypass Impvts. (S)

Hwy. 167, Secs. 10 & 11
Grant County



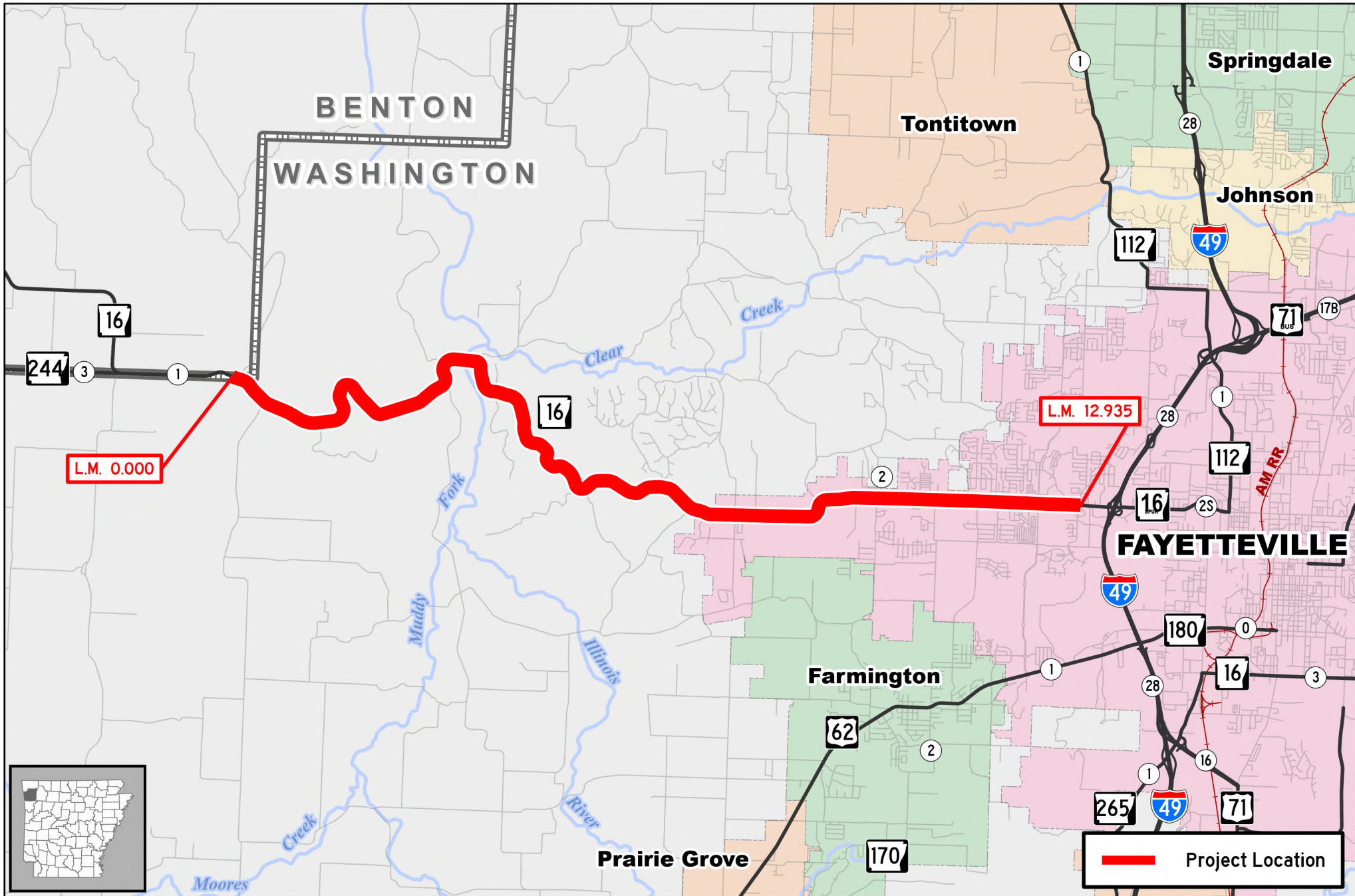
TEXAS



Job A30044
Texas State Line – East (S)
Hwy. 151, Sec. 0
Miller County

— Project Location





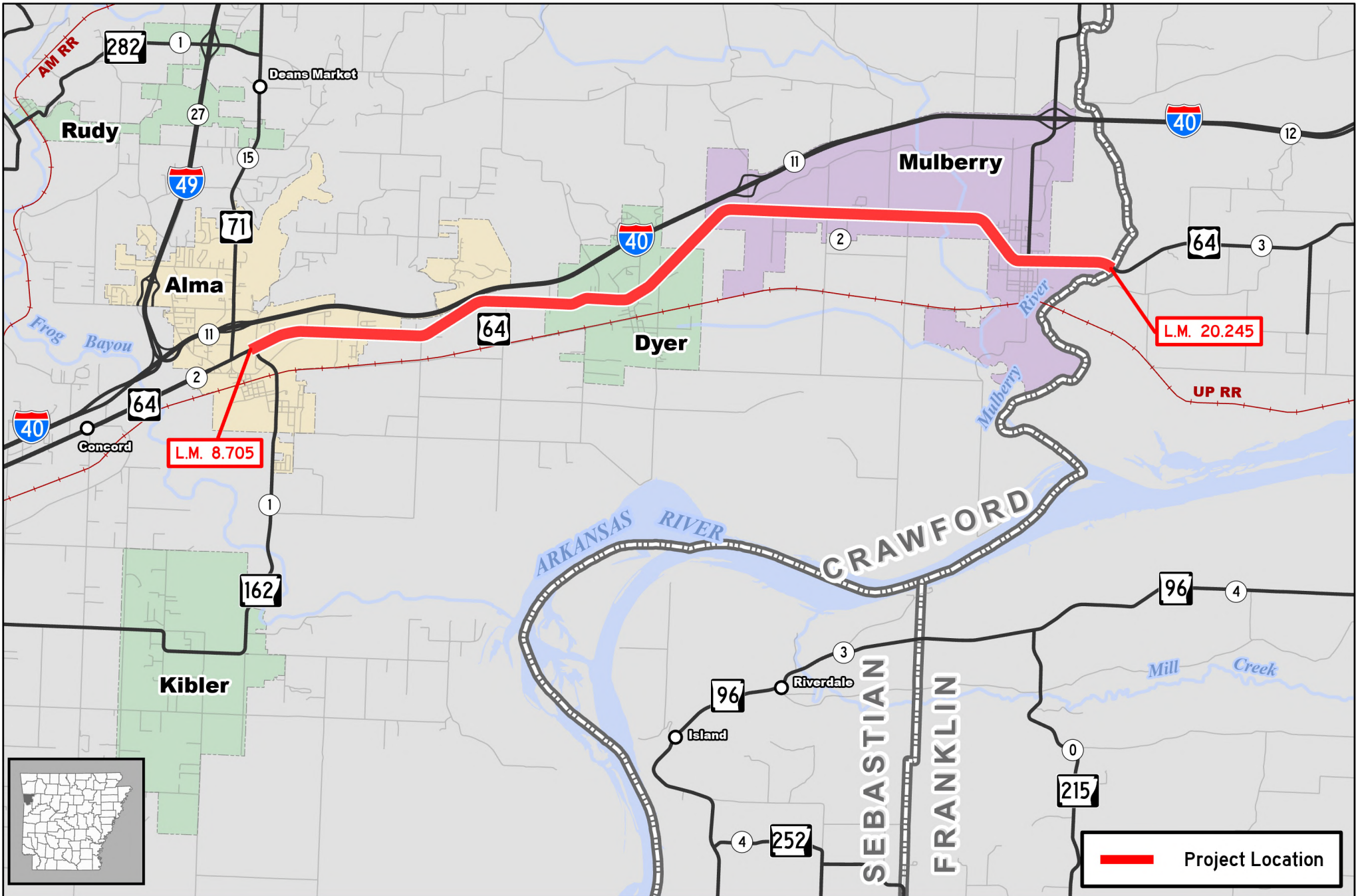
Job A40047
Benton Co. Line – Fayetteville (S)
 Hwy. 16, Sec. 2
 Washington County




 ARKANSAS DEPARTMENT OF TRANSPORTATION



 Miles

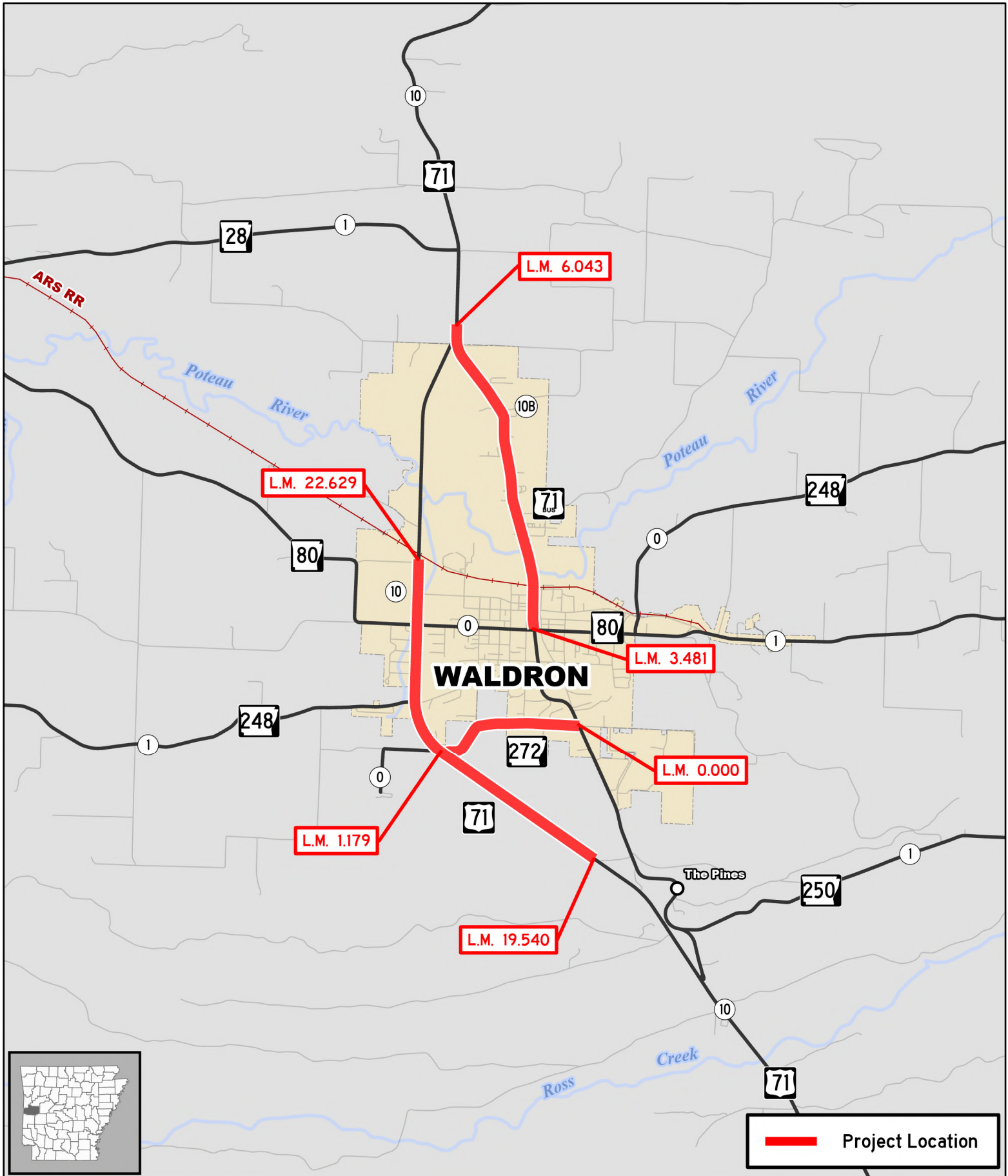


Job A40049

Alma – Franklin Co. Line (S)

Hwy. 64, Sec. 2
Crawford County



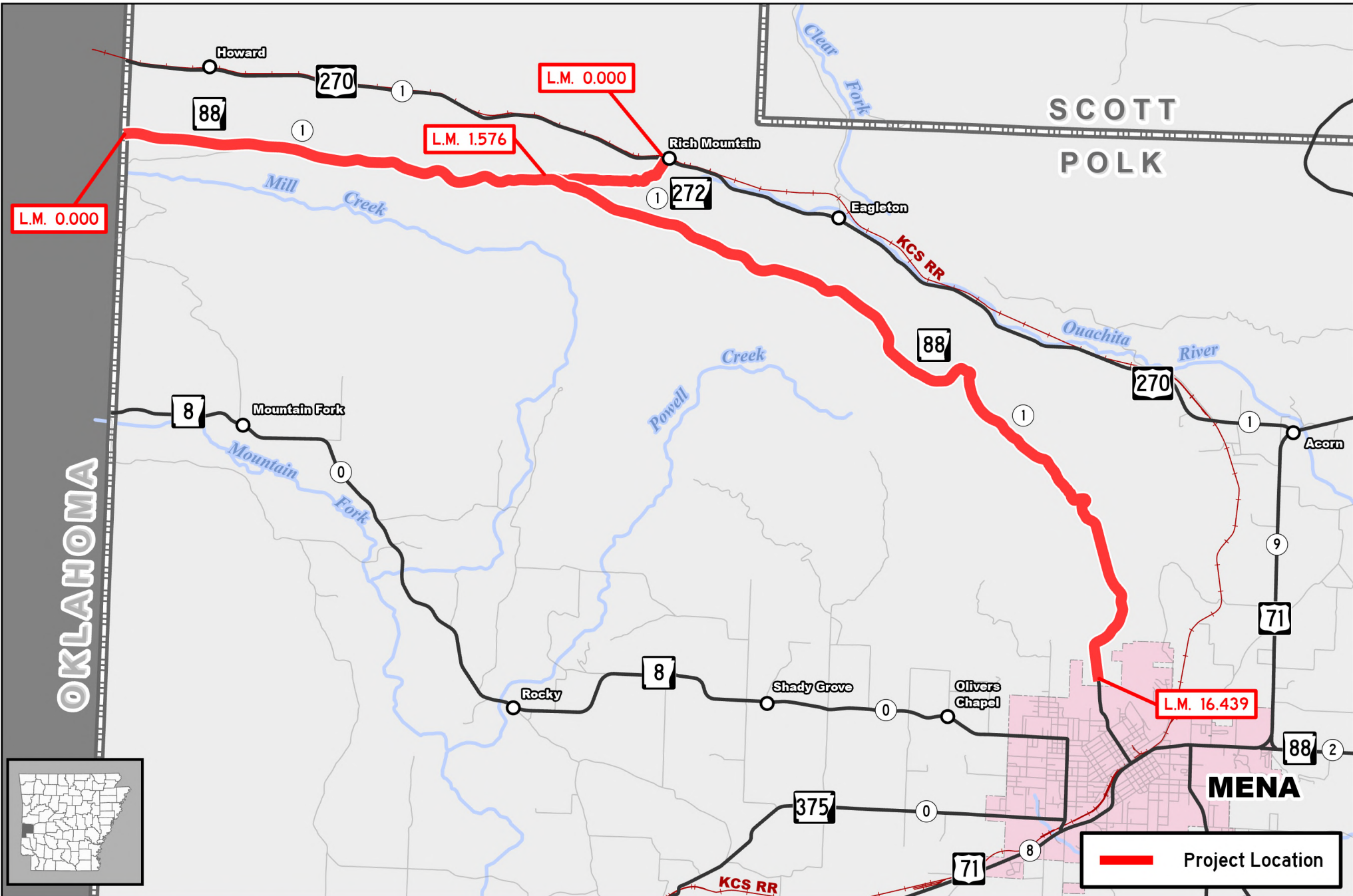


Job A40050

Hwys. 71 & 272 Impvts. (Waldron) (S)

Hwy. 71, Secs. 10 & 10B
 Hwy. 272, Sec. 0
 Scott County



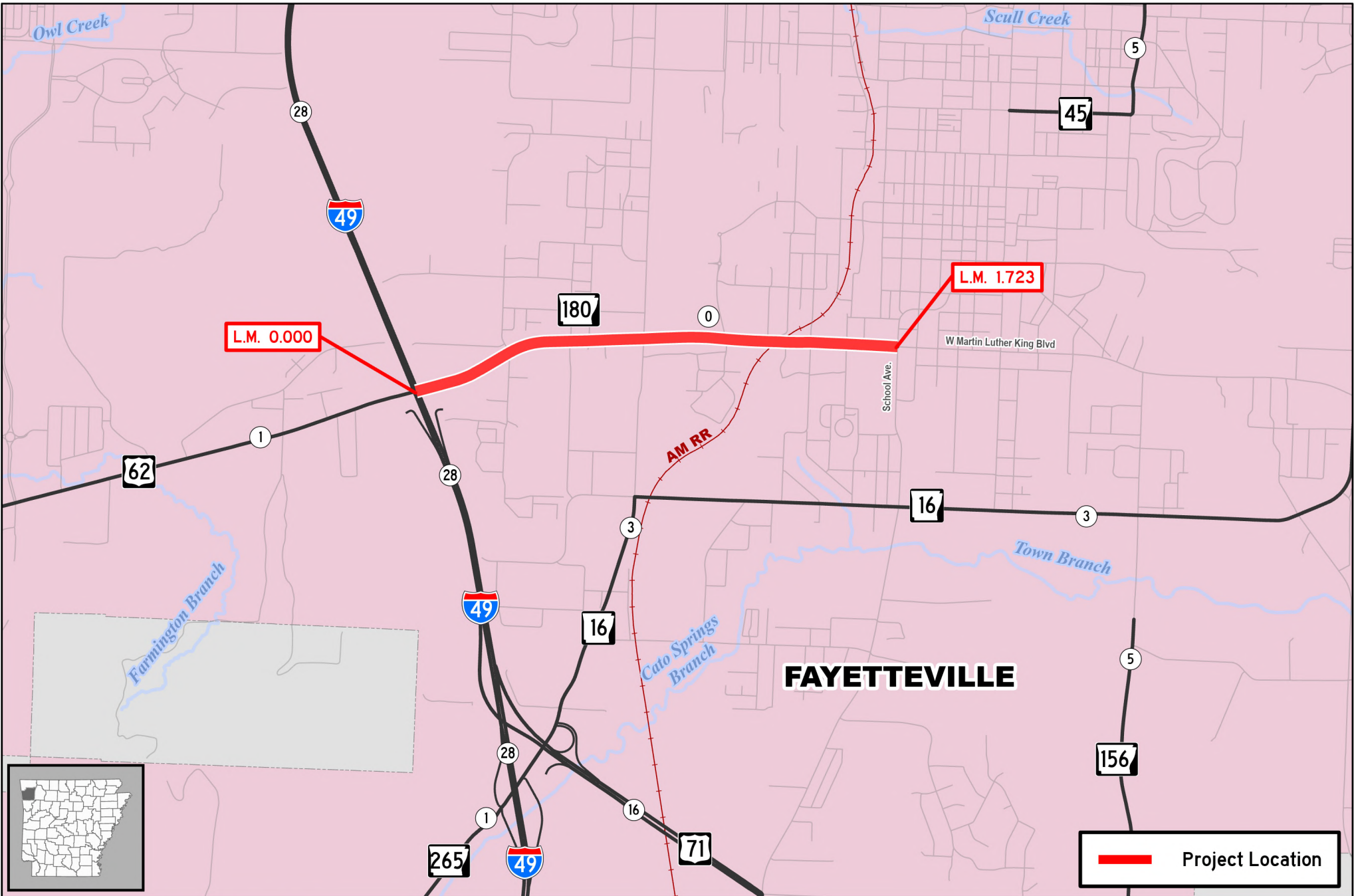


Job A40051

Hwys. 88 & 272 Impvts. (Polk Co.) (S)

Hwy. 88, Sec. 1
 Hwy. 272, Sec. 1
 Polk County



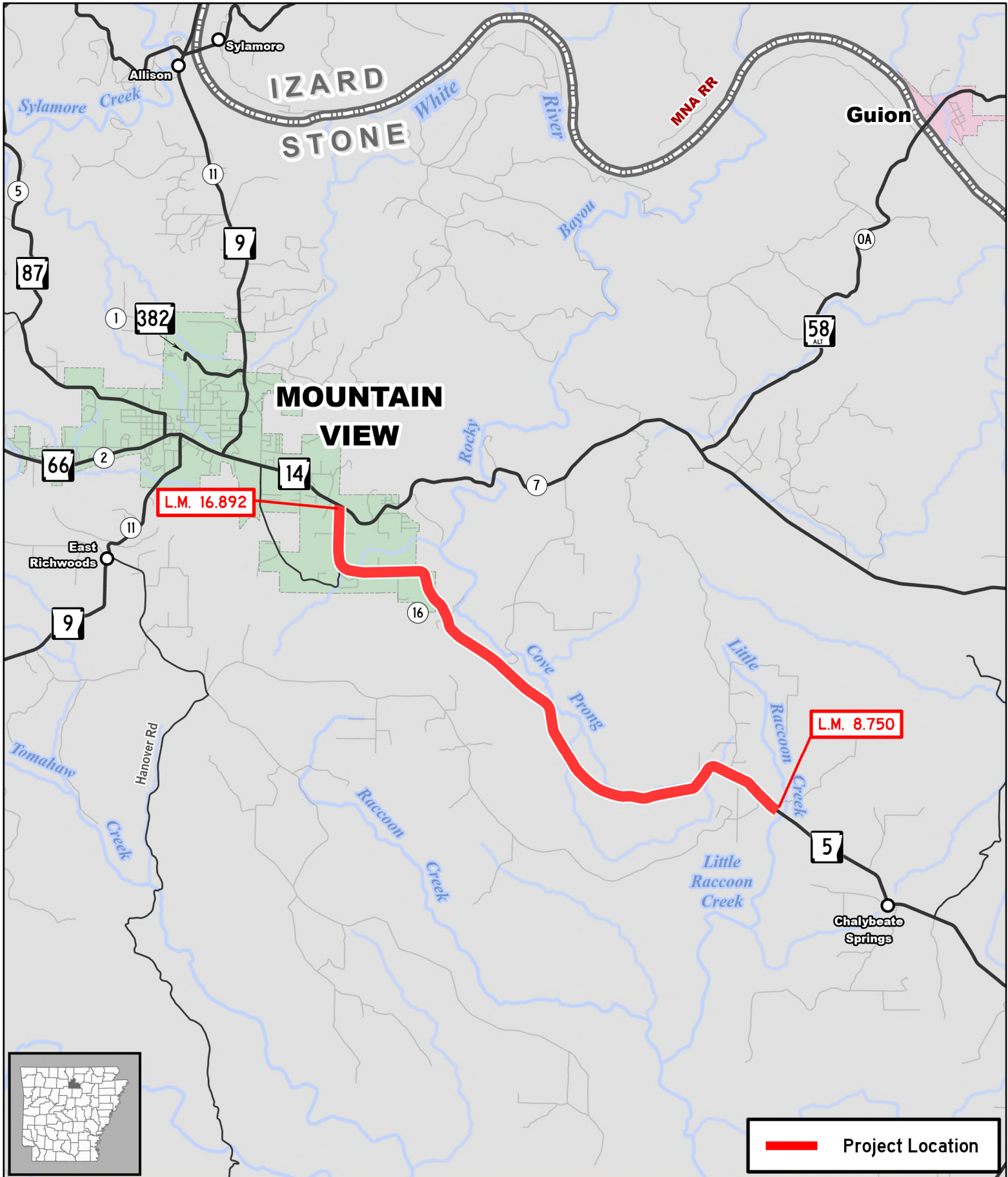


Job A40052
I-49 – School Ave. (Fayetteville) (S)
 Hwy. 180, Sec. 0
 Washington County

 Project Location

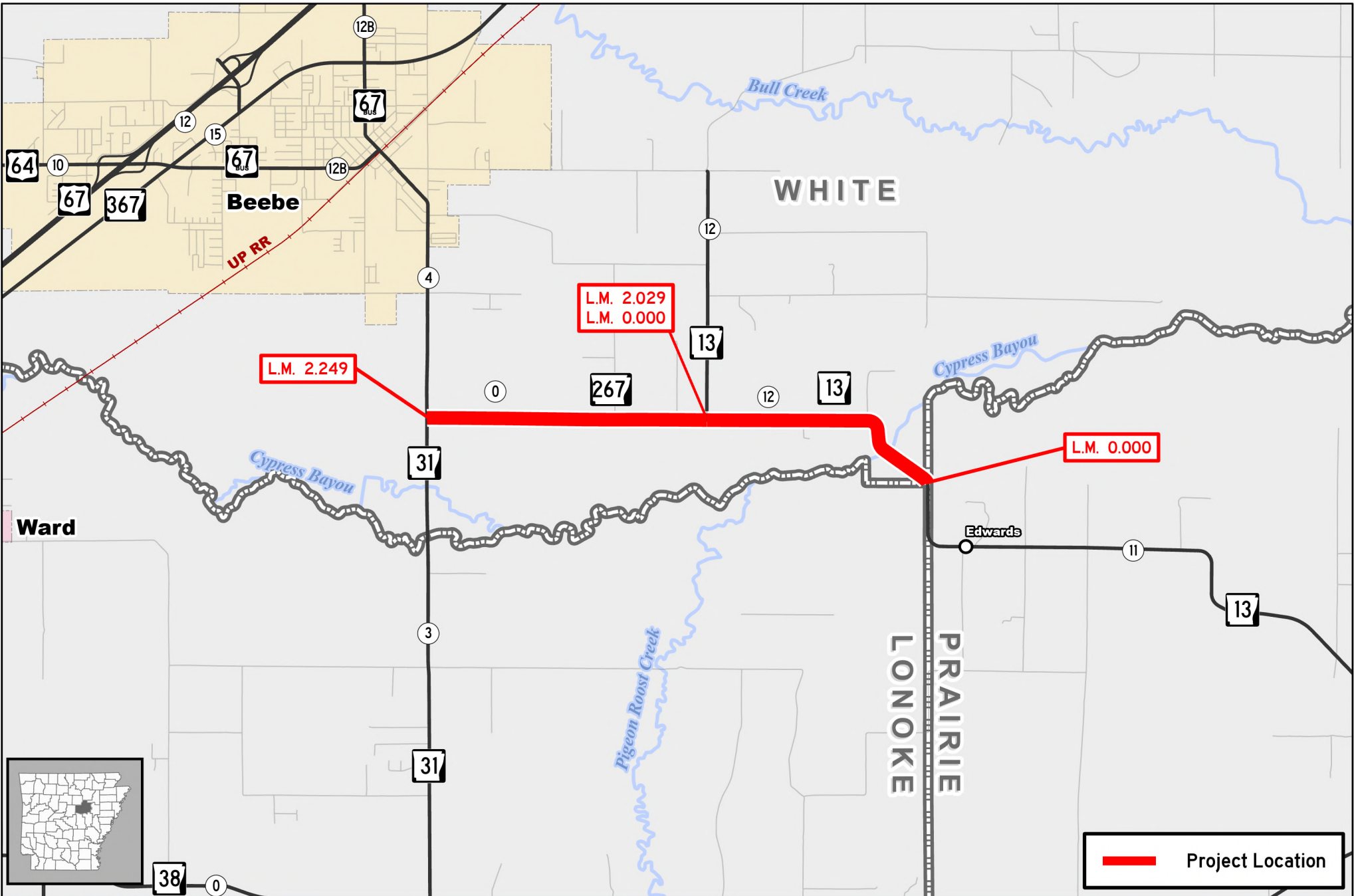
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 ARKANSAS DEPARTMENT OF TRANSPORTATION


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 Mile



Job A50044
Hwy. 5 Impvts. (Stone Co.) (S)
 Hwy. 5, Sec. 16
 Stone County



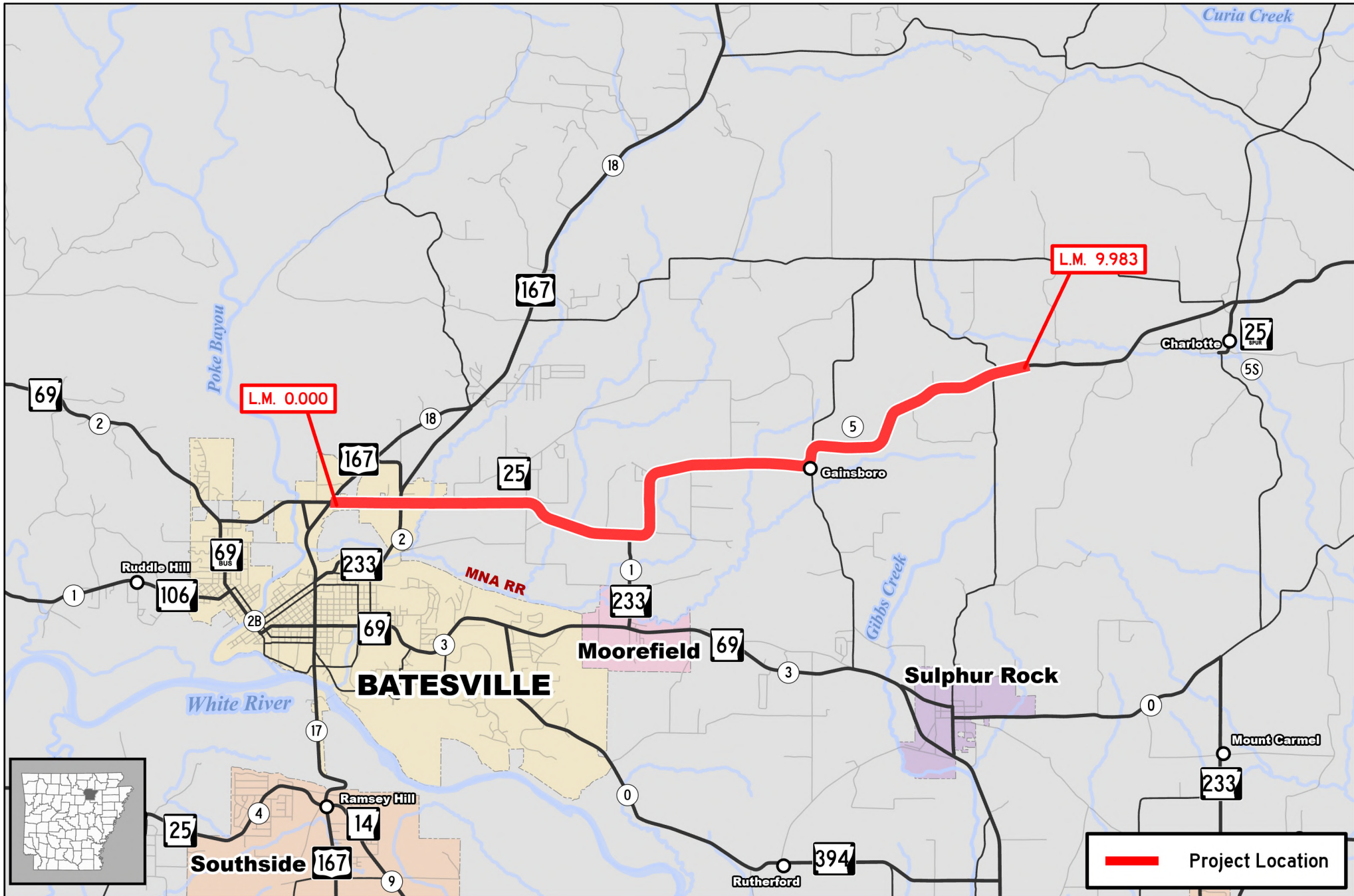


Job A50045

Lonoke Co. Line - Hwy. 31 (S)

Hwy. 13, Sec. 12
 Hwy. 267, Sec. 0
 White County



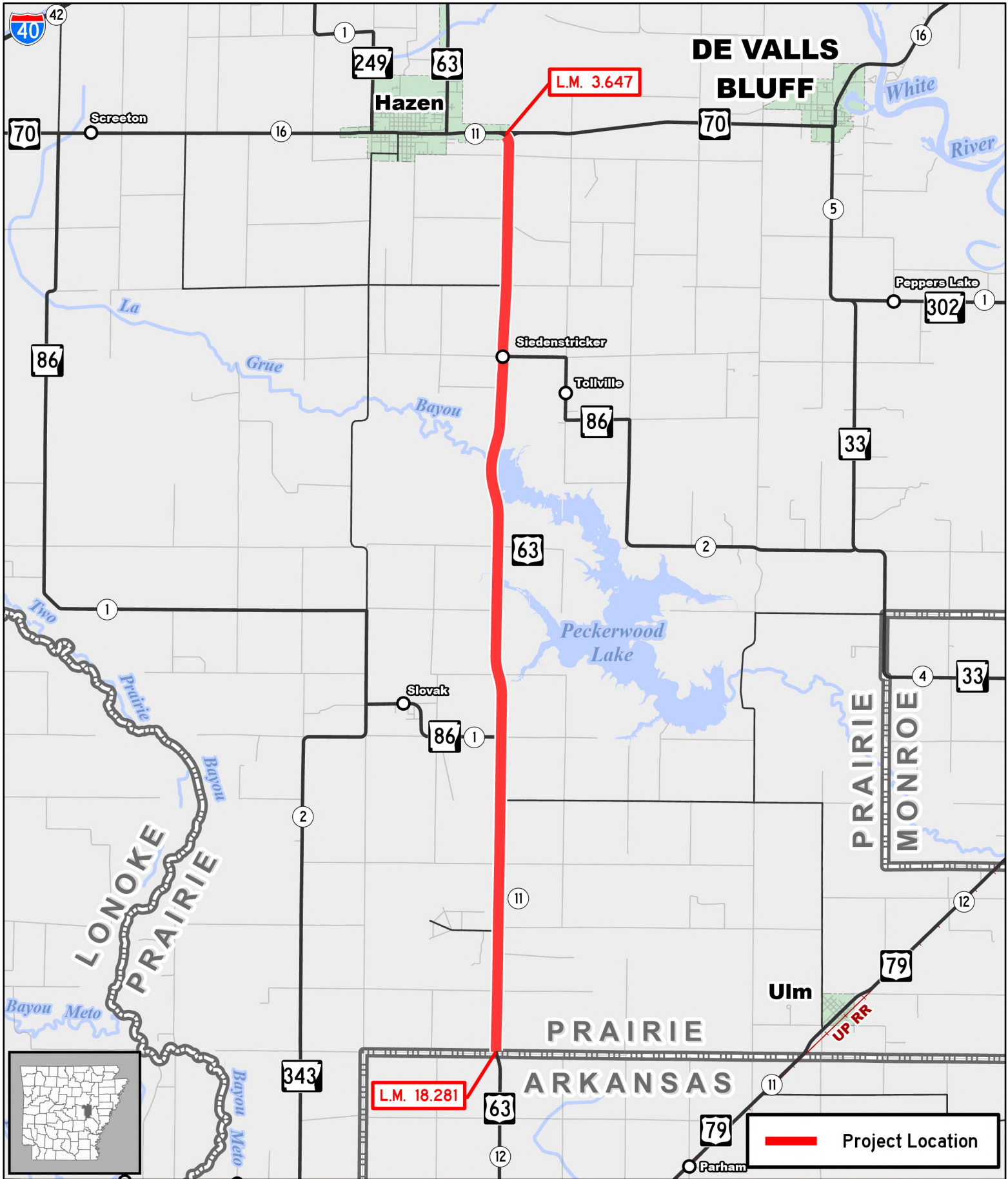


Job A50046

Batesville – East (S)

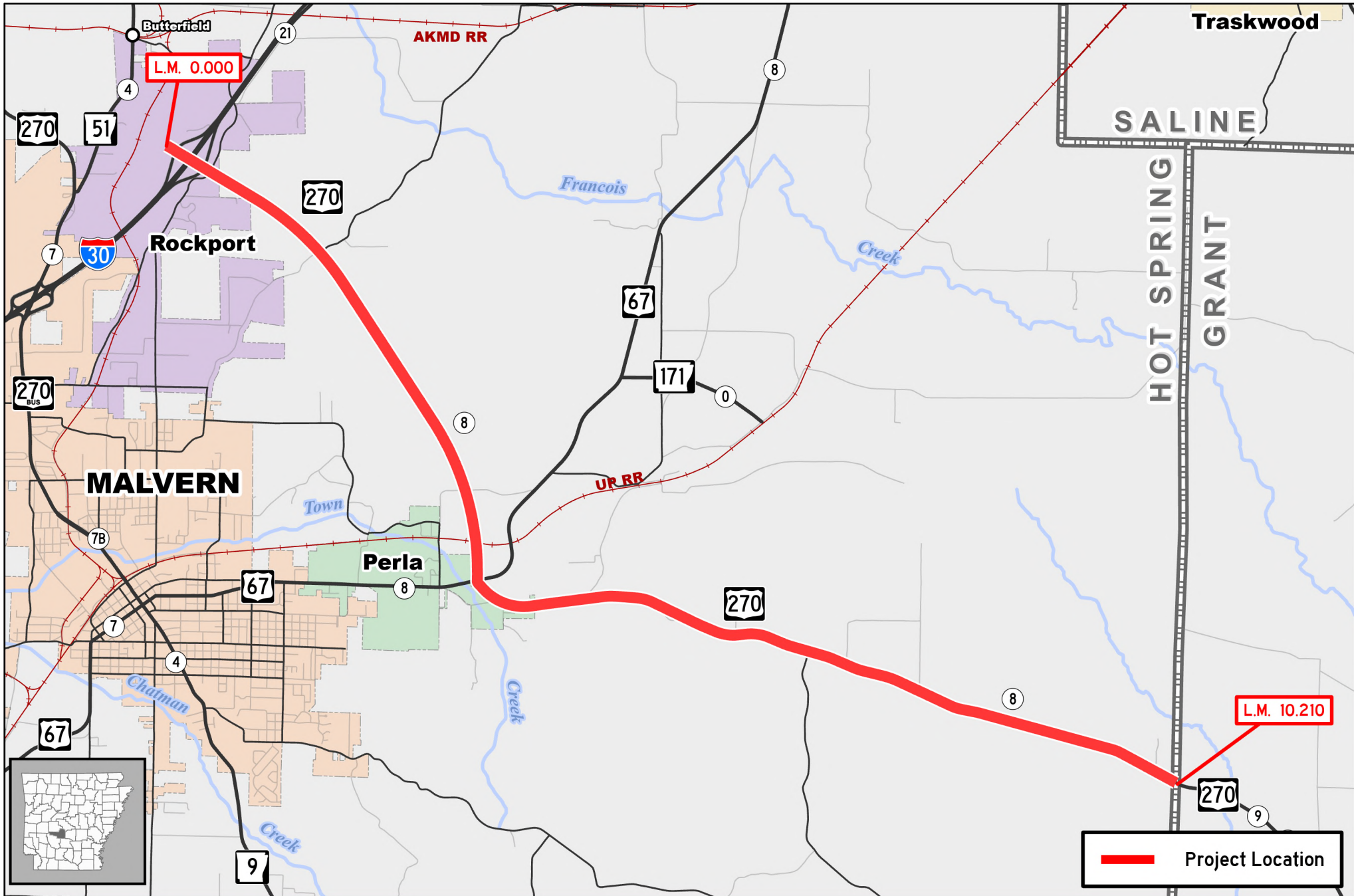
Hwy. 25, Sec. 5
Independence County





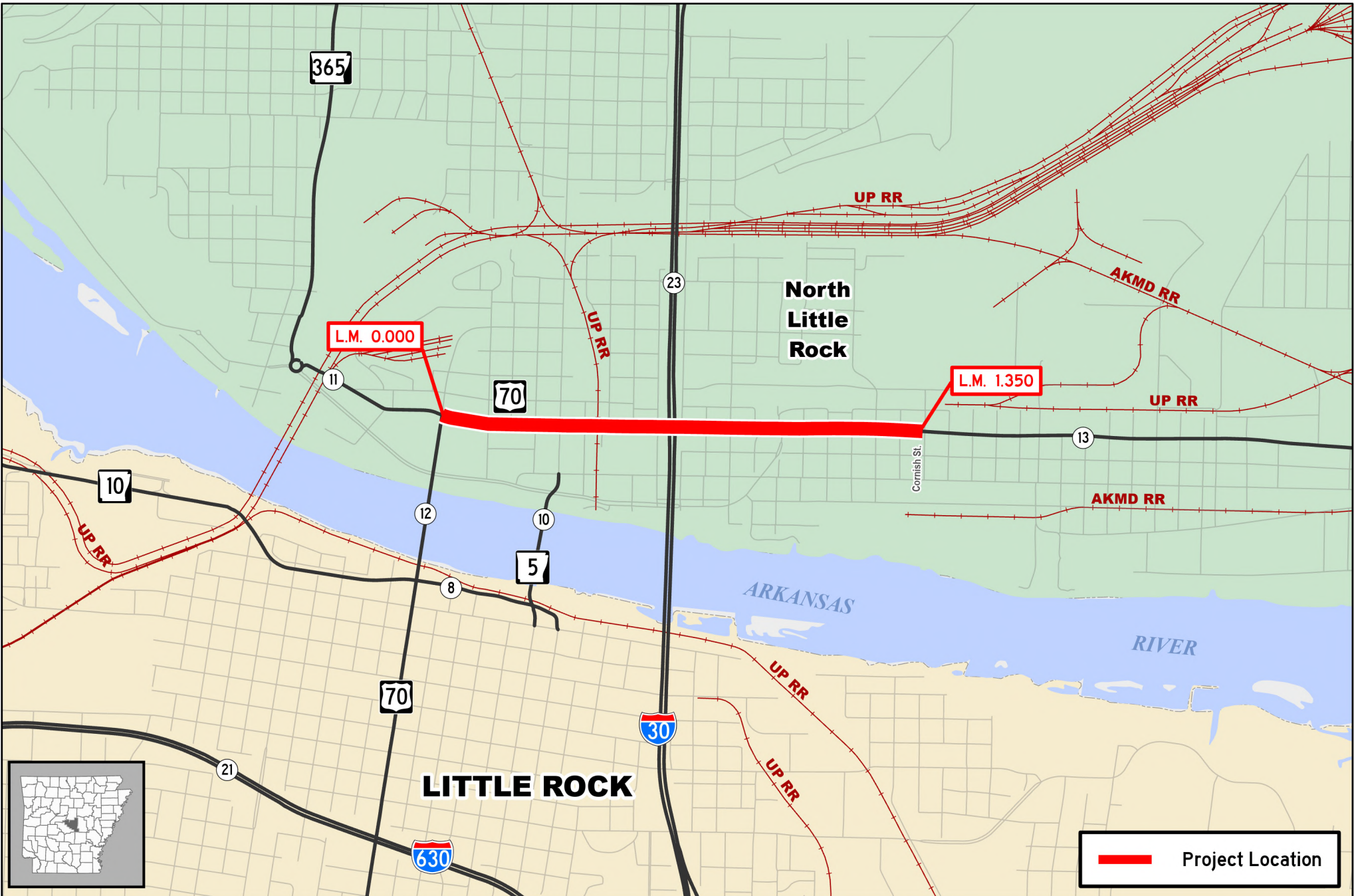
Job A60057
Hwy. 70 – Arkansas Co. Line (S)
 Hwy. 63, Sec. 11
 Prairie County





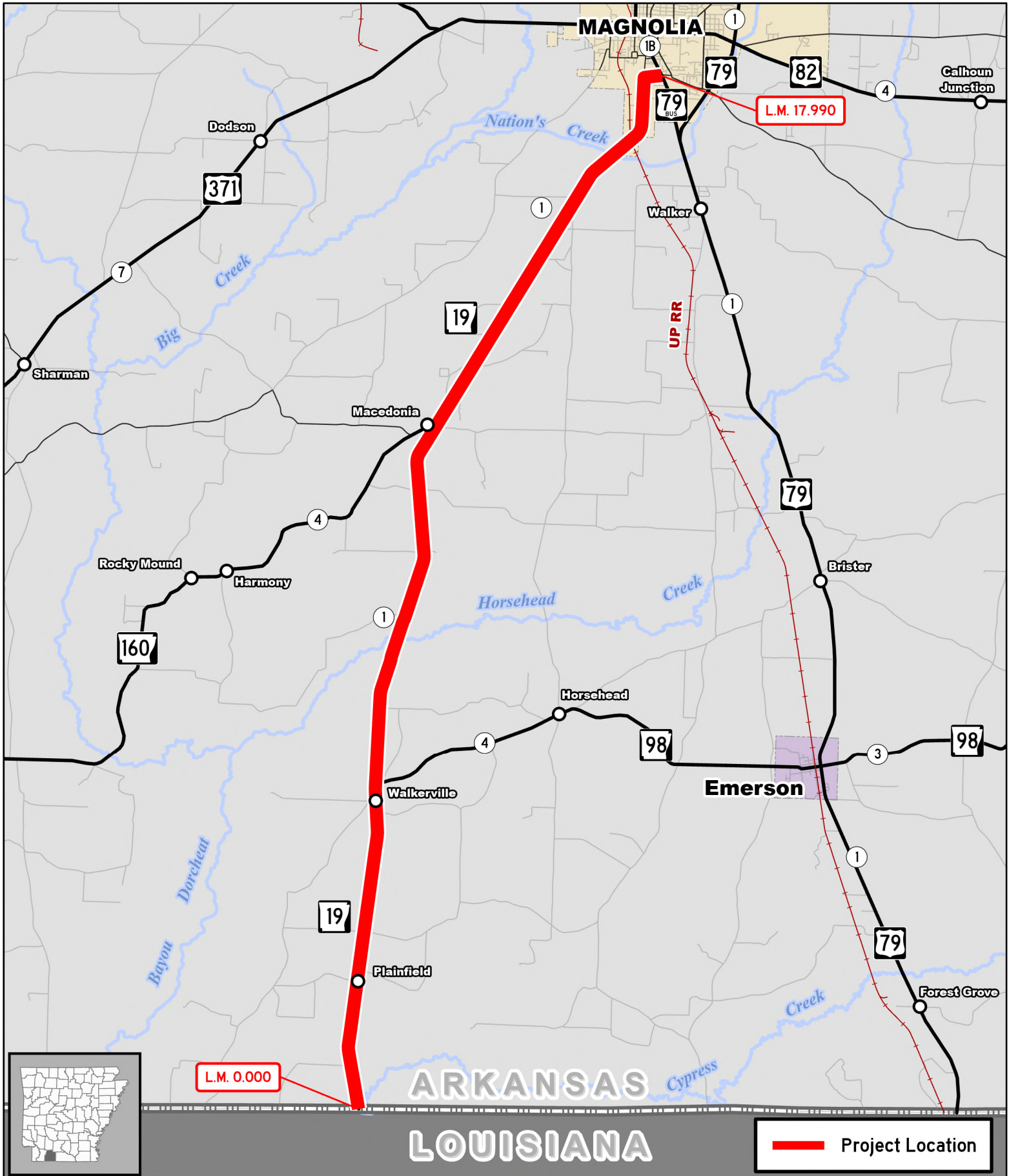
Job A60058
I-30 – Grant Co. Line (S)
 Hwy. 270, Sec. 8
 Hot Spring County





Job A60059
Hwy. 365 – Cornish St. (NLR) (S)
 Hwy. 70, Sec. 13
 Pulaski County



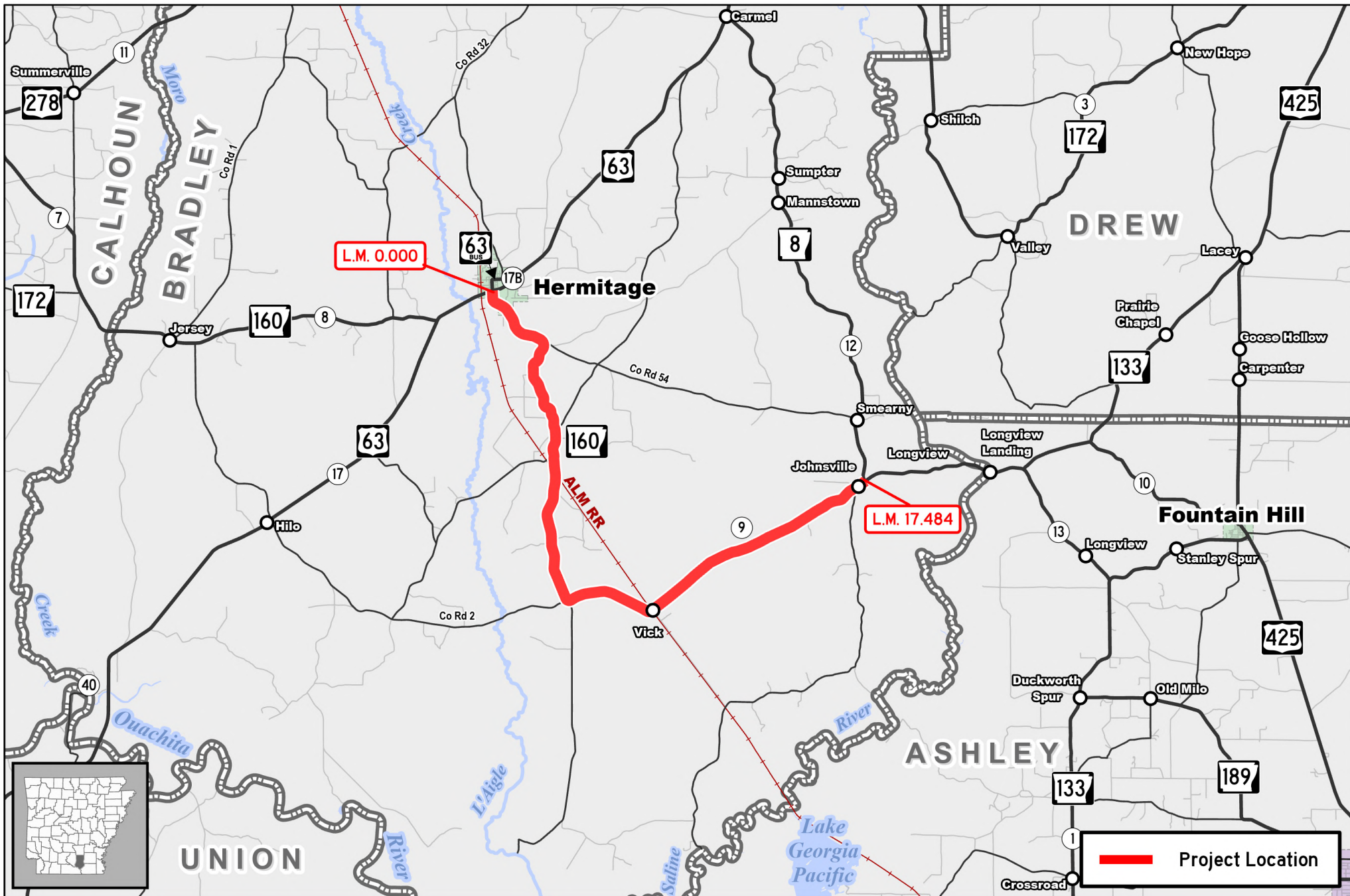


Job A70039
Louisiana State Line – Hwy. 79B (S)
 Hwy. 19, Sec. 1
 Columbia County

 Project Location

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 ARKANSAS DEPARTMENT OF TRANSPORTATION

0 0.5 1 2
 Miles

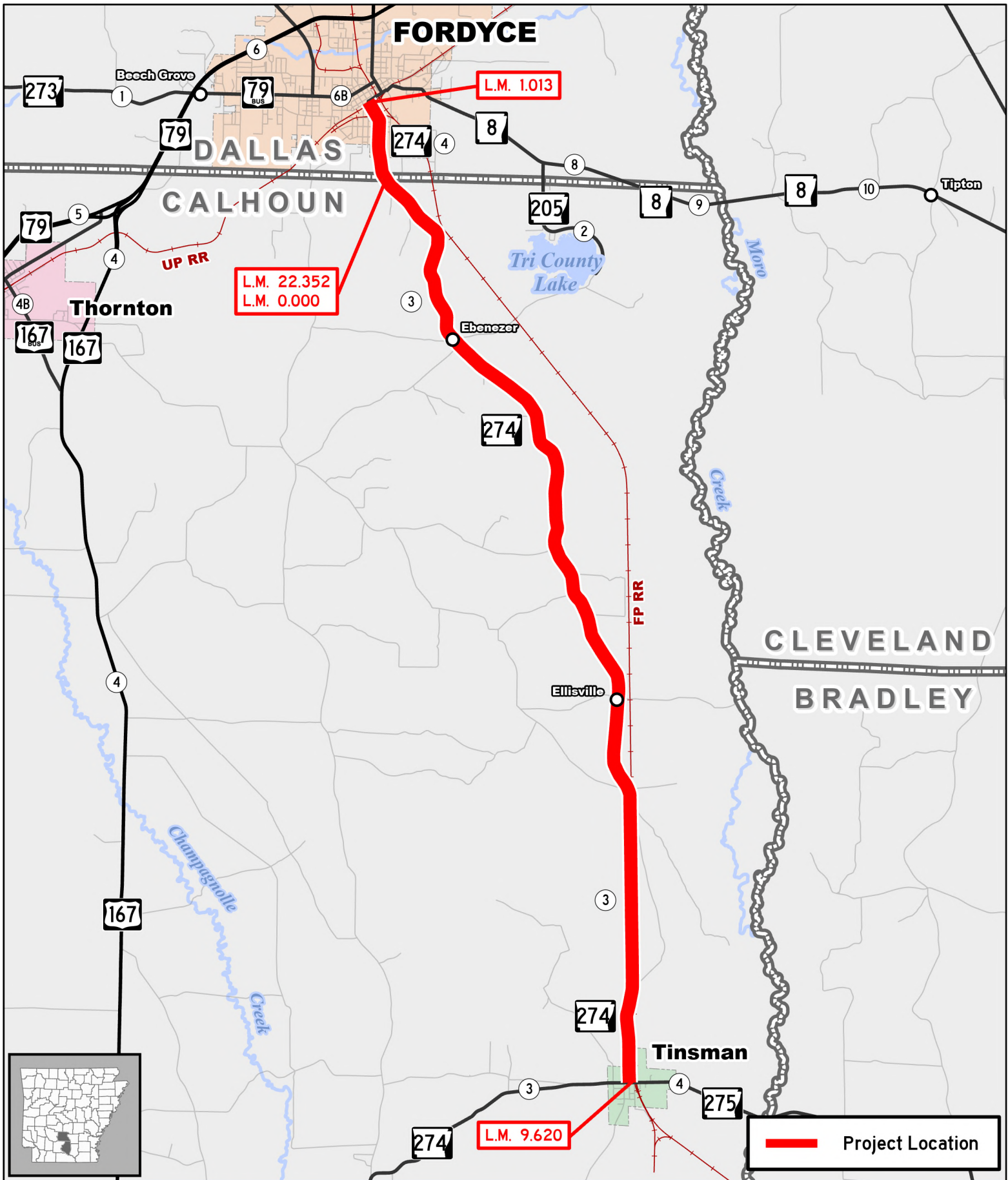


Job A70041
Hermitage – Hwy. 8 (S)
 Hwy. 160, Sec. 9
 Bradley County

 Project Location

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 ARKANSAS DEPARTMENT
 OF TRANSPORTATION

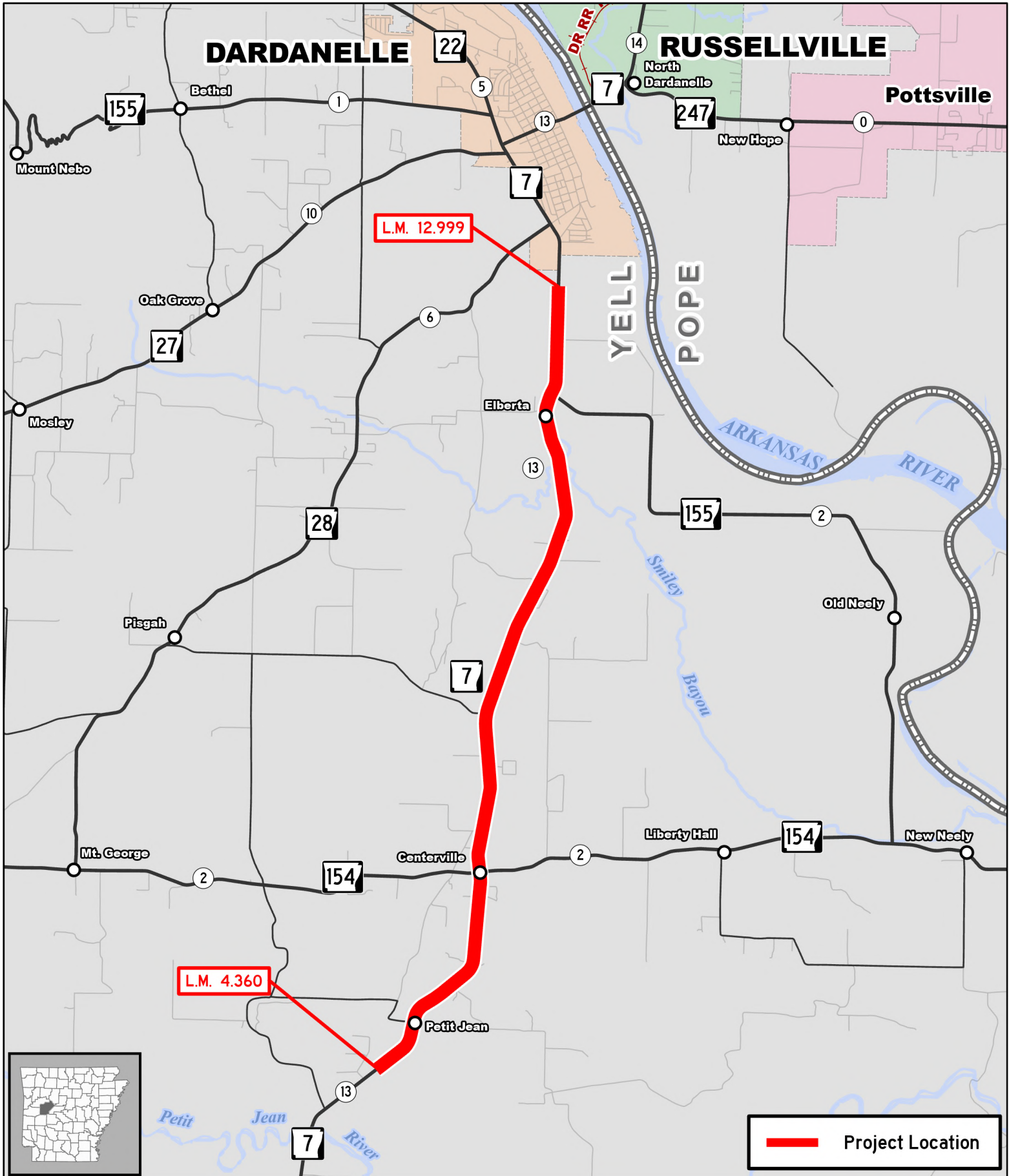

 Miles



Job A70042
Hwy. 275 – Fordyce (S)
 Hwy. 274, Secs. 3 & 4
 Calhoun & Dallas Counties

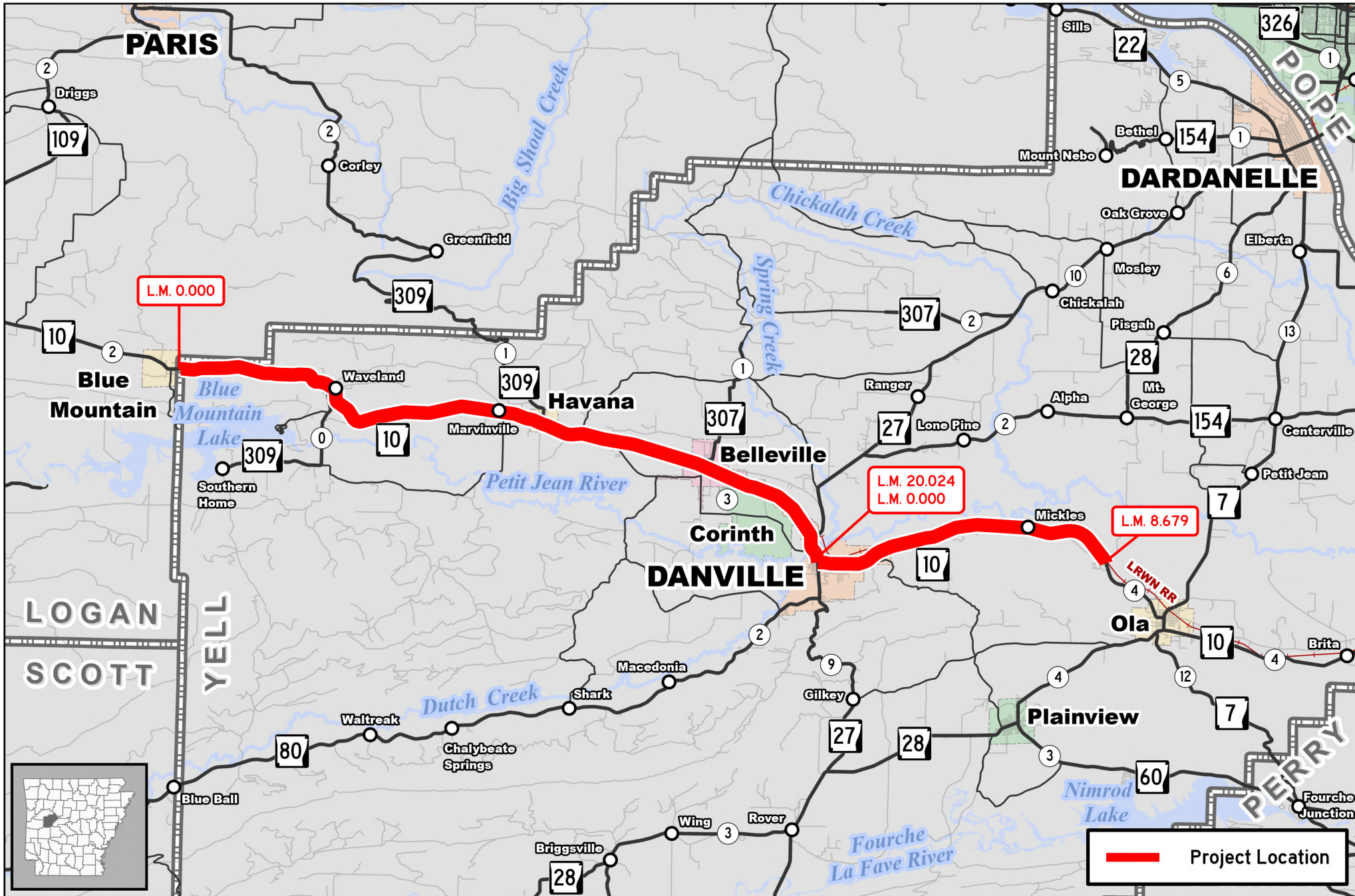
AR DOT
 ARKANSAS DEPARTMENT OF TRANSPORTATION

0 0.5 1 2
 Miles



Job A80042
N. of Petit Jean River – Dardanelle (S)
 Hwy. 7, Sec. 13
 Yell County



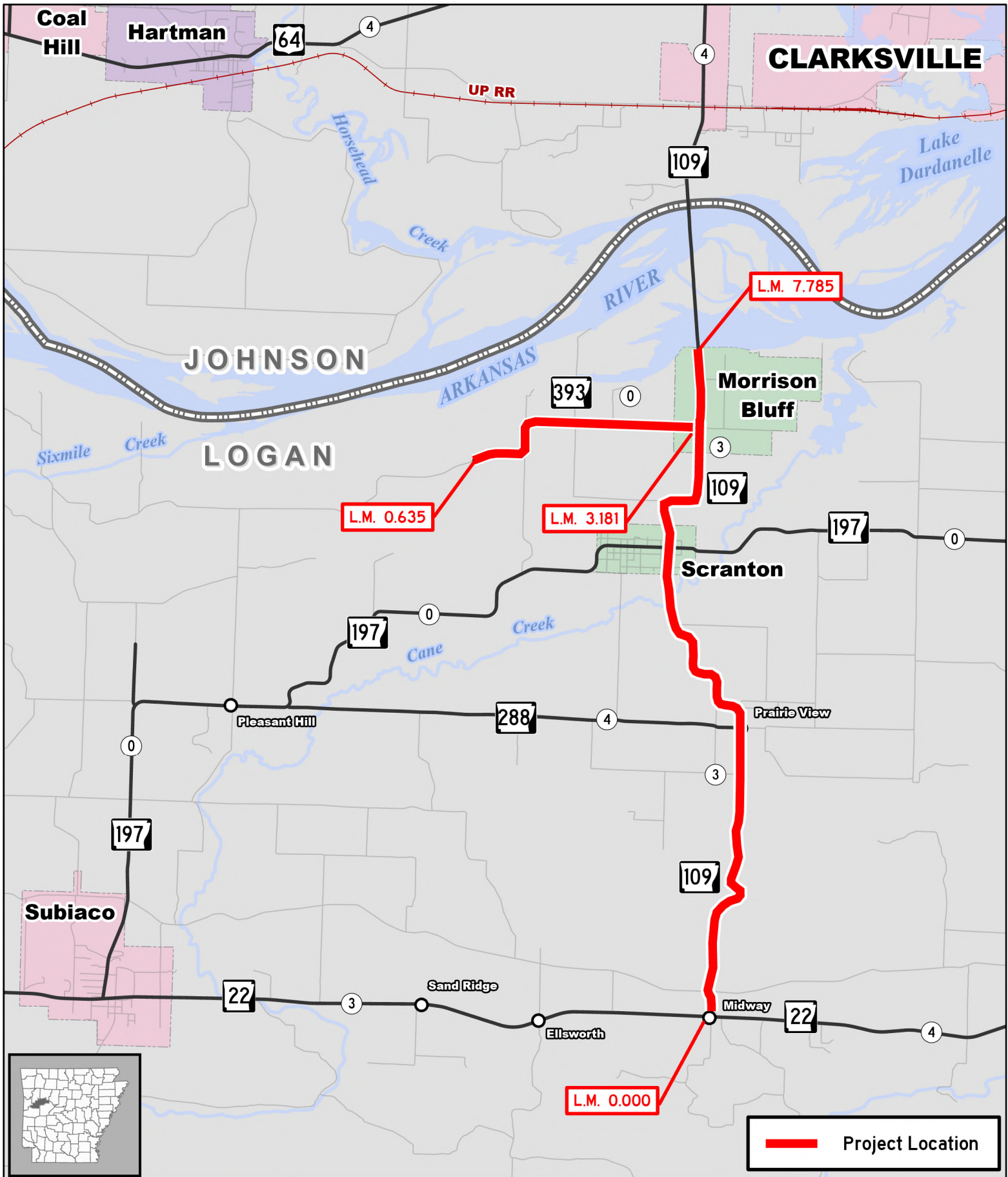


Job A80043

Logan Co. Line – W. of Ola (S)

Hwy. 10, Secs. 3 & 4
Yell County

0 1 2 4
Miles

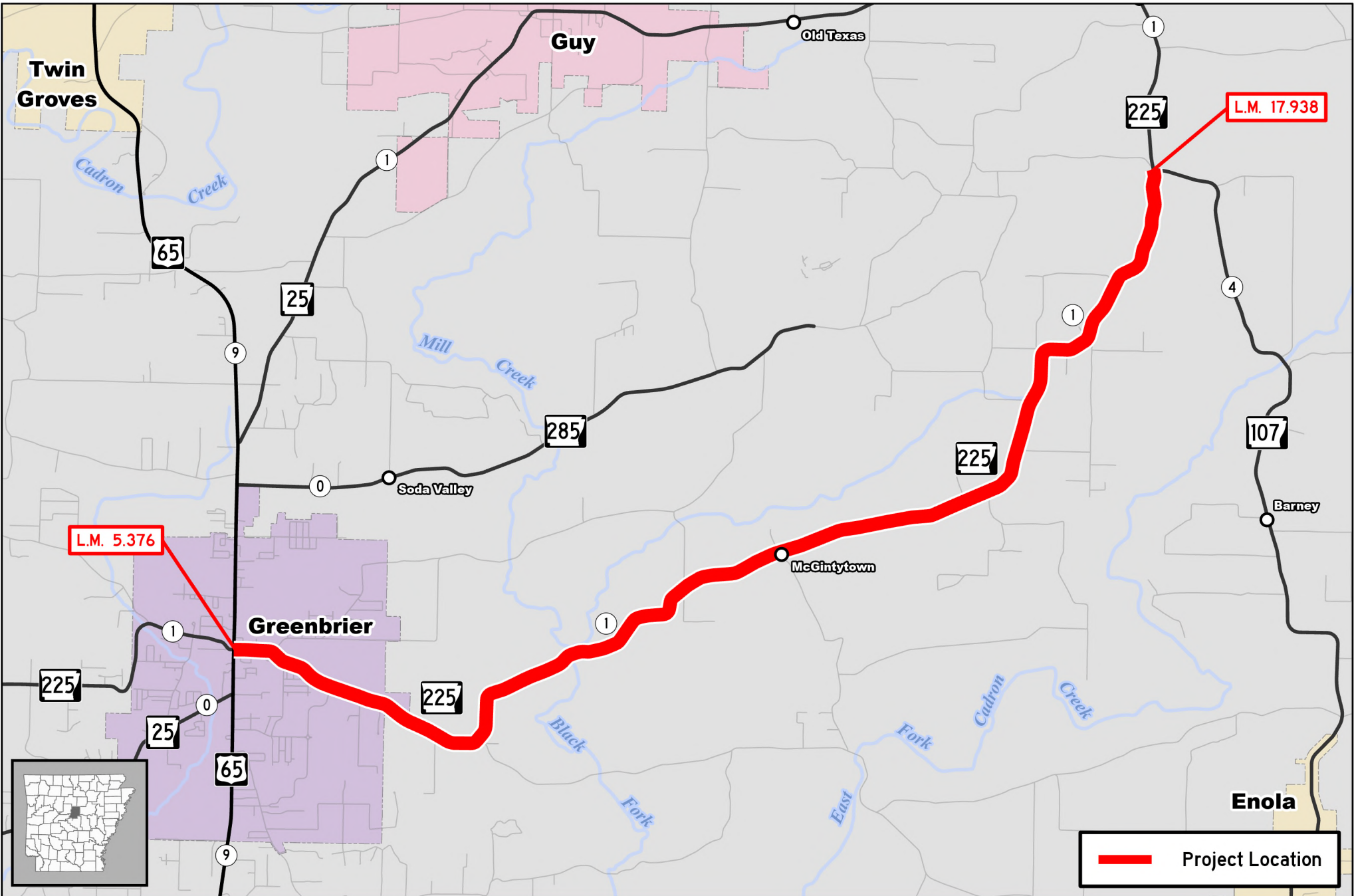


Job A80045

Hwys. 109 & 393 Impvts. (Logan Co.) (S)

Hwy. 109, Sec. 3
 Hwy. 393, Sec. 0
 Logan County

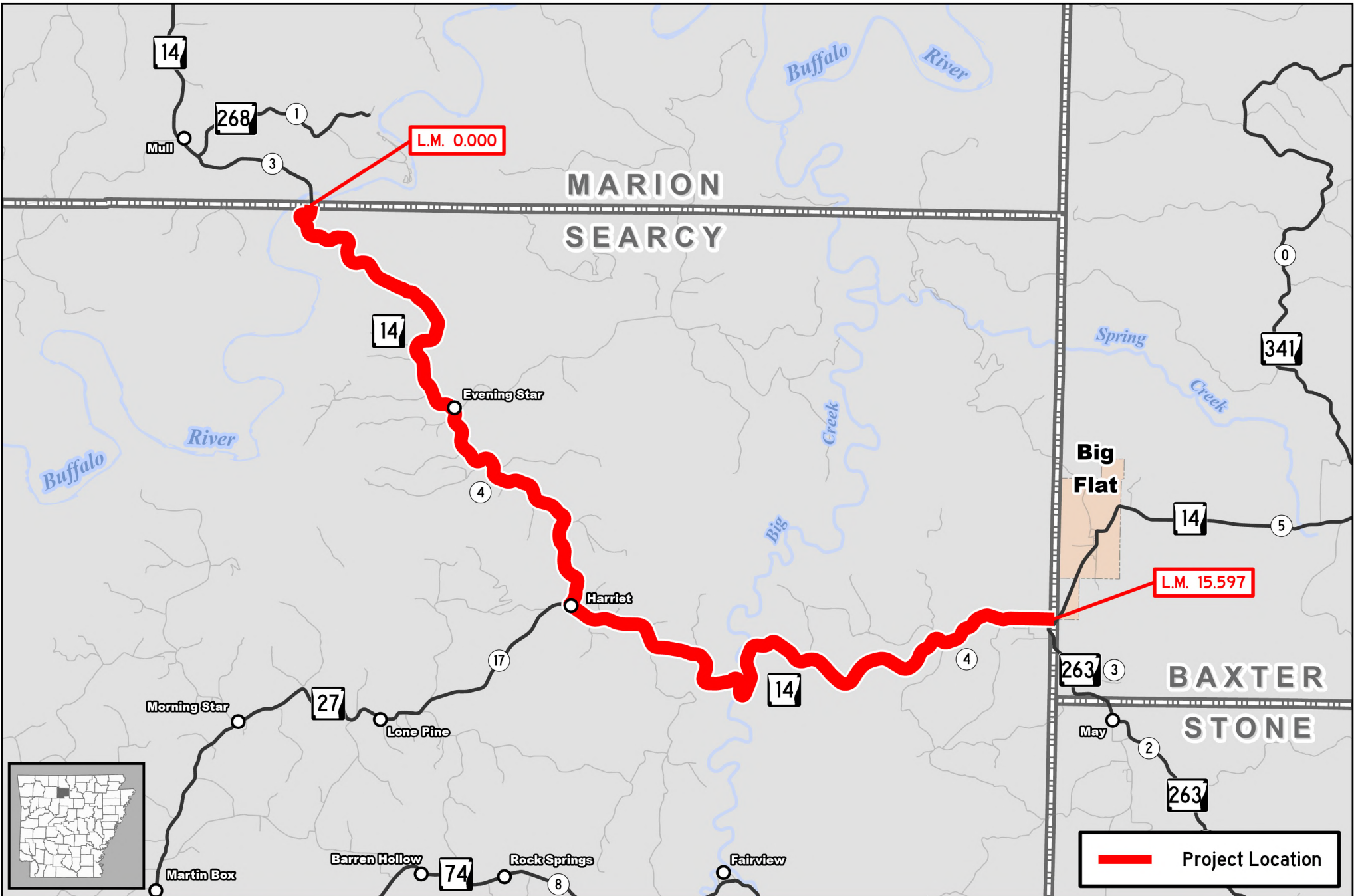




Job A80046
Greenbrier – Hwy. 107 (S)
 Hwy. 225, Sec. 1
 Faulkner County





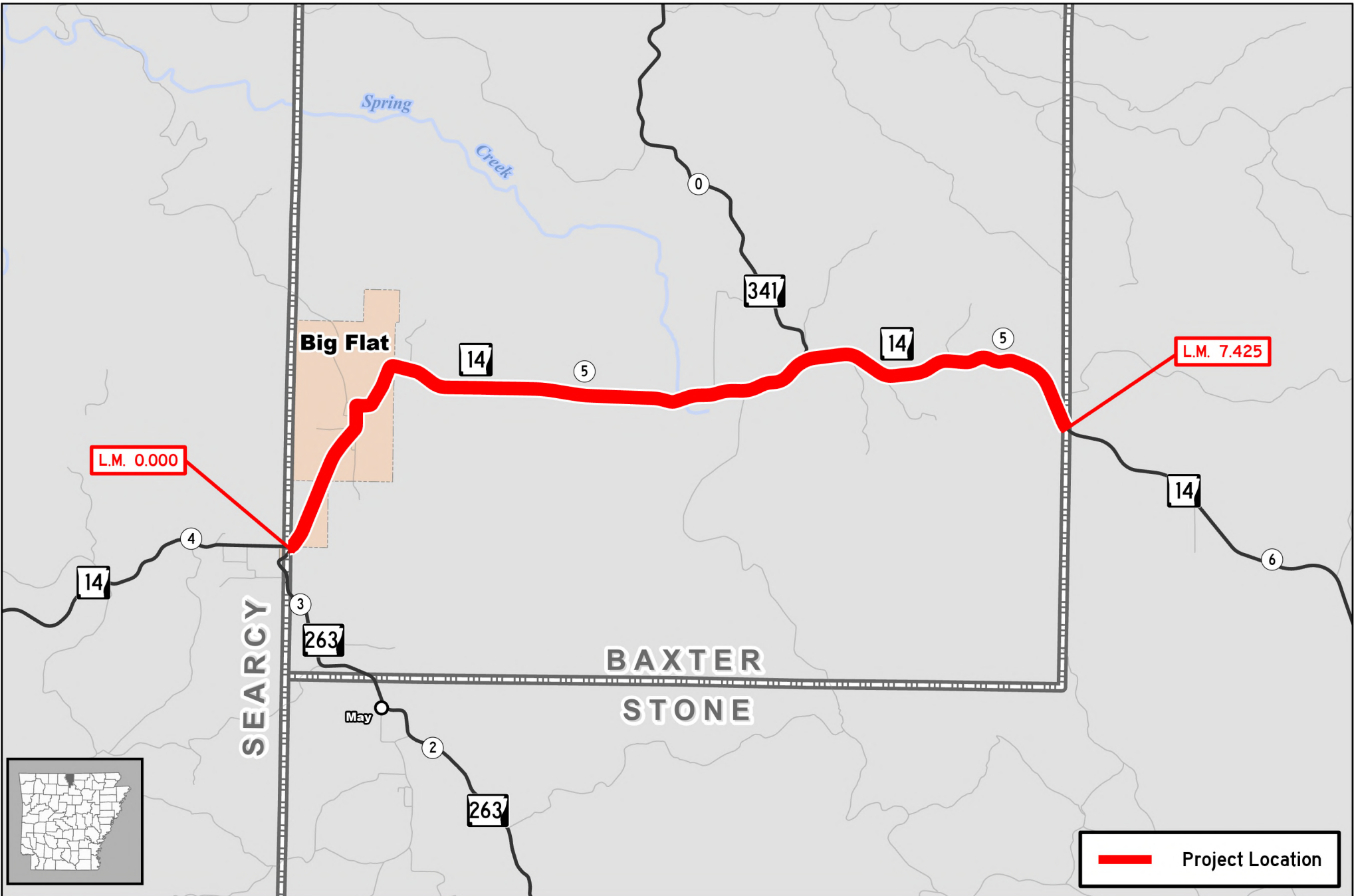
Job A90038

Marion Co. Line – Baxter Co. Line (S)

Hwy. 14, Sec. 4
Searcy County

AR DOT
ARKANSAS DEPARTMENT OF TRANSPORTATION

0 0.5 1 2
Miles

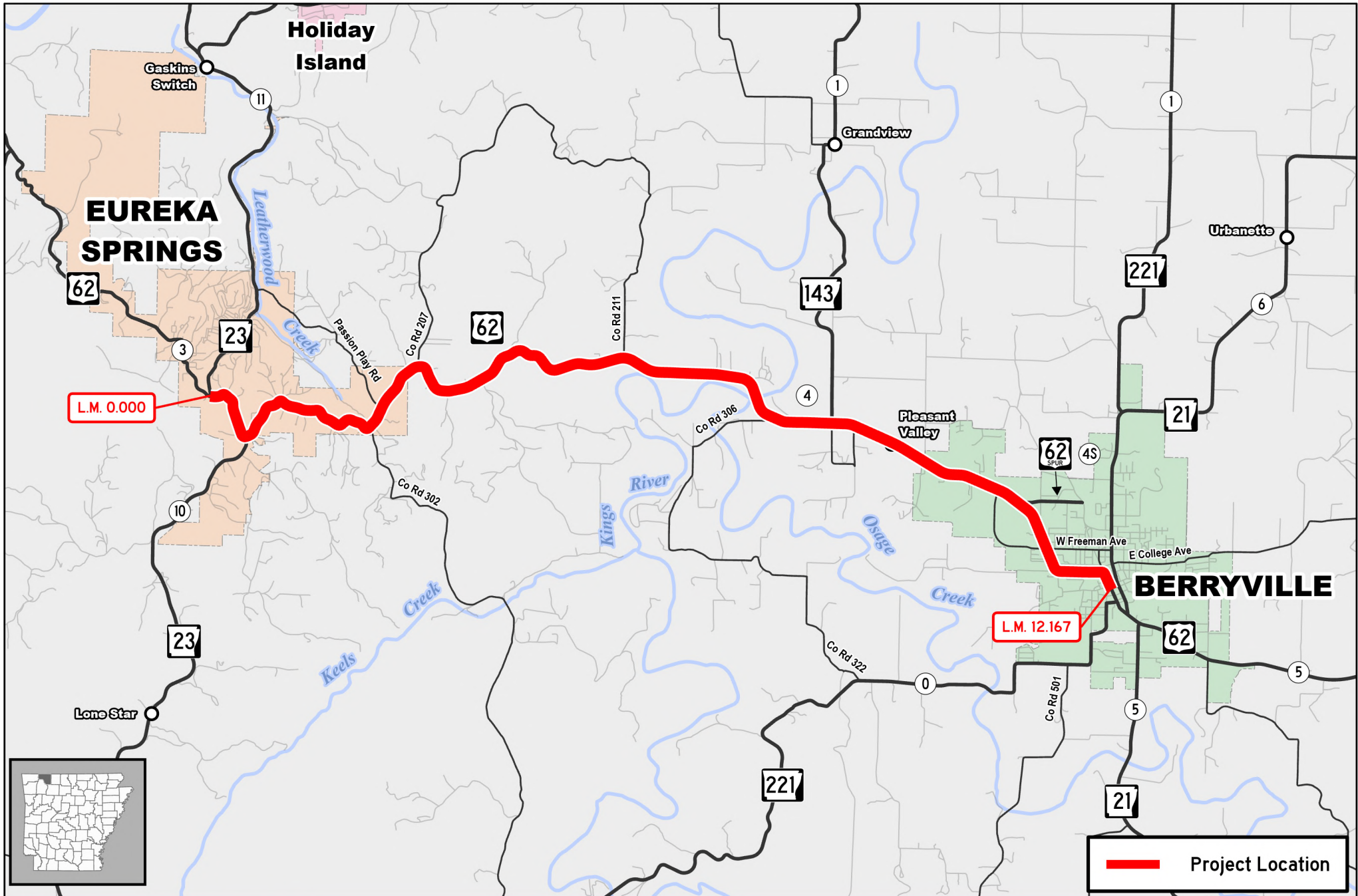


Job A90039
Searcy Co. Line – Stone Co. Line (S)
 Hwy. 14, Sec. 5
 Baxter County

 Project Location

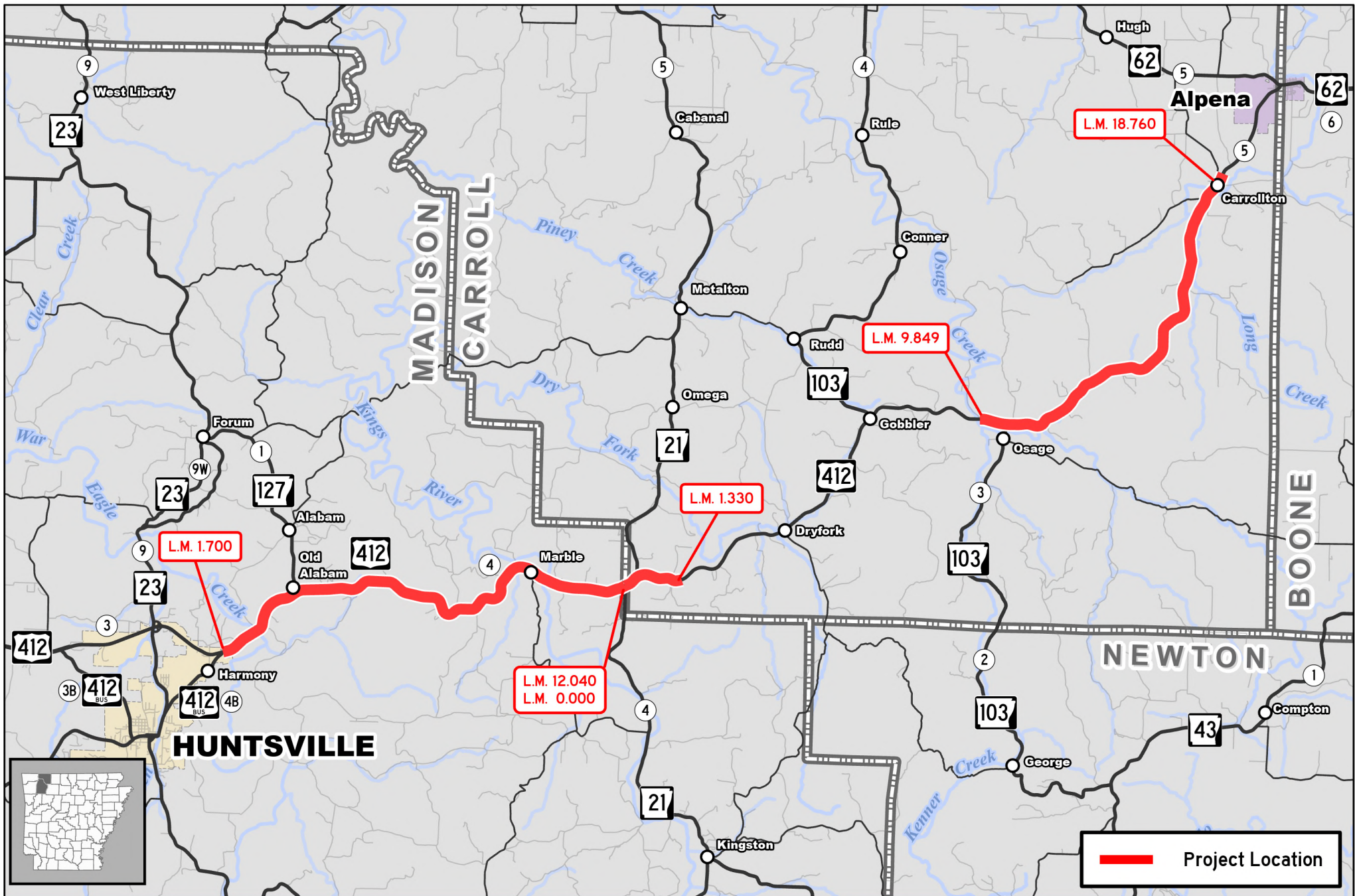
 **AR DOT**
 ARKANSAS DEPARTMENT OF TRANSPORTATION


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 Mile



Job A90040
Eureka Springs – Berryville (S)
 Hwy. 62, Sec. 4
 Carroll County

0 0.5 1 2
Miles

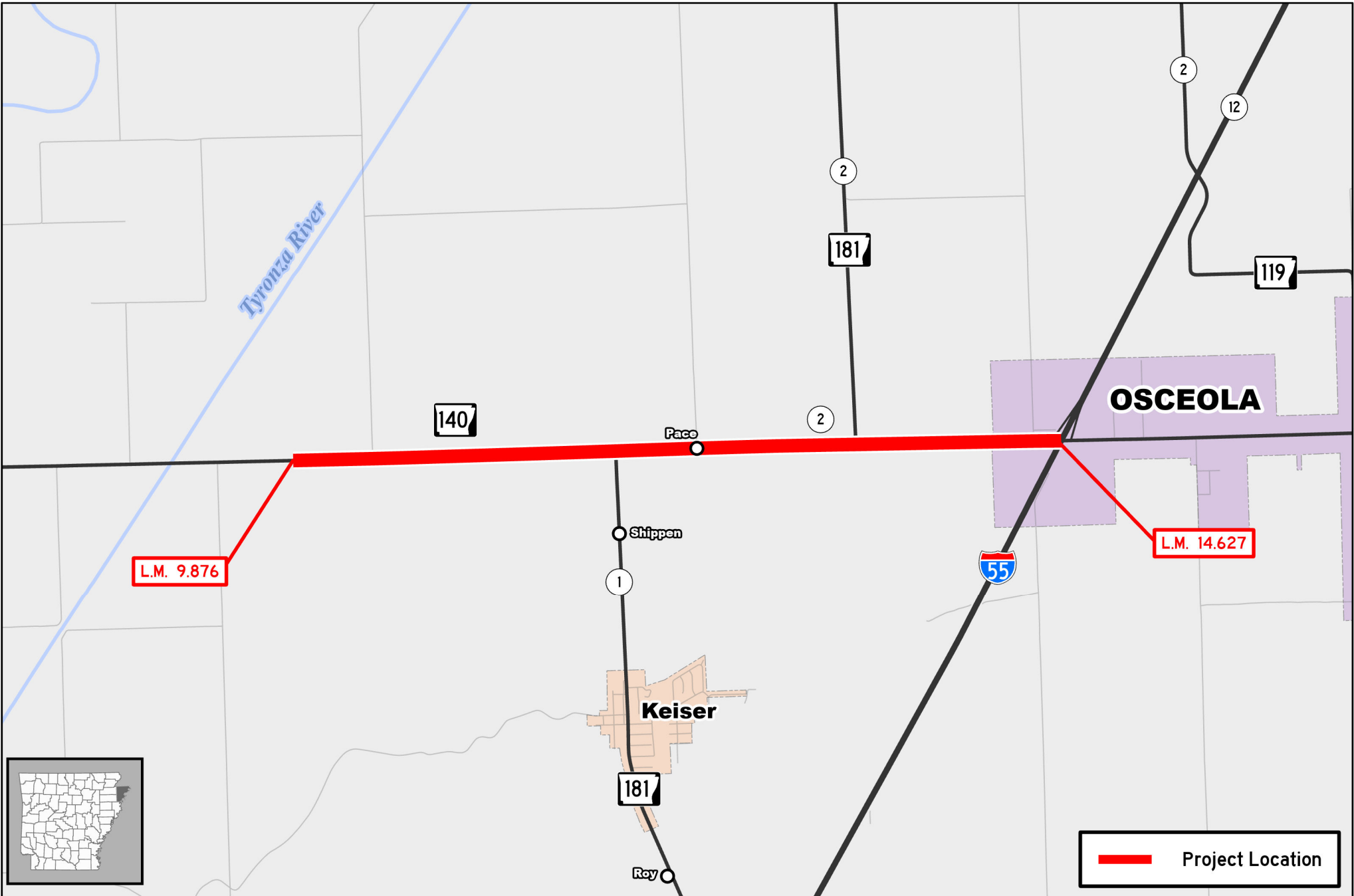


Job A90043

Huntsville – W. of Alpena (Sel. Secs.) (S)

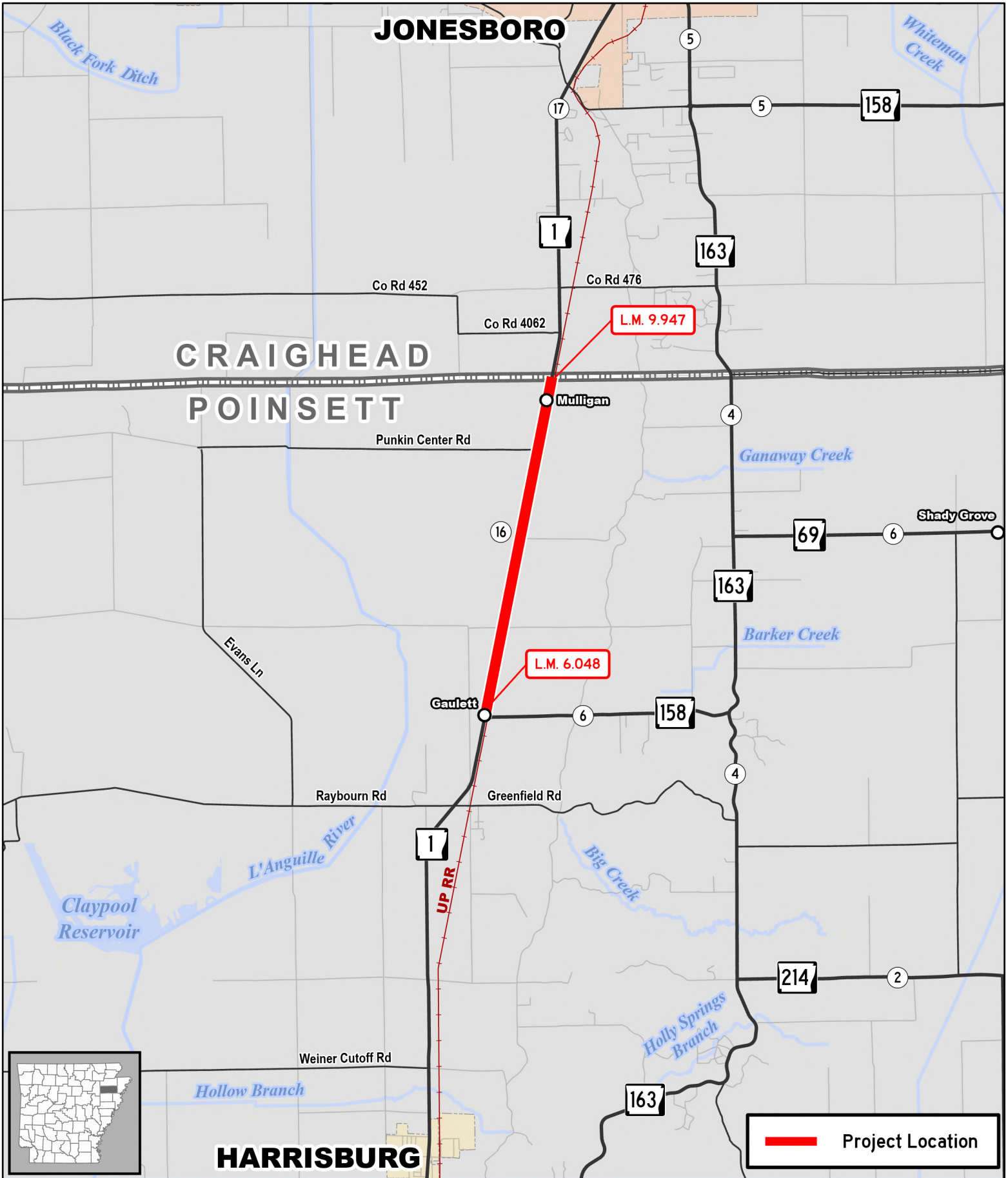
Hwy. 412, Secs. 4 & 5
Carroll & Madison Counties





Job A00074
Osceola – West (S)
 Hwy. 140, Sec. 2
 Mississippi County



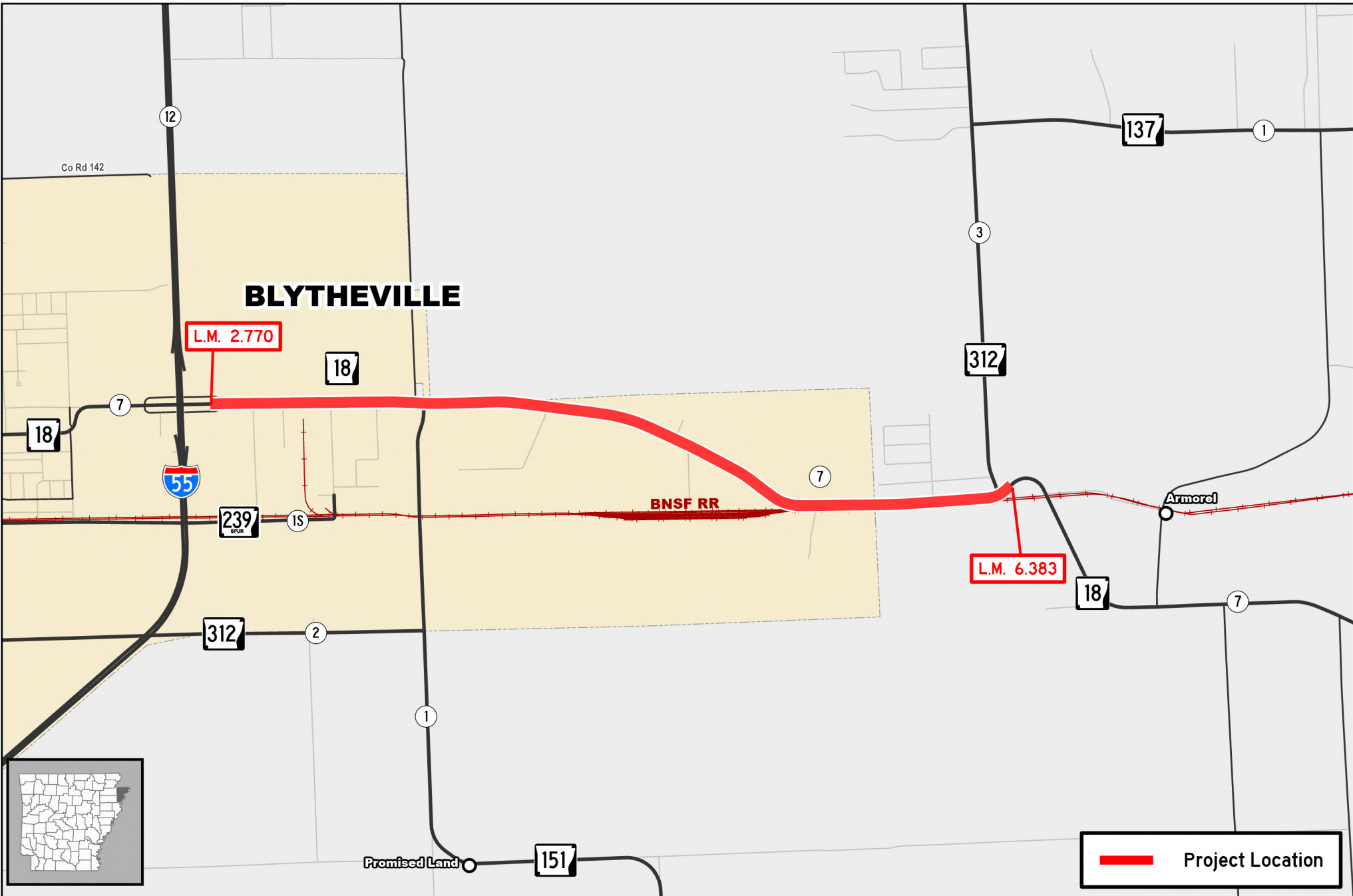


HARRISBURG

 Project Location

Job A00091
Hwy. 158 – Craighead Co. Line (S)
 Hwy. 1, Sec. 16
 Poinsett County

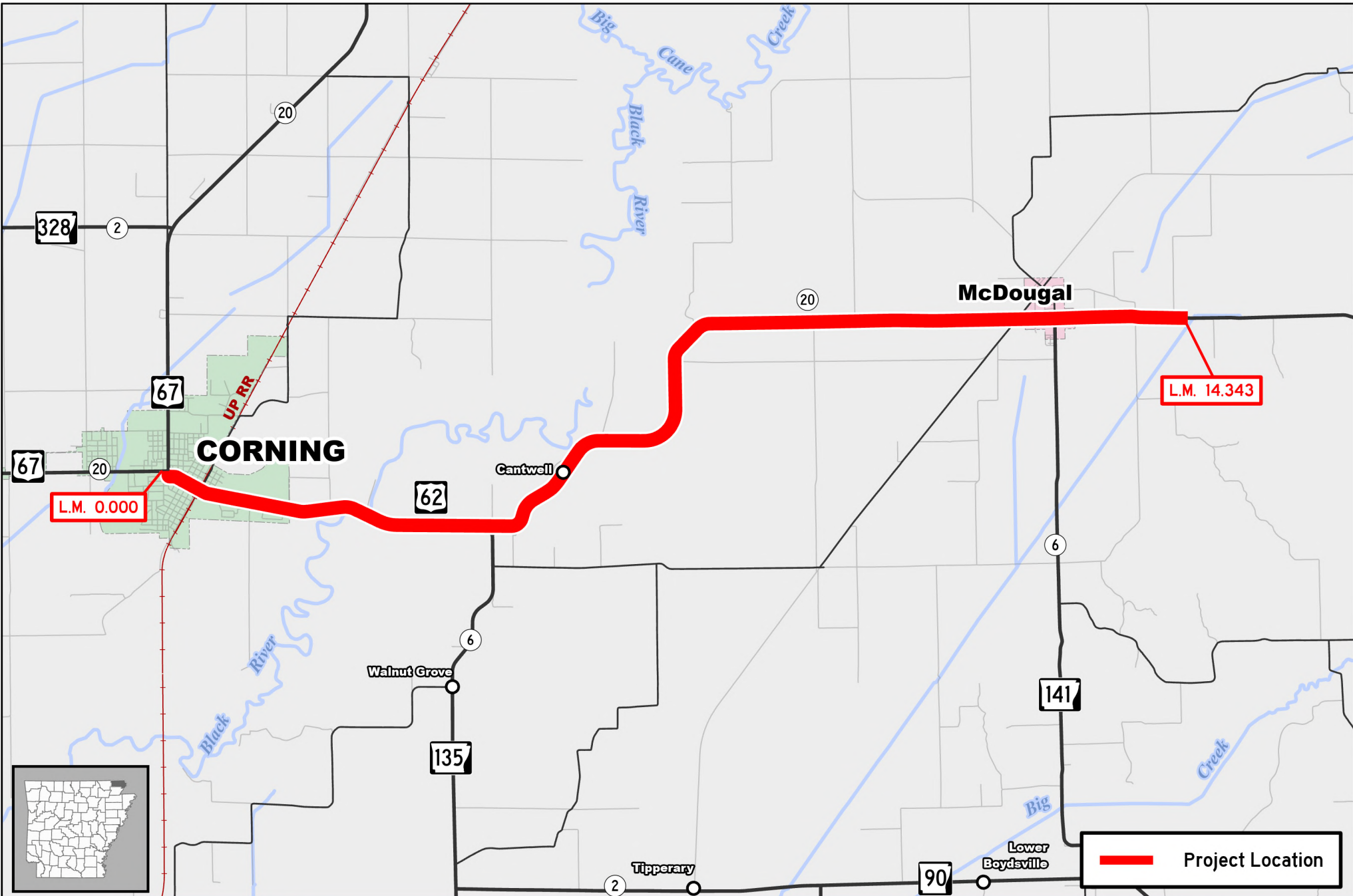




Job A00092
I-55 – Hwy. 312 (Blytheville) (S)
 Hwy. 18, Sec. 7
 Mississippi County

AR DOT
 ARKANSAS DEPARTMENT
 OF TRANSPORTATION

0 0.25 0.5 1
 Mile

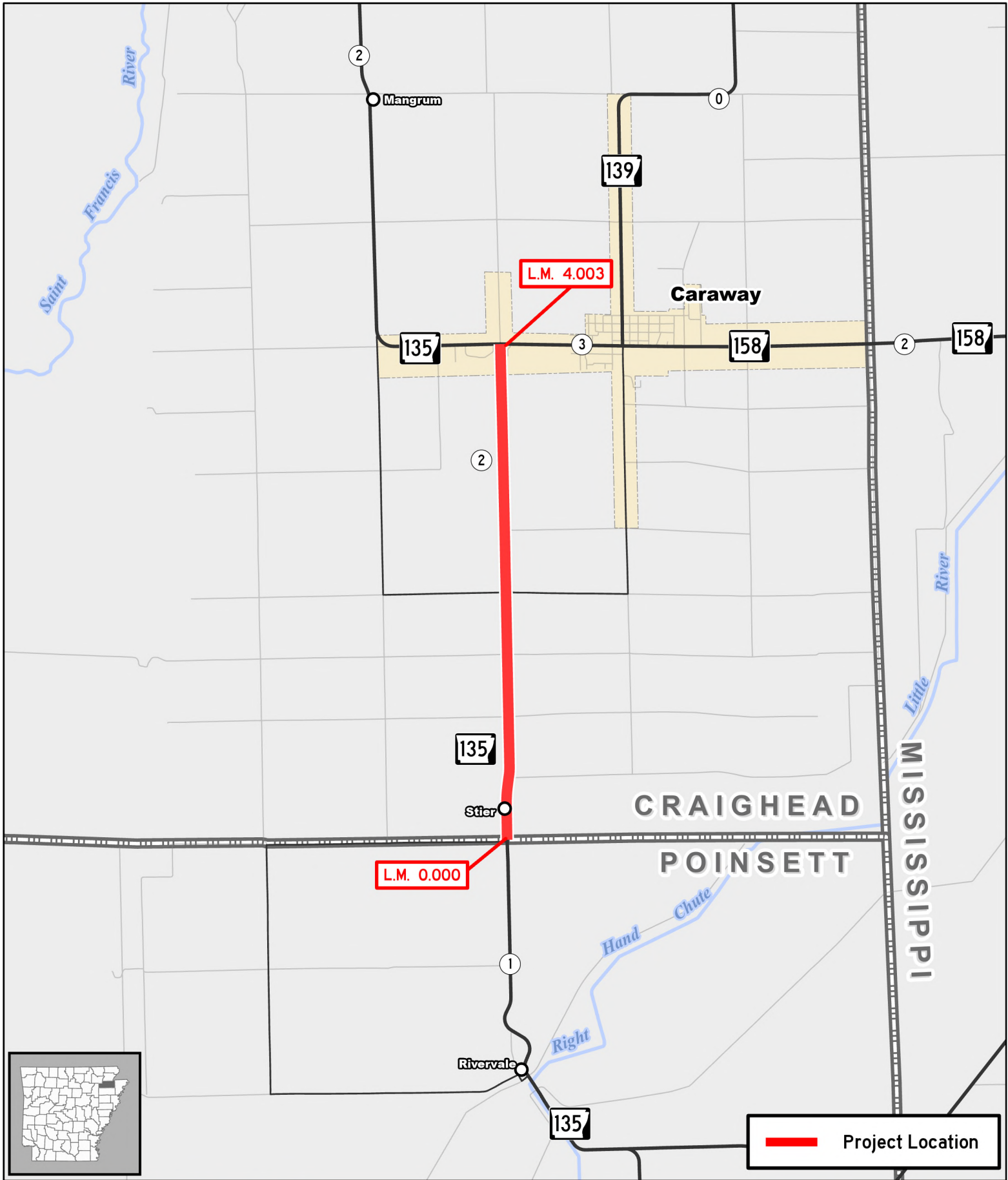


Job A00093

Corning – E. of McDougal (S)

Hwy. 62, Sec. 20
Clay County

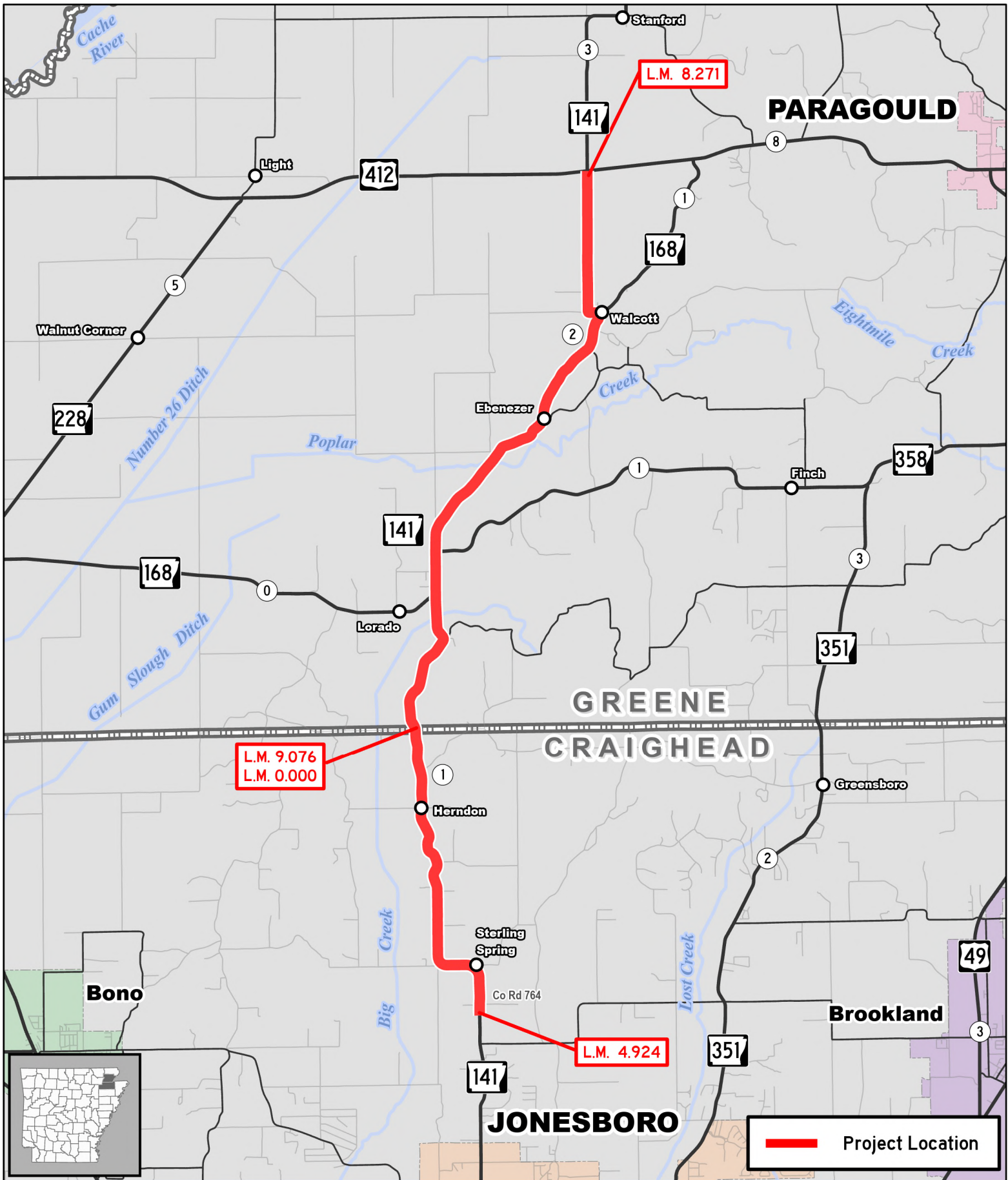




Job A00095
Poinsett Co. Line – Hwy. 158 (S)
 Hwy. 135, Sec. 2
 Craighead County

 Project Location





L.M. 9.076
L.M. 0.000

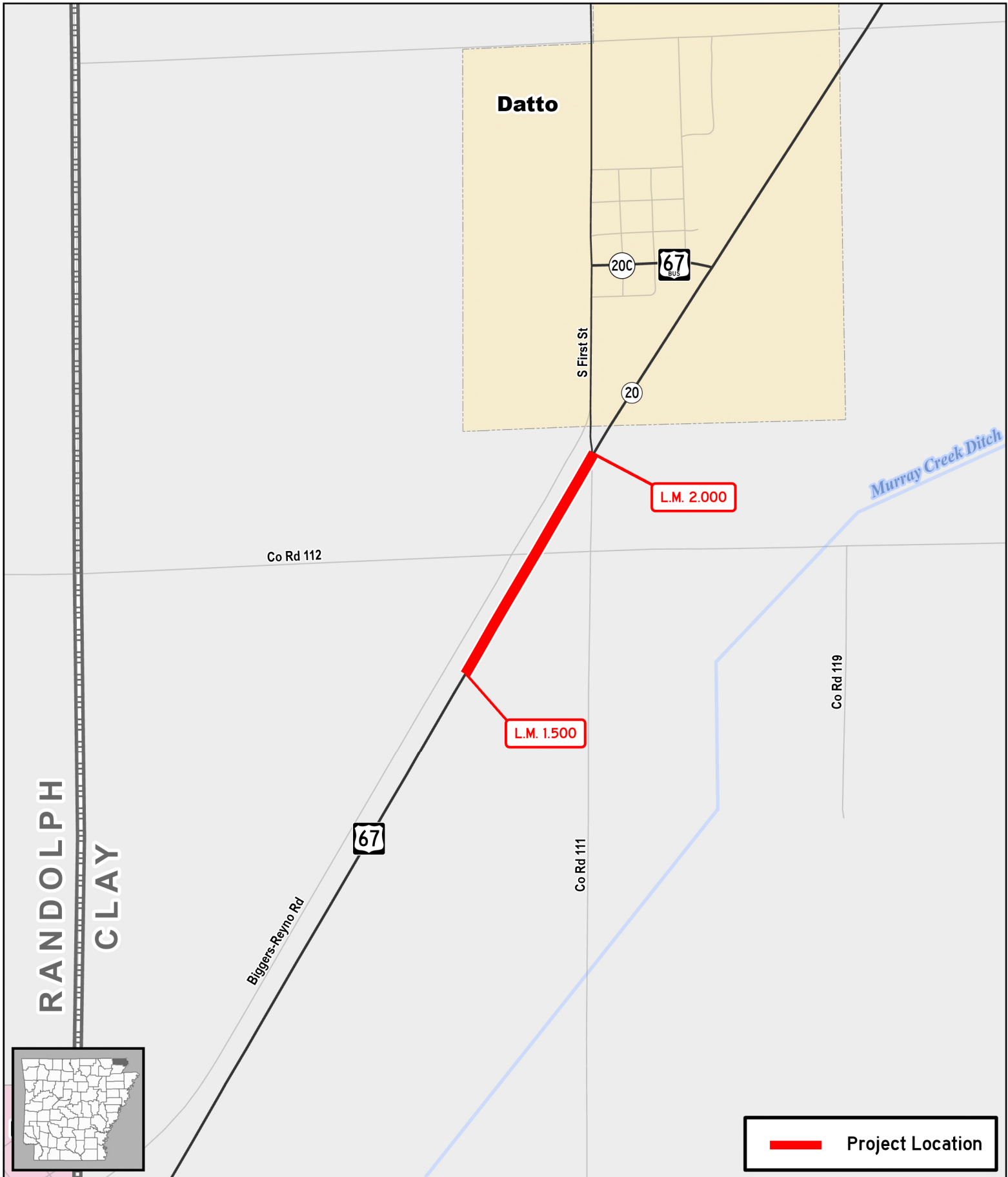
L.M. 8.271

L.M. 4.924

 Project Location

Job A00096
Co. Rd. 764 – Hwy. 412 (S)
 Hwy. 141, Secs. 1 & 2
 Craighead & Greene Counties

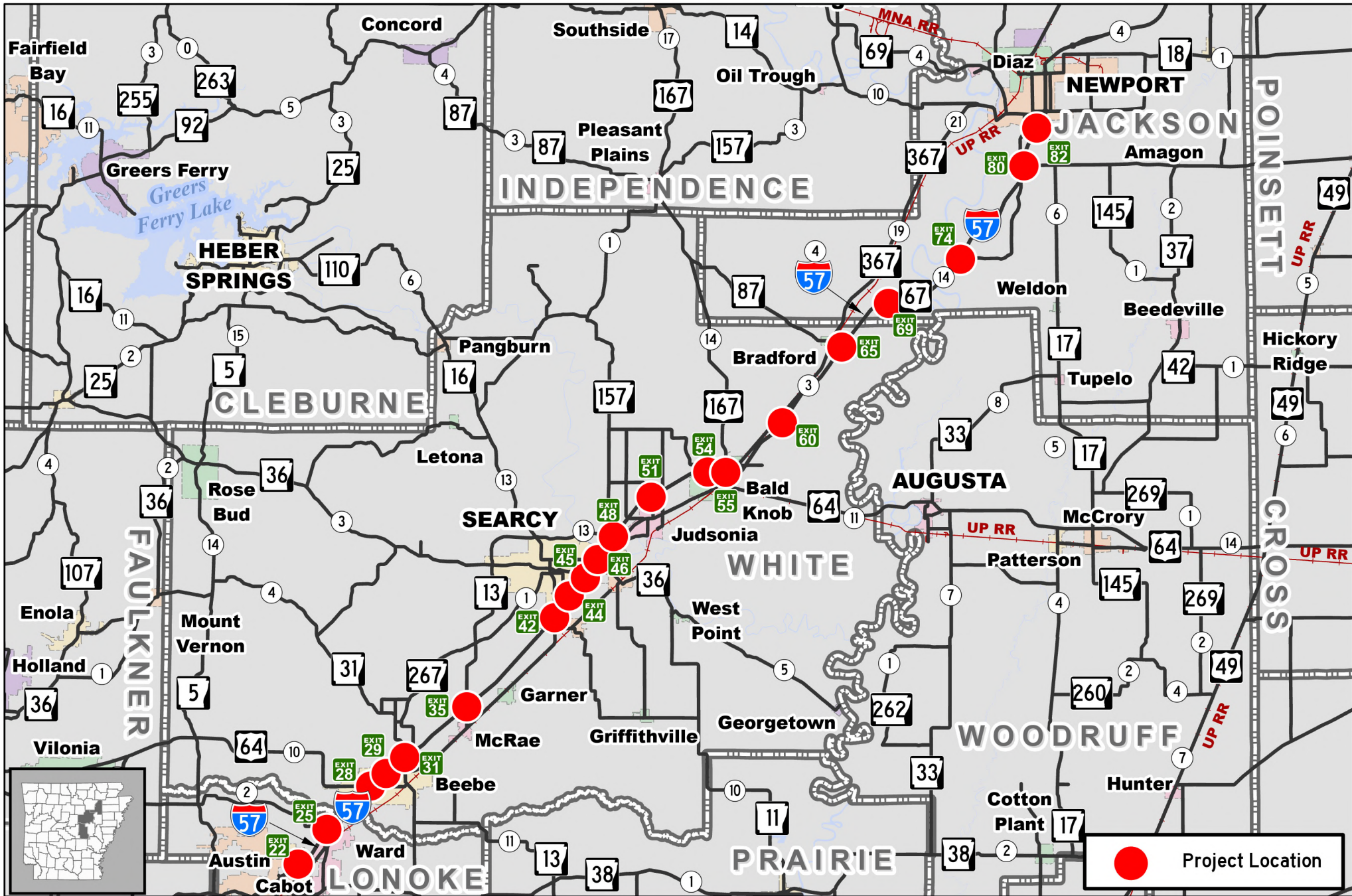




Job A00097
Hwy. 67 Impvts. (Clay Co.) (S)
Hwy. 67, Sec. 20
Clay County

 **Project Location**





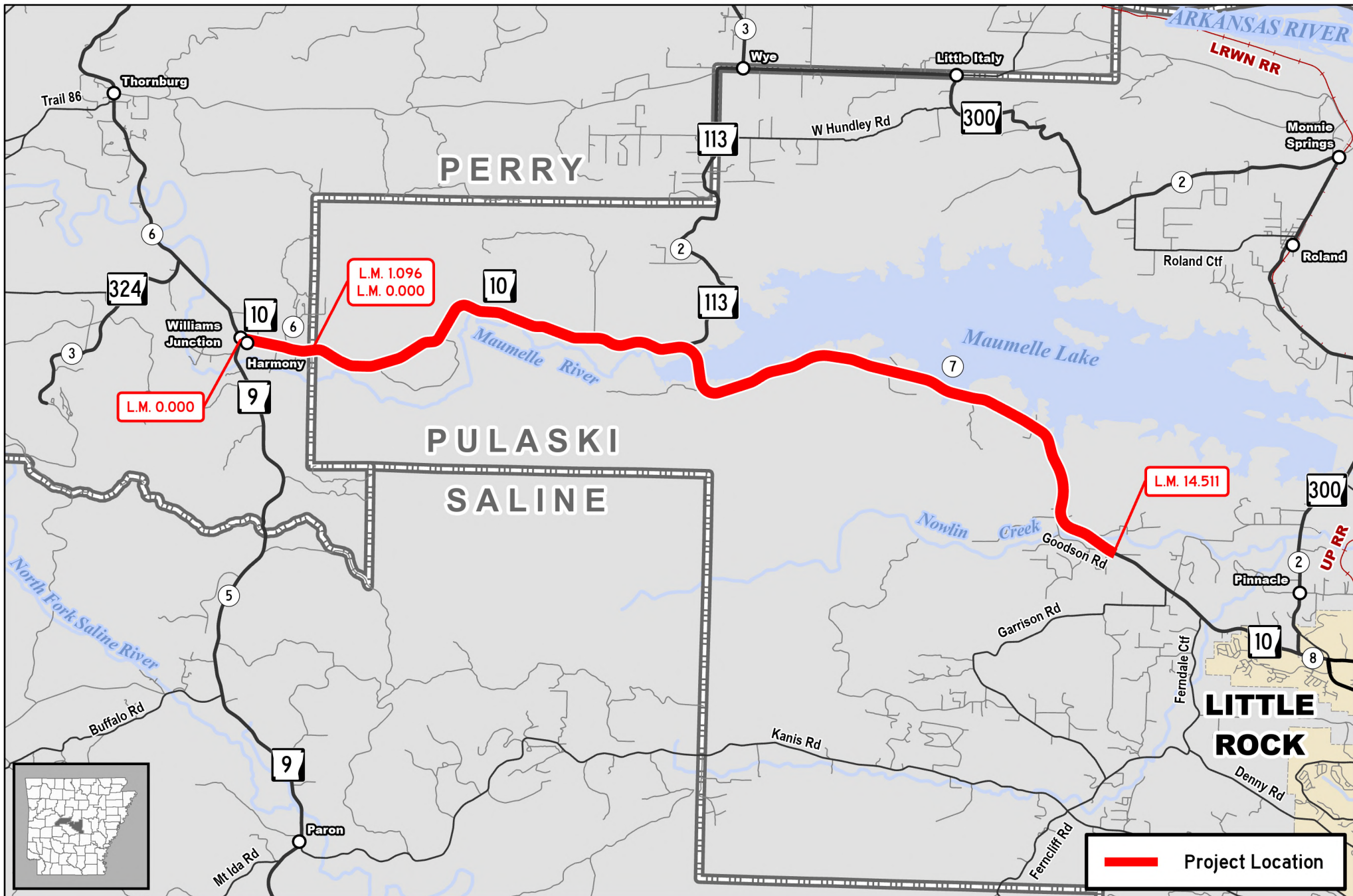
Job AX0008

Hwy. 305 – Hwy. 17 (I-57 Ramps) (S)

I-57, Secs. 2, 3, and 4

Jackson, Lonoke & White Counties





Job AX0009
Hwy. 9 – Goodson Rd. (S)
Hwy. 10, Secs. 6 & 7
Perry & Pulaski Counties

 Project Location

 **AR DOT**
 ARKANSAS DEPARTMENT OF TRANSPORTATION


 0 0.5 1 2
 Miles



INTEROFFICE MEMORANDUM

October 30, 2025

TO: Environmental Job File

FROM: Jason Wilhelmi, Cultural Resources JW

SUBJECT: Cultural Resources Clearance
Job A10051
Crawfordsville – Clarkedale (S)
Route 50, Section 4
Route 64, Section 17C
Crittenden County

This job proposes to apply a 4-inch overlay and 2-foot shoulders on Hwy. 50 and a 1-inch overlay and 2-foot shoulders on Hwy. 64, totaling 11.39 miles along Hwys. 50 and 64 near Crawfordsville, Crittenden County. All work will occur within the existing right-of-way (ROW).

A records check at the Arkansas Archeological Survey shows no sites in or near the proposed project areas. No historic structures were shown on the Arkansas Historic Preservation Program's structure database that are eligible or listed on the National Register of Historic Places near the project areas. No cultural indicators were found on the 1825 GLO plats of T7N, R7E; T8N, R7E; and T8N, R8E. The 1936 Crittenden County General Highway and Transportation map showed several structures along both highways. The 1981 Crawfordsville, ARK 7.5 min quadrangle map indicated "Graves" on Hwy. 64 in Crawfordsville. Though no graves should be affected by road work, Google Street View (August 2023) shows that the boundary of this cemetery is within the existing ROW. A Restraining Condition Special Provision will be added to the Construction File to ensure that there is no disturbance within the cemetery.

The existing topography, previous infrastructure, and construction practices were examined to assess previous ground disturbance. The scope of the project is limited to repetitive ARDOT actions, and all work will be within existing disturbances (road construction). Additionally, a Restraining Condition Special Provision will be completed to ensure there is no disturbance within the unnamed cemetery. Therefore, this project requires no Section 106 review under Appendix B, Activity 2 of the 2024 Amended Programmatic Agreement.



ARDOT.gov | Jared D. Wiley, P.E., Director

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INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: M. Hughes, Cultural Resources M H

SUBJECT: Cultural Resources Clearance
Job A10052
Hwy. 49 - East (S)
Route 49, Secs. 14 & 15
Lee and Monroe Counties

This job proposes to apply 1" of asphalt overlay to 4.93 miles of Highway 49 in Lee and Monroe Counties. All work will take place on existing paved surfaces.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. The project is exempted from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

October 28, 2025

TO: Environmental Job File

FROM: Richard Jenkins, Cultural Resources 

SUBJECT: Cultural Resources Clearance
Job A20033
Hwy's 82 & 425 Impvts. (S)
Route 82, Section 8
Route 425, Sections 2 & 3
Ashley and Drew Counties

This job proposes 15.73 miles of UTBWC (Ultrathin Bonded Wearing Course) and 2' mill and overlay on Highways 82 and 425, in Ashley and Drew Counties.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. The project is exempt from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

October 28, 2025

TO: Environmental Job File

FROM: Jason Wilhelmi, Cultural Resources

JW

SUBJECT: Cultural Resources Clearance
Job A20037
Cleveland Co. Line – North (S)
Route 79, Section 9
Jefferson County

This job proposes to conduct pavement improvements including 2 inch mill and overlay on 9.21 miles of Hwy. 79 in Jefferson County.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C of Appendix A. The project is exempted from further work or Section 106 review.




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INTEROFFICE MEMORANDUM

October 28, 2025

TO: Environmental Job File

FROM: Richard Jenkins, Cultural Resources 

SUBJECT: Cultural Resources Clearance
Job A20038
Sheridan Bypass Impvts. (S)
Route 167, Secs. 10 & 11
Grant County

This job proposes 8.25 miles of 2-inch mill and 2-inch overlay on Highway 167, in Grant County.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. The project is exempt from further work or Section 106 review.




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INTEROFFICE MEMORANDUM

October 28, 2025

TO: Environmental Job File

FROM: Richard Jenkins, Cultural Resources 

SUBJECT: Cultural Resources Clearance
Job A30044
Texas State Line - East (S)
Route 151, Section 0
Miller County

This job proposes 1.18 miles of patching, joint reseal, and diamond grinding on Highway 151, in Miller County.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C, in Appendix A. The project is exempt from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: Daniel Hildebran, Cultural Resources

A handwritten signature in blue ink, appearing to read 'Daniel Hildebran', is placed to the right of the 'FROM:' field.

SUBJECT: Cultural Resources Clearance
Job A40047
Benton Co. Line – Fayetteville (S)
Route 16, Section 2
Washington County

This project proposes to complete 2" overlay and scrub seal (LM 0.000-10.349), 2" mill and overlay (LM 10.349-12.935), and add 2' shoulders (LM 0.0-3.4) on 12.94 miles of Highway 16 in Washington County. All work will remain within the existing right-of-way.

A records check at the Arkansas Archaeological Survey shows six sites (3WA1358, 3WA0633, 3WA1272, 3WA0658, 3WA0661, and 3WA0662) near the proposed project, but they will not be affected by this undertaking. The review of the Arkansas Historic Preservation Program's (AHPP) structure database shows no historic structures near the project. ARDOT Bridge 05464 is within the project area, but will not be impacted. No cultural indicators were found on the 1829 General Land Office plat, the 1936 Washington County General Highway and Transportation map, quadrangle maps, or aerial imagery.

The vertical and horizontal extents, known construction practices, available plans, and contours were examined to assess previous ground disturbance. All work will be within previously disturbed areas (highway construction). Therefore, this project requires no Section 106 review under Appendix B, Activity 2 of the 2024 Amended Programmatic Agreement.



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INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: Daniel Hildebran, Cultural Resources

A handwritten signature in blue ink, appearing to read 'Daniel Hildebran', is placed to the right of the 'FROM:' field.

SUBJECT: Cultural Resources Clearance
Job A40049
Alma – Franklin Co. Line (S)
Route 64, Section 2
Crawford County

This project proposes to complete 2" mill and 2" overlay on the outside lanes and 2" overlay over the entire roadway (LM 8.705-10.15), 2" mill and 2" overlay (LM 10.15-14.22, 18.80-19.39), and level up and 2" overlay (LM 14.22-18.80, 19.39-20.245) on 11.54 miles of Highway 64 in Crawford County.


This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. The project is exempt from further work or Section 106 review.



INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: Daniel Hildebran, Cultural Resources 

SUBJECT: Cultural Resources Clearance
Job A40050
Hwys. 71 & 272 Impvts. (Waldron) (S)
Route 71, Secs. 10 & 10B
Route 272, Section 0
Scott County

This project proposes to level up and 2" overlay (Hwy. 272), 2" mill and 2" overlay (Hwys. 71 and 71B), and add 2' shoulders (Hwy. 272) on 6.83 miles of Highways 71 and 272 in Scott County.

A records check at the Arkansas Archaeological Survey shows three sites (3SC2624, 3SC0030, and 3SC2948) near the proposed project, but they will not be affected by this undertaking. The review of the Arkansas Historic Preservation Program's (AHPP) structure database shows no historic structures near the project on Hwy 272. On Hwy 71B, the project goes through the Waldron Commercial Historic District, but all work will be limited to the existing pavement. No cultural indicators were found on the 1829 General Land Office plat, the 1936 Scott County General Highway and Transportation map, quadrangle maps, or aerial imagery.

The vertical and horizontal extents, known construction practices, available plans, and contours were examined to assess previous ground disturbance. All work will be within the previously disturbed right-of-way (highway construction). Therefore, this project requires no Section 106 review under Appendix B, Activity 2 of the 2024 Amended Programmatic Agreement.



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INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: Daniel Hildebran, Cultural Resources 

SUBJECT: Cultural Resources Clearance
Job A40051
Hwys. 88 & 272 Impvts.
(Polk Co.) (S)
Route 88, Section 1
Route 272, Section 1
Polk County

This project proposes to level up, 2" overlay, and spot patching (Hwy. 272), guardrail replacement (Hwy. 88), and add 2' shoulders (Hwy. 88 and Hwy. 272) on 18.02 miles of Highways 88 and 272 in Polk County. All work will be within the existing right-of-way.

A records check at the Arkansas Archaeological Survey shows seven sites (3PL0351, 3PL0159, 3PL0016, 3PL0152, 3PL0408, 3PL0978, and 3PL1405) near the proposed project, but they will not be impacted by the project. The review of the Arkansas Historic Preservation Program's (AHPP) structure database shows one historic structure (PL0108) near the project. PL0108 is listed on the National Register of Historic Places, but it will not be impacted by this undertaking. No cultural indicators were found on the 1829 General Land Office plat, the 1936 Polk County General Highway and Transportation map, quadrangle maps, or aerial imagery.

The vertical and horizontal extents, known construction practices, available plans, and contours were examined to assess previous ground disturbance. All work will be within previously disturbed areas (highway construction). Therefore, this project requires no Section 106 review under Appendix B, Activity 2 of the 2024 Amended Programmatic Agreement.



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INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: Daniel Hildebran, Cultural Resources 

SUBJECT: Cultural Resources Clearance
Job A40052
I-49 – School Ave. (Fayetteville) (S)
Route 180, Section 0
Washington County

This project proposes to complete 2" mill and 2" overlay on 1.72 miles of Highway 180 in Washington County.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. The project is exempt from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: Daniel Hildebran, Cultural Resources

A handwritten signature in blue ink, appearing to read 'Daniel Hildebran', is placed to the right of the 'FROM:' field.

SUBJECT: Cultural Resources Clearance
Job A50044
Hwy. 5 Impvts. (Stone Co.) (S)
Route 5, Section 16
Stone County

This project proposes to complete 2" overlay (LM 8.75-11.95), 2" mill and 2" overlay (LM 11.95-16.89), and apply Ultrathin Bonded Wear Course (UTBWC) (LM 16.89-19.927) on 9.93 miles of Highway 5 in Stone County.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activities C and D in Appendix A. The project is exempt from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: Daniel Hildebran, Cultural Resources 

SUBJECT: Cultural Resources Clearance
Job A50045
Lonoke Co. Line – Hwy. 31 (S)
Route 13, Section 12
Route 267, Section 0
White County

This project proposes to complete 2" overlay and add 2' shoulders on 4.28 miles of Highways 13 and 267 in White County. All work will be within the existing highway right-of-way.

A records check at the Arkansas Archaeological Survey shows no sites near the proposed project. The review of the Arkansas Historic Preservation Program's (AHPP) structure database shows no historic structures near the project. No cultural indicators were found on the 1829 General Land Office plat, the 1936 White County General Highway and Transportation map, quadrangle maps, or aerial imagery.

The vertical and horizontal extents, known construction practices, available plans, and contours were examined to assess previous ground disturbance. All work will be within previously disturbed areas (highway construction). Therefore, this project requires no Section 106 review under Appendix B, Activity 2 of the 2024 Amended Programmatic Agreement.



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INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: Daniel Hildebran, Cultural Resources 

SUBJECT: Cultural Resources Clearance
Job A50046
Batesville - East (S)
Route 25, Section 5
Independence County

This project proposes to level up, apply Ultrathin Bonded Wear Course (UTBWC), and add 2' shoulders (LM 4.55-9.983) on 9.98 miles of Highway 25 in Independence County. All work will be within the existing highway right-of-way.

A records check at the Arkansas Archaeological Survey shows five sites (3IN1256, 3IN1520, 3IN1002, 3IN1251, and 3IN1288) near the proposed project, but they will not be affected by this undertaking. The review of the Arkansas Historic Preservation Program's (AHPP) structure database shows no historic structures near the project. No cultural indicators were found on the 1829 General Land Office plat, the 1936 Independence County General Highway and Transportation map, quadrangle maps, or aerial imagery.

The vertical and horizontal extents, known construction practices, available plans, and contours were examined to assess previous ground disturbance. All work will be within previously disturbed areas (highway construction). Therefore, this project requires no Section 106 review under Appendix B, Activity 2 of the 2024 Programmatic Agreement.



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INTEROFFICE MEMORANDUM

September 22, 2025

TO: Environmental Job File

FROM: Jason Kennedy, Cultural Resources Section


SUBJECT: Cultural Resources Clearance
Job A60057
Hwy. 70 - Arkansas Co. Line (S)
Route 63, Section 11
Prairie County

This job proposes 2-inch overlay on 14.62 miles of Highway 70 in Prairie County. Work along Highway 70 will extend from Log Mile 3.647 in Hazen to Log Mile 18.281 at the Arkansas County Line.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. The project is exempt from further work or Section 106 review.



ARDOT.gov | Jared D. Wiley, P.E., Director


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INTEROFFICE MEMORANDUM

September 22, 2025

TO: Environmental Job File

FROM: Jason Kennedy, Cultural Resources Section


SUBJECT: Cultural Resources Clearance
Job A60058
I-30 – Grant Co. Line (S)
Route 70, Section 13
Hot Spring County

This job proposes 2-inch mill and 2-inch overlay with Level Up and Ultrathin Bonded Wearing Course along 10.21 miles of Highway 270 in Hot Spring County. Work along Highway 70 will extend from Log Mile 0.000 in Rockport to Log Mile 10.210 at the Grant County Line.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activities C and D in Appendix A. The project is exempt from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

September 22, 2025

TO: Environmental Job File

FROM: Jason Kennedy, Cultural Resources Section


SUBJECT: Cultural Resources Clearance
Job A60059
Hwy. 365 – Cornish St. (NLR) (S)
Route 70, Section 13
Pulaski County

This job proposes 2-inch mill and 2-inch overlay on 1.35 miles of Highway 70 in North Little Rock, Pulaski County. Work along Highway 70 will extend from Log Mile 0.000 to Log Mile 1.350.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. The project is exempt from further work or Section 106 review.



ARDOT.gov | Jared D. Wiley, P.E., Director

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INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: M. Hughes, Cultural Resources M H

SUBJECT: Cultural Resources Clearance
Job A70039
Louisiana State Line – Hwy. 79B (S)
Route 19, Section 1
Columbia County

This job proposes to level up and apply 2" of asphalt overlay to 17.99 miles of Highway 19 in Columbia County. A railroad crossing is involved. All work will take place on existing paved surfaces.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity 11 of Appendix B. The project is exempted from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: Daniel Hildebran, Cultural Resources

A handwritten signature in blue ink, appearing to read 'Daniel Hildebran', is placed to the right of the 'FROM:' field.

SUBJECT: Cultural Resources Clearance
Job A70041
Hermitage – Hwy. 8 (S)
Route 160, Section 9
Bradley County

This project proposes to complete 2" overlay on 17.48 miles of Highway 160 in Bradley County.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. The project is exempt from further work or Section 106 review.



Sarah Huckabee Sanders
Governor
Shea Lewis
Secretary

November 17, 2025

Mr. Josh Seagraves
Division Head
Environmental Division
Arkansas Department of Transportation
10324 Interstate 30
P.O. Box 2261
Little Rock, AR 72203-2261

RE: Calhoun and Dallas Counties: Fordyce
Section 106 Review: FHWA
Proposed Undertaking: Hwy. 275 – Fordyce (S)
Route 274, Secs. 3 & 4
ARDOT Job Number: A70042
AHPP Tracking Number: 114410

Dear Mr. Seagraves:

The staff of the Arkansas Historic Preservation Program (AHPP) reviewed the submission for the aforementioned undertaking in multiple sections of Townships 11 and 12 South and Ranges 12 and 13 West in Calhoun and Dallas Counties. The area of potential effect (APE) extends south from Fordyce for 13.74 miles on Highway 274. The project proposes to conduct surface improvements which will entail leveling up and applying an ultrathin bonded wearing course to a portion of the road and an asphalt overlay to another portion. All work will occur on existing paved surfaces and no new right-of-way (ROW) or temporary construction easements will be required. There are no previously recorded archeological sites in or near the APE. The National Register of Historic Places (NRHP) listed Fordyce Commercial District (DA0251) and three other NRHP listed properties (DA0062, DA0074, and DA0189) are located near the APE. There are also 18 other historic properties adjacent to the APE.

Based on the information provided, the AHPP concurs with the finding of **no historic properties affected pursuant to 36 CFR § 800.4(d)(1)** for the proposed undertaking and that no archeological work is needed as long as all work is maintained within existing paved surfaces and ROW. In the event of a post-review discovery of historic properties within the area of potential effects, please contact the AHPP and other consulting parties in accordance with 36 CFR § 800.13(b)(3).

Thank you for the opportunity to review this CRS/ARS. If you have any questions, please contact Jessica Cogburn at jessica.cogburn@arkansas.gov.

Sincerely,

for
Scott Kaufman
State Historic Preservation Officer and Director, AHPP

Cc: Dr. Melissa Zabecki, State Archeologist, Arkansas Archeological Survey



ARDOT.gov | Jared D. Wiley, P.E., Director
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INTEROFFICE MEMORANDUM

October 28, 2025

TO: Environmental Job File

FROM: Wm. Lane Shields, Cultural Resources Section

SUBJECT: Cultural Resources Clearance
Job A80042
N. of Petit Jean River–Dardanelle (S)
Route 7, Section 13
Yell County

A handwritten signature in black ink that reads 'Wm Lane Shields'.

This project was previously Job 080697. The proposed activities are to apply a 2" mill and overlay along 8.64 miles of Highway 7 in Yell County.

This project is subject to the 2024 Amended Programmatic Agreement under Activity C in Appendix A. The project is exempt from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

November 6, 2025

TO: Environmental Job File

FROM: Wm. Lane Shields, Cultural Resources Section

SUBJECT: Cultural Resources Clearance
Job A80043
Logan Co. Line-W. of Ola
Route 10, Secs. 4 & 5
Yell County

ARDOT proposes to do a 2" mill and a 2" overlay along 2.175 mi. and do a level up and 2" overlay on 6.504 mi. on Hwy. 10. This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. This project is exempt from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: Daniel Hildebran, Cultural Resources 

SUBJECT: Cultural Resources Clearance
Job A80045
Hwys. 109 & 393 Impvts. (Logan Co.) (S)
Route 109, Section 3
Route 393, Section 0
Logan County

This project proposes to level and 2" overlay (Hwy. 109 LM 0.0-5.43, LM 7.56-7.78, Hwy. 393) and 2" mill and overlay (Hwy. 109 LM 5.43-7.56) on 10.97 miles of Highways 109 and 393 in Logan County.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. The project is exempt from further work or Section 106 review.



INTEROFFICE MEMORANDUM

November 6, 2025

TO: Environmental Job File

FROM: Wm. Lane Shields, Cultural Resources Section

SUBJECT: Cultural Resources Clearance
Job A80046
Greenbrier-Hwy. 107 (S)
Route 225, Section 1
Faulkner County

A handwritten signature in black ink that reads 'Wm Lane Shields'.

This project proposes to do a 1.5" overlay, spot leveling, add 2' shoulders, and extend a culvert on 12.562 mi. of Hwy. 225. All work will be within the existing right-of-way (ROW).

Archeological and historic records reviews include the Arkansas Archeological Survey (ARAS) site files in the Automated Management of Archeological Site Data in Arkansas (AMASDA), the Arkansas Historic Preservation Program (AHPP) recorded structures files, and ARDOT's CR Viewer files for previously recorded sites, architectural structures, and bridges. The National Register of Historic Places (NRHP) eligibility status was checked as appropriate. Other background research includes General Land Office plats, the 1936 General Highway and Transportation Map, USGS topographic quadrangles, and aerials pre-dating 1980. All sources were reviewed for cemeteries, potentially historic structures, and landforms conducive to hold archeological sites in or near the project corridors.

There are no archeological sites within the APE. AHPP documents one NRHP-listed property (FA1211- Hardy family cemetery). While the entrance to this cemetery is within the viewshed of the project, the actual cemetery is not. None of the historical maps or aerials added to this recorded information. The CR Viewer has no additional data.

There are four cemeteries plotted as adjacent to the project corridor. The westernmost, on the eastern edge of Greenbrier is plotted on the USGS without a name, and may have never existed. There is clearly no visible trace of it in Street Views and it is not in County Assessor Office data (Parcel Viewer). The remaining three cemeteries, from west to east, Shady Grove, Henderson, and Antioch, are all on the USGS maps.

The highway infrastructure, known construction practices, utilities, and available plans were examined to assess previous ground disturbance. All work will be within the existing ROW, and the current scope of the project occurs within previously disturbed areas (highway construction). Therefore, this project requires no Section 106 review under Appendix B, Activity 2, of the 2024 Amended Programmatic Agreement.



ARDOT.gov | Jared D. Wiley, P.E., Director

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INTEROFFICE MEMORANDUM

November 6, 2025

TO: Environmental Job File

FROM: Wm. Lane Shields, Cultural Resources Section

SUBJECT: Cultural Resources Clearance
Job A90038
Marion Co. Line–Baxter Co. Line
Route 14, Section 4
Searcy County

The proposed activities are to apply a 2" overlay along a 15.597 mi. length of Hwy. 14 in Searcy County. This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. This project is exempt from further work or Section 106 review.



ARDOT.gov | Jared D. Wiley, P.E., Director
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INTEROFFICE MEMORANDUM

November 6, 2025

TO: Environmental Job File

FROM: Wm. Lane Shields, Cultural Resources Section

SUBJECT: Cultural Resources Clearance
Job A90039
Searcy Co. Line–Stone Co. Line
Route 14, Section 5
Baxter County

A handwritten signature in black ink that reads 'Wm Lane Shields'.

The proposed activities are to apply a 2" overlay along a 7.425 mi. length of Route 14 in Baxter County. This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. This project is exempt from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

October 28, 2025

TO: Environmental Job File

FROM: Jason Wilhelmi, Cultural Resources JW

SUBJECT: Cultural Resources Clearance
Job A90040
Eureka Springs – Berryville (S)
Route 62, Section 4
Carroll County

This job proposes to conduct 2 2-inch overlay on 12.17 miles of Hwy. 62 in Carroll County.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C of Appendix A. The project is exempted from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

October 28, 2025

TO: Environmental Job File

FROM: Wm. Lane Shields, Cultural Resources Section

SUBJECT: Cultural Resources Clearance
Job A90043
Huntsville–W. of Alpena (Sel. Secs.) (S)
Route 412, Secs. 4 & 5
Madison & Carroll Counties

The proposed activities are to apply a 2" overlay along a 10.34 mi. portion of Route 412 in Madison County, extending another 1.33 mi. into Carroll County, and an 8.91 mi. portion of Hwy. 412 in Carroll County (total of 20.58 mi.). A Restraining Condition Special Provision will be completed to ensure there is no disturbance within the Snead cemetery along the project area.

This project is subject to the 2024 Amended Programmatic Agreement under Activity C in Appendix A. The project is exempt from further work or Section 106 review.



INTEROFFICE MEMORANDUM

October 28, 2025

TO: Environmental Job File

FROM: Shelby Linck, Cultural Resources *SL*

SUBJECT: Cultural Resources Clearance
Job A00074
Osceola-West (S)
Route 140, Section 2
Mississippi County

The Arkansas Department of Transportation (ARDOT) proposes to complete a level-up and a 2" overlay and deep shoulder repair on 4.75 miles of Highway 140 in Mississippi County. The proposed work will be completed on Highway 140 between log miles 9.876 and 14.627 in Osceola and west of Osceola. All work will occur within the existing right-of-way (ROW).

An examination of the Arkansas Archeological Survey's (ARAS) records was conducted for previously recorded archeological sites located in or adjacent to the proposed project area. According to ARAS records, no previously recorded archeological sites were found. Based on the records check of the Arkansas Historic Preservation Program (AHPP) database and the ARDOT Cultural Resources Viewer for NRHP properties, there are no previously recorded properties within or adjacent to the project area.

In addition to checking ARAS and AHPP records, nineteenth through twentieth-century maps were examined, including the 1840 General Land Office (GLO) plat map of Township 12 North, Range 9 East; the 1825 GLO plat map of Township 12 North, Range 10 East; the 1837 GLO plat map of Township 13 North, Range 10 East; and the 1841 GLO plat map of Township 13 North, Range 9 East. Natural landscape features such as lakes and "sunk lands" are shown; however, no cultural improvements are shown. The 1936 Mississippi General Highway and Transportation Map shows the road labeled as Highway 40 and reflects the same alignment as the present-day. Multiple structures, including a school, are adjacent to the roadway on both sides. Two ditches that intersect the roadway within the project area are also shown. The 1939 (1954 edition) 15' Evadale, ARK topographic quadrangle map shows the same information as the 1936 map; however, the school is labeled as Sandy Bayou School. Additionally, the St. Louis and San Francisco railway line is shown intersecting the project area. The 1956 15' Evadale, ARK topographic quadrangle map shows an increased amount of structure development along the roadway, and the Sandy Bayou School is no longer shown. Arkansas Power & Light Co. and Osceola M. P. & L. Co. transmission lines are now shown along the roadway. The 1983 (1984 edition) Keiser, ARK topographic quadrangle map shows much less development along the roadway. Only a few structures remain interspersed along what is now renamed Highway 140. Highway 55 is now shown at the eastern end of the project area. No cemeteries are shown within or adjacent to the project area. The closest Trail of Tears removal route is approximately 5.3 miles to the east along the Mississippi River.

The existing topography, previous infrastructure, and construction practices were examined to assess previous ground disturbance. The scope of the project is limited to repetitive ARDOT actions, and all work will be within existing disturbances (road construction). Therefore, this project requires no Section 106 review under Appendix B, Activity 2, of the 2024 Amended Programmatic Agreement.



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INTEROFFICE MEMORANDUM

March 5, 2025

TO: Environmental Job File

FROM: Shelby Linck, Cultural Resources *SL*

SUBJECT: Cultural Resources Clearance
Job 101151
Cross Co. Line – Craighead Co.
Line (Sel. Secs.) (S)
Route 1, Sections 15 and 16
Poinsett County

The Arkansas Department of Transportation proposes to complete fog seal (Section 15) and 2" mill and 2" overlay (Section 16) on 12.32 miles of Highway 1 in Poinsett County. The proposed work will begin at the Cross and Poinsett Counties line and end at Harrisburg and then begin from Gaulett and end at the Poinsett and Craighead Counties line. This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. This project is exempt from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

October 28, 2025

TO: Environmental Job File

FROM: Shelby Linck, Cultural Resources *SL*

SUBJECT: Cultural Resources Clearance
Job A00092
I-55 – Hwy. 312 (Blytheville) (S)
Route 18, Section 7
Mississippi County

The Arkansas Department of Transportation proposes to complete 2" mill and overlay on 3.61 miles of Highway 18 in Mississippi County. The proposed work will occur east of I-55 in Blytheville, ending near the intersection of Highway 312 and Highway 18. This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. This project is exempt from further work or Section 106 review.



INTEROFFICE MEMORANDUM

August 20, 2025

TO: Environmental Job File

FROM: Shelby Linck, Cultural Resources *SL*

SUBJECT: Cultural Resources Clearance
Job A00093
Corning – E. of McDougal (S)
Route 62, Section 20
Clay County

The Arkansas Department of Transportation (ARDOT) proposes to complete level-up and 2" overlay from log mile 0.0–9.16 and level & UTBWC from log mile 9.16–14.343 for a total project distance of 14.34 miles. Work will be completed on Highway 62 between the intersection of Highways 62 and 67 in Corning to the east of McDougal near the Little Cache River Ditch in Clay County. All work will occur within the existing right-of-way (ROW).

An examination of the Arkansas Archeological Survey (ARAS) for previously recorded archeological sites, the Arkansas Historic Preservation Program (AHPP), and the ARDOT Cultural Resources Survey (CR) Viewer for National Register of Historic Places (NRHP) listed and eligible structures. Also examined were nineteenth to twentieth-century maps of the project area. This examination included the 1845 General Land Office (GLO) plat of Township 21 North, Range 7 East; the 1846 GLO plat of Township 21 North, Range 6 East; the 1842 GLO plats of Township 21 and 20 North, Range 5 East; and the 1848 GLO plat of Township 20 North, Range 4 East. Additionally, the 1935 Knobel, ARK, and Rector, ARK 15' USGS topographic quadrangle maps, the 1936 Clay County General Highway and Transportation map, the 1965 Corning, ARK 7.5' USGS topographic quadrangle map, and the 1984 McDougal, ARK, and Pollard, ARK 7.5' USGS topographic quadrangle maps.

According to ARAS, three previously recorded archeological sites: 3CY0274, 3CY0492 (Cantwell Cemetery), and 3CY0280 are adjacent to or near the project area. The boundary of 3CY0492 (Cantwell Cemetery) is clearly defined and not within the existing ROW. Any portion of 3CY0274 that was adjacent to the highway has been destroyed by modern construction. 3CY0280 is recorded as approximately 100 yards from Highway 62 and is outside of the existing ROW.

The AHPP and CR Viewer records show two previously recorded properties (CY0082 and ARDOT Bridge 03023) eligible for inclusion in the NRHP that are either adjacent to or within the project area. CY0082, the McDougal Gin, was recorded as a complex of three buildings. Two of the three buildings (including the primary building) were demolished between 2015 and 2020.

The one secondary building remains outside of the existing ROW, and this type of work activity will not cause visual impacts. ARDOT bridge 03023 is eligible for inclusion in the NRHP under Criterion C for its association with master builder S.M. Dixon. Pavement preservation activities such as overlay and UTBWC will not compromise its historic integrity or character-defining features. No route of the Trail of Tears is within or adjacent to the project. The closest route is approximately 14 miles to the northwest. The proposed project will not acquire ROW and will be completed within the disturbed roadway.

None of the above-mentioned GLO plats show any cultural improvements; however, landscape features such as “cypress pond”, “Big Cache River”, “swamp”, and unnamed waterways are shown. The 1935 Knobel, ARK 15’ USGS topographic quadrangle map shows the project area labeled as Highway 62 with a similar alignment to the present-day roadway. It also shows notable features such as the town of Corning, the Missouri Pacific railway line, levees along the waterways, “Bennetts Ferry Bridge” at the crossing of present-day ARDOT Bridge 03023, and “White Sch”. The 1935 Rector, ARK 15’ USGS topographic quadrangle also shows the project area labeled as Highway 62 with a similar alignment to the present-day roadway. Additionally, it shows agricultural ditches with labeled names, the St. Louis San Francisco railway line, and the community of McDougal. The 1936 Clay County General Highway and Transportation map shows similar information to the 1935 USGS topographic quadrangles, including a cemetery that is likely Cantwell Cemetery. The 1965 Corning, ARK 7.5’ USGS topographic quadrangle map and 1984 McDougal, ARK, and Pollard, ARK USGS topographic quadrangle maps show similar information to the 1935 USGS topographic quadrangle maps, with new information such as White Valley Church and Cantwell Cemetery labeled. Structures are shown adjacent to Highway 62 on all USGS topographic quadrangles and the 1936 General Highway and Transportation map.

The existing topography, previous infrastructure, and construction practices were examined to assess previous ground disturbance. All work will be within the existing Highway 62 ROW and will not cause visual impacts to any standing historic property, and the current scope of the project occurs within previously disturbed areas (highway construction). Additionally, ARDOT Bridge 03023 will not be adversely affected by this type of activity. Therefore, this project requires no Section 106 review under Appendix B, Activity 2, of the 2024 Amended Programmatic Agreement.



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INTEROFFICE MEMORANDUM

March 5, 2025

TO: Environmental Job File

FROM: Shelby Linck, Cultural Resources *SL*

SUBJECT: Cultural Resources Clearance
Job 101166
Poinsett Co. Line - Hwy. 158 (S)
Route 135, Section 2
Craighead County

The Arkansas Department of Transportation proposes to complete level up and UTBWC on 4 miles of Highway 135 in Craighead County. The proposed work will be between the Craighead and Poinsett Counties line and the intersection of Highway 135 and Highway 158. This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. This project is exempt from further work or Section 106 review.



INTEROFFICE MEMORANDUM

October 28, 2025

TO: Environmental Job File

FROM: Shelby Linck, Cultural Resources *SL*

SUBJECT: Cultural Resources Clearance
Job A00096
Co. Rd. 764 – Hwy. 412 (S)
Route 141, Secs. 1 and 2
Craighead and Greene Counties

This project proposes to complete a level-up and a 2" overlay and 2' shoulders on 12.42 miles of Highway 141 in Craighead and Greene Counties. The proposed work will take place on Highway 141 just south of County Road 764 to the intersection of Highway 141 and Highway 412. All work will occur within the existing right-of-way (ROW).

An examination of the Arkansas Archeological Survey's (ARAS) records was conducted for previously recorded archeological sites located in or adjacent to the proposed project area. According to ARAS records, no archeological sites are within or adjacent to the project area. Based on the records check of the Arkansas Historic Preservation Program (AHPP) database and the ARDOT Cultural Resources Viewer for NRHP properties, there are multiple previously recorded properties with an unknown NRHP determination. One historic property, GE0012 (Dr. Cothern House), is eligible for inclusion in the NRHP and is within the visual area of potential effects (APE). This type of activity will not diminish its historic integrity; therefore, it will not have an adverse effect. One cemetery parcel, Herndon Cemetery, is adjacent to the road. The cemetery is set back from the roadway and within a clearly defined boundary. There will be no impact on this cemetery. A second cemetery parcel, Mount Zion Cemetery, intersects the road. A Restraining Condition Special Provision will be added to the Construction File to ensure that there is no disturbance within the cemetery.

In addition to checking ARAS and AHPP records, nineteenth through twentieth-century maps were examined including, the 1823 General Land Office plat maps of Townships 15 North, Ranges 3 and 4 East; 16 North, Ranges 3 and 4 East; and 17 North, Range 4 East. A trail is shown crossing the project area in Township 16 North, Range 4 East, Sections 4 and 5. No other cultural improvements are noted. The 1936 Craighead and Greene Counties General Highway and Transportation Maps show the current alignment of the road as Highway 141 and Highway 14, with the project area ending at Highway 25 instead of Highway 412. Communities like Herndon, Lorado, and Walcott are shown within or adjacent to the project area. Crowley's Ridge State Park is also shown within Walcott. Structures are shown interspersed along the roadway. The 1939 (1942 edition) 15' Jonesboro, ARK and the 1940 (1942

edition) 15' Gainesville, ARK topographic quadrangle maps show a very similar roadway to the current alignment of Highway 141, with some slight variations; Highway 14 is now labeled as Highway 141. The Mt. Zion Cemetery and an unnamed cemetery are shown near the project area. The unnamed cemetery is south of the project area, and Mt. Zion Cemetery is shown only on the east side of Highway 141, set back from the roadway. Structures are still shown adjacent to the roadway throughout the project area. The 1958 Jonesboro, ARK topographic quadrangle map shows similar information with multiple structures interspersed on either side of Highway 141. The 1960 15' Gainesville, ARK topographic quadrangle map also shows similar information with multiple structures interspersed on either side of Highway 141. Mt. Zion Cemetery is now shown to be much larger and located on either side of Highway 141.

The existing topography, previous infrastructure, and construction practices were examined to assess previous ground disturbance. The scope of the project is limited to repetitive ARDOT actions, and all work will be within existing disturbances (road construction). Additionally, a Restraining Condition Special Provision will be completed to ensure there is no disturbance within the Mount Zion cemetery. Therefore, this project requires no Section 106 review under Appendix B, Activity 2, of the 2024 Amended Programmatic Agreement.



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INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: Daniel Hildebran, Cultural Resources

A handwritten signature in blue ink that reads 'Daniel Hildebran'.

SUBJECT: Cultural Resources Clearance
Job A00097
Hwy. 67 Impvts. (Clay Co.) (S)
Route 67, Section 20
Clay County

This project proposes to complete full-depth concrete replacement on 0.5 miles of Highway 67 in Clay County.

This project is subject to the 2024 Programmatic Agreement and falls under Activity C in Appendix A. The project is exempt from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

October 16, 2025

TO: Environmental Job File

FROM: Daniel Hildebran, Cultural Resources 

SUBJECT: Cultural Resources Clearance
Job AX0008
Hwy. 305 – Hwy. 17
(I-57 Ramps) (S)
I-57, Secs. 2, 3, and 4
Jackson, Lonoke & White Counties

This project proposes to complete 2" mill, 2" overlay, and perform diamond grinding on 21.17 miles of I-57 in Jackson, Lonoke, and White County.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C in Appendix A. The project is exempt from further work or Section 106 review.



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INTEROFFICE MEMORANDUM

October 28, 2025

TO: Environmental Job File

FROM: Jason Wilhelmi, Cultural Resources

JW

SUBJECT: Cultural Resources Clearance
Job AX0009
Hwy. 9 – Goodson Rd. (S)
Route 10, Secs. 6 and 7
Pulaski County

This job proposes to conduct pavement improvements including 2 inch mill and overlay and 1 inch mill and overlay on 15.6 miles of Hwy. 10 near Little Rock in Pulaski County.

This project is subject to the 2024 Amended Programmatic Agreement and falls under Activity C of Appendix A. The project is exempted from further work or Section 106 review.



United States Department of the Interior



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

In Reply Refer To:
Project code: 2026-0004121
Project Name: January 2026 Pavement Preservation

10/14/2025 11:32:50 UTC

Subject: No Effect Technical Assistance letter for the 'January 2026 Pavement Preservation' project under the December 13, 2024, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat, Northern Long-eared Bat, and Tricolored Bat.

To whom it may concern:

This letter records the determination of effects to federally listed (or proposed) bat species anticipated to result from January 2026 Pavement Preservation (the Project). This determination is based upon information you entered into the assisted determination key (Dkey) associated with the above referenced Programmatic Biological Opinion/Conference Opinion (PBO/PCO) in the U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) system on the date listed above.

Ensuring Accurate Determinations When Using IPaC:

The Service developed the IPaC system and this Dkey in accordance with the ESA and based on the PBO/PCO. 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 the Dkey invalidates this letter.

Determinations:

Based on the information you provided (Project Description shown below), you have determined that the Project will have the following effect determinations:

Species	Listing Status	Determination
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	No effect
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)	Endangered	No effect

Tricolored Bat (*Perimyotis subflavus*)Proposed
Endangered

No effect

If the Project is not modified, **no consultation is required for these species**. If the Project is modified, or new information reveals that it may affect the Indiana bat, northern long-eared bat, or tricolored bat in a manner or to an extent not considered in the PBO/PCO, further review to conclude the requirements of ESA section 7(a)(2) may be required.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:

If your initial bridge, culvert, or structure assessment failed to detect Indiana bat, northern long-eared bat, or tricolored bat use or occupancy, yet bats are later detected prior to, or during construction, promptly notify the local Service Field Office within 2 working days of the discovery. In addition, please document whether incidental take occurred, and if so, the type (i.e. kill or harm) and amount (i.e. number of individuals) and submit documentation to the local Service Field Office within 5 working days from the completion of the bridge, culvert, or structure construction (use Appendix E - Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form in the [User's Guide](#)). In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service. In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service.

If the Project may affect any other federally listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Field Office is required for those species/designated critical habitat. If the Project has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency to contact this Service Field Office

The following species may occur in your project area and **are not** covered by this determination:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Benton County Cave Crayfish *Cambarus aculabrum* Endangered
- Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* Threatened
- Fat Pocketbook *Potamilus capax* Endangered
- Gray Bat *Myotis grisescens* Endangered
- Ivory-billed Woodpecker *Campephilus principalis* Endangered
- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Neosho Mucket *Lampsilis rafinesqueana* Endangered
- Ouachita Fanshell *Cyprogenia sp. cf. aberti* Threatened
- Ouachita Rock Pocketbook *Arcidens wheeleri* Endangered
- Ozark Big-eared Bat *Corynorhinus (=Plecotus) townsendii ingens* Endangered

- Pink Mucket (pearlymussel) *Lampsilis abrupta* Endangered
- Piping Plover *Charadrius melodus* Threatened
- Pondberry *Lindera melissifolia* Endangered
- Rabbitsfoot *Quadrula cylindrica cylindrica* Threatened
- Red-cockaded Woodpecker *Dryobates borealis* Threatened
- Rufa Red Knot *Calidris canutus rufa* Threatened
- Snuffbox Mussel *Epioblasma triquetra* Endangered
- Winged Mapleleaf *Quadrula fragosa* Endangered

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

NAME

January 2026 Pavement Preservation

DESCRIPTION

A10051, A20038, A30039, A30040, A40047, AX0008, A60057, A70035, A80042, A90043, A00091, A00092

Pavement preservation for January 2026 bid letting

Overlays, milling, spot patching, leveling; jobs without ground disturbance, tree clearing, or culvert extensions

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.9249858,-89.83435353725343,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the species covered by this determination key. 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. Which Federal Agency is the lead federal agency the action?

A) Federal Highway Administration (FHWA)

2. Does the Action Area intersect the species list area of the Northern long-eared bat?

Automatically answered

Yes

3. Does the Action Area intersect the species list area of the Indiana bat?

Automatically answered

Yes

4. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

5. Is the project within 0.5 miles radius of an entrance/opening to any known Indiana bat hibernaculum?

No

6. [Semantic] Is any portion of the action area within a 0.5 mile radius of an entrance/opening to any known NLEB or TCB hibernacula?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact the Field Office listed in the letterhead of this letter.

Automatically answered

No

7. Does your project's activities include raising the road profile above the tree canopy in documented habitat for the Indiana bat, NLEB, or TCB?

Note: For the definition of documented habitat, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>

No

8. Is your project located within a karst area?

Yes

9. Will the project include any activities that alter the entrance or environment of a known Indiana bat, NLEB, or TCB hibernaculum?

No

10. Will the project include bridge, culvert, or structure removal, replacement, and/or alteration activities?

Note: For definitions of bridge, culvert, and structure, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>.

No

11. Do your project's activities involve tree removal/trimming, temporary lighting, new/additional permanent lighting, ground disturbance, percussives that involves noise/vibration above existing background levels, vibrations, or slash pile burning?

No

12. Does the Action Area intersect the species list area of the Indiana bat?

Automatically answered

Yes

13. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

14. Does the Action Area intersect the species list area of the northern long-eared bat (NLEB)?

Automatically answered

Yes

PROJECT QUESTIONNAIRE

1. Have you made a No Effect determinations for all other species included on the FWS IPaC generated species list?

Yes

2. Have you made a May Affect determination for any other species on the FWS IPaC generated list?

No

DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING IBAT, NLEB, OR TCB

This key was last updated in IPaC on September 11, 2025. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) and may affect the federally listed endangered Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), and/or federally proposed endangered tricolored bat (*Perimyotis subflavus*).

This decision key should only be used to verify project applicability with the Service's Programmatic Biological Opinion/Conference Opinion for Transportation Projects in the Range of the Indiana bat, northern long-eared bat, and tricolored bat, dated December 13, 2024. The programmatic consultation limited transportation activities that may affect the covered bat species and addresses situations that are both likely and not likely to adversely affect the covered bat species. This decision key will assist in identifying the effect of a specific project/activity and the applicability of the programmatic consultation. The programmatic consultation is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic consultation, or that may affect ESA-listed species other than the Indiana bat, northern long-eared bat, or tricolored bat, or their designated critical habitat, may require additional ESA Section 7 consultation.

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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)

Endangered Species Act Review

DETERMINATION KEY

AFO Arkansas Multi-Species Determination Key

Release date: September 5, 2025

You completed the latest version of this key, published September 5, 2025, and reached a determination of not applicable for species or critical habitats covered by the key.

This decision key is intended for projects or actions funded, authorized or carried out by federal agencies to help you make effect determinations for listed species and designated critical habitat that may occur in your project area. This decision key is not applicable to after-the-fact project coordination.

The U.S. Fish and Wildlife Service Arkansas Ecological Services Field Office (ARFO) has completed consultations with the Corps of Engineers Little Rock, Memphis and Vicksburg districts and the Farm Service Agency regarding proposed, recurring actions and effects to listed species. The resultant Standard Local Operative Procedures for Endangered Species (SLOPES) and Programmatic Informal Consultation evaluations form the basis of this key. See the links below for detailed information on these consultations.

[SLOPES with Little Rock District 2018](#)

[Farm Service Agency Statewide Programmatic Consultation 2019](#)

[USFS Ouachita National Forest Programmatic Biological Opinion 2010](#)

[USFS Ozark St. Francis National Forest Programmatic Biological Opinion 2010](#)

[Cooperative Agreement Between USFWS and Arkansas Game and Fish Commission](#)

[Arkansas Game and Fish Commission Indiana Bat Programmatic Biological Opinion 2019](#)

[Arkansas Species Determination Key Standing Analysis](#)

For projects that meet incorporated criteria, your responses to questions in this key will allow you to make effect determinations for species included in these consultations. More information about section 7(a)(2) and effect determinations is available [here](#) and on the Service's [website](#). Reaching an effect determination in the key indicates a project proponent can rely on the above consultations and the Service's concurrence with the resulting determinations. For those species with a resulting determination of "no effect" or "may affect,

not likely to adversely affect”, the project proponent has satisfied consultation requirements under section 7(a)(2) of the Endangered Species Act for the project. For projects that reach a “may affect” or “may affect, likely to adversely affect” determination for a species, further consultation with ARFO will be required to meet consultation requirement.

Species covered by this key

This key covers the following species, and critical habitat for these species, expected to occur in this project area:

BIRDS

Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis*

Piping Plover *Charadrius melodus*

Red-cockaded Woodpecker *Dryobates borealis*

Rufa Red Knot *Calidris canutus rufa*

CLAMS

Fat Pocketbook *Potamilus capax*

Neosho Mucket *Lampsilis rafinesqueana*

Ouachita Fanshell *Cyprogenia sp. cf. aberti*

Ouachita Rock Pocketbook *Arcidens wheeleri*

Pink Mucket (pearlymussel) *Lampsilis abrupta*

Rabbitsfoot *Quadrula cylindrica cylindrica*

Snuffbox Mussel *Epioblasma triquetra*

Winged Mapleleaf *Quadrula fragosa*

CRUSTACEANS

Benton County Cave Crayfish *Cambarus aculabrum*

FLOWERING PLANTS

Pondberry *Lindera melissifolia*

MAMMALS

Gray Bat *Myotis grisescens*

Indiana Bat *Myotis sodalis*

Ozark Big-eared Bat *Corynorhinus (=Plecotus) townsendii ingens*

The following species, also covered by this key, are not expected to occur in this project area:

American Burying Beetle *Nicrophorus americanus*

Arkansas Fatmucket *Lampsilis powellii*

Curtis Pearlymussel *Epioblasma curtisii*

Geocarpon minimum

Harperella *Ptilimnium nodosum*

Hell Creek Cave Crayfish *Cambarus zophonastes*

Least Tern *Sternula antillarum*
Leopard Darter *Percina pantherina*
Missouri Bladderpod *Physaria filiformis*
Ozark Cavefish *Amblyopsis rosae*
Ozark Hellbender *Cryptobranchus alleganiensis bishopi*
Pallid Sturgeon *Scaphirhynchus albus*
Salamander Mussel *Simpsonia ambigua*
Scaleshell Mussel *Leptodea leptodon*
Speckled Pocketbook *Lampsilis streckeri*
Spectaclecase (mussel) *Cumberlandia monodonta*
Western Fanshell *Cyprogenia aberti*
Whooping Crane *Grus americana*
Yellowcheek Darter *Etheostoma moorei*

Critical habitats covered by this key

This key covers the critical habitats for the following species expected to occur in this project area:

Neosho Mucket *Lampsilis rafinesqueana*

For more information about this determination key, including a list of all potential questions, refer to the [detailed overview](#).

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").

Yes

When the action agency determines its proposed action will not affect a listed species, there is no need to coordinate further with the Service. If

listed species will not be directly or indirectly exposed to the proposed action or any resulting environmental changes, an action agency may conclude "no effect" and document the finding, thus completing the section 7 process. For example, if the species or its suitable habitat is not present in the action area and the project does not otherwise present any effects to the species, action agencies typically conclude and document "No Effect - species not present" as their finding."

As documentation of this "no effect" determination print this screen, add it to your project files, and select "exit review" on the progress ribbon to return to the project home page.

If you no longer wish to use this key for your project, you can delete your evaluation.



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:

10/14/2025 11:26:15 UTC

Project Code: 2026-0004121

Project Name: January 2026 Pavement Preservation

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: 2026-0004121
Project Name: January 2026 Pavement Preservation
Project Type: Road/Hwy - Maintenance/Modification
Project Description: A10051, A20038, A30039, A30040, A40047, AX0008, A60057, A70035, A80042, A90043, A00091, A00092
Pavement preservation for January 2026 bid letting
Overlays, milling, spot patching, leveling; jobs without ground disturbance, tree clearing, or culvert extensions

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.9249858,-89.83435353725343,14z>



Counties: Arkansas

ENDANGERED SPECIES ACT SPECIES

There is a total of 22 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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

MAMMALS

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6329	Endangered
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Ozark Big-eared Bat <i>Corynorhinus (=Plecotus) townsendii ingens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7245	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10477	Threatened
Ivory-billed Woodpecker <i>Campephilus principalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8230	Endangered
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red-cockaded Woodpecker <i>Dryobates borealis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7614	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

REPTILES

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

CLAMS

NAME	STATUS
Fat Pocketbook <i>Potamilus capax</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2780	Endangered
Neosho Mucket <i>Lampsilis rafinesqueana</i> There is final critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3788	Endangered
Ouachita Fanshell <i>Cyprogenia sp. cf. aberti</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/10889	Threatened
Ouachita Rock Pocketbook <i>Arcidens wheeleri</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4509	Endangered
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7829	Endangered
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165	Threatened
Snuffbox Mussel <i>Epioblasma triquetra</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4135	Endangered
Winged Mapleleaf <i>Quadrula fragosa</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4127	Endangered

INSECTS

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

CRUSTACEANS

NAME	STATUS
Benton County Cave Crayfish <i>Cambarus aculabrum</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5011	Endangered

FLOWERING PLANTS

NAME	STATUS
Pondberry <i>Lindera melissifolia</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1279	Endangered

CRITICAL HABITATS

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Neosho Mucket <i>Lampsilis rafinesqueana</i> https://ecos.fws.gov/ecp/species/3788#crithab	Final

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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:

10/22/2025 13:28:16 UTC

Project code: 2026-0007178

Project Name: February 2026 Pavement Preservation

Subject: No Effect Technical Assistance letter for the 'February 2026 Pavement Preservation' project under the December 13, 2024, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat, Northern Long-eared Bat, and Tricolored Bat.

To whom it may concern:

This letter records the determination of effects to federally listed (or proposed) bat species anticipated to result from February 2026 Pavement Preservation (the Project). This determination is based upon information you entered into the assisted determination key (Dkey) associated with the above referenced Programmatic Biological Opinion/Conference Opinion (PBO/PCO) in the U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) system on the date listed above.

Ensuring Accurate Determinations When Using IPaC:

The Service developed the IPaC system and this Dkey in accordance with the ESA and based on the PBO/PCO. 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 the Dkey invalidates this letter.

Determinations:

Based on the information you provided (Project Description shown below), you have determined that the Project will have the following effect determinations:

Species	Listing Status	Determination
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	No effect
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)	Endangered	No effect

Tricolored Bat (*Perimyotis subflavus*)Proposed
Endangered

No effect

If the Project is not modified, **no consultation is required for these species**. If the Project is modified, or new information reveals that it may affect the Indiana bat, northern long-eared bat, or tricolored bat in a manner or to an extent not considered in the PBO/PCO, further review to conclude the requirements of ESA section 7(a)(2) may be required.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:

If your initial bridge, culvert, or structure assessment failed to detect Indiana bat, northern long-eared bat, or tricolored bat use or occupancy, yet bats are later detected prior to, or during construction, promptly notify the local Service Field Office within 2 working days of the discovery. In addition, please document whether incidental take occurred, and if so, the type (i.e. kill or harm) and amount (i.e. number of individuals) and submit documentation to the local Service Field Office within 5 working days from the completion of the bridge, culvert, or structure construction (use Appendix E - Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form in the [User's Guide](#)). In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service. In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service.

If the Project may affect any other federally listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Field Office is required for those species/designated critical habitat. If the Project has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency to contact this Service Field Office

The following species may occur in your project area and **are not** covered by this determination:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- American Burying Beetle *Nicrophorus americanus* Threatened
- Arkansas Fatmucket *Lampsilis powellii* Threatened
- Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* Threatened
- Fat Pocketbook *Potamilus capax* Endangered
- Gray Bat *Myotis grisescens* Endangered
- Ivory-billed Woodpecker *Campephilus principalis* Endangered
- Leopard Darter *Percina pantherina* Threatened
- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Ouachita Fanshell *Cyprogenia sp. cf. aberti* Threatened
- Ouachita Rock Pocketbook *Arcidens wheeleri* Endangered

- Ozark Hellbender *Cryptobranchus alleganiensis bishopi* Endangered
- Pink Mucket (pearlymussel) *Lampsilis abrupta* Endangered
- Piping Plover *Charadrius melodus* Threatened
- Pondberry *Lindera melissifolia* Endangered
- Rabbitsfoot *Quadrula cylindrica cylindrica* Threatened
- Red-cockaded Woodpecker *Dryobates borealis* Threatened
- Rufa Red Knot *Calidris canutus rufa* Threatened
- Snuffbox Mussel *Epioblasma triquetra* Endangered
- Western Fanshell *Cyprogenia aberti* Threatened
- Winged Mapleleaf *Quadrula fragosa* Endangered

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

NAME

February 2026 Pavement Preservation

DESCRIPTION

Pavement preservation for February 2026 bid letting.

Projects include UTBWC, rumble strips, mills & overlays, patching, guardrail replacement, and shoulders

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.0928303,-93.4496307900207,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the species covered by this determination key. 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. Which Federal Agency is the lead federal agency the action?

A) Federal Highway Administration (FHWA)

2. Does the Action Area intersect the species list area of the Northern long-eared bat?

Automatically answered

Yes

3. Does the Action Area intersect the species list area of the Indiana bat?

Automatically answered

Yes

4. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

5. Is the project within 0.5 miles radius of an entrance/opening to any known Indiana bat hibernaculum?

No

6. [Semantic] Is any portion of the action area within a 0.5 mile radius of an entrance/opening to any known NLEB or TCB hibernacula?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact the Field Office listed in the letterhead of this letter.

Automatically answered

Yes

7. Does the action area overlap with any state where bats may use talus or anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs for hibernation?

Automatically answered

Yes

8. Does the action area contain or occur within 0.5 miles of (1) talus or (2) anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs?

No

9. Does your project's activities include raising the road profile above the tree canopy in documented habitat for the Indiana bat, NLEB, or TCB?

Note: For the definition of documented habitat, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>

No

10. Is your project located within a karst area?

Yes

11. Will the project include any activities that alter the entrance or environment of a known Indiana bat, NLEB, or TCB hibernaculum?

No

12. Will the project include bridge, culvert, or structure removal, replacement, and/or alteration activities?

Note: For definitions of bridge, culvert, and structure, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>.

No

13. Do your project's activities involve tree removal/trimming, temporary lighting, new/additional permanent lighting, ground disturbance, percussives that involves noise/vibration above existing background levels, vibrations, or slash pile burning?

No

14. Does the Action Area intersect the species list area of the Indiana bat?

Automatically answered

Yes

15. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

16. Does the Action Area intersect the species list area of the northern long-eared bat (NLEB)?

Automatically answered

Yes

PROJECT QUESTIONNAIRE

1. Have you made a No Effect determinations for all other species included on the FWS IPaC generated species list?

Yes

2. Have you made a May Affect determination for any other species on the FWS IPaC generated list?

No

DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING IBAT, NLEB, OR TCB

This key was last updated in IPaC on September 11, 2025. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) and may affect the federally listed endangered Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), and/or federally proposed endangered tricolored bat (*Perimyotis subflavus*).

This decision key should only be used to verify project applicability with the Service's Programmatic Biological Opinion/Conference Opinion for Transportation Projects in the Range of the Indiana bat, northern long-eared bat, and tricolored bat, dated December 13, 2024. The programmatic consultation limited transportation activities that may affect the covered bat species and addresses situations that are both likely and not likely to adversely affect the covered bat species. This decision key will assist in identifying the effect of a specific project/activity and the applicability of the programmatic consultation. The programmatic consultation is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic consultation, or that may affect ESA-listed species other than the Indiana bat, northern long-eared bat, or tricolored bat, or their designated critical habitat, may require additional ESA Section 7 consultation.

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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)

Endangered Species Act Review

DETERMINATION KEY

AFO Arkansas Multi-Species Determination Key

Release date: September 5, 2025

You completed the latest version of this key, published September 5, 2025, and reached a determination of not applicable for species or critical habitats covered by the key.

This decision key is intended for projects or actions funded, authorized or carried out by federal agencies to help you make effect determinations for listed species and designated critical habitat that may occur in your project area. This decision key is not applicable to after-the-fact project coordination.

The U.S. Fish and Wildlife Service Arkansas Ecological Services Field Office (ARFO) has completed consultations with the Corps of Engineers Little Rock, Memphis and Vicksburg districts and the Farm Service Agency regarding proposed, recurring actions and effects to listed species. The resultant Standard Local Operative Procedures for Endangered Species (SLOPES) and Programmatic Informal Consultation evaluations form the basis of this key. See the links below for detailed information on these consultations.

[SLOPES with Little Rock District 2018](#)

[Farm Service Agency Statewide Programmatic Consultation 2019](#)

[USFS Ouachita National Forest Programmatic Biological Opinion 2010](#)

[USFS Ozark St. Francis National Forest Programmatic Biological Opinion 2010](#)

[Cooperative Agreement Between USFWS and Arkansas Game and Fish Commission](#)

[Arkansas Game and Fish Commission Indiana Bat Programmatic Biological Opinion 2019](#)

[Arkansas Species Determination Key Standing Analysis](#)

For projects that meet incorporated criteria, your responses to questions in this key will allow you to make effect determinations for species included in these consultations. More information about section 7(a)(2) and effect determinations is available [here](#) and on the Service's [website](#). Reaching an effect determination in the key indicates a project proponent can rely on the above consultations and the Service's concurrence with the resulting determinations. For those species with a resulting determination of "no effect" or "may affect,

not likely to adversely affect”, the project proponent has satisfied consultation requirements under section 7(a)(2) of the Endangered Species Act for the project. For projects that reach a “may affect” or “may affect, likely to adversely affect” determination for a species, further consultation with ARFO will be required to meet consultation requirement.

Species covered by this key

This key covers the following species, and critical habitat for these species, expected to occur in this project area:

AMPHIBIANS

Ozark Hellbender *Cryptobranchus alleganiensis bishopi*

BIRDS

Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis*

Piping Plover *Charadrius melodus*

Red-cockaded Woodpecker *Dryobates borealis*

Rufa Red Knot *Calidris canutus rufa*

CLAMS

Arkansas Fatmucket *Lampsilis powellii*

Fat Pocketbook *Potamilus capax*

Ouachita Fanshell *Cyprogenia sp. cf. aberti*

Ouachita Rock Pocketbook *Arcidens wheeleri*

Pink Mucket (pearlymussel) *Lampsilis abrupta*

Rabbitsfoot *Quadrula cylindrica cylindrica*

Snuffbox Mussel *Epioblasma triquetra*

Western Fanshell *Cyprogenia aberti*

Winged Mapleleaf *Quadrula fragosa*

FISHES

Leopard Darter *Percina pantherina*

FLOWERING PLANTS

Pondberry *Lindera melissifolia*

INSECTS

American Burying Beetle *Nicrophorus americanus*

MAMMALS

Gray Bat *Myotis grisescens*

Indiana Bat *Myotis sodalis*

The following species, also covered by this key, are not expected to occur in this project area:

Benton County Cave Crayfish *Cambarus aculabrum*

Curtis Pearlymussel *Epioblasma curtisii*
Geocarpon minimum
Harperella *Ptilimnium nodosum*
Hell Creek Cave Crayfish *Cambarus zophonastes*
Least Tern *Sternula antillarum*
Missouri Bladderpod *Physaria filiformis*
Neosho Mucket *Lampsilis rafinesqueana*
Ozark Big-eared Bat *Corynorhinus (=Plecotus) townsendii ingens*
Ozark Cavefish *Amblyopsis rosae*
Pallid Sturgeon *Scaphirhynchus albus*
Salamander Mussel *Simpsonia ambigua*
Scaleshell Mussel *Leptodea leptodon*
Speckled Pocketbook *Lampsilis streckeri*
Spectaclecase (mussel) *Cumberlandia monodonta*
Whooping Crane *Grus americana*
Yellowcheek Darter *Etheostoma moorei*

Critical habitats covered by this key

This key covers the critical habitats for the following species expected to occur in this project area:

None

For more information about this determination key, including a list of all potential questions, refer to the [detailed overview](#).

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").

Yes

When the action agency determines its proposed action will not affect a listed species, there is no need to coordinate further with the Service. If listed species will not be directly or indirectly exposed to the proposed action or any resulting environmental changes, an action agency may conclude "no effect" and document the finding, thus completing the section 7 process. For example, if the species or its suitable habitat is not present in the action area and the project does not otherwise present any effects to the species, action agencies typically conclude and document "No Effect - species not present" as their finding."

As documentation of this "no effect" determination print this screen, add it to your project files, and select "exit review" on the progress ribbon to return to the project home page.

If you no longer wish to use this key for your project, you can delete your evaluation.



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:

10/22/2025 13:23:00 UTC

Project code: 2026-0007178

Project Name: February 2026 Pavement Preservation

Subject: Technical Assistance letter for 'February 2026 Pavement Preservation' project for a No Effect determination for the American burying beetle

Dear Parker Brannon:

The U.S. Fish and Wildlife Service (Service) received on **October 22, 2025** your effect determination(s) for the 'February 2026 Pavement Preservation' (the Action) using the American burying beetle (*Nicrophorus americanus*) determination key 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 consideration of the Action and the assistance in the Service's American burying beetle determination key, you have determined that your proposed action will have No Effect on the American burying beetle.

Your agency has met consultation requirements for these species by informing the Service of your "no effect" determination. No further consultation for this project is required for the American burying beetle. This technical assistance letter confirms you may rely on effect determinations you reached by considering the American burying beetle 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).

Coordination with your local Ecological Services Office is complete for the American burying beetle. If your project may affect additional listed species, please contact your local Ecological Services Field Office for assistance with those species. Thank you for considering Federally-listed species during your project planning.

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

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Arkansas Fatmucket *Lampsilis powellii* Threatened

- Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* Threatened
- Fat Pocketbook *Potamilus capax* Endangered
- Gray Bat *Myotis grisescens* Endangered
- Indiana Bat *Myotis sodalis* Endangered
- Ivory-billed Woodpecker *Campephilus principalis* Endangered
- Leopard Darter *Percina pantherina* Threatened
- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Ouachita Fanshell *Cyprogenia sp. cf. aberti* Threatened
- Ouachita Rock Pocketbook *Arcidens wheeleri* Endangered
- Ozark Hellbender *Cryptobranchus alleganiensis bishopi* Endangered
- Pink Mucket (pearlymussel) *Lampsilis abrupta* Endangered
- Piping Plover *Charadrius melodus* Threatened
- Pondberry *Lindera melissifolia* Endangered
- Rabbitsfoot *Quadrula cylindrica cylindrica* Threatened
- Red-cockaded Woodpecker *Dryobates borealis* Threatened
- Rufa Red Knot *Calidris canutus rufa* Threatened
- Snuffbox Mussel *Epioblasma triquetra* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Western Fanshell *Cyprogenia aberti* Threatened
- Winged Mapleleaf *Quadrula fragosa* Endangered

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

The Service recommends that your agency contact the Service or re-evaluate the project in IPaC if: 1) the scope or location of the proposed project is changed significantly, 2) new information reveals that the action may affect listed species or designated critical habitat; 3) the action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation should take place before project changes are final or resources committed.

Action Description

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

1. Name

February 2026 Pavement Preservation

2. Description

The following description was provided for the project 'February 2026 Pavement Preservation':

Pavement preservation for February 2026 bid letting.

Projects include UTBWC, rumble strips, mills & overlays, patching, guardrail replacement, and shoulders

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.0928303,-93.4496307900207,14z>



QUALIFICATION INTERVIEW

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

Yes

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

Yes

PROJECT QUESTIONNAIRE

Please select the activity that best matches your proposed action.

8. Soil disturbance related to road construction and maintenance

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

0

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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:

10/22/2025 13:21:31 UTC

Project Code: 2026-0007178

Project Name: February 2026 Pavement Preservation

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: 2026-0007178
Project Name: February 2026 Pavement Preservation
Project Type: Road/Hwy - Maintenance/Modification
Project Description: Pavement preservation for February 2026 bid letting.
Projects include UTBWC, rumble strips, mills & overlays, patching, guardrail replacement, and shoulders

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.0928303,-93.4496307900207,14z>



Counties: Arkansas and Oklahoma

ENDANGERED SPECIES ACT SPECIES

There is a total of 24 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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

MAMMALS

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6329	Endangered
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10477	Threatened
Ivory-billed Woodpecker <i>Campephilus principalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8230	Endangered
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red-cockaded Woodpecker <i>Dryobates borealis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7614	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

REPTILES

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

AMPHIBIANS

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

FISHES

NAME	STATUS
Leopard Darter <i>Percina pantherina</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8470	Threatened

CLAMS

NAME	STATUS
Arkansas Fatmucket <i>Lampsilis powellii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2213	Threatened
Fat Pocketbook <i>Potamilus capax</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2780	Endangered
Ouachita Fanshell <i>Cyprogenia sp. cf. aberti</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/10889	Threatened
Ouachita Rock Pocketbook <i>Arcidens wheeleri</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4509	Endangered
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7829	Endangered
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165	Threatened
Snuffbox Mussel <i>Epioblasma triquetra</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4135	Endangered
Western Fanshell <i>Cyprogenia aberti</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6895	Threatened
Winged Mapleleaf <i>Quadrula fragosa</i> Population: Wherever found, except where listed as an experimental population	Endangered

NAME	STATUS
No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4127	

INSECTS

NAME	STATUS
American Burying Beetle <i>Nicrophorus americanus</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/66	Threatened
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

FLOWERING PLANTS

NAME	STATUS
Pondberry <i>Lindera melissifolia</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1279	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: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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
Oklahoma Ecological Services Field Office
9014 East 21st Street
Tulsa, OK 74129-1428
Phone: (918) 581-7458 Fax: (918) 581-7467

In Reply Refer To:
Project code: 2026-0004298
Project Name: April 2026 Pavement Preservation

10/14/2025 15:15:55 UTC

Subject: Technical Assistance letter for 'April 2026 Pavement Preservation' project for a No Effect determination for the American burying beetle

Dear Parker Brannon:

The U.S. Fish and Wildlife Service (Service) received on **October 14, 2025** your effect determination(s) for the 'April 2026 Pavement Preservation' (the Action) using the American burying beetle (*Nicrophorus americanus*) determination key 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 consideration of the Action and the assistance in the Service's American burying beetle determination key, you have determined that your proposed action will have No Effect on the American burying beetle.

Your agency has met consultation requirements for these species by informing the Service of your "no effect" determination. No further consultation for this project is required for the American burying beetle. This technical assistance letter confirms you may rely on effect determinations you reached by considering the American burying beetle 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).

Coordination with your local Ecological Services Office is complete for the American burying beetle. If your project may affect additional listed species, please contact your local Ecological Services Field Office for assistance with those species. Thank you for considering Federally-listed species during your project planning.

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

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* Threatened

- Fat Pocketbook *Potamilus capax* Endangered
- Gray Bat *Myotis grisescens* Endangered
- Hell Creek Cave Crayfish *Cambarus zophonastes* Endangered
- Indiana Bat *Myotis sodalis* Endangered
- Missouri Bladderpod *Physaria filiformis* Threatened
- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Ouachita Fanshell *Cyprogenia sp. cf. aberti* Threatened
- Ozark Big-eared Bat *Corynorhinus (=Plecotus) townsendii ingens* Endangered
- Ozark Hellbender *Cryptobranchus alleganiensis bishopi* Endangered
- Pink Mucket (pearlymussel) *Lampsilis abrupta* Endangered
- Piping Plover *Charadrius melodus* Threatened
- Pondberry *Lindera melissifolia* Endangered
- Rabbitsfoot *Quadrula cylindrica cylindrica* Threatened
- Red-cockaded Woodpecker *Dryobates borealis* Threatened
- Rufa Red Knot *Calidris canutus rufa* Threatened
- Snuffbox Mussel *Epioblasma triquetra* Endangered
- Speckled Pocketbook *Lampsilis streckeri* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Western Fanshell *Cyprogenia aberti* Threatened
- Western Regal Fritillary *Argynnis idalia occidentalis* Proposed Threatened
- Winged Mapleleaf *Quadrula fragosa* Endangered
- Yellowcheek Darter *Etheostoma moorei* Endangered

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

The Service recommends that your agency contact the Service or re-evaluate the project in IPaC if: 1) the scope or location of the proposed project is changed significantly, 2) new information reveals that the action may affect listed species or designated critical habitat; 3) the action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation should take place before project changes are final or resources committed.

Action Description

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

1. Name

April 2026 Pavement Preservation

2. Description

The following description was provided for the project 'April 2026 Pavement Preservation':

Pavement preservation for April 2026 bid letting
Projects include overlay, milling, UTBWC, shoulder repairs, and shoulder additions

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.69839435,-90.06444195971525,14z>



QUALIFICATION INTERVIEW

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

Yes

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

Yes

PROJECT QUESTIONNAIRE

Please select the activity that best matches your proposed action.

8. Soil disturbance related to road construction and maintenance

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

0

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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
Assistant Director-Ecological Services
1849 C Street Nw
Room 3345
Washington, DC 20240-0001
Phone: (202) 208-4646 Fax: (202) 208-5618

In Reply Refer To:

10/14/2025 15:17:13 UTC

Project code: 2026-0004298

Project Name: April 2026 Pavement Preservation

Subject: No Effect Technical Assistance letter for the 'April 2026 Pavement Preservation' project under the December 13, 2024, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat, Northern Long-eared Bat, and Tricolored Bat.

To whom it may concern:

This letter records the determination of effects to federally listed (or proposed) bat species anticipated to result from April 2026 Pavement Preservation (the Project). This determination is based upon information you entered into the assisted determination key (Dkey) associated with the above referenced Programmatic Biological Opinion/Conference Opinion (PBO/PCO) in the U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) system on the date listed above.

Ensuring Accurate Determinations When Using IPaC:

The Service developed the IPaC system and this Dkey in accordance with the ESA and based on the PBO/PCO. 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 the Dkey invalidates this letter.

Determinations:

Based on the information you provided (Project Description shown below), you have determined that the Project will have the following effect determinations:

Species	Listing Status	Determination
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	No effect
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)	Endangered	No effect

Tricolored Bat (*Perimyotis subflavus*)Proposed
Endangered

No effect

If the Project is not modified, **no consultation is required for these species**. If the Project is modified, or new information reveals that it may affect the Indiana bat, northern long-eared bat, or tricolored bat in a manner or to an extent not considered in the PBO/PCO, further review to conclude the requirements of ESA section 7(a)(2) may be required.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:

If your initial bridge, culvert, or structure assessment failed to detect Indiana bat, northern long-eared bat, or tricolored bat use or occupancy, yet bats are later detected prior to, or during construction, promptly notify the local Service Field Office within 2 working days of the discovery. In addition, please document whether incidental take occurred, and if so, the type (i.e. kill or harm) and amount (i.e. number of individuals) and submit documentation to the local Service Field Office within 5 working days from the completion of the bridge, culvert, or structure construction (use Appendix E - Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form in the [User's Guide](#)). In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service. In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service.

If the Project may affect any other federally listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Field Office is required for those species/designated critical habitat. If the Project has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency to contact this Service Field Office

The following species may occur in your project area and **are not** covered by this determination:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- American Burying Beetle *Nicrophorus americanus* Threatened
- Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* Threatened
- Fat Pocketbook *Potamilus capax* Endangered
- Gray Bat *Myotis grisescens* Endangered
- Hell Creek Cave Crayfish *Cambarus zophonastes* Endangered
- Missouri Bladderpod *Physaria filiformis* Threatened
- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Ouachita Fanshell *Cyprogenia sp. cf. aberti* Threatened
- Ozark Big-eared Bat *Corynorhinus (=Plecotus) townsendii ingens* Endangered
- Ozark Hellbender *Cryptobranchus alleganiensis bishopi* Endangered

- Pink Mucket (pearlymussel) *Lampsilis abrupta* Endangered
- Piping Plover *Charadrius melodus* Threatened
- Pondberry *Lindera melissifolia* Endangered
- Rabbitsfoot *Quadrula cylindrica cylindrica* Threatened
- Red-cockaded Woodpecker *Dryobates borealis* Threatened
- Rufa Red Knot *Calidris canutus rufa* Threatened
- Snuffbox Mussel *Epioblasma triquetra* Endangered
- Speckled Pocketbook *Lampsilis streckeri* Endangered
- Western Fanshell *Cyprogenia aberti* Threatened
- Western Regal Fritillary *Argynnis idalia occidentalis* Proposed Threatened
- Winged Mapleleaf *Quadrula fragosa* Endangered
- Yellowcheek Darter *Etheostoma moorei* Endangered

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

NAME

April 2026 Pavement Preservation

DESCRIPTION

Pavement preservation for April 2026 bid letting

Projects include overlay, milling, UTBWC, shoulder repairs, and shoulder additions

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.69839435,-90.06444195971525,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the species covered by this determination key. 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. Which Federal Agency is the lead federal agency the action?

A) Federal Highway Administration (FHWA)

2. Does the Action Area intersect the species list area of the Northern long-eared bat?

Automatically answered

Yes

3. Does the Action Area intersect the species list area of the Indiana bat?

Automatically answered

Yes

4. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

5. Is the project within 0.5 miles radius of an entrance/opening to any known Indiana bat hibernaculum?

No

6. [Semantic] Is any portion of the action area within a 0.5 mile radius of an entrance/opening to any known NLEB or TCB hibernacula?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact the Field Office listed in the letterhead of this letter.

Automatically answered

No

7. Does your project's activities include raising the road profile above the tree canopy in documented habitat for the Indiana bat, NLEB, or TCB?

Note: For the definition of documented habitat, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>

No

8. Is your project located within a karst area?

Yes

9. Will the project include any activities that alter the entrance or environment of a known Indiana bat, NLEB, or TCB hibernaculum?

No

10. Will the project include bridge, culvert, or structure removal, replacement, and/or alteration activities?

Note: For definitions of bridge, culvert, and structure, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>.

No

11. Do your project's activities involve tree removal/trimming, temporary lighting, new/additional permanent lighting, ground disturbance, percussives that involves noise/vibration above existing background levels, vibrations, or slash pile burning?

No

12. Does the Action Area intersect the species list area of the Indiana bat?

Automatically answered

Yes

13. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

14. Does the Action Area intersect the species list area of the northern long-eared bat (NLEB)?

Automatically answered

Yes

PROJECT QUESTIONNAIRE

1. Have you made a No Effect determinations for all other species included on the FWS IPaC generated species list?

Yes

2. Have you made a May Affect determination for any other species on the FWS IPaC generated list?

No

DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING IBAT, NLEB, OR TCB

This key was last updated in IPaC on September 11, 2025. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) and may affect the federally listed endangered Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), and/or federally proposed endangered tricolored bat (*Perimyotis subflavus*).

This decision key should only be used to verify project applicability with the Service's Programmatic Biological Opinion/Conference Opinion for Transportation Projects in the Range of the Indiana bat, northern long-eared bat, and tricolored bat, dated December 13, 2024. The programmatic consultation limited transportation activities that may affect the covered bat species and addresses situations that are both likely and not likely to adversely affect the covered bat species. This decision key will assist in identifying the effect of a specific project/activity and the applicability of the programmatic consultation. The programmatic consultation is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic consultation, or that may affect ESA-listed species other than the Indiana bat, northern long-eared bat, or tricolored bat, or their designated critical habitat, may require additional ESA Section 7 consultation.

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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:

10/14/2025 15:15:37 UTC

Project Code: 2026-0004298

Project Name: April 2026 Pavement Preservation

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.

Note: IPaC has provided all available attachments because this project is in multiple field office jurisdictions.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

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

This project's location is within the jurisdiction of multiple offices. However, only one species list document will be provided for all offices. The species and critical habitats in this document reflect the aggregation of those that fall in each of the affiliated office's jurisdiction. Other offices affiliated with the project:

Arlington Ecological Services Field Office

17629 El Camino Real, Suite 211
Houston, TX 77058-3051
(817) 277-1100

PROJECT SUMMARY

Project Code: 2026-0004298
Project Name: April 2026 Pavement Preservation
Project Type: Road/Hwy - Maintenance/Modification
Project Description: Pavement preservation for April 2026 bid letting
Projects include overlay, milling, UTBWC, shoulder repairs, and shoulder additions

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.69839435,-90.06444195971525,14z>



Counties: Arkansas, Louisiana, and Texas

ENDANGERED SPECIES ACT SPECIES

There is a total of 26 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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

MAMMALS

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6329	Endangered
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Ozark Big-eared Bat <i>Corynorhinus (=Plecotus) townsendii ingens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7245	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10477	Threatened
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red-cockaded Woodpecker <i>Dryobates borealis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7614	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

REPTILES

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

AMPHIBIANS

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

FISHES

NAME	STATUS
Yellowcheek Darter <i>Etheostoma moorei</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7871	Endangered

CLAMS

NAME	STATUS
Fat Pocketbook <i>Potamilus capax</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2780	Endangered
Ouachita Fanshell <i>Cyprogenia sp. cf. aberti</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/10889	Threatened
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7829	Endangered
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165	Threatened
Snuffbox Mussel <i>Epioblasma triquetra</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4135	Endangered
Speckled Pocketbook <i>Lampsilis streckeri</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7869	Endangered
Western Fanshell <i>Cyprogenia aberti</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6895	Threatened
Winged Mapleleaf <i>Quadrula fragosa</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4127	Endangered

INSECTS

NAME	STATUS
American Burying Beetle <i>Nicrophorus americanus</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/66	Threatened
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened
Western Regal Fritillary <i>Argynnis idalia occidentalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/12017	Proposed Threatened

CRUSTACEANS

NAME	STATUS
Hell Creek Cave Crayfish <i>Cambarus zophonastes</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1552	Endangered

FLOWERING PLANTS

NAME	STATUS
Missouri Bladderpod <i>Physaria filiformis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5361	Threatened
Pondberry <i>Lindera melissifolia</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1279	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.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

1. The [Bald and Golden Eagle Protection Act](#) of 1940.
2. The [Migratory Birds Treaty Act](#) of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are Bald Eagles and/or Golden Eagles in your [project](#) area.

Measures for Proactively Minimizing Eagle Impacts

For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the [National Bald Eagle Management Guidelines](#). You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#).

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

If disturbance or take of eagles cannot be avoided, an [incidental take permit](#) may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the [Do I Need A Permit Tool](#). For assistance making this determination for golden eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

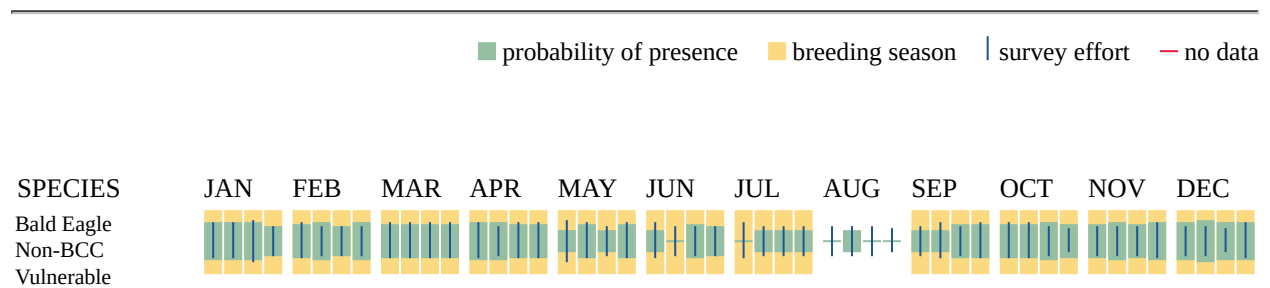
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>

- Nationwide avoidance and minimization measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10561	Breeds elsewhere
American Kestrel <i>Falco sparverius paulus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9587	Breeds Apr 1 to Aug 31
Bachman's Sparrow <i>Peucaea aestivalis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/6177	Breeds May 1 to Sep 30
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

NAME	BREEDING SEASON
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454	Breeds May 20 to Jul 31
Brown-headed Nuthatch <i>Sitta pusilla</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9427	Breeds Mar 1 to Jul 15
Cerulean Warbler <i>Setophaga cerulea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/2974	Breeds Apr 23 to Jul 20
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Chuck-will's-widow <i>Antrostomus carolinensis</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9604	Breeds May 10 to Jul 10
Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10678	Breeds May 1 to Aug 20
Field Sparrow <i>Spizella pusilla</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9446	Breeds Mar 1 to Aug 15
Grasshopper Sparrow <i>Ammodramus savannarum perpallidus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8329	Breeds Jun 1 to Aug 20
Kentucky Warbler <i>Geothlypis formosa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9443	Breeds Apr 20 to Aug 20

NAME	BREEDING SEASON
King Rail <i>Rallus elegans</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8936	Breeds May 1 to Sep 5
Le Conte's Sparrow <i>Ammospiza leconteii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9469	Breeds elsewhere
Least Tern <i>Sternula antillarum antillarum</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/11919	Breeds Apr 25 to Sep 5
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Little Blue Heron <i>Egretta caerulea</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9477	Breeds Mar 10 to Oct 15
Pectoral Sandpiper <i>Calidris melanotos</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561	Breeds elsewhere
Prairie Warbler <i>Setophaga discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9513	Breeds May 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9439	Breeds Apr 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9478	Breeds elsewhere

NAME	BREEDING SEASON
Semipalmated Sandpiper <i>Calidris pusilla</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9603	Breeds elsewhere
Swallow-tailed Kite <i>Elanoides forficatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8938	Breeds Mar 10 to Jun 30
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31
Yellow Rail <i>Coturnicops noveboracensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9476	Breeds elsewhere

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

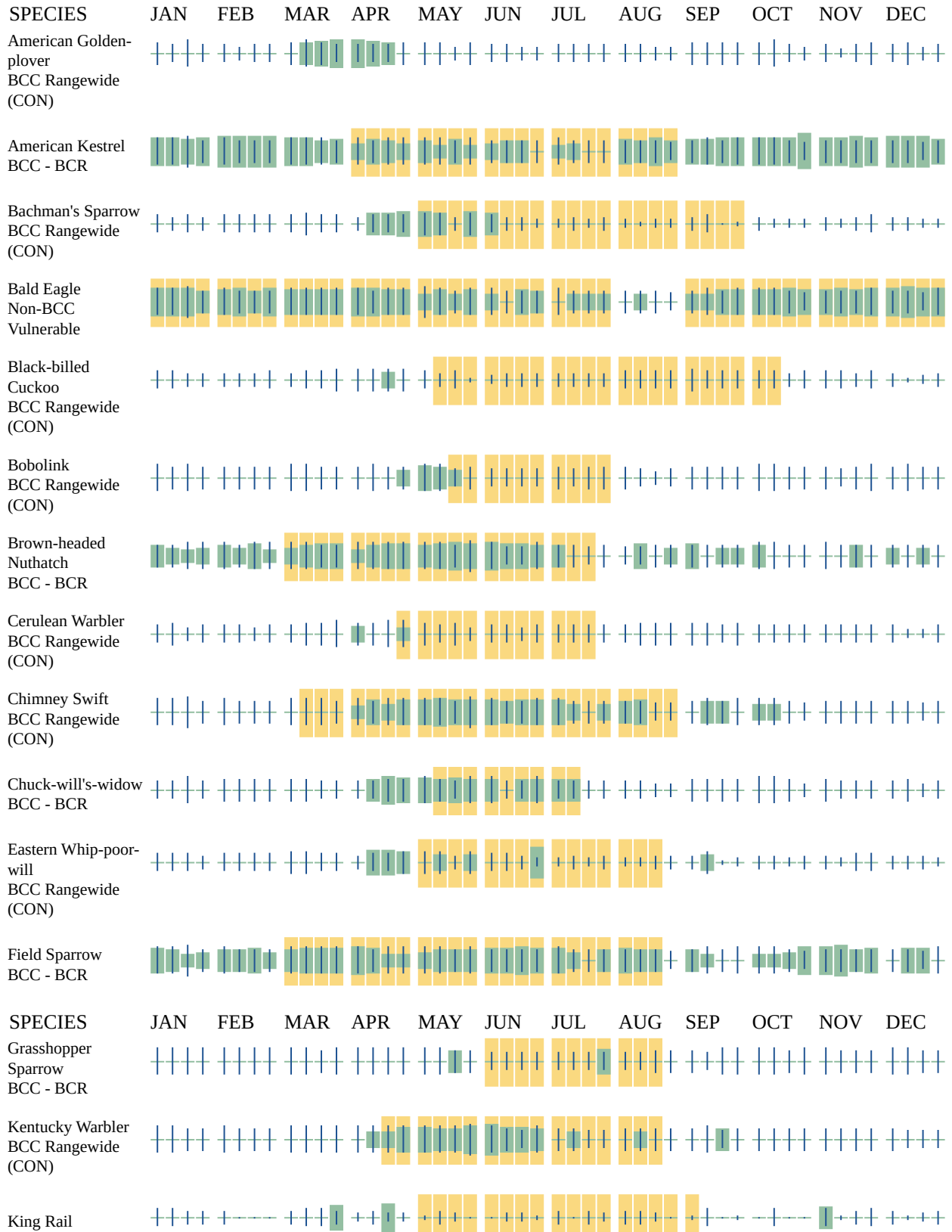
Survey Effort (|)

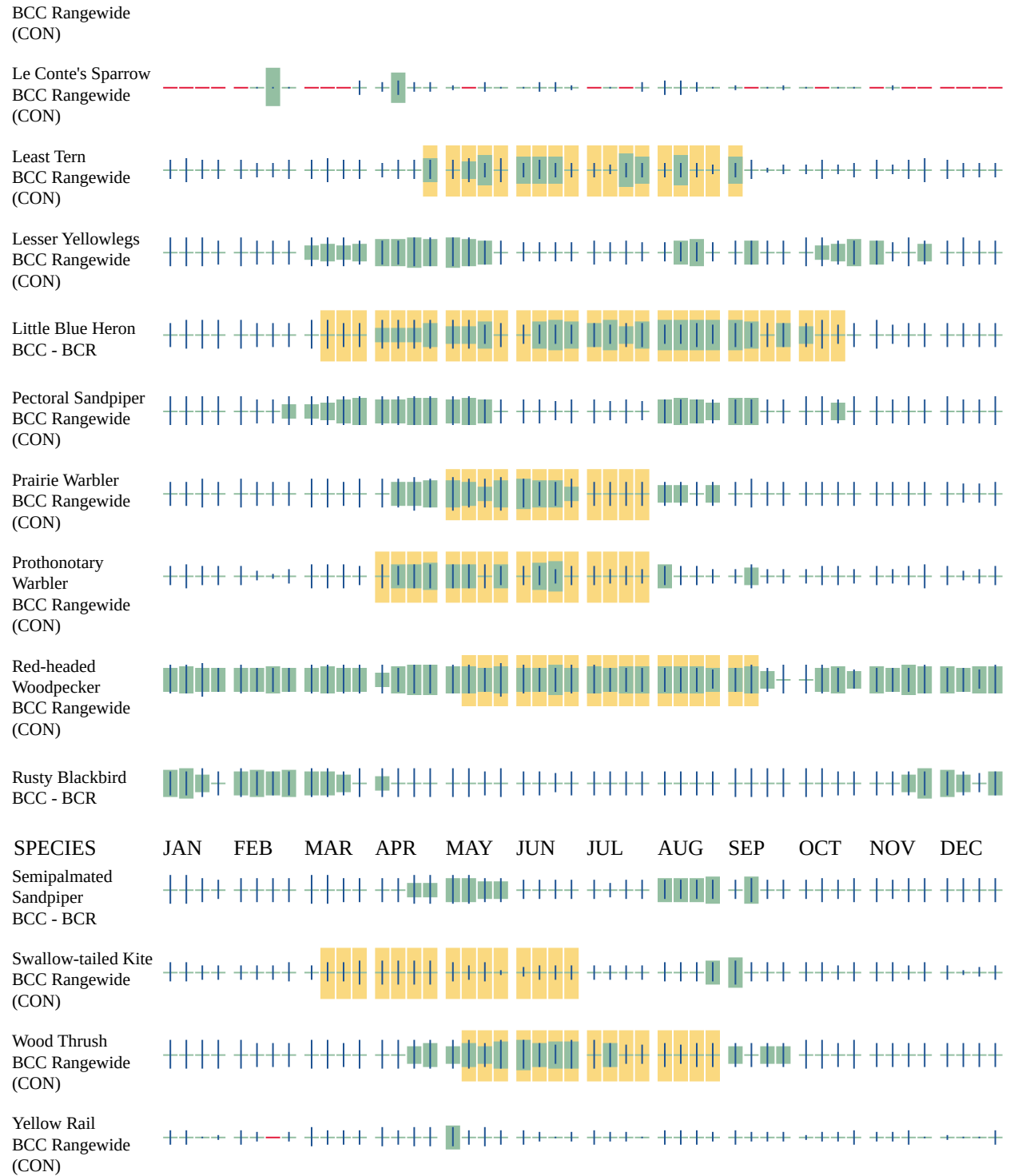
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data





Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>

- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R2UBHx
- R4SBC
- R4SBCx
- R5UBH
- R5UBFx
- R4SBA
- R2UBH

FRESHWATER POND

- PUBF
- PUBH
- PUBFh
- PUBHh

FRESHWATER FORESTED/SHRUB WETLAND

- PFO1A
- PFO1F
- PFO1C

FRESHWATER EMERGENT WETLAND

- PEM1C

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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:

10/14/2025 15:40:59 UTC

Project code: 2026-0004322

Project Name: May 2026 Pavement Preservation

Subject: No Effect Technical Assistance letter for the 'May 2026 Pavement Preservation' project under the December 13, 2024, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat, Northern Long-eared Bat, and Tricolored Bat.

To whom it may concern:

This letter records the determination of effects to federally listed (or proposed) bat species anticipated to result from May 2026 Pavement Preservation (the Project). This determination is based upon information you entered into the assisted determination key (Dkey) associated with the above referenced Programmatic Biological Opinion/Conference Opinion (PBO/PCO) in the U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) system on the date listed above.

Ensuring Accurate Determinations When Using IPaC:

The Service developed the IPaC system and this Dkey in accordance with the ESA and based on the PBO/PCO. 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 the Dkey invalidates this letter.

Determinations:

Based on the information you provided (Project Description shown below), you have determined that the Project will have the following effect determinations:

Species	Listing Status	Determination
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	No effect
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)	Endangered	No effect

Tricolored Bat (*Perimyotis subflavus*)Proposed
Endangered

No effect

If the Project is not modified, **no consultation is required for these species**. If the Project is modified, or new information reveals that it may affect the Indiana bat, northern long-eared bat, or tricolored bat in a manner or to an extent not considered in the PBO/PCO, further review to conclude the requirements of ESA section 7(a)(2) may be required.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:

If your initial bridge, culvert, or structure assessment failed to detect Indiana bat, northern long-eared bat, or tricolored bat use or occupancy, yet bats are later detected prior to, or during construction, promptly notify the local Service Field Office within 2 working days of the discovery. In addition, please document whether incidental take occurred, and if so, the type (i.e. kill or harm) and amount (i.e. number of individuals) and submit documentation to the local Service Field Office within 5 working days from the completion of the bridge, culvert, or structure construction (use Appendix E - Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form in the [User's Guide](#)). In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service. In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service.

If the Project may affect any other federally listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Field Office is required for those species/designated critical habitat. If the Project has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency to contact this Service Field Office

The following species may occur in your project area and **are not** covered by this determination:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Arkansas Fatmucket *Lampsilis powellii* Threatened
- Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* Threatened
- Fat Pocketbook *Potamilus capax* Endangered
- Gray Bat *Myotis grisescens* Endangered
- Ivory-billed Woodpecker *Campephilus principalis* Endangered
- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Ouachita Fanshell *Cyprogenia sp. cf. aberti* Threatened
- Ouachita Rock Pocketbook *Arcidens wheeleri* Endangered
- Pink Mucket (pearlymussel) *Lampsilis abrupta* Endangered
- Piping Plover *Charadrius melodus* Threatened

- Pondberry *Lindera melissifolia* Endangered
- Rabbitsfoot *Quadrula cylindrica cylindrica* Threatened
- Red-cockaded Woodpecker *Dryobates borealis* Threatened
- Rufa Red Knot *Calidris canutus rufa* Threatened
- Winged Mapleleaf *Quadrula fragosa* Endangered

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

NAME

May 2026 Pavement Preservation

DESCRIPTION

Pavement preservation for May 2026 bid letting

Projects include overlays, patching, re-sealing, grinding, milling, overlays, & UTBWC

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@33.3857627,-94.02708178083607,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the species covered by this determination key. 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. Which Federal Agency is the lead federal agency the action?

A) Federal Highway Administration (FHWA)

2. Does the Action Area intersect the species list area of the Northern long-eared bat?

Automatically answered

Yes

3. Does the Action Area intersect the species list area of the Indiana bat?

Automatically answered

Yes

4. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

5. Is the project within 0.5 miles radius of an entrance/opening to any known Indiana bat hibernaculum?

No

6. [Semantic] Is any portion of the action area within a 0.5 mile radius of an entrance/opening to any known NLEB or TCB hibernacula?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact the Field Office listed in the letterhead of this letter.

Automatically answered

No

7. Does your project's activities include raising the road profile above the tree canopy in documented habitat for the Indiana bat, NLEB, or TCB?

Note: For the definition of documented habitat, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>

No

8. Is your project located within a karst area?

Yes

9. Will the project include any activities that alter the entrance or environment of a known Indiana bat, NLEB, or TCB hibernaculum?

No

10. Will the project include bridge, culvert, or structure removal, replacement, and/or alteration activities?

Note: For definitions of bridge, culvert, and structure, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>.

No

11. Do your project's activities involve tree removal/trimming, temporary lighting, new/additional permanent lighting, ground disturbance, percussives that involves noise/vibration above existing background levels, vibrations, or slash pile burning?

No

12. Does the Action Area intersect the species list area of the Indiana bat?

Automatically answered

Yes

13. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

14. Does the Action Area intersect the species list area of the northern long-eared bat (NLEB)?

Automatically answered

Yes

PROJECT QUESTIONNAIRE

1. Have you made a No Effect determinations for all other species included on the FWS IPaC generated species list?

Yes

2. Have you made a May Affect determination for any other species on the FWS IPaC generated list?

No

DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING IBAT, NLEB, OR TCB

This key was last updated in IPaC on September 11, 2025. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) and may affect the federally listed endangered Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), and/or federally proposed endangered tricolored bat (*Perimyotis subflavus*).

This decision key should only be used to verify project applicability with the Service's Programmatic Biological Opinion/Conference Opinion for Transportation Projects in the Range of the Indiana bat, northern long-eared bat, and tricolored bat, dated December 13, 2024. The programmatic consultation limited transportation activities that may affect the covered bat species and addresses situations that are both likely and not likely to adversely affect the covered bat species. This decision key will assist in identifying the effect of a specific project/activity and the applicability of the programmatic consultation. The programmatic consultation is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic consultation, or that may affect ESA-listed species other than the Indiana bat, northern long-eared bat, or tricolored bat, or their designated critical habitat, may require additional ESA Section 7 consultation.

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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)

Endangered Species Act Review

DETERMINATION KEY

AFO Arkansas Multi-Species Determination Key

Release date: September 5, 2025

You completed the latest version of this key, published September 5, 2025, and reached a determination of not applicable for species or critical habitats covered by the key.

This decision key is intended for projects or actions funded, authorized or carried out by federal agencies to help you make effect determinations for listed species and designated critical habitat that may occur in your project area. This decision key is not applicable to after-the-fact project coordination.

The U.S. Fish and Wildlife Service Arkansas Ecological Services Field Office (ARFO) has completed consultations with the Corps of Engineers Little Rock, Memphis and Vicksburg districts and the Farm Service Agency regarding proposed, recurring actions and effects to listed species. The resultant Standard Local Operative Procedures for Endangered Species (SLOPES) and Programmatic Informal Consultation evaluations form the basis of this key. See the links below for detailed information on these consultations.

[SLOPES with Little Rock District 2018](#)

[Farm Service Agency Statewide Programmatic Consultation 2019](#)

[USFS Ouachita National Forest Programmatic Biological Opinion 2010](#)

[USFS Ozark St. Francis National Forest Programmatic Biological Opinion 2010](#)

[Cooperative Agreement Between USFWS and Arkansas Game and Fish Commission](#)

[Arkansas Game and Fish Commission Indiana Bat Programmatic Biological Opinion 2019](#)

[Arkansas Species Determination Key Standing Analysis](#)

For projects that meet incorporated criteria, your responses to questions in this key will allow you to make effect determinations for species included in these consultations. More information about section 7(a)(2) and effect determinations is available [here](#) and on the Service's [website](#). Reaching an effect determination in the key indicates a project proponent can rely on the above consultations and the Service's concurrence with the resulting determinations. For those species with a resulting determination of "no effect" or "may affect,

not likely to adversely affect”, the project proponent has satisfied consultation requirements under section 7(a)(2) of the Endangered Species Act for the project. For projects that reach a “may affect” or “may affect, likely to adversely affect” determination for a species, further consultation with ARFO will be required to meet consultation requirement.

Species covered by this key

This key covers the following species, and critical habitat for these species, expected to occur in this project area:

BIRDS

Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis*

Piping Plover *Charadrius melodus*

Red-cockaded Woodpecker *Dryobates borealis*

Rufa Red Knot *Calidris canutus rufa*

CLAMS

Arkansas Fatmucket *Lampsilis powellii*

Fat Pocketbook *Potamilus capax*

Ouachita Fanshell *Cyprogenia sp. cf. aberti*

Ouachita Rock Pocketbook *Arcidens wheeleri*

Pink Mucket (pearlymussel) *Lampsilis abrupta*

Rabbitsfoot *Quadrula cylindrica cylindrica*

Winged Mapleleaf *Quadrula fragosa*

FLOWERING PLANTS

Pondberry *Lindera melissifolia*

MAMMALS

Gray Bat *Myotis grisescens*

Indiana Bat *Myotis sodalis*

The following species, also covered by this key, are not expected to occur in this project area:

American Burying Beetle *Nicrophorus americanus*

Benton County Cave Crayfish *Cambarus aculabrum*

Curtis Pearlymussel *Epioblasma curtisii*

Geocarpon minimum

Harperella *Ptilimnium nodosum*

Hell Creek Cave Crayfish *Cambarus zophonastes*

Least Tern *Sternula antillarum*

Leopard Darter *Percina pantherina*

Missouri Bladderpod *Physaria filiformis*

Neosho Mucket *Lampsilis rafinesqueana*

Ozark Big-eared Bat *Corynorhinus (=Plecotus) townsendii ingens*

Ozark Cavefish *Amblyopsis rosae*

Ozark Hellbender *Cryptobranchus alleganiensis bishopi*

Pallid Sturgeon *Scaphirhynchus albus*

Salamander Mussel *Simpsonaias ambigua*

Scaleshell Mussel *Leptodea leptodon*

Snuffbox Mussel *Epioblasma triquetra*

Speckled Pocketbook *Lampsilis streckeri*

Spectaclecase (mussel) *Cumberlandia monodonta*

Western Fanshell *Cyprogenia aberti*

Whooping Crane *Grus americana*

Yellowcheek Darter *Etheostoma moorei*

Critical habitats covered by this key

This key covers the critical habitats for the following species expected to occur in this project area:

None

For more information about this determination key, including a list of all potential questions, refer to the [detailed overview](#).

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").

Yes

When the action agency determines its proposed action will not affect a listed species, there is no need to coordinate further with the Service. If listed species will not be directly or indirectly exposed to the proposed

action or any resulting environmental changes, an action agency may conclude "no effect" and document the finding, thus completing the section 7 process. For example, if the species or its suitable habitat is not present in the action area and the project does not otherwise present any effects to the species, action agencies typically conclude and document "No Effect - species not present" as their finding."

As documentation of this "no effect" determination print this screen, add it to your project files, and select "exit review" on the progress ribbon to return to the project home page.

If you no longer wish to use this key for your project, you can delete your evaluation.



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:

10/14/2025 15:38:44 UTC

Project Code: 2026-0004322

Project Name: May 2026 Pavement Preservation

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: 2026-0004322
Project Name: May 2026 Pavement Preservation
Project Type: Road/Hwy - Maintenance/Modification
Project Description: Pavement preservation for May 2026 bid letting
Projects include overlays, patching, re-sealing, grinding, milling, overlays, & UTBWC

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@33.3857627,-94.02708178083607,14z>



Counties: Arkansas and Texas

ENDANGERED SPECIES ACT SPECIES

There is a total of 19 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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

MAMMALS

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6329	Endangered
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10477	Threatened
Ivory-billed Woodpecker <i>Campephilus principalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8230	Endangered
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red-cockaded Woodpecker <i>Dryobates borealis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7614	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

REPTILES

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

CLAMS

NAME	STATUS
Arkansas Fatmucket <i>Lampsilis powellii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2213	Threatened
Fat Pocketbook <i>Potamilus capax</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2780	Endangered
Ouachita Fanshell <i>Cyprogenia sp. cf. aberti</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/10889	Threatened
Ouachita Rock Pocketbook <i>Arcidens wheeleri</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4509	Endangered
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7829	Endangered
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165	Threatened
Winged Mapleleaf <i>Quadrula fragosa</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4127	Endangered

INSECTS

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

FLOWERING PLANTS

NAME	STATUS
Pondberry <i>Lindera melissifolia</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1279	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: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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:

11/06/2025 22:48:15 UTC

Project code: 2026-0013367

Project Name: A60059 -Hwy. 365 - Cornish St. (NLR) (S)

Subject: No Effect Technical Assistance letter for the 'A60059 -Hwy. 365 - Cornish St. (NLR) (S)' project under the December 13, 2024, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat, Northern Long-eared Bat, and Tricolored Bat.

To whom it may concern:

This letter records the determination of effects to federally listed (or proposed) bat species anticipated to result from A60059 -Hwy. 365 - Cornish St. (NLR) (S) (the Project). This determination is based upon information you entered into the assisted determination key (Dkey) associated with the above referenced Programmatic Biological Opinion/Conference Opinion (PBO/PCO) in the U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) system on the date listed above.

Ensuring Accurate Determinations When Using IPaC:

The Service developed the IPaC system and this Dkey in accordance with the ESA and based on the PBO/PCO. 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 the Dkey invalidates this letter.

Determinations:

Based on the information you provided (Project Description shown below), you have determined that the Project will have the following effect determinations:

Species	Listing Status	Determination
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed Endangered	No effect

If the Project is not modified, **no consultation is required for these species**. If the Project is modified, or new information reveals that it may affect the Indiana bat, northern long-eared bat, or tricolored bat in a manner or to an extent not considered in the PBO/PCO, further review to conclude the requirements of ESA section 7(a)(2) may be required.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:

If your initial bridge, culvert, or structure assessment failed to detect Indiana bat, northern long-eared bat, or tricolored bat use or occupancy, yet bats are later detected prior to, or during construction, promptly notify the local Service Field Office within 2 working days of the discovery. In addition, please document whether incidental take occurred, and if so, the type (i.e. kill or harm) and amount (i.e. number of individuals) and submit documentation to the local Service Field Office within 5 working days from the completion of the bridge, culvert, or structure construction (use Appendix E - Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form in the [User's Guide](#)). In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service. In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service.

If the Project may affect any other federally listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Field Office is required for those species/designated critical habitat. If the Project has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency to contact this Service Field Office

The following species may occur in your project area and **are not** covered by this determination:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* Threatened
- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Piping Plover *Charadrius melodus* Threatened
- Rufa Red Knot *Calidris canutus rufa* Threatened

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

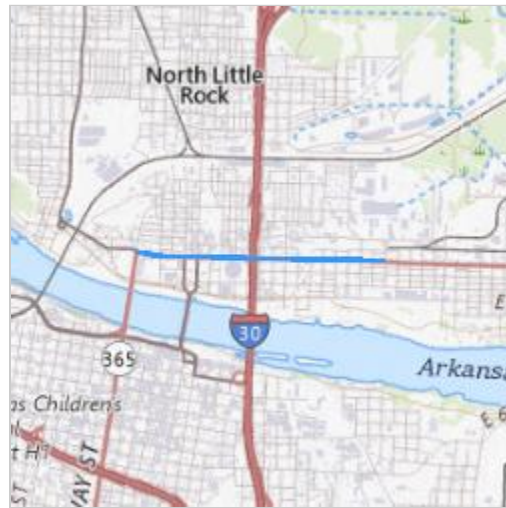
NAME

A60059 -Hwy. 365 - Cornish St. (NLR) (S)

DESCRIPTION

2" mill & 2" overlay

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@34.756129200000004,-92.27023960142864,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the species covered by this determination key. 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. Which Federal Agency is the lead federal agency the action?

A) Federal Highway Administration (FHWA)

2. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

3. [Semantic] Is any portion of the action area within a 0.5 mile radius of an entrance/opening to any known NLEB or TCB hibernacula?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact the Field Office listed in the letterhead of this letter.

Automatically answered

No

4. Does your project's activities include raising the road profile above the tree canopy in documented habitat for the Indiana bat, NLEB, or TCB?

Note: For the definition of documented habitat, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>

No

5. Is your project located within a karst area?

No

6. Will the project include bridge, culvert, or structure removal, replacement, and/or alteration activities?

Note: For definitions of bridge, culvert, and structure, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>.

No

7. Do your project's activities involve tree removal/trimming, temporary lighting, new/additional permanent lighting, ground disturbance, percussives that involves noise/vibration above existing background levels, vibrations, or slash pile burning?

No

8. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

PROJECT QUESTIONNAIRE

1. Have you made a No Effect determinations for all other species included on the FWS IPaC generated species list?

Yes

2. Have you made a May Affect determination for any other species on the FWS IPaC generated list?

No

DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING IBAT, NLEB, OR TCB

This key was last updated in IPaC on September 11, 2025. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) and may affect the federally listed endangered Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), and/or federally proposed endangered tricolored bat (*Perimyotis subflavus*).

This decision key should only be used to verify project applicability with the Service's Programmatic Biological Opinion/Conference Opinion for Transportation Projects in the Range of the Indiana bat, northern long-eared bat, and tricolored bat, dated December 13, 2024. The programmatic consultation limited transportation activities that may affect the covered bat species and addresses situations that are both likely and not likely to adversely affect the covered bat species. This decision key will assist in identifying the effect of a specific project/activity and the applicability of the programmatic consultation. The programmatic consultation is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic consultation, or that may affect ESA-listed species other than the Indiana bat, northern long-eared bat, or tricolored bat, or their designated critical habitat, may require additional ESA Section 7 consultation.

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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)

Endangered Species Act Review

DETERMINATION KEY

AFO Arkansas Multi-Species Determination Key

Release date: September 5, 2025

You completed the latest version of this key, published September 5, 2025, and reached a determination of not applicable for species or critical habitats covered by the key.

This decision key is intended for projects or actions funded, authorized or carried out by federal agencies to help you make effect determinations for listed species and designated critical habitat that may occur in your project area. This decision key is not applicable to after-the-fact project coordination.

The U.S. Fish and Wildlife Service Arkansas Ecological Services Field Office (ARFO) has completed consultations with the Corps of Engineers Little Rock, Memphis and Vicksburg districts and the Farm Service Agency regarding proposed, recurring actions and effects to listed species. The resultant Standard Local Operative Procedures for Endangered Species (SLOPES) and Programmatic Informal Consultation evaluations form the basis of this key. See the links below for detailed information on these consultations.

[SLOPES with Little Rock District 2018](#)

[Farm Service Agency Statewide Programmatic Consultation 2019](#)

[USFS Ouachita National Forest Programmatic Biological Opinion 2010](#)

[USFS Ozark St. Francis National Forest Programmatic Biological Opinion 2010](#)

[Cooperative Agreement Between USFWS and Arkansas Game and Fish Commission](#)

[Arkansas Game and Fish Commission Indiana Bat Programmatic Biological Opinion 2019](#)

[Arkansas Species Determination Key Standing Analysis](#)

For projects that meet incorporated criteria, your responses to questions in this key will allow you to make effect determinations for species included in these consultations. More information about section 7(a)(2) and effect determinations is available [here](#) and on the Service's [website](#). Reaching an effect determination in the key indicates a project proponent can rely on the above consultations and the Service's concurrence with the resulting determinations. For those species with a resulting determination of "no effect" or "may affect, not likely to adversely affect", the project proponent has satisfied consultation requirements under section 7(a)(2) of the Endangered Species Act for the project. For projects that reach a "may affect" or "may affect, likely to adversely affect" determination for a species, further consultation with ARFO will be required to meet consultation requirement.

Species covered by this key

This key covers the following species, and critical habitat for these species, expected to occur in this project area:

Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis*

Piping Plover *Charadrius melodus*

Rufa Red Knot *Calidris canutus rufa*

The following species, also covered by this key, are not expected to occur in this project area:

American Burying Beetle *Nicrophorus americanus*

Arkansas Fatmucket *Lampsilis powellii*

Benton County Cave Crayfish *Cambarus aculabrum*

Curtis Pearlymussel *Epioblasma curtisii*

Fat Pocketbook *Potamilus capax*

Geocarpon minimum

Gray Bat *Myotis grisescens*

Harperella *Ptilimnium nodosum*

Hell Creek Cave Crayfish *Cambarus zophonastes*

Indiana Bat *Myotis sodalis*

Least Tern *Sternula antillarum*

Leopard Darter *Percina pantherina*

Missouri Bladderpod *Physaria filiformis*

Neosho Mucket *Lampsilis rafinesqueana*

Ouachita Fanshell *Cyprogenia sp. cf. aberti*

Ouachita Rock Pocketbook *Arcidens wheeleri*

Ozark Big-eared Bat *Corynorhinus (=Plecotus) townsendii ingens*

Ozark Cavefish *Amblyopsis rosae*
Ozark Hellbender *Cryptobranchus alleganiensis bishopi*
Pallid Sturgeon *Scaphirhynchus albus*
Pink Mucket (pearlymussel) *Lampsilis abrupta*
Pondberry *Lindera melissifolia*
Rabbitsfoot *Quadrula cylindrica cylindrica*
Red-cockaded Woodpecker *Dryobates borealis*
Salamander Mussel *Simpsonia ambigua*
Scaleshell Mussel *Leptodea leptodon*
Snuffbox Mussel *Epioblasma triquetra*
Speckled Pocketbook *Lampsilis streckeri*
Spectaclecase (mussel) *Cumberlandia monodonta*
Western Fanshell *Cyprogenia aberti*
Whooping Crane *Grus americana*
Winged Mapleleaf *Quadrula fragosa*
Yellowcheek Darter *Etheostoma moorei*

Critical habitats covered by this key

This key covers the critical habitats for the following species expected to occur in this project area:

None

For more information about this determination key, including a list of all potential questions, refer to the [detailed overview](#).

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").

Yes

When the action agency determines its proposed action will not affect a listed species, there is no need to coordinate further with the Service. If listed species will not be directly or indirectly exposed to the proposed action or any resulting environmental changes, an action agency may conclude "no effect" and document the finding, thus completing the section 7 process. For example, if the species or its suitable habitat is not present in the action area and the project does not otherwise present any effects to the species, action agencies typically conclude and document "No Effect - species not present" as their finding."

As documentation of this "no effect" determination print this screen, add it to your project files, and select "exit review" on the progress ribbon to return to the project home page.

If you no longer wish to use this key for your project, you can delete your evaluation.



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:

11/06/2025 22:45:24 UTC

Project Code: 2026-0013367

Project Name: A60059 -Hwy. 365 - Cornish St. (NLR) (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 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

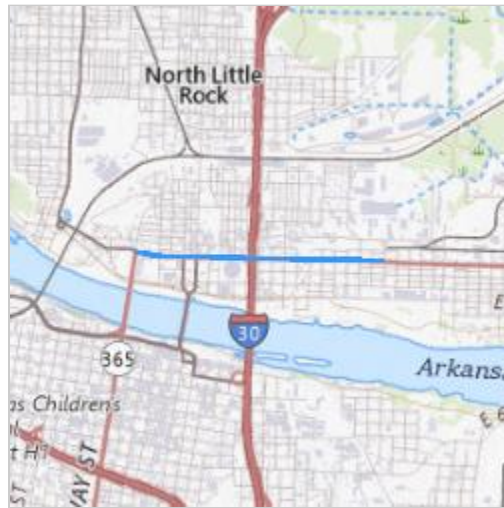
Conway, AR 72032-8975

(501) 513-4470

PROJECT SUMMARY

Project Code: 2026-0013367
Project Name: A60059 -Hwy. 365 - Cornish St. (NLR) (S)
Project Type: Road/Hwy - Maintenance/Modification
Project Description: 2" mill & 2" overlay
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@34.756129200000004,-92.27023960142864,14z>



Counties: Pulaski County, Arkansas

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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

MAMMALS

NAME	STATUS
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10477	Threatened
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

REPTILES

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

INSECTS

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

CRITICAL HABITATS

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

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

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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:

10/22/2025 14:11:05 UTC

Project code: 2026-0004220

Project Name: A80046 - Greenbrier - Hwy. 107 (S)

Subject: No Effect Technical Assistance letter for the 'A80046 - Greenbrier - Hwy. 107 (S)' project under the December 13, 2024, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat, Northern Long-eared Bat, and Tricolored Bat.

To whom it may concern:

This letter records the determination of effects to federally listed (or proposed) bat species anticipated to result from A80046 - Greenbrier - Hwy. 107 (S) (the Project). This determination is based upon information you entered into the assisted determination key (Dkey) associated with the above referenced Programmatic Biological Opinion/Conference Opinion (PBO/PCO) in the U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) system on the date listed above.

Ensuring Accurate Determinations When Using IPaC:

The Service developed the IPaC system and this Dkey in accordance with the ESA and based on the PBO/PCO. 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 the Dkey invalidates this letter.

Determinations:

Based on the information you provided (Project Description shown below), you have determined that the Project will have the following effect determinations:

Species	Listing Status	Determination
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	No effect
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed	No effect
	Endangered	

If the Project is not modified, **no consultation is required for these species**. If the Project is modified, or new information reveals that it may affect the Indiana bat, northern long-eared bat, or tricolored bat in a manner or to an extent not considered in the PBO/PCO, further review to conclude the requirements of ESA section 7(a)(2) may be required.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:

If your initial bridge, culvert, or structure assessment failed to detect Indiana bat, northern long-eared bat, or tricolored bat use or occupancy, yet bats are later detected prior to, or during construction, promptly notify the local Service Field Office within 2 working days of the discovery. In addition, please document whether incidental take occurred, and if so, the type (i.e. kill or harm) and amount (i.e. number of individuals) and submit documentation to the local Service Field Office within 5 working days from the completion of the bridge, culvert, or structure construction (use Appendix E - Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form in the [User's Guide](#)). In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service. In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service.

If the Project may affect any other federally listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Field Office is required for those species/designated critical habitat. If the Project has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency to contact this Service Field Office

The following species may occur in your project area and **are not** covered by this determination:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* Threatened
- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Piping Plover *Charadrius melodus* Threatened
- Rufa Red Knot *Calidris canutus rufa* Threatened

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

NAME

A80046 - Greenbrier - Hwy. 107 (S)

DESCRIPTION

Pavement preservation

1.5" Overlay; Spot Leveling; 2' Shoulders; 11 Culvert Extensions:

35.230976, -92.375481. EXTEND 4' X 3' R.C. BOX CULVERT 8' LT. AND 8' RT.
6.5"x16'x5' = 1.6

35.229549, -92.373444. EXTEND 4' X 2' R.C. BOX CULVERT 5' LT. AND 8' RT.
6.5"x13'x5' = 1.3

35.227566, -92.367264. EXTEND 4' X 3' R.C. BOX CULVERT 6' LT. AND 8' RT.
6.5"x14'x5' = 1.4. Clearing & Grubbing

35.226410, -92.363098. EXTEND 9' X 4' R.C. BOX CULVERT 6' LT. AND 8' RT.
9.5"x14'x9' = 3.69. Clearing & Grubbing

35.223446, -92.357025. EXTEND 8' X 3' R.C. BOX CULVERT 8' LT. AND 8' RT.
9.5"x14'x9' = 3.69

35.222454, -92.354324. EXTEND 6' X 4' R.C. BOX CULVERT 6' LT. AND 6' RT.
7.5"x12'x7' = 1.94. Clearing & Grubbing

35.220432, -92.349457. EXTEND 10' X 4' R.C. BOX CULVERT 8' LT. AND 8' RT.
11"x16'x11' = 5.97

35.228554, -92.339485. EXTEND 4' X 4' R.C. BOX CULVERT 6' LT. AND 8' RT.
6.5"x14'x4' = 1.12

35.237545, -92.318214. EXTEND 6' X 3' R.C. BOX CULVERT 8' LT. AND 8' RT.
7.5"x16'x7' = 2.59

35.240917, -92.311256. EXTEND 4' X 2' R.C. BOX CULVERT 6' LT. AND 8' RT.
6.5"x14'x9' = 2.52

35.242218, -92.309380. EXTEND 10' X 5' R.C. BOX CULVERT 8' LT. AND 8' RT.
11"x16'x11' = 5.97

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.261179150000004,-92.25092615792951,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the species covered by this determination key. 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. Which Federal Agency is the lead federal agency the action?

A) Federal Highway Administration (FHWA)

2. Does the Action Area intersect the species list area of the Indiana bat?

Automatically answered

Yes

3. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

4. Is the project within 0.5 miles radius of an entrance/opening to any known Indiana bat hibernaculum?

No

5. [Semantic] Is any portion of the action area within a 0.5 mile radius of an entrance/opening to any known NLEB or TCB hibernacula?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact the Field Office listed in the letterhead of this letter.

Automatically answered

No

6. Does your project's activities include raising the road profile above the tree canopy in documented habitat for the Indiana bat, NLEB, or TCB?

Note: For the definition of documented habitat, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>

No

7. Is your project located within a karst area?

No

8. Will the project include bridge, culvert, or structure removal, replacement, and/or alteration activities?

Note: For definitions of bridge, culvert, and structure, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>.

No

9. Do your project's activities involve tree removal/trimming, temporary lighting, new/additional permanent lighting, ground disturbance, percussives that involves noise/vibration above existing background levels, vibrations, or slash pile burning?

No

10. Does the Action Area intersect the species list area of the Indiana bat?

Automatically answered

Yes

11. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

PROJECT QUESTIONNAIRE

1. Have you made a No Effect determinations for all other species included on the FWS IPaC generated species list?

Yes

2. Have you made a May Affect determination for any other species on the FWS IPaC generated list?

No

DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING IBAT, NLEB, OR TCB

This key was last updated in IPaC on September 11, 2025. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) and may affect the federally listed endangered Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), and/or federally proposed endangered tricolored bat (*Perimyotis subflavus*).

This decision key should only be used to verify project applicability with the Service's Programmatic Biological Opinion/Conference Opinion for Transportation Projects in the Range of the Indiana bat, northern long-eared bat, and tricolored bat, dated December 13, 2024. The programmatic consultation limited transportation activities that may affect the covered bat species and addresses situations that are both likely and not likely to adversely affect the covered bat species. This decision key will assist in identifying the effect of a specific project/activity and the applicability of the programmatic consultation. The programmatic consultation is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic consultation, or that may affect ESA-listed species other than the Indiana bat, northern long-eared bat, or tricolored bat, or their designated critical habitat, may require additional ESA Section 7 consultation.

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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)

Endangered Species Act Review

DETERMINATION KEY

AFO Arkansas Multi-Species Determination Key

Release date: September 5, 2025

You completed the latest version of this key, published September 5, 2025, and reached a determination of not applicable for species or critical habitats covered by the key.

This decision key is intended for projects or actions funded, authorized or carried out by federal agencies to help you make effect determinations for listed species and designated critical habitat that may occur in your project area. This decision key is not applicable to after-the-fact project coordination.

The U.S. Fish and Wildlife Service Arkansas Ecological Services Field Office (ARFO) has completed consultations with the Corps of Engineers Little Rock, Memphis and Vicksburg districts and the Farm Service Agency regarding proposed, recurring actions and effects to listed species. The resultant Standard Local Operative Procedures for Endangered Species (SLOPES) and Programmatic Informal Consultation evaluations form the basis of this key. See the links below for detailed information on these consultations.

[SLOPES with Little Rock District 2018](#)

[Farm Service Agency Statewide Programmatic Consultation 2019](#)

[USFS Ouachita National Forest Programmatic Biological Opinion 2010](#)

[USFS Ozark St. Francis National Forest Programmatic Biological Opinion 2010](#)

[Cooperative Agreement Between USFWS and Arkansas Game and Fish Commission](#)

[Arkansas Game and Fish Commission Indiana Bat Programmatic Biological Opinion 2019](#)

[Arkansas Species Determination Key Standing Analysis](#)

For projects that meet incorporated criteria, your responses to questions in this key will allow you to make effect determinations for species included in these consultations. More information about section 7(a)(2) and effect determinations is available [here](#) and on the Service's [website](#). Reaching an effect determination in the key indicates a project proponent can rely on the above consultations and the Service's concurrence with the resulting determinations. For those species with a resulting determination of "no effect" or "may affect,

not likely to adversely affect”, the project proponent has satisfied consultation requirements under section 7(a)(2) of the Endangered Species Act for the project. For projects that reach a “may affect” or “may affect, likely to adversely affect” determination for a species, further consultation with ARFO will be required to meet consultation requirement.

Species covered by this key

This key covers the following species, and critical habitat for these species, expected to occur in this project area:

BIRDS

Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis*

Piping Plover *Charadrius melodus*

Rufa Red Knot *Calidris canutus rufa*

MAMMALS

Indiana Bat *Myotis sodalis*

The following species, also covered by this key, are not expected to occur in this project area:

American Burying Beetle *Nicrophorus americanus*

Arkansas Fatmucket *Lampsilis powellii*

Benton County Cave Crayfish *Cambarus aculabrum*

Curtis Pearlymussel *Epioblasma curtisii*

Fat Pocketbook *Potamilus capax*

Geocarpon minimum

Gray Bat *Myotis grisescens*

Harperella *Ptilimnium nodosum*

Hell Creek Cave Crayfish *Cambarus zophonastes*

Least Tern *Sternula antillarum*

Leopard Darter *Percina pantherina*

Missouri Bladderpod *Physaria filiformis*

Neosho Mucket *Lampsilis rafinesqueana*

Ouachita Fanshell *Cyprogenia sp. cf. aberti*

Ouachita Rock Pocketbook *Arcidens wheeleri*

Ozark Big-eared Bat *Corynorhinus (=Plecotus) townsendii ingens*

Ozark Cavefish *Amblyopsis rosae*

Ozark Hellbender *Cryptobranchus alleganiensis bishopi*

Pallid Sturgeon *Scaphirhynchus albus*

Pink Mucket (pearlymussel) *Lampsilis abrupta*

Pondberry *Lindera melissifolia*

Rabbitsfoot *Quadrula cylindrica cylindrica*

Red-cockaded Woodpecker *Dryobates borealis*

Salamander Mussel *Simpsonaias ambigua*
Scaleshell Mussel *Leptodea leptodon*
Snuffbox Mussel *Epioblasma triquetra*
Speckled Pocketbook *Lampsilis streckeri*
Spectaclecase (mussel) *Cumberlandia monodonta*
Western Fanshell *Cyprogenia aberti*
Whooping Crane *Grus americana*
Winged Mapleleaf *Quadrula fragosa*
Yellowcheek Darter *Etheostoma moorei*

Critical habitats covered by this key

This key covers the critical habitats for the following species expected to occur in this project area:

None

For more information about this determination key, including a list of all potential questions, refer to the [detailed overview](#).

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").

Yes

When the action agency determines its proposed action will not affect a listed species, there is no need to coordinate further with the Service. If listed species will not be directly or indirectly exposed to the proposed action or any resulting environmental changes, an action agency may conclude "no effect" and document the finding, thus completing the section 7 process. For example, if the species or its suitable habitat is not present in

the action area and the project does not otherwise present any effects to the species, action agencies typically conclude and document "No Effect - species not present" as their finding."

As documentation of this "no effect" determination print this screen, add it to your project files, and select "exit review" on the progress ribbon to return to the project home page.

If you no longer wish to use this key for your project, you can delete your evaluation.



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:

10/15/2025 19:05:38 UTC

Project Code: 2026-0004220

Project Name: A80046 - Greenbrier - Hwy. 107 (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 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

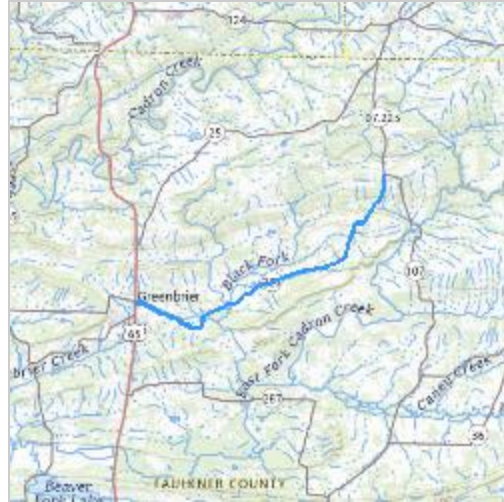
PROJECT SUMMARY

Project Code: 2026-0004220
Project Name: A80046 - Greenbrier - Hwy. 107 (S)
Project Type: Road/Hwy - Maintenance/Modification
Project Description: Pavement preservation
1.5" Overlay; Spot Leveling; 2' Shoulders; 11 Culvert Extensions:

35.230976, -92.375481. EXTEND 4' X 3' R.C. BOX CULVERT 8' LT.
AND 8' RT. 6.5"x16'x5' =1.6
35.229549, -92.373444. EXTEND 4' X 2' R.C. BOX CULVERT 5' LT.
AND 8' RT. 6.5"x13'x5' =1.3
35.227566, -92.367264. EXTEND 4' X 3' R.C. BOX CULVERT 6' LT.
AND 8' RT. 6.5"x14'x5' =1.4. Clearing & Grubbing
35.226410, -92.363098. EXTEND 9' X 4' R.C. BOX CULVERT 6' LT.
AND 8' RT. 9.5"14'x9' = 3.69. Clearing & Grubbing
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35.222454, - 92.354324. EXTEND 6' X 4' R.C. BOX CULVERT 6' LT.
AND 6' RT. 7.5"12'x7' = 1.94. Clearing & Grubbing
35.220432, -92.349457. EXTEND 10' X 4' R.C. BOX CULVERT 8' LT.
AND 8' RT. 11"x16'x11' = 5.97
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AND 8' RT. 7.5"16'x7' = 2.59
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AND 8' RT. 6.5"14'x9' = 2.52
35.242218, -92.309380. EXTEND 10' X 5' R.C. BOX CULVERT 8' LT.
AND 8' RT. 11"16'x11' = 5.97

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.26122445,-92.25090957661332,14z>



Counties: Faulkner County, Arkansas

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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

MAMMALS

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10477	Threatened
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

REPTILES

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

INSECTS

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

CRITICAL HABITATS

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

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

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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:

10/22/2025 15:43:30 UTC

Project code: 2026-0007298

Project Name: A90038 - Marion Co. Line - Baxter Co. Line (S)

Subject: Technical Assistance letter for 'A90038 - Marion Co. Line - Baxter Co. Line (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 Parker Brannon:

The U.S. Fish and Wildlife Service (Service) received on **October 22, 2025** your effect determination(s) for the 'A90038 - Marion Co. Line - Baxter Co. Line (S)' (the Action) using the Arkansas DKey within the Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

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

Species	Listing Status	Determination
Eastern Black Rail (<i>Laterallus jamaicensis ssp. jamaicensis</i>)	Threatened	No effect
Gray Bat (<i>Myotis grisescens</i>)	Endangered	NLAA
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	May affect
Ozark Big-eared Bat (<i>Corynorhinus (=Plecotus) townsendii ingens</i>)	Endangered	May affect
Ozark Hellbender (<i>Cryptobranchus alleganiensis bishopi</i>)	Endangered	NLAA
Piping Plover (<i>Charadrius melodus</i>)	Threatened	No effect
Rabbitsfoot (<i>Quadrula cylindrica cylindrica</i>)	Threatened	NLAA
Rufa Red Knot (<i>Calidris canutus rufa</i>)	Threatened	No effect
Snuffbox Mussel (<i>Epioblasma triquetra</i>)	Endangered	NLAA
Western Fanshell (<i>Cyprogenia aberti</i>)	Threatened	NLAA

Status

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

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

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

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

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

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

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

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

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

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

Action Description

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

1. Name

A90038 - Marion Co. Line - Baxter Co. Line (S)

2. Description

The following description was provided for the project 'A90038 - Marion Co. Line - Baxter Co. Line (S)':

February 2026 Pavement Preservation.

15.6 miles of 2" overlay on Highway 14.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.021153999999996,-92.54333596000271,14z>



Species Protection Measures

QUALIFICATION INTERVIEW

1. Have you made an effects determination of "no effect" for all species in the area of the project?

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

No

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

Yes

3. Are you the 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 species list area?
Automatically answered
No
13. [Semantic] Does the project intersect the Eastern black rail species list area?
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 species list area?
Automatically answered
Yes
16. Will the project affect sand and gravel areas or shorelines along rivers, lakes, or reservoirs?
No
17. Does the project take place in marshy or flooded open field habitat?
No
18. [Semantic] Does the project intersect the Piping Plover species list area?
Automatically answered
Yes
19. [Semantic] Does the project intersect the Whooping Crane species list area?
Automatically answered
No
20. [Semantic] Does the project intersect the interior least tern species list area?
Automatically answered
No
21. [Semantic] Does the project intersect the Gray Bat species list area?
Automatically answered
Yes
22. Does the project involve changes to an existing bridge or large culvert?
No
23. [Semantic] Does the project intersect the Ozark Big-eared Bat species list area?
Automatically answered
Yes
24. Are there any caves within 0.5 mile of the project area?
Yes
25. [Semantic] Does the project intersect the Indiana bat species list area?
Automatically answered
Yes

26. [Semantic] Does the project intersect the Benton County Cave Crayfish species list area?

Automatically answered

No

27. [Semantic] Does the project intersect the Hell Creek Cave Crayfish species list area?

Automatically answered

No

28. [Semantic] Does the project intersect the Ozark cavefish species list area?

Automatically answered

No

29. [Semantic] Does the project intersect the Missouri bladderpod species list area?

Automatically answered

No

30. [Semantic] Does the project intersect the Geocarpon species list area?

Automatically answered

No

31. [Semantic] Does the project intersect the Pondberry species list area?

Automatically answered

No

32. 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

33. 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?

No

34. Will the project involve construction or other ground disturbance; riparian forest disturbance; or the application of herbicides, insecticides, or fertilizer within 100 feet of the streams?

No

35. Will the project result in discharge or runoff of sediment, erosion, or any other pollutant, including nutrients, into the stream?

No

36. Will the project involve mineral, gravel, rock, or sand mining, mine reclamation, or disposal of mine wastewater or tailings?

No

37. Will the project include any of the following agricultural practices?

Livestock crossing facility,
Grade stabilization structure,
Fencing,
Pond construction,
Road construction,
Riparian buffer establishment,
Conservation Structure restoration,
Wetland restoration,
Drop pipe/spillway, or
Sediment retention basin?

No

38. [Semantic] Does the project intersect the rabbitsfoot species list area?

Automatically answered

Yes

39. [Semantic] Does the project intersect the Rabbitsfoot survey coordination area?

Automatically answered

No

40. [Semantic] Does the project intersect the neosho mucket species list area?

Automatically answered

No

41. [Semantic] Does the project intersect the Spectaclecase species list area?

Automatically answered

No

42. [Semantic] Does the project intersect the snuffbox species list area?

Automatically answered

Yes

43. [Semantic] Does the project intersect the Snuffbox survey coordination area?

Automatically answered

No

44. [Semantic] Does the project intersect the speckled pocketbook species list area?

Automatically answered

No

45. [Semantic] Does the project intersect the ouachita rock pocketbook species list area?

Automatically answered

No

46. [Semantic] Does the project intersect the fat pocketbook species list area?

Automatically answered

No

47. [Semantic] Does the project intersect the Curtis pearlymussel species list area?
Automatically answered
No
48. [Semantic] Does the project intersect the scaleshell species list area?
Automatically answered
No
49. [Semantic] Does the project intersect the pink mucket species list area?
Automatically answered
No
50. [Semantic] Does the project intersect the Arkansas fatmucket species list area?
Automatically answered
No
51. [Semantic] Does the project intersect the winged mapleleaf species list area?
Automatically answered
No
52. [Semantic] Does the project intersect the leopard darter species list area?
Automatically answered
No
53. [Semantic] Does the project intersect the Yellowcheek darter species list area?
Automatically answered
No
54. [Semantic] Does the project intersect the Ouachita fanshell species list area?
Automatically answered
No
55. [Semantic] Does the project intersect the Western fanshell species list area?
Automatically answered
Yes
56. [Semantic] Does the project intersect the Western fanshell survey coordination area?
Automatically answered
No
57. [Semantic (same answer as question 1.6)] Will project proponents follow Special Provisions for avoidance and minimization measures for listed species in Arkansas?
Automatically answered
Yes
58. [Semantic] Does the project intersect the Ozark hellbender species list area?
Automatically answered
Yes
59. [Semantic] Does the project intersect the Ozark hellbender survey coordination area?
Automatically answered
No

60. [Semantic] Does the project intersect the harperella species list area?

Automatically answered

No

61. [Semantic] Does the project intersect the pallid sturgeon species list area?

Automatically answered

No

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

Automatically answered

No

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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:

10/22/2025 15:30:37 UTC

Project Code: 2026-0007298

Project Name: A90038 - Marion Co. Line - Baxter Co. Line (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 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: 2026-0007298
Project Name: A90038 - Marion Co. Line - Baxter Co. Line (S)
Project Type: Road/Hwy - Maintenance/Modification
Project Description: February 2026 Pavement Preservation.
15.6 miles of 2" overlay on Highway 14.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.021153999999996,-92.54333596000271,14z>



Counties: Baxter , Marion , and Searcy counties, Arkansas

ENDANGERED SPECIES ACT SPECIES

There is a total of 14 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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

MAMMALS

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6329	Endangered
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Ozark Big-eared Bat <i>Corynorhinus (=Plecotus) townsendii ingens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7245	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10477	Threatened
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

REPTILES

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

AMPHIBIANS

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

CLAMS

NAME	STATUS
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165	Threatened
Snuffbox Mussel <i>Epioblasma triquetra</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4135	Endangered
Western Fanshell <i>Cyprogenia aberti</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6895	Threatened

INSECTS

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

CRITICAL HABITATS

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

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

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@ardot.gov

Phone: 5015692083

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

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)



Re: [EXTERNAL] A90038 Bats Technical Assistance

From Lewis, Lindsey <lindsey_lewis@fws.gov>

Date Thu 10/23/2025 2:10 PM

To Brannon, Parker <Parker.Brannon@ardot.gov>

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Parker,

The Service does not have any concerns or recommendations for this action. Pavement preservation is not expected to have any measurable effects to the caves or the species within. Please let me know if you have any questions or need further assistance.

Thanks,

Lindsey Lewis
Fish and Wildlife 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

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

NOTE: This email correspondence and any attachments to and from this sender is subject to the Freedom of Information Act (FOIA) and may be disclosed to third parties.

From: Brannon, Parker <Parker.Brannon@ardot.gov>

Sent: Wednesday, October 22, 2025 12:17 PM

To: Lewis, Lindsey <lindsey_lewis@fws.gov>

Subject: [EXTERNAL] A90038 Bats Technical Assistance

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Lindsey,

My name is Parker Brannon and I am a natural resources specialist with ARDOT. I'm reaching out for technical assistance for bats with a pavement preservation job.

Job A90038 - Marion Co. Line - Baxter Co. Line (S) consists of 15.6 miles of 2" overlay on Highway 14. There are 2 caves within 0.3 miles of the highway (Shipman Cave and Stoops Pit) and 1 cave less than 0.1 mile (Bat Roost Cave). These caves have previous occurrence records of Tricolored Bat. I've attached a copy of the Arkansas DKey, USFWS species list, and KMZ of the project for your reference.

Thank you,

Parker Brannon
Aquatic Biologist
Environmental Division
Arkansas Department of Transportation
501-569-2522





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:

09/22/2025 16:18:45 UTC

Project code: 2025-0152493

Project Name: A00097 - Hwy. 67 Impvts. (Clay Co.) (S)

Subject: No Effect Technical Assistance letter for the 'A00097 - Hwy. 67 Impvts. (Clay Co.) (S)' project under the December 13, 2024, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat, Northern Long-eared Bat, and Tricolored Bat.

To whom it may concern:

This letter records the determination of effects to federally listed (or proposed) bat species anticipated to result from A00097 - Hwy. 67 Impvts. (Clay Co.) (S) (the Project). This determination is based upon information you entered into the assisted determination key (Dkey) associated with the above referenced Programmatic Biological Opinion/Conference Opinion (PBO/PCO) in the U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) system on the date listed above.

Ensuring Accurate Determinations When Using IPaC:

The Service developed the IPaC system and this Dkey in accordance with the ESA and based on the PBO/PCO. 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 the Dkey invalidates this letter.

Determinations:

Based on the information you provided (Project Description shown below), you have determined that the Project will have the following effect determinations:

Species	Listing Status	Determination
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	No effect
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)	Endangered	No effect

Tricolored Bat (*Perimyotis subflavus*)Proposed
Endangered

No effect

If the Project is not modified, **no consultation is required for these species**. If the Project is modified, or new information reveals that it may affect the Indiana bat, northern long-eared bat, or tricolored bat in a manner or to an extent not considered in the PBO/PCO, further review to conclude the requirements of ESA section 7(a)(2) may be required.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:

If your initial bridge, culvert, or structure assessment failed to detect Indiana bat, northern long-eared bat, or tricolored bat use or occupancy, yet bats are later detected prior to, or during construction, promptly notify the local Service Field Office within 2 working days of the discovery. In addition, please document whether incidental take occurred, and if so, the type (i.e. kill or harm) and amount (i.e. number of individuals) and submit documentation to the local Service Field Office within 5 working days from the completion of the bridge, culvert, or structure construction (use Appendix E - Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form in the [User's Guide](#)). In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service. In these instances, potential incidental take of Indiana bats, northern long-eared bats, or tricolored bats may be exempted provided that the take is reported to the Service.

If the Project may affect any other federally listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Field Office is required for those species/designated critical habitat. If the Project has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency to contact this Service Field Office

The following species may occur in your project area and **are not** covered by this determination:

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* Threatened
- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Pink Mucket (pearlymussel) *Lampsilis abrupta* Endangered
- Piping Plover *Charadrius melodus* Threatened
- Pondberry *Lindera melissifolia* Endangered
- Rabbitsfoot *Quadrula cylindrica cylindrica* Threatened
- Rufa Red Knot *Calidris canutus rufa* Threatened
- Western Fanshell *Cyprogenia aberti* Threatened

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

NAME

A00097 - Hwy. 67 Impvts. (Clay Co.) (S)

DESCRIPTION

Hwy. 67, Section 20, Log mile 1.50 to 2.00 in Clay County has deteriorated to a point where full depth replacement of the concrete pavement is needed

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.3824837,-90.73339924408643,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the species covered by this determination key. 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. Which Federal Agency is the lead federal agency the action?

A) Federal Highway Administration (FHWA)

2. Does the Action Area intersect the species list area of the Northern long-eared bat?

Automatically answered

Yes

3. Does the Action Area intersect the species list area of the Indiana bat?

Automatically answered

Yes

4. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

5. Is the project within 0.5 miles radius of an entrance/opening to any known Indiana bat hibernaculum?

No

6. [Semantic] Is any portion of the action area within a 0.5 mile radius of an entrance/opening to any known NLEB or TCB hibernacula?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact the Field Office listed in the letterhead of this letter.

Automatically answered

No

7. Does your project's activities include raising the road profile above the tree canopy in documented habitat for the Indiana bat, NLEB, or TCB?

Note: For the definition of documented habitat, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>

No

8. Is your project located within a karst area?

No

9. Will the project include bridge, culvert, or structure removal, replacement, and/or alteration activities?

Note: For definitions of bridge, culvert, and structure, refer to Appendix A: <https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat>.

No

10. Do your project's activities involve tree removal/trimming, temporary lighting, new/additional permanent lighting, ground disturbance, percussives that involves noise/vibration above existing background levels, vibrations, or slash pile burning?

Yes

11. Is there suitable summer habitat for the Indiana bat, NLEB, or TCB within the project action area?

Note: See the Service's summer survey guidance for current definitions of suitable habitat [<https://www.fws.gov/midwest/endangered/mammals/inba/inbasummersurveyguidance.html>].

No

12. Does the Action Area intersect the species list area of the Indiana bat?

Automatically answered

Yes

13. Does the Action Area intersect the species list area of the tricolored Bat (TCB)?

Automatically answered

Yes

14. Does the Action Area intersect the species list area of the northern long-eared bat (NLEB)?

Automatically answered

Yes

PROJECT QUESTIONNAIRE

1. Have you made a No Effect determinations for all other species included on the FWS IPaC generated species list?

Yes

2. Have you made a May Affect determination for any other species on the FWS IPaC generated list?

No

DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING IBAT, NLEB, OR TCB

This key was last updated in IPaC on September 11, 2025. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) and may affect the federally listed endangered Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), and/or federally proposed endangered tricolored bat (*Perimyotis subflavus*).

This decision key should only be used to verify project applicability with the Service's Programmatic Biological Opinion/Conference Opinion for Transportation Projects in the Range of the Indiana bat, northern long-eared bat, and tricolored bat, dated December 13, 2024. The programmatic consultation limited transportation activities that may affect the covered bat species and addresses situations that are both likely and not likely to adversely affect the covered bat species. This decision key will assist in identifying the effect of a specific project/activity and the applicability of the programmatic consultation. The programmatic consultation is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic consultation, or that may affect ESA-listed species other than the Indiana bat, northern long-eared bat, or tricolored bat, or their designated critical habitat, may require additional ESA Section 7 consultation.

IPAC USER CONTACT INFORMATION

Agency: Arkansas Department of Transportation

Name: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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)

Endangered Species Act Review

DETERMINATION KEY

AFO Arkansas Multi-Species Determination Key

Release date: September 5, 2025

You completed the latest version of this key, published September 5, 2025, and reached a determination of not applicable for species or critical habitats covered by the key.

This decision key is intended for projects or actions funded, authorized or carried out by federal agencies to help you make effect determinations for listed species and designated critical habitat that may occur in your project area. This decision key is not applicable to after-the-fact project coordination.

The U.S. Fish and Wildlife Service Arkansas Ecological Services Field Office (ARFO) has completed consultations with the Corps of Engineers Little Rock, Memphis and Vicksburg districts and the Farm Service Agency regarding proposed, recurring actions and effects to listed species. The resultant Standard Local Operative Procedures for Endangered Species (SLOPES) and Programmatic Informal Consultation evaluations form the basis of this key. See the links below for detailed information on these consultations.

[SLOPES with Little Rock District 2018](#)

[Farm Service Agency Statewide Programmatic Consultation 2019](#)

[USFS Ouachita National Forest Programmatic Biological Opinion 2010](#)

[USFS Ozark St. Francis National Forest Programmatic Biological Opinion 2010](#)

[Cooperative Agreement Between USFWS and Arkansas Game and Fish Commission](#)

[Arkansas Game and Fish Commission Indiana Bat Programmatic Biological Opinion 2019](#)

[Arkansas Species Determination Key Standing Analysis](#)

For projects that meet incorporated criteria, your responses to questions in this key will allow you to make effect determinations for species included in these consultations. More information about section 7(a)(2) and effect determinations is available [here](#) and on the Service's [website](#). Reaching an effect determination in the key indicates a project proponent can rely on the above consultations and the Service's concurrence with the resulting determinations. For those species with a resulting determination of "no effect" or "may affect,

not likely to adversely affect”, the project proponent has satisfied consultation requirements under section 7(a)(2) of the Endangered Species Act for the project. For projects that reach a “may affect” or “may affect, likely to adversely affect” determination for a species, further consultation with ARFO will be required to meet consultation requirement.

Species covered by this key

This key covers the following species, and critical habitat for these species, expected to occur in this project area:

BIRDS

Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis*

Piping Plover *Charadrius melodus*

Rufa Red Knot *Calidris canutus rufa*

CLAMS

Pink Mucket (pearlymussel) *Lampsilis abrupta*

Rabbitsfoot *Quadrula cylindrica cylindrica*

Western Fanshell *Cyprogenia aberti*

FLOWERING PLANTS

Pondberry *Lindera melissifolia*

MAMMALS

Indiana Bat *Myotis sodalis*

The following species, also covered by this key, are not expected to occur in this project area:

American Burying Beetle *Nicrophorus americanus*

Arkansas Fatmucket *Lampsilis powellii*

Benton County Cave Crayfish *Cambarus aculabrum*

Curtis Pearlymussel *Epioblasma curtisii*

Fat Pocketbook *Potamilus capax*

Geocarpon minimum

Gray Bat *Myotis grisescens*

Harperella *Ptilimnium nodosum*

Hell Creek Cave Crayfish *Cambarus zophonastes*

Least Tern *Sternula antillarum*

Leopard Darter *Percina pantherina*

Missouri Bladderpod *Physaria filiformis*

Neosho Mucket *Lampsilis rafinesqueana*

Ouachita Fanshell *Cyprogenia sp. cf. aberti*

Ouachita Rock Pocketbook *Arcidens wheeleri*

Ozark Big-eared Bat *Corynorhinus (=Plecotus) townsendii ingens*

Ozark Cavefish *Amblyopsis rosae*
Ozark Hellbender *Cryptobranchus alleganiensis bishopi*
Pallid Sturgeon *Scaphirhynchus albus*
Red-cockaded Woodpecker *Dryobates borealis*
Salamander Mussel *Simpsonia ambigua*
Scaleshell Mussel *Leptodea leptodon*
Snuffbox Mussel *Epioblasma triquetra*
Speckled Pocketbook *Lampsilis streckeri*
Spectaclecase (mussel) *Cumberlandia monodonta*
Whooping Crane *Grus americana*
Winged Mapleleaf *Quadrula fragosa*
Yellowcheek Darter *Etheostoma moorei*

Critical habitats covered by this key

This key covers the critical habitats for the following species expected to occur in this project area:

None

For more information about this determination key, including a list of all potential questions, refer to the [detailed overview](#).

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").

Yes

When the action agency determines its proposed action will not affect a listed species, there is no need to coordinate further with the Service. If listed species will not be directly or indirectly exposed to the proposed

action or any resulting environmental changes, an action agency may conclude "no effect" and document the finding, thus completing the section 7 process. For example, if the species or its suitable habitat is not present in the action area and the project does not otherwise present any effects to the species, action agencies typically conclude and document "No Effect - species not present" as their finding."

As documentation of this "no effect" determination print this screen, add it to your project files, and select "exit review" on the progress ribbon to return to the project home page.

If you no longer wish to use this key for your project, you can delete your evaluation.



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:

09/22/2025 16:15:34 UTC

Project Code: 2025-0152493

Project Name: A00097 - Hwy. 67 Impvts. (Clay Co.) (S)

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

To Whom It May Concern:

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

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the 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: 2025-0152493
Project Name: A00097 - Hwy. 67 Impvts. (Clay Co.) (S)
Project Type: Road/Hwy - Maintenance/Modification
Project Description: Hwy. 67, Section 20, Log mile 1.50 to 2.00 in Clay County has deteriorated to a point where full depth replacement of the concrete pavement is needed

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.3824837,-90.73339924408643,14z>



Counties: Clay County, Arkansas

ENDANGERED SPECIES ACT SPECIES

There is a total of 12 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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

MAMMALS

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10477	Threatened
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

REPTILES

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

CLAMS

NAME	STATUS
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7829	Endangered
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165	Threatened

NAME	STATUS
Western Fanshell <i>Cyprogenia aberti</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6895	Threatened

INSECTS

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

FLOWERING PLANTS

NAME	STATUS
Pondberry <i>Lindera melissifolia</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1279	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: Parker Brannon

Address: 10324 I-30

City: Little Rock

State: AR

Zip: 72209

Email: parker.brannon@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 Multiple FAP Multiple
Job Title Multiple (2026 Pavement Preservation Program Projects)

Environmental Resource	None	Minimal	Major	Comments
Air Quality	X			No impacts anticipated
Cultural Resources	X			2024 Amended Programmatic Agreement
Economic	X			No impacts anticipated
Endangered Species	X			"No effect" determination for all species
Civil Rights/Title VI	X			No impacts anticipated
Fish and Wildlife	X			No impacts anticipated
Floodplains	X			No impacts anticipated
Forest Service Property	X			No impacts anticipated
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			No impacts anticipated; see remarks
Public Recreation Lands	X			No impacts anticipated
Public Water Supply/WHPA		X		See remarks
Relocates	X			No relocations 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			See remarks
Water Quality	X			No impacts anticipated; see remarks
Wetlands	X			No impacts anticipated
Wildlife Refuges	X			No impacts anticipated

Section 401 Water Quality Certification Required? No
Short-term Activity Authorization Required? Yes (A80046)
Section 404 Permit Required? Yes (A80046) Type Nationwide 14

Remarks:

Jobs A10051, A50046, A70035, A00096 – Coordination letters & WHP SP required
Jobs A10031, A20033, A30029, A30039, A30040, A40047, A40049, A70039, A70041, A70042, A80042, A80043, A90038, A90039, A90040, A90043, AX0009 – WPC SP included
War Eagle Creek & Kings River (A90043) – WPC SP included
Mulberry River (A40049) – WPC SP included
Messer Creek (A30028) – WPC SP included

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

Kings River (A90040) – WPC SP included

Job A80046 – WPC SP & STAA required; 175 total cubic yards of concrete extensions added on to
11 existing culverts

Job A90038 – PWS & WHPA in project area, WPC SP included

Signature of Evaluator *Mikayla Shaddon* Date 11/13/2025