

# ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

Scott E. Bennett  
Director  
Telephone (501) 569-2000  
Voice/TTY 711



P.O. Box 2261  
Little Rock, Arkansas 72203-2261  
Telefax (501) 569-2400  
www.arkansashighways.com

July 27, 2017

Mr. Angel Correa  
Division Administrator  
Federal Highway Administration  
700 West Capitol, Room 3130  
Little Rock, Arkansas 72201-3298

Re: Job Number 012289  
FAP Number ER-0024(35) &  
ER-0044(28)  
Hwy. 23 Slide Repair (Franklin &  
Madison Cos.) (S)  
Franklin & Madison Counties  
Tier 3 Categorical Exclusion

Dear Mr. Correa:

The Environmental Division has reviewed the referenced project and it falls within the definition of the Tier 3 Categorical Exclusion as defined by the AHTD/FHWA Memorandum of Agreement on the processing of Categorical Exclusions. The following information is included for your review and, if acceptable, approval as the environmental documentation for this project.

The purpose of this project is to repair two slides on Highway 23 caused by flooding events in the fall and winter of 2015. Total length of the project is 0.053 mile. Site 1 is located approximately 2.2 miles south of the Madison County line in Franklin County. Site 2 is located approximately 7.9 miles south of Highway 127 East in Madison County. A project location map is enclosed.

The project will involve using soil nail walls, a method of landslide stabilization that internally reinforces soil by "nailing" an external wall through the soil to deeper shale or rock. All work will take place within existing right of way, with a minor temporary construction easement (TCE) on Site 1. This TCE is located on Ozark-St. Francis National Forests property. Final easement ownership will be determined in cooperation with the Ozark-St. Francis National Forests under 36 C.F.R. §220.6(e)(3).

There are no relocations, hazardous materials, wetland or stream impacts, or prime farmland impacts associated with this project. There are no *Executive Order 12898* Environmental Justice issues involved with this project. The Cherry Bend Recreation Area is located adjacent to Site 1 and is eligible for inclusion to the National Register of Historic Places, but no impacts to the site or its contributing elements are anticipated. Cultural resources clearances are enclosed.


The USFWS IPaC website lists rabbitsfoot (*Quadrula cylindrica*), American burying beetle (*Nicrophorus americanus*), and *Geocarpon minimum* as species potentially affected by the proposed project. Due to the limited scope of the project, lack of habitat present within the project area, and distance to known habitat a determination was made that the project will not affect these listed species. IPAC also lists four species of bats, gray bat (*Myotis grisescens*), Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), and Ozark big-eared bat (*Corynorhinus townsendii ingens*) as potentially affected by the proposed project. Presence/absence surveys were conducted between June 26<sup>th</sup> and June 29, 2017 resulting in the capture of a single gray bat and no Indiana, northern long-eared, or Ozark big-eared bat captures. Based on the survey results and the cessation of construction activities one hour prior to sunset will minimize the potential to impact bat species in the area. The determination of “may affect, not likely to adversely affect” was made, and a letter of concurrence was received July 27, 2017 (see attached).

Based upon the AHTD’s *Policy on Highway Traffic Noise Abatement*, a noise analysis is not required for this project. The project meets the criteria for a Type III project established in 23 CFR 772. Therefore, the project requires no analysis for highway traffic noise impacts. Type III projects do not involve added capacity, construction of new through lanes or auxiliary lanes, changes in the horizontal or vertical alignment of the roadway or exposure of noise sensitive land uses to a new or existing highway noise source. A noise analysis will be required if changes to the proposed project result in reclassification to a Type I project.

If you have any questions, please contact the Environmental Division at 569-2281.

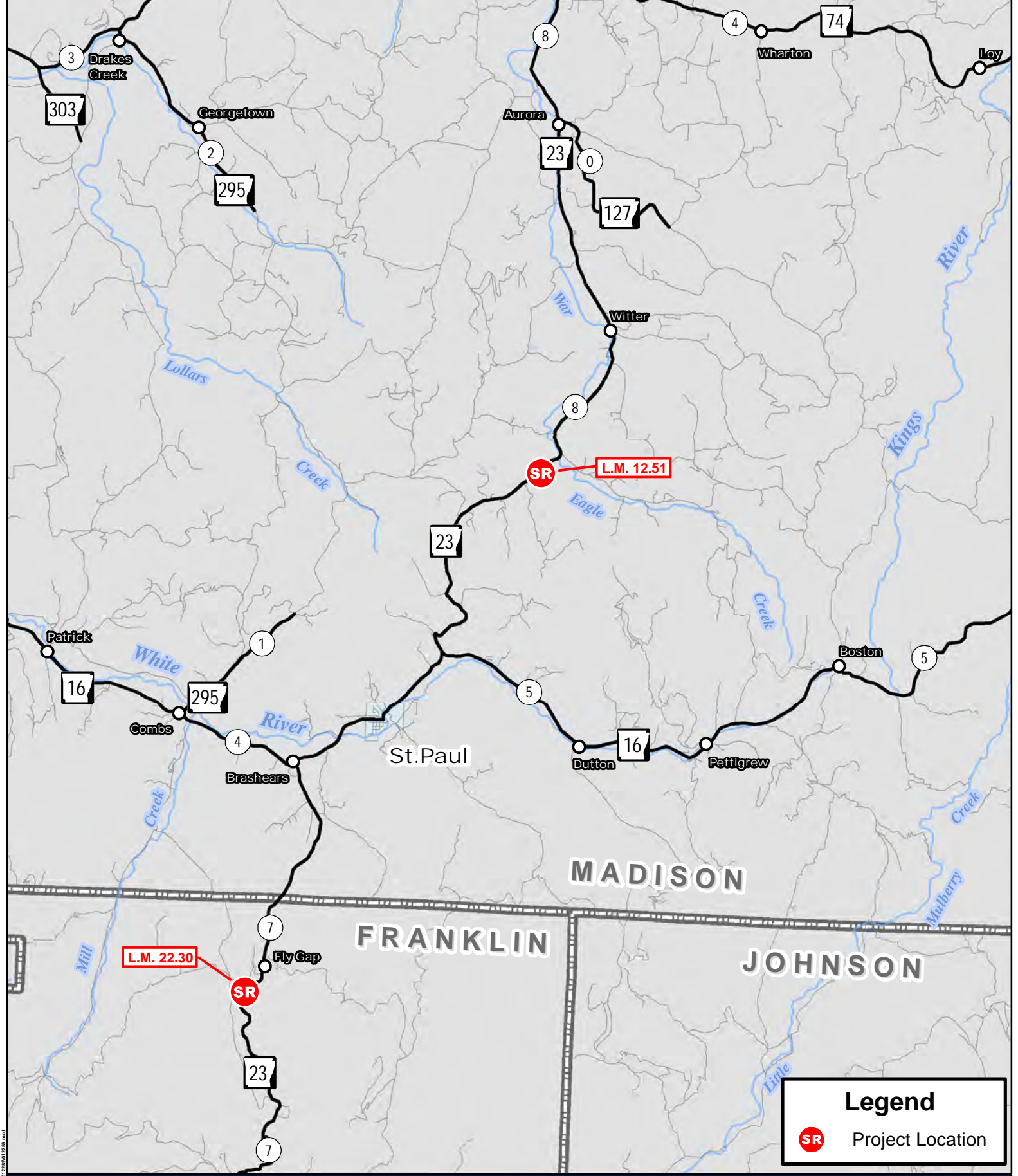
**APPROVED**  
  
Environmental Specialist  
Federal Highway Administration  
Date: 7/27/2017

Sincerely,

  
for John Fleming  
Division Head  
Environmental Division

Enclosures  
JF:SS:fc



c: Program Management  
Right of Way  
Roadway Design  
Districts 4 & 9  
Master File



**Job 012289**  
 Hwy. 23 Slide Repair (Franklin & Madison Cos.) (S)  
 Hwy. 23, Secs. 7 & 8  
 Franklin & Madison Counties

PM: PS: clde014: 5/22/2017

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 Miles

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THE DEPARTMENT OF ARKANSAS  
**HERITAGE**

Asa Hutchinson  
Governor

Stacy Hurst  
Director

July 6, 2017

Mr. John Fleming  
Division Head  
Environmental Division  
Arkansas State Highway and Transportation Department  
PO Box 2261  
Little Rock, AR 72203-2261

RECEIVED  
AHTD  
JUL 11 2017  
ENVIRONMENTAL  
DIVISION

RE: Franklin and Madison Counties – General  
Section 106 Review – FHWA  
Request for Technical Assistance  
AHTD Job Number 012289  
Hwy. 23 Slide Repair (S)  
Franklin & Madison Cos.  
AHPP Tracking Number: 93495.05

Dear Mr. Fleming:

My staff has reviewed the report submitted for the above referenced project. The cultural resources survey report details the fieldwork done for the proposed emergency slide repair and is acceptable.

Based on the information contained in the cultural resources report, we have determined that the 5-meter buffer around the two tent pads, latrine, rock steps and walls, and the rock lined culvert in addition to your plans to avoid Tent Pad 12 to the north and the sign foundation to the west is acceptable. Therefore, we concur that the proposed undertaking will have no adverse effect on historic properties.

Tribes that have expressed an interest in the area include the Chickasaw Nation (Ms. Karen Brunso), the Choctaw Nation of Oklahoma (Dr. Ian Thompson), the Osage Nation (Dr. Andrea Hunter), the Quapaw Tribe of Oklahoma (Mr. Everett Bandy), the Shawnee Tribe of Oklahoma (Ms. Kim Jumper), and the United Keetoowah Band of Cherokee Indians (Mr. Eric Oosahwee-Voss). We recommend that they be consulted in accordance with 36 CFR § 800.2 (c) (2).

Thank you for the opportunity to review this undertaking. If you should have any questions or comments, please do not hesitate to contact Theresa Russell of my staff at (501)-324-9357. Please refer to the AHPP Tracking Number listed above in all correspondence.

Sincerely,

  
Marian Boyd

Interim Director, AHPP

cc: Mr. Randal Looney, Federal Highway Administration  
Dr. Andrea Hunter, Osage Nation  
Dr. Ann Early, Arkansas Archeological Survey

Arkansas Arts Council

Arkansas Natural  
Heritage Commission

Arkansas State Archives

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars  
Cultural Center

Old State House Museum



ARKANSAS HISTORIC  
PRESERVATION PROGRAM



1100 North Street  
Little Rock, AR 72201

(501) 324-9880  
fax: (501) 324-9184  
tdd: 711

e-mail:

[info@arkansaspreservation.org](mailto:info@arkansaspreservation.org)

website:

[www.arkansaspreservation.com](http://www.arkansaspreservation.com)

An Equal Opportunity Employer



THE DEPARTMENT OF ARKANSAS  
**HERITAGE**

Asa Hutchinson  
*Governor*

Stacy Hurst  
*Director*

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Arkansas Arts Council

Arkansas Natural  
Heritage Commission

Arkansas State Archives

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars  
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Old State House Museum

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ARKANSAS HISTORIC  
PRESERVATION PROGRAM



1100 North Street  
Little Rock, AR 72201

(501) 324-9880  
fax: (501) 324-9184  
tdd: 711

e-mail:

[info@arkansaspreservation.org](mailto:info@arkansaspreservation.org)

website:

[www.arkansaspreservation.com](http://www.arkansaspreservation.com)

An Equal Opportunity Employer

July 26, 2017

Mr. John Fleming  
Division Head  
Environmental Division  
Arkansas State Highway and Transportation Department  
PO Box 2261  
Little Rock, AR 72203-2261

RE: Franklin and Madison Counties – General  
Section 106 Review – FHWA  
Request for Technical Assistance  
AHTD Job Number 012289  
Hwy. 23 Slide Repair (S)  
Franklin & Madison Cos.  
AHPP Tracking Number: 93495.06

Dear Mr. Fleming:

My staff has reviewed the report submitted for the above referenced project. The cultural resources survey report details the fieldwork done for the proposed emergency slide repair and is acceptable.

Based on the information contained in the cultural resources report, we concur that the proposed undertaking will have no effect on historic properties.

Tribes that have expressed an interest in the area include the Chickasaw Nation (Ms. Karen Brunso), the Choctaw Nation of Oklahoma (Dr. Ian Thompson), the Osage Nation (Dr. Andrea Hunter), the Quapaw Tribe of Oklahoma (Mr. Everett Bandy), the Shawnee Tribe of Oklahoma (Ms. Kim Jumper), and the United Keetoowah Band of Cherokee Indians (Mr. Eric Oosahwee-Voss). We recommend that they be consulted in accordance with 36 CFR § 800.2 (c) (2).

Thank you for the opportunity to review this undertaking. If you should have any questions or comments, please do not hesitate to contact Theresa Russell of my staff at (501)-324-9357. Please refer to the AHPP Tracking Number listed above in all correspondence.

Sincerely,

Marian Boyd  
Interim Director, AHPP

cc: Mr. Randal Looney, Federal Highway Administration  
Dr. Andrea Hunter, Osage Nation  
Dr. Ann Early, Arkansas Archeological Survey



IN REPLY REFER TO:

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

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



July 27, 2017

Mickey Matthews  
Arkansas Highway & Transportation Department  
10324 Interstate 30  
Little Rock, AR 72209

Dear Mr. Matthews,

The Service has reviewed your assessment and determinations for AHTD Job Number 012289. The project will involve using soil nail walls, a method of landslide stabilization that internally reinforces soil by "nailing" an external wall through the soil to deeper shale or rock. This repair technique will result in a small footprint. All work will take place within existing right of way, with a minor temporary construction easement (TCE) on Site 1. Each of the two sites will be approximately 0.1 acre of clearing. The Highway Department proposes as a conservation measure to minimize any potential effects to all bat species to limit construction activities to daytime activities ceasing at least one hour prior to sunset during the active season (March- Nov 15).

Based on the results of the survey, conservation measures, location of this action, the minimal habitat being affected, and the distance to any known species locations, the Service agrees with your assessment and concurs with your determination for Gray Bat, Ozark Big-eared Bat, and Indiana Bat. No further consultation regarding these species is necessary at this time.

Furthermore, the Service has reviewed your determination that the proposed action will not result in any prohibited incidental take for Northern Long-eared Bat. This project may affect the Northern Long-eared Bat; however, there are no effects beyond those previously disclosed in the Service's programmatic biological opinion for the final 4(d) rule dated January 5, 2016. Any taking that may occur incidental to this project is not prohibited under the final 4(d) rule (50 CFR §17.40(o)). This project is consistent with the description of the proposed action in the programmatic biological opinion, and the 4(d) rule does not prohibit incidental take of the Northern Long-eared Bat that may occur as a result of this project. Therefore, the programmatic biological opinion satisfies the "action agency" responsibilities under ESA section 7(a)(2) relative to the Northern Long-eared Bat for this project.

Please keep in mind that you must report any departures from the plans submitted; results of any surveys conducted; or any dead, injured, or sick Northern Long-eared Bats that are found to this office. If this project is not completed within one year of this letter, you must update your determination and resubmit the required information.

Mr. Mickey Matthews

Furthermore, due to the limited size of the area being cleared, proximity to the existing right-of-way, minimal adjacent habitat being disturbed, minimal ground disturbance, and distance to known species locations; the Service has no concerns or recommendations to provide as further technical assistance related to this action for any other species identified for this area. No further action is required at this time.

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

Sincerely,



Melvin L. Tobin  
Field Supervisor



## United States Department of the Interior



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

In Reply Refer To:

July 25, 2017

Consultation Code: 04ER1000-2017-SLI-1041

Event Code: 04ER1000-2017-E-01541

Project Name: 012289 Hwy 23 Slide Repair

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

To Whom It May Concern:

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

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

**Please visit our website at <http://www.fws.gov/arkansas-es/IPaC/home.html> for species-specific guidance to avoid and minimize adverse effects to federally endangered, threatened, proposed, and candidate species.** Our web site also contains additional information on species life history and habitat requirements that may be useful in project planning.

**If your project involves in-stream construction activities, oil and natural gas infrastructure, road construction, transmission lines, or communication towers, please review our project**



specific guidance at <http://www.fws.gov/arkansas-es/IPaC/ProjSpec.html>.

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

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

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

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

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

implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

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

Attachment(s):

- Official Species List

## Official Species List

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

This species list is provided by:

**Arkansas Ecological Services Field Office**

110 South Amity Suite 300

Conway, AR 72032-8975

(501) 513-4470

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## Project Summary

Consultation Code: 04ER1000-2017-SLI-1041  
Event Code: 04ER1000-2017-E-01541  
Project Name: 012289 Hwy 23 Slide Repair  
Project Type: TRANSPORTATION  
Project Description: repair slides

**Project Location:**

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/35.89630105319058N93.70815254758375W>



Counties:

Madison, AR

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## Endangered Species Act Species

There is a total of 5 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. 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.

### Mammals

| NAME   | STATUS     |
|--|------------|
| Gray Bat <i>Myotis grisescens</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/6329">https://ecos.fws.gov/ecp/species/6329</a>                                     | Endangered |
| Indiana Bat <i>Myotis sodalis</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>                                     | Endangered |
| Northern Long-eared Bat <i>Myotis septentrionalis</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>                 | Threatened |
| Ozark Big-eared Bat <i>Corynorhinus (=Plecotus) townsendii ingens</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/7245">https://ecos.fws.gov/ecp/species/7245</a> | Endangered |

### Clams

| NAME   | STATUS     |
|--|------------|
| Rabbitsfoot <i>Quadrula cylindrica cylindrica</i><br>There is a <b>final critical habitat</b> designated for this species. Your location is outside the designated critical habitat.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/5165">https://ecos.fws.gov/ecp/species/5165</a> | Threatened |

### Critical habitats

There are no critical habitats within your project area under this office's jurisdiction.

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## United States Department of the Interior



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

In Reply Refer To:

July 25, 2017

Consultation Code: 04ER1000-2017-SLI-1040

Event Code: 04ER1000-2017-E-01539

Project Name: 012289 Hwy 23 Slide Repairs

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

To Whom It May Concern:

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

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

**Please visit our website at <http://www.fws.gov/arkansas-es/IPaC/home.html> for species-specific guidance to avoid and minimize adverse effects to federally endangered, threatened, proposed, and candidate species.** Our web site also contains additional information on species life history and habitat requirements that may be useful in project planning.

**If your project involves in-stream construction activities, oil and natural gas infrastructure, road construction, transmission lines, or communication towers, please review our project**

specific guidance at <http://www.fws.gov/arkansas-es/IPaC/ProjSpec.html>.

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

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

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

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

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

implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

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

Attachment(s):

- Official Species List



## Official Species List

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

This species list is provided by:

**Arkansas Ecological Services Field Office**

110 South Amity Suite 300

Conway, AR 72032-8975

(501) 513-4470

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## Project Summary

Consultation Code: 04ER1000-2017-SLI-1040

Event Code: 04ER1000-2017-E-01539

Project Name: 012289 Hwy 23 Slide Repairs

Project Type: TRANSPORTATION

Project Description: repair of failing slopes using soil nail techniques.

Project Location:

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/35.744576966161304N93.81206552602406W>



Counties: Franklin, AR

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## 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. 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.

### Mammals

| NAME   | STATUS     |
|--|------------|
| Gray Bat <i>Myotis grisescens</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/6329">https://ecos.fws.gov/ecp/species/6329</a>                                     | Endangered |
| Indiana Bat <i>Myotis sodalis</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>                                     | Endangered |
| Northern Long-eared Bat <i>Myotis septentrionalis</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>                 | Threatened |
| Ozark Big-eared Bat <i>Corynorhinus (=Plecotus) townsendii ingens</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/7245">https://ecos.fws.gov/ecp/species/7245</a> | Endangered |

### Insects

| NAME  | STATUS     |
|---|------------|
| American Burying Beetle <i>Nicrophorus americanus</i><br>Population: Wherever found, except where listed as an experimental population<br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/66">https://ecos.fws.gov/ecp/species/66</a> | Endangered |

### Flowering Plants

| NAME   | STATUS     |
|--|------------|
| Geocarpon minimum<br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/7699">https://ecos.fws.gov/ecp/species/7699</a> | Threatened |

### Critical habitats

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There are no critical habitats within your project area under this office's jurisdiction.

## AHTD ENVIRONMENTAL IMPACTS ASSESSMENT FORM

AHTD Job Number 012289 FAP Number ER-0024(35) & ER-0044(28)  
 Job Title Hwy. 23 Slide Repair (Franklin & Madison Cos.) (S)

| Environmental Impacts          | None | Minor | Significant | Comments                                     |
|--------------------------------|------|-------|-------------|--|
| Air Quality                    | X    |       |             |  |
| Construction Impacts           |      | X     |             | Minor during construction                    |
| Cultural Resources             | X    |       |             |  |
| Economic                       | X    |       |             |  |
| Endangered Species             |      | X     |             | "May affect, not likely to adversely affect" |
| Energy Resources               | X    |       |             |  |
| Environmental Justice/Title VI | X    |       |             |  |
| Fish and Wildlife              | X    |       |             |  |
| Floodplains                    | X    |       |             |  |
| Forest Service Property        |      | X     |             | Minor TCE on USFS property (Site 1)          |
| Hazardous Materials/Landfills  | X    |       |             |  |
| Land Use Impacts               | X    |       |             | Minor TCE (Site 1)                           |
| Migratory Birds                | X    |       |             |  |
| Navigation/Coast Guard         | X    |       |             |  |
| Noise Levels                   | X    |       |             |  |
| Prime Farmland                 | X    |       |             |  |
| Protected Waters               | X    |       |             |  |
| Public Recreation Lands        | X    |       |             |  |
| Public Water Supply/WHPA       | X    |       |             |  |
| Relocates                      | X    |       |             |  |
| Section 4(f)/6(f)              | X    |       |             |  |
| Social                         | X    |       |             |  |
| Underground Storage Tanks      | X    |       |             |  |
| Visual Impacts                 | X    |       |             |  |
| Stream Impacts                 | X    |       |             |  |
| Water Quality                  | X    |       |             |  |
| Wetlands                       | X    |       |             |  |
| Wildlife Refuges               | X    |       |             |  |

Section 401 Water Quality Certification Required? No  
 Short-term Activity Authorization Required? No  
 Section 404 Permit Required? No Type None

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

Signature of Evaluator Susan Staffeld Date July 25, 2017