



October 12, 2018

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

Re: Job Number 061547
FAP Number NHPP-9210(35)
Hwy. 7S – Hwy. 5 (S)
Route 7, Section 9
Garland County
Tier 3 Categorical Exclusion

Dear Mr. Correa:

The ARDOT Environmental Division reviewed the referenced project and, in consultation with the FHWA, determined that this action falls within the definition of a Categorical Exclusion as described by CFR 771.117(a) and (d)(13). 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 improve capacity and safety for a portion of Highway 7 from Highway 7 Spur to Highway 5 in Garland County. The proposed project will include an overlay section, a section to be widened, and the construction of a roundabout at the Highway 5/7 intersection. The total project length is approximately 4.3 miles. A project location map is enclosed. The existing roadway consists of two 11-foot wide paved travel lanes with 4-foot wide paved shoulders. Existing right of way width averages 60 feet.

Proposed improvements include a 0.47-mile long overlay section at the southern end of the project. The remainder of the project will consist of three 12-foot wide paved travel lanes with 4-foot wide bike lanes, concrete curb and gutter, 3-foot wide grass berms, and 5-foot wide

sidewalks on both sides of the highway. The roundabout at the Highway 5/7 intersection will have a single 20-foot wide lane. The proposed right of way width will average 120 feet. Approximately 27.3 acres of additional right of way will be required for this project. Of this acreage, 4.3 acres are prime farmland. Form NRCS-CPA-106 is enclosed.

Design data for this project is as follows:

Design Year	Average Daily Traffic	Percent Trucks	Design Speed
2019	10,500	11	45 mph
2039	14,000	11	45 mph

Two residential tenants, four businesses, and three landlord businesses will be relocated as a result of this project. Of these, one residential tenant, two businesses, and two landlord businesses will be relocated due to the roundabout construction. Public Law 91-646, Uniform Relocation Assistance Act of 1970, as amended, will apply. A Conceptual Stage Relocation Study is enclosed. Each resident and business that will be relocated had the opportunity to discuss the relocation process with ARDOT staff at the Public Involvement Meeting or through a personal visit. All concerns and/or issues were resolved to the satisfaction of the property owners and tenants.

The following information was utilized to determine if a disproportionate impact would occur to minority and/or low income households:

- Conducting field observations of the populations in the project area, and holding a public involvement meeting.
- Utilizing census data gathered from the Environmental Justice Screening and Mapping Tool along with the American Factfinder. This information shows that the Latino population in the census tracts containing the project area is approximately 3%, while the Low-Income population is approximately 21.6%. The percentages of these populations in Garland County and Hot Springs are 5.3 and 8.1 % Latino; and 20.6 and 27.9 % Low-Income, respectively.
- A Conceptual Stage Relocation Inventory Study to determine if replacement housing and businesses were available.

Although relocations were minimized as much as possible during design, one tenant household to be relocated is considered to be low income and another is minority (Latino) and low income. The tenants were informed of the project and are aware of their eligibility for relocation assistance. The Conceptual Stage Relocation Study showed that available comparable dwellings are in the project area that are within the financial means of those being relocated. Special relocation advisory services and assistance will be provided commensurate with the needs of these tenants.

The proposed improvements would not result in any permanent disconnection or division of any community or neighborhood areas, and would not eliminate the community service facilities currently existing in the project area. Although minority and low-income populations are affected by the project, a determination has been made that the proposed project will not have a disproportionate impact on the Environmental Justice and Title VI populations.

Two underground storage tanks (USTs) at Station 260+30 right may be impacted and the extent of any impacts will be determined during the right of way acquisition process. The proposed Highway 5/7 roundabout will impact three USTs at Station 329+00 left, two 10,000 gallon above ground storage tanks (ASTs) at Station 326+40 left and four USTs at Station 324+50 right. The property at Station 324+50 right is known to have oil contamination and is being acquired to provide control of access for this project and for a future full interchange proposed as part of Job R60016. Further evaluation of the property will be conducted once the interchange design is available. All USTs and the ASTs will be removed in accordance with Arkansas Department of Environmental Quality removal regulations.

Several unnamed ephemeral and intermittent streams will be relocated to accommodate the widening of Highway 7, resulting in approximately 3,000 linear feet of stream impacts. Stream impacts are expected to tributaries to the South Fork of the Saline River. The South Fork of the Saline River is considered an ecologically sensitive waterbody and will require an Individual Water Quality Certification prior to construction. Construction of the proposed project should be allowed under the terms of a Section 404 Standard Permit. Compensatory stream mitigation will be provided at ARDOT's Upper Saline Mitigation Bank in Saline County. No wetlands will be impacted.

The official species list obtained through the U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation website identified the following federally listed species as having the potential to occur within the proposed project vicinity: northern long-eared bat (*Myotis septentrionalis*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Theliderma cylindrica*), Arkansas Fatmucket (*Lampsilis powellii*), harperella (*Ptilimnium nodosum*) and Missouri bladderpod (*Physaria filiformis*).

The Final 4(d) Rule and Programmatic Biological Opinion applies to the project's activities that have the potential to affect northern long-eared bats. The Final 4(d) Rule exempts the incidental take of northern long-eared bats from take prohibitions in the Endangered Species Act. The exemptions apply as long as the activities do not occur within 0.25 mile of a known hibernaculum or within 150 feet of a known occupied maternity roost from June 1 to July 31. No known hibernacula or maternity roosts exist within the project limits; however, a winter clearing restriction will be included in the job contract that prohibits tree clearing between April 1 and November 15.

A 'no effect' determination was made for the federally listed mussel and plant species due to the lack of habitat in the project area. The USFWS concurred on April 2, 2018. The official species list, 4(d) Rule Streamlined Checklist, and USFWS concurrence letter are enclosed.

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

The Peter Dierks Joers House (GA0743), located between Station 140+95 and 142+95 left, is listed on the National Register of Historic Places under Criterion C, as an outstanding example of a Ranch designed in the Moderne Style of architecture. Approximately 0.06 acre associated with the property will be impacted by the project. The State Historic Preservation Officer (SHPO) determined that there would be no adverse effect on the property. The SHPO concurrence is in the appendix of the enclosed de minimis Section 4(f) Evaluation.

Noise predictions have been made for this project utilizing the Federal Highway Administration's TNM 2.5 (Traffic Noise Model) procedures. These procedures indicate that noise levels will be above the FHWA noise criteria beyond the

project's proposed right of way limits near the roundabout. These impacts extend approximately 300 feet down the roadway from the roundabout along each leg for a distance of 100 feet beyond the roadway and are the result of the deceleration and acceleration of traffic. Sensitive receptors within this impacted zone are scheduled to be relocated, resulting in no impacts to sensitive receptors. Noise analysis for the Highway 7 turn lane is not required under ARDOT's Policy on Highway Traffic Noise Abatement, because the construction of turn lanes does not involve added capacity or expose noise sensitive land uses to a new or existing highway noise source. In compliance with Federal guidelines, local authorities will be notified.

The overlay section of this project is within the boundaries of the Hot Springs National Park. No right of way will be acquired, and no impacts to the park are anticipated.

A Public Involvement Meeting was held on March 15, 2018. A synopsis of the meeting is enclosed.

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

APPROVED

Environmental Specialist
Federal Highway Administration
Date: 10/15/2018

Sincerely,

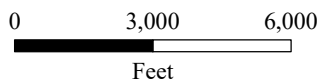
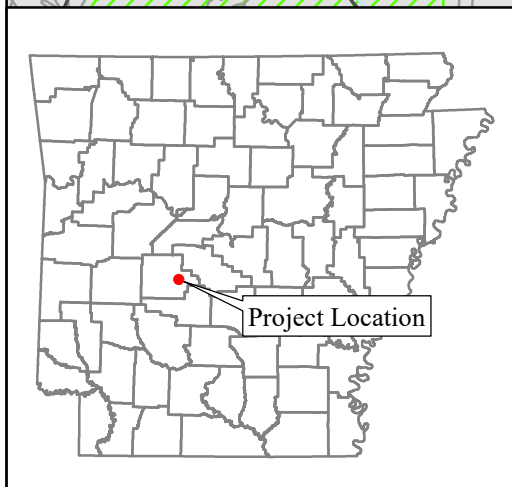
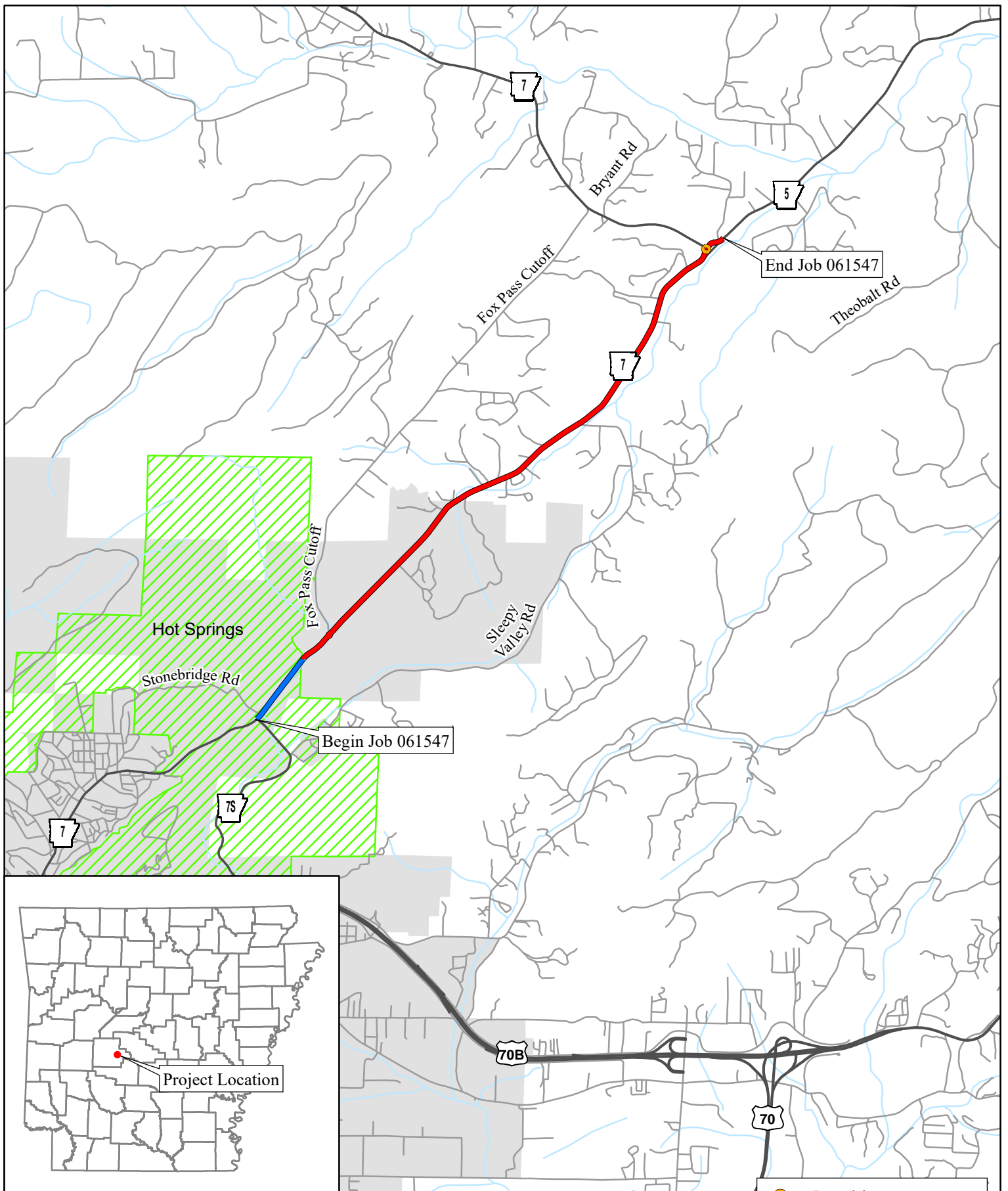


John Fleming
Division Head
Environmental Division

Enclosures





JF:TT:mr

c: Program Management
Right of Way
Roadway Design
Bridge Division
District 6
Master File



ARDOT - Environmental GIS - Dudley
September 13, 2018

Job 061547
Hwy. 7S - Hwy. 5
(Hwy. 7)
Garland County

-  Roundabout
-  Overlay
-  Widening
-  Hot Springs National Park

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency) Job 061547		3. Date of Land Evaluation Request 8/20/2018	4. Sheet 1 of _____
1. Name of Project Hwy. 7S - Hwy. 5 (Widening)		5. Federal Agency Involved FHWA	
2. Type of Project Widening		6. County and State Garland Co / AR	
PART II (To be completed by NRCS)		1. Date Request Received by NRCS	2. Person Completing Form
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form).		YES NO	4. Acres Irrigated Average Farm Size
5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: %	7. Amount of Farmland As Defined in FPPA Acres: %	
8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS	

PART III (To be completed by Federal Agency)	Alternative Corridor For Segment			
	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly				
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor				

PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	4.3			
B. Total Acres Statewide And Local Important Farmland	0.0			
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points				
1. Area in Nonurban Use	15	10			
2. Perimeter in Nonurban Use	10	5			
3. Percent Of Corridor Being Farmed	20	5			
4. Protection Provided By State And Local Government	20	0			
5. Size of Present Farm Unit Compared To Average	10	0			
6. Creation Of Nonfarmable Farmland	25	0			
7. Availability Of Farm Support Services	5	5			
8. On-Farm Investments	20	0			
9. Effects Of Conversion On Farm Support Services	25	0			
10. Compatibility With Existing Agricultural Use	10	0			
TOTAL CORRIDOR ASSESSMENT POINTS	160	25			

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100	100			
Total Corridor Assessment (From Part VI above or a local site assessment)	160	25			
TOTAL POINTS (Total of above 2 lines)	260	125			

1. Corridor Selected: New Location Adjacent to existing	2. Total Acres of Farmlands to be Converted by Project: 4.3 acres of Prime Farmland & no acres of Statewide Importance	3. Date Of Selection: 8/20/18	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>
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5. Reason For Selection:

Best Location


Signature of Person Completing this Part: *[Signature]* DATE August 20, 2018

NOTE Complete a form for each segment with more than one Alternate Corridor



INTEROFFICE MEMORANDUM

TO: John Fleming, Environmental Division Head

FROM:  Jennifer R. Williams, Division Head, Right of Way Division

DATE: August 28, 2018

SUBJECT: Job 061547
Hwy. 7S – Hwy. 5 (S)
Route 07 Section 09
Garland County
CONCEPTUAL STAGE RELOCATION STATEMENT

GENERAL STATEMENT OF RELOCATION PROCEDURE

Persons displaced as a direct result of acquisition for Job 061547 of the proposed project will be eligible for relocation assistance in accordance with Public Law 91-646, The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The Relocation Program provides advisory assistance and payments to minimize the adverse impact and hardship of displacement upon such persons. No lawful occupant shall be required to move without receiving a minimum of 90 days advance written notice. All displaced persons; residential, business, farm, nonprofit organization, and personal property relocatees are eligible for reimbursement for actual reasonable moving costs.

Construction of the project will not begin until decent, safe and sanitary replacement housing is in place and offered to all affected persons. It is the Department's Policy that adequate replacement housing will be made available, built if necessary, before any person is required to move from their dwelling. All replacement housing must be fair housing and offered to all affected persons regardless of race, color, religion, sex or national origin.

There are two basic types of residential relocation payments: (1) Replacement Housing payments and (2) Moving Expense payments. Replacement Housing payments are made to qualified owners and tenants. An owner may receive a payment of up to \$31,000.00 for the increased cost of a comparable replacement dwelling. The amount of this payment is determined by a study of the housing market. Owners may also be eligible for payments to compensate them for the increased interest cost for a new mortgage and the incidental expenses incurred in connection with the purchase of a replacement dwelling. A tenant may receive a rental subsidy payment of up to \$7,200.00. Tenants may elect to receive a down payment rather than a rental subsidy to enable them to purchase a replacement dwelling. Replacement housing payments are made in addition to moving expense payments.

Businesses, farms and nonprofit organizations are eligible for reestablishment payments, not to exceed \$25,000.00. Reestablishment expense payments are made in addition to moving expense payments. A business, farm or nonprofit organization may be eligible for a fixed payment in lieu of the moving costs and reestablishment costs if relocation cannot be accomplished without a substantial loss of existing patronage. The fixed payment will be computed in accordance with the Code of Federal Regulations and cannot exceed \$40,000.00.

If the displacee is not satisfied with the amounts offered as relocation payments, they will be provided a form to assist in filing a formal appeal. A hearing will be arranged at a time and place convenient for the displacee, and the facts of the case will be promptly and carefully reviewed.

Relocation services will be provided until all persons are relocated or their relocation eligibility expires. The Relocation Office will have listings of available replacement housing and commercial properties. Information is also maintained concerning other Federal and State Programs offering assistance to displaced persons.

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Based on preliminary plans, aerial photographs, and an on-site project review, it is estimated that the subject project could cause the following displacements and costs:

2	Residential Tenants	\$	25,000.00
4	Businesses	\$	200,000.00
3	Landlord Businesses	\$	100,000.00
7	Personal Properties	\$	17,000.00
	Services	\$	61,560.00
	Total	\$	403,560.00

The general characteristics of the displacees to be relocated are listed on the Conceptual Stage Inventory Record forms in the back of this report. The general characteristics have been determined by a visual inspection of the potential displacement locations by Relocation Coordinators. The Relocation Coordinators utilize area demographic data, visual inspections, past experiences and knowledge in making this determination.

An available housing inventory has been compiled and it indicates there are at least eighty-nine comparable replacement dwellings available for sale and ten comparable replacement dwellings available for rent within five miles of the project. At least six commercial properties are currently for sale, and ten for lease in the project area. A breakdown of the available properties is as follows:

Residential (For Sale)	<u>Number Of Units</u>
\$ 30,000 - 50,000	5
50,001 - 75,000	17
75,001 - 100,000	34
100,001 - 125,000	21
125,001 - 150,000	12
Total	89

Residential (Monthly Rent)	
400.00 - 500.00	0
501.00 - 600.00	3
601.00 - 700.00	2
701.00 and up	5
Total	10

Commercial Properties (For Sale)	
\$ 0 - 300,000	0
300,001 - 500,000	2
500,001 - 750,000	1
750,001 - 1,000,000	1
1,000,001 and up	2
Total	6

Commercial Properties (Monthly Rent)	
\$ 0 - 1,000	0
1,001 - 2,000	6
2,001 - 3,000	0
3,001 - 4,000	2
1,000,001 and up	2
Total	10

This project includes highway widening from two to three lanes with curb and gutter and intersection improvements at Highway 5. The units contained in the housing inventory are in the Hot Springs area. The dwellings and number of dwellings are comparable and adequate to provide replacement housing for the families displaced on Job 061547. The housing market should not be detrimentally affected and there should be no problems with insufficient housing at this time. In the event housing cannot be found or can be found but not within the displacees' economic means at the time of displacement, Section 206 of Public Law 91-646 (Housing of Last Resort) will be utilized to its fullest and practical extent.

The housing inventory was compiled from data obtained from real estate companies, web sites, and local newspapers for the subject area. The dwellings contained in the

inventory have been determined to be comparable and decent, safe and sanitary. The locations of the comparable dwellings are not less desirable in regard to public utilities and public and commercial facilities, reasonably accessible to the displacees' places of employment, adequate to accommodate the displacees, and in a neighborhood which is not subject to unreasonable adverse environmental factors. It has also been determined that the available housing is within the financial means of the displacees and is fair housing open to all persons regardless of race, color, sex, religion or national origin consistent with the requirements of 49 CFR, Subpart A, Section 24.2 and Title VIII of the Civil Rights Act of 1968.

A commercial property inventory indicates there are at least sixteen properties available in the subject area at this time. The businesses displaced on Job 061547 may not be able to relocate in the immediate area of their displacement. However, in order to assist the displaced businesses and nonprofit organizations in relocating, the State will explore all possible sources of funding or other resources that may be available to businesses and nonprofit organizations. Sources that will be considered include: State and Local entities, the Department of Housing and Urban Development, the Economic Development Administration, the Small Business Administration and other Federal Agencies. Emphasis will be given in providing relocation advisory services to the businesses and nonprofit organizations. Appropriate measures will be taken to ensure that each entity displaced is fully aware of their benefits, entitlements, courses of action that are open to it, and any special provisions designed to encourage businesses and nonprofit organizations to relocate within the same community.

It is estimated that there will be two residential tenant displacements on this project. The two displaced households are estimated to be low income households. One displaced household is also estimated to include one large minority family. All displacees will be offered relocation assistance under provisions in the applicable FHWA regulations. At the time of displacement another inventory of available housing in the subject area will be obtained and an analysis of the market made to ensure that there are dwellings adequate to meet the needs of all displacees. Also, special relocation advisory services and assistance will be administered commensurate with displacees' needs, when necessary. Examples of these include, but are not limited to, Housing of Last Resort as previously mentioned and consultation with local officials, social and federal agencies and community groups.

There are no other identified unusual conditions involved with this project.

ARKANSAS DEPARTMENT OF TRANSPORTATION
 CONCEPTUAL STAGE RELOCATION INVENTORY
 Job No.: 061547 Job Name: Hwy. 7S - Hwy. 5 (S) Date of Inventory: August 24, 2018

Type Relocation	Number	Residential Property Values or Rental Rates	Number in Household (Range)	Employees Affected (Range)	Length of Occupancy (Range)	Minority Households	Elderly Individuals	Low Income Households
Residential Owners	0	0	0	0	0	0	0	0
Residential Tenants	2	\$200 to \$800 per Month	1 to 6	N/A	1 to 5 years	1	0	2
Businesses	4	N/A	N/A	1 to 12	1 to 8 years			
Land Lord Businesses	3	N/A	N/A	N/A				
Nonprofit Organizations	0	N/A	N/A	N/A				
Personal Properties	7	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Totals	16	N/A	1 to 6	1 to 12	N/A	1	0	2

ARKANSAS S DEPARTMENT OF TRANSPORTATION
 CONCEPTUAL STAGE RELOCATION INVENTORY
 Job No.: 061547 Job Name: Hwy. 7S - Hwy 5 Date of Inventory: 8/24/18

RELO #	RELO TYPE	Family Size or # Employees	Street #	Street Name	Unit #	IMP. VAL	IMP. RENT	Family Size or # Employees	Occ Length	Eld? Y/N/U	Min? Y/N/U	Low Inc? Y/N/U	DSS? Y/N/U
1	Personal Property	NA	3304	Park Ave				NA					
2	Personal Property	NA	3545	Park Ave				NA					
3	Personal Property	NA	3607	Park Ave				NA					
4	Residential Tenant	2	3737	Park Ave			\$ 300.00	2	5	N	N	y	U
5	LL Business	2	3737	Park Ave				2	U	U	U	U	U
6	Business	5	3744	Park Ave				5	U	U	U	U	U
7	Personal Property	NA	3845	Park Ave				NA					
8	Personal Property	NA	4010	Park Ave				NA					
9	Personal Property	NA	4413	Park Ave				NA					
10	Personal Property	NA	4516	Park Ave				NA					
11	Residential Tenant	5	4546	Park Ave			\$ 750.00	5	2	N	Y	Y	Y
12	LL Business	4	4546	Park Ave				4	U	U	U		
13	Business	8	4563	Park Ave				8	U	U	U		
14	LL Business	4	4563	Park Ave				4	U	U	U		
15	Business	8	100	N Hwy 7				8	U	U	U		
16	Business	8	100	N Hwy 7				8	U	U	U		



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



April 2, 2018

Mr. John Fleming
c/o Kayti Ewing
Arkansas Department of Transportation
10324 Interstate 30
Little Rock, AR 72209

Dear Mr. Fleming,

The Service has reviewed your assessment and determinations for Arkansas Department of Transportation (ArDOT) Job Number 061547, Garland County, Arkansas. The project was described and assessed as follows (abbreviated):

The Arkansas Department of Transportation (ArDOT) is proposing to widen Highway 7 to three lanes with curb and gutter and install an interchange/roundabout at the Highway 7 and Highway 5 intersection. Please see attached kmz file for current design.

A review of IPaC for the proposed project location shows the following federally listed species have the potential to occur: northern long-eared bat (*Myotis septentrionalis*), Pink Mucket (*Lampsilis abrupta*), Rabbitsfoot (*Quadrula cylindrica cylindrica*), Arkansas Fatmucket (*Lampsilis powellii*), harperella (*Ptilimnium nodosum*) and Missouri bladderpod (*Physaria filiformis*). A 'no effect' determination was made for the federally listed mussel and plant species due to the lack of habitat.

The Final 4(d) Rule and Programmatic Biological Opinion (BO) applies to the project's activities that have the potential to affect northern long-eared bats. The Final 4(d) Rule exempts the incidental take of northern long-eared bats from take prohibitions in the Endangered Species Act. The exemptions apply as long as the activities do not occur within 0.25 mile of a known hibernaculum or within 150 feet of a known occupied maternity roost from June 1 to July 31. No known hibernacula or maternity roosts exist within the project limits. Although approximately 15 acres of forested habitat will be cleared for this project, a winter clearing restriction will be included in the job contract, which prohibits tree clearing between April 1st and November 15th. Please see the 4(d) Rule Streamlined Checklist.

We request your concurrence in our determination.

Due to the limited size of the area being cleared off the existing roadway and within right of way, habitat types, distance to known species locations, and the special provision for winter clearing bat avoidance and stream conservation measures, the Service agrees with your assessments.

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.

For further assistance or if you have any questions, please contact Lindsey Lewis at (501) 513-4489 or lindsey_lewis@fws.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Melvin L. Tobin', is written over a faint, illegible typed name.

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:
Consultation Code: 04ER1000-2018-SLI-0774
Event Code: 04ER1000-2018-E-01105
Project Name: 061547 Hwy 7S - Hwy 5

March 28, 2018

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.

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

Project Summary

Consultation Code: 04ER1000-2018-SLI-0774

Event Code: 04ER1000-2018-E-01105

Project Name: 061547 Hwy 7S - Hwy 5

Project Type: TRANSPORTATION

Project Description: The Arkansas Department of Transportation proposes to widen the existing Highway 7 to three lanes with curb and gutter and install a new intersection. The proposed project includes approximately 4.17 miles of Highway 7.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.56038213694151N93.00000919151982W>



Counties: Garland, AR

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
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	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
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 is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165	Threatened

Flowering Plants

NAME	STATUS
Harperella <i>Ptilimnium nodosum</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3739	Endangered
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

Critical habitats

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

Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form

Federal agencies should use this form for the optional streamlined consultation framework for the northern long-eared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service’s (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency's determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

Information to Determine 4(d) Rule Compliance:

YES NO

	YES	NO
1. Does the project occur wholly outside of the WNS Zone ¹ ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have you contacted the appropriate agency ² to determine if your project is near known hibernacula or maternity roost trees?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Could the project disturb hibernating NLEBs in a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Could the project alter the entrance or interior environment of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Does the project remove any trees within 0.25 miles of a known hibernaculum at any time of year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Would the project cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree from June 1 through July 31.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

You are eligible to use this form if you have answered yes to question #1 **or** yes to question #2 **and** no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO.

Agency and Applicant³ (Name, Email, Phone No.): Arkansas State Highway and Transportation Dept. (AHTD), Kayti Ewing, anne.ewing@ardot.gov, 501-569-2083

Project Name: 061547 Hwy 7S – Hwy 5

Project Location (include coordinates if known): Garland County, 34.558609°, -93.003152°

Basic Project Description (provide narrative below or attach additional information): ArDOT proposes to widen existing Highway 7 to three lanes with curb and gutter for approximately 4.0 miles. An interchange will be constructed at the intersection of Highway 7 and Highway 5.

¹ <http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf>

² See <http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html>

³ If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

General Project Information**YES NO**

Does the project occur within 0.25 miles of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project occur within 150 feet of a known maternity roost tree?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project include forest conversion ⁴ ? (if yes, report acreage below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Estimated total acres of forest conversion	~ 14.8 acre	
If known, estimated acres ⁵ of forest conversion from April 1 to October 31	0	
If known, estimated acres of forest conversion from June 1 to July 31 ⁶	0	
Does the project include timber harvest? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of timber harvest		
If known, estimated acres of timber harvest from April 1 to October 31		
If known, estimated acres of timber harvest from June 1 to July 31		
Does the project include prescribed fire? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of prescribed fire		
If known, estimated acres of prescribed fire from April 1 to October 31		
If known, estimated acres of prescribed fire from June 1 to July 31		
Does the project install new wind turbines? (if yes, report capacity in MW below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated wind capacity (MW)		

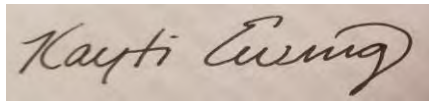
Agency Determination:

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

Signature: _____



Date Submitted: _____ 3/28/2018 _____

⁴ Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

⁵ If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

⁶ If the activity includes tree clearing in June and July, also include those acreage in April to October.

**EVALUATION AND DOCUMENTATION OF A DE MINIMIS
FINDING TO SECTION 4(F) PROPERTY FOR
HISTORIC SITES**

ARDOT Job Number 061547
FAP Number NHPP-9210(35)
Hwy. 7S – Hwy. 5 (S)
Garland County

The Peter Dierks Joers House

August 28, 2018

Federal Highway Administration
Arkansas Department of Transportation

What is Section 4(f)?

Section 4(f) is part of a law that was passed to protect public parks, recreation areas, wildlife and waterfowl refuges, and important historic sites from being harmfully affected by transportation projects.

Does Section 4(f) Apply to the Peter Dierks Joers House?

The Peter Dierks Joers House (Figure 1) is on the National Register of Historic Places. The construction design minimizes the effect upon the Peter Dierks Joers House and adheres to the National Environmental Policy Act (NEPA). The proposed project is documented with a Tier 3 Categorical Exclusion.



Figure 1. The Peter Dierks Joers House

After we do an evaluation such as this, some Section 4(f) impacts can be recognized as “de minimis,” which means relatively minor. We will present information to prove that there are no undesirable impacts to the Peter Dierks Joers House. We can use a De Minimis Section 4(f) Evaluation on projects that meet the conditions shown in Table 1.

Table 1	
When Can We Use A Section 4(f) De Minimis Finding on a Historic Site?	Does It Apply To This Project?
The State Historic Preservation Officer agreed that there were “no adverse effects” to the historic site.	Yes
The FHWA informed the officials over the historic site that a de minimis finding would occur based on their agreement in the finding of “no adverse effect.”	Yes

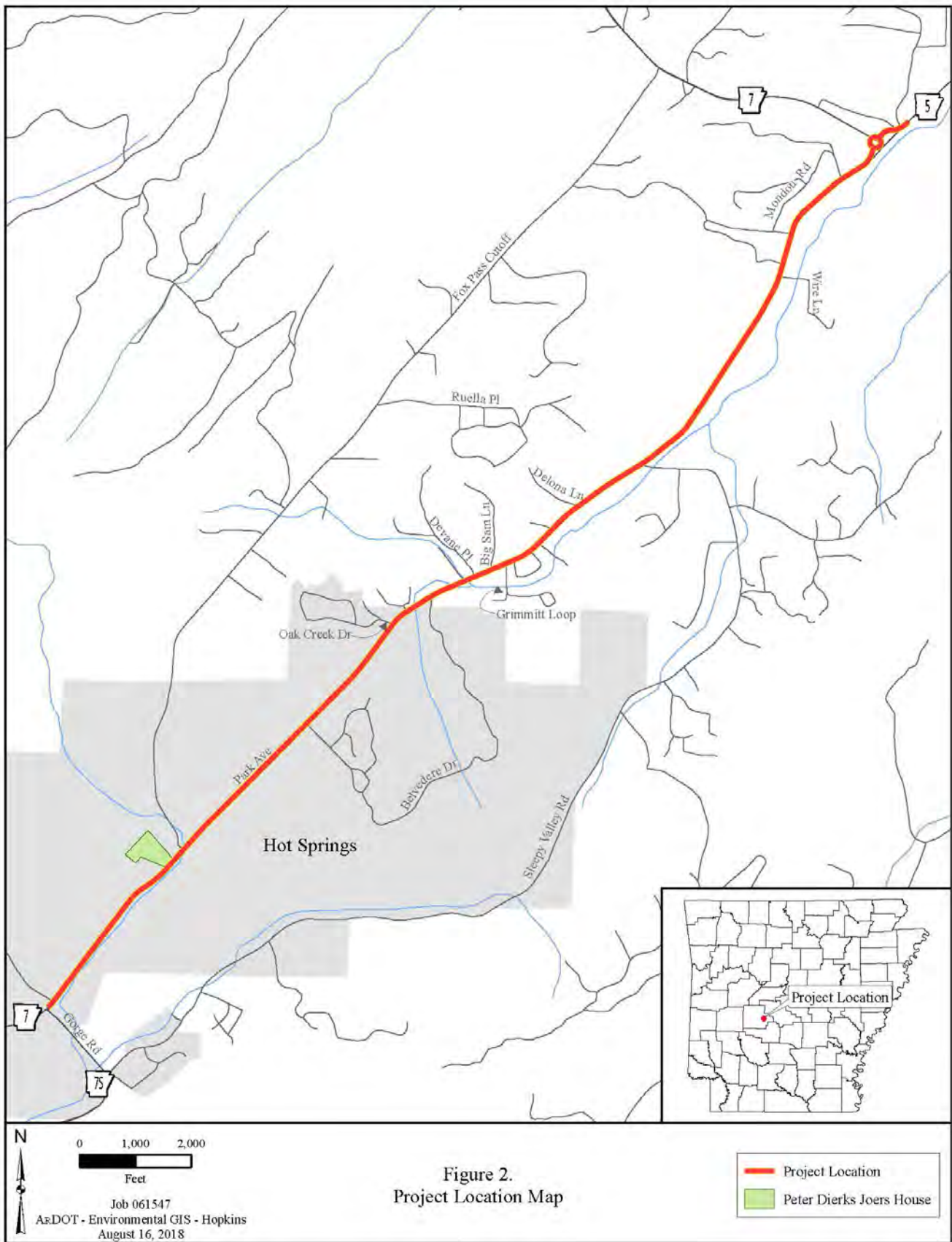
What is the proposed road project?

The ARDOT, in conjunction with the FHWA, proposes to make safety improvements to a portion of Highway 7 from Highway 7 Spur to Highway 5 in Garland County, as shown in Figure 2. The proposed highway improvements will overlay approximately 0.47 mile at the beginning of the job, then widen the remainder of the project to three lanes with curb and gutter, and add a roundabout at the Highways 7/5 intersection. The total project length is approximately 4.3 miles.

Why is the Peter Dierks Joers House Important?

The Peter Dierks Joers House is located at 2111 Park Avenue (Highway 7), three miles north of downtown Hot Spring in Garland County. It is listed on the National Register of Historic Places under Criterion C as an outstanding example of a Ranch designed in the Modern style of architecture. The property embodies the distinctive characteristics of construction for a Mid-Century Modern ranch style house. The property consists of a Ranch style house, garage, swimming pool, well house, and rock entrance with a rock fence.

The house was designed by architect E.A. Sibley, and built in 1955 by Hal Anderson. The house has maintained its architectural integrity and conveys the form and function for which it was designed. This home is one of the most intact homes of this style in the state and one of only a few architect designed Ranch homes known in the state.



Can We Avoid the Peter Dierks Joers House?

Efforts were made by the Department to minimize impacts while allowing construction of the widened roadway (Figure 3). However, it was not feasible to widen the roadway to the other side because of an unnamed creek located there. The Peter Dierks Joers House property cannot be avoided due to the widening required for this portion of the project.

What Will the Project Do To the Peter Dierks Joers House?

The proposed project will not directly impact the Peter Dierks Joers House or associated features, and visually there will not be much change (if any) in the view from the house. The entrance to the driveway is obscured by landscape and a rock wall. No adverse impacts to the property are expected as a result of this project. An archeological survey of the proposed right of way area did not locate any artifacts or intact deposits.

Approximately 0.06 acre will be acquired from the front of the property for new right of way (Figure 3). No temporary construction easements will be needed. The driveway of the residence will be connected to the highway during construction to improve the sight distance for emerging into traffic. The rock wall will not be affected.

What Did We Do to Reduce Harm to the Peter Dierks Joers House?

The following measures were included in the proposed project to reduce harm to the Peter Dierks Joers House:

- The proposed right of way was moved off of the property as far as possible to minimize impacts.

Who Did We Involve In This Evaluation?

The State Historic Preservation Officer (SHPO) has been involved in reviewing the information relating to the Peter Dierks Joers House. The SHPO has agreed that this project will have no adverse effect on the House and property. A copy of this conclusion is included in Appendix A.

What is the Decision?

We believe this evaluation shows that the proposed roadway improvements will not harm the protected features or qualities that make the historic site important under Section 4(f), thus qualifying for a de minimis finding on the Peter Dierks Joers House.



Figure 3.
Proposed Design

APPENDIX A

SHPO COORDINATION



THE DEPARTMENT OF ARKANSAS
HERITAGE

Asa Hutchinson
Governor

Stacy Hurst
Director

August 22, 2018

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

Arkansas Arts Council

Arkansas Natural
Heritage Commission

Arkansas State Archives

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars
Cultural Center

Old State House Museum

RE: Garland County – Hot Springs
Section 106 Review – FHWA
AHTD Job Number 061547
Report Titled *A Cultural Resources Survey of ARDOT Job Number
061547 Hwy. 7S – Hwy 5 (S)* and Addendum to the Report
AHPP Tracking Number 101269.01 - CORRECTED

Dear Mr. Fleming

My staff has reviewed the Cultural Resources Survey Report regarding the above referenced project. The cultural resources survey report details the fieldwork done and is acceptable. We understand that according to the latest design plan Property GA0743 and Property 65 will not be impacted as previously stated. Therefore, we concur that this undertaking will have no adverse effect to historic properties.

Tribes that have expressed an interest in the area include the Caddo Nation (Ms. Tamara Francis), the Osage Nation (Dr. Andrea Hunter), the Quapaw Nation of Oklahoma (Mr. Everett Bandy), and the Shawnee Tribe of Oklahoma (Ms. Tonya Tipton). We recommend that they be consulted in accordance with 36 CFR § 800.2 (c) (2).

Thank you for the opportunity to review this undertaking. Please refer to the AHPP Tracking Number listed above in all correspondence. If you have any questions, please call Theresa Russell of my staff at 501-324-9357.

Sincerely,

Scott Kaufman
Director, AHPP

cc: Mr. Randall Looney, Federal Highway Administration
Dr. Ann Early, Arkansas Archeological Survey



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
website:
www.arkansaspreservation.com

An Equal Opportunity Employer

PUBLIC INVOLVEMENT MEETING SYNOPSIS

Job Number 061547
Hwy. 7S – Hwy. 5 (S)
Garland County
Thursday, March 15, 2018

An open forum Public Involvement meeting for the proposed widening of Hwy. 7 from its intersection at Hwy. 7S to Hwy. 5 was held at the Living Word Worship Center of Hot Springs (Fellowship Hall) in Hot Springs National Park, Arkansas from 4:00 – 7:00 p.m. on Thursday, March 15, 2018. Efforts to involve minorities and the public included:

- Display advertisement in *The Sentinel Record* on Sunday, March 4, 2018 and Sunday, March 11, 2018.
- PSA (Public Service Announcement) ran in Cumulus Power 92.3 FM from Monday, March 12, 2018 through Thursday, March 15, 2018.
- Spanish PSA ran in La Zeta 106.3 FM from Monday, March 12, 2018 through Thursday, March 15, 2018.
- Outreach letters mailed to Public Officials.
- Distribution of flyers in the project area.

The following information was available for inspection and comment. Small-scale copies of the displays are attached.

- Displays included two aerial photographs at a scale of 1 inch = 600 feet, illustrating the alignment.
- Preliminary design of the proposed project at a scale of 1 inch = 100 feet.
- Lap top computer with projection screen showing how roundabouts function.

Handouts for the public included a comment sheet and a small-scale map illustrating the project area. Copies of these are attached.

Table 1 describes the results of the public participation at the meeting.

TABLE 1	
Public Participation	Totals
Attendance at meeting (including ARDOT staff)	95
Comments received	32

ARDOT staff reviewed all comments received and evaluated their contents. The summary of comments listed below reflects the personal perception or opinion of the person or organization making the statement. The sequencing of the comments is random and is not intended to reflect importance or numerical values. Some of the comments were combined and/or paraphrased to simplify the synopsis process.

An analysis of the responses received as a result of the public survey is shown in Table 2.

TABLE 2	
Alternative Preferred	Totals
Supports the widening of Hwy. 7	24
Does not support the widening of Hwy. 7	8
Knowledge of historical, archeological or cemetery sites	6
Knowledge of area environmental constraints	3
Home or property offers limitations to the project	8
Suggestions to better serve the needs of the community	11
Beneficial impacts due to the proposed project	10
Adverse impacts due to the proposed project	8

The following is a listing of comments concerning issues associated with the proposed project.

- Four individuals thought the proposed Martin Luther King Expressway would divert traffic from Highway 7.
- Four individuals were concerned that the rock walls and entrances to historic properties would be impacted.
- Two individuals wanted the roundabout to have dual lane capacity.
- Four individuals were concerned that their septic systems will be impacted.
- Two individuals wanted to widen the bike lanes to 5 feet.
- Three individuals were concerned that the additional right of way taking would severely impact their property.

A listing of general comments concerning the proposed project follows:

- “It will render our excess property unusable.”
- “The proposed right of way will remove our stonewall on the front of our property.”

- “This section of highway has thousands of vehicles traveling on it and desperately needs revitalization for the traffic it carries.”
- “The road we have will be adequate once the expressway is complete.”
- “This will be great for our community. Just please remember pedestrian needs along with vehicles.”
- “The project will be beneficial for all and safer for bike/pedestrian community.”
- “I think this project will have a positive impact on the 7 North area.”

Attachments:

Public handouts, including blank comment form
Small-scale display copies

RJ: RJ
DN: DN

TT:cb

**ARKANSAS DEPARTMENT OF TRANSPORTATION (ARDOT)
CITIZEN COMMENT FORM**

**ARDOT JOB NUMBER 061547
Hwy. 7S - Hwy. 5 (Hwy. 7)
GARLAND COUNTY**

LOCATION:

**LIVING WORD WORSHIP CENTER OF HOT SPRINGS (FELLOWSHIP HALL)
2341 PARK AVE.
HOT SPRINGS NATIONAL PARK, AR
4:00 – 7:00 P.M.
THURSDAY, MARCH 15, 2018**

Make your comments on this form and leave it with ARDOT personnel at the meeting or mail it by 4:30 p.m. on **Friday, March 30, 2018** to: Arkansas Department of Transportation, Environmental Division, P.O. Box 2261, Little Rock, AR, 72203-2261. Email: environmentalmeetings@ardot.gov.

Yes No
 Do you feel there is a need for the proposed widening of Hwy. 7 (Park Avenue) from Highway 7S to Highway 5? Comment (optional)_____

 Do you know of any historical sites, family cemeteries, or archaeological sites in the project area? Please note and discuss with staff. _____

 Do you know of any environmental constraints, such as endangered species, hazardous waste sites, existing or former landfills, or parks and public lands in the vicinity of the project? Please note and discuss with ARDOT staff. _____

 Does your home or property offer any limitations to the project, such as septic systems, that the Department needs to consider in its design?_____

(Continue on Back)

Yes No

 Do you have a suggestion that would make this proposed project better serve the needs of the community? _____

Do you feel that the proposed project will have any impacts (Beneficial or Adverse) on your property and/or community (economic, environmental, social, etc.)? Please explain. _____

It is often necessary for the ARDOT to contact property owners along potential routes. If you are a property owner along or adjacent to the route under consideration, please provide information below. Thank you.

Name: _____ (Please Print)

Address: _____ Phone: (____) _____ -- _____

E-mail: _____

Please make additional comments here. _____

For additional information, please visit our website at www.ardot.gov.

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


ARDOT Job Number 061547 FAP Number NHPP-9210(35)

Job Title Hwy. 7S – Hwy. 5 (S)

Environmental Resource	None	Minimal	Major	Comments-required for each item
Air Quality	X			No impacts anticipated
Cultural Resources	X			SHPO clearance enclosed
Economic	X			Will not be impacted by project
Endangered Species	X			No Effect Determination, 4(d) Rule
Environmental Justice/Title VI		X		2 low income (1 also minority) relocations
Fish and Wildlife		X		Minor loss of habitat
Floodplains		X		Zone A and AE
Forest Service Property	X			No Forest Service Property in project area
Hazardous Materials/Landfills		X		An oil contaminated site will be acquired
Land Use		X		27.3 acres of additional ROW needed
Migratory Birds	X			Migratory Bird SP included
Navigation/Coast Guard	X			No navigable waterways involved
Noise Levels	X			Noise statement in CE
Prime Farmland		X		4.3 acres, NRCS-CPA-106 enclosed
Protected Waters		X		Within 1 mile of S. Fork of Saline River
Public Recreation Lands	X			No impacts to Hot Springs National Park lands
Public Water Supply/WHPA	X			A Wellhead Protection SP will be required
Relocatees		X		2 residential relocatees, 7 businesses
Section 4(f)/6(f)		X		de minimus Section 4(f) completed
Social	X			No impacts to the social environment
Underground Storage Tanks		X		7 USTs and 2 ASTs will be impacted
Visual	X			No change to visual environment
Streams		X		3,000' of stream relocation
Water Quality		X		Temporary during construction
Wetlands	X			No wetland impacts
Wildlife Refuges	X			None in the area

Section 401 Water Quality Certification Required? Yes
 Short-term Activity Authorization Required? Yes
 Section 404 Permit Required? Yes Type Standard Individual Permit

Remarks: Stream Mitigation will be required.

Signature of Evaluator  Date August 22, 2018

Date Sent: August 21, 2018
Date Revised: September 11, 2018

ROADWAY DESIGN REQUEST

Job Number 061547 FAP No. NHPP-9210(35) County Garland

Job Name Hwy. 7S – Hwy. 5 (S)

Design Engineer Stephen Sichmeller Environmental Staff _____

Brief Project Description Widen Hwy. 7 from 2 to 3 lanes and construct roundabout at Hwy. 7 / Hwy. 5 junction.

A. Existing Conditions:

Roadway Width: 22' Shoulder Type/Width: Paved / 4'

Number of Lanes and Width: 2 @ 11' Existing Right-of-Way: 60'

Sidewalks? No Location: _____ Width: _____

Bike Lanes? No Location: _____ Width: _____

B. Proposed Conditions:

Roadway Width: 46' Shoulder Type/Width: C.C.C.&G.

Number of Lanes and Width: 3 @ 12' Proposed Right-of-Way: 120'

Sidewalks? Yes Location: Lt. & Rt. Width: 5'

Bike Lanes? Yes Location: Lt. & Rt. Width: 4'

C. Construction Information:

If detour: Where: Hwy. 7 Lt. – STA. 146+56 Length: 654'
Hwy. 7 Lt. – STA. 289+26 523'

D. Design Traffic Data:

2019 ADT: 10,500 2039 ADT: 14,000 % Trucks: 11
Design Speed: 45 m.p.h.

E. Approximate total length of project: 4.286 mile(s)

F. Justification for proposed improvements: Safety and Capacity Improvements

G. Total Relocates: 9 Residences: 2 Businesses: 7

H. Have you coordinated with any outside agencies (e.g., FHWA, City, County, etc.)? No

Agency/Official	Person Contacted	Date