



# SEAEEDD

Southeast Arkansas Economic  
Development District

Post Office Box 6806, 721 S. Walnut St., Pine Bluff, Arkansas 71601 – Phone (870) 536-1971 Fax (870) 536-7718

January 3, 2023

Mr. Jason Phillips, Fish & Wildlife Biologist  
U.S. Fish and Wildlife Service  
Arkansas Field Office, Delta Sub-office  
26320 Hwy. 33 South  
Augusta, Arkansas 72006

Dear Mr. Phillips:

Stuttgart is applying to US Department of Commerce / Economic Development Commission for public facilities funding to upgrade facilities as well as expand utilities near the industrial park. The proposed project will consist of various improvements, such as: 16,000 LF of trenching, installation of 7600 LF of sewer line, 8700 LF of water lines, and twenty-four utility access holes. These improvements are critical to supporting job retention, as well as business expansion to create new jobs.

As a requirement of the application, I am requesting information from your agency concerning any potential impact on the area. I have enclosed a site map depicting the project's location. Please forward your comments concerning this project as expeditiously as possible.

If you have any questions or need additional information, please contact me at [tracey.lawsonsr@southeastarkansas.org](mailto:tracey.lawsonsr@southeastarkansas.org)

Regards,

  
Tracey Lawson Sr.  
Grants Administrator



## United States Department of the Interior

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



In Reply Refer To:

January 04, 2023

Project Code: 2023-0030488

Project Name: Stuttgart utility improvements at Industrial Park.

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

To Whom It May Concern:

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

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

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

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

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

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

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

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

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

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

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

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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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## Endangered Species Act Species

There is a total of 8 threatened, endangered, or candidate species on this species list.

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

## Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered

## Birds

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

## Reptiles

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

## Insects

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

## Flowering Plants

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

## Critical habitats

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

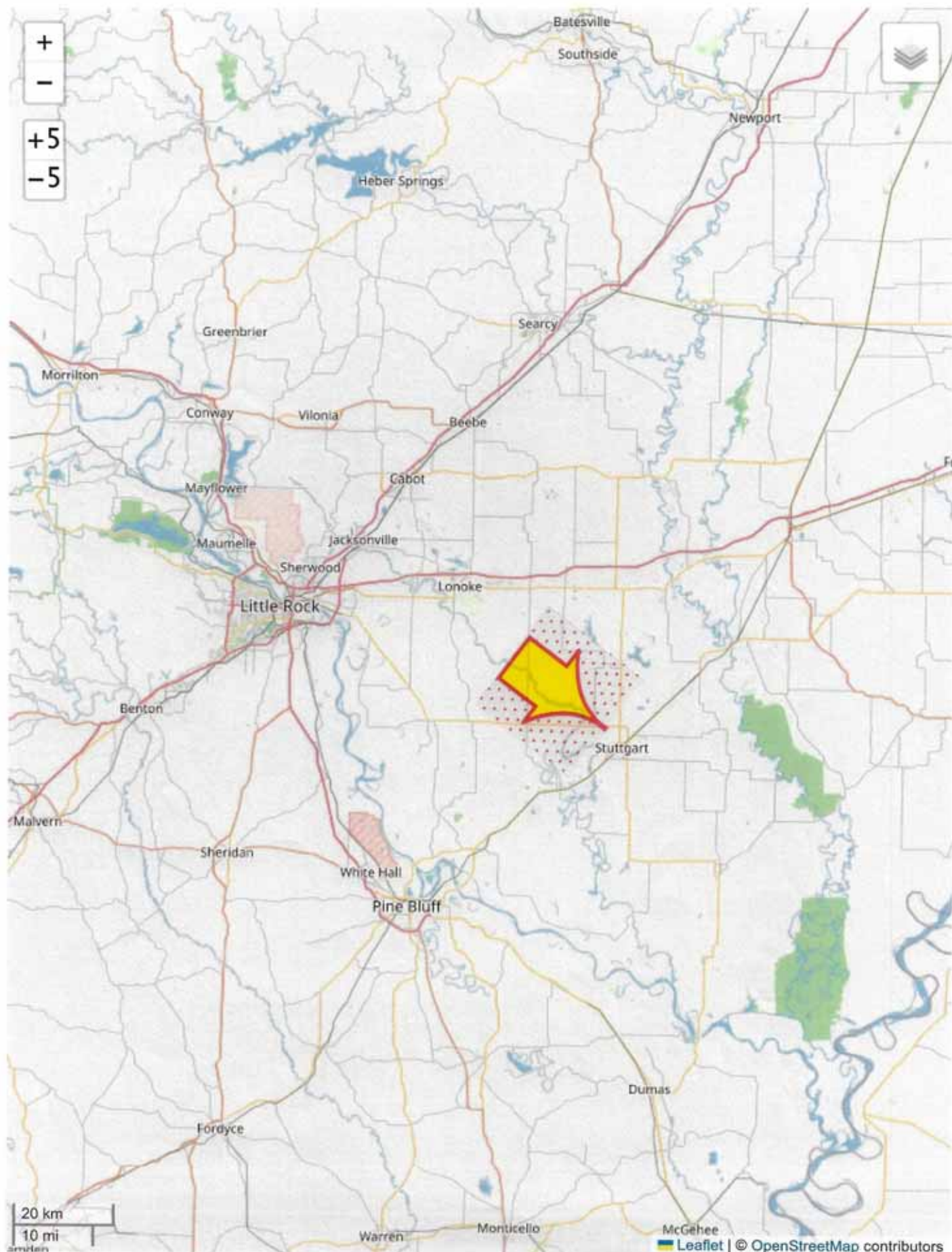


**IPaC User Contact Information**

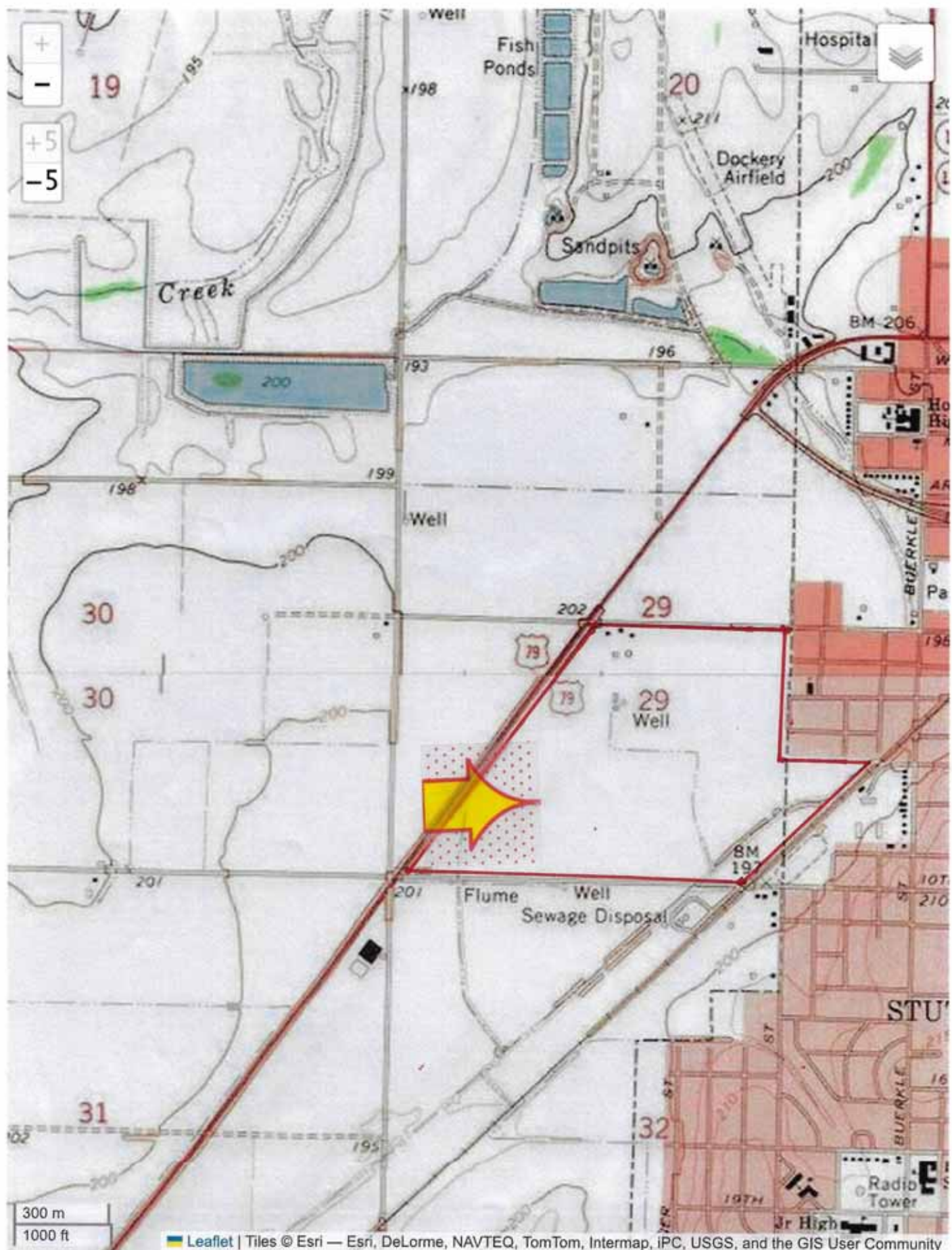
Agency: Southeast Arkansas Economic Development District,  
Name: Rickey Works  
Address: 721 S Walnut Street  
Address Line 2: P O Box 6806  
City: Pine Bluff  
State: AR  
Zip: 71601  
Email: rickey.works@southeastarkansas.org  
Phone: 8705361971

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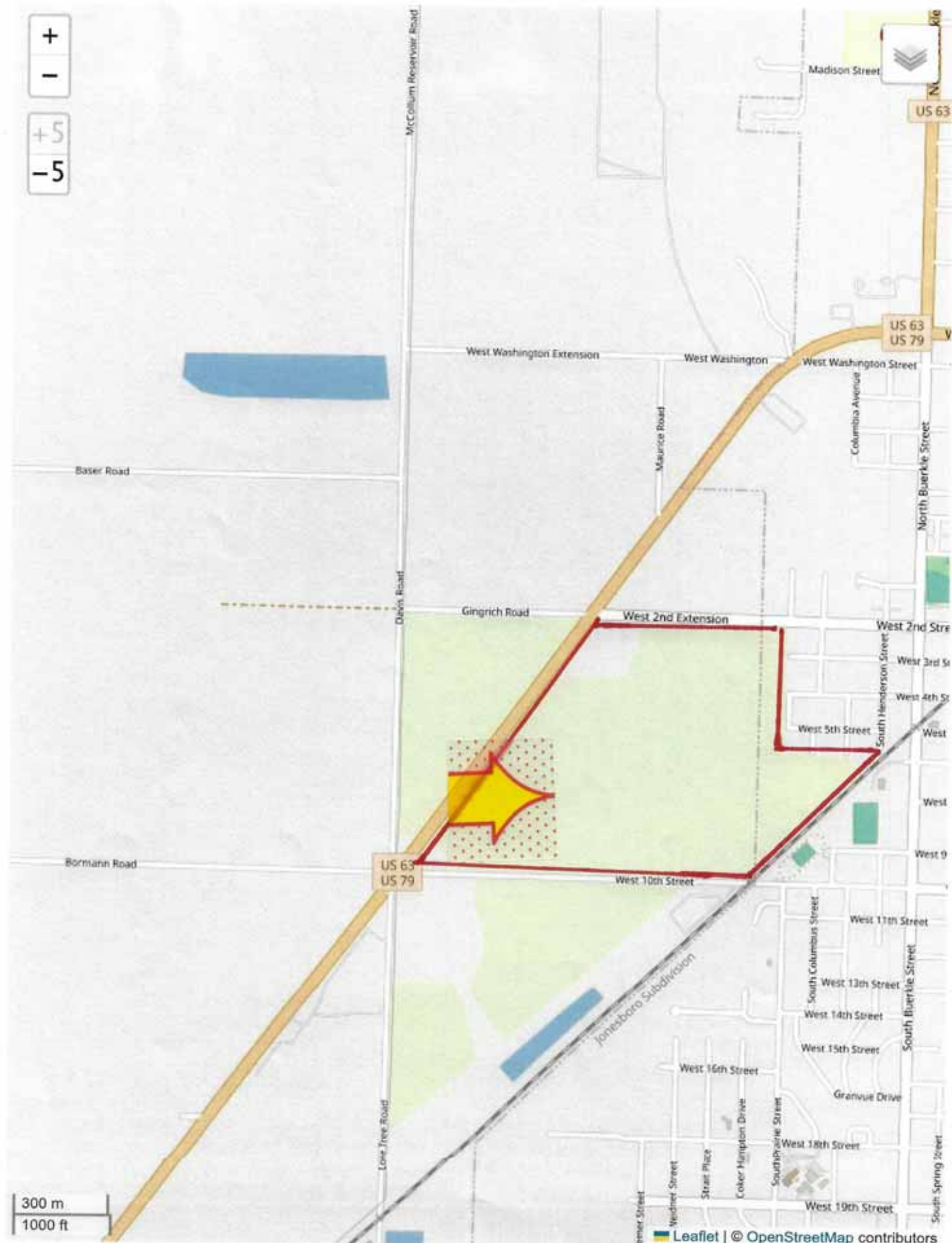






Map navigation controls:

- Zoom in: +
- Zoom out: -
- Zoom to fit: +5
- Zoom to full: -5





# National Flood Hazard Layer FIRMette



## Legend

NOTE: The legend for this map is located on the right side of the map. The legend is located on the right side of the map.

**SPECIAL FLOOD HAZARD AREAS**

- 0.2% Annual Chance Flood Hazard: Areas of 0.2% annual chance flood with average depth of 1.5 feet or more and average extent of less than one square mile.
- 1% Annual Chance Flood Hazard: Areas of 1% annual chance flood with average depth of 1.5 feet or more and average extent of less than one square mile.
- 100 Year Flood Hazard: Areas with flood due to 100 year flood.
- 500 Year Flood Hazard: Areas with flood due to 500 year flood.

**OTHER AREAS OF FLOOD HAZARD**

- 100 Year Flood Hazard: Areas with flood due to 100 year flood.
- 500 Year Flood Hazard: Areas with flood due to 500 year flood.

**OTHER AREAS**

- 0.2% Annual Chance Flood Hazard: Areas of 0.2% annual chance flood with average depth of 1.5 feet or more and average extent of less than one square mile.
- 1% Annual Chance Flood Hazard: Areas of 1% annual chance flood with average depth of 1.5 feet or more and average extent of less than one square mile.
- 100 Year Flood Hazard: Areas with flood due to 100 year flood.
- 500 Year Flood Hazard: Areas with flood due to 500 year flood.

**GENERAL STRUCTURES**

- 0.2% Annual Chance Flood Hazard: Areas of 0.2% annual chance flood with average depth of 1.5 feet or more and average extent of less than one square mile.
- 1% Annual Chance Flood Hazard: Areas of 1% annual chance flood with average depth of 1.5 feet or more and average extent of less than one square mile.
- 100 Year Flood Hazard: Areas with flood due to 100 year flood.
- 500 Year Flood Hazard: Areas with flood due to 500 year flood.

**MAP FEATURES**

- 0.2% Annual Chance Flood Hazard: Areas of 0.2% annual chance flood with average depth of 1.5 feet or more and average extent of less than one square mile.
- 1% Annual Chance Flood Hazard: Areas of 1% annual chance flood with average depth of 1.5 feet or more and average extent of less than one square mile.
- 100 Year Flood Hazard: Areas with flood due to 100 year flood.
- 500 Year Flood Hazard: Areas with flood due to 500 year flood.





<b>CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES</b> 5411 SOUTH MACLEOD RD LITTLE ROCK, ARKANSAS 72616 PH: (501) 221-7121 FX: (501) 221-7776 FAX: (501) 221-7776	<b>REVISIONS</b>		<b>SHEET TITLE</b> WATER AND SEWER LAYOUT
	NO.	DATE	DESCRIPTION
DESIGNED BY: <b>CEM</b> DRAWN BY: <b>CEM</b> CHECKED BY: <b>CEM</b> DATE: <b>SEPT 13, 2022</b> SCALE: <b>1" = 100'</b>	<b>PROJECT TITLE</b> STUTTGART INDUSTRIAL PARK UTILITY EXPANSION STUTTGART, AR		<b>NOT FOR CONSTRUCTION</b>
JOB NO: <b>STUT-0090</b>			
SHEET NUMBER: <b>1</b>			
PROJECT LOCATION: <b>STUTTGART INDUSTRIAL PARK</b>			