



IN REPLY REFER TO.

United States Department of the Int

FISH AND WILDLIFE SERVICE
110 S. Amity Road, Suite 300
Conway, Arkansas 72032
Tel.: 501/513-4470 Fax: 501/513-4480

Chris	CD
Melissa	ML
Tommy	
Mitch	G/I
Jason	
Lindsey	

June 5, 2015

Bryan Dalton
RiverBank Savings and Loan
P.O. Box 397
Pocahontas, AR 72455

Dear Mr. Dalton:

The U.S. Fish and Wildlife Service (Service) has reviewed the information supplied in your letter dated May 19, 2015, regarding the proposed construction of four poultry houses for John Wes Hardin (36.435775, -91.175213) near the city of Pocahontas, Randolph County, Arkansas. Our comments are submitted in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended 16 U.S.C. 1531 et seq.) and Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d).

The Service concurs with your determination that the proposed project may affect, but is not likely to adversely affect the Pink Mucket (*Lampsilis abrupta*), Indiana Bat (*Myotis sodalis*), Pondberry (*Lindera melissifolia*), Scaleshell (*Leptodea leptodon*), Rabbitsfoot (*Quadrula cylindrica cylindrica*), Ozark Hellbender (*Cryptobranchus alleganiensis bishopi*), Snuffbox (*Epioblasma triquetra*), Curtis Pearlymussel (*Epioblasma florentina curtisi*), and the Northern Long-eared Bat (*Myotis septentrionalis*).

Please be aware Bald Eagle is not protected under the ESA. Bald Eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.).

We appreciate your interest in the conservation of endangered species. If you have any questions, please contact the Arkansas Ecological Services Staff at (501) 513-4487.

Sincerely,

Melvin Tobin
Acting Project Leader

The following BMP's will be implemented during the construction phase: Silt fences will be installed around the construction site prior to ground disturbance and a sediment basin will be implemented to catch any runoff that might result from the construction process. Exposed soil will be seeded with a warm season grass after the 4 pads are completed sometime this summer once ground is broke. After construction is complete, the construction site will be seeded with a rye grass/legume mix and fertilized to ensure a good stand is maintained throughout the winter months. BMP measures taken during the construction phase will be sufficient to handle at least a 25 year flood event occurring over a 24 hour period. The terrain of this area in Randolph County has many rolling hills. The site that was chosen is relatively flat compared to the surrounding area. The best possible site has been chosen for the proposed project to minimize any adverse impacts to the environment and endangered or threatened species. There are no wild or scenic rivers in this area. There are no creeks or streams within 150 yards of the proposed site.

The following threatened and endangered species are known to occur in Randolph Co:

Pink Mucket (*Lampsilis abrupta*)
Ozark Hellbender (*Cryptobranchus alleganiensis bishopi*)
Rabbitsfoot (*Quadrula cylindrica cylindrica*)
Snuffbox (*Epioblasma triquetra*)
Indiana Bat (*Myotis sodalis*)
Pondberry (*Lindera melissifolia*)
Scaleshell (*Leptodea leptodon*)
Curtis Pearlymussel (*Epioblasma florentina curtis*)
Northern Long-eared Bat (*Myotis septentrionalis*)

RiverBank is requesting your concurrence that this proposed action may affect, but is not likely to adversely affect these species listed above as well as advice on any other BMP's that should be implemented.

Enclosures: Aerial photo of the proposed site

Contact Information:

Producer: Donald and Charlotte Upshaw
870-892-8875

Lender: RiverBank
PO Box 397
Pocahontas, AR 72455

Sincerely,



Bryan Dalton
Loan Officer
RiverBank
(870)892-2265



Bangs, Alyssa <alyssa_bangs@fws.gov>

Endangered Species letters

Bryan Dalton <bryan@enverbank.com>
To: "Bangs, Alyssa" <alyssa_bangs@fws.gov>

Thu,



Upshaw

From: Bangs, Alyssa [mailto:alyssa_bangs@fws.gov]
Sent: Friday, May 29, 2015 2:28 PM
To: Bryan Dalton
Subject: Endangered Species letters

Hello Mr. Dalton,

[Quoted text hidden]