

Chris	
Melissa	
Tommy	TB
Mitch	6/17
Jason	
Lindsey	

States Department of the Interior



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

June 17, 2015

Julie Carlton
 First Service Bank
 P.O. Box 190
 Greenbrier, AR 72058

Dear Ms. Carlton:

The U.S. Fish and Wildlife Service (Service) has reviewed the information supplied in your letter dated June 12, 2015, regarding the proposed construction of two breeder poultry houses for Stacey Stubbs near the city of Fox in Stone County, Arkansas. Our comments are submitted in accordance with the Endangered Species Act (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 construction may affect, but is not likely to adversely affect the Indiana Bat (*Myotis sodalis*), Rabbitsfoot (*Quadrula cylindrica cylindrica*), Gray Bat (*Myotis grisescens*), Northern Long-eared Bat (*Myotis septentrionalis*), Yellowcheek Darter (*Etheostoma moorei*), or Speckled Pocketbook (*Lampsilis streckeri*).

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

Long-eared Bat. In addition, the federally protected Bald Eagle occurs in this region.

To reduce the potential effects to federally protected species that may result from erosion and sedimentation into streams during and after construction, the applicants will implement best management practices as stated in the following:

- AR Department of Environmental Quality-Stormwater Management Plan (NPDES General Permit No. ARR150000)
- NRCS Nutrient Management Plan and Comprehensive Nutrient Management Plan
- Integrator provisions

Also, the following BMP's will be implemented

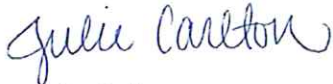
- After the dirt work has been completed, hay will be placed along the outer edge of the pad to control erosion.
- If erosion becomes an issue during construction, steps will be taken to contain it by the use of filter fences, hay and mats.

In addition, the proposed construction site is located in an area that has been in pasture for several years. There will be less than one acre of tree removal. An estimated 4 acres will be disturbed to build these structures.

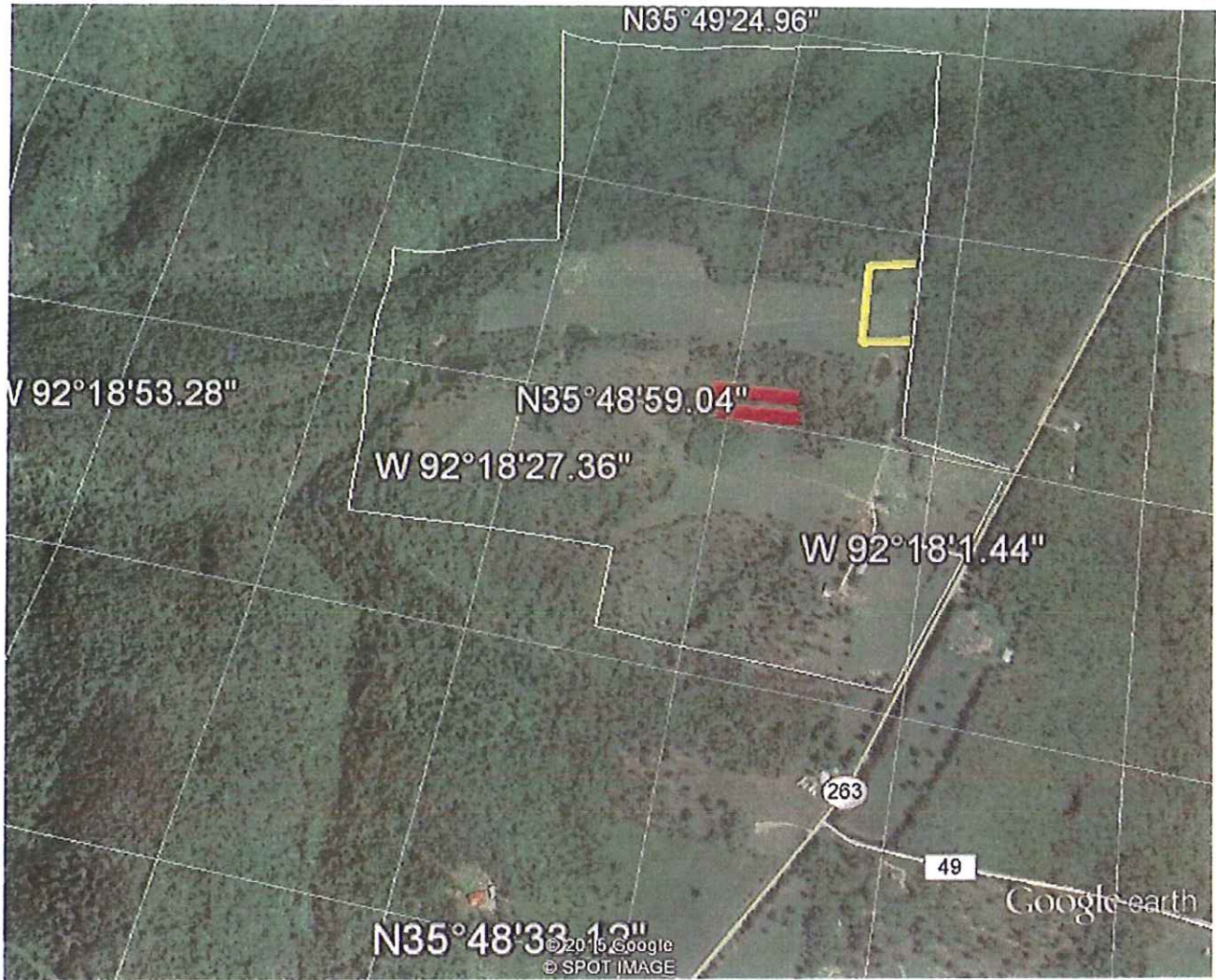
Based on the above information, First Service Bank has determined that the proposed action may affect, but is not likely to adversely affect the endangered species known to occur in Stone County. First Service Bank requests your concurrence with this determination.

If you have any questions concerning the above request, please contact Julie Carlton, Credit Analyst at 501-679-7200.

Your prompt response will be greatly appreciated.



Julie Carlton
Credit Analyst



Google earth

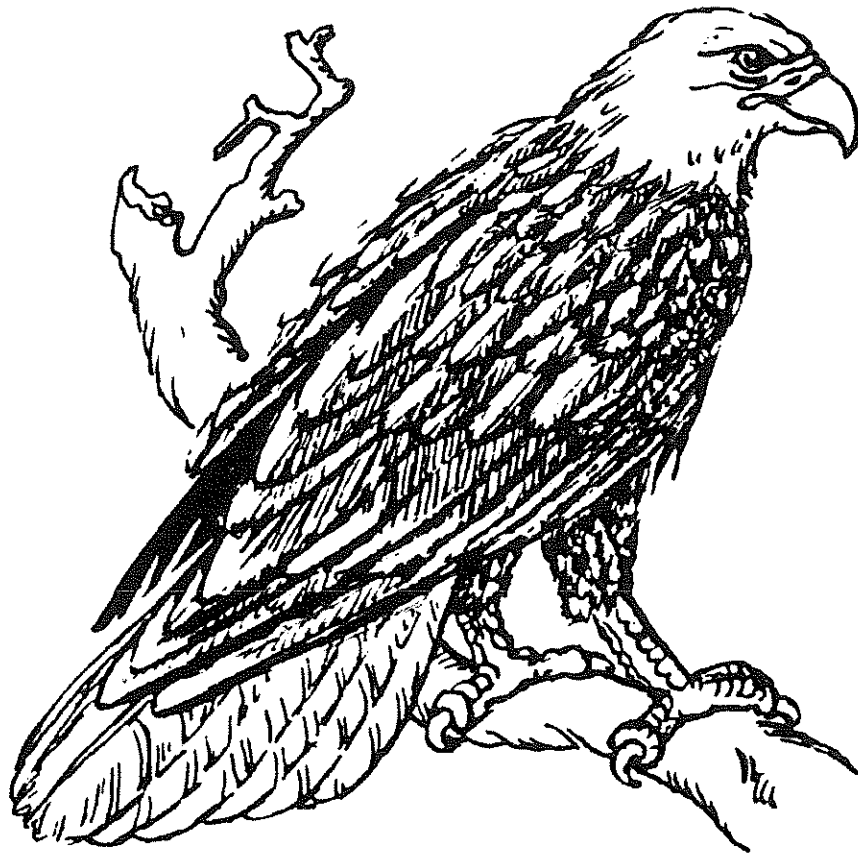


U.S. Fish & Wildlife Service

Stacey Stubbs

IPaC Trust Resource Report

Generated June 10, 2015 09:41 AM MDT



Endangered Species

Proposed, candidate, threatened, and endangered species that are managed by the Endangered Species Program and should be considered as part of an effect analysis for this project.

Clams

Rabbitsfoot *Quadrula cylindrica cylindrica*

There is **proposed** critical habitat designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=F03X>

Speckled Pocketbook *Lampsilis streckeri*

Endangered

No critical habitat has been designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=F020>

Fishes

Yellowcheek Darter *Etheostoma moorei*

Endangered

There is **final** critical habitat designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=E01E>

Mammals

Gray Bat *Myotis grisescens*

Endangered

No critical habitat has been designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A04J>

Indiana Bat *Myotis sodalis*

Endangered

No critical habitat has been designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A000>

Northern Long-eared Bat *Myotis septentrionalis*

No critical habitat has been designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A0JE>

Critical Habitats

Potential effects to critical habitat(s) within the project area must be analyzed along with the endangered species themselves.

There is no critical habitat within this project area

Migratory Birds

Birds are protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

Any activity which results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service (1). There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

You are responsible for complying with the appropriate regulations for the protection of birds as part of this project. This involves analyzing potential impacts and implementing appropriate conservation measures for all project activities.

Bald Eagle <i>Haliaeetus leucocephalus</i> Year-round https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B008	Bird of conservation concern
Bell's Vireo <i>Vireo bellii</i> Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0JX	Bird of conservation concern
Chuck-will's-widow <i>Caprimulgus carolinensis</i> Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0LA	Bird of conservation concern
Dickcissel <i>Spiza americana</i> Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0IX	Bird of conservation concern
Fox Sparrow <i>Passerella iliaca</i> Season: Wintering https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0NE	Bird of conservation concern
Kentucky Warbler <i>Oporornis formosus</i> Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0IN	Bird of conservation concern
Le Conte's Sparrow <i>Ammodramus leconteii</i> Season: Wintering https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0JA	Bird of conservation concern
Least Bittern <i>Ixobrychus exilis</i> Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0JW	Bird of conservation concern
Loggerhead Shrike <i>Lanius ludovicianus</i> Year-round https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0FY	Bird of conservation concern
Painted Bunting <i>Passerina ciris</i> Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0K0	Bird of conservation concern

Prairie Warbler <i>Dendroica discolor</i>	Bird of conservation concern
Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0K4	
Prothonotary Warbler <i>Protonotaria citrea</i>	Bird of conservation concern
Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0LJ	
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i>	Bird of conservation concern
Year-round https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HR	
Rusty Blackbird <i>Euphagus carolinus</i>	Bird of conservation concern
Season: Wintering https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0JI	
Sedge Wren <i>Cistothorus platensis</i>	Bird of conservation concern
Season: Migrating https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0I8	
Short-eared Owl <i>Asio flammeus</i>	Bird of conservation concern
Season: Wintering https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HD	
Swainson's Warbler <i>Limnodynastes swainsonii</i>	Bird of conservation concern
Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0IK	
Wood Thrush <i>Hylocichla mustelina</i>	Bird of conservation concern
Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0IB	
Worm Eating Warbler <i>Helmitheros vermivorum</i>	Bird of conservation concern
Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0II	

Refuges

Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. If your project overlaps or otherwise impacts a Refuge, please contact that Refuge to discuss the authorization process.

There are no refuges within this project area

Wetlands

Impacts to NWI wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes.

Project proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate U.S. Army Corps of Engineers District.

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Wetland data is unavailable at this time.
