

ARKANSAS STATE HIGHWAY  
AND  
TRANSPORTATION DEPARTMENT

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



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

April 4, 2017

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

Re: Job Number 070457  
FAP Number STPF-0052(23)  
Hwy. 79B-North (S)  
Ouachita County  
Tier 3 Categorical Exclusion

Dear Mr. Correa:

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

The purpose of this project is to preserve and rehabilitate 1.4 miles of Highway 7 north of Highway 79B with an ultra-thin bonded wearing course. The existing cross section will not change as a result of the proposed project and no additional right of way will be required. A project location map is enclosed.

There are no relocations, wetlands, streams, cultural resources, hazardous materials, noise, or prime farmland impacts associated with this project. There are no *Executive Order 12898* Environmental Justice issues involved with this project. Cultural resources clearance is enclosed.

Part of the proposed project runs along the Ouachita River, which has known populations of endangered mussel species (rabbitsfoot, winged maple leaf, pink mucket, and spectacle case). The U.S. Fish & Wildlife Service (USFWS) concurred with the effects determination of “may affect, but not likely to adversely affect” listed species with a special provision that incorporated additional water pollution control measures in the construction contract. USFWS clearance is enclosed.

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

**APPROVED**  
  
Environmental Specialist  
Federal Highway Administration  
Date: 4-5-2017

Sincerely,

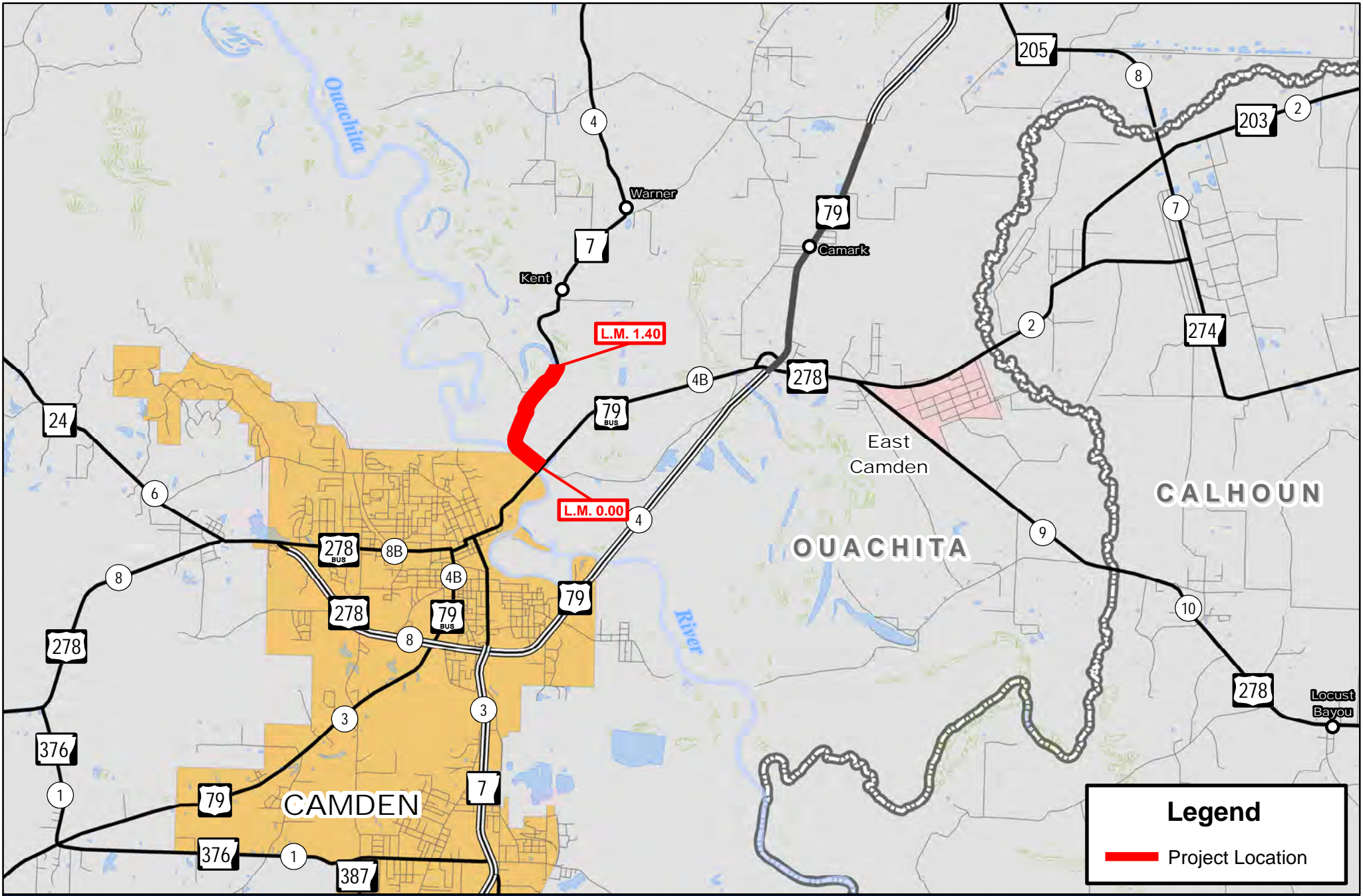


John Fleming  
Division Head  
Environmental Division

Enclosures

JF:SS:fc

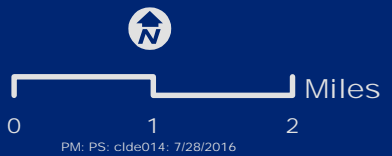
c: Program Management  
Right of Way  
District 7  
Master File



**Legend**

— Project Location

**Job 070457**  
 Hwy. 79B - North (S)  
 Hwy. 7, Sec. 4  
 Ouachita County



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97700  
FHWA

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March 16, 2017

AHPE  
MAR 16 2017

Ms. Stacy Hurst  
Arkansas Historic Preservation Program  
1100 North Street  
Little Rock, Arkansas 72201

Re: AHTD Job Number 070457  
Hwy. 79B-North(S)  
Ouachita County

Dear Ms. Hurst:

A Project Identification Form for the referenced project is enclosed. Please review for concurrence with the findings of my staff. If you have any questions or require additional information, please contact Wm. Lane Shields of my staff at 501-569-2077.

Sincerely,

*Brenda Luce*  
for John Fleming  
Division Head  
Environmental Division

Enclosure  
PIF

JF:DW:WLS:ym

RECEIVED  
AHTD

MAR 21 2017

ENVIRONMENTAL  
DIVISION

Date **MAR 17 2017**  
No known historic properties will be affected by this undertaking. This effect determination could change should new information come to light.  
*Frances McSwain*  
Frances McSwain, Deputy State Historic Preservation Officer

MAR 17 2017

## Staffeld, Susan

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**From:** Lewis, Lindsey [[mailto:lindsey\\_lewis@fws.gov](mailto:lindsey_lewis@fws.gov)]

**Sent:** Thursday, March 02, 2017 1:43 PM

**To:** Matthews, Mickey W.

**Subject:** Re: 070457 Overlay

Mickey,

Due to the limited scope of the action (i.e., paving existing roadway), minimal adjacent habitat effected, distance to known species locations, and the special provision for water pollution control, the Service concurs with the determination of "may affect, not likely to adversely affect" for designated critical habitat for Rabbitsfoot (*Quadrula cylindrical*), rabbitsfoot, winged maple leaf (*Quadrula fragosas*), pink mucket (*Lampsilis abrupta*), and spectacle case (*Cumberlandia monodonta*).

Thanks,

Lindsey Lewis  
Biologist

US Fish & Wildlife Service  
Arkansas Field Office  
110 South Amity Rd., Suite 300  
Conway, Arkansas 72032

(501) 513-4489 - voice

(501) 513-4480 - fax

[Lindsey.Lewis@fws.gov](mailto:Lindsey.Lewis@fws.gov)

<http://www.fws.gov/arkansas-es/>

NOTE: This email correspondence and any attachments to and from this sender is subject to the Freedom of Information Act (FOIA) and may be disclosed to third parties.

On Thu, Mar 2, 2017 at 10:58 AM, Matthews, Mickey W. <[Mickey.Matthews@ahtd.ar.gov](mailto:Mickey.Matthews@ahtd.ar.gov)> wrote:

Lindsey,

Approximately 1.4 miles of Highway 7 beginning at Hwy 79 in Camden, AR (adjacent to the Ouachita River) will receive an asphalt overlay. The Ouachita River is designated critical habitat for Rabbitsfoot (*Quadrula cylindrical*) and known to have populations of three other listed mussel species; winged maple leaf (*Quadrula fragosas*), pink mucket (*Lampsilis abrupta*), and the spectacle case (*Cumberlandia monodonta*). The contract will have the attached a special provision to minimize any potential affects to listed species. With the added special provision to the work order, the AHTD has determined that the highway resurfacing "may affect, but not likely to adversely affect," the 4 mussels or the critical habitat for rabbitsfoot. AHTD is requesting concurrence with this determination.

Thank you

Mickey Matthews

## AHTD ENVIRONMENTAL IMPACTS ASSESSMENT FORM

AHTD Job Number 070457 FAP Number STPF-0052(23)  
 Job Title Hwy. 79B-North (S)

Environmental Impacts	None	Minor	Significant	Comments
Air Quality	X			
Construction Impacts		X		Temporary and minor during construction
Cultural Resources	X			Section 106 clearance attached
Economic	X			
Endangered Species	X			USFWS – “Not Likely to Adversely Effect”
Energy Resources	X			
Environmental Justice/Title VI	X			
Fish and Wildlife	X			
Floodplains	X			
Forest Service Property	X			
Hazardous Materials/Landfills	X			
Land Use Impacts	X			
Migratory Birds	X			
Navigation/Coast Guard	X			
Noise Levels	X			
Prime Farmland	X			
Protected Waters	X			
Public Recreation Lands	X			
Public Water Supply/WHPA	X			Water Pollution Control SP added
Relocatees	X			
Section 4(f)/6(f)	X			
Social	X			
Underground Storage Tanks	X			
Visual Impacts	X			
Stream Impacts	X			
Water Quality	X			Water Pollution Control SP added
Wetlands	X			
Wildlife Refuges	X			

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

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

\_\_\_\_\_

Signature of Evaluator Susan Stafford Date March 28, 2017