

ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT

Scott E. Bennett
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March 1, 2017

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

Re: Job Number 030486
FAP Number NHPE-0066(34)
Oklahoma State Line – East (S)
Sevier County
Tier 3 Categorical Exclusion

Dear Mr. Correa:

The Environmental Division has reviewed the referenced projects 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 Highway 70 east of the Oklahoma state line with an overlay. 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, prime farmland, or noise impacts associated with this project. There are no *Executive Order 12898* Environmental Justice issues involved with this project. Cultural resources clearance is enclosed.



This project crosses a stream with known populations of an endangered mussel species (Rabbitsfoot). 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 added to the construction contract that included additional water pollution control measures. USFWS clearance is enclosed.

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

Sincerely,

APPROVED

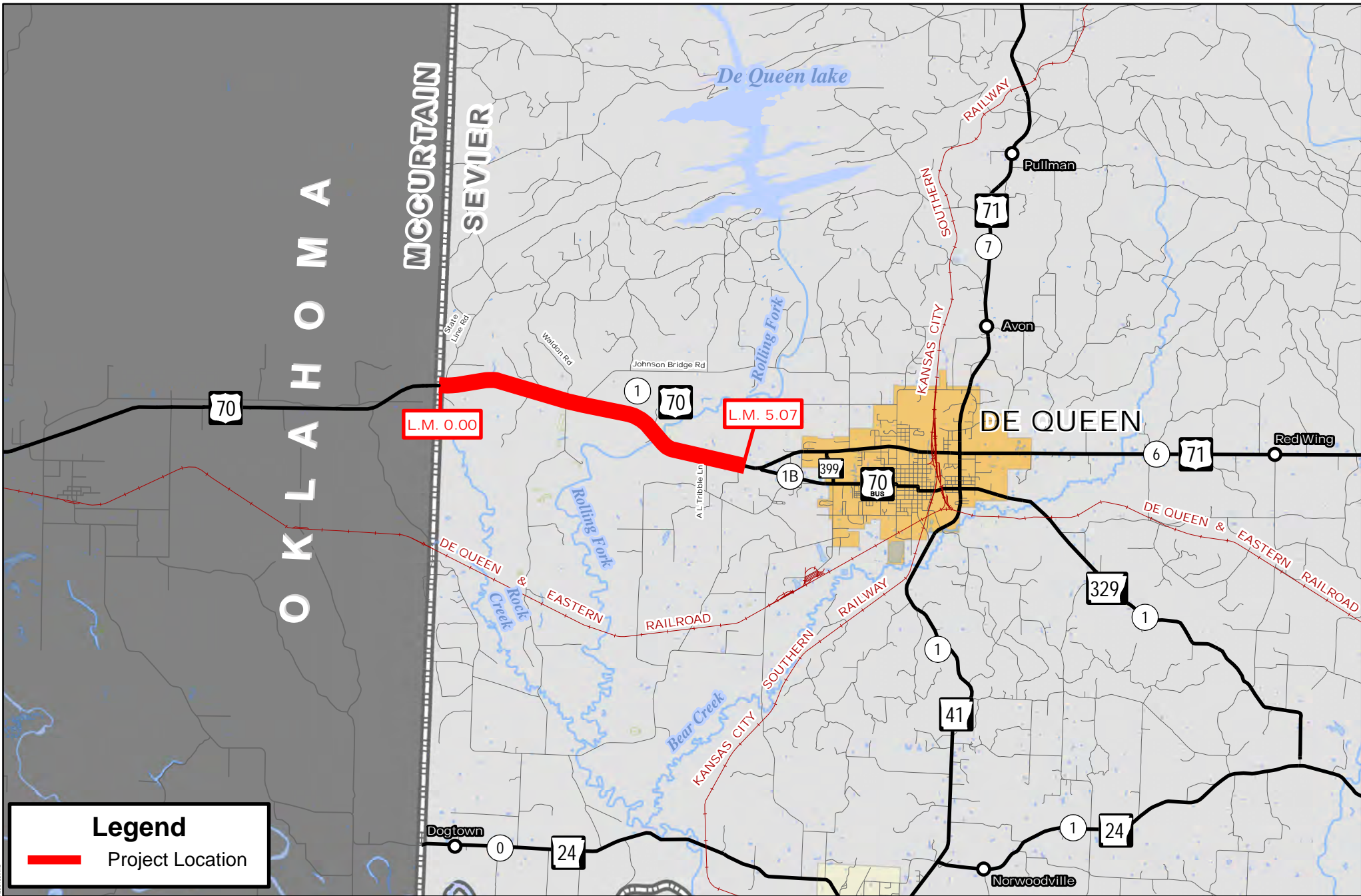
Environmental Specialist
Federal Highway Administration
Date: 3/1/2017


 John Fleming
Division Head
Environmental Division

Enclosures

JF:SS:fc

c: Program Management
Right of Way
District 3
Master File



Job 030486
 Oklahoma State Line - East (S)
 Hwy. 70, Sec. 1
 Sevier County



From: [Theresa Russell](#)
To: [Wilks, Diana](#); [Environmental Clearance](#)
Cc: [Theresa Russell](#)
Subject: Job No. 030486 - Sevier County - AHPP No. 97463
Date: Monday, February 27, 2017 3:48:04 PM

The staff of the Arkansas Historic Preservation Program has reviewed the documentation submitted for overlay project for Job 030486. Based on the information provided, we concur that the proposed undertaking will have no adverse effect on historic properties. This effect determination could change should additional information come to light. Your hard copy should go out soon.

Theresa Russell
Section 106 Structure Reviewer



Arkansas Historic Preservation Program

an agency of the Department of Arkansas Heritage

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Staffeld, Susan

From: Matthews, Mickey W.
Sent: Wednesday, February 15, 2017 1:56 PM
To: Staffeld, Susan
Subject: FW: 030486

From: Lewis, Lindsey [mailto:lindsey_lewis@fws.gov]
Sent: Wednesday, February 15, 2017 11:57 AM
To: Matthews, Mickey W.
Subject: Re: 030486

Mickey,

Due to the limited scope of the action (i.e., paving existing roadway, demolition of existing roadway), minimal adjacent habitat effect, distance to known species locations, and the special provisions for water pollution control and management of hydrodemolition wastewater, the Service concurs with the determination of "may affect, not likely to adversely affect" for Rabbitsfoot mussel (*Quadrula cylindrica*).

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
<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 Tue, Feb 14, 2017 at 11:13 AM, Matthews, Mickey W. <Mickey.Matthews@ahtd.ar.gov> wrote:

Lindsey Lewis,

I have attached a special provision that will be added to a resurfacing job on Hwy 70 west of Dequeen AR in Clark County. The job includes the approaches to the Rolling Fork River which is known, to have the federally threatened Rabbitsfoot mussel (*Quadrula cylindrica*). 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 Fat Pocketbook. AHTD is requesting concurrence with this determination.

Thank you,

Mickey Matthews
Environmental Scientist
Arkansas Highway and Transportation Department
501-569-25944

AHTD ENVIRONMENTAL IMPACTS ASSESSMENT FORM

AHTD Job Number 030486 FAP Number NHPE-0066(34)
 Job Title Oklahoma State Line – East (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			
Relocates	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 Staffeld* Date February 28, 2017