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.

Sincerely,

John Fleming
Division Head
Environmental Division

Enclosures

JF:SS:fc

c: Program Management
   Right of Way
   District 7
   Master File
Job 070457
Hwy. 79B - North (S)
Hwy. 7, Sec. 4
Ouachita County

Legend

Project Location
March 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,

[Signature]

John Fleming  
Division Head  
Environmental Division

Enclosure  
PIF

JF:DW:WLS:ym

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AHTD  
MAR 21 2017

ENVIRONMENTAL DIVISION

MAR 17 2017

No known historic properties will be affected by this undertaking. This effect determination could change should new information come to light.

Marian P.  
Deputy State Historic Preservation Officer
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
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> 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

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<th>Minor</th>
<th>Significant</th>
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Section 401 Water Quality Certification Required?  No
Short-term Activity Authorization Required? No
Section 404 Permit Required? No Type None

Remarks:

Signature of Evaluator: [Signature]  Date: March 28, 2017

5/17/2011