



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**Region 6**

**1445 Ross Avenue, Suite 1200**

**Dallas, TX 75202-2733**

December 13, 2012

Sandra L. Otto  
Federal Highway Administration  
Arkansas Division  
700 West Capitol Ave, Suite 3130  
Little Rock, AR 72201

Dear Ms. Otto,

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Draft Environmental Impact Statement (DEIS) prepared by the Federal Highway Administration (FHWA). The Northwest Arkansas Regional Airport Authority, in cooperation with the Arkansas State Highway and Transportation Department and FHWA, are proposing to construct an Intermodal Access Road that will connect to the southern entrance of the Northwest Arkansas Regional Airport at State Highway 264 to Interstate Highway 540.

EPA rates the DEIS as "EC-2" i.e., EPA has "Environmental Concerns and Requests Additional Information" in the Final EIS (FEIS). We are enclosing technical comments that provide recommendations for further clarification and additional discussion in the FEIS. The EPA's Rating System Criteria can be found here: <http://www.epa.gov/oecaerth/nepa/comments/ratings.html>.

EPA appreciates the opportunity to review the DEIS. Please send our office one copy of the FEIS and a CD when it is electronically filed with the Office of Federal Activities. Our classification will be published on the EPA website, [www.epa.gov](http://www.epa.gov), according to our responsibility under Section 309 of the CAA to inform the public of our views on the proposed Federal action. If you have any questions or concerns, please contact John MacFarlane of my staff at [macfarlane.john@epa.gov](mailto:macfarlane.john@epa.gov) or 214-665-7491 for assistance.

Sincerely,

A handwritten signature in cursive script that reads "Rhonda Smith".

Rhonda Smith  
Chief, Office of Planning and  
Coordination

Enclosure

**DETAILED COMMENTS ON THE  
FEDERAL HIGHWAY ADMINISTRATION'S  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
FOR THE  
NORTHWEST ARKANSAS REGIONAL AIRPORT  
INTERMODAL ACCESS ROAD BENTON COUNTY, AR**

**BACKGROUND:** The proposed Intermodal Access Road will connect to the southern entrance of the Northwest Arkansas Regional Airport (Airport) at State Highway (SH) 264 and connect at the eastern end to United States Highway (US) 71 or US 412, for a distance of 8 to 12 miles. Portions of the Intermodal Access Road will be co-located with the Springdale Northern Bypass (SNB) proposed by the Arkansas State Highway and Transportation Department (AHTD), which received a Record of Decision on the selected alternative in 2006. Connection to I-540 would be through a full access controlled interchange. The proposed project will ultimately be a four-lane divided highway and designed for a speed of 70 mph with full access control between interchanges.

The Environmental Protection Agency's (EPA) concerns are listed below, which are followed by detailed comments which should be incorporated into the Final Environmental Impact Statement (FEIS). Responses to comments should be placed in a dedicated section of the FEIS and should include the specific location where the revision, if any, was made. If no revision was made, a clear explanation should be included.

**GENERAL COMMENTS**

In general, the Affected Environment section should more thoroughly characterize the human and natural environment. Categories such as Farmland, Air Quality, Water Resources, and Biotic Communities should include an improved assessment of the resource. Additional maps may aid with presenting the information.

**DETAILED COMMENTS**

**Purpose and Need, page A.6**

The project Need is somewhat unclear. The Need should first be stated as succinctly as possible followed by the supporting information such as traffic and crash data and road network information. On page A.21, it states "analysis of the useable 2001 origin/destination (O/D) survey responses revealed that approximately 58% of the traffic destined to the Airport during the O/D survey schedule used Highway 12 located at the northern boundary of the Airport. The balance, 42%, accessed NWARA using Highway 264 and the south entrance to the Airport during the O/D survey. Based on the March 2004 traffic count data, 55% of the traffic is accessing the Airport from the south and 45% are accessing from the north."

- As traffic data is inconsistent and outdated, EPA suggests updating and/or performing additional traffic studies to determine where the majority of traffic enters the Airport.

- Based on updated traffic studies that accurately reflect the most recent traffic patterns, including an O/D survey, the Purpose and Need should be revised.

#### Crash History, page A.25

- Crash data should be updated to include data from other similar roads within and near the study area.

#### Alternatives, page B.1

The EIS should include a more in depth assessment of the effectiveness of transportation improvements such as bypasses, intersection improvements (interchanges), signalization improvements; and/or improving the existing infrastructure/upgrading existing roadways as a way to address the project needs. While such actions may not address all elements of the basic project Purpose and Need, this analysis would provide the public and decisionmakers with ample information to support a more informed decision.

#### **Recommendation:**

- The FEIS should assess additional methods of improving the existing roadway network and infrastructure.

#### Greenhouse Gas (GHG) Emissions and Climate Change

By statutes, Executive Orders, and agency policies, the Federal government is committed to the goals of energy conservation, reducing energy use, and eliminating or reducing greenhouse gas (GHG) emissions. For guidance, please see CEQ's "Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions"<sup>1</sup> dated February 18, 2010.

#### **Recommendation:**

- Due to the proposed project's long-term utility, the FEIS should identify the project's potential contribution to GHG emissions and discuss the potential impacts of climate change caused by the proposed project.

#### Biotic Communities, page C.29

This section lists the typical vegetation species that may occur in the project area. However, vegetation communities should be characterized by the actual vegetation that is present.

- A vegetation survey should be completed that describes vegetation communities by species makeup and acreage. The areal impact to vegetation communities and

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<sup>1</sup> [http://ceq.hss.doe.gov/current\\_developments/new\\_ceq\\_nepa\\_guidance.html](http://ceq.hss.doe.gov/current_developments/new_ceq_nepa_guidance.html)

consequences of converting vegetated land to impervious surfaces should be disclosed in the Environmental Consequences section.

Historic and Archaeological Resources, page C.34

The EIS contains information indicating that reasonable effort was made to identify tribes and cultural/archeological resources that may potentially be affected under the National Historic Preservation Act (NHPA) and tribal officials were contacted.

**Recommendation:**

- EPA recommends that the Airport and FHWA continue to include all appropriate Native American tribes throughout the phases of the project and contact tribes as indicated in the text.

Air Quality/Construction Impacts, page D.7

This section notes that emissions related to construction impacts will be minimized through mitigation measures. In the development of a construction emissions mitigation plan for the project, EPA recommends that, in addition to all applicable local, state, or federal requirements, the following mitigation measures be included in the construction emissions mitigation plan in order to reduce air quality impacts associated with emissions of NO<sub>x</sub>, CO, PM, SO<sub>2</sub>, and other pollutants from construction-related activities:

Fugitive Dust Source Controls:

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate at active and inactive sites during workdays, weekends, holidays, and windy conditions;
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions; and
- Prevent spillage when hauling material and operating non-earthmoving equipment and limit speeds to 15 miles per hour. Limit speed of earth-moving equipment to 10 mph.

Mobile and Stationary Source Controls:

- Plan construction scheduling to minimize vehicle trips;
- Limit idling of heavy equipment to less than 5 minutes and verify through unscheduled inspections;
- Maintain and tune engines per manufacturer's specifications to perform at EPA certification levels, prevent tampering, and conduct unscheduled inspections to ensure these measures are followed;
- If practicable, utilize new, clean equipment meeting the most stringent of applicable Federal or State Standards. In general, commit to the best available emissions control technology. Tier 4 engines should be used for project construction equipment to the maximum extent feasible;

- Lacking availability of non-road construction equipment that meets Tier 4 engine standards, the responsible agency should commit to using EPA-verified particulate traps, oxidation catalysts and other appropriate controls where suitable to reduce emissions of diesel particulate matter and other pollutants at the construction site; and
- Consider alternative fuels and energy sources such as natural gas and electricity (plug-in or battery).

Administrative controls:

- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking;
- Develop a construction traffic and parking management plan that maintains traffic flow and plan construction to minimize vehicle trips; and
- Identify sensitive receptors in the project area, such as children, elderly, and infirmed, and specify the means by which impacts to these populations will be minimized (e.g. locate construction equipment and staging zones away from sensitive receptors and building air intakes).

Water Resources, page D.39

The DEIS effectively identifies all waters of the U.S. within the project area but should also characterize those waterways, including tributaries.

- EPA recommends that all waterways affected by the proposed project be characterized by constancy of flow (ephemeral, intermittent, perennial), ordinary high water mark (OHWM), length, channel width, and acreage within right of way (ROW). It would also be advantageous to include the relative health of the waterway, which would include an evaluation of riffle/pool complexes, erosion, headcutting, and sinuosity.
- The analysis should include all consequences of filling or disturbing waters of the U.S. and their aquatic habitats. Impacts may include sedimentation, turbidity, and destruction of benthic organisms and their habitat.

As stated on page D.39, "Little Osage Creek has been designated as an Ecologically Sensitive Waterbody (ESW) by the Arkansas Department of Environmental Quality."

- As Little Osage Creek is designated as an ESW, any permanent impacts to the creek should be avoided. Piers or other bridge structures should be placed outside of the OHWM, and preferably, outside of the riparian zone.

Farmland Impacts, page D.54

This section states that secondary impacts of four acres would be caused by the construction of the interchange with the SNB. It appears this would be a direct impact because it is a component of the proposed project; not an indirect impact caused by the action and occurring later in time.

- The FEIS should include this four acre impact in all applicable resource category discussions.

### Secondary and Cumulative Impacts, page D.57

The Cumulative Impacts analysis should include a more thorough analysis of impacts.

### **Recommendation:**

- 40 CFR §1508.7 states that cumulative impacts are those impacts “on the environment which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or persons undertake such actions.” EPA suggests the FEIS establish spatial and temporal boundaries for each applicable resource and include a list and description of past, present, and reasonably foreseeable future projects. These projects should be analyzed, in conjunction with the proposed project, as to their cumulative effects on the natural and human environment.
- Refer to the Council on Environmental Quality’s “Considering Cumulative Effects Under the National Environmental Policy Act” and EPA’s “Consideration Of Cumulative Impacts In EPA Review of NEPA Documents” for assistance with identifying appropriate boundaries and identifying appropriate past, present, and reasonably foreseeable future projects to include in the analysis.
- If impacts are found to be significant, the analysis should include mitigation measures.

### Appendix C2 – Coordination Letters

It appears that a majority of the coordination letters are over ten years old. Because the human and natural environment changes over time, and agency coordination was conducted over ten years ago, EPA highly recommends that the Airport and AHTD conduct additional coordination prior to the release of the FEIS. EPA notes that U.S. Fish and Wildlife Service coordination for endangered species is up to date.

### Editorial Comments

The project description should state the length of the proposed project. The FEIS should define all impacts by degree of the impact (minor, moderate, or significant) and the longevity (short or long) of the impact.

On page D.21, toll plazas are discussed in relation to noise impacts. Toll plazas cause additional impacts due to the need for expanded ROW. FHWA’s State of the Practice and Recommendations on Traffic Control Strategies at Toll Plazas<sup>2</sup> states “From 1989 until 2004, the

<sup>2</sup> <http://mutcd.fhwa.dot.gov/rpt/tcstoll/index.htm>

percentage of tolls collected by electronic toll collection (ETC) has increased from 0% to 40% or more at almost all US toll facilities. Cash-paying toll traffic constitutes the minority traffic component for many toll facilities. ETC usage is even greater during peak hour periods.”

- To minimize impacts, EPA recommends analyzing the utilization of an ETC system as the toll collection system.