

APPENDIX E: Agency Coordination

**Appendix E-1: U.S. Army Corps of Engineers (USACE)
Fort Worth District**

Christine Polito

From: NoReplyTo@mail.mil
Sent: Friday, October 14, 2022 11:33 AM
To: Christine Polito
Subject: Re: [DoD SAFE] SWF-2020-00339 US 380 McKinney Delineation Report

Follow Up Flag: Follow up
Flag Status: Completed

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is an automated message sent to you by the DoD SAFE service.

Adam Fouts <adam.fouts@txdot.gov> has dropped off a file for you.

IF YOU TRUST THE SENDER and are expecting to receive a file from them, you may choose to retrieve the drop-off by clicking the following link (or copying and pasting it into your web browser):

<https://safe.apps.mil/pickup.php?claimID=8u78MFsFF9rpEjqr&recipCode=xCTr8Q>

You will be required to enter the claim passcode, which is:

BTbFEbYKhZmuqW7q

You have 7 days to retrieve the drop-off; after that the link above will expire.

The sender has left you a note:

Please see the Attached Delineation Report for US 380 McKinney SWF-2020-00339. This project was originally assigned to Barry Osborn. However, since Barry is no longer with the USACE Jennifer Walker indicated that she would likely assign this to Chandler Peter. If you have any questions, please feel free to contact me.

Full information about the drop-off:

Claim ID: 8u78MFsFF9rpEjqr
Recipient Code: xCTr8Q
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Drop-off Submitted: 2022-10-14 16:32:34 UTC
Drop-off Completed: 2022-10-14 16:32:40 UTC

— Sender —

Name: Adam Fouts
Organization: Guest
Email Address: adam.fouts@txdot.gov

— File —

Name: SWF-2020-00339_US380 WaterFeaturesReport_0135-02-065.pdf
Description: SWF-2020-00339_US380 Delineation Report

Size: 287574728

SHA-256 Checksum: 0AAAC851FE0452A1EB787AADB0E8FFB71D1077846EA7A1FA562BD071A11A74A2

Content Type: application/pdf

Subject: Delineation Report for SWF-2020-00339 US 380 McKinney Coit Road to FM 1827

From: Peter, Chandler J CIV USARMY CESWF (USA) <Chandler.J.Peter@usace.army.mil>

Sent: Tuesday, January 3, 2023 9:39 AM

To: Adam Fouts <Adam.Fouts@txdot.gov>

Cc: Walker, Jennifer R CIV USARMY CESWF (USA) <Jennifer.R.Walker2@usace.army.mil>; Christine Polito <Christine.Polito@txdot.gov>; Susan Shuffield <Susan.Shuffield@txdot.gov>; Dan Perge <Dan.Perge@txdot.gov>

Subject: RE: Delineation Report for SWF-2020-00339 US 380 McKinney Coit Road to FM 1827

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Fouts,

I have started reviewing the submitted delineation materials related to the referenced project. In response to your question concerning delineation concurrence or jurisdictional determination, access to all properties is needed to undertake such an action. Since that is not available at this time, I am providing comments in an EIS context that do not address the jurisdictional status of identified water features nor the accuracy of the delineation for permitting purposes. That can be accomplished at a later time when access is available.

In relation to the development of the Draft EIS, the data and information provided **is reasonable and acceptable to support a *comparison of the EIS alternative corridors for potential impacts***. This statement means that the Corps would rely upon the information for determining the Least Environmentally Damaging Practicable Alternative (LEDPA) at the corridor level should a Standard Individual Permit be required for the project. It does not reflect any determination concerning specific accuracy of the delineation or jurisdictional status of water features. It is noted that an IP may be required given the size of various water features (e.g., features 18 and 32/33/124) within the assessment area for some of the alignments under consideration. It is also understood that a preferred alignment alternative has not been selected by the lead agency yet and therefore the type of permit needed for the project cannot be determined at this time. If issues arise concerning the forthcoming lead agency preferred alternative and the LEDPA requirement based on acreage/functions of aquatic resources, then a delineation concurrence or JD can be used to refine the data and information of the delineation and the results of such a review may resolve those issues. The use of a conditional/functional assessment can also be implemented to further refine data and information for comparative purposes and identifying the LEDPA.

When site access becomes available, site visits will need to be conducted to confirm the delineation as well as jurisdictional status (if so desired by the applicant) for permitting purposes. Desk top review, which is done to target areas for field confirmation, may reveal that some areas do not need to be viewed in the field. It is also noted that the areas to be field verified at the permit evaluation level can be constrained to just the preferred alternative alignment, especially if there is no conflict with the lead agency's preferred alternative and the LEDPA in the EIS.

If you have any questions concerning these comments, please contact me.

Chandler J. Peter
Regulatory Technical Specialist
Regulatory Division, Fort Worth District
817-886-1736

From: Peter, Chandler J CIV USARMY CESWF (USA)
Sent: Thursday, October 27, 2022 10:11 AM
To: Adam Fouts <Adam.Fouts@txdot.gov>
Cc: Walker, Jennifer R CIV USARMY CESWF (USA) <Jennifer.R.Walker2@usace.army.mil>; Christine Polito <Christine.Polito@txdot.gov>; Shuffield Susan <susan.shuffield@txdot.gov>; Dan Perge <Dan.Perge@txdot.gov>
Subject: RE: Delineation Report for SWF-2020-00339 US 380 McKinney

Mr. Fouts,

Given the response provided the submitted action has been placed in the pile of other pending workload. When I have reviewed the submitted materials I will address your questions at that time.

Chandler J. Peter
Regulatory Technical Specialist
Regulatory Division, Fort Worth District
817-886-1736

From: Adam Fouts <Adam.Fouts@txdot.gov>
Sent: Thursday, October 27, 2022 8:33 AM
To: Peter, Chandler J CIV USARMY CESWF (USA) <Chandler.J.Peter@usace.army.mil>
Cc: Walker, Jennifer R CIV USARMY CESWF (USA) <Jennifer.R.Walker2@usace.army.mil>; Christine Polito <Christine.Polito@txdot.gov>; Shuffield Susan <susan.shuffield@txdot.gov>; Dan Perge <Dan.Perge@txdot.gov>
Subject: [URL Verdict: Neutral][Non-DoD Source] RE: Delineation Report for SWF-2020-00339 US 380 McKinney

Mr. Peter,

I'm just sending a follow up email since I have not received a response from my previous email yet.

In regards to the emails below, Would it be feasible for you to conduct a JD or a delineation concurrence at this time, even though we don't have Right of Entry to the entire project? For the parcels that you would not have access to would you be able to conduct a desktop survey?

Please let me know your thoughts.

Thank you

Adam Fouts



Environmental Specialist
Dallas District Environmental
4777 E. Highway 80
Mesquite, TX 75150-6643
(214)319-6578
adam.fouts@txdot.gov

Appendix E-2: Tribal Coordination

Cannon-Mackey, Shari

Subject: FW: TxDOT Sec. 106 Consultation Request - CSJ: 013502065, US 380 , Collin County, Dallas District

From: Scott Pletka <Scott.Pletka@txdot.gov>

Sent: Friday, May 20, 2022 2:35 PM

To: jrohrrer@mycaddonation.com; bgonzalez@mycaddonation.com; martina.minthorn@comanchenation.com; theodorev@comanchenation.com; klucas@delawarenation-nsn.gov; jflynn@jenachoctaw.org; mattocknie@kiowatribe.org; holly@mathpo.org; tonya@shawnee-tribe.com; mallen@tonkawatribe.com; lbrown@tonkawatribe.com; Terri.Parton@wichitatribe.com; robin.williams@wichitatribe.com; mary.botone@wichitatribe.com; gary.mcadams@wichitatribe.com

Subject: TxDOT Sec. 106 Consultation Request - CSJ: 013502065, US 380 , Collin County, Dallas District

Sec. 106 Consultation

MAY 20, 2022

Contacts:

[Scott Pletka](#)
512-416-2631

Notice:

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.

We kindly request your comments on historic properties of cultural or religious significance to your Tribe that may be affected by the proposed project. Please see the following summary for project details and information. To access the associated reports, which include a detailed project description, APE definition and identification efforts, use the attached link. After 30 days, the link will expire. We will provide an updated link upon request. This project will also be included during our monthly Sec. 106 conference call every third Wednesday of the month at 2 p.m.

Summary:

<i>Project ID (CSJ), Roadway, Limits, County and TxDOT District</i>	<i>CSJ: 0135-02-065, US 380 from FM 1827 to Coit Road, Collin County, Dallas District</i>
<i>Lat/Longs:</i>	<i>Begin:33.2186740, -96.8007410 End:33.2116104, -96.6128879</i>
<i>Project Sponsor:</i>	<i>TxDOT</i>
<i>Consultation Status:</i>	<input checked="" type="checkbox"/> <i>Initial Consultation</i> <input type="checkbox"/> <i>Continuation of Consultation</i> <i>Reason(s):</i>
<i>Short Description:</i>	<i>Construct new roadway</i>
<i>New Right of Way:</i>	<i>1,079.37 acres</i>
<i>Depth of Impacts:</i>	<i>The estimated depth of impacts is typically five feet with a maximum depth of impacts of 75 feet.</i>
<i>Known Archeological Sites or Properties in project area:</i>	<ul style="list-style-type: none"> <i>41COL00309 – Middle Archaic occupation with preserved midden, previously determined to be eligible for NHRP listing</i> <i>41COL0315 – Railroad berm associated with the Texas Electric Railway constructed in 1908, recommended as not eligible based on survey performed for this project</i>
<i>Identification Efforts:</i>	<i>Background Study and Survey of accessible areas</i>
<i>Recommendations:</i>	<i>No historic properties affected within fully surveyed portions of the APE; complete survey once access obtained to remainder of APE, including further evaluation of extent to which 41COL00309 occurs within APE</i>
<i>Link to Detailed Reports:</i>	<i>Background Study:</i> https://txdot.box.com/s/3kcrd6n3skelp54jtsher6gnw504jmo9 <i>Survey:</i> https://txdot.box.com/s/wvx2h6qm3v0fgtifjdojpylc1q8yv9f1

Please provide any comments that you may have on the TxDOT findings and recommendations. Please provide your comments within 30 days of receipt of this letter. Any comments provided after that time will be addressed to the fullest extent possible.

COMANCHE NATION



Texas Department of Transportation
Attn: Mr. Scott Pletka
118 E. Riverside
Texas 78704

May 24, 2022

Re: TXDOT Sec. 106 Consultation Request – CSJ-013502065, US 380,
Collin County, Dallas District

Dear Mr. Pletka:

In response to your request, the above reference project has been reviewed by staff of this office to identify areas that may potentially contain prehistoric or historic archeological materials. The location of your project has been cross referenced with the Comanche Nation site files, where an indication of “*No Properties*” have been identified. (IAW 36 CFR 800.4(d)(1)).

Please contact this office at (580) 595-9960/9618) if you require additional information on this project.

This review is performed in order to identify and preserve the Comanche Nation and State cultural heritage, in conjunction with the State Historic Preservation Office.

Regards

Comanche Nation Historic Preservation Office
Theodore E. Villicana , Technician
#6 SW “D” Avenue, Suite C
Lawton, OK. 73502

Consult Response delayed due to Covid-19 work conditions.

Appendix E-3: Texas Historical Commission



125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

May 20, 2022

RE: CSJ: 0135-02-065; US 380, Rehabilitate Existing Roadway, Collin County, Dallas District; Section 106 Consultation and Antiquities Code Coordination; Texas Antiquities Permit No. Number 30497

Mr. Mark Wolfe
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Dear Mr. Wolfe:

As required by the Programmatic Agreement and the Memorandum of Understanding with your agency, we are initiating consultation on this project. Environmental studies are in the process of being conducted for this project. The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 9, 2019 and executed by FHWA and TxDOT. We have enclosed for your review a draft report of archeological investigations for this undertaking.

Undertaking Description

The proposed project will be undertaken with federal funds and will occur in part or in whole on non-federal public lands. TxDOT is proposing to rehabilitate the existing roadway on US 380. The proposed project would construct an eight-lane, access-controlled freeway with one-way frontage roads on each side within an anticipated right-of-way width of between 330 to 350 feet depending on location. The project extends along existing US 380 from Coit Road to FM 1827, a distance of approximately 11.2 miles. TxDOT is currently considering multiple alternatives. A final proposed alignment will be selected later in project development. New location alternatives are being considered to the north of McKinney, connecting Coit Road and FM 1827. The new location alternatives could be as long as 15.5 miles and may extend north of Bloomdale Road. The existing right-of-way along US 380 ranges in width from approximately 130 feet to 180 feet, with the proposed freeway requiring approximately 330 feet to 350 feet of right-of-way. Additional right-of-way may be required to construct the proposed improvements.

Area of Potential Effects

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The project's area of potential effects (APE) comprises the following area.

- The project limits extend from Coit Road to FM 1827 along US 380. The total project length is thus 59,136 feet, and the APE includes any existing ROW within these limits.
- The existing ROW comprises approximately 405.87 acres.
- The proposed project would require up to 1,079.38 acres for new right of way and/or easements. Note that this proposed new ROW acreage encompasses multiple alternatives. The final design and APE will entail a lesser amount of proposed new ROW.
- The estimated depth of impacts is typically five feet with a maximum depth of impacts of 75 feet.
- The APE is further detailed and illustrated in the attached report.

Identification Efforts

For this project, TxDOT has conducted a survey. The enclosed report of investigations has more details regarding this work. The following bullets summarize the identification efforts.

- The investigations reported here concern portions of the APE that did not warrant survey and portions of the APE that were accessible during survey.
- Archeologists undertook a survey. For this survey,
 - No acres had been previously surveyed or otherwise evaluated for this project;
 - Approximately 139.02 acres were identified as not requiring field survey, due to existing conditions of the setting identified through background research and described in the attached report;
 - 700.47 acres, including 405.87 acres of existing ROW and 294.60 acres of proposed new ROW, were surveyed and described in the attached report; of these 700.47 acres, 605.40 require no further work;
 - Up to 879.85 acres still require survey due to access issues, including areas that were shovel tested for this survey for which permission to conduct required trenching could not be obtained;
 - previous investigation within the APE identified site 41COL00309 in the APE; and
 - the current survey identified site 41COL0066
- Identified archeological sites that are eligible for inclusion in the National Register of Historic Places and/or that warrant formal designation as State Antiquities Landmarks include 41COL00309. The portion of the APE where this site has been mapped could not be trenched. Further identification efforts shall be conducted to evaluate the extent to which this site occurs within the APE, once ROW has been acquired and prior to construction.
- Identified archeological sites that are not eligible for inclusion in the National Register of Historic Places and/or that do not warrant formal designation as State Antiquities Landmarks include 41COL0066. The site comprises concrete piers and a portion of the berm associated with the Texas Electric Railway, built in 1908. The ballasts, crossties, rails, and tie plates are all gone. The site thus lacks sufficient

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integrity of design, materials, and feeling to be eligible for inclusion in the National Register of Historic Places or to merit formal designation as a State Antiquities Landmark.

Effects Determination

The proposed project would have direct effects resulting from ground-disturbing construction activities within the APE. Given the results of the identification efforts, TxDOT proposes that the project will have no effect on archeological history properties within the 605.40 acres that have been fully evaluated, including site 41COL0066. Up to 879.85 acres of proposed new ROW still require further work once the ROW has been acquired and prior to construction. This additional work includes trenching at the mapped location of eligible site 41COL00309, to determine the extent of that site in the APE. The next section identifies the steps recommended by TxDOT based on the results of the identification efforts and this effects analysis.

Recommendations

TxDOT seeks your concurrence on the following points:

- The identification efforts and analysis of effects completed to date within 605.40 acres of the APE are adequate.
- TxDOT shall continue identification efforts within up to 879.85 acre of proposed new ROW, once an alternative has been selected and ROW has been acquired.
- TxDOT shall conduct further evaluation of site 41COL00309.
- The attached draft report meets the reporting requirements of the Texas Antiquities Permit issued for the investigation.

Thank you for your consideration of this matter. If you have any questions or have need of further information, please contact me at 512-416-2631.

Sincerely,



Scott Pletka
Archeological Studies Branch
Environmental Affairs Division

Cannon-Mackey, Shari

From: noreply@thc.state.tx.us
Sent: Thursday, July 7, 2022 4:09 PM
To: Scott Pletka; reviews@thc.state.tx.us
Subject: Section 106 Submission

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



TEXAS HISTORICAL COMMISSION
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Re: Project Review under Section 106 of the National Historic Preservation Act and/or the Antiquities Code of Texas

THC Tracking #202211638

Date: 07/07/2022

013502065 US 380 (Permit 30497)

US 380 at Coit Rd

McKinney, TX 75069

Description: This is a resubmittal, correcting an error in the transmittal letter. TxDOT proposes to construct improvements to US 380. The submitted report is a draft archeological survey report.

Dear TxDOT Staff:

Thank you for your submittal regarding the above-referenced project. This response represents the comments of the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC), pursuant to review under Section 106 of the National Historic Preservation Act and the Antiquities Code of Texas.

The review staff, led by Bill Martin, has completed its review and has made the following determinations based on the information submitted for review:

Archeology Comments

- THC/SHPO concurs with information provided.
- Property/properties are not eligible for listing in the National Register of Historic Places.
- This draft report is acceptable. To facilitate review and make project information and final reports available through the Texas Archeological Sites Atlas, we appreciate submission of tagged pdf copies of the final report including one restricted version with all site location information (if applicable), and one public version with all site location information redacted; an online abstract form submitted via the abstract tab on eTRAC; and survey area shapefiles submitted via the shapefile tab on eTRAC. For questions on how to submit these please visit our video training series at: <https://www.youtube.com/playlist?list=PLONbbv2pt4cog5t6mCqZVaEAX3d0MkgQC> Please note that these steps are required for projects conducted under a Texas Antiquities Permit.
- The adverse effect of the project must be mitigated. Please submit a research design with a data recovery plan.

We have the following comments: We concur that 41COL309 is eligible and requires mitigation of adverse effects. We also concur that site 41COL315 is ineligible for inclusion in the NRHP. Please ignore the auto-generated language regarding submission of a research design. Follow the stipulations in the PA and MOU.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this review process, and for your efforts to preserve the irreplaceable heritage of Texas. If the project changes, or if new historic properties are found, please contact the review staff. If you have any questions concerning our review or if we can be of further assistance, please email the following reviewers: bill.martin@thc.texas.gov.

This response has been sent through the electronic THC review and compliance system (eTRAC). Submitting your project via eTRAC eliminates mailing delays and allows you to check the status of the review, receive an electronic response, and generate reports on your submissions. For more information, visit <http://thc.texas.gov/etrac-system>.

Sincerely,

A handwritten signature in black ink, appearing to read "William A. Martin". The signature is fluid and cursive, with a prominent initial "W" and a long, sweeping underline.

for Mark Wolfe, State Historic Preservation Officer
Executive Director, Texas Historical Commission

Please do not respond to this email.

Appendix E-4: Texas Parks and Wildlife Department



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Commissioners

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Robert L. "Bobby" Patton, Jr.
Fort Worth

Travis B. "Blake" Rowling
Dallas

Lee M. Bass
Chairman-Emeritus
Fort Worth

T. Dan Friedkin
Chairman-Emeritus
Houston

David Yoskowitz, Ph.D.
Executive Director

February 27, 2023

Ms. Christine Polito
Environmental Project Manager
Texas Department of Transportation
4777 E. Highway 80
Mesquite, Texas 75150-6643

RE: Draft Environmental Impact Statement for US 380 from Coit Road to FM 1827, Collin County, Texas (CSJs: 0135-02-065, 0135-03-053, and 0135-15-002)

Dear Ms. Polito:

Texas Parks and Wildlife Department (TPWD) has reviewed the Draft Environmental Impact Statement (DEIS) upon TxDOT's Notice of Availability of DEIS received by our office on January 13, 2023, regarding the above-referenced transportation project.

TPWD, as the state agency with primary responsibility for protecting the state's fish and wildlife resources and in accordance with the authority granted by Parks and Wildlife Code (PWC) § 12.011, hereby provides the following comments and recommendations to minimize adverse impacts to natural resources.

Please be aware that a written response to a TPWD recommendation or informational comment is required by TxDOT as outlined in the 2021 Memorandum of Understanding (MOU) between TxDOT and TPWD. See PWC § 12.011(c) for further guidance. For tracking purposes, please refer to TPWD project number 49911 in any return correspondence on this project.

Project Description

Section 2.2 (page 2-8) of the DEIS included the following "Descriptions of Reasonable Alternatives and the No-Build Alternative" for the project: *"Four reasonable alternatives for the improvement of US 380 McKinney are carried forward for detailed study in addition to the No-Build Alternative. The four reasonable alternatives –Purple, Blue, Brown, and Gold – range in length from approximately 14.8 miles to approximately 16.3 miles. Each would construct an 8-lane, access controlled freeway with 2-lane, one-way frontage roads on each side connecting Coit Road and existing US 380 on the west in Prosper with existing US 380 and FM 1827 on the east in McKinney. Frontage roads may be eliminated, and the primary travel lanes may be depressed (lowered) or elevated (on bridge/viaduct) to minimize impacts in some locations. Bridges and overpasses along the mainlanes would have a desired vertical clearance of 18.5 feet, with a vertical clearance over railroads proposed at 23.5 feet. The freeway facility would include ramps, direct connector roadways, and connections to existing and planned arterial roadways to support local roadway network connectivity. A multi-*

To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations.

level interchange is proposed at US 75/SH 5 with grade-separated interchanges at other primary local roadways depending on the alternative. Shared-use paths (SUPs) would be built along the outside of the frontage roads to provide bicycle and pedestrian accommodations and to support multi-modal access. The western end of the project would transition to an at-grade intersection near Coit Road to connect to existing US 380, and a grade-separated interchange would connect the east end of the new location alignment to existing US 380 near FM 1827. The freeway would be constructed, primarily on new location, within an anticipated ROW width ranging from approximately 330 feet to 1,582 feet (US 75 interchange) with an average ROW width of approximately 420 feet. Additional ROW would be required at interchanges.”

Section 2.2.2 of the DEIS provides further “Descriptions of the Build Alternatives” for the project: *The four Build Alternatives evaluated in the DEIS are each comprised of three segments. The segments were developed to address issues specific to the three focus areas identified within the Study Area (Figure 2-8). Segments A and B on the west side of the Study Area provide two options for connecting to existing US 380, with Segment A being farther east and generally following more of the existing US 380 alignment through Prosper, while Segment B leaves the existing US 380 alignment farther to the west traveling northeast across a part of Prosper planned for development. Segments C and D on the east side of the Study Area provide options for crossing the East Fork Trinity River and associated floodplain/floodway areas. Segment C stretches farther east out of the floodplain crossing sparsely developed lands before turning south to connect to existing US 380. Segment D straddles the floodplain for most of its length and would be constructed on bridge/structure to minimize effects on the function of the floodplain while also avoiding wetlands and sensitive habitats. Segment E is the Common Segment shared by all of the Build Alternatives that primarily follows the existing alignment of Bloomdale Road along the northern edge of McKinney.*

Proposed Alternative in DEIS

The Blue Alternative, which is comprised of Segments A, E, and D, is the Preferred Alternative in the DEIS recommended by TxDOT for this project. TxDOT’s Selected Alternative will be given in a combined Final Environmental Impact Statement (FEIS) and Record of Decision (ROD).

Previous Coordination

After attending an Agency Scoping Meeting on October 29, 2020, TPWD provided recommendations on November 23, 2020, for natural resource information, issues, or concerns for this project. TxDOT submitted a request for initial collaborative review on January 24, 2022, under the 2021 TxDOT-TPWD MOU and provided early environmental documents for review. TPWD provided additional recommendations to minimize adverse impacts to natural resources on April 21,

2022, and TxDOT provided responses to TPWD's recommendations on July 6, 2022.

Recommendation: Please review previous TPWD correspondence in Appendix E of the DEIS and consider the recommendations provided, as they remain applicable to the project as currently proposed. TPWD also recommends including this letter in Appendix E for Agency Coordination.

Recommendation: As indicated in TPWD's November 23, 2020, scoping letter, TPWD recommended utilizing existing roadways to minimize impacts to floodplains, streams, wetlands, wildlife and aquatic habitat, as well as, reducing habitat fragmentation from new location roads. Further, TPWD advised against and discouraged the selection of Segments C and D, as both eastern segments would impact the East Fork Trinity River, and TPWD also noted that TxDOT should consider Segment D rather than Segment C. The Preferred Alternative has high impacts to streams, wetlands, floodplains, forest and grassland habitat that are valuable to fish and wildlife species. These sensitive areas should be protected to the maximum extent possible. TPWD recommends the consideration of additional modifications to the road alignment of the Preferred Alternative's eastern segment (Blue Alternative) to further minimize natural resource impacts.

Comments on the DEIS

Appendix E in the DEIS includes documentation of TPWD's response on April 21, 2022, to TxDOT's initial collaborative review under the 2021 TxDOT-TPWD MOU that states "TPWD recommends that the Draft EIS provide all individual BMP within a category that TxDOT will commit to implement from TPWD's Beneficial Management Practices: Avoiding, Minimizing, and Mitigating Impacts of Transportation Projects on State Natural Resources" (page 19).

Recommendation: TPWD notes that a newer version of TxDOT's Form "*Documentation of Texas Parks and Wildlife Department Best Management Practices*" (TPWD BMP Form in DEIS) with an effective date of April 2022 can be accessed on TxDOT's Natural Resources Toolkit Website (see link: [300-04-frm.docx \(live.com\)](#)). TPWD recommends accessing the newer version of the TPWD BMP form to document the BMP for the project and updating the DEIS.

Recommendation: TPWD recommends that the full language of all individual BMP within a category be added to the TPWD BMP Form in the DEIS dated on January 21, 2022 (pages 79-81) in Appendix O and updating the DEIS. TPWD understands that this list of project commitments made be revised at a later date if a change arises during the period between the National Environmental Policy Act (NEPA) process and construction phase. The TPWD BMP form is the key document of the DEIS for TxDOT to describe all

proposed measures to avoid and minimize impacts to wildlife and fish species and their habitats prior to, during, and after construction for the project. A full description of the proposed measures provides a clear record of commitments to enable the public and other local, state, and federal agencies to understand how TxDOT plans to avoid and minimize impacts to natural resources from this project. It is important to further clarify and address these measures that will be taken by TxDOT to reduce environmental impacts in the DEIS.

Impact to Vegetation/Wildlife Habitat

The Preferred Alternative includes a mixture of habitat types, including prairies, grasslands, riparian forests, and woodlands, that covers approximately 468.7 acres (601.4 acres W/Spur) out of the proposed right-of-way's (ROW) 1,083.5 acres. The Preferred Alternative may permanently impact the most forested habitat and the next most grassland habitat through the clearing of vegetation. Herbaceous species would be used to revegetate the exposed areas of soil.

Recommendation: TPWD recommends using site planning and construction techniques to avoid or minimize disturbance to native vegetation and preserve existing native trees, shrubs, grasses and forbs, and aquatic and wetland systems. Locally adapted native species should be used in landscaping and revegetation for vegetation impacted by the project to benefit wildlife. Also, where possible, clearing of understory vegetation should be minimized because such vegetation provides habitat to many different species of wildlife. Natural buffers contiguous to any stream or wetland should remain undisturbed to preserve wildlife cover, food sources, and travel corridors if possible.

Water Resources

The Preferred Alternative identified an estimated 35.65 acres of water features within the environmental footprint and would permanently impact 10,353 linear feet of streams (10,712 linear feet W/Spur) and 1.10 acres of wetlands. The Preferred Alternative would have the greatest permanent impact on streams and wetlands. Bridges and elevated road sections would be used to span streams and wetlands, vegetation clearing of streams and forested wetlands would be minimized, and placement of fill material would be minimized in jurisdictional areas. TxDOT would purchase mitigation credits from stream and wetland banks within service area. An Individual Standard Permit under Section 404 is not expected.

Recommendation: TPWD appreciates that TxDOT will incorporate the use of bridges and elevated road sections in the project design to span streams and wetlands. TPWD continues to recommend the selection of the alignment with the least impact to streams and wetlands for the project. Care should be taken to avoid multiple crossings of rivers and creeks and therefore removing large

sections of riparian habitat. River and creek crossings should be located in previously disturbed areas and in areas where vegetation removal or disturbance can be avoided or minimized to prevent further fragmentation of the riparian corridors associated with these waterways.

Invasive Species

The DEIS does not address the potential of the project to introduce or spread invasive plants and animals during construction activities that may require equipment and materials to come into contact with inland water bodies. The colonization by invasive species, including harmful fish, shellfish, and plants, should be actively prevented when entering or leaving waters at the project site.

Recommendation: TPWD recommends implementing the following Invasive Species BMP to prevent the inadvertent transfer of invasive plants and animals to and from the project site as outlined in TPWD's *Beneficial Management Practices: Avoiding, Minimizing, and Mitigating Impacts of Transportation Projects on State Natural Resources (Version September 17, 2021)*.

- For all work in water bodies designated as 'infested' or 'positive' for invasive zebra (*Dreissena polymorpha*) or quagga mussels (*Dreissena bugensis*) on <http://texasinvasives.org/zebramussels/> as well as waters downstream of these lakes, all machinery, equipment, vessels, or vehicles coming in contact with such waters should be cleaned prior to leaving the site to remove any mud, plants, organisms, or debris, water drained (if applicable), and dried completely before use in another water body to prevent the potential spread of invasive mussels.
- Care should be taken to prevent the spread of aquatic and terrestrial invasive plants during construction activities. Educate contractors on how to identify common invasive plants and the importance of proper equipment cleaning, transport, and disposal of invasive plants in a manner and location that prevents spread when invasive plants are removed during construction.
- Care should be taken to avoid the spread of aquatic invasive plants such as giant Salvinia (*Salvinia molesta*), common salvinia (*Salvinia minima*), hydrilla (*Hydrilla verticillata*), water hyacinth (*Eichhornia* spp.), Eurasian watermilfoil (*Myriophyllum spicatum*), water lettuce (*Pistia stratiotes*), and alligatorweed (*Alternanthera philoxeroides*) from infested water bodies into areas not currently infested. All machinery, equipment, vessels, boat trailers, or vehicles coming in contact with waters containing aquatic invasive plant species should be cleaned prior to leaving the site to remove all aquatic plant material and dried completely before use on another water body to prevent the potential spread of invasive plants. Removed plants should be transported for disposal in a secure manner to prevent dispersal.

Ms. Christine Polito

Page 6 of 6

February 27, 2023

- Colonization by invasive plants should be actively prevented on disturbed sites in terrestrial habitats. Vegetation management should include removing or chemically treating invasive species as soon as practical while allowing the existing native plants to revegetate the disturbed areas; repeated removal or treatment efforts may be needed. Only native or non-invasive plants should be planted. Care should be taken to avoid mowing invasive giant reed (*Arundo donax*), which spreads by fragmentation, and to clean equipment if inadvertently mowed to prevent spread. If using hay bales for sediment control, use locally grown weed-free hay to prevent the spread of invasive species. Leave the hay bales in place and allow them to break down, as this acts as mulch assisting in revegetation.
- Aquatic invasive species (e.g., tilapias (*Oreochromis* spp., *Tilapia zillii*), suckermouth armored catfish (*Hypostomus plecostomus*, *Pterigoplichthys* spp.), Asian clams (*Corbicula fluminea*), zebra mussels (*Dreissena polymorpha*)) or those not native to the subwatershed should not be relocated but rather should be dispatched. Invasive mussels attached to native mussels should be removed and destroyed or disposed prior to relocation of the native mussels. Prohibited aquatic invasive species, designated as such in 31 TAC §57.112, should be killed upon possession.

TPWD appreciates the opportunity to provide comments and recommendations for the DEIS of this project. If you have any questions, please contact me at (512) 389-4579 or Suzanne.Walsh@tpwd.texas.gov.

Sincerely,



Suzanne Walsh
Ecological and Environmental Planning Program
Wildlife Division

SCW:49911

From: [WHAB TxDOT](#)
To: [Christine Polito](#)
Cc: [WHAB TxDOT](#)
Subject: TPWD has received your request for early coordination
Date: Friday, January 13, 2023 11:06:13 AM

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This notification was automatically generated to indicate TPWD has received your Early Coordination request. You will soon be contacted by the biologist assigned to review your project.

If the request you submitted was for Administrated Coordination, please follow the process described in the Memorandum of Understanding between TxDOT and TPWD regarding Administrated Project Coordination (see [Texas Administrative Code Title 43 Part 1 Chapter 2 Subchapter G Rule §2.208](#)).

Leslie Mirise

From: Leslie Mirise
Sent: Wednesday, July 6, 2022 3:55 PM
To: Suzanne Walsh
Cc: Christine Polito; Stirling Robertson; Dan Perge
Subject: RE: CSJ 0135-02-065, etc. US 380 Improvement McKinney EIS - request for collaborative review

Suzanne,

Due to the multiple sets of comments, I am altering my typical response format and including all TxDOT responses (1 – 10) in blue below each relevant comment in this email chain.

The November 23, 2020, scoping comments and recommendations are as follows:

Stephen,

This email is in response to your request for agency information, issues, or concerns about the proposed US 380 from Coit Road to FM 1827 in Collin County (CSJs: 0135-02-065 and 0135-03-053). Below is a list of topics that TPWD believes that TxDOT should consider when choosing an alternative route and should study in detail in the EIS. Please note that this list is based on the very limited amount of preliminary information TPWD has about the project and does not represent all TPWD comments and recommendations on the project. Please continue to include me in notifications about upcoming scoping meetings. TPWD would like to review and comment on the draft EIS when it is available.

TPWD recommends utilizing existing roadways as corridors rather than exploring new alignments to reduce habitat fragmentation and adverse impacts to natural resources. The green alignment is the most direct route and would have the least impact to floodplains, wetlands, streams, and habitat for wildlife and aquatic species.

TxDOT response 1: [Comment noted. TxDOT will consider impacts to natural resources in the alternative selection process that includes impact analyses of multiple resource areas.](#)

TPWD specifically advises against and strongly discourages the selection of Segments C and D. As Segments C and D particularly will impact East Fork Trinity River, TPWD has concerns because of its value to terrestrial wildlife, such as birds and mammals, as well as aquatic life. The placement of the road in this area will not only have direct effects on the Trinity River but will incur development that increases the impact to the river, associated riparian habitat, floodplain, and ultimately to Lake Lavon as well. Future use of lands as a park or greenbelt trail may be affected by these eastern segments that cross the floodplain. If these eastern segments are considered, which TPWD advises against, then Segment D is preferable to Segment C.

TxDOT response 2: [Comment noted. TxDOT will consider impacts to natural resources in the alternative selection process that includes impact analyses of multiple resource areas.](#)

TPWD recommends referring to the Texas Conservation Action Plans (TCAP), TPWD Rare, Threatened, and Endangered Species of Texas (RTEST) by County application, and the Texas Natural Diversity Database (TXNDD), and Ecological Mapping System of Texas (EMST) for information regarding sensitive resources potentially occurring in the area, priority habitats, and issues affecting sensitive resources within Collin County and avoid adverse impacts to these resources by route selection and or adjustments.

TxDOT response 3: [As part of the Species Analysis process, a variety of available resources are reviewed, including, but not limited to, those referenced above.](#)

TPWD recommends TxDOT consider potential impacts to wildlife travel corridors and incorporate wildlife crossings into design strategies to avoid further fragmentation of native habitats and minimize wildlife-vehicle interactions. Further, TPWD encourages TxDOT to consider opportunities within the study area to modify bridges and culverts to further enhance wildlife passage. Bridges and culverts can be modified by installing fences to direct wildlife to structures, creating pathways or installing passage benches/artificial ledges for wildlife movement, regularly cleaning out debris material from structures to ensure wildlife use, or incorporating vegetative cover to encourage wildlife to use structures.

TxDOT response 4: TxDOT designs bridges and culverts to meet current hydraulic specifications. In general, these specifications span wider areas than older structures. TxDOT considers the latest available information and has conducted research into wildlife crossings. Ample space for wildlife crossings will be considered.

TPWD recommends choosing the alignment with the least impact on wetlands and streams. Impacts at stream crossings should be minimized during the design phase by spanning stream channels and other water features when feasible, reducing culvert lengths, and utilizing metal-beam guard fence to increase slope angles and reduce embankment. To further minimize impacts, where culverts are used for road crossings, the crossings should be designed with the culvert(s) in the active channel area lower than those in the floodplain benches so that the flow in the channel is not overly spread out. The central/low-flow culvert(s) should be large enough to handle a 1.5-year flow without backing up water. The bottoms of these lower culverts should be set at least a foot below grade (i.e. recessed) to allow natural substrate to cover the culvert bottom and to allow for aquatic organism passage. These lower, recessed culverts should be installed in the thalweg or deepest part of the channel and be aligned with the low flow channel.

State-listed mussels have the potential to occur within perennial streams or intermittent streams with perennial pools in Collin County. TPWD recommends further evaluating species where suitable habitat may be present and relocating potentially impacted native aquatic resources in conjunction with a Permit to Introduce Fish, Shellfish or Aquatic Plants into Public Waters and an Aquatic Resource Relocation Plan (ARRP) if dewatering activities are required. ARRPs assist in the permitting process to ensure that aquatic organisms are being handled properly and protected from danger during dewatering and/or relocation activities. The ARRP should be completed and approved by TPWD 30 days prior to activity within project waters and/or resource relocation and submitted with an application for a no-cost Permit to Introduce Fish, Shellfish, or Aquatic Plants into Public Waters. ARRPs can be submitted to Bregan Brown, TPWD Region 2 Kills and Spills Team (KAST) Biologist at (903) 520-3821 cell or kirian.brown@tpwd.texas.gov.

TxDOT response 5: TxDOT will consider impacts to wetlands and streams in the alternative selection process that includes impact analyses for multiple resource areas. TxDOT designs culverts according to current specifications. TxDOT prioritizes bridging over culverts for fish passage, wetland avoidance, and wildlife crossings and incorporating culvert designs that allow fish passage where appropriate. As part of the Species Analysis process, TxDOT investigates impacts/effects to protected freshwater mussels. The Freshwater Mussel BMP will be implemented where suitable habitat for protected freshwater mussels exists, and section 7 consultation/conference will be conducted where applicable. In alignment with the TPWD-USFWS Joint Freshwater Mussel Survey Protocols, TxDOT will prepare an ARRP and permit application for submittal to TPWD after an alternative is selected and before suitable habitat is disturbed.

TPWD recommends TxDOT consider wildlife impacts from light pollution and incorporating dark-sky lighting practices into design strategies. When lighting is added, TPWD recommends minimizing sky glow by focusing light downward, with full cutoff luminaires to avoid light emitting above the horizontal. TPWD recommends using the minimum amount of night-time lighting needed for safety and security and to use dark-sky friendly lighting that is on only when needed, down-shielded, as bright as needed, and minimizing blue light emissions. Appropriate lighting technologies and beneficial management practices (BMPs) can be found on the International Dark-Sky Association website at: <https://www.darksky.org/>

TxDOT response 6:

While we should maintain a realization that the reduction or elimination of light trespass must never take precedence over the provision of adequate roadway lighting, the following standard TxDOT practices go into lighting decisions.

- It is TxDOT standard practice to:
 - Evaluate if the purpose of outdoor lighting could be achieved by reflective road markers, lines, warning or informational signs or effective passive methods that preserve the night sky environment. Lighting is typically only added if there is a safety need.

- Utilize standard fixtures with zero uplight to reduce sky glow. TxDOT standard light fixtures are luminaires specified to have a Backlight, Uplight, and Glare (BUG) rating where the luminaire has zero uplight (i.e., U=0).
- Reduce intensity of lighting by utilizing LED lights. While TxDOT's standard color temperature is 4000K lower color temperature lighting can be specified when needed. If special wildlife situations are present color temperature of 3000K and lower are available on request. (Remember individual species may have different response to different color lighting so it may take some looking into to find the "right" color temperature for a species.)
- Direct lighting only where needed. For safety lighting, poles are placed to best light the conflict areas. Light fixtures are oriented so that most of the light hits the roadway.
- Prevent/limit light trespass by using the minimum height pole needed to accomplish lighting the roadway area.

TPWD appreciates the opportunity to provide comments on the proposed US 380 EIS in Collin County.

This concludes the TxDOT responses to the November 23, 2020, TPWD scoping comments. Please see additional TxDOT responses located in the April 21, 2022, email below.

Thank you,

Leslie Mirise

Environmental Specialist
Dallas District – DAL-ENV
Texas Department of Transportation
4777 East Highway 80
Mesquite, Texas 75150
(214) 320-6162 office
(214) 320-4470 FAX

From: Suzanne Walsh <Suzanne.Walsh@tpwd.texas.gov>

Sent: Thursday, April 21, 2022 5:00 PM

To: Leslie Mirise <Leslie.Mirise@txdot.gov>

Cc: Christine Polito <Christine.Polito@txdot.gov>; Stirling Robertson <Stirling.Robertson@txdot.gov>; Dan Perge <Dan.Perge@txdot.gov>

Subject: RE: CSJ 0135-02-065, etc. US 380 Improvement McKinney EIS - request for collaborative review

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Leslie,

TPWD has reviewed available US 380 EIS documents regarding TxDOT's *Initial Collaborative Review* request in January 2022 and *Virtual Public Meeting* in March 2022 and offers the following comments and recommendations for consideration in the US 380 Draft EIS to minimize impacts to state's natural resources.

TPWD provided scoping comments and recommendations to TxDOT on November 23, 2020 in response to the district's request for agency information, issues, or concerns about the proposed US 380 EIS project. Please review the TPWD correspondence, and consider the recommendations provided, as they remain applicable to the project.

TPWD recommends that the Draft EIS provide all individual BMP within a category that TxDOT will commit to implement from TPWD's *Beneficial Management Practices: Avoiding, Minimizing, and Mitigating Impacts of Transportation Projects on State Natural Resources*.

TxDOT response 7: Based on project alternative selection and potential fluctuations of project design that could occur between the NEPA process and construction, the TxDOT Dallas District provides and commits to a list of BMPs in the Species Analysis documents and DEIS from TPWD's *Beneficial Management Practices: Avoiding, Minimizing, and Mitigating Impacts of Transportation on State Natural Resources*. The listed BMPs will be adopted as written and as applicable.

TPWD encourages TxDOT to be proactive in incorporating bat-friendly design into bridges and culverts as this EIS project lends an opportunity to help reduce impacts of habitat loss to these species by the creation of roosting habitat. Please feel free to reach out if you need any assistance with incorporating bat-friendly design for this project.

TxDOT response 8: TxDOT Dallas District commits to the consideration of bat roost habitat under suitable bridges. Appropriate location(s) will be considered as the project develops.

TPWD recommends preparing a Draft EIS to include a detailed comparison of water resource impacts among alternatives. The Draft EIS should address all direct, indirect, induced, and cumulative impacts to the functions and values of aquatic habitats for fish and wildlife resources. Waterways, floodplains, riparian corridors, lakes, and wetlands provide valuable wildlife habitat, and TPWD recommends protecting them to the maximum extent possible. For crossings, TPWD recommends that crossings be bridged rather than incorporating culverts that can restrict water flow and impede animal passage. Further, all crossings are within the same watershed and should be considered as a single impact for permitting purposes rather than as separate, individual crossings.

TxDOT response 9: TxDOT prepares a water resource analysis as part of the DEIS and complies with the CWA. Similar to TxDOT responses 4 and 5 above, TxDOT will consider impacts to aquatic habitats for fish and wildlife as part of the species analysis, water resources analysis, both of which are governed by state and Federal resource regulations but are also part of the NEPA process. TxDOT prioritizes bridging over culverts for improved water flow and wildlife crossing.

The Clean Water Act [Section 40 C.F.R. § 230.10(a)(3)] requires that where the activity associated with a discharge which is proposed for a special aquatic site does not require access or proximity to or siting within the special aquatic site in question to fulfill its basic purpose (i.e., is not "water dependent"), practicable alternatives that do not involve special aquatic sites are presumed to be available, unless clearly demonstrated otherwise. In addition, where a discharge is proposed for a special aquatic site, all practicable alternatives to the proposed discharge which do not involve a discharge into a special aquatic site are presumed to have less adverse impact on the aquatic ecosystem, unless clearly demonstrated otherwise. Since this project does not appear to be water dependent, a higher standard should be required for a permit to be issued. The applicant must demonstrate that a less environmentally damaging practicable alternative does not exist.

TPWD recommends that TxDOT should minimize and avoid impacts to all aquatic habitats within the project area and provide compensatory mitigation for all unavoidable impacts. TxDOT should consider compensatory mitigation for indirect impacts to wetlands which may be damaged by change in their hydrology. In-kind mitigation compensation strategies are preferred to out-of-kind mitigation to adequately replace the loss of functions and services by the impacted aquatic resource. TPWD requests the opportunity to review and comment on TxDOT's mitigation plan.

TxDOT response 10: TxDOT will avoid and minimize impacts to aquatic habitats where possible within the project area. Mitigation of wetland impacts that are under US Army Corps of Engineers jurisdiction will be determined during the CWA section 404 permitting process.

TPWD appreciates the opportunity to provide comments and recommendations during the development of the Draft EIS for the proposed project. If you have any questions regarding TPWD's input, please contact me to discuss further.

Sincerely,

Suzanne Walsh
Transportation Conservation Coordinator
Phone: (512) 389-4579

From: WHAB_TxDOT <WHAB_TxDOT@tpwd.texas.gov>
Sent: Tuesday, January 25, 2022 3:31 PM
To: Leslie Mirise <Leslie.Mirise@txdot.gov>; WHAB_TxDOT <WHAB_TxDOT@tpwd.texas.gov>; Christine Polito <Christine.Polito@txdot.gov>; Stirling Robertson <Stirling.Robertson@txdot.gov>; Dan Perge <Dan.Perge@txdot.gov>
Cc: Suzanne Walsh <Suzanne.Walsh@tpwd.texas.gov>
Subject: RE: CSJ 0135-02-065, etc. US 380 Improvement McKinney EIS - request for collaborative review

The TPWD Wildlife Habitat Assessment Program has received your request and has assigned it project ID # 48094. The Habitat Assessment Biologist who will complete your project review is copied on this email.

Thank you,

John Ney
Administrative Assistant
Texas Parks & Wildlife Department
Wildlife Diversity Program – Habitat Assessment Program
4200 Smith School Road
Austin, TX 78744
Office: (512) 389-4571

From: Leslie Mirise <Leslie.Mirise@txdot.gov>
Sent: Monday, January 24, 2022 3:10 PM
To: WHAB_TxDOT <WHAB_TxDOT@tpwd.texas.gov>
Cc: Christine Polito <Christine.Polito@txdot.gov>; Dan Perge <Dan.Perge@txdot.gov>; Stirling Robertson <Stirling.Robertson@txdot.gov>
Subject: CSJ 0135-02-065, etc. US 380 Improvement McKinney EIS - request for collaborative review

ALERT: This email came from an external source. Do not open attachments or click on links in unknown or unexpected emails.

Hello,

TxDOT requests initial collaboration review for the US 380 Improvement McKinney project (EIS) in Collin County, Texas. Please see ECOS WPD I screen for the project description. The project extends along existing US 380 from Coit Road to FM 1827. New location alternatives could be as long as 15.5 miles and may extend north of Bloomdale Road. The following file names for relevant documents are available in ECOS:

1. APPROVED 01 0135-02-065, etc. US 380 SAS 1-21-2022.pdf
2. APPROVED 02 0135-02-065, etc. US 380 SAF 1-21-2022.pdf
3. APPROVED 03 0135-02-065, etc. US 380 BMP Form 1-21-2022. pdf
4. APPROVED 04 0135-02-065, etc. US 380 USFWSOfficialSpplList accessed 11-11-2021.pdf
5. APPROVED 05 0135-02-065, etc. US 380 TPWD RTEST CollinCo accessed 1-20-2022.pdf
6. APPROVED 06 0135-02-065, etc. US 380 NDD withSpur accessed 11-12-2021.pdf
7. APPROVED 07 0135-02-065, etc. US 380 NDD withoutSpur accessed 11-12-2021.pdf
8. APPROVED 08 0135-02-065, etc. US 380 EMST withSpur accessed 1-21-2022.pdf
9. APPROVED 09 0135-02-065, etc. US 380 EMST withoutSpur accessed 1-21-2022.pdf
10. APPROVED 10 0135-02-065, etc. US 380 EMST Verified withSpur 1-21-2022.pdf
11. APPROVED 11 0135-02-065, etc. US 380 EMST Verified withoutSpur 1-21-2022.pdf
12. APPROVED 12 0135-02-065, etc. US 380 EMST FieldVerifiedQuantification 1-21-2022.xlsx
13. APPROVED 13 0135-02-065, etc. US 380 Photos 1-21-2022.pdf
14. APPROVED 14 0135-02-065, etc. US 380 Bat-WoodlandHabitat withSpur 1-21-2022.pdf
15. APPROVED 15 0135-02-065, etc. US 380 Bat-WoodlandHabitat withoutSpur 1-21-2022.pdf
16. APPROVED 16 0135-02-065, etc. US 380 PerennialStreamCrossings withSpur 1-21-2022.pdf
17. APPROVED 17 0135-02-065, etc. US 380 PerennialStreamCrossings withoutSpur 1-21-2022.pdf

Please note that some of the files include “withSpur” or “withoutSpur” in the file name. This was done in order to clarify the distinction between this US 380 Improvements McKinney project and the Spur 399 Extension (CSJ 0364-04-051, etc.) project. I am happy to expand on the distinctions once the TPWD biologist is assigned. These documents, along with other project-related information, are available in ECOS under the CSJ 0135-02-065. As general timeline information, the DEIS is expected to be published in fall 2022. Please feel free to contact me with any questions of it additional information is needed.

Thank you,

Leslie Mirise

Environmental Specialist
 Dallas District – DAL-ENV
 Texas Department of Transportation
 4777 East Highway 80
 Mesquite, Texas 75150
 (214) 320-6162 office
 (214) 320-4470 FAX

A Texas Department of Transportation message



Appendix E-5: Natural Resources Conservation Service



Form
Documentation of Texas Parks and Wildlife Department Best Management Practices

Project Name: **US 380 McKinney**

CSJ(s): **0135-02-065, 0135-03-053, 0135-15-002**

County(ies): **Collin**

Date Form Completed: **5/18/2023**

Prepared by: **Derek Green**

Information on state-listed species, SGCN, water resources, and other natural resources can be found in the ECOS documents tab under the filenames specified in the e-mail sent to WHAB_TXDOT@tpwd.texas.gov.

1. Does the project impact any state parks, wildlife management areas, wildlife refuges, or other designated protected areas?

No

Yes

<if yes, describe>

2. Does TxDOT need TPWD assistance in identifying and locating Section 404 mitigation opportunities for this project?

No / N/A / Not yet determined

Yes

<if yes, describe>

3. Is there a species or resource challenge that TPWD can assist with additional guidance? If so, describe below:

There are no species or resource challenges known at this time.



4. List all BMP that will be applied to this project per the document *Beneficial Management Practices: Avoiding, Minimizing, and Mitigating Impacts of Transportation Projects on State Natural Resources*.

***Note, these are BMP that TxDOT commits to implement at the time this form is completed. This list may change prior to or during construction based on changes to project impacts, design, etc.**

BMP to be Implemented:

Crayfish BMP

- For projects within the range of a SGCN or state-listed species and work is adjacent to water: Water Quality and Stream Crossing BMP.
- For projects within the range of a SGCN or state-listed species and work is in the water: Water Quality, Stream Crossing, and Dewatering BMP.
- Avoid or minimize impacts to the natural riparian buffer that provides terrestrial and aquatic plant matter for the diet of most crayfish species.

Freshwater Mussel BMP

- In addition to Water Quality and Stream Crossing BMP, follow the most recent, “TPWD–TxDOT Annual Work Plan for Pre-Construction Surveys, Aquatic Resources Relocations, and Other Best Management Practices to Avoid, Minimize, and Mitigate Impacts to Freshwater Resources.”
- When work is adjacent to the water: Water Quality BMP implemented as part of the Texas Commission on Environmental Quality (TCEQ) Stormwater Pollution Prevention Plan (SWPPP) for a construction general permit or any conditions of the 401 Water Quality Certification for the project will be implemented. (Note: SWPPP and 401 BMP are not listed in this document).

Water Quality BMP

In addition to BMP required for a TCEQ Storm Water Pollution Prevention Plan and/or 401 Water Quality Certification:

- Minimize the use of equipment in streams and riparian areas during construction. When possible, equipment access should be from banks, bridge decks, or barges.
- When temporary stream crossings are unavoidable, remove stream crossings once they are no longer needed and stabilize banks and soils around the crossing.
- Wet-Bottomed detention ponds are recommended to benefit wildlife and downstream water quality. Consider potential wildlife-vehicle interactions when siting detention ponds.
- Rubbish found near bridges on TxDOT ROW should be removed and disposed of properly to minimize the risk of pollution. Rubbish does not include brush piles or snags.

Stream Crossing BMP

- Use spanning bridges rather than culverts.
- If using a culvert, staggered culverts that concentrate low flows but provide conveyance of higher flows through staggered culverts placed at higher elevations is recommended.
- Bottomless culverts are recommended to allow for fish and other aquatic wildlife passage in the low flow channel. If bottomless culverts are not used, making a low flow channel for fish passage is recommended.
- Avoid placing riprap across stream channels and instead use alternative stabilization such as biotechnical stream bank stabilization methods including live native vegetation or a combination of vegetative and structural materials. When riprap or other bank stabilization devices are necessary, their placement should not impede the movement of aquatic and terrestrial wildlife underneath the bridge. In some instances, rip rap may be buried, back-filled with topsoil and planted with native vegetation.
- Incorporate bat-friendly design into bridges and culverts.
- Design bridges for adequate vertical and horizontal clearances under the roadway to allow for terrestrial wildlife to safely pass under the road.
- A span wide enough to cross the stream and allow for dry ground and a natural surface path under the roadway is encouraged. For culverts, incorporation of an artificial ledge inside the culvert on one or both sides for use by terrestrial wildlife is recommended.
- Riparian buffer zones should remain undisturbed.

Dewatering BMP

- Follow most recent TPWD Aquatic Resources Relocation Plan Guidelines (PWD LF T3200-1956)
- Impact avoidance measures for aquatic organisms, including all native fish and freshwater mussel species, regardless of state-listing status, should be considered during project planning and construction activities.

Bird BMP

- Avoid vegetation clearing activities during the general bird nesting season, March through August, to minimize adverse impacts to birds.
- Prior to construction, perform daytime surveys for nests including under bridges and in culverts to determine if they are active before removal. Nests that are active should not be disturbed. If active nests are observed during surveys, TPWD recommends a 150-foot buffer of vegetation remain around the nests until the young have fledged or the nest is abandoned.
- Do not disturb, destroy, or remove active nests, including ground nesting birds, during the nesting season.
- If unoccupied, inactive nests will be removed, ensure that nests are not protected under the Endangered Species Act (ESA), MBTA, or BGEPA.
- Prevent the establishment of active nests during the nesting season on TxDOT owned and operated facilities and structures proposed for replacement or repair.
- Do not collect, capture, relocate, or transport birds, eggs, young, or active nests without a permit.
- Minimize extended human presence near nesting birds during construction and maintenance activities. Protect sensitive habitat areas with temporary barriers or fencing to limit human foot-traffic and off-road vehicle use to alert and discourage contractors from causing any unintentional impacts.
- Minimize construction noise above ambient levels during general bird nesting season to minimize adverse impacts on birds.
- Minimize construction lighting during the general bird nesting season by scheduling work activities between dawn and dusk.

Aquatic Amphibian and Reptile BMP

- For projects within existing right-of-way (ROW) when work is in water or will permanently impact a water feature and potential habitat exists for the target species complete the following:
 - Minimize impacts to wetlands, temporary and permanent open water features, including depressions, and riverine habitats.
 - Maintain the existing hydrologic regime and any connections between wetlands and other aquatic features.
 - Use barrier fencing to direct animal movements away from construction activities and areas of potential wildlife-vehicle collisions in construction areas directly adjacent, or that may directly impact, potential habitat for the target species.
 - Apply hydromulching and/or hydroseeding in areas for soil stabilization and/or revegetation of disturbed areas around wetlands and in riparian areas. If erosion control blankets or mats will be used, the product should not contain netting, but should only contain loosely woven natural fiber netting in which the mesh design allows the threads to move, therefore allowing expansion of the mesh openings. Plastic netting should be avoided.
 - Project specific locations (PSLs) proposed within state-owned ROW should be located in uplands away from aquatic features.
 - When work is directly adjacent to the water, minimize impacts to shoreline basking sites (e.g., downed trees, sand bars, exposed bedrock) and refugia/overwinter sites (e.g., brush and debris piles, crayfish burrows, aquatic logjams, and leaf packs).
 - If gutters and curbs are part of the roadway design, install gutters that do not include the side box inlet and include sloped (i.e., mountable) curbs to allow small animals to leave roadway. If this modification to the entire curb system is not possible, install sections of sloped curb on either side of the storm water drain for several feet to allow small animals to leave the roadway. Priority areas for these design recommendations are those with nearby wetlands or other aquatic features.
- For projects that require acquisition of additional ROW and work within that new ROW is in water or will permanently impact a water feature, implement BMP for projects within existing ROW above plus those below:
 - For sections of roadway adjacent to wetlands or other aquatic features, install wildlife barriers that prevent climbing. Barriers should terminate at culvert openings in order to funnel animals under the road. The barriers should be of the same length as the adjacent feature or 80 feet long in each direction, or whichever is the lesser of the two.

- For culvert extensions and culvert replacement/installation, incorporate measures to funnel animals toward culverts such as concrete wingwalls and barrier walls with overhangs.
- When riprap or other bank stabilization devices are necessary, their placement should not impede the movement of terrestrial or aquatic wildlife through the water feature. Biotechnical streambank stabilization methods using live native vegetation or a combination of vegetative and structural materials should be used.

Terrestrial Amphibian and Reptile BMP

- Inform TPWD WHAB during initial collaborative review phase for projects that may affect habitat for the following species:
 - Black-spotted newt (*Notophthalmus meridionalis*)
 - Brazos water snake (*Nerodia harteri*)
 - Concho water snake (*Nerodia paucimaculata*)
 - Dunes sagebrush lizard (*Sceloporus arenicolus*)
 - Tamaulipan spot-tailed earless lizard (*Holbrookia subcaudalis*)
- For open trenches and excavated pits, install escape ramps at an angle of less than 45 degrees (1:1) in areas left uncovered. Visually inspect excavation areas for trapped wildlife prior to backfilling
- Avoid or minimize disturbing or removing cover objects, such as downed trees, rotting stumps, brush piles, and leaf litter. If avoidance or minimization is not practicable, consider removing cover objects prior to the start of the project and replace them at project completion.
- Examine heavy equipment stored on site before use, particularly after rain events when reptile and amphibian movements occur more often, to ensure use will not harm individuals that might be seeking temporary refuge.
- Due to increased activity (mating) of reptiles and amphibians during the spring, construction activities like clearing or grading should attempt to be scheduled outside of the spring (March-May) season. Also, timing ground disturbing activities before October when reptiles and amphibians become less active and may be using burrows in the project area is also encouraged.
- When designing roads with curbs, consider using Type I or Type III curbs to provide a gentle slope to enable turtles and small animals to get out of roadways.
- If Texas tortoises (*Gopherus berlandieri*) or box turtles (*Terrepena spp.*) are present in a project area, they should be removed from the area and relocated between 100 and 200 meters from the project area. After removal of the individuals, the area that will be disturbed during active construction and project specific locations should be fenced off to exclude reentry by turtles, tortoises, and other reptiles. The exclusion fence should be constructed and maintained as follows:
 - The exclusion fence should be constructed with metal flashing or drift fence material.
 - Rolled erosion control mesh material should not be used.
 - The exclusion fence should be buried at least 6 inches deep and be at least 24 inches high.
 - The exclusion fence should be maintained for the life of the project and only removed after the construction is completed and the disturbed site has been revegetated.
- After project is complete, revegetate disturbed areas with an appropriate locally sourced native seed mix. If erosion control blankets or mats will be used, the product should not contain netting, but should only contain loosely woven natural fiber netting in which the mesh design allows the threads to move, therefore allowing expansion of the mesh openings. Plastic netting should be avoided.

Vegetation BMP

- Minimize the amount of vegetation cleared. Removal of native vegetation, particularly mature native trees and shrubs should be avoided. Impacted vegetation should be replaced with in-kind onsite replacement/restoration of native vegetation.
- To minimize adverse effects, activities should be planned to preserve mature trees, particularly acorn, nut or berry producing varieties. These types of vegetation have high value to wildlife as food and cover.
- It is strongly recommended that trees greater than 12 inches in diameter at breast height (DBH) that are removed be replaced. TPWD's experience indicates that for ecologically effective replacement, a ratio of three trees for every one (3:1) lost should be provided to either on-site or off-site. Trees less than 12 inches DBH should be replaced at a 1:1 ratio.
- Replacement trees should be of equal or better wildlife quality than those removed and be regionally adapted native species.
- When trees are planted, a maintenance plan that ensures at least an 85 percent survival rate after three years should be developed for the replacement trees.
- The use of any non-native vegetation in landscaping and revegetation is discouraged. Locally adapted native species should be used.
- The use of seed mix that contains seeds from only regional ecotype native species is recommended.

Aquatic Invertebrate BMP

- For projects within the range of a SGCN or state-listed species and work is adjacent to water: Water Quality and Stream Crossing BMP.
- For projects within the range of a SGCN or state-listed species and work is in the water: Water Quality, Stream Crossing, and Dewatering BMP.
- For spring-seep associated caddisflies (*Cheumatopsyche morsei*, *Chimarra holzenthali*, and *Hydroptila ouachita*): Avoid or minimize impacts to the natural riparian buffer along stream channel including native shrubs and trees.

Bat BMP

All bat surveys and other activities that include direct contact with bats shall comply with TPWD-recommended white-nose syndrome protocols located on the TPWD Wildlife Habitat Assessment Program website under "Project Design and Construction". The following survey and exclusion protocols should be followed prior to commencement of construction activities. For the purposes of this document, structures are defined as bridges, culverts (concrete or metal), wells, and buildings.

- If identification of a bat species is in question, consult with TPWD or a qualified TxDOT biologist during initial collaborative review phase.
- For activities that have the potential to impact structures, cliffs or caves, or trees; a qualified biologist will perform a habitat assessment and occupancy survey of the feature(s) with roost potential as early in the planning process as possible or within one year before project letting.
- For roosts where occupancy is strongly suspected but unconfirmed during the initial survey, revisit feature(s) at most four weeks prior to scheduled disturbance to confirm absence of bats.
- If bats are present or recent signs of occupation (i.e., piles of guano, distinct musky odor, or staining and rub marks at potential entry points) are observed, take appropriate measures to ensure that bats are not harmed, such as implementing non-lethal exclusion activities or timing or phasing of construction.
- Exclusion devices can be installed by a qualified individual between September 1 and March 31. Exclusion devices should be used for a minimum of seven days when minimum nighttime temperatures are above 50°F AND minimum daytime temperatures are above 70°F. Prior to exclusion, ensure that alternate roosting habitat is available in the immediate area. If no suitable roosting habitat is available, installation of alternate roosts is recommended to replace the loss of an occupied roost. If alternate roost sites are not provided, bats may seek shelter in other inappropriate sites, such as buildings, in the surrounding area.
- If feature(s) used by bats are removed as a result of construction, replacement structures should incorporate bat-friendly design or artificial roosts should be constructed to replace these features.
- Conversion of property containing cave or cliff features to transportation purposes should be avoided.
- Avoid unnecessary removal of dead fronds on native and ornamental palm trees in south Texas (Cameron, Hidalgo, Willacy, Kenedy, Brooks, Kleberg, Nueces, and San Patricio counties) from April 1 through October 31. If removal of dead fronds is necessary at other times of the year, limit frond removal to extended warm periods (nighttime temperatures $\geq 55^{\circ}\text{F}$ for at least two consecutive nights), so bats can move away from the disturbance and find new roosts.
- Large hollow trees, snags (dead standing trees), and trees with shaggy bark should be surveyed for colonies and, if found, should not be disturbed until the bats are no longer occupying these features. Post-occupancy surveys should be conducted by a qualified biologist prior to tree removal from the landscape.
- Retain mature, large diameter hardwood forest species and native/ornamental palm trees.
- If gating a cave or abandoned mine is desired, consult with TPWD before installing gates. Gating should only be conducted by qualified groups with a history of successful gating operations. Gate designs must be approved by TPWD.
- In all instances, avoid harm or death to bats. Bats should only be handled as a last resort and after communication with TPWD.
- Coordinate with TPWD about the latest bat handling restrictions and protocols involving COVID19 and bat handling. In general, all staff must follow the guidelines listed below:
 - Do not handle bats if not part of a critical or time-sensitive research project. Contact TPWD to discuss your project needs before beginning work.
 - All participants must follow CDC social-distancing guidelines.
 - Wear a face mask to minimize the exchange of respiratory droplets such as a surgical mask, dust mask, or cloth mask when within 6 feet of a living bat.
 - Use disposable exam gloves or other reusable gloves (e.g., rubber dish-washing gloves) that can be decontaminated to prevent spread of pathogens. Do not touch your face or other potentially contaminated surfaces with your gloves prior to handling bats.
 - Limit handling to as few handlers as possible.
 - Do not blow on bats for any reason.

- Use separate temporary holding containers for each bat such as disposable paper bags.
 - Caves housing bats should be avoided unless absolutely necessary.
 - Implement additional disinfection, quarantine, and cleaning procedures.
- Bat surveys of structures should include visual inspections of structural fissures (cracked or spalled concrete, damaged or split beams, split or damaged timber railings), crevices (expansion joints, space between parallel beams, spaces above supports piers), and alternative structures (drainage pipes, bolt cavities, open sections between support beams, swallow nests) for the presence of bats.
- Before excluding bats from any occupied structure, bat species, weather, temperature, season, and geographic location must be incorporated into any exclusion plans to avoid unnecessary harm or death to bats. Winter exclusion must entail a survey to confirm either, 1) bats are absent or 2) present but active (i.e., continuously active – not intermittently active due to arousals from hibernation).
 - Avoid using materials that degrade quickly, like paper, steel wool or rags, to close holes.
 - Avoid using products or making structural modifications that may block natural ventilation, like hanging plastic sheeting over an active roost entrance, thereby altering roost microclimate.
 - Avoid using chemical and ultrasonic repellents.
 - Avoid use of silicone, polyurethane or similar non-water-based caulk products.
 - Avoid use of expandable foam products at occupied sites.
 - Avoid the use of flexible netting attached with duct tape.
- In order to avoid entombing bats, exclusion activities should be only implemented by a qualified individual. A qualified individual or company should possess at least the following minimum qualifications:
 - Experience in bat exclusion (the individual, not just the company).
 - Proof of rabies pre-exposure vaccinations.
 - Demonstrated knowledge of the relevant bat species, including maternity season date range and habitat requirements.
 - Demonstrated knowledge of rabies and histoplasmosis in relation to bat roosts.
- Contact TPWD for additional resources and information to assist in executing successful bat exclusions that will avoid unnecessary harm or death in bats.

General Design and Construction BMP

- Employees and contractors will be provided information prior to start of construction to educate personnel of the potential for all state-listed threatened species or other SGCN to occur within the project area and should be advised of relevant rules and regulations to protect plants, fish, and wildlife.
- Contractors will be informed to avoid harming all wildlife species if encountered and allow them to safely leave the project site. Due diligence should be used to avoid killing or harming any wildlife species in the implementation of transportation projects.
- Direct animals away from the construction area with the judicious use and placement of sediment control fencing to exclude wildlife. Exclusion fence should be buried at least 6 inches and be at least 24 inches high, maintained for the life of the project, and removed after construction is completed. Contractors should examine the inside of the exclusion area daily to determine if any wildlife species have been trapped inside the area of impact and provide safe egress opportunities prior to initiation of construction activities.
- Apply hydromulching and/or hydroseeding in areas for soil stabilization and/or revegetation of disturbed areas around wetlands and in riparian areas.
- If erosion control blankets or mats will be used, the product should not contain netting, but should only contain loosely woven natural fiber netting in which the mesh design allows the threads to move, therefore allowing expansion of the mesh openings. Plastic netting should be avoided.
- Project staging areas, stockpiles, temporary construction easements, and other project related sites should be situated in previously disturbed areas to avoid or minimize impacts to sensitive or unique habitats including intact native vegetation, floodplains, riparian corridors, wetlands, playa lakes, and habitat for wildlife species.
- When lighting is added, consider wildlife impacts from light pollution and incorporating dark-sky practices into design strategies. Minimize sky glow by focusing light downward, with full cutoff luminaries to avoid light emitting above the horizontal. The minimum amount of night-time lighting needed for safety and security should be used.

Rare Plant BMP

- Survey project area during appropriate seasons to allow for correct species identification. Habitat and survey seasons are usually during the flowering and/or fruiting period listed on the RTEST website, if available. Surveys should be performed within suitable habitat for the species. Survey effort is project-, species- and habitat-dependent. Botanical field surveys should be conducted by qualified individual(s) with botanical experience and according to commonly accepted survey protocols. Ensure that any equipment, tools, footwear and clothing are clean prior to entering the project site area to avoid

introducing invasive species. Prior to surveying, TPWD Staff is available to provide assistance with species identification and appropriate survey effort.

- If SGCN plants are located, the surveyor should attempt to determine the complete extent of the occurrence and the approximate number of individuals within the occurrence. Suitable GPS equipment should be used to map the boundaries of the population. Photographs should be taken and/or voucher specimens should be collected (if sufficient plants are present, i.e., more than 10 reproductive plants). Please note that a state collection permit is required from TPWD to collect voucher specimens of state-listed species and a federal collection permit is required from U.S. Fish and Wildlife Service (USFWS) to collect federally listed species. Photographs should capture diagnostic characters of the species for verification and should be discussed with TPWD Staff prior to surveys if surveyor is unfamiliar with the species. Vouchers should be deposited with TPWD Staff or in one of Texas' major herbaria (e.g., University of Texas at Austin, Botanical Research Institute of Texas, Texas A&M University, Sul Ross State University, etc.).
- If there is a known TXNDD SGCN plant population within the project area and project timing or other constraints do not allow for surveys, contact TPWD Transportation Staff as soon as possible to discuss other options.
- If an SGCN plant species is located during surveys of the project area, then complete the following during the construction phase:
 - a. Avoid impacts and minimize unavoidable impacts. Plant locations should be protected with temporary barrier fencing and contractors should be instructed to avoid protected areas. Conducting construction outside of the growing season or after a plant has produced mature fruit is the preferred way to avoid/minimize impacts to SGCN plant populations. Staging areas, stockpiles, and other project related sites on TxDOT ROW should not impact SGCN plant populations. After construction begins, minimize herbicide use near SGCN plant populations (if possible, use hand-held spot sprayers, several meters from rare plants, on still or days with little wind).
 - b. If there are unintended impacts to SGCN populations, these impacts should be reported to TPWD Transportation Staff.
 - c. If the project footprint is finalized or is subject to change AND impacts to SGCN plants cannot be avoided, notify TPWD Transportation Staff as soon as possible. Early notification will allow adequate time and opportunity to seed bank or otherwise conserve populations prior to construction.
- Submit observation(s) of SGCN plant populations and associated data to the TXNDD and WHAB_TxDOT@tpwd.texas.gov. A TXNDD Reporting Form with shapefiles delineating the outer boundary of the population are preferable. Include detailed information on who identified and how a species was identified (resources/references used; diagnostic characters observed). If an SGCN plant population is located near non-native invasive plants, this should be recorded and reported in TXNDD Reporting Form.
- Although these BMP do not apply to federally listed species, the observation of federally listed species should also be submitted to TPWD.
- During project period, conduct work during times of the year when plants are dormant and/or conditions minimize disturbance of the habitat.
- Develop a plan based on growing season, mower height/season, etc. for protecting sites into future. Maps should also be developed for rare plant area, which includes no mow areas. Known rare plant sites on ROWs and/or new sites found in future projects can be added to this map/plan.
- Conducting maintenance outside of the growing season or after a plant has produced mature fruit is the preferred way to avoid/minimize impacts to habitat.

Invasive Species BMP: Avoiding, Minimizing, and Mitigating Impacts of Transportation Projects on State Natural Resources

- For all work in water bodies designated as 'infested' or 'positive' for invasive zebra (*Dreissena polymorpha*) or quagga mussels (*Dreissena bugensis*) on <http://texasinvasives.org/zebramussels/> as well as waters downstream of these lakes, all machinery, equipment, vessels, or vehicles coming in contact with such waters should be cleaned prior to leaving the site to remove any mud, plants, organisms, or debris, water drained (if applicable), and dried completely before use in another water body to prevent the potential spread of invasive mussels.
- Care should be taken to prevent the spread of aquatic and terrestrial invasive plants during construction activities. Educate contractors on how to identify common invasive plants and the importance of proper equipment cleaning, transport, and disposal of invasive plants in a manner and location that prevents spread when invasive plants are removed during construction.
- Care should be taken to avoid the spread of aquatic invasive plants such as giant Salvinia (*Salvinia molesta*), common salvinia (*Salvinia minima*), hydrilla (*Hydrilla verticillata*), water hyacinth (*Eichhornia spp.*), Eurasian watermilfoil (*Myriophyllum spicatum*), water lettuce (*Pistia stratiotes*), and alligatorweed (*Alternanthera philoxeroides*) from infested water bodies into areas not currently infested. All machinery,



equipment, vessels, boat trailers, or vehicles coming in contact with waters containing aquatic invasive plant species should be cleaned prior to leaving the site to remove all aquatic plant material and dried completely before use on another water body to prevent the potential spread of invasive plants. Removed plants should be transported for disposal in a secure manner to prevent dispersal.

- Colonization by invasive plants should be actively prevented on disturbed sites in terrestrial habitats. Vegetation management should include removing or chemically treating invasive species as soon as practical while allowing the existing native plants to revegetate the disturbed areas; repeated removal or treatment efforts may be needed. Only native or non-invasive plants should be planted. Care should be taken to avoid mowing invasive giant reed (*Arundo donax*), which spreads by fragmentation, and to clean equipment if inadvertently mowed to prevent spread. If using hay bales for sediment control, use locally grown weed-free hay to prevent the spread of invasive species. Leave the hay bales in place and allow them to break down, as this acts as mulch assisting in revegetation.
- Aquatic invasive species (e.g., tilapias (*Oreochromis spp.*, *Tilapia zillii*), suckermouth armored catfish (*Hypostomus plecostomus*, *Pterigoplichthys spp.*), Asian clams (*Corbicula fluminea*), zebra mussels (*Dreissena polymorpha*) or those not native to the subwatershed should not be relocated but rather should be dispatched. Invasive mussels attached to native mussels should be removed and destroyed or disposed prior to relocation of the native mussels. Prohibited aquatic invasive species, designated as such in 31 TAC §57.112, should be killed upon possession.

Minimize impacts to wetland habitats including isolated ephemeral pools.

5. List all TxDOT species protection specifications that will be applied to this project (e.g., Amphibian and Reptile Exclusion Fence, Bat Houses, etc.)

Species protection specifications to be Implemented:

None at present time.

Leslie Mirise

From: Leslie Mirise
Sent: Friday, March 11, 2022 4:21 PM
To: alan.stahnke@usda.gov
Cc: Stirling Robertson; 'Dan Perge'; Christine Polito
Subject: 0135-02-065, etc. US 380 McKinney - Request for FPPA coordination
Attachments: APPROVED 1a 0135-02-065, etc. US 380 NRCS-CPA-106 with spur 3-3-2022.pdf; APPROVED 1b 0135-02-065, etc. US 380 NRCS-CPA-106 without spur 3-3-2022.pdf; APPROVED 2 0135-02-065, etc. US 380 Farmland With and Without Spur AltComparisonTable 3-3-2022.pdf; APPROVED 3a 0135-02-065, etc. US 380 SoilsMap with spur 3-3-2022.pdf; APPROVED 3b 0135-02-065, etc. US 380 SoilsMap without spur 3-3-2022.pdf; APPROVED 4a 0135-02-065, etc. US 380 UrbanizedAreas with spur 3-3-2022.pdf; APPROVED 4b 0135-02-065, etc. US 380 UrbanizedAreas without spur 3-3-2022.pdf; US380-30%-ECF+ROW_7-01-2021.kmz

Mr. Stahnke,

The TxDOT Dallas District is conducting a NEPA analysis, including four alternatives, of the US 380 McKinney project (CSJ 0135-02-065, etc.) in Collin County, Texas. As such, TxDOT is also reviewing the project under the FPPA including scoring using the NRCS-CPA-106 form. Because all four alternatives scored at or higher than 60 points, we request FPPA coordination. The US Census Bureau Urbanized Areas map, soil report figures, farmland conversion table for all alignments, and NRCS CPA-106 form are attached in the file names starting with "APPROVED". The files are sent individually as the four alternatives are analyzed both with and without the spur. This was done in order to clarify the distinction between this US 380 McKinney project and the Spur 399 Extension (CSJ 0364-04-051, etc.) project. Separate files aid in keeping information sorted. A draft KMZ file is also attached.

The project description is as follows:

Limits of all Activities

The project extends along existing US 380 from Coit Road to FM 1827, a distance of approximately 11.2 miles. New location alternatives are being considered to the north of McKinney, connecting Coit Road and FM 1827. The new location alternatives could be as long as 15.5 miles and may extend north of Bloomdale Road. The existing right-of-way along US 380 ranges in width from approximately 130 feet to 180 feet, with the proposed freeway requiring approximately 330 feet to 350 feet of right-of-way. Additional right-of-way may be required to construct the proposed improvements.

Project Setting

GENERAL – The US 380 project will include areas around the western, northern, and eastern edges of the City of McKinney through areas of mixed suburban, rural residential, and agricultural uses. Many areas are planned for residential and mixed-use development, particularly in the vicinity of US 75.

SPECIFIC – The US 380 project is proposed around the western, northern, and eastern edges of the City of McKinney through areas of mixed suburban, rural residential, and agricultural uses. The western and northern portions of the study area are characterized by scattered suburban residential, rural "ranchette" residential, and scattered single family homes across an area of agricultural use. Traffic generators within the study area include a major employer along existing US 380 west of US 75 and large commercial developments along US 75 and near the airport and FM 1827.

- Western Portion of the Study Area includes numerous creeks and tributaries, a reservoir, therapeutic horsemanship facility, and a ballfield. Undeveloped areas are dominated by open pasture and crop lands, with upland oak/hackberry forest along fencerows and bottomland/riparian (pecan/ash/elm) forest cover common along drainages and streams. Wetlands are mapped along drainages and within floodplain areas.
- Northern Portion of the Study Area parallels an existing road corridor and crosses US 75 separating suburban residential development on the south from more rural residential and open land areas to the north. This portion of the study area includes parks, trails, a reservoir, cemeteries, County facilities, a school, and a college facility. Areas have been planned for mixed use development and several major water and electric utilities (existing and planned) extend through the area. Mapped wetland and floodplains are associated with the many creeks and tributaries that cross this portion of the study area.
- Eastern Portion of the Study Area is dominated by open agricultural and undeveloped properties with scattered single-family homes. A river, its tributaries, associated floodplains and mapped wetlands cover much of this portion of the study area. SH 5 and the DART rail line pass through the area on a southwest to northeast. Horse boarding facilities and industrial businesses are located along the eastern edge of the study area and north of US 380.

Proposed Facility

US 380 is proposed to be an eight-lane, access-controlled freeway with one-way frontage roads on each side within an anticipated right-of-way width of between 330 to 350 feet depending on location. (Frontage roads may be eliminated, and the primary travel lanes may be depressed/lowered or elevated (on bridge/viaduct) to minimize impacts on sensitive resources). The freeway facility would also include ramps, direct connector roadways, frontage roads, and arterial roadways to support connectivity to the existing roadway network. Grade-separated interchanges would be constructed at major crossroads including US 75/ SH 5 (possible multi-level interchange), existing US 380 (both project termini), and other major local connectors as determined needed and feasible. The typical freeway section would consist of: 4 12-foot-wide travel lanes in each direction, 12 foot-wide turn lanes, 10 foot-wide inside shoulders (4 foot-wide may be considered in some locations), and 10 foot-wide outside shoulders. Ramps would be 14 feet-wide with 2 foot-wide inside shoulders and 6 foot-wide outside shoulders, with curb & gutter. Bridges/overpasses along the main lanes would have a desirable vertical clearance of 18.5 feet (minimum of 16.5 feet); vertical clearance over railroads would be 23.5 feet. Ramps, direct connector roadways, frontage roads, and arterial roadway improvements would follow similar design criteria. Median barriers would be included. As the study advances, the following decisions will be made based on location and to minimize impacts if appropriate: bridge/structure type, type/location of permanent/temporary easements, minimum ROW width (compressed sections), locations of depressed/lowered roadway sections, lighting/signage/ITS.

Please feel free to contact me if you have any questions or need additional information.

Sincerely,

Leslie Mirise

Environmental Specialist
Dallas District – DAL-ENV
Texas Department of Transportation
4777 East Highway 80
Mesquite, Texas 75150
(214) 320-6162 office
(214) 320-4470 FAX