

APPENDIX G: Comments Received from Public Hearing/Notice of Availability of the DEIS



PUBLIC HEARING COMMENT FORM
Spur 399 Extension from US 75 to US 380
Collin County, Texas
CSJs: 0364-04-051, 0047-05-058, 0047-10-002

The Texas Department of Transportation is seeking your comments on the proposed Spur 399 Extension Project from US 75 to US 380 in Collin County, Texas. Please use the space provided, attaching additional pages as necessary, and mail the form to the address below. This form can also be emailed to Stephen.Endres@txdot.gov. **Comments must be received or postmarked by Saturday, Dec. 10, 2022 to be included in the formal hearing documentation.**

Comments:

Very disappointed to find out there will not be a sound wall along the homes -

Nothing was ever said in regards to this extension being built. -

We need a sound wall!!!

The noise now is unbelievable!!!

Please select each of the following that apply to you (Texas Transportation Code, §201.811(a)(5)).

- ☐ I am employed by TxDOT
- ☐ I do business with TxDOT
- ☐ I could benefit monetarily from the project or other item about which I am commenting

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.

Please Print

Name: Alisha Adams

Address: 801 Lakes Dr

Apartment, suite, etc.: _____

City/State/Zip: McAllen TX 78506

RESOLUTION NO. 2022-12-175 (R)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY,
TEXAS, PROVIDING SUPPORT OF THE SPUR 399 CONTROLLED
ACCESS FREEWAY ALIGNMENT BETWEEN US 75 AND US 380 AND
ASSOCIATED ENVIRONMENTAL IMPACT STATEMENT**

WHEREAS, the Texas Department of Transportation completed the US 380 Collin County Feasibility Study in 2020 in order to analyze potential roadway alternatives for US 380 and Spur 399 through Collin County, Texas, to support projected long-term growth and mobility within the county and the region; and

WHEREAS, through the efforts of the feasibility study, the Texas Department of Transportation provided a recommended freeway alignment between US 75 and US 380 which identified a freeway alignment generally west of McKinney National Airport; and

WHEREAS, the City Council of the City of McKinney, Texas, approved a resolution in October 2019 (Resolution No. 2019-10-128R) which supported the goals of the US 380 Collin County Feasibility Study while opposing any alternative of the Spur 399 extension west of the McKinney National Airport and providing guiding principles for alternatives which provide freeway extension alignments south and east of McKinney National Airport; and

WHEREAS, following the completion of the US 380 Collin County Feasibility Study in March 2020, the Texas Department of Transportation initiated the environmental impact statement (EIS) phase of the project between US 75 and US 380 in order to further evaluate the impacts of various freeway alignment alternatives considered during the feasibility study based on additional environmental factors and more thorough technical design/analysis and field data; and

WHEREAS, the draft environmental impact study (EIS) phase between US 75 and US 380 by the Texas Department of Transportation has been completed and the preferred alternative has been identified as the Orange Alternative which generally runs south and east of the McKinney National Airport; and

WHEREAS, since the initiation of the environmental study (EIS) phase, the Texas Department of Transportation has developed detailed schematic designs for two Build Alternatives, including the Purple Build Alternative and the Orange Build Alternative; and

WHEREAS, the Segment Analysis Matrix provided by the Texas Department of Transportation at the November 10, 2022, Public Hearing includes an evaluation of Purpose and Need, Engineering, Displacements and Right-of-Way Requirements, Land Use and Development Impacts, Environment and Natural Resources, Community Impacts and Cultural Resources, Air Quality and Traffic Noise, Induced Growth Cumulative Effects, Cost, and Stakeholder, Agency, and Public Input; and

WHEREAS, based on the Segment Analysis Matrix related to Purpose and Need, the Texas Department of Transportation has determined that Orange Alternative best meets the criteria for managing regional congestion and improving safety; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. The City Council of the City of McKinney, Texas, hereby acknowledges and supports the alignment and footprint for a Spur 399 limited-access freeway generally between US 75 and US 380, depicted as "Orange Alternative" on "Exhibit A."

Section 2. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 6TH DAY OF DECEMBER, 2022.

CITY OF MCKINNEY, TEXAS:




GEORGE C. FULLER
Mayor

ATTEST:



EMPRESS DRANE
City Secretary

APPROVED AS TO FORM:



MARK S. HOUSER
City Attorney



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Comments:

What will they do to 722 that goes to
north side of Airport to Airport Dr will
there be a road left open, or will Airport
Runway close threat of road off?

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Please Print

Name: Diane Wiley
Address: 2471 County Rd 722
Apartment, suite, etc.: _____
City/State/Zip: M. Kinney Tx 75069



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270-2102

December 5, 2022

Mr. Doug Booher
Director of Environmental Affairs
Texas Department of Transportation
125 East 11th Street
Austin, Texas 78701

Re: Spurr 399 Extension Draft Environmental Impact Statement

Dear Mr. Booher:

The Region 6 office of the U.S. Environmental Protection Agency (EPA) has reviewed the Texas Department of Transportation (TxDOT) Draft Environmental Impact Statement (EIS) (CEQ No. 20220148) for the Spurr 399 Extension project in Collin County, Texas. The Draft EIS was reviewed pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations (40 CFR Parts 1500 – 1508), and by our NEPA review authority under Section 309 of the Clean Air Act.

The Spurr 399 project proposes to provide improved north-south mobility and connectivity for travelers from northern and eastern Collin County to destinations south of McKinney, including the core of the Dallas metroplex. This would be accomplished by constructing an eight (8)-lane freeway with frontage roads connecting US 75 (southern terminus) with US 380 (northern terminus) around southeastern McKinney. We have provided the following detailed comments for your consideration.

We appreciate the opportunity to review the Draft EIS. If you have any questions on our recommendations, please contact Keith Hayden of my staff at [REDACTED] or by e-mail at [REDACTED]

Sincerely,

Robert Houston
Acting Director
Office of Communities, Tribes and
Environmental Assessment

Enclosure

**DETAILED COMMENTS
ON THE
SPUR 399 EXTENSION
DRAFT ENVIRONMENTAL IMPACT STATEMENT**

Hazardous Waste:

Prior to beginning construction activities, all hazardous materials concerns should be resolved, and provisions or contingency language should be added to all applicable project plans, specifications, and other documents describing processes for handling and containing any hazardous materials encountered during construction. This includes completion of all required actions associated with the relocation of the North Texas Municipal Water District/McKinney Landfill boundary, including completion by TxDOT of Phase II subsurface investigations within the proposed Right-of-Way, as well as implementation of steps to protect and monitor groundwater as needed.

Noise:

Both proposed build alternatives have noise sensitive receptors (NSR's) and barriers are proposed to mitigate noise impacts to some of the NSR's. Other NSR's will not receive noise mitigation due to cost or feasibility. EPA recommends TxDOT continue to explore potential noise mitigation solutions to reduce impacts to affected NSR's. Also, ensure that NSR's understand the scope of the issue and discuss any potential solutions with them. While noise impacts may not be fully mitigated due to cost, a reduction of noise effects might be feasible, and would be better than no mitigation at all.



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Comments:

I live at the corner of Airport Boulevard and Old Mill Road. None of your schematics show where Airport joins Old Mill Road. I'd like to see this color coded map extend to Airport Blvd to the juncture (the "T") of Old Mill Road.

Please select each of the following that apply to you (Texas Transportation Code, §201.811(a)(5)).

- ☐ I am employed by TxDOT
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- ☐ I could benefit monetarily from the project or other item about which I am commenting

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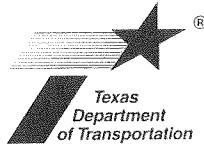
Please Print

Name: Georgene Wood

Address: 1290 Old Mill Road

Apartment, suite, etc.: _____

City/State/Zip: McKinney, TX 75069



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Comments:

I'm surprised there is no noise barrier planned from current end of Spur to Stewart Rd. Currently the traffic noise is loud enough to cause concern for our neighborhood of Meridian at Southgate. With added traffic, it will be louder eliminating outdoor activities.

Please reconsider installation of a noise barrier on north side up to Stewart Rd.

Please select each of the following that apply to you (Texas Transportation Code, §201.811(a)(5)).

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Please Print

Name: Greg Adams

Address: 801 Africa Dr.

Apartment, suite, etc.: _____

City/State/Zip: McKinney, Tx 75069

From: Stephen Endres <Stephen.Endres@txdot.gov>
Sent: Monday, November 14, 2022 1:32 PM
To: Griffin, James [REDACTED]
Subject: RE: SPUR 399 ENVIRONMENTAL REPORT

Thank you for your comments. We will place them in our public hearing summary.
If you can provide your property addresses and/or a map it would be helpful. It appears the properties are south of the project.

Are these properties related to the Enloe family properties?

An email or letter is recorded the same in our summary report.

We do not provide a paper copy. You can download and print the Draft Environment Impact Study from our website.

We have a paper copy here at the Dallas district if you would like to review here at the district.

Stephen Endres
214-320-4469

From: Griffin, James [REDACTED]
Sent: Thursday, November 10, 2022 12:52 PM
To: Stephen Endres <Stephen.Endres@txdot.gov>
Subject: SPUR 399 ENVIRONMENTAL REPORT

Steve, I own some 450 acres of currently active agricultural land acquired by my family in the 1880-1920 period proximate to the routes being presented to the public for comment on November 11, 2022 in McKinney. I have opened and briefly scanned the TxDOT electronic Environment Impact Study report which TxDOT has

posted on the web and will be presented to the public tonight. Unfortunately, because of a funeral obligation I have, I will be unable to attend tonight.

Clearly, the report will have a favorable impact in all respects on my nearby but not abutting property. I fully support either of the two routes TxDOT plans to present for public comment tonight. I am willing to record my support via a formal letter to TxDOT should you judge a letter to be a stronger recorded version of the above text. Should you prefer a letter record reflecting my support, please request same from me.

I would like to have a printed and bound copy of the final edition of the Environmental Impact Statement. Please notify me of its availability and the date of availability, and I will personally retrieve same at either of the TxDOT US 80 or McKinney residency offices.

Thank you for the hearing notification and availability of the report.

James W. Griffin, PE, RPLS
5455 La Sierra Drive-Apt 902
Dallas, Texas 75231-4122

OR

[REDACTED]

A Texas Department of Transportation message



From: Stephen Endres <Stephen.Endres@txdot.gov>
Sent: Wednesday, December 7, 2022 4:05 PM
To: julie cox [REDACTED]
Subject: RE: 1280 Old Mill Road pature water issues

Good Afternoon,

Just to let you know the public hearing is ongoing. You can view the public hearing content at

<https://www.keepitmovingdallas.com/spur399>

Comments to the public hearing are due by December 10th.

<https://survey123.arcgis.com/share/0c214a520df740149ce9c4b9bf9dd59e>

The following links show the design in the area of Airport Road.

[https://www.keepitmovingdallas.com/sites/default/files/docs/0364-04-](https://www.keepitmovingdallas.com/sites/default/files/docs/0364-04-051%20etc%20Spur%20399%20Ext%20PH%20Schematic%20Plan%20View%20from%20FM%20546%20to%20Old%20Mill%20Road%20-%20202%20of%204.pdf)

[051%20etc%20Spur%20399%20Ext%20PH%20Schematic%20Plan%20View from%20FM%20546%20to%20Old%20Mill%20Road%20-%20202%20of%204.pdf](https://www.keepitmovingdallas.com/sites/default/files/docs/0364-04-051%20etc%20Spur%20399%20Ext%20PH%20Schematic%20Plan%20View%20from%20FM%20546%20to%20Old%20Mill%20Road%20-%20202%20of%204.pdf)

<https://www.keepitmovingdallas.com/sites/default/files/docs/Design%20Updates%20-%20203.pdf>

We do not show removing the trees you are asking about.

From what I understand the same amount of runoff will be draining through your pasture.

Stephen Endres
214-320-4469

From: julie cox [REDACTED]
Sent: Wednesday, December 7, 2022 3:46 PM
To: Stephen Endres <Stephen.Endres@txdot.gov>
Subject: RE: 1280 Old Mill Road pature water issues

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.

Hi Stephen

I meant to get this to you earlier for my questions with regards to the 399 spur expansion. Can you please let me know if they plan to leave the tree line on the airport road headed to old mill rd. It would be great if they do. If not what will they do to keep the noise level down?

Secondly will the drain water that now runs in our pasture from Simpson strong tie will that be changed ? It is much water and hope it will help. These last couple of year with the new building has made this 10 times worse.

And last of all what will be the changes for old mill road? Will we lose any of the road?

Thank you

Sincerely

Julie cox

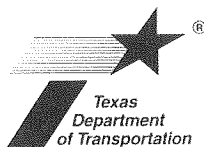
1280 old mill rd

Mckinney texas

75069

██████████

[Sent from Yahoo Mail on Android](#)



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Comments:

From what I can see spur 399 will bisect our property in a way that will limit access and severely impact the value of the usability and value of the land that is not in the flood plain.

Please select each of the following that apply to you (Texas Transportation Code, §201.811(a)(5)).

- ☐ I am employed by TxDOT
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☒ I could benefit monetarily from the project or other item about which I am commenting

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Please Print

Name: Julie Landsaw McKinney Properties/ McKinney
Address: 1411 N. Crossing Dr Upland
Apartment, suite, etc.: _____
City/State/Zip: Allen, TX 75013



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Comments:

Noise seems to be a common complaint. If there is no consideration of putting in any noise barriers ~~the~~ in the beginning, will there be tests done after completion to see if the models were accurate?

Noise levels are high now for the residential areas. Please consider all the facts going forward in your endeavour of moving the traffic thru our back yard.

Please select each of the following that apply to you (Texas Transportation Code, §201.811(a)(5)).

- ☐ I am employed by TxDOT
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Please Print

Name: Kris Bogner

Address: 800 Rough Way

Apartment, suite, etc.: _____

City/State/Zip: McKinney, TX 75069



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Comments:

399 HAS MADE
544 → ★ DANGEROUS
★ VIOLENT
★ DANGEROUS!!
BEYOND NOISE!!
MANY ACCIDENTS IN OUR YARD

Please select each of the following that apply to you (Texas Transportation Code, §201.811(a)(5)).

- ☒ I am employed by TxDOT
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Please Print

Name: LINDA HAMPTON

Address: 3275 FM 544

Apartment, suite, etc.: _____

City/State/Zip: MCKINNEY TX 75069



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Comments:

SPUR 399 WILL BISECT OUR
PROPERTY [MCKINNEY UPLANDS +
MCKINNEY PROPERTY]
IDS 2453830, 2653834, 2653833 +
2653829
AND WE WOULD LIKE TO REQUEST
A MEETING. IN THE NEAR
FUTURE. IT ALSO APPEARS TO
REMOVE OUR RIGHT OF WAY.

Please select each of the following that apply to you (Texas Transportation Code, §201.811(a)(5)).

- ☐ I am employed by TxDOT
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Please Print

Name: LISA LEBLANC
Address: 1410 N. CROSSING
Apartment, suite, etc.: _____
City/State/Zip: ALLEN, TX 75013



This draft environmental impact statement is unfortunately yet another example of car-centric behavior by agencies and cities in the United States. Urban areas are expected to grow significantly over the next fifty years, and infrastructure will of course have to be modified to match the increased demands of those populations. However, this DEIS dismisses the idea of public transit as a viable alternative to road expansion and automobile transport in general. TxDOT claims these roads are needed or else the other existing roads will become too congested, and public transportation will fail to meet those demands. However, while opening a new road may temporarily lower traffic, the principle of induced demand will mean that these new roads will likely soon fill up as drivers adjust to the new road configuration. Although local transit agencies have not made plans to service the areas around McKinney, TxDOT could work with them and help with funding and other logistics. The project area is directly next to an airport, which makes it an extremely viable option as a hub for a light rail, commuter train, rapid bus, or other mass transit system. TxDOT already rejected an alternative that would cut through a nature reserve and soccer field, which does protect community interest. However, the agencies involved could do much more to enhance the lives of Texans. This project could be instrumental in helping move people more efficiently around the Dallas-Fort Worth Metroplex in the long-term, with reduced greenhouse gas emissions as well. Instead, this proposal seeks to degrade more land and negatively impact communities in pursuit of a temporary, car-based solution.

From: Stephen Endres <Stephen.Endres@txdot.gov>
Sent: Tuesday, November 29, 2022 9:13 AM
To: maggie petrosino [REDACTED]
Subject: RE: Public Hearing Comment For Spur 399

Thank you for your comments. We will add your comments to our public hearing summary.

From: maggie petrosino [REDACTED]
Sent: Tuesday, November 29, 2022 9:07 AM
To: Stephen Endres <Stephen.Endres@txdot.gov>; maggie petrosino [REDACTED]
Subject: Public Hearing Comment For Spur 399

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.

Hi Stephen,

Attached is my Public Hearing Comment For Spur 399 from US 75 to US 380. I have also attached a photo of the road that is going to be expanded to show there currently is no barrier for noise.

In case you cannot read my handwriting, here is what I wrote in my form.

I live in Meridian South Gate Community. I have a direct line of vision to the road that will have expanded construction. Currently it is loud and has no sound barrier. I do not know how you finalized the decibel of noise to determine it at an acceptable level. Currently the noise level is high, before the construction to expand the traffic flow.

Please let me know how this will be handled so all residents are buffered by the noise.

Thank you,

Maggie Petrosino
801 Emerling Rd
McKinney, TX 75069

A Texas Department of Transportation message







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Comments:

I Live in Meridian South Gate Community. I have a direct line of vision to the road that will have expanded construction. I will say it is loud and I do not know how you finalized the ~~decision~~ decide of noise. I have included a picture so you can see there is a ~~direct~~ direct line of sight therefore there is no barrier of sound.

Please let me know how this will be handled so all residents are buffered from the noise.

Please select each of the following that apply to you (Texas Transportation Code, §201.811(a)(5)).

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Please Print

Name:

Maggio Petrosino

Address:

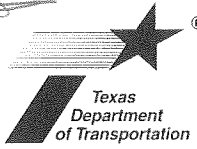
801 Emerling Drive

Apartment, suite, etc.:

City/State/Zip:

McKinney, TX 75069

~~Not some that parks~~



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Comments:

~~How will this road impact~~
How does this road conflict with the abilities?
~~How will contrib~~ Has the alternatives considered
if future ~~do~~ road might have to be re-designed
again due to unforeseen circumstances?

Please select each of the following that apply to you (Texas Transportation Code, §201.811(a)(5)).

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Please Print

Name: Mikayla Foy

Address: 7105 Cotton Seed Drive

Apartment, suite, etc.: _____

City/State/Zip: McKinney, TX, 75070

From: Stephen Endres <Stephen.Endres@txdot.gov>
Sent: Tuesday, November 15, 2022 9:14 AM
To: Norma Barrenada [REDACTED]
Subject: RE: Spur 399 extension

Thank you for your comments. We will add them to our public hearing summary.

We hope to construct an east west US 380 freeway throughout Collin County in the future.
At this time, TxDOT has four projects on US 380 and one on Spur 399 in schematic design to construct a freeway.

Stephen Endres
214-320-4469

-----Original Message-----

From: Norma Barrenada [REDACTED]
Sent: Monday, November 14, 2022 10:00 PM
To: Stephen Endres <Stephen.Endres@txdot.gov>
Subject: Spur 399 extension

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.

I don't see a real benefit on this project if the Mai issue on 380 is it resolved.
Of course it will be nice to continue from 121 through 380 without the bottle neck on highway five and industrial; but how can it be justified when 380 becomes a parking lot that starts from Airport all the way to the new municipal comped in Princeton. Our lives have become miserable with that traffic issue having to commute from Farmersville. we pay high property taxes and the cities of Princeton and McKinney continue approving new developments without planning alternate routes.
When is 380 going to get resolved??

Sincerely
Norma Barrenada



METROPOLITAN PLANNING ORGANIZATION
FOR THE DALLAS-FORT WORTH REGION



Statement of Support
Spur 399 from US 75 to US 380

Submitted on November 28, 2022 by the Regional Transportation Council and the North Central Texas Council of Governments, together serving as the Metropolitan Planning Organization for the Dallas-Fort Worth area

The North Central Texas region continues to experience significant population growth, as the Dallas-Fort Worth area is currently the fourth-largest metropolitan area in the United States with eight million people and is projected to have a population of over 11 million by 2045. A good share of that regional growth is occurring in Collin County, aggravating already congested conditions on area roadways. For local commuters, US 75, US 380, and SH 121 are critical transportation corridors that serve as principal routes. The proposed extension of Spur 399 as a six- to eight-lane freeway with frontage roads will help to manage congestion and provide improved access to several key highways and transportation facilities, including US 75, US 380, and SH 121. In addition, this project includes shared-use paths along the outside of the proposed Spur 399 frontage roads to support multimodal access. The recommended extension of Spur 399, including the proposed bicycle and pedestrian accommodations, are consistent with *Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update*. In particular, NCTCOG (North Central Texas Council of Governments) supports the Texas Department of Transportation's preferred alternative for Spur 399 south and east of the McKinney National Airport. Altogether, the proposed project will provide enhanced north-south mobility, connectivity, and accessibility to the city of McKinney, Collin County, and the region.

The Texas Department of Transportation continues to coordinate with local cities, Collin County, and NCTCOG on ongoing studies and through regular meetings, workshops, and collaboration to develop a comprehensive mobility solution for the region in which the recommended Spur 399 extension is a key component. Because of the regional significance of this project, NCTCOG is willing to provide any assistance in the planning, design, and implementation of this project.

Contact:

Amanda Wilson, AICP
Public Involvement Manager

Samuel Simmons
Senior Transportation Planner

About the Regional Transportation Council

The Regional Transportation Council (RTC) of the North Central Texas Council of Governments has served as the Metropolitan Planning Organization (MPO) for regional transportation planning in the Dallas-Fort Worth area since 1974. The MPO works in cooperation with the region's transportation providers to address the complex transportation needs of the rapidly growing metropolitan area. The 12-county Dallas-Fort Worth Metropolitan Planning Area includes Collin, Dallas, Denton, Ellis, Hunt, Hood, Johnson, Kaufman, Parker, Rockwall, Tarrant and Wise counties. The RTC's 44 members include local elected or appointed officials from the metropolitan area and representatives from each of the area's transportation providers. More information can be found at www.nctcog.org.

About the North Central Texas Council of Governments

The North Central Texas Council of Governments (NCTCOG) is a voluntary association of local governments established in 1966 to assist local governments in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development. NCTCOG's purpose is to strengthen both the individual and collective power of local governments and to help them recognize regional opportunities, eliminate unnecessary duplication, and make joint decisions. NCTCOG serves a 16-county region of North Central Texas, which is centered around the two urban centers of Dallas and Fort Worth. Currently, NCTCOG has 240 member governments including 16 counties, 167 cities, 19 school districts, and 27 special districts.



PUBLIC HEARING COMMENT FORM
Spur 399 Extension from US 75 to US 380
Collin County, Texas
CSJs: 0364-04-051, 0047-05-058, 0047-10-002

The Texas Department of Transportation is seeking your comments on the proposed Spur 399 Extension Project from US 75 to US 380 in Collin County, Texas. Please use the space provided, attaching additional pages as necessary, and mail the form to the address below. This form can also be emailed to Stephen.Endres@txdot.gov. **Comments must be received or postmarked by Saturday, Dec. 10, 2022 to be included in the formal hearing documentation.**

Comments: Sound walls needed. Noise is an issue now. With this spur & fly over noise is going to increase exponentially. A model done on a simulation will not give you a real knowledge of the noise in our neighborhood. There is nothing other than a few trees between Stewart Road / Spur 399 and my back patio other than a few trees. Vegetation, speed limits and sound barriers. Please, include this protection from sound pollution.

Please select each of the following that apply to you (Texas Transportation Code, §201.811(a)(5)).

- ☐ I am employed by TxDOT
- ☐ I do business with TxDOT
- ☐ I could benefit monetarily from the project or other item about which I am commenting

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.

Please Print

Name: Ruth Stovall

Address: 2525 Dog Leg Tr

Apartment, suite, etc.: _____

City/State/Zip: McKinney TX 75069

From: Stephen Endres <Stephen.Endres@txdot.gov>
Sent: Monday, November 28, 2022 1:13 PM
To: Ruth Stovall [REDACTED]
Subject: RE: Spur 399 Extension

Thank you for your comments. I will add them to our public hearing summary.

Stephen

From: Ruth Stovall [REDACTED]
Sent: Friday, November 18, 2022 3:15 PM
To: Stephen Endres <Stephen.Endres@txdot.gov>
Subject: Re: Spur 399 Extension

Mr. Enders,

The lack of sound barriers is a big issue on the construction of Spurr 399. I emailed you over year ago with the same construction concerns. As project manager, you know all of the appropriate legal requirements, however; noise pollution is all a huge concern for everyone living in the Meridian at Southgate, Coventry and McKinney Greens housing additions. All of the sound “models” or simulations do not come close to the noise levels we are actually hearing now. I cannot imagine what it will be when the traffic increases in volume and speed. There is nothing between my back patio and Stewart Road intersection but a few old trees and those are dying at a rapid rate. The city had to cut down six more last month.

I retired and built my home on Dog Leg Trail which is becoming a funnel for sound pollution. Between Eldorado/Industrial Blvd, McKinney Airport, Hwy 121 and Spurr 399, there is NO time to sit in my backyard quietly. I have spent thousands of dollars replacing all of my windows so that we can sleep. There isn't anything more I can do to fix this problem, but the state of Texas can help by adding more sound barriers. By adding these barriers all of the people living in the above mentioned neighborhoods benefit not just me.

I know a highway is coming, but please put up sound barriers and protect citizens rights to some stimulants of peace. Please don't brush this concern aside. As a senior citizen, I cannot pick up my house and move!

Thank you for taking time to respond.

I Ruth Stovall
2525 DogLeg Trail
McKinney 75069

On Mon, Nov 14, 2022 at 2:49 PM Stephen Endres <Stephen.Endres@txdot.gov> wrote:

Good Afternoon,

Grace Lo provided my your information from the Public Hearing held last week.

[2525 Dog Leg Trail](#)

[McKinney, TX 75069](#)

I am the project manager for the project and was unable to attend the public hearing.

The address above is quite far away from proposed freeway and there is not acquisition or no walls planned for the property.

Please let me know if you have any questions.

Stephen Endres

Transportation Engineer

Dallas District | Texas Department of Transportation

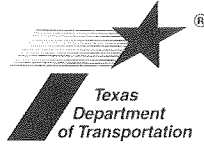
O: 214-320-4469 | www.txdot.gov

From: tel:[REDACTED] <non-mail-user@vm2email.coeoconnects.com>
Sent: Thursday, December 8, 2022 4:28 PM
To: TdotE8339330443
Subject: Fwd: Voice message from [REDACTED] to 7372730579
Attachments: [message.wav](#)

The attached message was recently left in your voicemail account for 7372730579. We are sending you this email because you have asked for your messages to be forwarded to this address.

The original message is still in your account.

Samuel Simmons [REDACTED] Lex Drive Arlington Texas. I'm representing the Regional First christian-council(?) and the North Central Texas council(?) Government together serving you at the metropolitan(?) Point organization for the Dallas Fort Worth area the North Central Texas region continue to experience significant(?) population growth. I could share that original graphics(?) occurring in calling County aggravating already congested(?) conditions on area roadways local commuter if are 75 US 380 and stay how we 1:21 or critical transmission(?) court or service principal around the proposed(?) extension for three 9912 to manage construction and provide improve access 70 Highway 50 and transportation facility. The recommended extension for 399 is consistent with my Building 2045 2020 to update in particular in future calls supposed-to(?) start preferred alternatives for free(?) 399 South and East of the McKinney National Airport all together the proposed project will provide enhanced no self mobility connectivity and excess ability to the City of McKinney. Calling County in the region stock continues(?) to coordinate with local City calling County and if you called on ongoing studies into regular meetings workshop in collaboration to develop a comprehensive mobility solution for the region in which to recommend you for 399 extension key components because of the original certificate for this project and could you called and wanted to provide any assistance in the planning design and ... of project.



FORMULARIO DE COMENTARIOS
Propuesta a la Extensión de Spur 399 desde US 75 hasta US 380
Condado de Collin, Texas
CSJs: 0364-04-051, 0047-05-058, 0047-10-002

GRABBED THE
WRONG FORM
I DON'T SPEAK
SPANISH

El Departamento de Transporte de Texas (TxDOT por sus siglas en inglés) está solicitando sus comentarios sobre la propuesta para la Extensión de Spur 399 desde US 75 hasta US 380 en el condado de Collin, Texas. Utilice el espacio proporcionado, adjuntando páginas adicionales según sea necesario, y envíe el formulario por correo a la dirección a continuación. Este formulario también se puede enviar por correo electrónico a Stephen.Endres@txdot.gov. **Los comentarios deben ser recibidos o con el sello postal antes del sábado 10 de diciembre de 2022 para ser incluidos en la documentación.**

Comentarios:

AS THE VP OF DEVELOPMENT FOR NORTH TEXAS NATURAL SELECT MATERIALS, LLC (NTNSM) REPRESENTING PROPERTY LOCATED AT 3403 CR 317 (E121?), I ADVISE TxDOT THAT THIS PROPERTY CONTAINS AN OPERATING BUSINESS AS A MATERIAL PROCESSING SITE (CRUSHER) AND IS NOT AN AGRICULTURAL USE AS DEPICTED ON CURRENT PLANS. IF THE 399 SPUR ALIGNMENT CAN NOT BE SHIFTED TO IMPACT LESS THAN 20% (+/-) OF THE NTNSM PROPERTY, OUR BUSINESS OPERATIONS WILL SUFFER COMPLETE DAMAGE. IT IS VERY DIFFICULT TO SECURE LAND AND PERMITTING FOR THIS TYPE OF USE IN THIS LOCATION MAKING THE LAND UNIQUE IN VALUE. (IN ADDITION TO BUSINESS LOSS)

Seleccione cada una de las siguientes opciones que se aplican a usted (Código de Transporte de Texas, §201.811(a)(5)).

- ☐ Estoy empleado por TxDOT
- ☐ Hago negocios con TxDOT
- ☐ Podría beneficiarme monetariamente del proyecto u otra cosa sobre lo que estoy comentando

La revisión ambiental, la consulta y otras acciones requeridas por las leyes ambientales Federales aplicables para este proyecto están siendo realizadas o han sido realizadas por TxDOT de conformidad con 23 U.S.C. 327 y un Memorando de Entendimiento con fecha de 9 de diciembre de 2019 y ejecutado por Administración Federal de Carreteras (FHWA por sus siglas en inglés) y TxDOT.

Por favor escriba con letra de imprenta

Nombre: SCOTT MCMAHON

Dirección: 5208 TENNYSON PARKWAY #120

Apartamento, suite, etc.: _____

Ciudad/Estado/Código Postal: PLANO, TX



From: Stephen Endres <Stephen.Endres@txdot.gov>

Sent: Monday, October 31, 2022 10:31 AM

To: Sheryl Wyatt [REDACTED]

Subject: RE: new proposed hwy

The Draft Environmental Impact Statement (DEIS) for the Spur 399 extension project is available for review at <https://www.keepitmovingdallas.com/spur399>

The in person public hearing will be held on November 10. The information presented at in person public hearing will also be provided at above website.

TxDOT has selected the Orange alignment which goes south and east of the airport which is the alignment which goes through the Simpson Strong-Tie Property.

This alignment is presented in the DEIS and the comment period is now ongoing.

Stephen Endres

From: Sheryl Wyatt [REDACTED]

Sent: Sunday, October 30, 2022 6:24 PM

To: Stephen Endres <Stephen.Endres@txdot.gov>

Subject: new proposed hwy

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.

Stephen

Is it official the plan is to go through Simpson's property that is South of our existing building. Last time we spoke the decision was still open.

Regards,
Sheryl Wyatt



PUBLIC HEARING COMMENT FORM
Spur 399 Extension from US 75 to US 380
Collin County, Texas
CSJs: 0364-04-051, 0047-05-058, 0047-10-002

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Comments:

This current project will add congestion to the current 380 Hwy. Where is the mockup that shows the layout & overlay of the Hwy 380 project & proposed intersections ???
The current 399 extension adds several additional intersections to an already busy roadway & two large intersections already stacked on each other.

Please select each of the following that apply to you (Texas Transportation Code, §201.811(a)(5)).

- ☐ I am employed by TxDOT
- ☐ I do business with TxDOT
- ☐ I could benefit monetarily from the project or other item about which I am commenting

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.

Please Print

Name: Stephanie Potter
Address: P.O. Box 750254, Plano
Apartment, suite, etc.: _____
City/State/Zip: 75025

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 14, 2022

Re: Response to Request for TCEQ Environmental Review

The Texas Commission on Environmental Quality (TCEQ) received a request from the Texas Department of Transportation (TxDOT) regarding the following project:

Spur 399 Extension, From US 75 to US 380, Collin County (CSJs: 0364-04-051, 0047-05-058, 0047-10-002)

In accordance with the Memorandum of Understanding between TxDOT and TCEQ addressing environmental reviews, which is codified in Chapter 43, Subchapter I of the Texas Administrative Code (TAC) and 30 TAC § 7.119, TCEQ is responding to your request for review by providing the below comments.

This project is in an area of Texas classified by the United States Environmental Protection Agency (EPA) as serious nonattainment for the 2008 ozone National Ambient Air Quality Standard (NAAQS) and marginal nonattainment for the 2015 ozone NAAQS. Effective November 7, 2022, the area will be reclassified by the EPA to severe for the 2008 ozone NAAQS and moderate for the 2015 ozone NAAQS. Air Quality staff reviewed the draft environmental impact statement (DEIS) for this proposed action in accordance with transportation and general conformity regulations codified in 40 Code of Federal Regulations Part 93. The TCEQ agrees with TxDOT's assessment that project-level conformity is pending approval of the North Central Texas Council of Government's Mobility 2045 Metropolitan Transportation Plan Update and 2023-2026 Transportation Improvement Program by the Federal Highway Administration. However, Section 3.12 of the DEIS should be updated to reflect the area's reclassification status and to remove the erroneous reference to a TCEQ revision to the State Implementation Plan to be adopted in October 2022 and considered by the EPA in December 2022.

We are in support of the project. The environmental assessment addresses issues related to surface and groundwater quality.

TxDOT will still need to follow all other applicable laws related to this project, including applying for applicable permits.

If you have any questions, please contact the agency NEPA coordinator at [REDACTED] or [REDACTED]



PUBLIC HEARING COMMENT FORM
Spur 399 Extension from US 75 to US 380
Collin County, Texas
CSJs: 0364-04-051, 0047-05-058, 0047-10-002

The Texas Department of Transportation is seeking your comments on the proposed Spur 399 Extension Project from US 75 to US 380 in Collin County, Texas. Please use the space provided, attaching additional pages as necessary, and mail the form to the address below. This form can also be emailed to Stephen.Endres@txdot.gov. **Comments must be received or postmarked by Saturday, Dec. 10, 2022 to be included in the formal hearing documentation.**

Comments:

Teresa Evans
2613 CR 330
McKinney TX 75070
[Redacted Address Line]
[Redacted Address Line]
[Redacted Address Line]
[Redacted Address Line]
[Redacted Address Line]
[Redacted Address Line]
[Redacted Address Line]
[Redacted Address Line]
[Redacted Address Line]
[Redacted Address Line]

Please select each of the following that apply to you (Texas Transportation Code, §201.811(a)(5)).

- ☐ I am employed by TxDOT
- ☐ I do business with TxDOT
- ☐ I could benefit monetarily from the project or other item about which I am commenting

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.

Please Print

Name: Teresa Evans
Address: 2613 CR 330
Apartment, suite, etc.: _____
City/State/Zip: McKinney TX



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Chairman-Emeritus
Fort Worth

T. Dan Friedkin
Chairman-Emeritus
Houston

Carter P. Smith
Executive Director

November 21, 2022

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

RE: Draft Environmental Impact Statement for Spur 399 Extension from US 75 to US 380, Collin County, Texas (CSJs: 0364-04-051, 0047-05-058, and 0047-10-082)

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 October 7, 2022, 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) section 12.011, hereby provides the following comments and recommendations to minimize adverse impacts to natural resources. Please reference TPWD project number 49335 in any return correspondence on this project.

Project Description

Section 2.2 (page 2-6) of the DEIS included the following "Descriptions of Reasonable Alternatives and the No-Build Alternative" for the project:

"Two reasonable alternatives to extend Spur 399 are carried forward for detailed study in addition to the No-Build Alternative. The Purple Alternative and the Orange Alternative would each construct an 8-lane freeway with frontage roads primarily on new location connecting US 75 south of McKinney to US 380 east of McKinney (see Appendix A). Depending on the location, the typical freeway section would consist of four 12-foot-wide travel lanes in each direction with 10-foot-wide inside and outside shoulders and 2-lane (each 12-feet-wide), one-way frontage roads on either side of the mainlanes. Grade-separated interchanges would include 14-footwide ramps with 2-foot-wide inside shoulders and 6-foot-wide outside shoulders, with curb and gutter to support drainage. 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. Shared-use paths (SUPs) built along the outside of the frontage roads would provide bicycle and pedestrian accommodations and support multimodal access. The anticipated ROW width needed to accommodate the proposed new location improvements ranges between 165 feet and 696 feet, with an average ROW width of approximately 400 feet⁶.

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.

The Purple and Orange Alternatives share a section of “Common Alignment” from the southern terminus of the proposed action (Spur 399/US 75/SRT-SH 121 junction) extending north along SH 5 to just south of FM 546/Harry McKillop Boulevard where the alignment turns east on new location. The Common Alignment ends approximately 500 feet west of Couch Drive where the remaining portions of the Build Alternatives diverge to connect to US 380, the northern project terminus.”

Proposed Alternative in DEIS

The Orange Alternative in the DEIS is the Preferred Alternative 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 December 8, 2020, TPWD provided recommendations on December 22, 2020, for natural resource information, issues, or concerns for this project. TxDOT submitted a request for initial collaborative review on November 19, 2021, under the 2021 Memorandum of Understanding (MOU) and provided early environmental documents for review. TPWD determined that initial collaborative review could not be completed due to the reduced review period and requested that TxDOT review previous scoping recommendations on February 28, 2022. TxDOT provided responses to TPWD’s previous scoping recommendations on June 14, 2022.

Recommendation: TPWD recommends that Section 3.11.11 (page 3-79) of the DEIS should document the early communication between TxDOT and TPWD during the scoping period. TPWD also recommends including this letter with an attachment of TPWD’s Scoping Comments on December 22, 2020, for Agency Coordination Section in Appendix E (page 21) of the DEIS.

Recommendation: As stated in TPWD’s scoping comments on the project, TPWD prefers the shorter Purple Alternative as this alignment makes use of existing transportation corridors and has the least impacts to undeveloped areas, streams, wetlands, floodplains, and habitat for wildlife and aquatic species. All waterways and associated floodplains, riparian corridors, and wetlands, regardless of their jurisdictional status, provide valuable wildlife habitat and should be protected to the maximum extent possible. TPWD recommends selecting the Purple Alternative that would minimize adverse impacts to natural resources.

TPWD advised against and discouraged the consideration of the longer Orange Alternative due to the greater natural resource impacts, including concerns about impacts to the East Fork Trinity River, fragmentation of riparian

corridors, water quality, and increased development pressure. If TxDOT moves forward with the selection of the Orange Alternative in the FEIS, TPWD recommends the consideration of additional modifications to the Orange Alternative's alignment to further minimize natural resource impacts, particularly to Waters of the United States (WOTUS).

Comments on the DEIS

Appendix E in the DEIS includes documentation of TPWD's response on February 28, 2022, to TxDOT's initial collaborative review under the 2021 TxDOT-TPWD MOU that states "TPWD is interested in the specific measures that TxDOT will commit to implement for a project and requests that TxDOT specify all the individual BMP within a category" (page 27).

Recommendation: TPWD recommends adding the full language as previously requested for all of the individual BMP within a given BMP category and updating the DEIS. If there is a change in project design that arises during the period between the National Environmental Policy Act (NEPA) process and construction phase, TPWD understands that the list of project commitments made be revised at a later date. TxDOT projects classified as an Environmental Assessment (EA) generally include a list of the full BMP language for all individual BMPs within a given BMP category during the initial collaborative review and coordination of a Draft EA, and the DEIS should also provide the same information on project commitments. TPWD requests that the DEIS provide a list of the full BMP language for all BMP in addition to the BMP category type that TxDOT agrees to avoid, minimize, and mitigate impacts to natural resources from this project.

Appendix O in the DEIS lists TxDOT's Form "*Documentation of Texas Parks and Wildlife Department Best Management Practices*" with a date of September 29, 2021 (page 49), USWFS's Information for Planning and Consultation (IPaC) (page 56) with a date of July 5, 2022, and TPWD's Rare, Threatened, and Endangered Species of Texas by County (RTEST) (page 72) with a date of March 17, 2022. TPWD notes that an updated IPaC and RTEST were included in the DEIS compared to those submitted for initial collaborative review on November 19, 2021, under the 2021 Memorandum of Understanding (MOU), with a date of June 17, 2021, and June 22, 2021, respectively. Please note that RTEST for Collin County was updated on July 12, 2022. Further, TxDOT's Form 310.01 "*Documentation of Texas Parks and Wildlife Department Best Management Practices*" with an Effective Date of September 2021 in the DEIS has not been updated to Form 300.04 with an Effective Date of April 2022 as found on TxDOT's Natural Resources Toolkit Website (see link: [300-04-frm.docx \(live.com\)](#)).

Recommendation: TPWD recommends accessing the most recent RTEST list and TxDOT Form 300.04 to document TPWD BMP for the project and updating the DEIS.

Water Resources

Section 3.10.1 (page 3-58) of the DEIS states “*An initial impact assessment (see Appendix N) was conducted based on the Geometric Schematic Design including the proposed ROW developed for the Purple and Orange Alternatives. The Purple Alternative would result in temporary impacts of 1.00 acre (1,527 linear feet [LF]) and permanent impacts of 0.20 acre (767 LF) to WOTUS. The Orange Alternative would result in temporary impacts of 1.73 acres (2,854 LF) and permanent impacts of 0.38 acre (2,997 LF) to WOTUS. Total permanent and temporary impacts to WOTUS would be greater for the Orange Alternative compared to the Purple Alternative. Figure 3-26 below summarizes these impacts by water feature type.*

Discharges of dredged or fill material into WOTUS, including wetlands, require permit authorization from the USACE under Section 404 of the Clean Water Act (CWA) prior to the initiation of project activities involving discharges.

Typically for linear transportation projects, if no more than 0.50 acre of loss of non-tidal WOTUS occurs at a single and complete crossing, the impacts to any WOTUS, including wetlands could be authorized under NWP 14. A loss of greater than 0.50 acre would require an Individual Standard Permit. For NWP 14, a loss that exceeds 0.10 acre of discharge into a special aquatic site, including wetlands, would require a PCN. Based on the initial impact assessment described above, both the Purple and Orange Alternatives would meet the terms and conditions of NWP 14 with a PCN for the crossings of the East Fork Trinity River, Wilson Creek, and their respective tributaries, as a result of minimal loss of these water features”.

For Section 404 of the Clean Water Act authorization, it appears that TxDOT proposes to seek individual USACE Nationwide Permits (NWP) for each stream crossing rather than seeking an Individual Permit (IP) that covers the entire project. For both alternatives, all of the stream impacts are within the watershed of Lake Lavon, which has a Watershed Protection Plan to improve water quality in the watershed and assist Wilson Creek and East Fork of the Trinity River with addressing bacterial levels. The impacts are also within watersheds of segments that are on the 303(d) list for *E. coli* contamination.

Recommendation: Due to these water quality concerns as well as the concern for sedimentation into Lake Lavon, TPWD recommends that all WOTUS impacts be covered under a single IP for the entire project area, regardless of selected alternative.

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 for preventing 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.

- 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 [REDACTED] or [REDACTED].

Sincerely,

Suzanne Walsh
Wildlife Habitat Assessment Program
Wildlife Division

SCW:49335

Attachments (1)

Suzanne Walsh

From: Suzanne Walsh
Sent: Tuesday, December 22, 2020 4:56 PM
To: Stephen Endres
Cc: Christine Polito
Subject: RE: SPUR 399 Extension Environmental Impact Statement (EIS) Invitation to Become a Participating Agency and Attend an Agency Scoping Meeting

Stephen,

This email is in response to your request for agency information, issues, or concerns about the proposed Spur 399 Extension EIS between US 75 to US 380 in Collin County (CSJ: TBD). 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 prefers that the alignment selected for the project utilize existing transportation corridors to minimize impacts to undeveloped areas, such as the Purple Route. The purple route would have the least impact to floodplains, wetlands, streams, and habitat for wildlife and aquatic species.

TPWD specifically advises against and strongly discourages the selection of alignments that propose a new crossing over the East Fork Trinity River, such as the Orange Route. TPWD has concerns that the orange route would result in new disturbances to the Trinity River. The placement of the road in this area will not only have direct effects on the Trinity River, including fragmentation of the riparian area and negative impacts to water quality, but will incur development that increases impacts to the river, associated riparian habitat, floodplain, and ultimately to Lake Lavon.

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.

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.

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. ARRs 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. ARRs can be submitted to Bregan Brown, TPWD Region 2 Kills and Spills Team (KAST) Biologist at [REDACTED] cell or [REDACTED].

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/>

The Land and Water Resource Conservation and Recreation Plan (LWRCRP) inventory indicated parks located within the project area. The TPWD Recreation Grants Program should be contacted to determine whether TxDOT's proposed Spur 399 Extension project may impact Land and Water Conservation Fund (LWCF) projects. The TPWD Recreation Grants Program can be contacted by email at [REDACTED] or by phone at [REDACTED] (<https://tpwd.texas.gov/business/grants/recreation-grants/contact-us/contact-us>).

TPWD appreciates the opportunity to provide comments on the proposed Spur 399 Extension EIS in Collin County.

Sincerely,

Suzanne Walsh
Transportation Conservation Coordinator
TPWD – Wildlife Habitat Assessment Program
Phone: [REDACTED]
[REDACTED]

From: Suzanne Walsh
Sent: Tuesday, December 1, 2020 1:40 PM
To: Stephen Endres <Stephen.Endres@txdot.gov>
Cc: Christine Polito <Christine.Polito@txdot.gov>
Subject: RE: SPUR 399 Extension Environmental Impact Statement (EIS) Invitation to Become a Participating Agency and Attend an Agency Scoping Meeting

Thank you for your letter of November 23, 2020 inviting the Texas Parks and Wildlife Department (TPWD) to become a Participating Agency for the preparation of an Environmental Impact Statement for Spur 399 Extension in Collin County. TPWD appreciates the opportunity to participate in the environmental review process, and this email acknowledges that TPWD will act as a participating agency for this project. If you have any questions, please contact me at [REDACTED].

Sincerely,

Suzanne Walsh
Transportation Conservation Coordinator
Wildlife Division – Wildlife Habitat Assessment Program
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744
Phone: [REDACTED]
[REDACTED]

From: Stephen Endres <Stephen.Endres@txdot.gov>
Sent: Tuesday, November 24, 2020 9:23 AM
To: Suzanne Walsh [REDACTED]
Cc: Christine Polito <Christine.Polito@txdot.gov>
Subject: SPUR 399 Extension Environmental Impact Statement (EIS) Invitation to Become a Participating Agency and Attend an Agency Scoping Meeting

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

Please read the attached SPUR 399 Extension Environmental Impact Statement (EIS) Invitation to Become a Participating Agency and Attend an Agency Scoping Meeting letter with attachments.

I would appreciate a response to this email that it has been received.

I am the project manager for this EIS for TxDOT. Please contact me if you have any questions.

Stephen Endres
214-320-4469

A Texas Department of Transportation message

HELP
#EndTheStreakTX

End the streak of daily deaths
on Texas roadways.



PUBLIC HEARING COMMENT FORM
Spur 399 Extension from US 75 to US 380
Collin County, Texas
CSJs: 0364-04-051, 0047-05-058, 0047-10-002

The Texas Department of Transportation is seeking your comments on the proposed Spur 399 Extension Project from US 75 to US 380 in Collin County, Texas. Please use the space provided, attaching additional pages as necessary, and mail the form to the address below. This form can also be emailed to Stephen.Endres@txdot.gov. **Comments must be received or postmarked by Saturday, Dec. 10, 2022 to be included in the formal hearing documentation.**

Comments: Route has too many compromises - it's an exaggerated "S", probably longer travel distance but more lanes.
* ? Huge problem - spoke with two people @ map tables - neither of the two could answer anything about location of hwy 380 intersection vs. the "Loop" intersection (somewhere very close!). This feels like we are about to create another catastrophe like the old DFW airport area - too many highways or flows in a very short space. DFW now being revised at a huge cost -> if there is no coordination then how do you know that same thing isn't about to happen?
Bypass I-380 should be only ONE - All the way to Princeton, & no point building 399 unless it goes north to that single bypass route!

Please select each of the following that apply to you (Texas Transportation Code, §201.811(a)(5)).

- ☐ I am employed by TxDOT
- ☐ I do business with TxDOT
- ☐ I could benefit monetarily from the project or other item about which I am commenting

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.

Please Print

Name: Tom Potter

Address: 1706 San Jacinto Dr.

Apartment, suite, etc.: _____

City/State/Zip: Allen, TX

From: Peter, Chandler J CIV USARMY CESWF (USA) [REDACTED]
Sent: Friday, December 16, 2022 11:21 AM
To: Stephen Endres <Stephen.Endres@txdot.gov>
Subject: SWF-2020-00340 DEIS Spur 399 Extension

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. Endres,

This in response to the Notice requesting comments on the Draft EIS for the referenced project.

Our review concludes that the needs analysis and the defined purpose statement in the document would be adequate for our use IF a standard individual permit (SIP) were required for the project. However, it appears that the project will qualify for coverage under Nationwide Permits so the needs analysis and purpose statement are not applicable. Should design efforts result in the need for a SIP TXDOT should have confidence that no additional information would be needed for those 2 components of our permit evaluation process.

Since the proposed action appears to qualify for coverage under Nationwide Permit authorization, consideration of alternatives is not warranted by the Regulatory program. However, if the design process results in a proposal that requires and SIP, then alternatives analysis would be required. Our review of the DEIS concludes the alternatives analysis screening specific to the Spur 399 Extension to get to the remaining 2 options would be acceptable for our permit evaluation. Please be aware this acceptance should not be construed as being applicable to the broader referenced Feasibility Study and its efforts to ID a corridor and proper road type for east/west traffic movement which appears outside the current focus of the need and purpose of the Spur 399 Extension. The Corps has no comment relative to your agency's preference for the Orange Alternative. Should an alternatives analysis be required for our permitting requirements (under and SIP evaluation) we would be constrained to authorizing the Least Environmentally Damaging Practicable Alternative (LEDPA) which would involve differing considerations than those included in Figure 2-8. Based on the information in that Figure, specifically Impacts to Rivers/Streams, and Figure 3-26 TOTALS line, the Orange Alternative would not be the LEDPA.

Page 3-58, 2nd paragraph – The Regulatory Division has not concurred with the Water Feature Delineation Report but merely acknowledged that the report appears reasonable. We can undertake an effort to confirm the results of the wetland/waters delineation work as a separate action from any forthcoming permit request or as part of any permit submittals. Suggest the language be modified in the DEIS to reflect this.

If you have any questions concerning these comments, contact me. I apologize missing the December 10, 2022 close of the comment period.

Chandler J. Peter



D2 Online Comments

Object ID	Global ID	Creation Date	Please leave your comment here.	Last Name or Initial(s)	First Name or Initial(s)	Address (include apartment #, suite, etc.)	City	State	Zip Code	Email address	Please select each of the following that apply to you (Texas Transportation Code, §201.611(a)(5)).
1	68fb4c73-1d46-4704-894b-2d48e10f39f9	11/11/2022 17:59	I am in favor of this project if it does not require forced relocation of residences or businesses. The section of 380 where 399 would join is already very busy during peak periods, so care needs to be taken that this project does not exacerbate that condition.	Claborn	Mitch						
2	fe8b0e5b-ac2b-4cf6-8723-f6faed9cdda2	11/11/2022 20:29	I live in the meridian at southgate subdivision specifically closest to highway 5. A noise barrier is an absolute must in our side of highway as since living her for over a year I have already noticed the increase noise volume and no construction has even started yet. I propose this needs to be looked at very closely and would share my experience if need be.	C	Cody	3113 Taunton way	Mckinney	Tx	75069		
3	1890a5a2-8dba-41c4-80c6-c2682749b260	11/14/2022 19:10	I would like to know with all this amount of information a short answer, when is this project going to be approved if approved and when are you going to reach out to owners to negotiate purchases?.	Lezam	Felipe end Victoria	2501 Markland St	Irving	Texas	75060		
4	3a83ae5c-a7cc-4b12-87ca-1e35a2445d04	11/14/2022 20:38	I have reviewed the draft environmental impact statement for TxDOT's Spur 399 Extension Project, and upon review of the draft environmental impact statement I support TxDOT's preferred alternative (Orange Alternative) because the Orange Alternative will improve safety, reduce congestion, and provide access to the Amazon and Encore Wire facilities.	Hurst	Jackson	4216 Cornell Crossing	Kennesaw	Georgia	30144		I could benefit monetarily from
5	85958a65-6230-4740-898d-795c57ef60f8	11/16/2022 20:11	See uploaded document.								
6	a29fa7ae-ffaa-4602-8a76-48aedc366e53	11/28/2022 15:58	I am writing to voice support for the orange option of the proposed Spur 399 but do not want to see tolls used to fund it's construction.	Lynch	Anthony	2213 WAINWRIGHT STREET	PRINCETON	TX	75407		