APPENDIX D: PUBLIC INVOLVEMENT/AGENCY COORDINATION

RECORD OF DECISION
FHWA-TX-EIS-93-01-FS
State Highway 161
From Interstate Highway 20 to State Highway 183
Dallas County, Texas

A. Decision

Based on the State Highway 161 (SH 161) Supplemental Final Environmental Impact Statement (SFEIS) and Final Section 4(f) Statement, Alternative 2A has been selected as the appropriate course of action for construction of SH 161.

Alternative 2A is a new location 17.4 kilometer (10.8 mile) north-south four/six lane controlled access freeway, with three-lane frontage roads configured in such a manner so as to accommodate identified future transportation needs. The four lane freeway is from Interstate Highway 20 (IH 20) to Interstate Highway 30 (IH 30); the six lane freeway is from IH-30 to State Highway 183 (SH 183), traversing through the Cities of Grand Prairie and Irving, and Dallas County, Texas.

Since the original route study report in 1970, traffic demand in the SH 161 corridor has continued to increase. According to the Dallas-Fort Worth Regional Travel Model (DFWRTM), traffic projections for the year 2015 are anticipated to be 90,000 vehicles per day (from IH 20 to IH 30) and 150,000 vehicles per day (from IH 30 to SH 183). These projections indicate that a north-south facility is warranted in this corridor. Moreover, local governments have acknowledged the need for SH 161 to improve mobility for western Dallas County and fully support the project. Proposed SH 161 is a part of the thoroughfare plans of the Cities of Grand Prairie, Irving, and Dallas County.

As delineated in the SFEIS, SH 161 Alternative 2A will result in the fewest environmental and socio-economic impacts; 59 single family residences, 7 multi-family residences, 13 commercial/industrial operations, 2 places of worship, and a portion of C. P. Waggoner Park will be displaced. No disproportionately high or adverse effects on the human health or environment of minority or low-income population will result. No distinct neighborhoods or ethnic groups will be isolated. Relocation assistance will be provided by the Texas Department of Transportation (TxDOT) in accordance with the provisions of the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

An air quality analysis was performed using the computer dispersion model CALINE3 for the year 2010 and the year 2015 (the design year). The projected one-hour and eight-hour carbon monoxide (CO) concentrations were found to be below the National Ambient Air Quality Standards (NAAQS) as set by the Environmental Protection Agency (EPA).

The project is in both the conforming plan and transportation improvement program (TIP) with the same number of through travel lanes and as the same type facility (freeway with interchanges and frontage roads) being approved by this Record of Decision (ROD). As required by the 1990

Clean Air Act Amendments (CAAA) § 176(c), an air quality conformity analysis was conducted for the long range transportation plan and (TIP). The analysis verified that this transportation plan and TIP, which include this project, conform to the State Implementation Plan (SIP), therefore this project conforms.

An update to the Regional Transportation Plan, Mobility 2010 Plan Update (Plan Update) was prepared in response to the planning requirements of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). A major emphasis of the Plan Update is management of the regional transportation system. The Plan Update is constrained to available financial resources and has been determined to conform based on requirements of the CAAA. Moreover, the 1996 TIP also conforms. SH161 is included in the Plan Update and the 1996 TIP (modeled as a non-toll facility). The Plan Update and the 1996 TIP were approved by the Regional Transportation Council and endorsed by the Executive Board, acting together as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area. The Plan Update and the 1996 TIP were found to conform on January 12, 1996 by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA).

An analysis of predicted highway traffic noise indicated SH 161 noise levels would approach or exceed the noise abatement criteria or result in a substantial increase above the ambient noise levels. Accordingly, noise abatement measures, including noise walls, were modeled and it has been determined that some noise walls are feasible. Final details of noise wall design cannot be determined until detailed roadway construction plans have been adequately prepared. At this later stage of project development, further public involvement will be conducted, and the final decision whether to construct these noise walls will be made.

Within the project corridor, there are no structures listed in the National Register of Historic Places, and no designated State Archeological Landmarks. Two potential archeological sites would be impacted: an historic farmstead within the Fish Creek drainage and a prehistoric open campsite adjacent to Cottonwood Creek. In accordance with the Programmatic Agreement between the FHWA, the Advisory Council on Historic Preservation, the TxDOT, and the Texas Historical Commission, efforts to identify archaeological resources will continue to be undertaken for the selected alternative upon acquisition of right of way. Given the nature of the known archaeological sites identified to date and the similar topographic setting of alternative 2A, it is expected that any archaeological sites that might be identified would be quite similar. It is further expected that given the nature of the sites anticipated as possibly present, none would require preservation in place.

Coordination with the United States Army Corps of Engineers (USACE) has determined that a total of 0.9 acres of wetlands and 4.1 acres of jurisdictional waters of the United States will be impacted at various crossings along the project length. Because none of these sites are individually more than one-third acre in size or located above headwaters, the construction of SH 161 will be authorized by Nationwide permits under Section 404 of the Clean Water Act. The hydraulic design practices for SH 161 will conform to requirements of the Federal Emergency Management Agency and affected local governments.

All SH 161 route alternatives pass over or near property which is considered at risk for soil or water contamination by hazardous substances; however, an investigation revealed there was little variation in the number of potentially contaminated sites along the various route alternatives. A detailed site investigation for the preferred alternative revealed no evidence of significant contamination.

B. Alternatives Considered

In addition to the No-Build alternative, three main alternatives and variations were examined in the SFEIS and Final Section 4(f) Statement. All Carrier Parkway Alternatives were designated with the number 1, Previously Studied Alternatives designated with the number 2, and Belt Line Road Alternatives with the number 3. Relative to other alternatives, Alternative 2A was projected to: cause the fewest number of displacements and relocations; best serve the future projected traffic needs; impact the fewest noise receivers; and be the least expensive route to construct. Additionally, Alternative 2A has the support of affected local governments. Alternative 2A has impacts comparable to the other alternatives relating to: air quality, wetlands and jurisdictional waters, riparian woodlands, potential historical/archaeological sites; and potential hazardous waste sites. Based on the alternatives analysis for proposed SH 161, Alternative 2A will result in the least impacts to the human environment and is designated as both the Environmentally Preferred and Technically Preferred Alternative.

A Single Occupancy Vehicle (SOV) analysis was performed to investigate alternatives to building additional SOV lanes for SH 161. Various congestion reduction strategies were considered, including: operational improvements, traffic flow improvements, high occupancy vehicle lanes, improved transit service/facilities, commuter light rail service, congestion pricing, bicycle/pedestrian improvements, employer trip reduction programs, area-wide ride sharing (car pooling and van pooling), and voluntary no-drive days. Of these measures, operational improvements, bicycle/pedestrian considerations, and travel demand management programs were determined feasible. Although these measures would potentially reduce the travel demand for SH 161, they do not eliminate the need for SOV lanes.

Improvements and congestion reduction strategies for comparable parallel facilities were also examined; however, none of the parallel facilities individually or collectively could accommodate the traffic projected for SH 161. The SH 161 project will meet the projected traffic and mobility needs.

Various meetings have been held to inform the public about proposed SH 161 and provide a forum for community discussion. In September 1986, two public meetings concerning the development of SH 161 were held in the Cities of Grand Prairie and Irving. In February/March 1990, five additional public meetings were held in Grand Prairie in the form of staff presentations to the City Council; all of these meetings were advertised and open to the public. On October 15, 1994, a formal public hearing was held, beginning at 6:00 p.m. and concluding at midnight. Detailed presentations were made on the project's location, design, and environmental impacts.

In conjunction with this hearing, an open house was held from 10:00 a.m. to 6:00 p.m. the same day, providing detailed explanations of project information and answers to public questions and comments.

C. Section 4(f) and Measures to Minimize Harm

SH 161 Alternative 2A will require the use of 4.1 hectares (10.1 acres) of 4(f) property from the western side of C. P. Waggoner Park, a 25.3 hectare (62.4 acres) general use recreational park owned by the City of Grand Prairie. Of the nine route alternatives for SH 161, only Alternative 2F would not impact section 4 (f) property; however, this alternative was rejected due to noise impacts and neighborhood impacts (the Wedgewood Estates, Wild Rose Ridge, and Wildwood Oaks neighborhoods). Traffic noise generated by alternative 2F would adversely affect 14 neighborhoods and apartment communities. The Wildwood Oaks and Wild Rose Ridge neighborhood's community cohesion would be negatively impacted. In the vicinity of C. P. Waggoner Park alone, the Reorganized Church of Latter-day Saints and 58 single family homes would be displaced in order to avoid taking parkland; these properties are valued at $5,800,000.00. Since the inception of C. P. Waggoner Park, the park master plan included reservation of land along the location of Alternative 2A for a transportation facility. For this reason, essentially all park facilities have been located outside this area. Even though C. P. Waggoner Park's master plan includes a reservation for highway right-of-way on the western side, a mitigation and/or enhancement plan (Mitigation Plan) has been developed and will be implemented. The Mitigation Plan will consist of: 25.1 hectares (62.1 acres) of replacement parkland; a recreation trail with amenities; extensive revegetation and landscaping; fishing ponds; and improvements to circulation roads and parking. The mitigation plan has been endorsed by the City of Grand Prairie. Based upon the results of the Section 4(f) evaluation, there is no feasible and prudent alternative to the use of land from C. P. Waggoner Park and the proposed action includes all possible planning to minimize harm to the C. P. Waggoner Park resulting from such use.

D. Other Impacts and Mitigation Measures

The loss of riparian woodlands and unregulated wildlife habitats caused by SH 161 will be minimized to the extent possible; however, some impacts will be unavoidable. To compensate for this loss, TxDOT has obtained an agreement with USACE to replant 11.1 hectares (27.4 acres) of trees and shrubs in Cedar Hill State Park. Native species having habitat value to wildlife will be used.

Mitigation measures will be taken to eliminate or minimize impacts and public health concerns caused by hazardous waste/substances encountered during construction. Any areas of contaminated soil will be treated by means such as: vapor extraction, bioremediation, incineration, or disposal in a qualified landfill.

The construction of SH 161 will conform to TxDOT and FHWA specifications and guidelines. Berms, dikes, dams, sediment basins, and other temporary and permanent erosion control measures will be used as necessary to protect water resources.

Approximately 600 acres of land will be converted from its present use (agricultural, residential, commercial/industrial, and municipal) to highway right-of-way. If a greater need arises for use of the land, or if the highway facility is no longer needed, the land can be converted to another use. Relocation assistance will be provided by the TxDOT in accordance with the provisions of the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

E. Monitoring or Enforcement Program

All commitments and conditions of approval stated in the SFEIS and Final Section 4(f) Statement will be monitored by TxDOT and other appropriate State, Federal and local agencies to insure compliance.

F. Comments on SFEIS and Final Section 4(f) Statement

This section summarizes the content of the comments submitted after circulation of the SFEIS and Final Section 4(f) Statement. Comments were received from two individuals. One comment concerned the number of proposed freeway lanes and suggested that the TxDOT is evading the issue of conformity by actions to secure right-of-way for an 8/10 lane freeway while stating that only a 4/6 lane freeway will be constructed in an effort to avoid the requirements of the Clean Air Act. The comment also suggests that the TxDOT plans to avoid preparation of an environmental analysis for a presumably future 8/10 lane freeway upgrade.

The transportation needs documented in the Mobility 2010 Regional Transportation Plan identify an 8/10 lane freeway with 3-lane frontage roads as needed; however, financial constraint requirements must balance needs with available funds. Accordingly, the Mobility 2010 Plan Update includes a 4/6 lane freeway with 3-lane frontage roads. This 4/6 lanes was - and is - the basis of the air quality conformity analysis. This project's SFEIS addresses the impacts of preserving a corridor (right of way) for future needs sufficient to accommodate an 8/10 lane freeway. Impacts associated with this footprint were examined. While beyond the scope of the proposed action, the SFEIS examined the impacts associated with an 8/10 lane freeway for the alternatives considered. Before the project could be constructed to an 8/10 lane freeway, the metropolitan transportation plan and TIP (in existence at that time) and the project for the additional lanes will need to be amended and subsequently subjected to the air quality conformity analysis provisions of the CAAA, and the project for the additional lanes needs to be subjected to the NEPA process. The right-of-way acquisition for the project includes the preservation of the corridor for projected transportation needs.

Another comment indicated that the increase in air pollution resulting from the project--especially project construction, will only add to the total ozone burden of the region. The Dallas-Fort Worth Metropolitan Area has been designated as an ozone non-attainment area, and because it is a non-attainment area a conformity determination (based on air quality analysis for ozone) as required by the 1990 CAAA §176(c), was made for the plan and TIP. The analysis verified that this plan and TIP, both of which include this project, are consistent with the air quality conformity requirements and the air quality State Implementation Plan. The project is in both the conforming

plan and TIP with the same number of through travel lanes and as the same type facility (freeway with interchanges and frontage roads) being approved by this Record of Decision. Therefore, this project conforms.

An update to the regional transportation plan, Mobility 2010 Plan Update (Plan Update) was prepared in response to the planning requirements of the ISTEA of 1991. A major emphasis of the Plan Update is management of the regional transportation system. The Plan Update was constrained to available financial resources and has been determined to conform based on requirements of the CAAA. Moreover, the 1996 TIP also conforms to the CAAA. The Plan Update and the 1996 TIP were found to conform on January 12, 1996 by the FHWA and FTA. SH 161 is included in the Plan Update and the 1996 TIP (modeled as a non-toll facility) and therefore SH 161 conforms. The Plan Update and the 1996 TIP were approved by the Regional Transportation Council and endorsed by the Executive Board, acting together as the MPO for the Dallas-Fort Worth Metropolitan Area. Subsequent to the issuance of the SFEIS; Mobility 2020, The Metropolitan Transportation Plan (Mobility 2020), has been approved by the MPO. It has been determined by the FHWA (FHWA is acting as executive agent for FTA on plan and TIP air quality conformity determination) to conform, in accordance with the CAAA of 1990. There is no change in the design concept and scope of SH 161 as a result of the Mobility 2020. The Mobility 2020 does not affect the validity of the findings in the SFEIS. In conclusion, the proposed action conforms to all current Federal requirements regarding air quality.

G. CONCLUSION

State Highway 161 Alternative 2A includes the construction of a controlled-access freeway with four and six main lanes with three frontage road lanes on each side. The limits of the four lane freeway are from IH 20 to IH 30, and the limits of the six lane are from I 30 to SH 183. Based on the SFEIS and Section 4(f) evaluation, the selected alternative is 2A. This alternative is described in Volume I, Chapter IV of the SFEIS. It is also determined, based on the SFEIS and Section 4(f) evaluation, that there is no feasible and prudent alternative to the use of land from C. P. Waggoner Park required by Alternative 2A and the proposed action includes all possible planning to minimize harm to the C. P. Waggoner Park resulting from such use.

Peter A. Lombard
Director, Office of Planning and Program Development
Federal Highway Administration

4/7/97
Date

fin

TEXAS DEPARTMENT OF TRANSPORTATION – DALLAS DISTRICT

STATEMENT IN SUPPORT OF A 23 CFR 650.805 DETERMINATION FOR

BRIDGES NOT REQUIRING A U.S. COAST GUARD PERMIT

Name:	SH 161 Roadway Expansion Project
Route Numbers:	SH 161 between IH 20 and US 183
County:	Dallas County, Texas
CSJs:	2374-04-040, 054; 2964-01-004, 009, 010, 022, 024, 029, 030, 031; 1068-04-115, 129
Federal Project #:	NH, C 196-3-199, NH, BOR 2003(38), IMD 2002(40)
Existing Structures:	None (new roadway construction)
Proposed Structures:	Construction of mainlanes, interchanges, frontage roads, and bridges over non-navigable waters. Specifically, the mainlanes only will span the West Fork of the Trinity River with a standard Type IV bridge with 120-foot spacings.
Compiled By:	Jennifer Halstead, Senior Environmental Planner
Date:	October 11, 2004

1. Is the stream/river/lake/bay tidal at the location in question?
   No, the Trinity River is not tidal at the proposed bridge crossing.

2. If the stream/river/lake/bay is tidal at the location in question, is it used only by recreational boating, fishing, and other small vessels less than 21 feet in length?
   N/A

3. Please do surveys as necessary to determine size of vessels using the waterway.
   No vessels use the waterway.

4. If only small recreational and fishing boats are using the stream/river/lake/bay, is there significant nighttime use that would necessitate lighting?
   No recreational and/or fishing boats use the waterway.

5. Is there commercial navigation currently using the stream/river/lake/bay at the location in question for interstate or foreign commerce? Please consult with the Corps of Engineers and others as needed.
   There is no commercial navigation for interstate or foreign commerce currently using the Trinity River at the location in question.

6. Assuming the answer to Number 4 is no, is there a commercial navigation channel currently being maintained by the Corps or other governmental entity immediately downstream of the location in question? If yes, how far down stream?
   There is no commercial navigation channel currently being maintained by the Corps or other governmental entity immediately downstream of the location in question.

7. If a maintained commercial navigation channel exists downstream from the location in question, is there significant interest by major users of the channel in improving it upstream?
   A maintained commercial navigation channel does not exist downstream for the location in question, so there are no major users of the channel.

8. If a maintained commercial navigation channel exists downstream from the location in question, are there significant manmade obstacles [bridges or dams for example] between the upper end of the channel and the location in question?
   A maintained commercial navigation channel does not exist downstream from the location in question.

9. In your opinion, given the geomorphological nature of the river/stream, is establishing and maintaining a commercial navigation channel, further upstream from the location in question, a reasonable engineering possibility?
   Establishing and maintaining a commercial navigation channel further upstream from the location in question is not a reasonable engineering possibility due to the absence of commerce or docking facilities upstream.

10. In your opinion, is the stream/river/lake/bay at the location in question susceptible to commercial navigation by any reasonable improvement?
    The Trinity River at the location in question is not susceptible to commercial navigation by any reasonable improvement. In 1965 federal legislation was passed for the Trinity River Project, a package of flood-control and navigation projects that included a proposed barge canal from Dallas. However, environmental and other concerns caused voters in Texas to defeat the project in 1973, and the project has been completely abandoned.

CC: CRM 11/3/04

Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

September 15, 2004

SECTION 106: IDENTIFICATION OF HISTORIC PROPERTIES AND DETERMINATION OF EFFECTS
Dallas County
CSJ# 2964-01-029
SH 161: from IH 20 in Grand Prairie to SH 183 in Irving, Texas
(1997 ROD CSJ# 2964-01-013: SH 161 from IH 20 to SH 183)

Mr. Bob Brinkman
History Division
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Dear Mr. Brinkman:

In accordance with the Programmatic Agreement (PA) among TxDOT, FHWA, the Advisory Council on Historic Preservation and the THC, this letter *resumes* Section 106 consultation for the proposed undertaking. We hereby initiate coordination on the results of a historic structure survey of the project area to identify properties potentially eligible for listing in the National Register of Historic Places, and the effects of the proposed undertaking on those properties.

The federally funded undertaking will build a 10.8-mile north-south, four/six lane controlled access highway with three-lane frontage roads on new location in Dallas County, Texas. The four-lane facility extends from IH 20 to IH 30, while the six-lane highway stretches from IH 30 to SH 183. Based on current and proposed right-of-way (ROW) acquisition, the planned facility may extend to eight and ten lanes in width.

This project received a Record of Decision (ROD) from FHWA in 1997 under CSJ 2964-01-013. The project is now divided into several components. In May 2004, your agency reviewed CSJ 2964-01-024 comprising of an interchange to link SH 183 and the proposed SH 161 (see-attached copy of correspondence). Since the 1997 ROD, new right-of-way in the amount of 3.3 acres will need to be purchased for this undertaking.

As part of the re-evaluation process, TxDOT personnel has undertaken *another* cultural resources survey in accordance with the provisions of 36 CFR 800 to identify properties potentially eligible for listing in the National Register of Historic Places. The project area includes a mixture of urban commercial and residential development, as well as undeveloped woodlands. *Four hundred and seventy four properties 50 years of age or older are present within the area of potential effects, which for this project was determined to be 1,300 ft. beyond the proposed ROW* (see-attached maps and cultural resources survey). Please note that Sites # 1-5 in the attached survey should be deleted from consideration, as they were previously reviewed by THC under CSJ 2964-01-024.

I have evaluated these 474 properties through application of the Criteria of Eligibility for listing in the National Register of Historic Places, and I have determined that, except for Sites # 244, 245, 418, 438, and 444, the rest are **not eligible** for inclusion in the register, as the buildings do not have associations with significant historical figures or events. The structures represent common vernacular types that do not clearly reflect the distinctive characteristic of type, period, method of construction, work of a master or high artistic value. There is no collection of structures with an identifiable architectural style possessing integrity within the project area that may constitute a historic district. As shown in the photos of the survey report, most of the structures evidence numerous alterations to their original configuration and materials.

In regard to Site # 52, the Shady Grove Cemetery is **not eligible** to the register. It shows no significant planning, designed landscape features, or close association with figures of transcendent historical importance. Other pioneer family cemeteries in Dallas and adjacent counties better represent early settlement patterns in this area of the state. Attached please find supplemental information on the history of the cemetery.

The Micajah Goodwin Log Cabin, although designated as a Recorded Texas Historic Landmark, was moved to the Cottonwood Park in 1975 from its original site, and, as such, we determine it is **not eligible** to the National Register.

The **eligible** sites are as follows:

244, 401 16th Street, NW, Grand Prairie, c. 1915 (THC survey 1982), one story, rectangular plan house, **eligible** under Criterion C, Architecture, at the local level of significance.

245, 409 16th Street, NW, Grand Prairie, c. 1910 (THC survey 1982), 1 ½ story, rectangular plan house, **eligible** under Criterion C, Architecture, at the local level of significance.

418, 1826 Fort Worth Street, Grand Prairie, c. 1910 (THC survey 1982), one story, rectangular plan house, **eligible** under Criterion C, Architecture, at the local level of significance.

438, 1822 Dallas Street, W, Grand Prairie, c. 1910 (THC survey 1982), one story, ell plan house, **eligible** under Criterion C, Architecture, at the local level of significance.

444, 1502 Houston Street, Grand Prairie, c. 1915 (THC survey 1982), two-story, brick commercial building, **eligible** under Criterion C, Architecture, at the local level of significance.

The Criteria of Effect and the Criteria of Adverse Effect were applied to Sites # 244, 245, 418, 438, and 444, and I have determined that the proposed undertaking will have **no effect** on the historical associations for which these properties were found to be significant. Specifically, Sites # 244, and 245 are located approximately 400-500 ft. from the ROW. Sites # 418, 438 and 444 are located approximately 1,000 ft. from the ROW. As a result of these substantial distances from the proposed facility, the integrity of these sites will not be impaired, and they will still convey their significance as local examples of vernacular architecture. For your review, we include schematics showing the location of these sites in relation to the facility.

We request your written concurrence with these determinations of eligibility and effects within 30 days of receiving this letter. If you need further information, feel free to call me at 416-2770.

Sincerely,

Mario L. Sánchez, Ph.D., R.A.
Historical Architect
Environmental Affairs Division

Attachments

cc. Jennifer Halstead, HNTB

CONCUR

RUTH B'l

FOR: F. LAWERENCE OAKS,
STATE HISTORIC PRESERVATION OFFICER

3 NOV 2004

DATE