

Final Environmental Assessment

SL 288 Frontage Road Project, Dallas District

Project limits: From IH 35W to IH 35

CSJ Numbers: 2250-02-013, 2250-02-014

Denton County, Texas

August 2020

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.

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List of Abbreviations and Acronyms

AADT Annual Average Daily Traffic
ACM Asbestos-Containing Materials
ACT Antiquities Code of Texas
APE Area of Potential Effects
AOI Area of Influence

BMPs Best Management Practices
CEQ Council on Environmental Quality
CFR Code of Federal Regulations
CGP Construction General Permit
CMP Congestion Management Process

CO Carbon Monoxide CWA Clean Water Act

EA Environmental Assessment
EFH Essential Fish Habitat
EJ Environmental Justice

EMST Ecological Mapping Systems of Texas

EO Executive Order

EIS Environmental Impact Statement EPA Environmental Protection Agency

EPIC Environmental Permits, Issues, and Commitments

ESA Endangered Species Act
FAA Federal Aviation Administration

FEMA Federal Emergency Management Agency

FHWA Federal Highway Administration

FM Farm-to-Market Road

FONSI Finding of No Significant Impact
FPPA Farmland Protection Policy Act
FRSTX Facility Registry System Texas
FTA Federal Transit Administration
FWCA Fish and Wildlife Coordination Act

IBWC International Boundary Water Commission

IH Interstate Highway
ISA Initial Site Assessment
KCS Kansas City Southern
LCP Lead-Containing Paint
LEP Limited English Proficiency
MBTA Migratory Bird Treaty Act

MOU Memorandum of Understanding

MSA Magnuson-Stevens Fishery Conservation and Management Act

MSAT Mobile Source Air Toxics

MS4 Municipal Separate Storm Sewer System
MTP Metropolitan Transportation Plan
NAAQS National Ambient Air Quality Standards
NCTCOG North Central Texas Council of Governments
NEPA National Environmental Policy Act of 1969

NHD National Hydrography Dataset
NHPA National Historic Preservation Act

NOA Notice of Availability
NOI Notice of Intent
NOT Notice of Termination

NRCS Natural Resources Conservation Service
NRHP National Register of Historic Places

NWI National Wetlands Inventory

NWP Nationwide Permit

PA Programmatic Agreement
PCN Pre-construction Notification

PM Particulate Matter

PS&E Plans, Specifications, and Estimates

PSL Project Specific Locations

ROW Right-of-Way

RSA Resource Study Area

RTEST Rare, Threatened, Endangered Species of Texas

SAL State Antiquities Landmark SCS Soil Conservation Service

SGCN Species of Greatest Conservation Need SHPO State Historic Preservation Officer

SIP State Implementation Plan

SL State Loop

SW3P Storm Water Pollution Prevention Plan

TAC Texas Administrative Code

TCEQ Texas Commission on Environmental Quality

TCAP Texas Conservation Action Plan
TCMP Texas Coastal Management Plan
TERP Texas Emissions Reduction Plan
THC Texas Historical Commission

TIP Transportation Improvement Program TMA Transportation Management Area

TPDES Texas Pollutant Discharge Elimination System

TPWD Texas Parks and Wildlife Department

TSS Total Suspended Solids

TWDB Texas Water Development Board
TxDOT Texas Department of Transportation
TxDOT-ENV TxDOT Environmental Affairs Division
TxNDD Texas Natural Diversity Database

US United States Highway

USACE United States Army Corps of Engineers

U.S.C. United States Code

USCG United States Coast Guard

USFWS United States Fish and Wildlife Service USGS United States Geological Survey

VPD Vehicles Per Day

1.0 INTRODUCTION

- 2 The Texas Department of Transportation (TxDOT), in conjunction with Denton County, is proposing
- 3 the construction of a four-lane new location frontage road system for State Loop (SL) 288 from
- 4 Interstate Highway (IH) 35W south of Denton to IH 35 north of Denton, in Denton County, Texas.
- 5 The distance of the proposed project is approximately 9.0 miles. The proposed project right-of-way
- 6 (ROW) would include a median that would accommodate the future construction of an ultimate
- 7 mainlane facility. Construction of the ultimate mainlane facility would be based on projected traffic
- 8 and funding and would require additional environmental analysis prior to construction. Appendix A
- 9 shows the project location in relation to the city of Denton. Appendix B contains photographs of the
- 10 project area.

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- 12 The purpose of this environmental assessment (EA) is to study the potential environmental
- consequences of the proposed project and determine whether such consequences warrant
- preparation of an Environmental Impact Statement (EIS). Because the proposed project would be
- 15 funded in part by the Federal Highway Administration (FHWA), this EA complies with FHWA's
- National Environmental Policy Act (NEPA) regulations as well as relevant TxDOT rules for
- 17 environmental review of projects and guidance for conducting NEPA studies on behalf of FHWA. 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. Code (27
- and a Memorandum of Understanding (MOU) dated December 9, 2019, and executed by FHWA and
- 21 TxDOT.

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- 23 A public hearing was held on July 9, 2020, to present the findings of this EA and the proposed
- design to the public, and to receive public comments. In recognition of the COVID-19 pandemic, the
- public hearing for this project was held virtually, with an in-person option held on July 13, 2020.
- 26 Written comments were solicited through the public notice and public hearing process. All
- 27 comments received have been thoroughly considered by TxDOT.

- 29 Based on information contained in this EA and any comments submitted during the public hearing
- 30 comment period, TxDOT has determined that environmental effects are not sufficiently substantial
- 31 to warrant preparation of an EIS. TxDOT has determined that there are no significant adverse
- 32 effects and will therefore prepare and sign a Finding of No Significant Impact (FONSI), which will be
- made available to the public.

2.0 PROJECT DESCRIPTION

2 2.1 Existing Facility

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- 3 The existing SL 288 begins at IH 35 north of Denton and extends east then south to connect to
- 4 IH 35E on the south side of Denton. SL 288 currently does not exist west of IH 35 where the
- 5 proposed project area is located.

6 2.2 Proposed Facility

- 7 The new location SL 288 frontage road system would include a northbound and southbound
- 8 frontage road facility. For rural areas, the facility would consist of two travel lanes (one 12-foot wide
- 9 lane and one 14-foot wide lane for bicycle accommodation) and 8-foot wide inside and outside
- shoulders in each direction, with open ditch drainage. For urbanized areas, the facility would
- 11 consist of two travel lanes (one 12-foot wide lane and one 14-foot wide lane for bicycle
- accommodation) in each direction, with curb and gutter drainage. The facility would also include
- 13 6-foot wide sidewalks along both sides of the road throughout the project limits. The proposed
- project ROW would include a median (variable width) that would accommodate the future
- 15 construction of an ultimate mainlane facility.
- 17 The proposed project would also construct intersections at six (6) major cross roads as follow: John
- Paine, Farm-to-Market Road (FM) 2449, Tom Cole/FM 1515, Jim Christal Road, United States
- 19 Highway (US) 380, and Masch Branch Road. In addition, the proposed project would construct a
- 20 grade separation at the Kansas City Southern (KCS) Railroad and would tie into the grade
- 21 separations at IH 35 and IH 35W. A schematic (plan view) of the proposed improvements is
- included in **Appendix C** and proposed typical sections are included in **Appendix D**.

The proposed SL 288 project (frontage road system) would likely be constructed in two phases based on traffic needs and project funding. A logical sequence for staging the various elements for construction of the new location frontage road system could be as follows:

- Phase 1 would construct a single two-lane, two-way frontage road, and would also acquire
 the proposed ROW to accommodate the frontage roads and the future ultimate mainlane
 facility.
- As traffic warrants and funding becomes available, Phase 2 would involve the construction
 of the two-lane frontage road, which would include the conversion of the two-way frontage
 road built in Phase 1 to a one-way operation, and the construction of grade separations at
 specific high-volume intersections.

 Phase 3 (a separate project) would involve the construction of the ultimate mainlane facility in both directions. Construction of the ultimate mainlane facility would be based on projected traffic and funding and would require additional environmental analysis prior to construction.

The project area includes approximately 26.6 acres of existing roadway ROW, 401.5 acres of proposed ROW, 1.2 acres of proposed permanent drainage easements, and 13.2 acres of proposed ROW by others.

Federal regulations [23 Code of Federal Regulations (CFR) 771.111(f)(1)] require that federally funded transportation projects have logical termini. Simply stated, this means that a project must have rational beginning and ending points. Those points may not be created simply to avoid proper analysis of environmental impacts. The southern limit of the proposed SL 288 project is IH 35W southwest of Denton. The northern limit of the proposed project is IH 35 northwest of Denton. These begin and end points were chosen as logical termini as they provide connectivity to the existing SL 288 facility (at the northern terminus) and a major interstate highway.

Federal regulations [23 CFR 771.111(f)(2)] require that a project have independent utility and be a reasonable expenditure even if no other transportation improvements are made in the area. This means a project must be able to provide benefit by itself, and that the project not compel further expenditures to make the project useful. Stated another way, a project must be able to satisfy its purpose and need with no other project being built. As proposed, the SL 288 project addresses specific transportation needs identified within the project limits. Specifically, the proposed project would improve mobility and safety when compared to existing conditions. The mobility and safety benefits of the proposed SL 288 project stand alone. Realization of these benefits is not dependent upon other projects/future actions; thus, the proposed project passes the test of independent utility. Further, because the project would stand alone and is not dependent upon other (future) improvements to properly function, it would not compel further expenditure of funds. For this reason, it cannot and does not irretrievably commit future federal funds.

Federal law [23 CFR 771.111(f)(3)] prohibits a project from restricting consideration of alternatives for other reasonably foreseeable transportation improvements. This means that a project must not dictate or restrict any future roadway alternatives. As proposed, the SL 288 project would in no way limit consideration of improvements, or alternatives for construction of such improvements. For this reason, the proposed project does not foreclose consideration of alternatives for other reasonably foreseeable transportation improvements.

The estimated cost of the proposed SL 288 project is \$173.1 million. The project would be financed with a combination of local, state and federal financing. The proposed project is included in the fiscally-constrained Metropolitan Transportation Plan (MTP) and the 2019–2022 Transportation

- 1 Improvement Program (TIP), as amended. A copy of the applicable pages from the MTP and TIP are
- 2 included in **Appendix E**.

3.0 PURPOSE AND NEED

2 **3.1 Need**

- 3 The project is needed to address local policies and because population growth in the region has
- 4 created congestion, reduced mobility, and safety issues along IH 35W and IH 35 through Denton.

5 3.2 Supporting Facts and/or Data

6 Congestion and Mobility

- 7 IH 35W and IH 35 through Denton is a heavily traveled interstate highway that serves as a primary
- 8 route for both local trips within Denton and commuters traveling through Denton. These roadways
- 9 can become highly congested during peak volume hours, which can lead to gridlock conditions if
- 10 there is an incident.

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12 Population Growth

- 13 The North Central Texas Council of Government's (NCTCOG) 2045 MTP indicates that strong
- population growth is anticipated for Denton County and the north central Texas region as a whole.
- According to the U.S. Census Bureau, the population of Denton County and the city of Denton grew
- by approximately 195 percent and 102 percent, respectively, between 1990 and 2018. According
- to population projections from the Texas Water Development Board (TWDB), continued significant
- growth is anticipated in the project area. The population of Denton County and the city of Denton
- are expected to grow by approximately 96 percent and 142 percent, respectively, between 2018
- and 2050. Population growth in the area is shown in **Table 3-1** below.

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Table 3-1: Population Growth

	Popu	lation	Percent Change	Projected	Percent Change	
	1990	2018	from 1990-	Population in	from 2018-	
	1990	2010	2018	2050	2050	
Denton County	273,525	807,047	195%	1,584,015	96%	
City of Denton	66,270	133,661	102%	322,996	142%	

Source: U.S. Decennial Census; American Community Survey 5-Year Estimates, Table S0101, "Age and Sex"; Texas Water Development Board, 2021 Regional Water Plan – Population Projects for 2020-2070.

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Traffic Volumes

- 27 As the population increases, so does the volume of traffic on the local roadway network. The
- 28 roadway congestion on existing rural and urban arterials is likely to increase with future growth in
- 29 population. The anticipated growth of residential developments, industrial/commercial uses, and
- 30 freight activity in western Denton would put pressure on the existing roadway network. Table 3-2
- 31 shows 2018 and projected 2038 annual average daily traffic (AADT) for IH 35W and IH 35, as
- 32 provided by TxDOT's Statewide Planning Map. The date reports a 40 percent increase in traffic over
- 33 the 20-year period.

Table 3-2: Annual Average Daily Traffic along IH 35W and IH 35

Limits	2018 AADT	2038 AADT
IH 35W: FM 2449 to IH 35	54,249	75,949
IH 35: IH 35W to US 280	103,210	144,494
IH 35: US 380 to Existing SL 288	90,665	126,931

3 Safety

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Table 3-3 shows reported vehicle crash data from 2016–2018 for IH 35W and IH 35 between the termini of the proposed SL 288 project. Portions of IH 35W and IH 35 within these limits would be considered urban interstate sections while other sections would be considered rural. Therefore, the statewide average crash rates for both urban and rural interstates are shown for comparison purposes. When compared to the statewide average for rural interstates, the rate of collisions along these sections of IH 35W and IH 35 is consistently high. When compared to the statewide average for urban interstates, the rate of collisions along these sections of IH 35W and IH 35 is below average for 2016 and 2017, but above average for 2018.

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Table 3-3: Vehicle Crash Data for IH 35W and IH 35

Our le Verre	Total Crashes	IH 35W/IH 35	Statewide Average Crash Rate		
Crash Year	Total Crashes	Crash Rate	Rural Interstate	Urban Interstate	
2016	226	122.73	52.77	150.96	
2017	252	136.85	53.90	146.40	
2018	332	180.29	62.08	144.32	

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Local Planning Consistency

- 16 The City of Denton's comprehensive plan, Denton Plan 2030, has identified the construction of the
- 17 SL 288 extension as part of the region's needed transportation improvements (City of Denton,
- 18 2015a). The City of Denton 2015 Mobility Plan also includes the proposed extension of SL 288 as a
- transportation need (City of Denton, 2015b).

20 **3.3 Purpose**

- 21 The purpose of the proposed project is to address local policies, improve mobility, accommodate
- future traffic demand, and improve safety in and around the west side of Denton.

4.0 ALTERNATIVES

2 4.1 Build Alternative

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- The Build Alternative, described in **Section 2.2**, satisfies the project purpose and need. The
- 4 extension of SL 288 would improve mobility and safety by providing an alternate north/south route
- for traffic around Denton, thereby reducing congestion and crashes on IH 35W and IH 35 between
- 6 the proposed project termini. The proposed project would also address local policies by improving
- 7 the overall function of the transportation system in the greater Denton area. Because the Build
- 8 Alternative satisfies the project's purpose and need, it is the recommended alternative.

4.2 No Build Alternative

- 10 Under the No Build Alternative, the proposed improvements to SL 288 would not be constructed.
- 11 The No Build Alternative would not require the conversion of approximately 414.7 acres from
- existing land uses to transportation use (ROW) nor would other project-related impacts occur. The
- No Build Alternative would not increase mobility and safety in and around the west side of Denton.
- 14 Consequently, the anticipated benefits of the proposed project would not be realized and continued
- population growth and development in the area would occur, leading to reduced mobility and safety
- in the area. For this reason, the No Build Alternative does not meet the purpose and need for the
- proposed improvements (described in **Section 3.0**) and is not the recommended alternative.
- 19 Although the No Build Alternative fails to meet the project's purpose and need and is not the
- 20 recommended alternative, it was carried forward (per the requirements of NEPA) as the baseline for
- 21 comparison. The No Build Alternative is evaluated in this EA along with the Build Alternative.

4.3 Preliminary Alternatives Considered but Eliminated from Further Consideration

- 23 A total of six preliminary build alternatives were developed for this project Alternative 1, Alternative
- 24 2, Alternative 3A, Alternative 3B, Alternative 4A, and Alternative 4B. All six alternatives had a
- 25 northern terminus at the intersection of IH 35 and existing SL 288. Four of the alternatives had a
- southern terminus at the intersection of IH 35W and FM 2449 and two terminated at the
- 27 intersection of IH 35W and John Paine Road. The six preliminary build alternatives were presented
- at a public meeting held on May 12, 2005. Based on comments received at the public meeting,
- 29 and after additional evaluation, it was decided that none of the preliminary alternatives would be
- 30 carried forward for further analysis. However, different parts of several of the preliminary
- 31 alternatives were compiled and refined to create two primary build alternatives that best met the
- 32 purpose and need of the project.

The six preliminary build alternatives considered, and the reasons for their elimination from further consideration, are detailed below:

1 Alternative 1

- 2 Alternative 1 extended west from the existing northernmost segment of existing SL 288 at IH 35
- 3 past the KCS Railroad and then turned south. It traversed US 380, Jim Christal Road, Tom Cole
- 4 Road, and Hickory Creek before turning east. It ran parallel to approximately 0.7 mile of FM 2449
- and terminated at IH 35W. Alternative 1 was eliminated from further consideration due to the
- 6 impacts to the 8.5-acre Soil Conservation Service (SCS) Site 13 Reservoir north of FM 2449.

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Alternative 2

- 9 Alternative 2 was very similar to Alternative 1 except in the areas around US 380, Dry Fork Hickory
- 10 Creek, and Tom Cole Road. It followed Alternative 1 from IH 35 to Lovers Lane, at which point it
- headed in a southwest direction instead of due south. It traversed US 380 and Dry Fork Hickory
- 12 Creek before turning southeast near Jim Christal Road. It continued southeast until it converged
- with the west side of Alternative 1 near Tom Cole Road. At this point, it followed along the west side
- of Alternative 1 until it turned to the southeast at the SCS Site 13 Reservoir, at which point it
- followed Alternative 1 to the terminus with IH 35W. Alternative 2 was also eliminated from further
- 16 consideration due to the impacts to the SCS Site 13 Reservoir.

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Alternative 3A

- 19 Alternative 3A extended west from existing SL 288 at IH 35, past the KCS Railroad and Lovers
- 20 Lane. This alternative turned south and ran parallel to the west side of Masch Branch Road and
- 21 Darby Smith Road, traversing US 380, Jim Christal Road, and Tom Cole Road. The alignment
- turned eastward north of FM 2449, crossed over to the south side of FM 2449, and terminated at
- the intersection of IH 35W and FM 2449. This alternative crossed a meandering section of Dry Fork
- 24 Hickory Creek in the vicinity of Jim Christal Road. Approximately 0.6 stream miles of Dry Fork
- 25 Hickory Creek were located within the Alternative 3A alignment. Due to the meandering nature of
- the stream, either a very long, costly bridge would have been necessary to span it or segments of
- 27 the stream would have needed to be channelized. Alternative 3A was eliminated from further
- 28 consideration due to bridge cost constraints or due to impacts to Dry Fork Hickory Creek, which
- 29 would likely have resulted in a Section 404 Individual Permit.

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Alternative 3B

- 32 Alternative 3B followed Alternative 3A to a point north of FM 2449. Alternative 3B then traversed
- 33 FM 2449 and turned to the southeast to terminate at the intersection of IH 35W and John Paine
- Road. This alternative also crossed the meandering section of Dry Fork Hickory Creek. Alternative
- 35 3B was eliminated from further consideration for the same reasons Alternative 3A was eliminated.

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Alternative 4A

- 38 Alternative 4A extended west from existing SL 288 at IH 35, past the KCS Railroad, Lovers Lane,
- 39 and Masch Branch Road before turning south to run parallel to the west side of Alternatives 3A and
- 40 3B. The route extended straight south past US 380, turned to the west in the vicinity of Jim Christal
- Road to avoid impacts to a large electrical substation, and turned back to the east to run parallel to

- 1 Alternative 3A and 3B, approximately 200 feet to the west. North of FM 2449, Alternative 4A turned
- east and terminated at the intersection of IH 35W and FM 2449. Due to the meandering nature of
- 3 Hickory Creek within the corridor of Alternative 4A, there were five crossings of the creek and
- 4 impacts to approximately 34.7 acres of riparian woodlands and 41.5 acres of Federal Emergency
- 5 Management Agency (FEMA) 100-year floodplain. Alternative 4A was eliminated from further
- 6 consideration due to bridge cost constraints or due to impacts to Hickory Creek and its riparian
- 7 corridor and floodplain.

Alternative 4B

- Alternative 4B followed Alternative 4A to a point north of FM 2449 where it proceeded straight
- south instead of turning to the east to terminate at IH 35W/FM 2449. The alignment then
- traversed FM 2449 and turned to the southeast to terminate at the intersection of IH 35W and
- 13 John Paine Road. Alternative 4B resulted in the same considerations at Hickory Creek as
- Alternative 4A. Additionally, it would have impacted a 2.3-acre pond that is potentially jurisdictional.
- 15 Alternative 4B was eliminated from further consideration for the same reasons Alternative 4A was
- 16 eliminated.

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- 18 As previously mentioned, different parts of several of the preliminary build alternatives were
- 19 compiled and refined to create two primary build alternatives: Alternatives A and B. These two
- 20 alternatives avoided previously known environmental and/or engineering constraints associated
- 21 with the six preliminary build alternatives. Desktop review and field work were completed in order to
- 22 identify and evaluate environmental constraints associated with each of the primary build
- 23 alternatives. Major environmental constraints considered in the evaluation include residential and
- 24 commercial displacements, impacts to oil/gas wells, cemeteries, community facilities, threatened
- and endangered species habitat, jurisdictional waters of the U.S., 100-year floodplains, and cultural
 - resources (including archeological sites and historic properties).

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The two primary build alternatives are described below, along with their associated environmental

29 constraints, which are summarized in **Table 4-1**.

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Alternative A

- 32 Alternative A extended west from existing SL 288 at IH 35 for approximately 0.6 mile. To avoid
- impacting a pond between the KCS Railroad and IH 35, this alternative turned north to go around it.
- 34 It traversed the KCS Railroad and headed south-southwest past Lovers Lane and Masch Branch
- Road. The route extended south and traversed US 380. Jim Christal Road, and Tom Cole Road. It
- then shifted to the west slightly to avoid taking additional ROW from the Denton Municipal Airport. It
- 37 continued south over Hickory Creek and eventually turned eastward north of FM 2449. This
- 38 alternative terminated at the intersection of IH 35W and FM 2449.

- 40 Alternative A would have required approximately 414 acres of proposed ROW, resulting in the
- 41 displacement of one business and six residences. Alternative A would have affected 14 stream

crossings, three oil/gas wells, and approximately 23 acres of floodplains. No cemeteries, public facilities, historic-aged properties, or Section 4(f) properties would have been affected.

Alternative B

Alternative B followed the same course as Alternative A to a point just west of Lovers Lane, where it diverged to the west. It proceeded south-southwest past US 380 and Dry Fork Hickory Creek and turned south-southeast in the vicinity of Jim Christal Road. It converged with Alternative A at Tom Cole Road and followed it south of Hickory Creek. At the location Alternative A turned eastward near FM 2449, Alternative B continued southward, crossed Roark Branch, turned southeastward and terminated east of IH 35W on Allred Road.

 Alternative B would have required approximately 442 acres of proposed ROW, resulting in the displacement of one business and two residences. Alternative B would have affected 11 stream crossings, two oil/gas wells, and approximately 29 acres of floodplains. No cemeteries, public facilities, historic-aged properties, or Section 4(f) properties would have been affected.

Table 4-1: Environmental Constraints for the Primary Alternatives

Constraint	Alternative A	Alternative B
Right-of-way (acres)	414	442
Known Occurrences of Threatened & Endangered Species	0	0
Stream Crossings (number)	14	11
Water of U.S. crossings within ROW (linear feet)	7,796	6,826
Floodplains within ROW (acres)	23	29
Oil/Gas wells (number)	3	2
Residential Displacements	6	1
Commercial Displacements	1	1
Sensitive Noise Receivers (within 100 feet of ROW)	8	2
Community Facilities Displaced (number)	0	0
Cemeteries Affected (number)	0	0
Effects on Community Cohesion (high, med., low)	Low	Low
Hazardous Materials Sites Identified (number)	0	0
Section 4(f) Sites Identified (number)	0	0
Documented Archeological Sites (number)	0	0
Probability of Archeological Sites within ROW (high, med., low)	High	High
NRHP Properties (Non-archeological) within APE (number)	0	0

- 1 Following the evaluation of the two primary build alternatives, it was decided to carry Alternative A
- 2 forward for further evaluation and eliminate Alternative B from further consideration. Additional
- 3 alignment shifts were incorporated into Alternative A to avoid oil/gas wells and a residential
- 4 displacement. The modified Alternative A was carried forward as the Build Alternative for further
- 5 consideration in this EA.

5.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

In support of this EA, the following technical reports were prepared:

- Scope Development Tool
- Community Impacts Assessment Technical Report Form
- Archeological Survey Report
- Historic Resources Survey Report
- Water Resources Technical Report
- Species Analysis Spreadsheet and Tier I Site Assessment Form
- Air Quality Technical Report
 - Hazardous Materials Initial Site Assessment (ISA)
- Traffic Noise Technical Report
 - Indirect Impacts Technical Report
 - Cumulative Impacts Technical Report
- Public Meeting Summary
 - Public Hearing Summary

These technical reports and forms are incorporated by reference in this EA. Copies of the technical reports are on file and available for review at the TxDOT-Dallas District, 4777 E. Hwy 80, Mesquite, TX, 75150-6643.

For purposes of environmental study, project-related effects are categorized as direct, indirect and cumulative. Direct effects are defined as those impacts which are caused by the action and occur at the same time and place. Indirect effects, while being reasonably foreseeable, are also caused by the action, but occur later in time or are farther removed in distance. Encroachment-alteration effects are a type of indirect impact, removed from the proposed project in both time and distance, and defined as those impacts that alter the behavior and function of the physical environment. Other indirect effects pertain primarily to induced growth. Cumulative effects result from the incremental impacts of an action when considered together with other past, present and reasonably foreseeable future actions regardless of who takes the other actions. This section (Section 5.0) addresses direct, indirect (encroachment-alteration and induced growth) and

cumulative effects that would result from the proposed SL 288 project.

5.1 Right-Of-Way/Displacements

<u>Build Alternative:</u> The Build Alternative would require the acquisition of approximately 401.5 acres of new (additional) ROW, none of which has been previously acquired through early acquisition. The additional ROW would be necessary to accommodate the ultimate facility, including proposed pavement width, side slope grading, existing terrain, cross drainage structures, utilities, and to maintain property access. The additional ROW would be acquired from 44 parcels.

- 1 The additional ROW would result in the displacement of five single-family residences (two of which
- are located on the same parcel) and one commercial property, JHR Construction, Inc. (see the
- 3 Resource-specific Maps in Appendix F).

- 5 All ROW acquisition would be completed in accordance with the Uniform Relocation Assistance and
- 6 Real Property Acquisition Policies Act of 1979, as amended.

7

- 8 No Build Alternative: Under the No Build Alternative, no project-related ROW would be acquired;
- 9 thus, no project-related displacements would occur.

10 **5.2 Land Use**

- 11 The project is located in a developing area west of IH 35 in west Denton. Land use in the project
- area is predominantly agricultural and open space. Rural residential properties and commercial
- developments are located in the northern portion of the project area near US 380 and Lovers Lane.
- 14 Denton Municipal Airport is located to the east of the proposed alignment south of Jim Christal
- 15 Road.

16

- 17 <u>Build Alternative</u>: It is expected that the proposed SL 288 roadway and associated benefits could
- increase development, particularly commercial developments, adjacent to the proposed roadway.
- 19 Land use on the acquired parcels would change from agricultural, residential, open space, or
- 20 commercial to transportation use.

21

- 22 No Build Alternative: Under the No Build Alternative, the additional ROW would not be obtained and
- there would be no project-related land use impacts.

24 **5.3 Farmlands**

- 25 The Farmland Protection Policy Act (FPPA) seeks to preserve the agricultural use of soils that are
- 26 particularly productive. The Natural Resources Conservation Service (NRCS) implements the FPPA
- 27 through regulations and by classifying soil series in terms of suitability for farming. According to
- NRCS, approximately 396.8 acres of areas classified as prime farmland are included within the
- 29 project area.

30

- 31 Build Alternative: In compliance with FPPA regulations, the project area was evaluated using the
- 32 Farmland Conversion Impact Rating Form for Corridor Type Projects (NRCS-CPA-106) for the
- proposed 415.9 acres of new ROW/easements. The total corridor assessment of impacts totaled
- 34 56 points, which is below the 60-point threshold that requires further consideration for protection
- of farmland. Based on the results of the farmland analysis and scoring, no further consideration for
- 36 the protection of farmland is required by FPPA regulations.

- 1 No Build Alternative: Under the No Build Alternative, no transportation-related impacts to prime
- 2 farmland would occur. Undeveloped lands currently used for agriculture would likely continue to be
- 3 used for crop production or pasture unless the property owner pursues urban site development.

4 5.4 Utility Relocation

- 5 Build Alternative: It is reasonably foreseeable that utilities would have to be relocated as a result of
- 6 this project. The impacts resulting from removal of any utilities from within existing highway ROW
- 7 have been considered as part of the project impacts under each of the resource area subheadings
- 8 within this EA. Additionally, if utilities would be re-located within highway ROW, then the impacts
- 9 resulting from re-installation of the utilities within highway ROW has also been considered as part of
- 10 the project impacts under each of the resource area subheadings within this EA. To the extent that
- the owner of any displaced utility determines to re-install the displaced utility at a location outside
- of highway ROW, such location would be determined by the owner of the utility subject to the rules
- and policies governing the utility relocation process.

No Build Alternative: Under the No Build Alternative, there would be no project-related impacts to

16 utilities.

17 5.5 Bicycle and Pedestrian Facilities

- 18 <u>Build Alternative</u>: Sidewalks currently cross the proposed project area along both directions of
- 19 US 380. Other sidewalks in the vicinity of the project area are located along Mesa Drive, in and
- 20 near residential areas, and in and around the industrial area along Airport Road, Corbin Road, and
- 21 Dakota Lane. Designated bike lanes do not currently exist in or around the project area.

22

14

- 23 The proposed project would not impact existing bicycle and pedestrian accommodations. While the
- 24 sidewalks along US 380 would be modified to accommodate the proposed signalized intersection
- with SL 288, access across the intersection would be maintained. The proposed project would add
- 26 6-foot wide sidewalks along both sides of the road throughout the project limits for pedestrian
- accommodations. For bicyclists, the proposed facility would include a 14-foot wide outside lane in
- 28 both the rural and urban sections.

29

32

- 30 No Build Alternative: Under the No Build Alternative, there would be no project-related impacts and
- 31 improvements to bicycle/pedestrian facilities would not occur.

5.6 Community Impacts

- 33 The proposed project is partially within the western city limits of Denton, Texas and within
- unincorporated areas of Denton County. The study area for the community impact assessment also
- 35 intersects with portions of the city of Krum to the northwest and is adjacent to the city limits of
- 36 Ponder to the southwest. Sixteen community facilities were identified within the study area and

consist of six educational facilities, three medical/emergency facilities, two military facilities, one bus station, one place of worship, one fire station, an airport, and a cultural/fine arts facility.

There are 15 predominately minority Census blocks within the study area. These populations are therefore considered environmental justice (EJ) populations. No Census blocks in the study area have a median income below the Department of Health and Human Services poverty level. Potential direct impacts to the EJ populations were analyzed to ensure these groups would not be adversely or disproportionately affected by the Build Alternative.

Socioeconomic and demographic information about the affected communities is found in the **Community Impact Assessment Technical Report Form**, available for review at the TxDOT Dallas District office.

<u>Build Alternative</u>: Potential displacements that would occur as a result of the proposed project consist of five single-family residences (two of which are on the same property), one business, two barns and a shed. The residential displacements would have an impact as comparable housing does not exist within the vicinity of the project area near the existing housing. The commercial and other displacements would not have an impact on the community as a whole. Proposed ROW acquisition would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Substantial impacts to the community are not anticipated as a result of the proposed displacements.

With the exception of commercial and industrial development along IH 35 to the east, development is scattered throughout the study area and large parcels currently divide the community, which is not cohesive. The proposed roadway would cut off the southern and northern portions of Lovers Lane Road from one another and would have an adverse impact on the community along that road. However, the overall impacts to community cohesion as a result of the proposed project would be beneficial as there would be more direct access between the southern and northern portions of the study area as a result of the proposed roadway.

The proposed project would bisect some local roads, resulting in reduced access for those travelers. At those locations, drivers would need to turn right onto the SL 288 frontage road, drive to an interchange area, and make a U-turn to reach their destination road. The proposed project would also completely cut off access to some local roads and private driveways such as at Hickory Creek (south of Tom Cole Road), the driveway to an oil well off of Tom Cole Road north of Rafes Urban Astronomy Center, Lovers Lane Road, and the gravel road that travels parallel to the railroad in the northern portion of the study area. Travelers to these properties would need to find an alternative route. Overall, however, the proposed project would improve access and mobility for all modes of travel because there would be more direct access between the southern and northern potions of the study area. The proposed project would provide travelers with more direct access to areas west of Denton without the need to travel east to IH 35 or west to FM 156 to travel north or

south. Pedestrians and bicyclists would also be able to travel more easily and safely and be able to access adjacent parcels with the addition of 6-foot wide sidewalks and 14-foot wide shared outside lanes along the proposed roadway.

The proposed project would not disproportionately and adversely affect minority populations within the study area. While the proposed project could impact access and community cohesion along Lovers Lane, the impact would occur to minority EJ and non-minority populations along the roadway the same. One of the five residential displacements and the commercial displacement would occur in a minority EJ block. The business, JHR Construction, Inc., and the residence are located on the same property. Impacts to this parcel was unavoidable to reduce the total number of displacements. Additionally, the displaced business does not serve a specific population or ethnic group. There are no low-income EJ geographies in the study area. The mobility of the entire community and access along the entire corridor is anticipated to increase as a result of the proposed project.

Information about project displacements, access/travel pattern modifications, and EJ populations is found in the **Community Impact Assessment Technical Report Form**, available for review at the TxDOT Dallas District office.

Executive Order (EO) 13166, "Improving Access to Services for Persons with Limited English Proficiency," requires federal agencies to examine the services they provide, identify any need for services to those with Limited English Proficiency (LEP), and develop and implement a system to provide those services so that LEP persons can have meaningful access to them. Based on data from the 2017 American Community Survey, block groups located within the study area have an LEP population ranging from approximately one to eight percent. The study area as a whole has an LEP population of approximately ten percent. Spanish speakers make up the largest portion of the LEP population with 6.5 percent. Other LEP populations are Asian and Pacific Islander (1.4 percent), Other (1.1 percent), and Indo-European (0.9 percent).

To comply with EO 13166 and to ensure full and fair public participation for the proposed project, newspaper advertisements for the public meeting held in March 2019 and the public hearing held in July 2020 were published in Spanish in the Spanish language newspaper, *Al Dia*. Comment forms were also made available in English and Spanish, and a project team member was available at the public meeting and public hearing to accommodate the communication needs of individuals speaking Spanish. No requests for assistance in another language other than English were requested.

<u>No Build Alternative</u>: Under the No Build Alternative, there would be no project-related impacts to communities and displacements would not occur. The communities in the project area would continue to increase in population and traffic which, in turn, would result in reduced mobility in the project area and region. Additionally, no SL 288 project-related impacts to minority or low-income

- 1 populations would occur under the No Build Alternative as the proposed project would not be
- 2 constructed.

3 5.7 Visual/Aesthetic Impacts

- 4 The project is located within a growing suburban area west of Denton. The majority of the project
- 5 corridor is vacant pasture or agricultural land with oil/gas wells in the vicinity. Partial interchanges
- 6 are located at SL 288/IH 35 and FM 2449/IH 35W.

7

- 8 Build Alternative: The project is a new location roadway, so the addition of the SL 288 roadway
- 9 would be a visual impact in the project area. The proposed project would also construct
- intersections at six (6) major cross roads as follow: John Paine, FM 2449, Tom Cole/FM 1515, Jim
- 11 Christal Road, US 380, and Masch Branch Road. In addition, the proposed project would construct
- a grade separation at the KCS Railroad. This grade separation is located approximately 0.5 mile
- from the nearest development and would not significantly impact sight lines from adjacent
- 14 properties.

15

- 16 No Build Alternative: The No Build Alternative would not result in SL 288 project-related visual
- impacts along the corridor as the proposed improvements would not be constructed.

18 **5.8 Cultural Resources**

- 19 Cultural resources are structures, buildings, archeological sites, districts (a collection of related
- 20 structures, buildings, and/or archeological sites), cemeteries, and objects. Both federal and state
- 21 laws require consideration of cultural resources during project planning. At the federal level, NEPA
- and the National Historic Preservation Act (NHPA) of 1966, among others, apply to transportation
- 23 projects such as this one. In addition, state laws such as the Antiquities Code of Texas (ACT) apply
- to these projects. Compliance with these laws often requires consultation with the Texas Historical
- 25 Commission (THC)/Texas State Historic Preservation Officer (SHPO) and/or federally recognized
- 26 tribes to determine the project's effects on cultural resources. The evaluation of impacts to cultural
- 27 resources has been conducted under Section 106 of the NHPA in accordance with the
- 28 Programmatic Agreement (PA) among the FHWA, TxDOT, the SHPO and the Advisory Council on
- 29 Historic Preservation Regarding the Implementation of Transportation Undertakings. Review and
- 30 coordination of this project followed approved procedures for compliance with federal and state
- 31 laws.

32

5.8.1 Archeology

- 33 An intensive pedestrian survey was conducted for the project in the moderate to high probability
- 34 areas that have avoided significant ground disturbances identified within the Area of Potential
- 35 Effects (APE). The purpose of the archeological survey was to ensure compliance with Section 106
- of the NHPA, as amended, and the ACT. An inventory of archeological resources (as defined by CFR,

- 1 Title 36, Section 800.4 [36 CFR 800.4]) was conducted within the proposed project area to identify
- 2 and evaluate any identified resources for their eligibility for inclusion in the National Register of
- 3 Historic Places (NRHP), as per Section 106 (36 CFR Part 800), or for designation as State
- 4 Antiquities Landmarks (SAL) under the ACT and Texas Administrative Code (TAC), Title 13, Chapter
- 5 26 (13 TAC 26).

10

- 7 <u>Build Alternative</u>: The intensive archeological survey included shovel testing and backhoe trenching
- 8 under Texas Antiquities Permit Number 5660. Project archeologists conducted an intensive
- 9 archeological survey of the project area from June 11 to June 17, 2010, to identify possible cultural
 - resources within the APE. The project area was subject to 100 percent pedestrian survey wherever
- access to public and private properties was available. Survey included visual inspection of the
- landscape, 152 shovel excavations, and excavation of eight backhoe trenches. No archeological
- sites were identified within the APE, and no artifacts were collected as this was a non-collection
- survey. No archeological resources were identified that meet eligibility requirements for designation
- as a SAL according to 13 TAC 26, or for listing in the NRHP under 36 CFR 60.4. The SHPO approved
- the draft report on April 9, 2015 and TxDOT Environmental Affairs Division (TxDOT-ENV) cleared the
- project for archeology on July 17, 2019 (see Appendix G). The Archeological Background Study
- 18 Report, Antiquities Permit Application for Archeology, THC Permit, and Archeological Survey Report
- 19 prepared for the proposed project are available at the TxDOT Dallas District office.

20 21

- Coordination with federally recognized Native American tribes was conducted through the bulk
- 22 project early coordination process. No response was received from the federally recognized Native
- 23 American tribes. The coordination letters are included in **Appendix G**.

24

- 25 In the event that cultural resources are encountered during construction, TxDOT would immediately
- 26 initiate cultural resource discovery procedures. All work in the vicinity of the discovery would cease
- 27 until a specialist from TxDOT and/or the THC could arrive on site and assess the discovery's
- 28 significance and the need, if any, for additional investigation.

29 30

31

- No Build Alternative: As construction of the proposed SL 288 project would not occur, there would
- be no project-related impacts on archeological resources associated with the No Build Alternative.

32 5.8.2 Historic Properties

- In compliance with the PA for Transportation Undertakings, as executed among FHWA, TxDOT, the
- 34 SHPO, and the Advisory Council on Historic Preservation, a historic resource survey was conducted
- 35 for the proposed SL 288 project.

- 37 <u>Build Alternative</u>: Project historians surveyed the project APE in June 2019 and documented 13
- 38 properties with historic-age resources within the project area. Following evaluation of the
- 39 properties, project historians recommended none of the properties eligible for listing in the NRHP.

- 1 The Historic Project Coordination Request Form, Historic Research Design, and Historic Resources
- 2 **Survey Report** prepared for the proposed project are available at the TxDOT Dallas District office.

- 4 Pursuant to Stipulation IX, Appendix 6 "Undertakings with the Potential to Cause Effects per 36 CFR
- 5 800.16(i)" of the Section 106 PA and the MOU, TxDOT historians determined that there is no effect
- 6 to historic, non-archeological properties in the APE. Individual project coordination with SHPO was
- 7 not required (see **Appendix G** for the clearance memo).

8

- 9 No Build Alternative: Because the proposed SL 288 improvements would not be constructed, the
- No Build Alternative would not result in project-related impacts to historic resources.

11 5.9 Protected Lands

- 12 The proposed project would not require the use of, nor substantially impair the purposes of, any
- publicly-owned land from a public park, recreational area, wildlife and waterfowl refuge lands, or
- historic sites of national, state, or local significance; therefore, a Section 4(f) Evaluation is not
- 15 required.

16

- 17 Section 6(f) of the Land and Water Conservation Fund Act requires that recreational facilities
- 18 receiving U.S. Department of Interior funding from the Land and Water Conservation Fund Act as
- allocated by the Texas Parks and Wildlife Department (TPWD) may not be converted to non-
- 20 recreational uses unless approval is received from TPWD and the National Park Service. There are
- 21 no Section 6(f) resources in the proposed project area.

22

28

- 23 Chapter 26 of the Texas Parks and Wildlife Code includes provisions similar to the federal Section
- 24 4(f) regulation, including requiring a finding that there is no feasible and prudent alternative to the
- use or taking of the protected land, that the project includes all reasonable planning to minimize
- 26 harm and that a public hearing be held prior to the approval of the use of land from these publicly-
- owned park properties. There are no Chapter 26 resources in the proposed project area.

5.10 Water Resources

- 29 Water resources occurring in the project area were researched by desktop review of web resources
- 30 from the United States Geological Survey (USGS) National Hydrography Dataset (NHD) and 7.5-
- 31 minute topographic data for the Sanger and Denton West, Texas quadrangles, Texas Commission
- on Environmental Quality (TCEQ), TWDB, FEMA, United States Fish and Wildlife Service (USFWS)
- 33 National Wetlands Inventory (NWI) mapping, and aerial photography. Desktop mapping of water
- 34 resources was performed using Geographic Information System mapping, utilizing spatial data
- obtained from USGS, TWDB, FEMA, and USFWS.

5.10.1 Clean Water Act Section 404

Pursuant to Section 404 of the Clean Water Act (CWA), an investigation was conducted to identify potential jurisdictional waters of the U.S., including wetlands, within the project area. Field reconnaissance conducted on May 15-17, 2019 identified potentially jurisdictional waters of the U.S. that could be impacted by the proposed project. A total of 22 surface water features were found in the project area. They include nine jurisdictional creeks (Hickory Creek and four of its tributaries, Dry Fork Hickory Creek (two crossings) and three of its tributaries), seven impoundments (five of which are potentially jurisdictional), one pond (non-jurisdictional), and five wetlands (four of which are potentially jurisdictional). Detailed information can be found in the Water Resources Technical Report prepared for the proposed project, available at the TxDOT Dallas

District office.

<u>Build Alternative</u>: This project would involve a regulated activity in jurisdictional waters and therefore would require authorization under Section 404. **Table 5-1** shows the waters that are anticipated to be jurisdictional waters in which a regulated activity is anticipated to take place. It also indicates whether the impacts are anticipated to be authorized under Section 404 by a non-reporting nationwide permit (NWP) (i.e., no pre-construction notification [PCN] required), or if it is anticipated that a NWP with PCN, Individual Permit, letter of permission, or regional general permit would be required. Based on project activities, it is anticipated that the proposed project would require a NWP 14 with PCN, along with associated mitigation. All mitigation banks with a service area covering the project will be contacted and a quote will be requested for any required mitigation credits for this project.

No Build Alternative: Because the proposed SL 288 improvements would not be constructed, the No Build Alternative would not result in project-related impacts to jurisdictional wetlands and other waters of the U.S.

Table 5-1: Project Surface Waters

Table 5-1. Froject Surface Waters									
Feature	Feature -	Extent i	n ROW	Existing	Proposed	Anticip Permanent		Potentially	Potential
ID	Name	Length (linear feet)	Area (acres)	Structure(s)	Work or Structure	Length (linear feet)	Area (acres)	Jurisdictional?	Permit
1	Impoundment	N/A	0.02	None	None	N/A	0.02	No	None
2	Unnamed Tributary to Hickory Creek	431.70	0.06	None	Culvert	409.81	0.06	Yes	NWP 14 with PCN
3	Unnamed Tributary to Hickory Creek	476.11	0.02	None	Culvert	476.11	0.02	Yes	NWP 14 with PCN
4	Unnamed Tributary to Hickory Creek	119.31	0.16	Culvert	Culvert Replacement	75.50	0.01	Yes	NWP 14
5	Unnamed Tributary to Hickory Creek	839.36	0.25	None	Culvert	333.64	0.09	Yes	NWP 14 with PCN
6	Wetland	N/A	0.21	None	None (Area to be bridged)	N/A	0.00	Yes	None
7	Wetland	N/A	0.04	None	None (Area to be bridged)	N/A	0.00	Yes	None
8	Impoundment	N/A	0.09	None	Bridge Pilings	N/A	<0.01	Yes	NWP 14
9	Hickory Creek	472.39	0.46	None	None (Area to be bridged)	0.00	0.00	Yes	None
10	Impoundment	N/A	0.14	None	Roadway Fill	N/A	0.14	No	None
11a	Dry Fork Hickory Creek	657.34	0.21	None	None (Area to be bridged)	0.00	0.00	Yes	None
11 b	Dry Fork Hickory Creek	439.89	0.19	None	None (Area to be bridged)	0.00	0.00	Yes	None

Table 5-1: Project Surface Waters

		Extent in	n ROW		Proposed	Anticipated Permanent Impacts		-	.
Feature ID	Feature Name	Length (linear feet)	Area (acres)	Existing Structure(s)	Work or Structure	Length (linear feet)	Area (acres)	Potentially Jurisdictional?	Potential Permit
12	Impoundment	N/A	0.03	None	None (Area to be bridged)	N/A	0.00	Yes	None
13	Wetland	N/A	0.07	None	Culvert	N/A	0.02	Yes	NWP 14 with PCN
14 a	Wetland	N/A	0.15	None	Roadway Fill	N/A	0.15	No	None
14b	Pond	N/A	0.03	None	Roadway Fill	N/A	0.03	No	None
1 5a	Unnamed tributary to Dry Fork Hickory Creek	594.49	0.04	Driveway Culverts	Culvert	594.49	0.04	Yes	NWP 14 with PCN
15b	Wetland	N/A	0.02	Driveway culvert	Culvert	N/A	0.01	Yes	NWP 14 with PCN
16	Unnamed tributary to Dry Fork Hickory Creek	677.30	0.13	Culvert	Culvert Replacement and Expansion	239.02	0.04	Yes	NWP 14
17	Unnamed tributary to Dry Fork Hickory Creek	1,015.80	0.15	None	Culvert	727.83	0.15	Yes	NWP 14 with PCN
18*	Impoundment	N/A	0.19	None	Bridge Pilings	N/A	<0.01	Yes	NWP 14
19a*	Impoundment	N/A	1.79	None	None	N/A	<0.01	Yes	NWP 14
19b*	Impoundment	N/A	0.16	None	None	N/A	<0.01	Yes	NWP 14
T	OTALS	5, 723.7	4.61	-		2,856.4	0.79		

^{*}These features were on parcels where no ROE was granted. Acreages were estimated based off aerial imagery.

5.10.2 Clean Water Act Section 401

- 2 Build Alternative: For a project that will use a NWP under Section 404 or Section 10.
- 3 regardless of whether the NWP is non-reporting (i.e., assumed) or reporting (i.e., requires
- 4 submittal of a PCN), TxDOT complies with Section 401 of the CWA by implementing TCEQ's
- 5 conditions for NWPs. For projects that require authorization under Section 404 or Section
- 6 10 beyond a NWP, TxDOT complies with Section 401 of the CWA by including a Tier I or Tier
- 7 II checklist (depending upon the amount of disturbance/impact) in the Individual Permit,
- 8 letter of permission, or regional general permit application that is submitted to the USACE,
- and then complying with the conditions of the Tier I or Tier II checklist."

10 11

1

- Compliance with Section 401 requires the use of best management practices (BMPs) to
- manage water quality on construction sites. General Condition 12 also requires applicants
- using NWP 14 to use appropriate soil erosion and sedimentation controls. Section 401
- Water Quality Certification would be required for the proposed project. The Section 401
- 15 Certification requirements for NWP 14 would be met by implementing a Storm Water
- Pollution Prevention Plan (SW3P). The SW3P would include at least one BMP from the Tier I
- 17 401 Water Quality Certification Conditions for NWPs as published by the TCEQ. These BMPs
- 18 would address each of the following categories:

19 20

21

22

23

- Category I Erosion Control would be addressed by using permanent seeding/sodding.
- Category II Post-Construction Total Suspended Solids (TSS) Control would be addressed by installing vegetative filter strips.
- Category III Sedimentation Control would be addressed by installing silt fences, rock berms, and hay bale dikes.

242526

Other approved methods would be substituted if necessary, using one of the BMPs from the identical category.

27 28

- The potential for project-related encroachment-alteration effects on water quality would be mitigated through temporary and permanent (post-construction) BMPs as described above.
- 31 Water resources could receive an increased amount of sediment if storm water were
- released from the project area despite the use of BMPs. To minimize the potential for
- adverse impacts, BMPs would be regularly inspected and proactively maintained.

- No Build Alternative: Because the proposed SL 288 improvements would not be
- 36 constructed, the No Build Alternative would not result in project-related impacts to water
- 37 quality.

1	5.10.3 Executive Order 11990 Wetlands
2	EO 11990 Protection of Wetlands (42 Federal Register 26961, May 24, 1977) provides the
3	requirement "to avoid to the extent possible the long- and short-term adverse impacts
4	associated with the destruction or modification of wetlands and to avoid direct or indirect
5	support of new construction in wetlands wherever there is a practicable alternative."
6	
7	Build Alternative: Based on the current design analysis, there are no practicable
8	alternatives to construction in wetlands. The wetlands would incur permanent and
9	temporary impacts due to construction activities associated with culverts and roadway fill.
10	Without these activities, water would not flow through the culverts appropriately and could
11	result in negatively affecting the integrity of the proposed structure. As the project
12	progresses through the Plans, Specifications, and Estimates (PS&E) stage, a more detailed
13 14	drainage study would occur which may reduce the potential impacts to the wetlands.
1 4 15	The proposed action includes all practicable measures to minimize harm to wetlands.
16	Impacts on wetlands would be minimized by keeping the construction footprint as small as
17	possible while enabling construction that meets all requirements for the proposed project's
18	implementation. The construction contractor would be required to avoid and minimize
19	unnecessary impacts on wetlands during construction and BMPs would be implemented.
20	
21	When taking economic, environmental, and other pertinent factors into consideration,
22	impacts to the wetlands cannot be completely avoided based on the current design.
23	However, impacts to the wetlands would be minimized to the greatest extent practicable and
24	permitted through the appropriate Section 404 permit. Further information is provided in the
25	Water Resources Technical Report available for review at the TxDOT Dallas District office.
26	
27	No Build Alternative: Because the proposed SL 288 improvements would not be
28	constructed, the No Build Alternative would not result in project-related impacts to wetlands.
29	5.10.4 Rivers and Harbors Act
30	The Rivers and Harbors Act of 1899 generally prohibits the construction of structures over or
31	in navigable waters of the U.S. without Congressional approval, which has been delegated to
32	the United States Coast Guard (USCG). The Rivers and Harbors Act of 1899 also prohibits
33	excavation or fill within navigable waters of the U.S. without the approval of the United
34	States Army Corps of Engineers (USACE). Based on a project scoping analysis, it was
35	determined that neither the Build Alternative nor the No Build Alternative would have an

impact on any Section 9/10 waters, as defined by the Rivers and Harbors Act of 1899.

1	5.10.5 Clean Water Act Section 303(d)
2	According to the 2020 Texas Integrated Report - Texas 303(d) List (Category 5) and the 2020 Index of All Impaired Waters accessed August 5, 2020, the project does not cross an
4	impaired stream nor is it located within five stream miles upstream of an impaired
5	waterbody. Accordingly, no project-related impacts will occur to impaired waterways.
J	waterbody. Accordingly, no project related impacts will cool to impaired waterways.
6	5.10.6 Clean Water Act Section 402
7	Build Alternative: This project would include five or more acres of earth disturbance. TxDOT
8	would comply with TCEQ's Texas Pollutant Discharge Elimination System (TPDES)
9	Construction General Permit (CGP). A SW3P would be implemented, and a construction site
10	notice would be posted at the construction site. A Notice of Intent (NOI) and a Notice of
11	Termination (NOT) would be required. The proposed project is located partially within the
12	boundaries of TxDOT's Municipal Separate Storm Sewer System (MS4) Phase I permits. The
13	project would not discharge into a non-TxDOT operated MS4.
14 15	Since TPDES CGP authorization and compliance (and the associated documentation) occur
16	outside of the environmental clearance process, compliance is ensured by the policies and
17	procedures that govern the design and construction phases of the project. The TxDOT
18	Project Development Process Manual and the PS&E Preparation Manual require a SW3P be
19	included in the plans of all projects that disturb one or more acres. The Construction
20	Contract Administration Manual requires that the appropriate CGP authorization documents
21	(NOI or site notice) be completed, posted, and submitted to the TCEQ and the MS4 operator.
22	It also requires that projects be inspected to ensure compliance with the CGP.
23	
24	The PS&E Preparation Manual requires that all projects include Standard Specification Item
25	506 (Temporary Erosion, Sedimentation, and Environmental Controls), and the "Required
26	Specification Checklists" require Special Provision 506-003 on all projects that need
27	authorization under the CGP. These documents require the project contractor to comply with
28 29	the CGP and SWP3, and to complete the appropriate authorization documents.
30	No Build Alternative: Under the No Build Alternative, there would be no earth disturbance
31	and compliance with the TPDES CGP and coordination with the MS4 operator would not be
32	required.
33	5.10.7 Floodplains
34	Build Alternative: As detailed in the Water Resources Technical Report, portions of the
35	proposed project are located within a FEMA designated 100-year floodplain. The hydraulic
36	design for this project would be in accordance with current FHWA and TxDOT design policies.

- 1 The facility would permit the conveyance of the 100-year flood, inundation of the roadway
- being acceptable, without causing damage to the facility, stream, or other property. The
- 3 proposed project would not increase the base flood elevation to a level that would violate
- 4 applicable floodplain regulations and ordinances. Coordination with the local Floodplain
- 5 Administrator would be required.

- 7 This project is subject to and would comply with federal EO 11988 on Floodplain
- 8 Management. The department implements this EO on a programmatic basis through its
- 9 Hydraulic Design Manual. Adherence to the TxDOT Hydraulic Design Manual ensures that
- this project would not result in a "significant encroachment" as defined by FHWA's rules
- implementing EO 11988 at 23 CFR 650-105(q).

12

- 13 No Build Alternative: Because the proposed SL 288 improvements would not be
- constructed, the No Build Alternative would not result in project-related impacts to
- 15 floodplains.

16

- 5.10.8 Wild and Scenic Rivers
- 17 Based on a project scoping analysis, it was determined that neither the Build Alternative nor
- the No Build Alternative would have an impact on this resource category or subject matter.
- 19 (NOTE: No designated Wild and Scenic Rivers are located within the project area.)

- 5.10.9 Coastal Barrier Resources
- 21 Based on a project scoping analysis, it was determined that neither the Build Alternative nor
- 22 the No Build Alternative would have an impact on this resource category or subject matter.
- 23 (NOTE: Project area is not located in a coastal area.)
- 24
- 5.10.10 Coastal Zone Management
- 25 This project is not located within the Texas Coastal Management Plan (TCMP) boundary.
- 26 Therefore, a consistency determination is not required.
- 27 (NOTE: Project area is not located in a coastal area.)
- 28
- 5.10.11 Edwards Aguifer
- 29 Based on a project scoping analysis, it was determined that neither the Build Alternative nor
- the No Build Alternative would have an impact on this resource category or subject matter.
- 31 (NOTE: Project area is not located within boundaries of any Edwards Aquifer zone.)

1	5.10.12	International Boundary and Water Commission
2		not cross or encroach upon the floodway of the International Boundary (IBWC) ROW or an IBWC flood control project.
4	5.10.13	Drinking Water Systems
5	Build Alternative: [Denton relies on surface water sources from Lake Lewisville and Lake Ray
6		er supply. According to the TWDB Groundwater Database, there are no
7	water wells within	the existing or proposed ROW or proposed drainage easements. No water
8	wells were observe	ed during the field reconnaissance on May 15-17, 2019. In accordance
9		dard Specifications for Construction and Maintenance of Highways,
10	_	s (Item 103, Disposal of Wells), any drinking water wells would need to be
11	properly removed a	and disposed of during construction of the project.
12	No Duild Altornativ	as Decayon the proposed CL 200 improvements would not be
13 14		<u>e</u> : Because the proposed SL 288 improvements would not be one Build Alternative would not result in project-related impacts to the
15	drinking water syst	· ·
	arming water eyes	
16	5.11 Biological	Resources
17	For information rea	garding biological resources refer to the Tier I Site Assessment Form and
18		preadsheet available at the TxDOT Dallas District office.
10	5.11.1	Texas Parks and Wildlife Coordination
19	5.11.1	rexas Parks and wilding Coordination
20	Coordination with	TWPD for the project was triggered by the following:
21	•	vegetation exceeding the thresholds outlined in the 2017 TPWD MOU
22		able PA (see Section 5.11.2);
23	·	ce of suitable habitat for several state-listed species and species of
24	_	nservation need (SGCN) within the project area (see Section 5.11.11);
25 26	· ·	pacts to remnant vegetation (i.e., SGCN plant species listed in the Texas on Action Plan [TCAP]; see Section 5.11.11);
26 27		would require a Section 404 NWP with PCN (see Section 5.10.1); and,
28	• •	would include more than 200 linear feet of stream channel impacts at a
29	• •	complete crossing (see Section 5.10.1).
30		· · · · · · · · · · · · · · · · · · ·
31	Early coordination	with TPWD regarding potential effects to natural resources was
32	conducted and cod	ordination was completed on February 12, 2020. The coordination
33	correspondence is	included in Appendix G.

1 5.11.2 Impacts to Vegetation

- 2 The Tier I Site Assessment Form, prepared for this proposed project, describes 21 different
- 3 vegetation communities that were mapped within the project area by TPWD's Ecological
- 4 Mapping Systems of Texas (EMST). These are shown below in **Table 5-2**.

Table 5-2: Project Area Vegetation

Ecoregion	MOU Vegetation Type	Common Name	EMST Mapped Acreage	MOU Acreage	Field Verified Acreage	Coordination Threshold (acres)
	Agriculture	Barren	0.23	55.98	71.38	10
	Agriculture	Row Crops	55.75	33.96	7 1.50	10
	Edwards Plateau:	Edwards Plateau: Live Oak Motte and Woodland	2.90			
	Savanna, Woodland,	Edwards Plateau: Oak / Hardwood Motte and Woodland	0.03	11.74	17.86	2
	and Shrubland	Edwards Plateau: Savanna Grassland	8.82			
	Tallgrass Prairie, Grassland	Grand Prairie: Tallgrass Prairie	233.74	233.74	111.54	0.1
S		Central Texas: Floodplain Hardwood / Evergreen Forest	0.52		17.15	0.1
airie	Riparian	Central Texas: Floodplain Hardwood Forest	11.16			
Cross Timbers and Prairies		Central Texas: Floodplain Herbaceous Vegetation	2.79			
s al		Central Texas: Riparian Deciduous Shrubland	1.00	35.24		
nber		Central Texas: Floodplain Juniper Forest	0.12			
Tin		Central Texas: Riparian Hardwood Forest	0.16			
ross		Central Texas: Riparian Herbaceous Vegetation	18.51			
O		Swamp	0.98			
	Cross Timbers	Cross Timbers: Post Oak Woodland	2.62	82.99	97.55	2
	Woodland and Forest	Crosstimbers: Savanna Grassland	80.37	02.00	01.00	
		Native Invasive: Mesquite Shrubland	5.48			
	Disturbed Prairie	Native Invasive: Juniper Shrubland	2.05	18.11	85.57	3
		Native Invasive: Deciduous Woodland	10.58			
	Open Water	Open Water	0.00	0.00	3.96	N/A
	Urban	Urban: Low Intensity	4.70	4.70	37.49	N/A
		Totals	442.50	442.50	442.50	N/A

- 1 As detailed in §2.206 of the 2013 MOU, coordination with the TPWD is required for projects
- 2 based on certain triggers, including the disturbance of habitat in an area equal to or greater
- 3 than the area of disturbance indicated in the Threshold Table PA. Vegetation within the
- 4 proposed project falls into eight MOU vegetation types: Agriculture; Edwards Plateau:
- 5 Savanna, Woodland, and Shrubland; Tallgrass Prairie, Grassland; Riparian; Cross Timbers
- 6 Woodland and Forest; Disturbed Prairie; Open Water; and Urban. The Threshold Table PA
- 7 sets a disturbance threshold of 10 acres for Agriculture; 2 acres for Edwards Plateau:
- 8 Savanna, Woodland, and Shrubland; 0.1 acre for Tallgrass Prairie, Grassland; 0.1 acre for
- 9 Riparian; 2 acres for Cross Timbers Woodland and Forest; and 3 acres for Disturbed Prairie.
- No thresholds have been established for Open Water or Urban.

- 12 <u>Build Alternative</u>: Vegetation impacts quantified in **Table 5-2** show that the proposed project
- would exceed the threshold for six MOU vegetation types: Agriculture; Edwards Plateau:
- 14 Savanna, Woodland, and Shrubland; Tallgrass Prairie, Grassland; Riparian; Cross Timbers
- Woodland and Forest; and Disturbed Prairie. Early coordination with TPWD regarding effects
- to vegetation communities was conducted in accordance with provisions of the 2013 MOU
- and coordination was completed on February 12, 2020. The coordination correspondence is
- included in Appendix G.

19

- 20 According to the MOU with TPWD, important remnant vegetation includes 1) rare vegetation
- communities and 2) those that are suitable habitat for SGCNs. To address the first
- component, Texas Natural Diversity Database (TxNDD) data obtained from TPWD on April
- 23 24, 2020 was reviewed along with the USFWS Official Species List, dated April 27, 2020.
- 24 The TxNDD search radius was 1.5 miles and 10 miles from the proposed project. Remnant
- 25 vegetation element of occurrence records are located outside of the project area and would
- 26 not be impacted by the proposed project. To address important remnant vegetation's
- 27 second component, the project area includes a variety of habitat types important to a broad
- spectrum of SGCN species. There are no habitats within or adjacent to the project area that
- 29 are considered rare or remnant vegetation communities.

30 31

- Impacts to vegetation would be avoided or minimized by limiting disturbance to only that
- which is necessary to construct the proposed project. The removal of native vegetation,
- 33 particularly mature native trees and shrubs, would be avoided to the greatest extent
- 34 practicable. A native and locally-adapted seed mix would be used in the landscaping and
- 35 revegetation of disturbed areas.

- 37 <u>No Build Alternative</u>: If the No Build Alternative were implemented, the proposed project
- would not be constructed. No effects to vegetation related to the construction of SL 288
- would occur. Existing land use and activities, including routine mowing, would continue to
- 40 periodically affect vegetation communities.

5.11.3	Executive Order 13112 on Invasive Species
Invasive Species. To Roadside Vegetation In compliance with	nis project is subject to and would comply with federal EO 13112 on the department implements this EO on a programmatic basis through its on Management Manual and Landscape and Aesthetics Design Manual. EO 13112, a native and locally-adapted seed mix would be used in the vegetation of disturbed areas.
	e: If the No Build Alternative were implemented, the proposed project ructed; thus, the provisions of EO 13112 would not be triggered.
5.11.4	Executive Memorandum on Environmentally and Economically Beneficial Landscaping
Memorandum on E 26, 1994. The depa basis through its Ro Design Manual. Wi	This project is subject to and would comply with the federal Executive invironmentally and Economically Beneficial Landscaping, effective April artment implements this Executive Memorandum on a programmatic badside Vegetation Management Manual and Landscape and Aesthetics the exception of reseeding of disturbed areas, landscaping is not or the proposed project. A native and locally-adapted seed mix would be
	e: If the No Build Alternative were implemented, the proposed project ructed; thus, the provisions of the Executive Memorandum would not be
5.11.5	Impacts to Wildlife
SL 288 corridor. Wi wildlife is limited to along the corridor, riparian areas, woo of wildlife. A perent pools, Dry Fork Hick habitat. Herbaceou areas, wetlands, ar	the project area occur mainly along roadways that cross the proposed thin these areas, native vegetation/natural habitat is minimal and those species adapted to an urban environment. Within the rural areas native vegetation/natural habitat is present and consists generally of dlands and forests, and prairies, which are desirable habitat for a variety nial stream, Hickory Creek, and an intermittent stream with perennial kory Creek, are within the project corridor and are surrounded by riparian s wetlands are also scattered throughout the project corridor. The rural and the riparian areas surrounding Hickory Creek and Dry Fork Hickory ble habitat for several state-listed species and SGCN (see Section
	Build Alternative: The Invasive Species. The Roadside Vegetation In compliance with landscaping and results would not be constituted would not be constituted by the Invasive would not be constituted by the Invasive would not be constituted by the Invasive would not be constituted. No Build Alternative: The Memorandum on Enging Manual. With currently planned for used. No Build Alternative would not be constituted would not be constituted by the Invasive would not be constituted by t

- 1 Build Alternative: The proposed project would result in vegetation clearing along the existing
- 2 and proposed ROW and proposed drainage easements, including the riparian vegetation
- 3 and scattered wetlands along the project corridor. This clearing activity would remove
- 4 habitat for wildlife and would directly impact suitable habitat for state-listed species.
- 5 Adjacent areas are similar in vegetative composition and are in close proximity to the
- 6 construction limits which allow wildlife to relocate to nearby parcels. Revegetation would
- 7 occur within the disturbed areas and clearing of trees and shrubs would be avoided to the
- 8 extent possible.

12

- 10 <u>No Build Alternative:</u> Under the No Build Alternative, the proposed SL 288 improvements
- would not be constructed; thus, there would be no project-related impacts to wildlife.

5.11.6 Migratory Bird Protections

- 13 The Migratory Bird Treaty Act (MBTA) of 1918 makes it unlawful to kill, capture, collect,
- possess, buy, sell, trade or transport any migratory bird, nest or egg in part or in whole,
- without a federal permit issued in accordance with the Act's policies and regulations.
- Migratory bird nests were not observed during the May 2019 field investigations. Suitable
- habitat for migratory birds, including state-listed birds and SGCN birds, was observed,
- although no specific individuals of any given species were observed.

19

- 20 <u>Build Alternative</u>: This project will comply with applicable provisions of the MBTA and Texas
- 21 Parks and Wildlife Code Title 5, Subtitle B, Chapter 64, Birds. It is the department's policy to
- 22 avoid removal and destruction of active bird nests except through federal or state approved
- options. In addition, it is the department's policy, where appropriate and practicable, to:
- 24 1) use measures to prevent or discourage birds from building nests on man-made structures
- within portions of the project area planned for construction, and 2) schedule construction
- 26 activities outside the typical nesting season. Migratory birds may arrive in the project area to
- 27 breed during construction of the proposed project. Appropriate measures would be taken to
- 28 avoid adverse impacts on migratory birds; thus, migratory birds protected under the MBTA
- 29 would not be impacted by the Build Alternative. Specific BMPs implemented to protect state-
- 30 listed species and SGCN are outlined in **Section 8.0**.

31

34

- 32 <u>No Build Alternative</u>: Under the No Build Alternative, the proposed SL 288 improvements
- would not be constructed; thus, there would be no project-related impacts to migratory birds.

5.11.7 Fish and Wildlife Coordination Act

- 35 The Fish and Wildlife Coordination Act (FWCA) of 1958 requires that federal agencies obtain
- 36 comments from USFWS and TPWD whenever a project involves impounding, diverting, or

- deepening a stream channel or other body of water. This project would not require an
- 2 Individual Permit be issued by the USACE; therefore, the FWCA does not apply to this project.
- 3 5.11.8 Bald and Golden Eagle Protection Act
- 4 <u>Build Alternative</u>: This project is not within 660 feet of an active or inactive Bald or Golden
- 5 Eagle nest. Therefore, no coordination with USFWS is required.

- 7 No Build Alternative: Under the No Build Alternative, the proposed SL 288 improvements
- 8 would not be constructed; thus, there would be no project-related impacts to Bald or Golden
- 9 Eagles.
- 10 5.11.9 Magnuson-Stevens Fishery Conservation Management Act
- 11 The Essential Fish Habitat (EFH)/Magnuson-Stevens Fishery Conservation and Management
- 12 Act (MSA) does not apply.
- 13 (NOTE: Project area is not located in a coastal area.)
- 14 5.11.10 Marine Mammal Protection Act
- 15 The project area does not contain suitable habitat for marine mammals.
- 16 (NOTE: Project area is not located in a coastal area.)
- 17 5.11.11 Threatened, Endangered, and Candidate Species
- 18 Federally Listed Species
- 19 The Endangered Species Act of 1973 (ESA) section 7 requires federally listed threatened,
- 20 endangered, or candidate species and the ecosystems upon which they rely to be
- conserved. A USFWS Official Species List, dated April 27, 2020 was generated for the
- 22 project area to identify those federally listed species that may occur or have suitable habitat
- 23 within the action area. The list identified four federally listed threatened, endangered, or
- 24 candidate species that could potentially occur within the action area. These species include
- the Least Tern (Sterna antillarum), Whooping Crane (Grus Americana), Piping Plover
- 26 (Charadrius melodus), and Red Knot (Calidris canutus rufa). The action area for these four
- 27 species aligns with the project area. As detailed in the Species Analysis Spreadsheet,
- desktop analysis and field investigations conducted in May 2019 indicate that suitable
- 29 habitat for federally listed threatened, endangered, or candidate species does not occur in
- 30 the action area.

- 1 <u>Build Alternative</u>: Because there is no suitable habitat for any federally listed threatened,
- 2 endangered, or candidate species within the action area, a determination of "no effect" has
- 3 been made for all federally listed species.

- No Build Alternative: Under the No Build Alternative, the proposed SL 288 project would not occur; therefore, there would be no project-related effects on any federally listed threatened,
- 7 endangered, or candidate species.

8 9

6

State-Listed Species

- 10 Desktop analysis and field investigations conducted in May 2019, indicate that suitable
- 11 habitat for two state threatened species exists within the project area. These species
- include the Louisiana pigtoe (*Pleurobema riddellii*) and Texas heelsplitter (*Potamilus*
- amphichaenus). The timber rattlesnake (*Crotalus horridus*) was previously listed as a state
- threatened species during TPWD coordination; however, the timber rattlesnake was delisted
- in changes to state threatened and endangered species lists adopted by TPWD in April
- 16 2020. The timber rattlesnake is listed as a SGCN on the TPWD county list and is discussed
- in the SGCN section below.

18

- 19 <u>Build Alternative</u>: Two state-listed species may be impacted by the proposed project
- 20 because suitable habitat for these species occurs within the project area. In accordance
- 21 with the BMP PA between TxDOT and TPWD, BMPs have been identified and would be
- implemented to avoid and minimize impacts to these species. The BMPs are further
- 23 discussed in **Section 8.0.**

24 25

- No Build Alternative: Under the No Build Alternative, the proposed SL 288 project would not
- occur; therefore, there would be no project-related impacts on any state-listed threatened or
- 27 endangered species.

28 29

Species of Greatest Conservation Need

- 30 Native animals or plants designated as a SGCN are those species that are declining or rare
- and in need of attention to recover or to prevent the need to list under state or federal
- regulation. The TPWD county list includes SGCN, which have no federal or state regulatory
- 33 status. Potentially suitable habitat for 20 SGCN exists within the proposed project area:
- 34 Western Burrowing Owl (Athene cunicularis hypugaea), Strecker's chorus frog (Pdeudacris
- 35 streckeri), Woodhouse's toad (Anaxyrus woodhousii), American badger (Taxidea taxus), big
- 36 brown bat (Eptesicus fuscus), eastern red bat (Lasiurus borealis), eastern spotted skunk
- 37 (Spilogale putorius), hoary bat (Lasiurus cinereus), long-tailed weasel (Mustela frenata),
- 38 Mexican free-tailed bat (Tadarida brasiliensis), southern short-tailed shrew (Blarina
- 39 carolinensis), thirteen-lined ground squirrel (Ictidomys tridecemlineatus), tricolored bat
- 40 (Perimyotis subflavus), woodland vole (Microtus pinetorum), eastern box turtle (Terrapene

- 1 carolina), smooth softshell (Apalone mutica), Texas garter snake (Thamnophis sirtalis
- 2 annectens), western box turtle (Terrapene ornata), timber (canebrake) rattlesnake, and
- 3 Topeka purple-coneflower (*Echinacea atrorubens*). The western hognose snake (*Heterodon*
- 4 nasicus) was previously listed as an SGCN during TPWD coordination; however, the western
- 5 hognose snake is no longer on the TPWD Rare, Threatened, Endangered Species of Texas
- 6 (RTEST) of Denton County, as of the April 13, 2020 update.

- 8 <u>Build Alternative</u>: The above listed species could occur within the project area. BMPs would
- 9 be implemented based on the PA between TxDOT and TPWD and those developed in
- 10 coordination with TPWD. The BMPs are further discussed in Section 8.0.

11

- 12 No Build Alternative: Under the No Build Alternative, the proposed SL 288 project would not
- occur; therefore, there would be no project-related impacts on SGCN.

14 **5.12 Air Quality**

- For information regarding air quality refer to the **Air Quality Technical Report** available at the
- 16 TxDOT Dallas District office.

17

- 18 Build Alternative:
- 19 Transportation Conformity
- 20 This project is located within Denton County, which is part of the Dallas-Fort Worth area that
- 21 has been designated by the Environmental Protection Agency (EPA) as a serious and
- 22 marginal nonattainment area for the 2008 and 2015 ozone national ambient air quality
- 23 standards (NAAQS), respectively; therefore, the transportation conformity rules apply.
- 24 Conformity for older standards is satisfied by conformity to the more stringent 2008 and
- 25 2015 ozone NAAQS.

26

- 27 The proposed action is consistent with NCTCOG's financially constrained 2045 MTP and the
- 28 2019–2022 TIP, as amended, which were initially found to conform to the TCEQ State
- 29 Implementation Plan (SIP) by FHWA and Federal Transit Administration (FTA) on November
- 30 21, 2018 and September 28, 2018, respectively. Copies of the MTP and TIP pages are
- 31 included in **Appendix E**. All projects in the TIP that are proposed for federal or state funds
- were initiated in a manner consistent with federal guidelines in Section 450, of Title 23 CFR
- and Section 613.200, Subpart B, of Title 49 CFR.

34 35

Hot-Spot Analysis

- 36 The proposed project is not located within a carbon monoxide (CO) or particulate matter
- 37 (PM) nonattainment or maintenance area; therefore, a project level hot-spot analysis is not
- 38 required.

Traffic Air Quality Analysis

- 2 Traffic data for the design year 2040 is shown in **Table 5-3**. A prior TxDOT modeling study
- 3 and previous analyses of similar projects demonstrated that it is unlikely that the CO
- 4 standard would ever be exceeded as a result of any project with an AADT below 140,000
- 5 vehicles per day (vpd). The AADT projections for the project do not exceed 140,000 vpd;
 - therefore, a Traffic Air Quality Analysis is not required.

6 7 8

1

Table 5-3: Traffic Data

SL 288 Section	Design Year AADT (vpd)
Section 1: IH 35W to US 380 (University Dr.)	24,540
Section 2: US 380 (University Dr.) to Masch Branch Rd.	6,010
Section 3: Masch Branch Rd. to IH 35	13,950

9 10

Mobile Source Air Toxics

- 11 A qualitative mobile source air toxics (MSAT) assessment has been conducted relative to the
- 12 Build and No Build Alternative. As documented in the technical report, all project
- 13 alternatives may result in increased exposure to MSAT emissions in certain locations
- 14 although the concentrations and duration of exposure are uncertain. Because of this
- uncertainty, the health effects from these emissions cannot be estimated. However, on a
- regional basis, EPA's vehicle and fuel regulations, coupled with fleet turnover, will over time
- 17 cause substantial reductions that, in almost all cases, will cause region-wide MSAT levels to
- 18 be significantly lower than today.

19 20

Congestion Management Process

- 21 The proposed project is adding single-occupant vehicle capacity and is a project with
- 22 FHWA/FTA involvement; therefore, a Congestion Management Process (CMP) analysis is
- 23 required. The proposed project is within the Dallas-Fort Worth Transportation Management
- 24 Area (TMA).
- 25 A CMP analysis was prepared in accordance to the TxDOT's Standards Operating Procedure
- for Complying with CMP Requirements and Standard Operating Procedures for Preparing Air
- 27 Quality Statements. Committed congestion reduction strategies and operational
- 28 improvements within the study boundary would consist of the addition of frontage roads,
- shared use lanes, and sidewalks. Individual projects are listed in **Table 5-4**.

Table 5-4: Congestion Mitigation Strategies

Location	Туре	Implementation Date
IH 35: US 380 to US 77 North of Denton	New or Additional Freeway Capacity	2019
IH 35: From Dale Earnhardt Way to South of IH 35E/IH 35W Interchange	New or Additional Freeway Capacity	2021

4

5

6

1

Construction Air Emissions

During the construction phase of this project, temporary increases in PM and MSAT emissions may occur from construction activities. The primary construction-related emissions of PM are fugitive dust from site preparation, and the primary construction-related emissions of MSAT are diesel PM from diesel powered construction equipment and vehicles.

7 8 9

- The potential impacts of PM emissions would be minimized by using fugitive dust control
- measures contained in standard specifications, as appropriate. The Texas Emissions 10
- 11 Reduction Plan (TERP) provides financial incentives to reduce emissions from vehicles and
- 12 equipment. TxDOT encourages construction contractors to use this and other local and
- 13 federal incentive programs to the fullest extent possible to minimize diesel emissions.
- Information about the TERP program can be found at: 14
- 15 https://www.tceg.texas.gov/airquality/terp.

16 17

18

19

However, considering the temporary and transient nature of construction-related emissions, the use of fugitive dust control measures, the encouragement of the use of TERP, and compliance with applicable regulatory requirements, it is not anticipated that emissions from construction of this project would have any significant impact on air quality in the area.

20 21

22 No Build Alternative: The No Build Alternative would result in gradually increasing vehicle miles traveled as traffic volumes increase and traffic congestion worsens within the existing 23 24 roadway system over time. Actual and predicted trends in both criteria pollutant and MSAT emissions would be expected to continue in the future, regardless of the alternative chosen.

25

26

5.13 Hazardous Materials

- 27 In August 2019, a Hazardous Materials ISA was completed to summarize potential
- 28 hazardous materials within and adjacent to the project corridor. The ISA included a site
- reconnaissance and environmental regulatory database search for the project area. The ISA 29
- 30 was completed to identify sites or facilities that might pose a potential for hazardous
- materials impacts to the proposed project. 31

- 1 Build Alternative: Based on an evaluation of the sites identified in the environmental
- 2 regulatory database search, seven TIER II sites associated with gas well locations were
- 3 identified in the project area. Three of the locations were found to be further from the
- 4 project than indicated by the regulatory database report. The remaining four TIER II sites
- 5 (Map IDs 2, 3, 6, and 9) are located within proposed ROW or are located adjacent to the
- 6 project and potentially have on-site chemical storage. Chemicals stored on-site are listed as
- 7 crude oil, produced hydrocarbons, and sweet condensate. No releases are reported for
- 8 these locations. However, based on their locations in relation to the project, these TIER II
- 9 well sites were considered a moderate environmental risk.

- 11 Map ID 7, Cole Trust 576 A 24H, is listed as a Facility Registry System of Texas (FRSTX) site.
- 12 The FRSTX information lists Map ID 7 as crude and natural gas extraction. Cole Trust 576 A
- 13 24H corresponds with a well site adjacent to the project. Based on the type of well site and
- the location of the well site in relation to the project, this location was considered a
- moderate environmental risk. No high risk sites were identified. The moderate
- environmental risk sites are shown on the **Resource-specific Maps** in **Appendix F**.
- 17 The acquisition of oil and gas wells and sites is performed during early negotiations between
- 18 ROW and the property/mineral rights owners. Any environmental issues associated with the
- well sites will be addressed during the ROW acquisition process. However, further project
- 20 investigations identified that no well sites including no well head or equipment would be
- 21 impacted by the project. Therefore, no hazardous materials impacts are anticipated.

22

- 23 The proposed project would also include the demolition of buildings and bridge structures.
- 24 Asbestos-containing materials (ACM) and lead-containing paint (LCP) may be present in the
- 25 structures. ACM and LCP inspections, notification, and removal, as applicable, would be
- 26 addressed prior to demolition in accordance with regulatory requirements. Detailed
- 27 information about the hazardous materials evaluation conducted for the project can be
- found in the ISA available for review at the TxDOT Dallas District office.

29

33

- No Build Alternative: As construction of the proposed SL 288 improvements would not
- occur, there would be no project-related hazardous material impacts associated with the No
- 32 Build Alternative.

5.14 Traffic Noise

- 34 A traffic noise analysis was conducted for the proposed project in accordance with TxDOT's
- 35 (FHWA approved) 2011 Guidelines for Analysis and Abatement of Highway Traffic Noise.
- 36 Details on the traffic noise analysis can be found in the **Traffic Noise Technical Report**
- 37 available for review at the TxDOT Dallas District office.

1 <u>Build Alternative</u>: Existing and predicted traffic noise levels were modeled at representative

land use activity areas (receptors) adjacent to the project that might be impacted by traffic

3 noise and would potentially benefit from feasible and reasonable noise abatement. As

4 shown in **Table 5-5**, modeled noise-sensitive locations were primarily residential, but also

included the University of North Texas Rafes Urban Astronomy Center.

Table 5-5: Traffic Noise Levels [dB(A) Leq]

Receiver	Landlina	NAC	NAC	Predicted Traffic Noise Level [dB(A) Leq]			Noise
ID	Land Use	Category Level		Existing (2020)	Predicted (2040)	Change (+/-)	Impact
R1	Observatory	С	67	52	67	+15	Yes
R2	Residential	В	67	49	61	+12	Yes
R3	Residential	В	67	56	60	+4	No
R4	Residential	В	67	55	65	+10	No
R5	Residential	В	67	41	57	+16	Yes
R6	Residential	В	67	41	56	+15	Yes
R7	Residential	В	67	42	58	+16	Yes
R8	Residential	В	67	53	59	+6	No

The traffic noise analysis determined that out of eight representative receptors, five were predicted to have noise levels that approach or exceed the FHWA noise abatement criteria or that substantially exceed the existing noise levels; therefore, the proposed project would result in traffic noise impacts (see **Appendix F**).

 Noise abatement measures were considered and analyzed for each impacted receptor location. Abatement measures, typically noise barriers, must provide a minimum noise reduction, or benefit, at or above the threshold of 5 dB(A). A barrier is not acoustically feasible unless it reduces noise levels by at least 5 dB(A) at greater than 50% of first-row impacted receptors. To be reasonable, the barrier must not exceed the cost reasonableness allowance of \$25,000 per benefited receptor and must meet the noise reduction design goal of 7 dB(A) for at least one receptor.

Noise barriers were not reasonable and feasible for the impacted representative receivers, and abatement is not proposed for the proposed project. Additional details regarding the barrier analysis can be found in the **Traffic Noise Technical Report** (2020).

To avoid noise impacts that may result from future development of properties adjacent to the proposed project, local officials responsible for land use control programs must ensure, to the maximum extent possible, that no new activities are planned or constructed along or within the following predicted (2040) noise impact contours (see **Table 5-6**).

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Table 5-6: Traffic Noise Contours [dB(A) Leq]

	Distance from ROW		
Location	NAC Category B & C 66 dB(A)	NAC Category E 71 dB(A)	
Between Lovers Rd and IH 35 East side of SL 288	60 feet	Within ROW	
Between US 380 and Masch Branch Rd East side of SL 288	60 feet	10 feet	
Between Lumley Rd and East Fork Trinity River East side of SL 288	140 feet	60 feet	

Note: Impact contours are one dB(A) lower than the NAC per category to reflect impacts that would occur as a result of approaching the NAC for the respective contours.

- 7 A copy of this traffic noise analysis will be available to local officials to assist in future land
- 8 use planning. On the date of approval of this document (Date of Public Knowledge), FHWA
- 9 and TxDOT are no longer responsible for providing noise abatement for new development
- 10 adjacent to the project.

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- 12 No Build Alternative: Under the No Build Alternative, the proposed project would not be
- 13 constructed. If the No Build Alternative were implemented, traffic noise levels would be
- 14 expected to increase with an associated future increase in traffic volumes.

5.15 Induced Growth

- 16 The Council on Environmental Quality (CEQ) defines indirect effects as those "caused by the
- action and are later in time or farther removed in distance, but are still reasonably
- 18 foreseeable. Indirect impacts may include growth inducing effects and other effects related
- to induced changes in the pattern of land use, population density or growth rate, and related
- 20 effects on air and water and other natural systems, including ecosystems" (40 CFR Section
- 21 1508.8).

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- 23 <u>Build Alternative</u>: An analysis of indirect impacts was conducted that followed the processes
- outlined in TxDOT's Indirect Impacts Analysis Guidance. The Area of Influence (AOI) for the
- 25 proposed project encompasses the entire Build Alternative and adjacent areas where
- development or accelerated rates of development could potentially occur. The AOI is
- 27 approximately 45 square miles (28,775 acres) in Denton County and intersects three
- 28 municipalities, Denton, Krum, and Ponder.

- 1 Results of the analysis indicates that the proposed project could induce growth in the AOI.
- 2 This analysis included a review of local land use plans, and correspondence with local
- 3 planning and engineering professionals, and elected officials within the AOI. Individuals from
- 4 the City of Krum and Town of Ponder responded that they did not expect the proposed
- 5 project to induce development in their jurisdictions; however, Krum's questionnaire
- 6 response stated that the proposed project would likely increase the rate of development
- 7 within the city. Although the City of Denton and Denton County did not respond to the
- 8 questionnaire, based on information provided in the Denton 2030 Plan it is expected that
- 9 the proposed improvements and associated benefits could induce development or
- 10 accelerate already planned developments, particularly commercial developments in the city
- of Denton and Denton County, adjacent to the proposed roadway. The addition of the
- 12 proposed frontage roads and sidewalks would increase safety, access, and mobility to the
- 13 remaining undeveloped areas in the AOI for other modes of transportation. Encouraging
- 14 these other modes of transportation could attract businesses and residents who otherwise
- would not relocate to or develop in the area.

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According to TPWDs EMST data, undeveloped areas in the AOI are comprised primarily of tallgrass prairie/grassland (5,596.1 acres) and agriculture fields (1,465.8 acres). Currently,

- 2,469.7 acres of land are classified by the EMST as urban (i.e., developed) land use within
- 20 the AOI, including 383.5 acres within what is considered developable. **Table 5-7** depicts the
- 21 mapped EMST MOU vegetation types located within the AOI.

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Table 5-7: EMST Vegetation Types within the AOI

MOU Vegetation Type	AOI Acreage	Developable Land Vegetation Acreage
Agriculture	3,387	1,465.8
Tallgrass Prairie, Grassland	14,094.2	5,596.1
Riparian	2,890.6	432.5
Crosstimbers Woodland and Forest	2,600.2	867.2
Edwards Plateau Savannah, Woodland, and Shrubland	1,964	842.4
Disturbed Prairie	1,220.5	533.7
Open Water	149.1	35.8
Urban	2,469.7	383.5
Total AOI	28,775.3	10,157

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Potential indirect impacts to vegetation and wildlife habitat within the undeveloped areas could occur as a result of project induced development throughout the AOI. These impacts would include removal of vegetation and conversion of vegetated areas into

- developed/urban land uses. Such future conversion of vegetated areas would have direct
- 2 impacts on wildlife habitat. Based on the results of TPWD's TxNDD there is habitat for the
- 3 Mollisol Blackland Prairie, a tracked species, east of the proposed project. Two SGCN were
- 4 observed during field investigation: the American bumblebee and alligator gar. Potential
- 5 habitat for two state-listed species (Louisiana pigtoe and Texas heelsplitter) and 20 other
- 6 SGCN were also observed during field investigations. These species may be directly
- 7 impacted by the proposed project and therefore indirect impacts may also result from
- 8 induced development within the area.

- 10 In summary, induced growth impacts to vegetation/wildlife habitat and water resources
- 11 could be experienced; however, these impacts could be minimized/mitigated using BMPs.
- 12 Therefore, induced growth impacts to these resources are considered unsubstantial.

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- 14 Encroachment-alteration effects may occur to vegetation/wildlife habitat and water
- resources, including floodplains and waters of the U.S. as a result of the proposed project.
- 16 The potential for project-related encroachment-alteration effects on waters of the U.S. and
- 17 water quality could occur during construction, which has the highest likelihood of creating
- pollutants and sediment if storm water runoff enters surface water features prior to being
- treated. Build-up of sediment could also reduce the water storage capacity of the floodplain.
- 20 Temporary (construction phase) and permanent (post-construction) BMPs, would minimize
- 21 the potential for encroachment-alteration effects to vegetation/wildlife habitat and water
- 22 resources.

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- The Indirect Impacts Analysis Technical Report provides a detailed discussion of the indirect
- 25 effects analysis and is available for review at the TxDOT Dallas District office.

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- 27 No Build Alternative: As construction of the proposed SL 288 improvements would not
- 28 occur, there would be no project-induced growth under the No Build Alternative.

5.16 Cumulative Impacts

- 30 The CEQ defines cumulative impacts as those which result from the incremental impact of
- 31 the action when added to other past, present, and reasonably foreseeable future actions
- 32 regardless of what agency (Federal or non-Federal) or person undertakes such other actions.
- 33 Cumulative impacts can result from individually minor but collectively significant actions
- taking place over a period of time (40 CFR §1508.7).

- 36 Build Alternative: An analysis of cumulative impacts, as presented in the **Cumulative Impacts**
- 37 Analysis Technical Report, was conducted that followed the processes outlined in TxDOT's
- 38 Cumulative Impacts Analysis Guidance. Cumulative impacts to ecological resources

1 (vegetation/wildlife habitat, threatened, endangered, candidate, and SGCN species), and

water resources (water quality, floodplains, and waters of the U.S.) were analyzed because

3 the resources are in poor and/or declining health. Resource Study Areas (RSAs) were

4 developed for these resources, which included a Water Resources RSA and ten separate

5 Ecological Resources RSAs.

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Ecological Resources

Foreseeable cumulative impacts may include the fragmentation or complete loss of natural

9 vegetation, wildlife, or threatened and endangered species habitat resulting from

development within the Ecological Resources RSAs. Wildlife and birds within the project area

and Ecological Resources RSAs may adapt to urban conditions or the fragmented habitat or

may relocate to remaining undeveloped areas within the Ecological Resources RSAs.

13 Acreage of proposed project impacts and potential planned developments impacts within

the Ecological Resources RSAs and whether each RSA is subject to cumulative impacts are

depicted in **Table 5-8**. After removing potential ecological habitat impacts from proposed

projects and planned developments, potential habitat remaining in the Ecological Resource

RSAs range from 92.3 percent to 96.7 percent.

Table 5-8: Ecological Resources RSA Description

Ecological Resources RSA ID	Total Acreage	Direct Impacts Acreage	Planned Developments Acreage	Remaining Acreage (Percentage)	Subject to Cumulative Impacts
RSA 1	57,676.1	182.9	3,946.7	53,546.5 (92.8 %)	Subject to cumulative impacts
RSA 2	67,572.5	205.6	3,961.1	63,405.8 (93.8 %)	Subject to cumulative Impacts
RSA 3	51,831.8	128.7	3,872.7	47,831.1 (92.3%)	Minimal cumulative impacts anticipated
RSA 4	38,962.6	111.5	2,893.8	35,957.3 (92.3 %)	Subject to cumulative impacts
RSA 5	21,893.7	31.70	978.9	20,883.1 (95.4 %)	Minimal cumulative impacts anticipated
RSA 6	12,869.2	17.2	591.5	12,260.5 (95.3 %)	Minimal cumulative impacts anticipated
RSA 7	36,080.9	108.9	1,085.2	34,886.8 (96.7 %)	Minimal cumulative impacts anticipated
RSA 8	128,446.8	438.5	6,130.4	121,877.9 (94.9 %)	Minimal cumulative impacts anticipated
RSA 9	111,079.4	401.1	6,098.1	104,580.2 (94.1 %)	Minimal cumulative impacts anticipated
RSA 10	16,627.4	51.1	630.0	15,946.3 (95.9 %)	Minimal cumulative impacts anticipated

1 Habitat for both state-listed threatened species (Louisiana pigtoe and Texas heelsplitter)

2 and seven SGCNs (alligator gar, chub shiner, smooth softshell, mink, mountain lion, timber

3 rattlesnake, and Texas garter snake) are located within Ecological Resources RSA 5 (100-

4 Year Floodplain) and Ecological Resources RSA 6 (Riparian MOU). Though there would be

5 direct impacts to these habitats as a result of the SL 288 project, minimal indirect or

6 cumulative impacts are anticipated as these habitats would most likely be avoided from

7 future development as previous trends depict such floodplain and riparian areas have been

8 avoided since the development of the project area began. Habitats for 14 of the 21

9 remaining SGCNs (Strecker's chorus frog, Woodhouse's toad, eastern box turtle, slender

glass lizard, western box turtle, western hog-nosed skunk, big brown bat, big free-tailed bat,

eastern red bat, hoary bat, Mexican free-tailed bat, tricolored bat, long-tailed weasel, and

southern short-tailed shrew) are located within Ecological Resources RSAs 3, 8, 9, and 10,

all of which have an overlap of Riparian MOU and one or more habitats; therefore, those

species may relocate to riparian areas which are anticipated to have minimal development

or cumulative impacts. The thirteen-lined ground squirrel habitat is RSA 7 and consists of

16 agriculture and areas of low urban intensity. Future urban development could produce

additional potential habitat for the thirteen-lined ground squirrel; therefore, the proposed

project is anticipated to have minimal cumulative impacts on this species.

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The habitat for the seven remaining SGCNs (western burrowing owl, American badger,

21 woodland vole, western rattlesnake, American bumblebee, Arethaea ambulator, and Topeka

22 purple-coneflower) includes Tallgrass Prairie, Grassland MOU, Agriculture MOU, and

23 Savanna Grassland Common Names (Ecological Resources RSAs 1, 2, and 4). The proposed

project and planned developments would impact approximately 5,014.1 acres of habitat for

these seven species. Suitable habitat for the seven SGCNs that would remain include

26 80,995.0 acres or 63.4 percent of the total Ecological Resources RSA would remain.

27 Ecological Resources RSAs 1, 2, and 4 do not overlap floodplain or riparian areas which

have been avoided since the development of the project area began so these RSAs and the

seven remaining SGCNs would be subject to cumulative impacts.

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Future impacts to ecological resources would be assessed and addressed for each

individual project that might involve federal funds, including TxDOT projects. Other privately

funded land development projects would not be expected to prepare publicly available

environmental documentation. The only exception would be developments that were

required to meet federal requirements such as Section 404 permitting through the USACE

and adherence with the ESA. Such federal requirements would allow for regulation on

37 threatened and endangered species for privately funded projects. Continued development in

the project area is expected and will likely result in the conversion of vegetation, wildlife

habitat, and potential threatened and endangered species habitat on undeveloped land to residential, commercial, and light industrial uses.

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Water Resources

The project would result in impacts to jurisdictional waters of the U.S., including wetlands.

Permanent impacts would be minimized to the extent practicable by constructing bridge

structures over major water crossings to avoid extensive impacts to the waterbody and

adjacent wetland areas. Indirect impacts to water quality may result from erosion and

9 sedimentation due to increased development and the associated removal of vegetation.

10 Potential for cumulative impacts may result from direct and indirect impacts on numerous

parcels of land (consecutively or simultaneously) within the Water Resources RSA. Induced

12 growth and development pressures may increase erosion and sedimentation in addition to

increasing drainage needs related to commercial and residential development as well as

additional transportation infrastructure and infrastructure improvements related to

15 subsurface utilities. Historic and recent aerial photographs illustrate that development

within the 100-year floodplain and areas adjacent to waterways has been avoided, for the

most part, and streams follow historic courses. Site visits and aerial photographs depict

large developments have incorporated detention basins and other water quality BMPs in

19 design plans.

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Readily available planning resources depicts there is approximately 418.6 stream miles. 3,910.7 acres of water resources (wetlands, rivers, lakes/ponds, etc.), and 18,499.4 acres of the 100-year floodplain within the Water Resources RSA. Future development is anticipated to follow past and present trends and avoid major waterways and floodplains as additional coordination and/or mitigation with local, state, and federal agencies may be necessary. Future impacts to water resources may occur; however, due to other available land such impacts are anticipated to be minimal. Potential future impacts to water resources would be mitigated through water quality certifications implemented and regulated by the TCEO. Impacts to jurisdictional waters would be documented, coordinated. and permitted through the USACE for both public and private entities, as necessary, and the USACE would require consideration of compensatory mitigation, as applicable. Construction within a floodplain would require coordination with the floodplain administrator and the appropriate floodplain mitigation would need to be installed. Although potential cumulative impacts to water resources are anticipated, current local, state, and federal laws and regulations would require coordination, certification, and potential mitigation prior to any impacts; therefore, cumulative impacts to water resources would be minimal within the Water Resources RSA.

- 1 The Cumulative Impacts Analysis Technical Report provides a detailed discussion of the
- 2 indirect effects analysis and is available for review at the TxDOT Dallas District office.

- 4 No Build Alternative: As construction of the proposed SL 288 improvements would not
- 5 occur, there would be no cumulative impacts under the No Build Alternative.

5.17 Construction Phase Impacts

- 7 Construction-phase impacts are temporary (short-term; only occurring during actual
- 8 construction) and potentially encompass a range of issues.

Construction Noise

<u>Build Alternative</u>: Noise associated with the construction of the proposed project is difficult to predict. Heavy machinery, the major source of noise in construction, is constantly moving in unpredictable patterns. However, construction normally occurs during daylight hours when occasional loud noises are more tolerable. None of the receptors are expected to be exposed to construction noise for a long duration; therefore, any extended disruption of normal activities is not expected. Provisions would be included in the plans and specifications that require the contractor to make every reasonable effort to minimize construction noise through abatement measures such as work hour controls and proper maintenance of muffler systems.

Fugitive Dust and Air Pollution

<u>Build Alternative</u>: During the construction phase of this project, temporary increases in PM and MSAT emissions may occur from construction activities. The primary construction-related emissions of PM are fugitive dust from site preparation, and the primary construction related emissions of MSAT are diesel PM from diesel powered construction equipment and vehicles. The potential impacts of PM emissions would be minimized by using fugitive dust control measures contained in standard specifications, as appropriate. The TERP provides financial incentives to reduce emissions from vehicles and equipment. TxDOT encourages construction contractors to use this and other local and federal incentive programs to the fullest extent possible to minimize diesel emissions.

Considering the temporary and transient nature of construction-related emissions, the use of fugitive dust control measures, the encouragement of the use of TERP, and compliance with applicable regulatory requirements; it is not anticipated that emissions from construction of this project would have any substantial impact on air quality in the area.

Light Pollution

<u>Build Alternative</u>: Construction normally occurs during daylight hours; however, construction could occur during the night-time hours to minimize impacts to the traveling public during the daylight hours. Due to the close proximity of businesses and residents to the project, if

- 1 construction were to occur during the night-time hours, it would be of short duration.
- 2 Construction during the night-time hours would follow any local policies and ordinances
- 3 established for construction activities, such as light limitations.

Vibration Impacts

- 5 Build Alternative: Construction activities would be limited to the proposed project footprint.
- 6 Vibration from construction equipment would be of short duration; however, excessive
- 7 vibration from construction is not anticipated.

Temporary Lane, Road or Bridge Closures

- Build Alternative: During the construction phase, traffic would follow the existing traffic
- 10 patterns. Traffic control plans would be prepared and implemented in coordination with the
- cities and the county. Construction that would require cross street closures would be
- scheduled so only one crossing in an area is affected at one time. Where detours are
- 13 required, clear and visible signage for an alternative route would be displayed. Access to
- businesses and residences would be maintained at all times and no detours are anticipated.
- However, in the event that road closures or detours are required, county and local public
- safety officials would be notified of the proposed road closures or detours. Detour timing
- and necessary rerouting of emergency vehicles would be coordinated with the proper local
- agencies. Motorists would be inconvenienced during construction of the project due to lane
- 19 and cross-street closures; however, these closures would be of short duration and alternate
- 20 routes would be provided.

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- 22 Residents and businesses in the immediate construction area would be notified in advance
- 23 of proposed construction activity using a variety of techniques, including signage, electronic
- 24 media, community newspapers, and other techniques. The proposed project would not
- restrict access to any existing public or community services, businesses, commercial areas,
- 26 or employment centers.

Construction-Phase Water Quality Impacts

- 28 <u>Build Alternative</u>: A NWP 14 would be used for impacts to jurisdictional waters in the project
- area. During the construction phase, appropriate measures would be taken to maintain
- 30 normal downstream flows to the maximum extent practicable. Construction activities would
- require compliance with the State of Texas Water Quality Certification Program. The 401
- 32 Certification requirements would be met by implementing BMPs from the TCEQ 401 Water
- 33 Quality Certification Conditions for NWPs. Construction equipment, spoil material, supplies,
- forms, and buildings shall not be placed or stored in the floodway during construction
- 35 activities. Any item that may be transported by flood flows shall not be stored within the
- 36 floodway. Any work within jurisdictional areas would be coordinated with USACE and
- 37 permitted, as necessary.

Construction-Phase Biological Impacts

- 2 <u>Build Alternative</u>: Temporary impacts to natural resources due to construction could result
- 3 from the implementation of the proposed project. These include disturbances to wildlife and
- 4 vegetative communities. Implementation of the Build Alternative would involve the removal
- of grasses, shrubs and trees during the construction phase, affecting the natural, erosion-
- 6 inhibiting ground cover and resulting in the loss of habitat for both resident and migratory
- 7 species. Disturbed areas would be restored, reseeded and re-contoured as necessary
- 8 according to TxDOT specifications, making these effects largely temporary.

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- 10 No Build Alternative: Under the No Build Alternative, construction would not occur and
- would not result in noise, dust or light pollution; impacts associated with physical
- 12 construction activity, temporary lane or road closures; and other traffic disruptions
- 13 associated with construction.

5.18 Airway-Highway Clearance

- According to the FHWA, highway projects within 10,000 feet of an airport runway (actual
- length of 3,200 feet or less), 20,000 feet of an airport runway (actual length greater than
- 17 3,200 feet), or 5,000 feet of a heliport require Federal Aviation Administration (FAA)
- 18 coordination if construction height would exceed a plane (extending outward from helipad or
- end of runway) defined by a distance: height ratio of 50:1 for airports (runway no more than
- 3,200 feet in actual length); 100:1 for airports (runway more than 3,200 feet in actual
- length); or 25:1 for heliports. Coordination is also required within this buffer for any
- 22 construction or alteration of more than 200 feet in height above the ground level. Lastly,
- 23 coordination is required for minimum 15 feet upward adjustment (lane elevation) of a public
- 24 roadway (not an Interstate Highway that is part of the National System of Military and
- 25 Interstate Highways). Due to the proximity of the Denton Municipal Airport to the proposed
- 26 project, the TxDOT Dallas District will determine if FAA coordination would be required. If it is
- 27 determined that coordination is required, FAA Form 7460-1 (Notice of Proposed
- 28 Construction or Alteration) would be completed and submitted by TxDOT to the FAA for their
- 29 approval prior to construction of proposed improvements.

6.0 AGENCY COORDINATION

This section identifies all coordination with agencies outside TxDOT that are required to be conducted for the Build Alternative. The list below identifies the agencies requiring coordination and the status of efforts to coordinate the proposed project.

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 SHPO (see Section 5.8): archeological and historic resource surveys were conducted and results coordinated with the THC and TxDOT-ENV. See Appendix G for the SHPO Coordination Memo for archeology dated April 9, 2015, the TxDOT-ENV Clearance Memo for archeology dated July 17, 2019, and the TxDOT-ENV Clearance Memo for historic, non-archeological properties dated August 16, 2019.

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13 14 Tribal Coordination: coordination with federally recognized Native American tribes was coordinated through the bulk project early coordination process. No response was received from the federally recognized Native American tribes. The coordination letters are included in **Appendix G**.

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FEMA (see **Section 5.10**): the proposed project includes work within a FEMA designated 100-year floodplain; therefore, coordination with the local floodplain administrator would be required.

TPWD (see Section 5.11): early coordination with TPWD regarding potential effects to

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natural resources was conducted and coordination was completed on February 12, 2020. The coordination correspondence is included in **Appendix G**.

7.0 PUBLIC INVOLVEMENT

- 2 Stakeholder Meetings
- 3 Stakeholder meetings were held in association with the proposed project. In addition to
- 4 monthly meetings with Denton County and the City of Denton throughout the schematic
- 5 development phase of the project, one meeting was held on May 31, 2017 with personnel
- 6 from the City of Denton, Denton Municipal Airport, and Denton Municipal Electric. The
- 7 purpose of these meetings was to provide information on the proposed project, gather
- 8 feedback on the schematic design, and discuss project updates with stakeholders within the
- 9 project corridor.

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Public Meeting

- 12 Two public meetings were held for this project. The purpose of the public meetings was to
- share project information and updates and collect public input on the project. Maps,
- drawings and project information were on display and representatives from TxDOT and
- project consultants were available to answer questions about the proposed project
- 16 improvements.

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- The first public meeting was held on May 12, 2005. The meeting was held in an open house
- 19 format with no formal presentation at the City of Denton Council Chambers, located at 215 E
- 20 McKinney St, Denton, Texas. A total of 30 comments were received within the 15-day
- comment period that ended on May 27, 2005. The comments submitted were regarding
- 22 property impacts, alignment location and connections with cross streets. Several individuals
- 23 were against the project and the development it may induce in the area.

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- 25 The second public meeting was held on March 28, 2019. The meeting was held in an open
- 26 house format with no formal presentation at McMath Middle School, located at 1900 Jason
- 27 Drive, Denton, Texas. Approximately 63 individuals attended the meeting. A total of 8
- comments were submitted within the 15-day comment period which ended on April 12,
- 29 2019. The comments submitted were regarding property access and bicycle/pedestrian
- 30 accommodations. Several individuals expressed their support of the project.

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Public Hearing

- A public hearing was held on July 9, 2020. All required notices and procedures, as required
- by TxDOT's rules governing the Environmental Review of Transportation Projects and
- 35 outlined in TxDOT's Public Involvement Handbook, were followed. The NOA of the Draft EA
- 36 was published in both English and Spanish in various newspapers that serve the project
- area, and was also available online at www.keepitmovingdallas.com/SL288. In recognition
- of the COVID-19 pandemic, the public hearing for this project was held virtually, with an in-
- person option held on July 13, 2020. One member of the public showed up to the in-person

- hearing option, and 509 pageviews were made to the online virtual hearing. A total of two comments were received, both in support of the project and the benefits it would provide.
- The project team considered comments received during the stakeholder meetings, public meetings, and public hearing. The following design modifications were made based on public and stakeholder input:

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- Adjusted alignment between IH 35W and FM 2449 to avoid major utilities and a new
 gas well site.
 - Adjusted ramp location (for ultimate design) south of Lovers Lane to accommodate a driveway outside of the denial of access area.
 - The full **Documentation of Public Hearing** is available for review at the TxDOT Dallas District office.
- A notice of impending construction would be provided to owners of adjoining property and affected local governments and public officials. The notice may be provided via a sign or signs posted in the ROW, mailed notice, printed notice distributed by hand, or notice via website when the recipient has previously been informed of the relevant website address. This notice would be provided after the environmental decision (i.e., FONSI), but before earthmoving or other activities requiring the use of heavy equipment begin.

8.0 POST-ENVIRONMENTAL CLEARANCE ACTIVITIES AND

2 DESIGN/CONSTRUCTION COMMITMENTS

8.1 Post-Environmental Clearance Activities

- 4 Activities to be completed after environmental clearance are listed and discussed as follows:
- 1. Noise: Provisions will be included in the plans and specifications that require the contractor to make every reasonable effort to minimize construction noise through abatement measures such as work-hour controls and proper maintenance of muffler systems.
 - 2. Utilities: Utility relocations would be required throughout the corridor. Utility agreements and notice to owners would be required for this project prior to construction.
 - 3. Section 404: The proposed project would require a NWP 14 with PCN. The PCN would be obtained before construction. The proposed project would comply with all general conditions of the NWP. All mitigation banks with a service area covering the project will be contacted and a quote will be requested for any required mitigation credits for this project.
 - 4. Section 401: The Section 401 Certification requirements for NWP 14 would be met by implementing a SW3P. The SW3P would include at least one BMP for erosion control, sediment control, and post-construction TSS control from the Tier 1 401 Water Quality Certification Conditions for NWPs as published by the TCEQ.
 - 5. Section 402: Project contractor would comply with the CGP, SW3P, and complete the appropriate authorization documents.
 - 6. Wetlands: Minimize impacts to wetlands during construction by keeping the construction footprint as small as possible while enabling construction that meets all requirements for the proposed project's implementation. BMPs would be implemented during construction.
 - 7. Floodplains: Notification and coordination with the local floodplain administrator is required because the project is within the 100-year floodplain. This coordination would be completed prior to the start of construction.
 - 8. Invasive Species: Preserve native vegetation to the extent practical. The contractor must adhere to Construction Specification Requirements Specs 162, 164, 192, 193, 506, 730, 751, & 752 in order to comply with requirements for invasive species, beneficial landscaping, and tree/brush removal commitments.
 - 9. Migratory Birds: Before construction use measures to prevent or discourage birds from building nests on man-made structures within portions of the project area planned for construction and, schedule construction activities outside the typical nesting season to the extent practicable.

10. Native Vegetation: Minimize the amount of vegetation cleared. Removal of native vegetation, particularly mature native trees and shrubs, should be avoided to the greatest extent practicable.

11. Threatened, Endangered, and Candidate Species: The proposed project would not affect any federally listed species and would not impact state-listed endangered species but may impact state-listed threatened species. The project may also impact SGCNs. To mitigate the potential impacts to state threatened species and SGCNs, the following BMPs would be implemented, per the 2013 MOU (2017 Revision) and those agreed upon in coordination with TPWD:

For the Topeka purple-coneflower, the following BMP would be implemented:

 Contractors will be advised of potential occurrence in the project area, and to avoid harming the species if encountered.

For the Western Burrowing Owl and all other migratory birds, the following Bird BMPs and MBTA guidelines, as present as a Special Note on the PS&E Environmental Permits, Issues, and Commitments (EPIC) sheet, would be implemented:

- Prior to construction, perform daytime surveys for nests including under bridges and in culverts to determine if they are active before removal. Nests that are active should not be disturbed.
- Do not disturb, destroy, or remove active nests, including ground nesting birds, during the nesting season;
- Avoid removal of unoccupied, inactive nests, as practicable;
- Prevent the establishment of active nests during the nesting season in TxDOT owned and operated facilities and structures proposed for replacement or repair;
- Do not collect, capture, relocate, or transport birds, eggs, young, or active nests without a permit.
- In the event that migratory birds are encountered on-site during project construction, TxDOT will take all appropriate actions to prevent the take of migratory birds, their active nests, eggs, or young by the use of proper phasing of the project or other appropriate actions to include:
 - No active migratory bird nests (nests containing eggs and/or young) will be removed or destroyed at any time of the year.
 - No colonial nests (swallows, for example) on or in structures will be removed until all nests in the colony become inactive.
 - Measures, to the extent practicable, will be used to prevent or discourage migratory birds from building nests within portions of the project area planned for construction.
 - Inactive nests will be removed from the project area to minimize the potential for reuse by migratory birds.

Construction or demolition activities will be scheduled outside the 2 typical nesting season (February 15 to October 1), and will comply with 3 the previously listed prohibitive provisions of the MBTA, which apply 4 year-round.

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The MBTA of 1918 states that it is unlawful to kill, capture, collect, possess, buy, sell, trade, or transport any migratory bird, nest, young, feather, or egg in part or in whole, without a Federal permit issued in accordance within the Act's policies and regulations. The contractor would remove all old migratory bird nests from any structure where work would be done from October 1 to February 15. In addition, the contractor would be prepared to prevent migratory birds from building nest(s) between February 15 and October 1. In the event that migratory birds are encountered on-site during project construction, efforts to avoid adverse impacts on protected birds, active nests, eggs, and/or young would be observed.

For the Texas heelsplitter and Texas pigtoe, the following Freshwater Mussel BMPs would apply at Hickory Creek and Dry Fork Hickory Creek:

- When work is in the water, survey project footprints for state listed species where appropriate habitat exists.
- When work is in the water and mussels are discovered during surveys, relocate state listed and SGCN mussels under TPWD authorization and implement Water Quality BMPs.
- When work is adjacent to the water, Water Quality BMPs implemented as part of the SW3P for a CGP or any conditions of the 401 water quality certification for the project would be implemented. No TPWD coordination required.

The following Water Quality BMPs would be implemented in addition to the BMPs required for the TCEQ SW3P and Section 401 water quality permit:

- Minimize the use of equipment in streams and riparian areas during construction; when possible, equipment access should be from banks, bridge decks, or paved road surfaces.
- When temporary stream crossings are unavoidable, remove stream crossings once they are no longer needed and stabilize banks and soils around the crossings.

For the Texas garter snake, slender glass lizard, eastern box turtle, western box turtle, and timber rattlesnake, the following Terrestrial Reptile BMPs would apply:

Apply hydromulching and/or hydroseeding in areas for soil stabilization and/or revegetation of disturbed areas where feasible. If hydromulching and/or hydroseeding are not feasible due to site conditions, utilize erosion control blankets or mats that contain no netting or contain loosely woven, natural fiber netting is preferred. Plastic netting should be avoided to the extent practicable.

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- For open trenches and excavated pits, install escape ramps at an angle of less than 45 degrees (1:1) in areas left uncovered. Visually inspect excavation areas for trapped wildlife prior to backfilling.
- Inform contractors that if reptiles are found on project site allow species to
- Avoid or minimize disturbing or removing downed trees, rotting stumps, and
- Contractors will be advised of potential occurrence in the project area, and to avoid harming the species if encountered.

For the Strecker's chorus frog, Woodhouse's toad, and smooth softshell, the following Aquatic Reptile and Amphibian BMPs would apply:

- Contractors will be advised of potential occurrence in the project area, and to avoid harming the species if encountered.
- Minimize impacts to wetland habitats, including isolated ephemeral pools; also minimize impacts to temporary and permanent open water features, including
- Maintain hydrologic regime and connections between wetlands and other
- Use barrier fencing to direct animal movements away from construction activities and areas of potential wildlife-vehicle collisions in construction areas directly adjacent, or that may directly impact, potential habitat for the turtle.
- Apply hydromulching and/or hydroseeding in areas for soil stabilization and/or revegetation of disturbed areas, where feasible. If hydromulching and/or hydroseeding are not feasible due to site conditions, using erosion control blankets or mats that contain no netting, or only contain loosely woven natural fiber netting is preferred. Plastic netting should be avoided to the extent practicable.
- Project specific locations (PSLs) proposed within state-owned ROW should be located in uplands away from aquatic features.
- When work is directly adjacent to the water, minimize impacts to shoreline basking sites (e.g., downed trees, sand bars, exposed bedrock) and overwinter sites (e.g., brush and debris piles, crayfish burrows) where feasible.
- Avoid or minimize disturbing or removing downed trees, rotting stumps, and leaf litter, which may be refugia for aquatic reptiles, where feasible.
- If gutters and curbs are part of the roadway design, where feasible install gutters that do not include the side box inlet and include sloped (i.e., mountable) curbs to allow small animals to leave the roadway. If this modification to the entire curb system is not possible, install sections of sloped curb on either side of the storm water drain for several feet to allow small

animals to leave the roadway. Priority areas for these design recommendations are those with nearby wetlands or other aquatic features.

- For sections of roadway adjacent to wetlands or other aquatic features, install
 wildlife barriers that prevent climbing. Barriers should terminate at culvert
 openings in order to funnel animals under the road. The barriers should be of
 the same length as the adjacent feature of 80-feet long in each direction, or
 whichever is the lesser of the two.
- For culvert extensions and culvert replacement/installation, incorporate
 measures to funnel animals toward culverts such as concrete wingwalls and
 barrier walls with overhangs.
- When riprap or other bank stabilization devices are necessary, their placement should not impede the movement of terrestrial or aquatic wildlife through the water feature. Where feasible, biotechnical streambank stabilization methods using live native vegetation or a combination of vegetative and structural materials should be used.

For the American badger, eastern spotted skunk, long-tailed weasel, southern short-tailed shrew, thirteen-lined ground squirrel, and woodland vole, the following BMP would be implemented:

 Contractors will be advised of potential occurrence in the project area, and to avoid harming the species if encountered, and to avoid unnecessary impacts to dens.

For the big brown bat, eastern red bat, hoary bat, and Mexican free-tailed bat, if trees with cavities, peeling bark, or other suitable habitat features, are detected on-site, the following Bat BMPs would be implemented:

- For activities that have the potential to impact structures, cliffs or caves, or trees, a qualified biologist will perform a habitat assessment and occupancy survey of the feature(s) with roost potential as early in the planning process as possible or within one year before project letting.
- For roosts where occupancy is strongly suspected but unconfirmed during the initial survey, revisit feature(s) at most four weeks prior to scheduled disturbance to confirm absence of bats.
- If bats are present or recent signs of occupation (i.e., piles of guano, distinct
 musky odor, or staining and rub marks at potential entry points) are observed,
 take appropriate measures to ensure that bats are not harmed, such as
 implementing non-lethal exclusion activities or timing or phasing of
 construction.
- Exclusion devices can be installed by a qualified individual between September 1 and March 31. Exclusion devices should be used for a minimum of seven days when minimum nighttime temperatures are above 50°F and minimum daytime temperatures are above 70°F. Prior to exclusion, ensure that

- alternate roasting habitat is available in the immediate area. If no suitable roosting habitat is available, installation of alternate roosts is recommended to replace the loss of an occupied roost. If alternate roost sites are not provided, bats may seek shelter in other inappropriate sites, such as buildings, in the surrounding area.
 - If feature(s) used by bats are removed as a result of construction, replacement structures should incorporate bat-friendly design or artificial roosts should be constructed to replace these features, as practicable.
 - Conversion of property containing cave or cliff features to transportation purposes should be avoided, where feasible.
 - Large hollow trees, snags (dead standing trees), and trees with shaggy bark should be surveyed for colonies and, if found, should not be disturbed until the bats are no longer occupying these features. Post-occupancy surveys should be conducted by a qualified biologist prior to tree removal from the landscape.
 - Retain mature, large diameter hardwood forest species and native/ornamental palm trees where feasible.
 - In all instances, avoid harm or death to bats. Bats should only be handled as a last resort and after communication with TPWD.
- 12. Detours: County and local public safety officials would be notified of any road closures or detours during construction. Detour timing and necessary rerouting of emergency vehicles would be coordinated with the proper local agencies during construction.
- 13. Air Quality: Implement fugitive dust control measures contained in standard specifications to minimize potential impacts of PM emissions during construction.
- 14. Hazardous Materials: Five sites were considered moderate environmental risks, however, further investigation indicated that no hazardous materials impacts to the project are anticipated. Any unanticipated hazardous materials encountered during construction would be handled according to the applicable federal, state and local regulations per TxDOT Standard Specification.
- 15. Public Involvement: Before construction, a notice of impending construction will be provided to owners of adjoining property and affected local governments and public officials.

8.2 Design/Construction Commitments

- 1. Archeological Resources: If unanticipated archaeological deposits are encountered during construction, work in the immediate area will cease, and TxDOT archaeological staff will be contacted to initiate post-review discovery procedures.
- 2. Wetlands: The construction contractor would be required to avoid and minimize unnecessary impacts on wetlands during construction.

3. Construction (TPDES): The contractor shall comply with the CGP and SW3P; complete, post and submit NOI and NOT to TCEQ and the MS4 operator; and inspect the project to ensure compliance with the CGP.

- 4. Drinking Water Systems: If any unknown wells are encountered during construction activities, they would need to be properly plugged in accordance with state statutes.
- 5. Hazardous Materials: The contractor would take appropriate measures to prevent, minimize, and control the spill of hazardous materials in the construction staging area. All construction materials used for the proposed project would be removed as soon as the work schedules permit. The contractor would initiate early regulatory agency coordination during project development.
- 6. Vegetation: The contractor would avoid and minimize disturbance of vegetation and soils. All disturbed areas would be revegetated, according to TxDOT specifications, as soon as it becomes practicable. In accordance with EO 13112 on Invasive Species, the Executive Memorandum on Beneficial Landscaping, and the 1999 FHWA guidance on invasive species, all revegetation would, to the extent practicable, use only native species. Furthermore, BMPs would be used to control and prevent the spread of invasive species.
- 7. Migratory Birds: The contractor would take all appropriate actions to prevent the take of migratory birds, their active nests, eggs or young by the use of proper phasing of the project or other appropriate actions. Refer to **Section 8.1** for applicable BMPs.
- 8. Air Quality: The TERP provides financial incentives to reduce emissions from vehicles and equipment. TxDOT encourages construction contractors to use this and other local and federal incentive programs to the fullest extent possible to minimize diesel emissions.
- 9. Threatened, Endangered, and Candidate Species: If any species on the Denton County threatened and endangered species list is sighted in the project area during construction, construction would stop and the contractor would notify the TxDOT Area Engineer. Refer to **Section 8.1** for applicable BMPs.

9.0 CONCLUSION

- 2 The Build Alternative, described in **Section 2.2**, satisfies the project purpose and need by
- 3 addressing local policies, improving mobility, accommodating future traffic demand, and
- 4 improving safety in and around the west side of Denton. Because the Build Alternative
- 5 satisfies the project's purpose and need, it is the recommended alternative.

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- 7 Implementation of the proposed project would not result in a significant impact on the
- 8 human or natural environment. Therefore, a FONSI is recommended.

10.0 REFERENCES

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11.0 APPENDICES

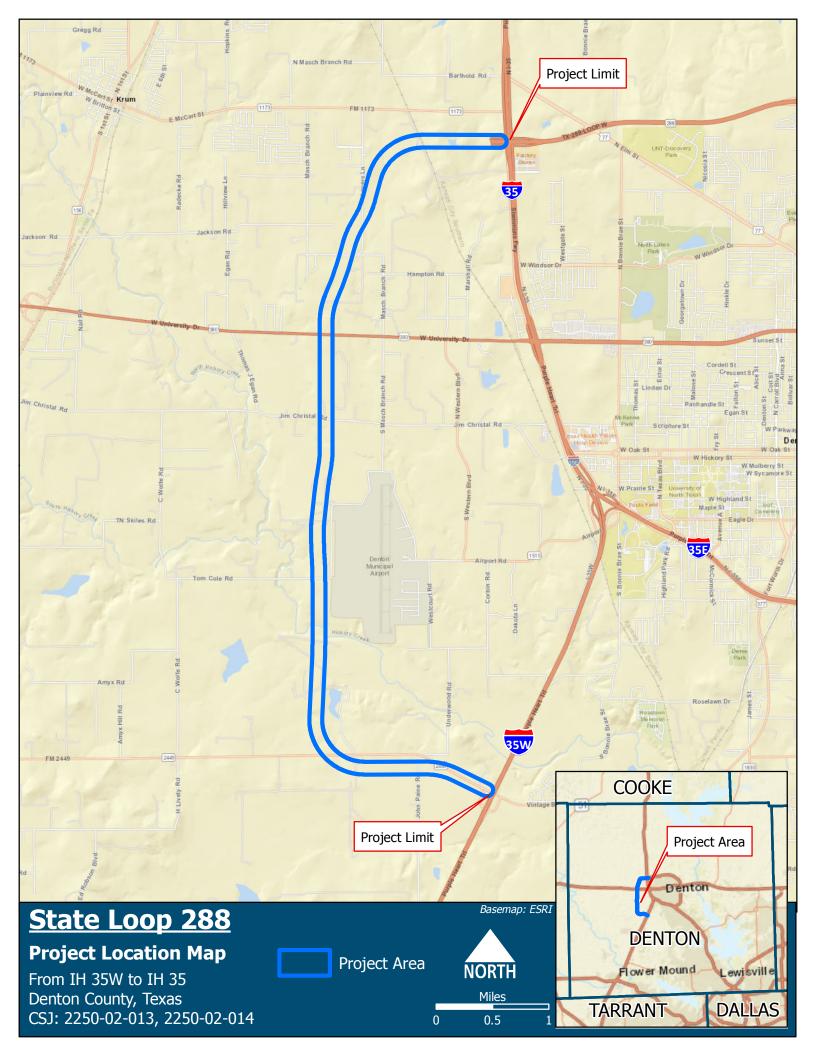
SL 288 Project From IH 35W to IH 35 Denton County, Texas

CSJs: 2250-02-013, 2250-02-014

Final Environmental Assessment

Appendix	Description	Number of Pages
Α	Project Location Map	1
В	Project Photos	9
С	Schematics	7
D	Typical Sections	1
E	Plan and Program Excerpts	12
F	Resource-specific Maps	3
G	Resources Agency Coordination	73

APPENDIX A PROJECT LOCATION MAP



APPENDIX B PROJECT PHOTOS



Photograph 1. View looking east from IH 35W at the southern project limit.



Photograph 2. A west-facing view taken near the northernmost project limit within proposed ROW.



Photograph 3: Looking west toward northern project limits.



Photograph 4: Rafes Urban Astronomy Center located along Tom Cole Road adjacent to project area.



Photograph 5: Structural displacement along Tom Cole Road.



Photograph 6: Residential displacement along Masch Branch Road.



Photograph 7: Residential displacement that includes two residences, a barn, and three sheds along Lovers Lane.



Photograph 8: Residential displacement along W University Drive/US 380.



Photograph 9: Commercial displacement along Jim Christal Road.



Photograph 10: Looking southwest at Denton Enterprise Airport located adjacent to the project area.



Photograph 11: Looking west at project area from Tom Cole Road.



Photograph 12: Location of proposed project at W University Drive/US 380 looking north.



Photograph 13. View looking east at Feature 9, Hickory Creek. The woodland surrounding this creek was mapped and field verified to be Riparian MOU type.



Photograph 14. View looking south at Feature 11, Dry Fork Hickory Creek. This feature entered the project area at two separate locations.



Photograph 15. View of Feature 13, a potentially jurisdictional wetland within the project area.



Photograph 16. View looking south within the project area. This field was mapped and field verified as Tallgrass Prairie, Grassland MOU type.

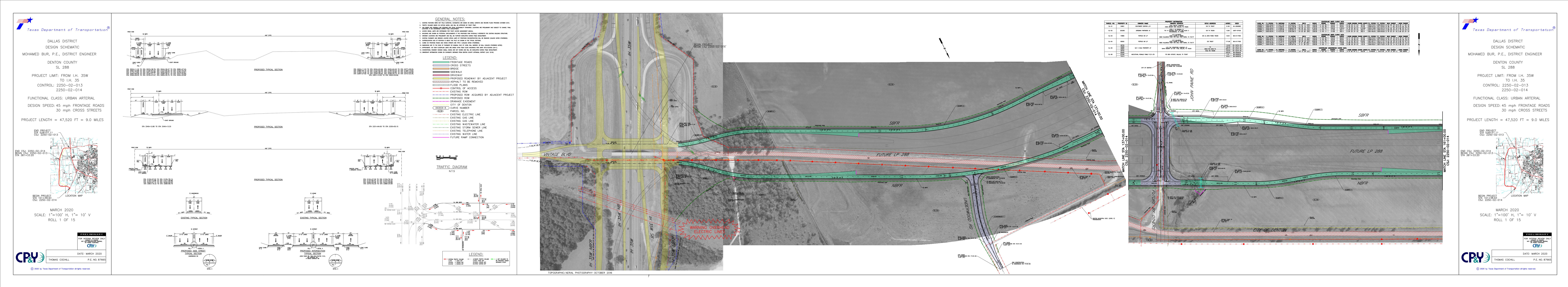


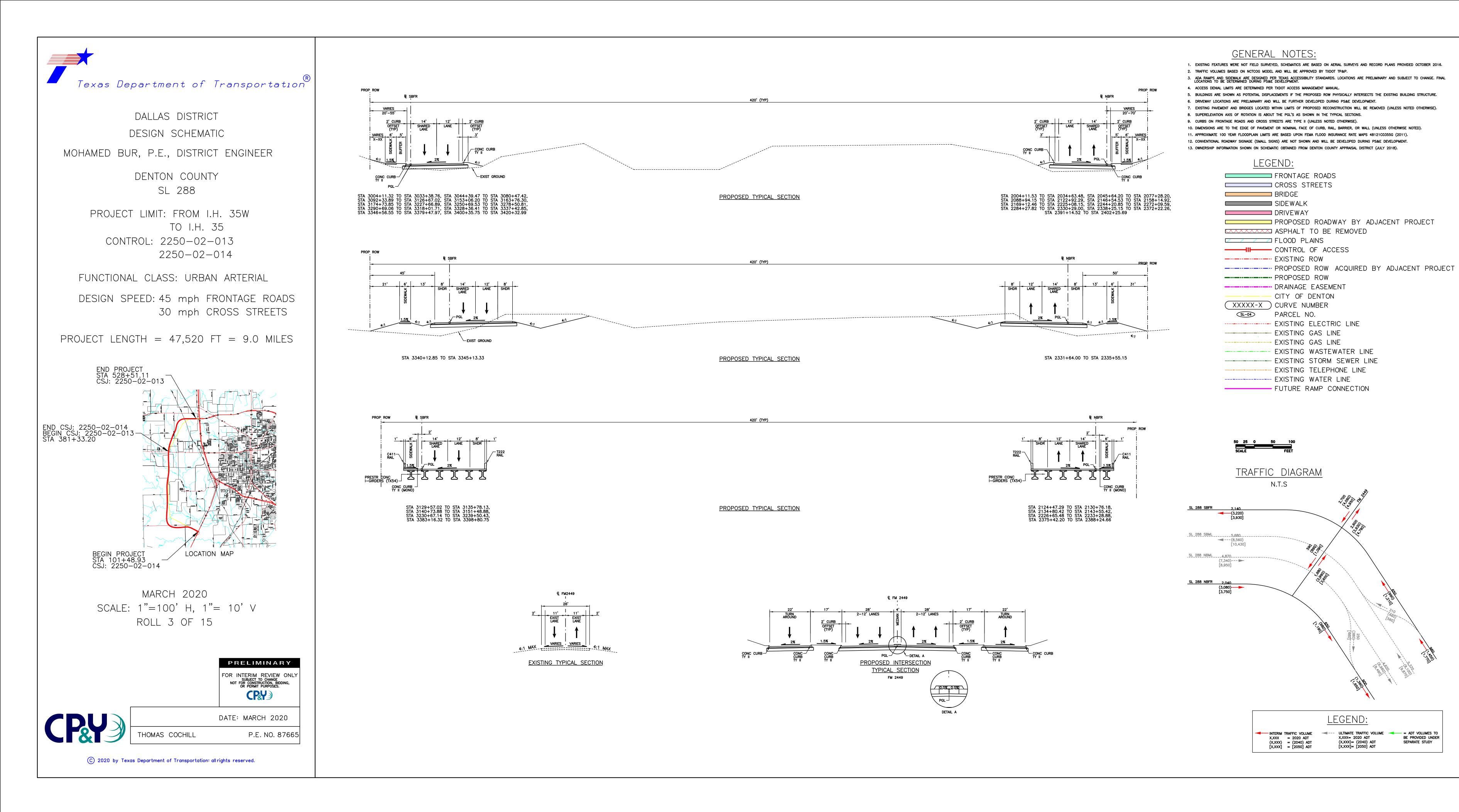
Photograph 17. View looking south from Tom Cole Road. This area was mapped as Tallgrass Prairie, Grassland MOU type, but was field verified to be Edwards Plateau, Savanna, Woodland, and Shrubland MOU type.

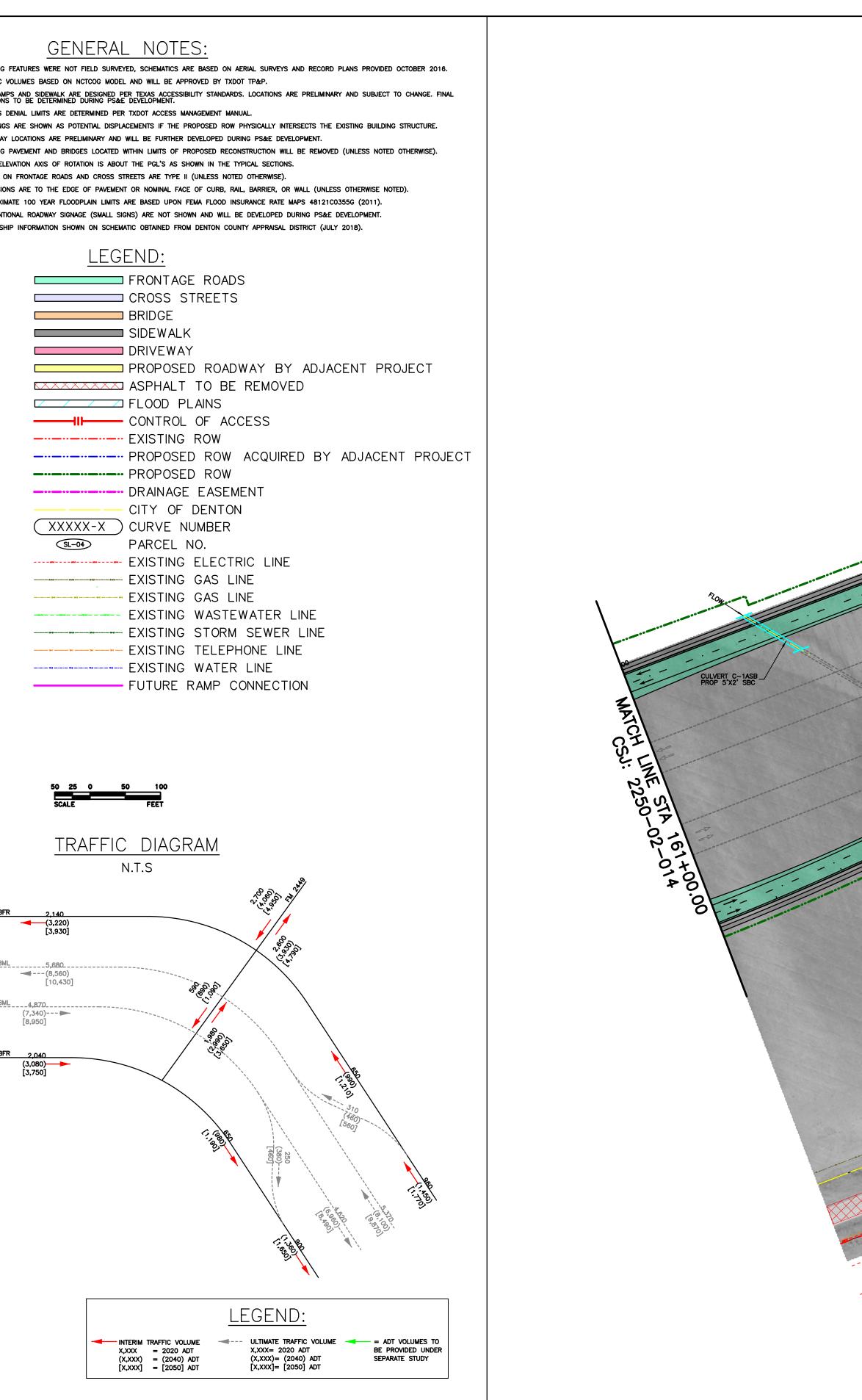


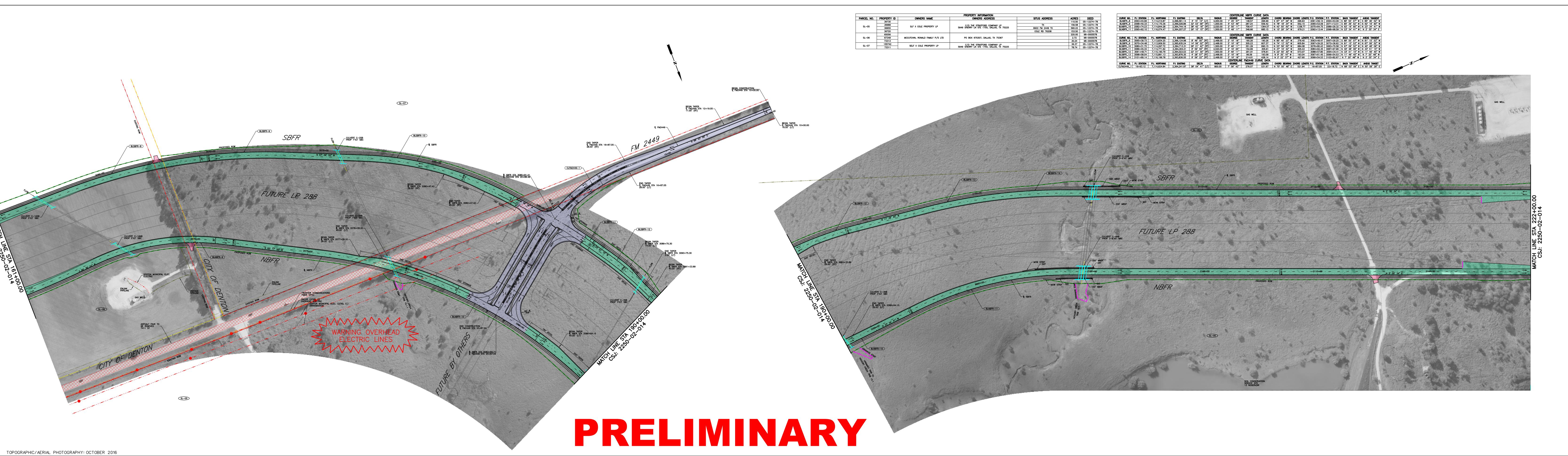
Photograph 18. Several petroleum well pads are located immediately adjacent to the project area.

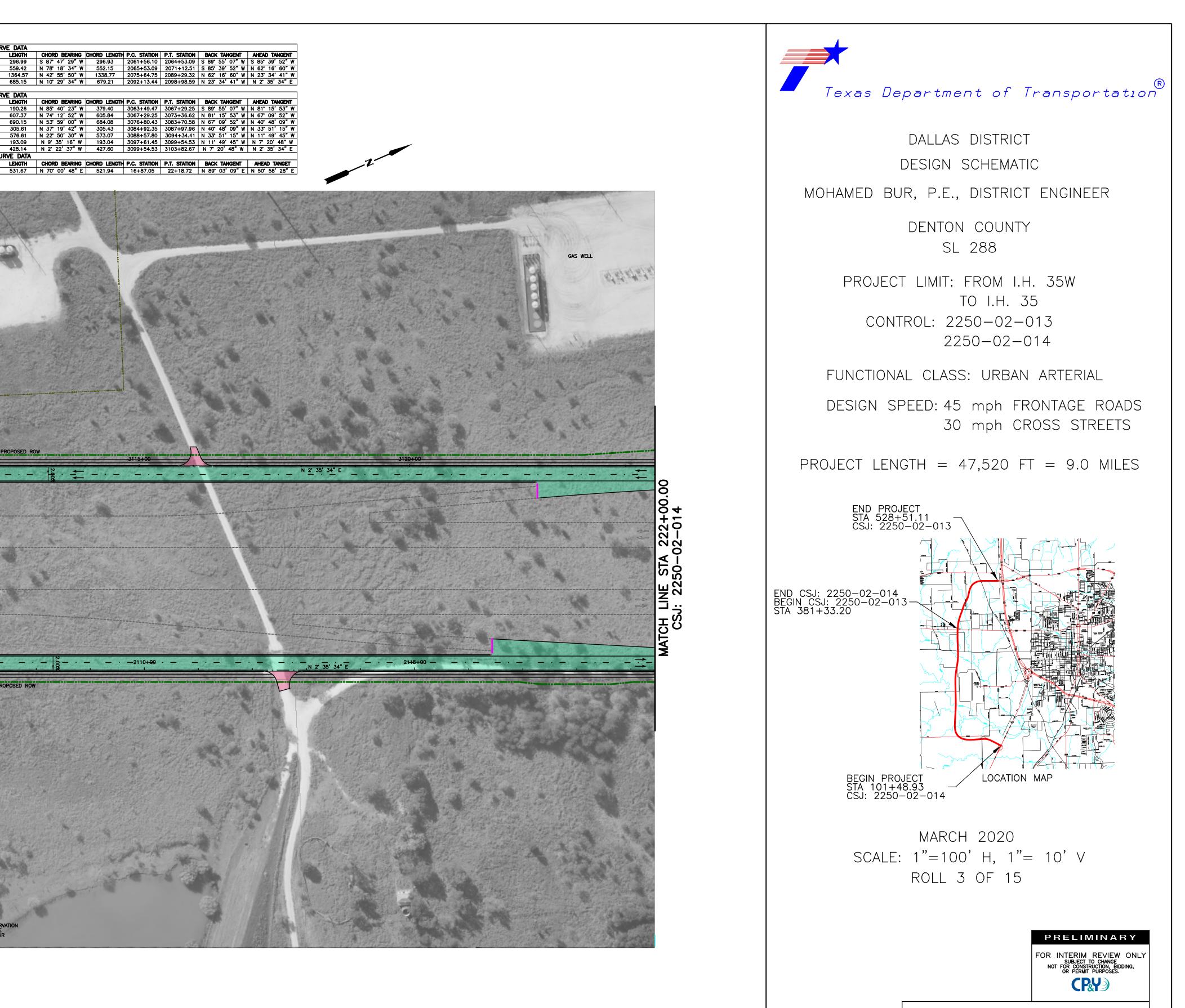
APPENDIX C SCHEMATIC



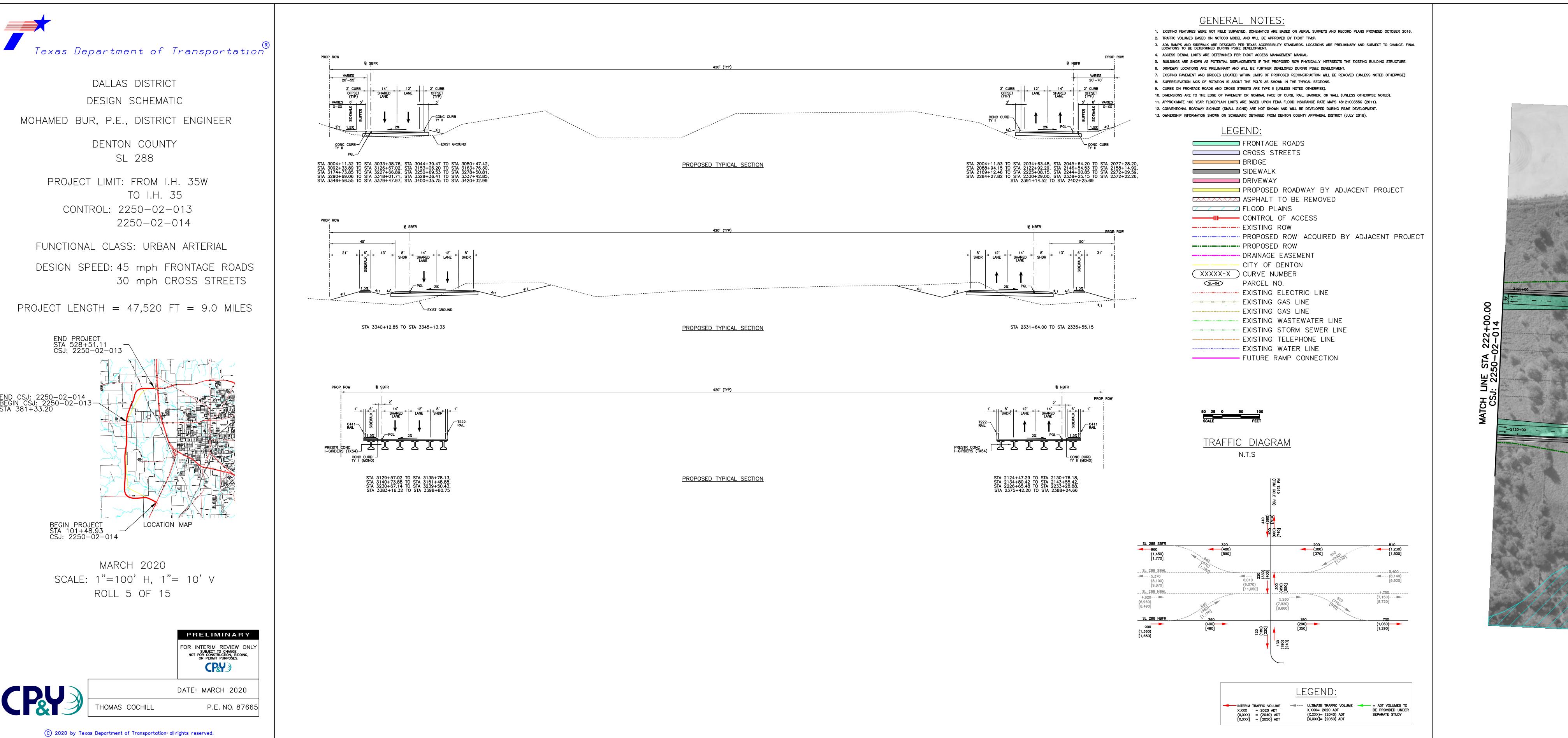




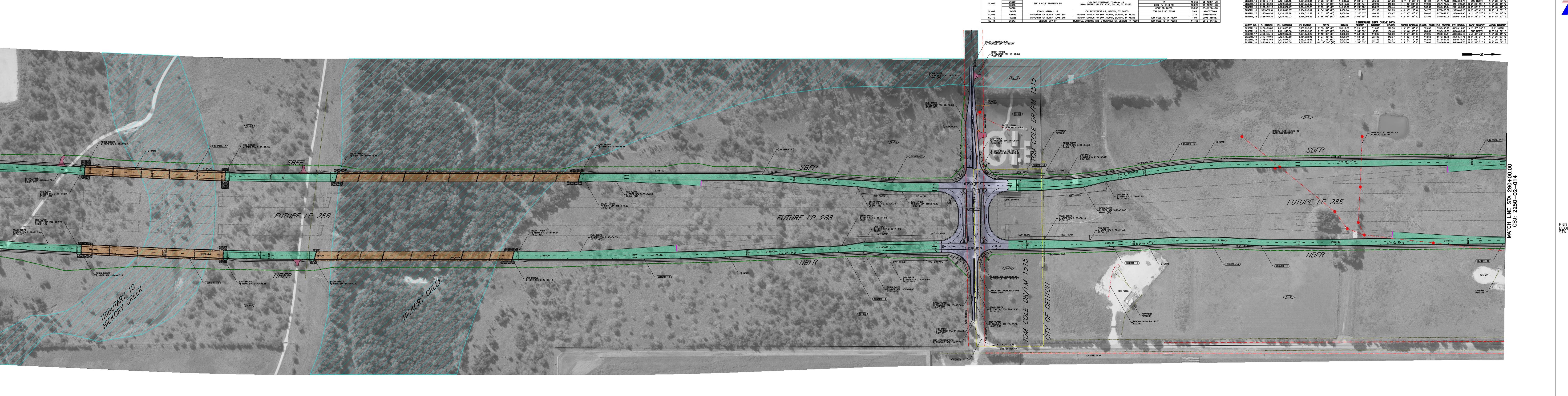


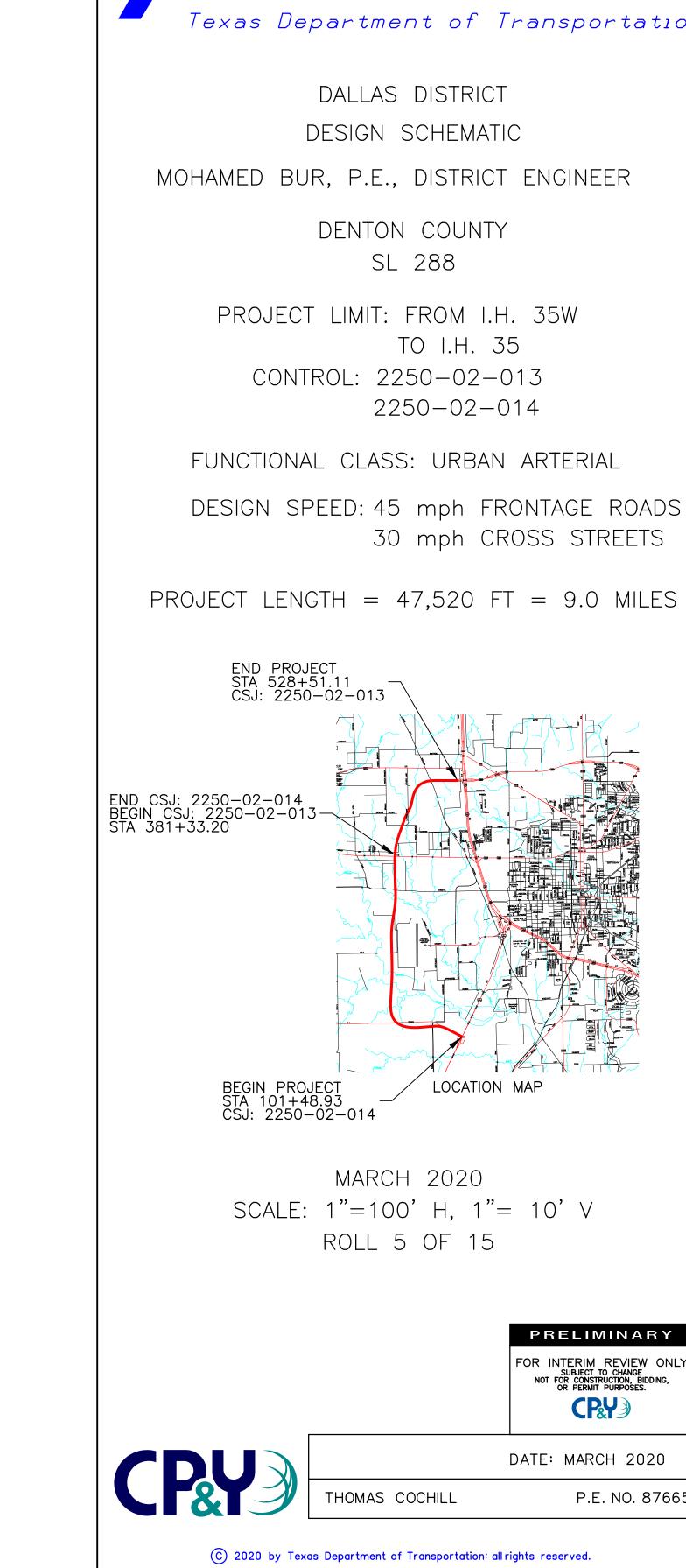


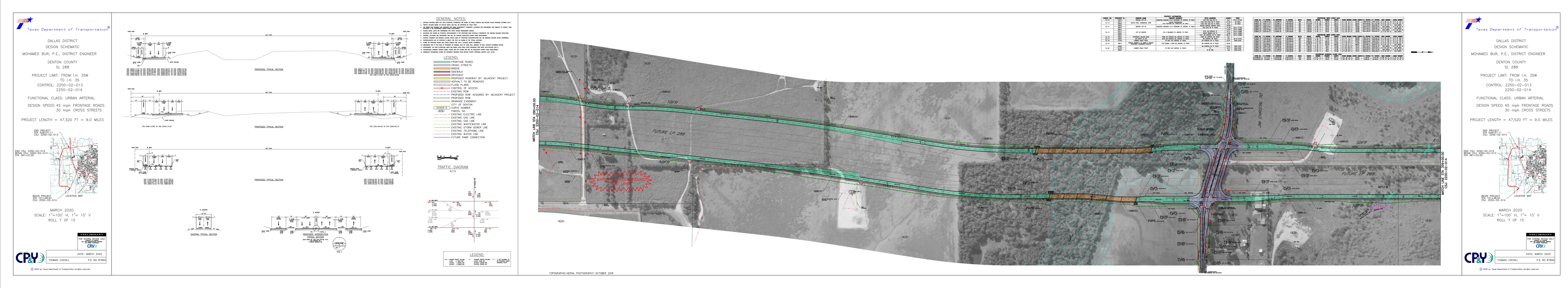
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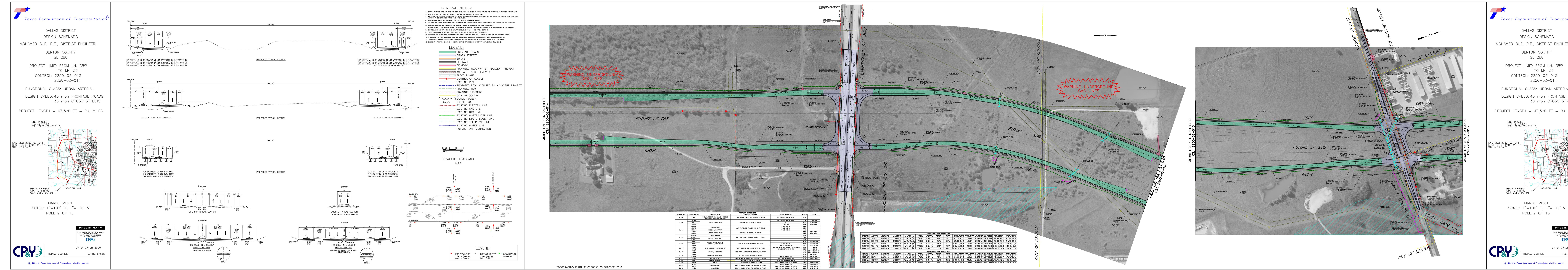


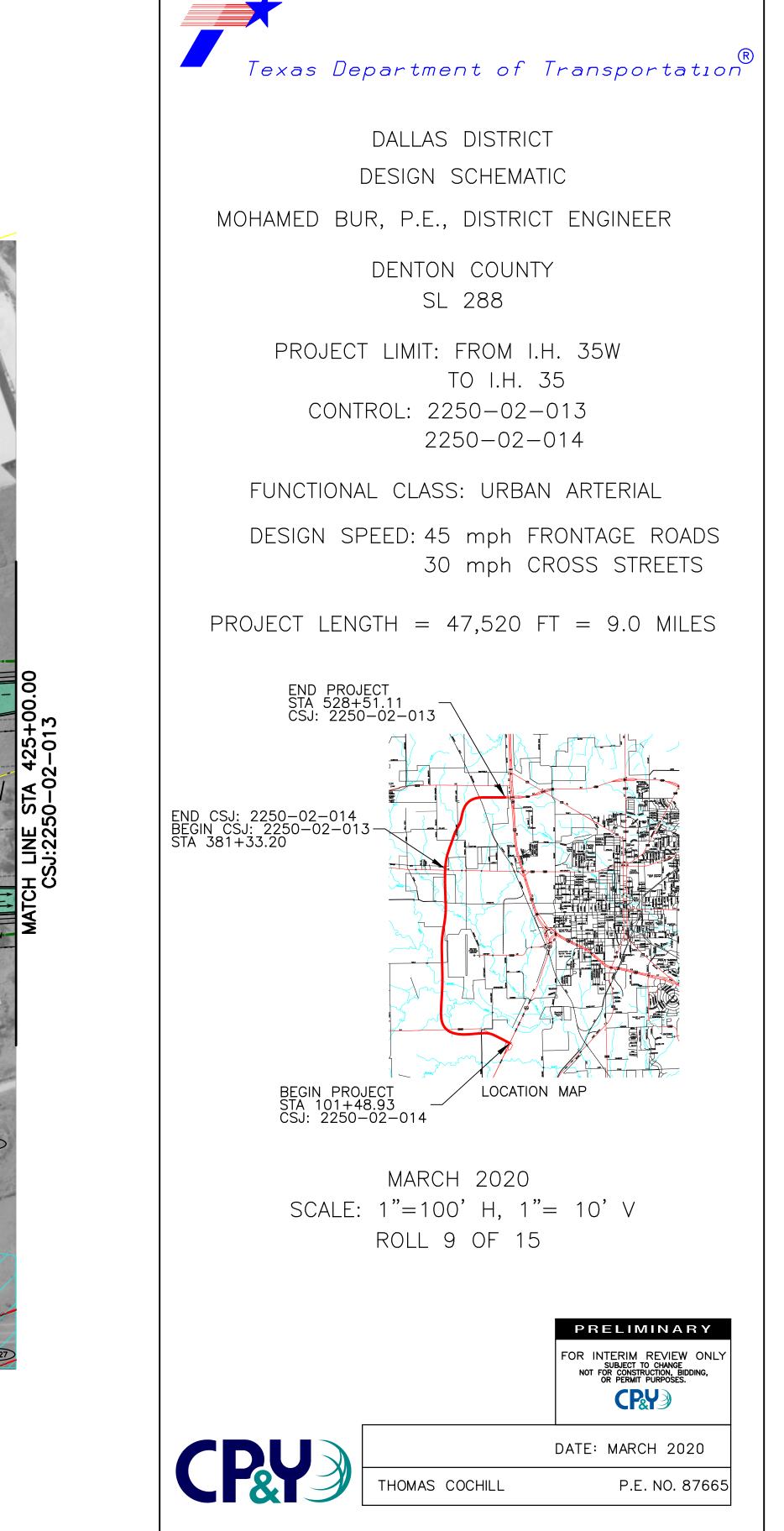
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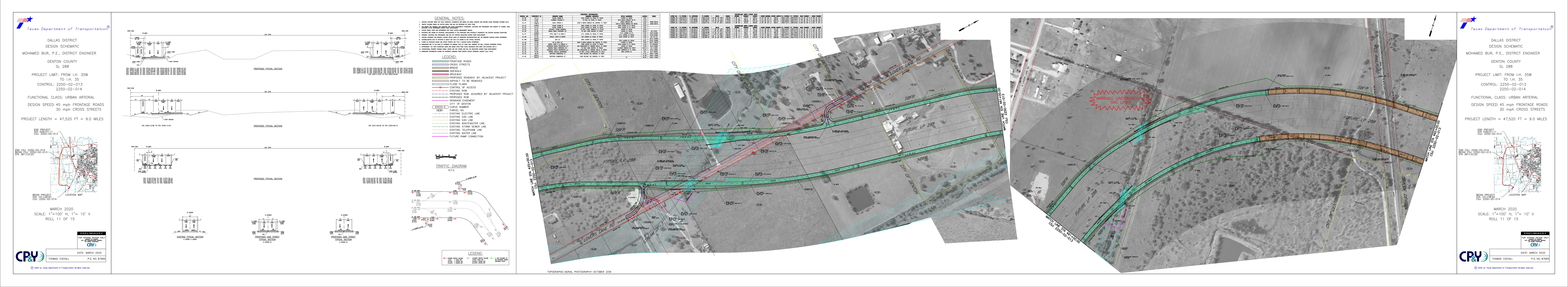


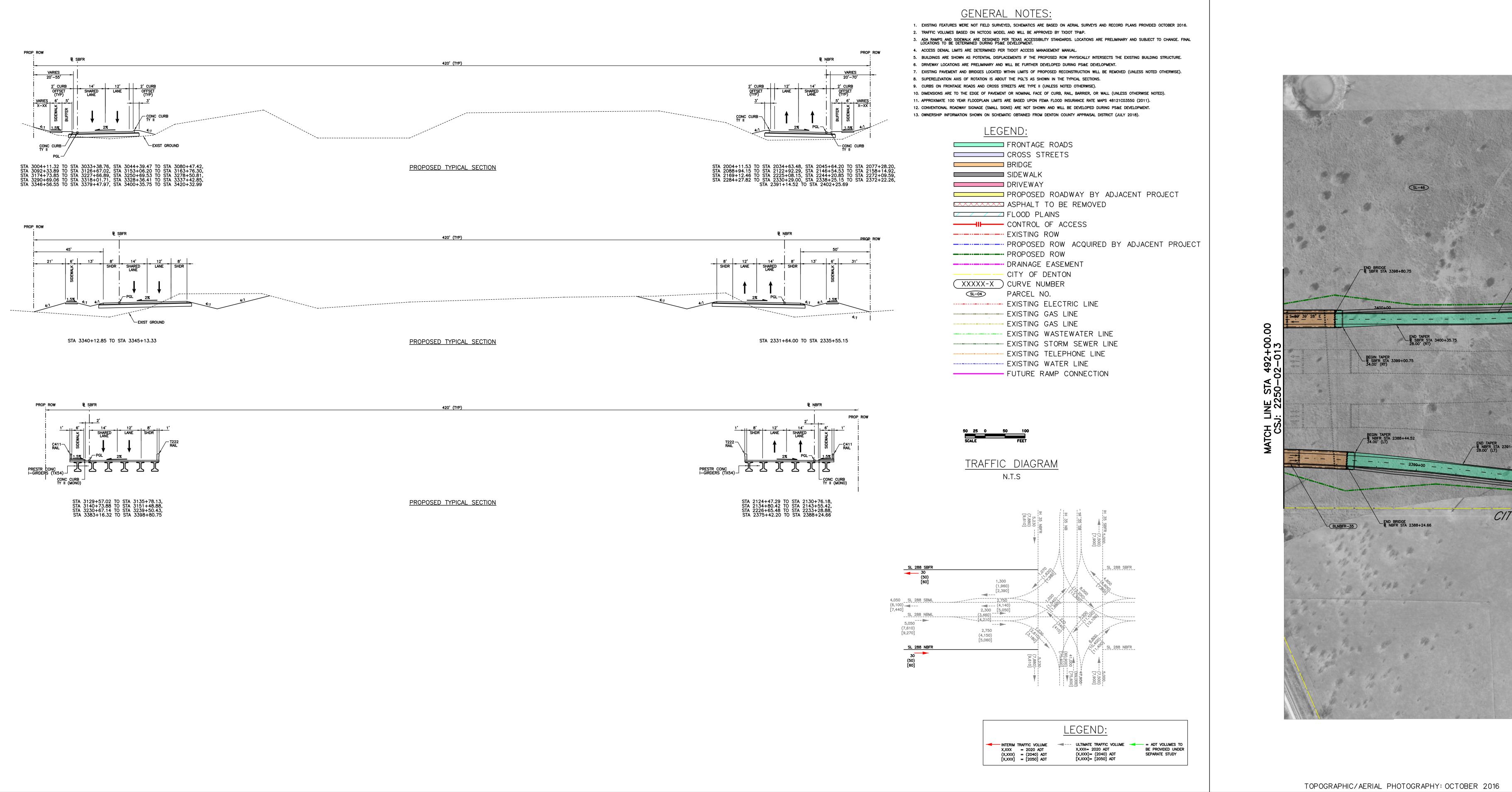












Texas Department of Transportation

DALLAS DISTRICT

DESIGN SCHEMATIC

DENTON COUNTY

PROJECT LIMIT: FROM I.H. 35W

CONTROL: 2250-02-013

FUNCTIONAL CLASS: URBAN ARTERIAL

DESIGN SPEED: 45 mph FRONTAGE ROADS

PROJECT LENGTH = 47,520 FT = 9.0 MILES

MARCH 2020 SCALE: 1"=100' H, 1"= 10' V ROLL 13 OF 15

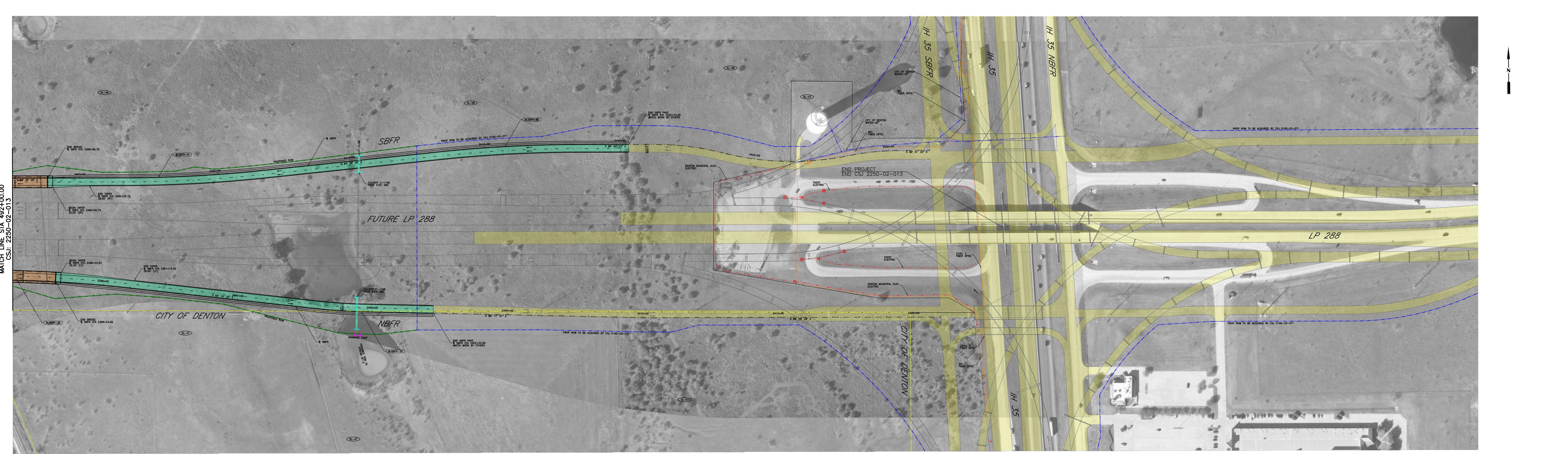
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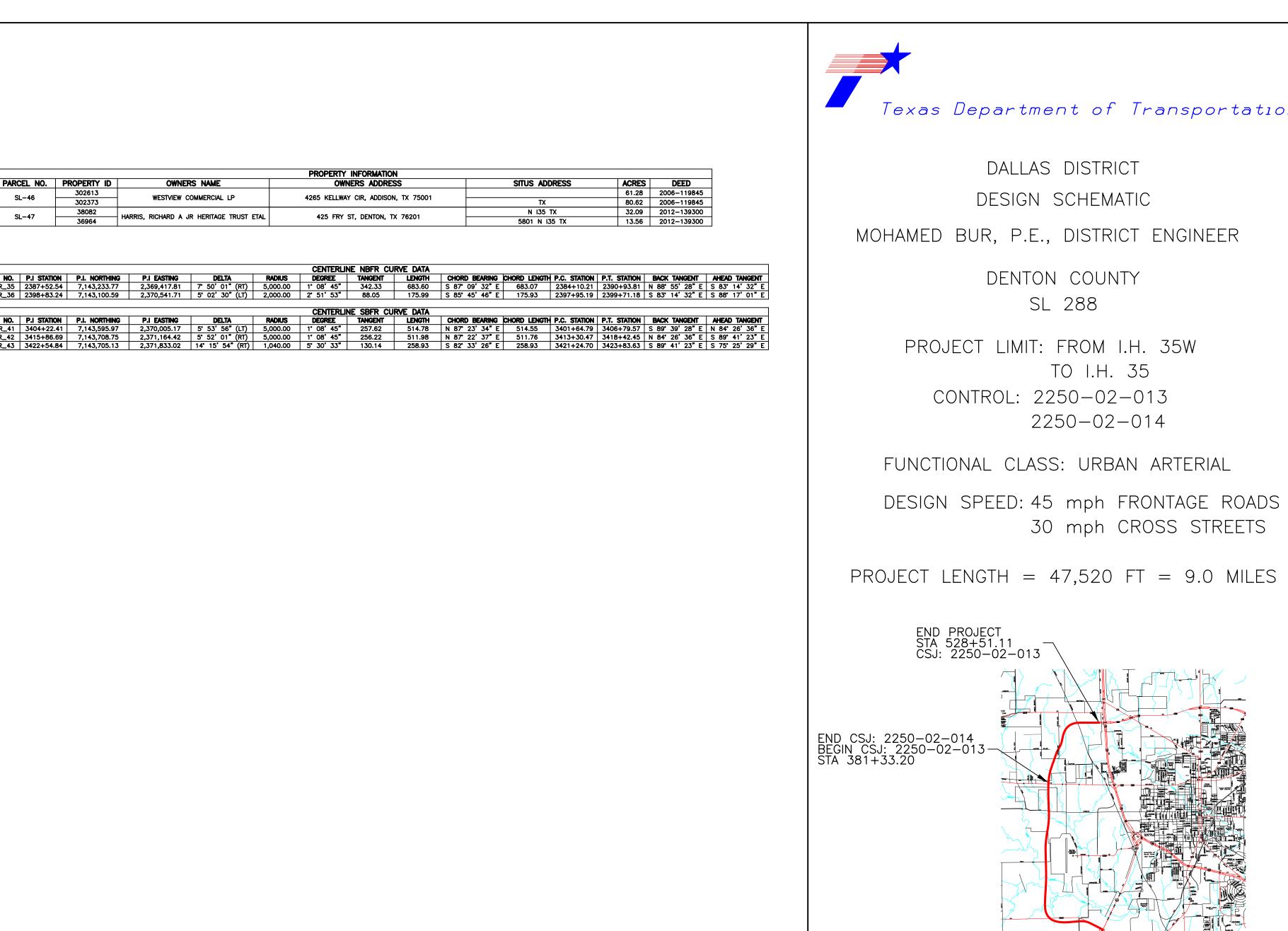
TO I.H. 35

2250-02-014

30 mph CROSS STREETS

MOHAMED BUR, P.E., DISTRICT ENGINEER





FOR INTERIM REVIEW OF SUBJECT TO CHANGE NOT FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.

CP&Y

DATE: MARCH 2020

THOMAS COCHILL P.E. NO. 8

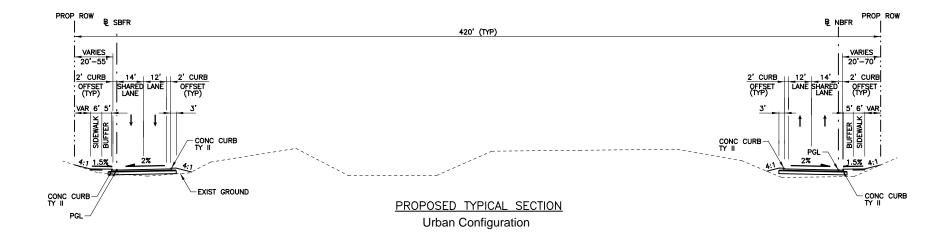
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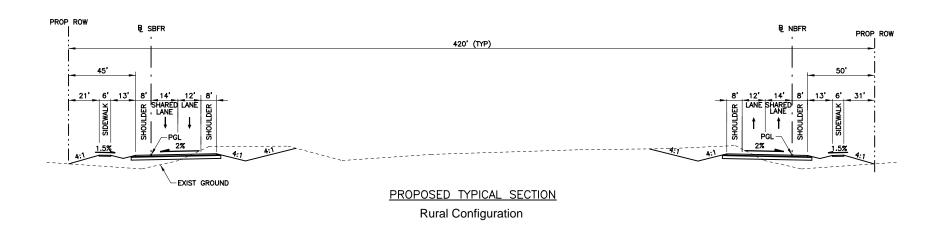
ROLL 13 OF 15

SCALE: 1"=100' H, 1"= 10' V

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APPENDIX D TYPICAL SECTIONS





APPENDIX E PLAN AND PROGRAM EXCERPTS

STIP Portal Page 1 of 2



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Project Management | □ | Reports | □ | Support 🗢 Project Management > Area List > STIPs (M-NCTCOG) > Revisions () > TIP Instances (Unassigned) > Highway Projects (Unassigned) > Project Details Color Key: - Business rule violation - Value changed in current session - Different from DCIS or latest approved copy 💹 Data 🗢 Phase
Construction **Total Project Cost Information** Statewide 3 TIP Revision 3 None Engineering Prelim Engineering \$1,532,590 District 2 DALLAS County 2 DENTON Environmental ROW Purchase 3 \$1,000,000 Engineering MPO ② NCTCOG Highway 3 SL 288 Construction Cost \$15,435,720 Right-of-Way \$705,412 Const Engineering Acquisition CSJ 2 2250 - 02 - 013 TIP FY 3 2021 \$1,278,078 Contingencies 3 Utilities Indirect Costs 3 \$0 Transfer Bond Financing 3 \$0 Revision Date 3 07/2018 NOX (Kg ∨ /D): 🛣 0.0000 Potential Chg Ord

Ord \$0 \$19,951,800 Project Sponsor ② DENTON CO VOC (Kg V/D): 2 0.0000 Total Project Cost 3 YOE Cost 3 MPO Proj Number 20175 PM10 (Kg ∨ /D): 3 0.0000 Toll 🕐 🔲 MTP Reference (2) IN1-3.100.1, RSA1-2.190.250 PM2.5 (Kg V/D): 3 0.0000 тсм 🕐 🖂 City 7 DENTON CO (Lbs ∨ /D): ② Limits From 2 IH 35 AT SL 288 Limits To ② US 380 WEST OF DENTON Project Description ② CONSTRUCT 2 LANE RURAL ROADWAY ON NEW LOCATION WITH INTERCHANGE AT IH 35; NW QUADRANT & INTERCHANGE P7 Remarks 3 Project History ® RELATED TO TIP 53075/ CSJ 2250-02-014 Authorized Funding by Category/Share Category Federal State Regional Local **Local Contributions** Total \$1,000,000 SW ROW \$800,000 \$100,000 \$100,000 \$0 \$0 \$800,000 \$100,000 \$0.00 \$100,000 \$0.00 \$1,000,000 TIP FY PHASE CITY YOE COST DISTRICT MPO COUNTY CSJ HWY 2250-02-013 NCTCOG DENTON 2021 SL 288 R.ACQ DENTON \$ 1.000,000 LIMITS FROM: IH 35 AT SL 288 PROJECT SPONSOR: DENTON CO LIMITS TO: US 380 WEST OF DENTON REVISION DATE: 07/2018 MPO PROJ NUM: 20175 FUNDING CAT(S): S102 PROJECT CONSTRUCT 2 LANE RURAL ROADWAY ON NEW LOCATION WITH INTERCHANGE AT IH 35; NW DESCR: QUADRANT & INTERCHANGE PROJECT RELATED TO TIP 53075/ CSJ 2250-02-014
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TIP History

STIP Portal Page 2 of 2

2019-2022 STIP				07/2018 Re	vision: Approv	ed 09/2	28/2018			
DISTRICT	MPO	COUNTY	CSJ	TIP	FY HV	VY F	PHASE	CITY		YOE COST
DALLAS	NCTCOG	DENTON	ON 2250-02-013		1 SL	288 F	R,ACQ	DENTON		\$ 1,000,000
LIMITS FROM:	IH 35 AT SL 288							PROJECT SPONSO	OR: DENTON CO	
LIMITS TO:	US 380 WEST OF DEN	TON						REVIS	SION DATE: 07/2	018
	CONSTRUCT 2 LANE I QUADRANT & INTERC		AY ON NEW	LOCATION WI	TH INTERCHAN	GE AT I	H 35; NW		PROJ NUM: 201 ING CAT(S): S10	
REMARKS P7:						JECT I	RELATED T	O TIP 53075/ CSJ 2	2250-02-014	
TOTAL PR	OJECT COST INFORM	ATION			AUTHORIZED	FUND	ING BY CA	TEGORY/SHARE		
PRELIM ENG:	\$ 1,532,590	CA	TEGORY	FEDERAL	STATE	REC	SIONAL	LOCAL	LC	TOTAL
ROW PURCH: CONST COST:	\$ 15,435,720 AF	OST OF SV PROVED RO		\$ 800,000	\$ 100,000		\$ 0	\$ 100,000	\$ 0	\$ 1,000,00
CONST ENG: CONTING:	\$ 1,278,078 \$		TAL	\$ 800,000	\$ 100,000		\$ 0	\$ 100,000	\$ 0	\$ 1,000,00
INDIRECT: BOND FIN:	\$ 0									
POT CHG ORD: TOTAL COST:										

Comment	History

Time	User	Comment	Related Approval
2018/08/15 19:36:48	Barbara Maley		07/2018: Approved

STIP Portal

** Mon, Oct 07, 2019 2:02:50 PM

Texas Department of Transportation

** Oct 07, 2019 2:02:50 PM

** Oct 07, 2019 2:02:50 PM

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Construction **Total Project Cost Information** Statewide 3 TIP Revision 3 None Engineering Prelim Engineering \$1,532,590 District 2 DALLAS County @ DENTON Environmental ROW Purchase 3 \$1,000,000 Engineering MPO 3 NCTCOG Highway 3 SL 288 \$15,435,720 Construction Cost Right-of-Way \$705,412 Acquisition CSJ 2 2250 - 02 - 013 TIP FY 2019 \$1,278,078 Contingencies 3 Utilities Indirect Costs 3 \$0 Transfer Bond Financing 3 \$0 Revision Date 3 07/2018 NOX (Kg ∨ /D): 🛣 0.0000 Potential Chg Ord

Ord \$0 \$19,951,800 Project Sponsor ② DENTON CO VOC (Kg V/D): 2 0.0000 Total Project Cost 3 YOE Cost 3 MPO Proj Number 20175 PM10 (Kg ∨ /D): 3 0.0000 Toll 🕐 🔲 MTP Reference (2) IN1-3.100.1, RSA1-2.190.250 PM2.5 (Kg V/D): 3 0.0000 тсм 🕐 🖂 City 7 DENTON CO (Lbs ∨ /D): ② 0.0000 Limits From 2 IH 35 AT SL 288 Limits To ② US 380 WEST OF DENTON Project Description ② CONSTRUCT 2 LANE RURAL ROADWAY ON NEW LOCATION WITH INTERCHANGE AT IH 35; NW QUADRANT & INTERCHANGE P7 Remarks 2 LOCAL CONTRIBUTION PAID BY DENTON COUNTY Project History PRELATED TO TIP 53075/ CSJ 2250-02-014 Authorized Funding by Category/Share Federal Regional Category State Local **Local Contributions** Total \$1,532,590 3LC \$0 \$1.532.590 \$0 \$0 \$0 Total \$0.00 \$0.00 \$0.00 \$0.00 \$1,532,590 \$1,532,590 TIP FY PHASE CITY YOE COST DISTRICT MPO COUNTY CSJ HWY NCTCOG DENTON 2250-02-013 2019 SL 288 E.ENG DENTON \$ 1.532.590 LIMITS FROM: IH 35 AT SL 288 PROJECT SPONSOR: DENTON CO LIMITS TO: US 380 WEST OF DENTON REVISION DATE: 07/2018 MPO PROJ NUM: 20175 FUNDING CAT(S): 3LC PROJECT CONSTRUCT 2 LANE RURAL ROADWAY ON NEW LOCATION WITH INTERCHANGE AT IH 35; NW DESCR: QUADRANT & INTERCHANGE PROJECT RELATED TO TIP 53075/ CSJ 2250-02-014
HISTORY: REMARKS P7: LOCAL CONTRIBUTION PAID BY DENTON COUNTY TOTAL PROJECT COST INFORMATION AUTHORIZED FUNDING BY CATEGORY/SHARE PRELIM ENG: \$ CATEGORY FEDERAL TOTAL 1.532.590 STATE REGIONAL LOCAL COST OF APPROVED ROW PURCH: 9 1,000,000 \$0 \$0 \$1,532,590 \$ 1,532,590 CONST COST: \$
CONST ENG: \$ 15,435,720 705,412 TOTAL PHASES \$ 1,532,590 CONTING: \$ 1.278,078 INDIRECT: BOND FIN: POT CHG ORD: 0 19,951,800 TOTAL COST:

TIP History

STIP Portal Page 2 of 2

2019-2022 STII	<u> </u>				vision: Approv	ed 09	9/28/2018			
DISTRICT	MPO	COUNTY	CSJ	TIP	FY HV	VΥ	PHASE	CITY		YOE COST
	NCTCOG IH 35 AT SL 288	DENTON	2250-0)2-013 20°	19 SL	288	E,ENG	DENTON PROJECT SPONS		-
PROJECT	US 380 WEST OF CONSTRUCT 2 LA QUADRANT & INT	NE RURAL ROAD	WAY ON NEW	LOCATION W	ITH INTERCHAN	GE A	T IH 35; NW	MPC	ISION DATE: 07/ DPROJ NUM: 20 DING CAT(S): 3L	175
REMARKS P7	LOCAL CONTRIBL	JTION PAID BY DE	ENTON COUN	ΓY	PRO HIST			TO TIP 53075/ CSJ	2250-02-014	
TOTAL PI	ROJECT COST INFO \$ 1,532,590		CATEGORY	EEDEDAI	AUTHORIZED STATE		IDING BY CA	ATEGORY/SHARE LOCAL	LC	TOTAL
ROW PURCH:		0007.05	3LC	\$0	\$ 0	K	\$ 0	\$ 0	\$ 1,532,590	\$ 1,532,59
CONST COST CONST ENG CONTING INDIRECT BOND FIN	\$ 15,435,720 \$ 705,412 \$ 1,278,078 \$ 0	APPROVED :	TOTAL	\$0	\$ 0		\$0	\$0	\$ 1,532,590	\$ 1,532,59
POT CHG ORD	\$ 0									
2017-2020 STII					evision: Approv					
DISTRICT	MPO	COUNTY	CSJ		FY HV		PHASE	CITY		YOE COST
	NCTCOG IH 35 AT SL 288	DENTON	2250-0)2-013 20°	19 SL	288	E,ENG	DENTON PROJECT SPONS		
PROJECT	US 380 WEST OF CONSTRUCT 2 LA QUADRANT & INT	NE RURAL ROAD							ISION DATE: 07/ DPROJ NUM: 20 DING CAT(S): 3R	
REMARKS P7	RTR 121-DE1				PRO HIST	JECT ORY:		ATEGORY/SHARE		
PRELIM ENG	ROJECT COST INFO \$ 4.561.577		CATEGORY	FEDERAL	STATE		EGIONAL	LOCAL	LC	TOTAL
ROW PURCH		COST OF	3RTR121	\$ 0	\$ 0		3,649,262	\$ 912,315	\$ 0	\$ 4,561,57
CONST COST: CONST ENG: CONTING: INDIRECT: BOND FIN: POT CHG ORD: TOTAL COST:	\$ 387,771 \$ 0 \$ 0 \$ 0 \$ 0	APPROVED :	TOTAL	\$ 0	\$ 0		3,649,262	\$ 912,315	\$ 0	\$ 4,561,57
2013-2016 STII	•			07/2012 Re	evision: Approv	ed 11	1/01/2012			
DISTRICT	MPO	COUNTY	CSJ		FY HV		PHASE	CITY		YOE COST
	NCTCOG IH 35 AT LP 288	DENTON	2250-0	02-013 201	13 LP	288	E	DENTON PROJECT SPONS		
PROJECT	US 380 WEST OF CONSTRUCT 2 LA QUADRANT OF LO	NE RURAL ROAD		LOCATION W	ITH INTERCHAN	GE A	T IH 35; NW	MPC	ISION DATE: 07/ D PROJ NUM: 20 DING CAT(S): 3R	175
	DFW RTR-DE1 FU		NOL.		PRO HIST					
	ROJECT COST INFO							ATEGORY/SHARE		
PRELIM ENG		COCTOE	CATEGORY		STATE		EGIONAL	LOCAL	LC	TOTAL
ROW PURCH:		ADDROVED	3RTR121	\$ 0	\$ 0		3,649,262	\$ 912,315	\$ 0	\$ 4,561,57
CONST ENG CONTING INDIRECT BOND FIN	\$ 387,771 \$ 0 \$ 0 \$ 0	PHASES \$ 4,561,577	TOTAL	\$ 0	\$ 0	\$	\$ 3,649,262	\$ 912,315	\$ 0	\$ 4,561,57
	\$ 29,461,003									

Comment History

Time	User	Comment	Related Approval
2018/08/15 19:36:12	Barbara Maley		07/2018: Approved
2017/08/14 14:38:40	Barbara Maley	Approval based on COG ABeckom April 11 explanation regarding consistency of Phase C.	07/2016: Approved
2017/04/11 22:44:28	Adam Beckom	TXDOT IS PLANNING TO BEGIN DESIGN WORK IN FY 2019. AT THIS TIME, THERE IS NO PLAN TO ADVANCE CONSTRUCTION INTO THE 2027 NETWORK, BUT TXDOT DOES PLAN TO INITIATE EARLY DESIGN WORK LEADING TOWARD ENVIRONMENTAL CLEARANCE. GIVEN THE LENGTH OF TIME NEEDED TO ENVIRONMENTALLY CLEAR AND DESIGN PROJECTS, IT IS REALISTIC TO BEGIN DESIGN TODAY IN ORDER TO HAVE PROJECTS SHOVEL READY IN THE FUTURE. GIVEN THIS INFORMATION, PLEASE RECONSIDER THIS EXCEPTION.	
2016/10/21 12:05:59	Barbara Maley	Not Approved. The project does not appear to be consistent with the MPOs currently conforming 2040 MTP.	07/2016: Not Approved
2013/03/01 10:40:51	Lori Morel	TPP approval for FHWA (11/01/12).	07/2012: Approved
2013/01/23 15:06:17	Lori Morel	YOE field changed from \$ 4,949,348 to \$ 4,561,577 to match .pdf TIP page. All other project information consistent w/ .pdf submittal.	

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 □ Phase

Construction **Total Project Cost Information** Statewide 3 TIP Revision
None Engineering Prelim Engineering 3 \$2.147.496 District DALLAS County 1 DENTON Environmental ROW Purchase 3 \$1,000,000 Engineering Highway ® SL 288 MPO 3 NCTCOG Construction Cost 3 \$31,582,911 Right-of-Way Const Engineering 3 \$2,246,427 Acquisition CSJ ② 2250 - 02 - 014 TIP FY ② 2020 Contingencies 3 \$4,070,112 Utilities Indirect Costs 3 \$0 Transfer \$0 Revision Date 3 05/2019 NOX (Kg ▼ /D): ② Potential Chg Ord 3 0.0000 \$0 \$41,046,946 Project Sponsor ® DENTON CO VOC (Kg ▼ /D): ② 0.0000 Total Project Cost 3 YOE Cost 3 MPO Proj Number ② 53075 PM10 (Kg ▼ /D): 3 0.0000 Toll 🔮 MTP Reference ® RSA1-1.430.150 PM2.5 (Kg ▼ /D): ② 0.0000 TCM 🔮 🔲 City ② DENTON CO (Lbs ▼ /D): 3 Limits From W US 380 WEST OF DENTON Limits To 3 IH 35W SOUTH OF DENTON Project Description (2) CONSTRUCT 0 TO 2 LANE FRONTAGE ROADS (ULTIMATE 4 LANES) P7 Remarks (2) REVISE SCOPE; LOCAL CONTRIBUTION PAID BY DENTON COUNTY Project History PRELATED TO TIP 20175/CSJ 2250-02-013 Authorized Funding by Category/Share Federal Total Category State Regional Local **Local Contributions** \$1,000,000 SW ROW \$800,000 \$100,000 \$0 \$100,000 \$1,000,000 Total \$800,000 \$100,000 \$0.00 \$100,000 \$0.00 YOE COST DISTRICT COUNTY CSJ PHASE 2250-02-014 SL 288 R.ACQ DENTON DALLAS NCTCOG DENTON LIMITS FROM: US 380 WEST OF DENTON PROJECT SPONSOR: DENTON CO LIMITS TO: IH 35W SOUTH OF DENTON REVISION DATE: 05/2019 PROJECT CONSTRUCT 0 TO 2 LANE FRONTAGE ROADS (ULTIMATE 4 LANES) MPO PROJ NUM: 53075 S102 FUNDING CAT(S): REMARKS P7: REVISE SCOPE; LOCAL CONTRIBUTION PAID BY DENTON COUNTY PROJECT RELATED TO TIP 20175/CSJ 2250-02-013 HISTORY TOTAL PROJECT COST INFORMATION AUTHORIZED FUNDING BY CATEGORY/SHARE PRELIM ENG: \$
ROW PURCH: \$
CONST COST: \$ 2,147,496 CATEGORY FEDERAL STATE REGIONAL TOTAL LOCAL COST OF 1,000,000 31,582,911 SW \$ 800,000 \$ 100,000 \$ 0 \$ 100.000 \$ 0 \$ 1.000.000 APPROVED PHASES ROW CONST ENG: CONTING: 2 246 427 TOTAL \$ 800,000 \$ 100,000 \$0 \$ 100,000 \$0 \$ 1,000,000 \$ 1.000.000 4,070,112 INDIRECT: BOND FIN: POT CHG ORD: TOTAL COST: 41.046.946

TIP History

2019-2022 S	TIP		05/20	19 Revision:	Approved 07/26/2	019	
DISTRICT	MPO	COUNTY	CSJ	TIP FY	HWY PHA	SE CITY	YOE COST
DALLAC	NOTOOO	DENITON	2250 02 044	2020	CI 200 D AC	O DENITONI	6.4.000.000

10/7/2019

					STIP Port	al			
LIMITS FROM: U LIMITS TO: II PROJECT (NCTCOG US 380 WEST OF I IH 35W SOUTH OF CONSTRUCT 0 TO	DENTON 2 LANE FRONT	AGE ROADS (I		S)		MPO PR	N DATE: 05/2 OJ NUM: 530	2019 75
DESCR: REMARKS P7: F	REVISE SCOPE; L	OCAL CONTRIB	UTION PAID BY	DENTON COUN	TY PROJ	ECT RELATED TO	TIP 20175/CSJ 2250	-02-013	
TOTAL PRO	DJECT COST INFO		:		AUTHORIZED	JRY: FUNDING BY CAT	EGORY/SHARE		
PRELIM ENG: \$		COST OF	CATEGORY		STATE	REGIONAL	LOCAL	LC	TOTAL
ROW PURCH: \$ CONST COST: \$	31,582,911	APPROVED	SW ROW	\$ 800,000	\$ 100,000	\$ 0	\$ 100,000	\$ 0	\$ 1,000,00
CONST ENG: \$ CONTING: \$ INDIRECT: \$ BOND FIN: \$ POT CHG ORD: \$ TOTAL COST: \$	4,070,112 0 0 0 0	PHASES \$ 1,000,000	TOTAL	\$ 800,000	\$ 100,000	\$0	\$ 100,000	\$ 0	\$ 1,000,00
019-2022 STIP				07/2018 Rev	ision: Approve	d 09/28/2018			
_	MPO	COUNTY		TIP F			CITY		YOE COST
LIMITS FROM: U LIMITS TO: II PROJECT (NCTCOG JS 380 WEST OF I H 35W SOUTH OF CONSTRUCT TWO EXTENSION OF LO	DENTON LANE RURAL F		02-014 2020 NEW LOCATION I	PH 1 OF ULTIMA	TE FREEWAY -	MPO PR	N DATE: 07/2 OJ NUM: 530 G CAT(S): S10	2018 75
TOTAL PRO	DJECT COST INFO	ORMATION	······································		HISTO	DRY: FUNDING BY CAT	FGORY/SHARE		
PRELIM ENG: \$	2,147,496		CATEGORY		STATE	REGIONAL	LOCAL	LC	TOTAL
ROW PURCH: \$ CONST COST: \$		COST OF APPROVED	SW ROW	\$ 800,000	\$ 100,000	\$ 0	\$ 100,000	\$ 0	\$ 1,000,00
CONST ENG: CONTING: INDIRECT: BOND FIN: POT CHG ORD: TOTAL COST:	2,007,330 3,636,913 0 0 0	PHASES \$ 1,000,000	TOTAL	\$ 800,000	\$ 100,000	\$ 0	\$ 100,000	\$ 0	\$ 1,000,00
017-2020 STIP				11/2017 Rev	ision: Approve	d 02/27/2018			
	MPO	COUNTY		TIP F			CITY		YOE COST
LIMITS FROM: U LIMITS TO: II PROJECT (DESCR: L	_OOP 288)	DENTON NE TO 2 LANE R	URAL ROADW	02-014 2020 AY (PH 1 OF ULT	MATE FREEWA	Y - EXTENSION OF	MPO PR	DENTON CC N DATE: 11/2 OJ NUM: 530 G CAT(S): S10	017 75
REMARKS P7: F	REMOVE ROW PH	IASE FROM THE	TIP/STIP		PROJ	ECT			
TOTAL PRO					HISTO	JRY:			
	DJECT COST INFO	DRMATION			HISTO AUTHORIZED	FUNDING BY CAT	EGORY/SHARE		
PRELIM ENG: \$ ROW PURCH: \$	DJECT COST INFO 614,906	COST OF	CATEGORY	FEDERAL	HISTO AUTHORIZED STATE	FUNDING BY CAT REGIONAL	EGORY/SHARE LOCAL	LC	TOTAL
ROW PURCH: \$ CONST COST: \$ CONST ENG: \$ CONTING: \$	5 614,906 614,906 6 1,000,000 6 0 6 1,483,077 6 2,142,222	ORMATION			HISTO AUTHORIZED	FUNDING BY CAT	EGORY/SHARE		TOTAL \$
ROW PURCH: \$ CONST COST: \$ CONST ENG: \$ CONTING: \$ INDIRECT: \$ BOND FIN: \$	5 614,906 614,906 614,906 614,906 614,906 614,907 614,483,077 614,222 6142,222 61611,610 614,6	COST OF APPROVED PHASES	CATEGORY SW ROW	FEDERAL \$ 0	AUTHORIZED STATE \$ 0	FUNDING BY CAT REGIONAL \$ 0	EGORY/SHARE LOCAL \$ 0	LC \$ 0	TOTAL \$
ROW PURCH: \$ CONST COST: \$ CONST ENG: \$ CONTING: \$ INDIRECT: \$ BOND FIN: \$ POT CHG ORD: \$ TOTAL COST: \$ 017-2020 STIP	5 614,906 614,906 614,906 614,906 614,906 614,907 614,483,077 614,222 6142,222 61611,610 614,6	COST OF APPROVED PHASES	CATEGORY SW ROW	\$ 0 \$ 0	AUTHORIZED STATE \$ 0	FUNDING BY CAT REGIONAL \$ 0	EGORY/SHARE LOCAL \$ 0	LC \$ 0	TOTAL \$
ROW PURCH: \$ CONST COST: CONST ENG: \$ CONTING: \$ INDIRECT: \$ BOND FIN: \$ POT CHG ORD: \$ TOTAL COST: \$ O17-2020 STIP DISTRICT IN	DJECT COST INFC 6 14,906 1 5 1,000,000 5 6 2,1483,077 6 2,142,222 1 6 1,611,610 0 6 0 0 6 6,851,815	COUNTY	CATEGORY SW ROW TOTAL	\$ 0 \$ 0 07/2016 Revisi	HISTO AUTHORIZED STATE \$ 0 \$ 0 S 0 On: Not Approx Y HW	FUNDING BY CAT REGIONAL \$ 0 \$ 0 ved 12/19/2016 Y PHASE	EGORY/SHARE LOCAL \$ 0 \$ 0	LC \$ 0	TOTAL \$ \$ YOE COST
ROW PURCH: \$ CONST COST: CONTING: \$ CONTING: \$ INDIRECT: \$ POT CHG ORD: \$ TOTAL COST: \$ O17-2020 STIP DISTRICT N DALLAS LIMITS FROM: L LIMITS FROM: L LIMITS FROM: C DESCR: E	MPO NCTCOG JS 380 WEST OF I H 35W SOUTH F	COUNTY COUNTY COUNTY COUNTY DENTON F DENTON STILANE BIRBALE	CATEGORY SW ROW TOTAL CSJ 2250-	\$ 0 \$ 0 \$ 0 \$ 0 \$ 0 \$ 0 \$ 0 \$ 0 \$ 0 \$ 0	HISTO AUTHORIZED STATE \$ 0 \$ 0 on: Not Approv Y HW SL 2 PH 1 OF ULTIMA	FUNDING BY CAT REGIONAL \$ 0 \$ 0 weed 12/19/2016 Y PHASE 288 R,ACQ P TE FREEWAY	EGORY/SHARE LOCAL \$ 0 \$ 0 CITY DENTON ROJECT SPONSOR: REVISIO	LC \$ 0 \$ 0 DENTON CC N DATE: 07/2 O J NUM: 530	TOTAL \$ \$ YOE COST \$1,000,000
ROW PURCH: \$ CONST COST: \$ CONST ENG: \$ CONST ENG: \$ CONST ENG: \$ CONTING: \$ BOND FIN: \$ B	MPO MCTCOG MSS WEST OF L MSS SS WEST OF L MS	COUNTY COUNTY DENTON DE	CATEGORY SW ROW TOTAL CSJ 2250-	\$ 0 \$ 0 \$ 0 \$ 0 \$ 0 \$ 0 \$ 0 \$ 0 \$ 0 \$ 0	HISTO AUTHORIZED STATE \$ 0 \$ 0 STATE \$ 0 On: Not Approx Y HW SL2 PH 1 OF ULTIMA PROJ HISTO	FUNDING BY CAT REGIONAL \$ 0 \$ 0 ved 12/19/2016 Y PHASE 288 R,ACQ P TE FREEWAY ECT RY:	EGORY/SHARE LOCAL \$ 0 \$ 0 CITY DENTON ROJECT SPONSOR: REVISIO MPO PR FUNDING	LC \$ 0 \$ 0 DENTON CC N DATE: 07/2 O J NUM: 530	TOTAL \$ \$ YOE COST \$1,000,000
ROW PURCH: \$ CONST COST: \$ CONST ENG: \$ CONTING: \$ BOND FIN: \$ POT CHG ORD: \$ TOTAL COST: \$ O17-2020 STIP ISTRICT MALLAS LIMITS FROM: \$ LIMITS FROM: \$ LIMITS TO: PROJECT COST: \$ REMARKS PT:	MPO NCTCOG JS 300 WEST OF LOOK MODEL TO WE	COUNTY COUNTY COUNTY DENTON	CATEGORY SW ROW TOTAL CSJ 2250- COADWAY ON	### FEDERAL	on: Not Approv	FUNDING BY CAT REGIONAL \$ 0 \$ 0 ved 12/19/2016 Y PHASE 288 R,ACQ P TE FREEWAY	CITY DENTON ROJECT SPONSOR: REVISIO MPO PR FUNDING	LC \$ 0 \$ 0 DENTON CC N DATE: 07/2 OJ NUM: 530 G CAT(S): S10	TOTAL \$ \$ YOE COST \$1,000,000
ROW PURCH: \$ CONST COST: \$ CONST ENG: \$ CONST ENG: \$ CONTING: \$ INDIRECT: \$ BOND FIN: \$ POT CHG ORD: \$ TOTAL COST: \$ O17-2020 STIP ISTRICT N ALLAS LIMITS TO:	MPO NCTCOG S	COUNTY COUNTY DENTON DE	CATEGORY SW ROW TOTAL CSJ 2250- COADWAY ON	### FEDERAL	HISTO AUTHORIZED STATE \$ 0 \$ 0 STATE \$ 0 On: Not Approx Y HW SL2 PH 1 OF ULTIMA PROJ HISTO	FUNDING BY CAT REGIONAL \$ 0 \$ 0 ved 12/19/2016 Y PHASE 288 R,ACQ P TE FREEWAY ECT RY:	CITY DENTON ROJECT SPONSOR: REVISIO MPO PR FUNDING	LC \$ 0 \$ 0 DENTON CC N DATE: 07/2 O J NUM: 530	TOTAL \$ YOE COST \$1,000,000 2016 75 12
ROW PURCH: \$ CONST COST: \$ CONST ENG: \$ CONST ENG: \$ CONSTING: \$ ENDIRECT: \$ BOND FIN: \$ POT CHG ORD: \$ TOTAL COST: \$ OTAL COST	MPO NCTCOG JS 380 WEST OF L MFO NCTCOG JS 380 WEST OF L MS JS WEST O	COUNTY COUNTY COUNTY DENTON	CATEGORY SW ROW TOTAL CSJ 2250- CATEGORY	### FEDERAL \$ 0	IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	FUNDING BY CAT REGIONAL \$ 0 \$ 0 \$ 0 Ved 12/19/2016 Y PHASE 288 R,ACQ P TE FREEWAY	CITY DENTON ROJECT SPONSOR: REVISIO MPO PR FUNDING EGORY/SHARE LOCAL	LC \$ 0 \$ 0 DENTON CC N DATE: 07/2 OJ NUM: 530 G CAT(S): S10	TOTAL \$ \$ YOE COST \$1,000,000

Comment History

Time	User	Comment	Related Approval
2019/05/22 12:06:51	Barbara Maley		05/2019: Approved
2018/08/15 18:03:38	Barbara Maley		07/2018: Approved
2017/11/16 14:02:56	Barbara Maley		11/2017: Approved
2017/04/11 22:46:32	Adam Beckom	A STIP REVISION WILL BE SUBMITTED IN THE AUGUST 2017 REVISION CYCLE TO MODIFY THE PROJECT SCOPE AND REMOVE CONSTRUCT ON NEW LOCATION FROM DESCRIPTION TO BE CONSISTENT WITH MTP 2040. THE PROJECT WILL ALSO BE MOVED TO APPENDIX D AS IT WILL NOT START UNTIL 2023.	
2016/10/19 15:17:50	Barbara Maley	Not Approved. The project does not appear to be consistent with the MPOs currently conforming 2040 MTP.	07/2016: Not Approved

10/7/2019 STIP Portal

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Mobility 2045 Freeway/Tollway Summary Table

YOE Cost	Туре	2045	2037	2028	2020 (Attainment Year)	2018 (Attainment Year)	То	From	Facility	ID	FT Corridor
		r	ř	r	r 0 - ,	r O - ,					
included w/ 7.80.3		- ,	- ,	- ,	0 - ,	0 - ,	US 67	Marsalis Avenue	IH 35E	7.80.5	47 - Southern Gateway
		2/6 (Frtg-D) r	2/6 (Frtg-D)	2/6 (Frtg-D)	4/6 (Frtg-D)	4/6 (Frtg-D)					
included w/ 7.80.3		- ,	- ,	٠, -	r ,	r ,	Laureland Dr	US 67	IH 35E	7.90.1	47 - Southern Gateway
111claded W/ 7.00.5		4/6 (Frtg-D)	4/6 (Frtg-D)	4/6 (Frtg-D)	4 (Frtg-D)	4 (Frtg-D)	Edurciana Di	0307	111332	7.50.1	47 Southern Guteway
		r ,	r ,	r ,	r ,	r ,					
included w/ 7.80.3							IH 20	Laureland Dr	IH 35E	7.90.2	47 - Southern Gateway
		4/6 (Frtg-C)	4 (Frtg-C)	4 (Frtg-C)	4 (Frtg-C)	4 (Frtg-C)					
		r	r	r	r	r					
included w/ 7.80.3							IH 35E (East)	IH 35E (West)	IH 30	28.50.6	47 - Southern Gateway
		_		_	_						
included w/ 7.80.3		r - ,	r - ,	r - ,	r 0 - ,	r O - ,	IH 20	IH 35E	US 67	38.10.1	47 - Southern Gateway
meladed wy 7.00.5		4/6 (Frtg-D)	2/6 (Frtg-D)	2/6 (Frtg-D)	4 (Frtg-D)	4 (Frtg-D)	11120	111 332	0307	56.10.1	47 Southern Gateway
		r	r ,	r ,	r ,	r ,					
included w/ 17.10.1		- ,					SH 356	SH 183	Loop 12	17.20.1	48 - State Loop 12
		4/6 (Frtg-C)	4/6 (Frtg-D)	4/6 (Frtg-D)	4 (Frtg-D)	4 (Frtg-D)					
		r	r ,	r ,	r ,	r ,					
included w/ 17.10.1		- ,					IH 30	SH 356	Loop 12	17.20.2	48 - State Loop 12
		4/6 (Frtg-C)	4/6 (Frtg-D)	4/6 (Frtg-D)	4 (Frtg-D)	4 (Frtg-D)					
		r - ,	r ,	r,	r ,	r ,					
included w/ 17.10.1			4 (5	. (5		4 (5	Spur 408	IH 30	Loop 12	17.30.1	48 - State Loop 12
		4/6 (Frtg-C)	4 (Frtg-C)	4 (Frtg-C)	4 (Frtg-C)	4 (Frtg-C)					
\$250,000,000							US 380 (West of Denton)	IH 35 (North of Denton)	LP 288	100.10.1	49 - State Loop 288
, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		4 (Frtg-C)	4 (Frtg-C)	2 (Frtg-C)			,				
		, , ,		, , ,							
included w/ 100.10.1							(US 380 West of Denton)	IH 35W (South of Denton)	LP 288	103.10.1	49 - State Loop 288
100,10,1		4 (Frtg-C)	4 (Frtg-C)	2 (Frtg-C)							
\$1,200,000,000							IH 35E	US 67	Loop 9	6.20.1	50 - State Loop 9
		6 (Frtg-C)	2 (Frtg-C)	2 (Frtg-C)							
included w/ 6.20.1							IH 45	IH 35E	Loop 9	6.30.1	50 - State Loop 9
mciadea w/ 0.20.1		6 (Frtg-C)	2 (Frtg-C)	2 (Frtg-C)			11.43	111331	500h 3	0.50.1	50 - State Loop 5
		o (Fig-c)	2 (1118-0)	2 (11(8-0)							
included w/ 6.20.1							US 175	IH 45	Loop 9	6.40.1	50 - State Loop 9
		6 (Frtg-C)	2 (Frtg-C)								

(HOV/ExL) - HOV/Tolled Express Lanes

(HOV) - HOV Lanes (ExL) - Express Lanes

(ML/T) - Tolled Managed Lanes (-C) - Concurrent Lanes

(-R) - Reversible Lanes

Mobility 2045 Interchange Summary Table

INT ID	Agency	Facility	Connection	Yr Open	Description	YOE Cost
21.120.1	TxDOT Dallas	Dallas North Tollway	President George Bush Turnpike	2018	Improvements	included w/ FT - 21.10.3
21.2.1	TxDOT Dallas	Dallas North Tollway	US 380	2028	New Interchange	included w/ FT - 21.10.1
18.32.1	TxDOT Dallas	East Branch (SH 190)	US 80	2028	New Interchange	included w/ FT - 39.10.1
28.121.1	TxDOT Dallas	East Branch (SH 190)	President George Bush Turnpike (SH 190)	2028	Reconstruct	included w/ FT - 39.10.1
6.30.1	TxDOT Dallas	East Branch (SH 190)	IH 20	2028	New Interchange	included w/ FT - 39.10.1
30.38.1	TxDOT Dallas	IH 20	US 67	2028	Reconstruct	included w/ FT - 7.80.3
28.111.1	TxDOT Dallas	IH 30	Outer Loop/Floyd Road	2028	New Interchange	included w/ FT - 110.20.1
28.190.1	TxDOT Dallas	IH 30	Bass Pro Drive	2028	Reconstruct	included w/ FT - 28.60.3
28.200.1	TxDOT Dallas	IH 30	Bayside Drive	2028	New Interchange	included w/ AO - 28.80.2
28.546.1	TxDOT Dallas	IH 30	Ben Payne/Rochelle Road	2028	New Interchange	included w/ FT - 28.60.3
28.548.1	TxDOT Dallas	IH 30	FM 3549 (FM 549)	2020	Reconstruct	included w/ FT - 28.60.3
28.549.1	TxDOT Dallas	IH 30	FM 551	2018	Reconstruct	included w/ FT - 28.60.3
28.550.1	TxDOT Dallas	IH 30	Erby Campbell Blvd.	2018	Grade Separation	included w/ FT - 28.60.3
28.550.2	TxDOT Dallas	IH 30	Dalrock Road	2028	Reconstruct	\$2,000,000
28.553.1	TxDOT Dallas	IH 30	Blackland Road	2028	New Interchange	included w/ FT - 28.60.3
3.100.1	TxDOT Dallas	IH 35	State Loop 288	2037	Reconstruct	included w/ FT - 3.10.1
3.95.1	TxDOT Dallas	IH 35	US 77 (Denton County)	2028	Reconstruct	included w/ FT - 3.10.1
1.7.1	TxDOT Dallas	IH 35E	US 287	2028	Reconstruct	included w/ FT - 7.100.5
3.5.1	TxDOT Dallas	IH 35E	IH 35W	2028	Reconstruct	included w/ FT - 3.20.3
7.11.1	TxDOT Dallas	IH 35E	SH 121	2028	Reconstruct	included w/ FT - 3.20.3
7.17.1	TxDOT Dallas	IH 35E	State Loop 12	2028	Reconstruct	included w/ FT - 7.50.1
7.28.1	TxDOT Dallas	IH 35E	IH 30	2018	Reconstruct	included w/ FT - 7.80.3
7.30.1	TxDOT Dallas	IH 35E	IH 20	2028	Reconstruct	included w/ FT - 7.80.3
7.38.1	TxDOT Dallas	IH 35E	US 67	2028	Reconstruct	included w/ FT - 7.80.3
7.503.1	TxDOT Dallas	IH 35E	FM 66	2028	Reconstruct	included w/ FT - 7.100.5
7.504.1	TxDOT Dallas	IH 35E	FM 1446	2028	Reconstruct	included w/ FT - 7.100.5
7.508.1	TxDOT Dallas	IH 35E	BU 287	2028	Reconstruct	included w/ FT - 7.100.5
7.509.1	TxDOT Dallas	IH 35E	Lofland Drive	2028	Reconstruct	included w/ FT - 7.100.5
7.510.1	TxDOT Dallas	IH 35E	Butcher Road	2028	Reconstruct	included w/ FT - 7.100.5
7.512.1	TxDOT Dallas	IH 35E	Sterrett Road	2028	Reconstruct	included w/ FT - 7.100.5
7.515.1	TxDOT Dallas	IH 35E	FM 664	2028	Reconstruct	\$40,000,000
7.552.1	TxDOT Dallas	IH 35E	FM 407	2037	Reconstruct	included w/ FT - 3.20.3
7.576.1	TxDOT Dallas	IH 35E	Dickerson Pkwy.	2018	New Interchange	included w/ FT - 3.20.3
5.103.1	TxDOT Dallas	IH 35W	State Loop 288	2037	New Interchange	included w/ FT - 3.10.1
27.29.1	TxDOT Dallas	IH 45	S.M. Wright	2028	Reconstruct	included w/ FT - 26.20.1
27.554.1	TxDOT Dallas	IH 45	Fulgham Rd	2028	Improvements	included w/ AO - 27.30.2
27.560.1	TxDOT Dallas	IH 45	FM 664	2028	New Interchange	\$50,000,000
.31.577.1	TxDOT Dallas	IH 635	Skillman/Audelia Street	2023	Reconstruct	included w/ FT - 131.10.1
28.131.1	TxDOT Dallas	IH 635	IH 30	2028	Reconstruct	included w/ FT - 131.10.1
32.131.1	TxDOT Dallas	IH 635	US 80	2028	Improvements	included w/ FT - 131.10.1
	TxDOT Dallas	IH 635	IH 35E	2037	Reconstruct	included w/ FT - 7.50.1
7.130.1	TADO I Danas					

Mobility 2045 Regionally Significant Arterial Improvements

RSA ID	Agency	County	Facility	From	То	2018*	2020*	2028	2037	2045	YOE Cost
1.593.350	TxDOT Dallas	Dallas	Pearl Expressway	Canton Street	Marilla Street	2	2	4	4	4	\$933,400
1.593.225	TxDOT Dallas	Dallas	Pearl Street	Ross Avenue	San Jacinto Street	5	5	6	6	6	\$1,436,000
1.593.260	TxDOT Dallas	Dallas	Pearl Street	Live Oak Street	Pacific Avenue	4	4	6	6	6	\$2,584,800
2.650.300	TxDOT Dallas	Dallas	Pleasant Run Road	Sunrise Road	IH 45	4	4	4	4	6	\$3,590,000
2.410.395	TxDOT Dallas	Dallas	Preston Hollow Grade Separation	West of Meadowbrook Drive	East of Preston Road	0	0	0	0	2/2	\$12,025,916
1.605.575	TxDOT Dallas	Dallas	Preston Road	Northwest Hwy	Lovers Lane	4	4	6	6	6	\$6,892,800
1.585.250	TxDOT Dallas	Dallas	Riverfront Blvd	Market Center Blvd	Continental Blvd	6	6	8	8	8	\$4,236,200
1.585.275	TxDOT Dallas	Dallas	Riverfront Blvd	Continental Blvd	Commerce Street	6	6	6	6	6	\$20,480,000
1.585.300	TxDOT Dallas	Dallas	Riverfront Blvd	Commerce Street	Reunion Blvd	8	8	6	6	6	\$6,576,866
1.585.310	TxDOT Dallas	Dallas	Riverfront Blvd	Reunion Blvd	IH 30	8	8	6	6	6	\$7,486,551
1.585.325 1.670.300	TxDOT Dallas TxDOT Dallas	Dallas Dallas	Riverfront Blvd Rowlett Road	IH 30 Miller Road	Cadiz Street Belt Line Road	6 4	6	6	6	6	\$23,160,000 \$27,571,200
2.385.275	TxDOT Dallas	Dallas	Royal Lane	Riverside Drive	Luna Road	4	4	6	6	6	\$8,113,400
1.590.550	TxDOT Dallas	Dallas	SH 310	Starks Avenue	Haven Street	2/2	2/2	2/2	3/3	3/3	\$359,000
1.590.560	TxDOT Dallas	Dallas	SH 310	Haven Street	SH 310 Offramp	2/2	2/2	2/2	3/3	3/3	\$1,436,000
1.590.575	TxDOT Dallas	Dallas	SH 310	Budd Street	Overton Road	2/2	2/2	2/2	3/3	3/3	\$750,000
1.595.375	TxDOT Dallas	Dallas	SH 342 Dallas Avenue	8th Street	Reindeer Road	2	2	4	4	4	\$25,848,000
2.477.260	TxDOT Dallas	Dallas	SH 352 1st Avenue	2nd Avenue/Parry Road	Parry Avenue/Cullen Blvd	3	3	6	6	6	\$2,232,479
2.478.325	TxDOT Dallas	Dallas	SH 352 2nd Avenue	IH 30 Offramp EB	2nd Ave Ramp To SH 352 EB	3	3	0	0	0	\$215,400
2.500.200	TxDOT Dallas	Dallas	SH 352 2nd Avenue	West of Parry Avenue	Grand Avenue	3/2	3/2	0	0	0	\$1,112,900
2.500.210	TxDOT Dallas	Dallas	SH 352 Robert Cullum Blvd	Parry Avenue	Grand Avenue	3/3	3/3	6	6	6	\$9,897,352
1.685.200	TxDOT Dallas	Dallas	SH 352	US 80	Main Street SH 352	4	4	4	4	4	\$14,516,700
2.440.375	TxDOT Dallas	Dallas	SH 356 Irving Blvd	Nursery Road	Irving Heights Drive	4	4	4	4	6	\$4,020,800
2.440.450	TxDOT Dallas	Dallas	SH 356	Wildwood Drive	Regal Row	4	4	6	6	6	\$5,528,600
2.370.450	TxDOT Dallas	Dallas	SH 66 Avenue D EB/SH 66 Avenue B WB	1st Street	West of SH 66	3/4	3/4	4/4	4/4	4/4	\$1,436,000
1.740.520	TxDOT Dallas	Dallas	SH 78 Grand Blvd	Garland Avenue	Miller Road	0	0	4	4	4	\$574,400
1.645.250	TxDOT Dallas	Dallas	Shiloh Road	President George Bush Turnpike	IH 635	4	6	6	6	6	\$55,501,400
1.625.210	TxDOT Dallas	Dallas	Skillman Street	Coppertown Lane	Royal Lane	5	5	6	6	6	\$5,026,000
1.590.400	TxDOT Dallas	Dallas	SM Wright Pkwy	IH 45	US 175	N/A	N/A	3/3	3/3	3/3	
2.410.225	TxDOT Dallas	Dallas	SP 348	SH 114	Riverside Drive	4	4	6	6	6	\$1,220,600
2.410.250	TxDOT Dallas	Dallas	SP 348	Riverside Drive	Luna Road	4	4	6	6	6	\$5,672,200
1.547.225	TxDOT Dallas	Dallas	Tom Braniff Drive	Wildwood Drive	SH 114	4	4	4	4	4	\$2,513,000
2.485.300	TxDOT Dallas	Dallas	Wildlife Parkway	SH 161/President George Bush Turnpike	Hardrock Road	0	0	2	2	2	\$9,621,200
1.547.200	TxDOT Dallas	Dallas	Wildwood Drive	California Crossing Road	Tom Braniff Drive	2	2	4	4	4	\$5,887,600
2.286.325	TxDOT Dallas	Denton	Corporate Drive	Railroad Street	East of SRT	0 4	0 4	4	6	6	\$27,112,500
2.215.350 1.540.180	TxDOT Dallas	Denton	Eldorado Parkway	West of FM 720	FM 720		2/3	3/3		3/3	\$6,752,860
1.540.180	TxDOT Dallas	Denton	Elm Street Elm Street	Hickory Street	Eagle Drive Carroll Blvd	2/3	2/3 4		3/3 6	6	\$1,938,600
2.270.250	TxDOT Dallas TxDOT Dallas	Denton Denton	FM 1171 Cross Timbers Road	Eagle Drive US 377	Shiloh Road	6	6	6	6	6	\$1,292,400 \$700,000
2.270.230	TxDOT Dallas	Denton	FM 1171	FM 156	IH 35W	0	0	4	4	6	\$30,000,000
1.350.145	TxDOT Dallas	Denton	FM 156 NB/FM 156 SB	North of SH 114	South Of SH 114	0	0	4	4	4	\$8,328,800
1.350.150	TxDOT Dallas	Denton	FM 156	South of SH 114	Intermodal Parkway	2	2	4	4	4	\$27,571,200
2.215.225	TxDOT Dallas	Denton	FM 2181 Teasley Lane	Wind River Lane	South Of Wind River Lane	4	4	6	6	6	\$1,651,400
2.215.250	TxDOT Dallas	Denton	FM 2181 Teasley Lane	South of Wind River Lane	FM 2499	2	2	6	6	6	\$30,200,000
1.475.200	TxDOT Dallas	Denton	FM 2499	IH 35E	FM 2181	6	6	6	6	6	\$34,857,000
1.475.210	TxDOT Dallas	Denton	FM 2499	FM 2181	South Of FM 2181	4	4	6	6	6	\$1,866,800
1.475.225	TxDOT Dallas	Denton	FM 2499	South of FM 2181	FM 407	4	4	6	6	6	\$32,669,000
1.560.200	TxDOT Dallas	Denton	FM 423	US 380	FM 720	6	6	6	6	6	\$37,488,000
1.560.210	TxDOT Dallas	Denton	FM 423	FM 720	Stonebrook Parkway	6	6	6	6	8	\$11,703,400
1.560.225	TxDOT Dallas	Denton	FM 423	Stonebrook Parkway	Lebanon Road	6	6	6	6	8	\$32,425,000
1.560.250	TxDOT Dallas	Denton	FM 423	Lebanon Road	Cougar Alley	6	6	6	6	6	\$50,000,000
1.560.275	TxDOT Dallas	Denton	FM 423	Cougar Alley	SH 121	8	8	8	8	8	\$8,185,200
2.130.250	TxDOT Dallas	Denton	FM 455	IH 35	Marion Road	2	2	4	4	4	\$50,000,000
1.520.200	TxDOT Dallas	Denton	FM 720	US 380	South of Mccormick Road	2	6	6	6	6	\$34,084,000
1 540 160	TypOT Dallac	Donton	Locust Stroot	EM 2164 HS 77	University Dr US 200	2/2	2/2	2/2	2/2	2/2	\$2,441,200
1.430.150	TxDOT Dallas	Denton	Loop 288	US 380	John Paine Road	0	0	2	2/2	2/2	\$31,304,800
2.190.250	TxDOT Dallas	Denton	Loop 288	US 380	IH 35	0	0	2	2/2	2/2	\$18,883,400
2.190.325	TXDOT Dallas	Denton	L00p 288	US 380 Offramp 36	Ргопппепсе Рагкway	2/2	2/2	3/3	3/3	3/3	\$1,077,000
2.270.290	TxDOT Dallas	Denton	Main Street	IH 35E	Cowan Avenue	4	4	6	6	6	\$2,728,400
2.150.275	TxDOT Dallas	Denton	Outer Loop Greenbelt Pkwy **	IH 35	US 377	0	0	2	3/3	N/A	
2.150.375	TxDOT Dallas	Denton	Outer Loop Greenbelt Pkwy **	US 377	Legacy Drive	0	0	2	3/3	N/A	444 444 411
2.205.425	TxDOT Dallas	Denton	SH 114 EB/SH 114 WB	County Line Road	West Of FM 156	2	2	2	2/2	2/2	\$33,817,800
2.205.450	TxDOT Dallas	Denton	SH 114	West of FM 156	FM 156	2/2	2/2	2/2	2/2	2/2	\$1,938,600

^{*} Attainment Years

^{**}Stage facilities reported as 'N/A' indicate project is no longer classified as an arterial and will be reported in Freeway/Tollway Recommendations listing instead.

Note: '2/2' indicates facility operates as couplet.

Mobility 2045 Regionally Significant Arterial Improvements

RSA ID	Agency	County	Facility	From	То	2018*	2020*	2028	2037	2045	YOE Cost
2.205.475	TxDOT Dallas	Denton	SH 114	FM 156	Double Eagle Blvd	2/2	2/2	N/A	N/A	N/A	
2.205.500	TxDOT Dallas	Denton	SH 114	Double Eagle Blvd	IH 35W	3/3	3/3	N/A	N/A	N/A	
2.205.600	TxDOT Dallas	Denton	SH 114	Labonte Drive	IH 35W	2/2	2/2	N/A	N/A	N/A	
2.205.625	TxDOT Dallas	Denton	SH 114	US 377	East Of US 377	2/2	2/2	N/A	N/A	N/A	
2.205.650	TxDOT Dallas	Denton	SH 114	East of US 377	SH 170	2/2	2/2	N/A	N/A	N/A	
2.325.500	TxDOT Dallas	Denton	SH 170 **	US 377	Roanoke Road	2/2	2/2	N/A	N/A	N/A	
2.325.550	TxDOT Dallas	Denton	SH 170 **	Roanoke Road	Jt Ottinger Road	2/2	N/A	N/A	N/A	N/A	
2.325.560	TxDOT Dallas	Denton	SH 170 **	Jt Ottinger Road	East Of Jt Ottinger Road	3/3	N/A	N/A	N/A	N/A	
2.325.575	TxDOT Dallas	Denton	SH 170 **	Fast Of It Ottinger Road	SH 114	2/2	N/A	N/A	N/A	N/A	
1.430.200	TxDOT Dallas	Denton	SL 288/ FM 2449	John Paine Road	Vintage Parkway	2	2	2	2/2	2/2	\$5,898,590
1.523.110	TYPOT Dallas	Denton	US 377	North of E Northside Dr	5 Washington Street	2	2	2	4	6	\$20,678,165
1.523.120	TxDOT Dallas	Denton	US 377 US 377	S Washington Street	FM 428 US 380	2	2	2	4	6	\$39,767,808
1.523.130 1.540.210	TxDOT Dallas TxDOT Dallas	Denton Denton	US 377	FM 428 IH 35E	South of FM 1830 Country Club Road	2	2	6	6	6	\$34,399,687 \$37,980,000
1.540.220	TxDOT Dallas	Denton	US 377	South of FM 1830	Crawford Road	2	2	2	6	6	\$80,000,000
1.540.230	TxDOT Dallas	Denton	US 377	Crawford Road	Marshall Creek Road	2	2	4	4	4	\$133,900,000
1.540.240	TxDOT Dallas	Denton	US 377	Marshall Creek Road	SH 114	4	4	4	4	4	\$2,536,000
1.540.250	TxDOT Dallas	Denton	US 377	SH 114	North Of Byron Nelson Blvd	4	4	4	4	4	\$1,040,000
1.540.260	TxDOT Dallas	Denton	US 377	North of Byron Nelson Blvd	Parish Lane	2	2	4	4	4	\$12,050,000
2.225.300	TxDOT Dallas	Denton	US 380 University Drive	Bonnie Brae Street	Malone Street	6	6	6	6	6	\$7,456,430
2.225.275	TxDOT Dallas	Denton	US 380	FM 156	IH 35	6	6	6	6	6	\$45,700,000
2.225.425	TxDOT Dallas	Denton	US 380	East of Fish Trap Road	US 377	2/2	2/2	3/3	3/3	3/3	\$3,340,000
2.225.440	TxDOT Dallas	Denton	US 380	US 377	Potter Shop Road	2/2	2/2	3/3	3/3	3/3	\$760,000
2.225.445	TxDOT Dallas	Denton	US 380	Potter Shop Road	FM 720	4	4	6	6	6	\$19,430,000
2.225.450	TxDOT Dallas	Denton	US 380	FM 720	FM 423	4	4	6	6	6	\$96,280,000
2.225.475	TxDOT Dallas	Denton	US 380	FM 423	CR 26	4	4	3/3	3/3	3/3	\$32,370,000
2.267.300	TxDOT Dallas	Denton	Valley Ridge Blvd	Mill Street	College Street	0	0	4	4	4	\$17,770,000
1.430.225	TxDOT Dallas	Denton	Vintage Parkway	IH 35W	US 377	2	2	4	4	4	\$11,344,400
2.787.250	TxDOT Dallas	Ellis	BU 287 BU 45	Paris Street	IH 45	2	2	4	4	4	\$7,610,800
2.325	TxDOT Dallas	Ellis	FM 664 Ovilla Road	Ovilla Main Street	BU 287	2	2	4	4	6	\$100,000,000
2.710.225	TxDOT Dallas	Ellis	FM 664 Ovilla Road	Westmoreland Road	Ovilla Main Street	2	2	4	4	6	\$20,000,000
2.710.250	TxDOT Dallas	Ellis	FM 664	Westmoreland Road	IH 35E	2	2	6	6	6	\$45,100,000
2.710.300	TxDOT Dallas	Ellis	FM 664	IH 35E	SH 342	4	4	6	6	6	\$40,128,140
2.710.325	TxDOT Dallas	Ellis	FM 664	SH 342	IH 45	2	2	6	6	6	\$192,371,860
1.840.750	TxDOT Dallas	Ellis	SH 34 Lake Bardwell Drive	SP 437 Clay Street	IH 35E	2	2	2	4	4	\$141,087,000
1.840.650	TxDOT Dallas	Ellis Ellis	SH 34	FM 2451	Sunridge Drive	2	2	2	4	4	\$18,452,600
1.840.655 1.840.660	TxDOT Dallas TxDOT Dallas	Ellis	SH 34 SH 34	Sunridge Drive Sonoma Trail	Sonoma Trail IH 45	2	2	2	4	4	\$4,882,400
1.840.700	TxDOT Dallas	Ellis	SH 34	FM 1181	Kaufman Street	2	2	4	4	4	\$2,656,600 \$1,220,600
1.840.725	TxDOT Dallas	Ellis	SH 34	FM 1183	SP 437 Clay Street	2	2	2	4	4	\$4,810,600
1.595.390	TxDOT Dallas	Ellis	SH 342	Loop 9	FM 664	2	2	2	4	4	\$12,349,600
1.595.400	TxDOT Dallas	Ellis	SH 342	FM 664	US 77	2	2	2	4	4	\$12,032,995
1.220.875	TxDOT Dallas	Ellis	US 287	SH 34	IH 45	2	2	N/A	N/A	N/A	ψ12,032,333
1.580.300	TxDOT Dallas	Ellis	US 77 Elm Street	Ferris Avenue	FM 66	2	2	4	4	4	\$21,183,600
1.580.325	TxDOT Dallas	Ellis	US 77	FM 66	FM 877	2	2	4	4	4	\$502,600
2.745.240	TxDOT Fort Worth	Hood	FM 4 FM 167 Fall Creek	FM 4 Acton Hwy	North Gate Road	2	2	2	4	4	\$160,610
2.745.250	TxDOT Fort Worth	Hood	FM 4 FM 167 Fall Creek	North Gate Road	FM 167	2	2	2	4	4	\$6,000,000
1.205.275	TxDOT Fort Worth	Hood	SH 144	Pear Orchard Road	North of US 67	2	2	2	2	4	\$24,860,000
1.250.200	TxDOT Fort Worth	Hood	US 377 Bypass	North of SH 171	Old Granbury Road	0	0	2/2	2/2	2/2	\$77,500,000
1.540.520	TxDOT Fort Worth	Hood	US 377 NB/US 377 SB	East of SH 144	FM 51	2/2	2/2	3/3	3/3	3/3	\$13,900,000
1.540.455	TxDOT Fort Worth	Hood	US 377	BU 377	North of BU 377	2/2	2/2	4	4	4	\$5,169,600
1.540.470	TxDOT Fort Worth	Hood	US 377	FM 167 S (Fall Creek Hwy)	FM 167 N (Temple Hall Hwy)	2/2	2/2	3/3	3/3	3/3	\$53,800,000
1.540.480	TxDOT Fort Worth	Hood	US 377	FM 167 N (Temple Hall Hwy)	Mustang Trail	4	4	6	6	6	\$12,161,541
1.540.490	TxDOT Fort Worth	Hood	US 377	Mustang Trail	Harbor Lakes Drive	2/2	2/2	3/3	3/3	3/3	\$41,392,000
1.540.500	TxDOT Fort Worth	Hood	US 377	Harbor Lakes Drive	Old Cleburne Road	4	4	6	6	6	\$2,465,777
1.540.510	TxDOT Fort Worth	Hood	US 377	Old Cleburne Road	East Of SH 144	2/2	2/2	3/3	3/3	3/3	\$5,306,096
1.540.540	TxDOT Fort Worth	Hood	US 377	FM 51	BU 377	2/2	2/2	2/2	2/2	2/2	\$43,107,000
1.540.550	TxDOT Fort Worth	Hood	US 377	BU 377	Holmes Dr.	1/2	1/2	1/2	2/2	2/2	\$800,000
1.540.560	TxDOT Fort Worth	Hood	US 377	Holmes Dr.	Powell Cemetery Road	2	2	2	4	4	\$40,680,000
1.540.575	TxDOT Fort Worth	Hood	US 377	Powell Cemetary Road	FM 2870	2	2	2	4	4	\$10,850,000
1.540.600	TxDOT Fort Worth	Hood	US 377	FM 2870	West Of Campbell Road	2	2	2 4	4	4	\$30,510,000
2.260.225 1.875.250	TxDOT Paris	Hunt	FM 1570 SH 24	CR 2178 CR 4511	SH 34	2	2	4	4	4	\$15,000,000
1.875.250	TxDOT Paris	Hunt	3FI 24	CK 4511	SL 178 / Culver Street	4	4	4	4	4	\$4,900,000

^{*} Attainment Years

^{**}Stage facilities reported as 'N/A' indicate project is no longer classified as an arterial and will be reported in Freeway/Tollway Recommendations listing instead.

Note: '2/2' indicates facility operates as couplet.

Appendix 12. 8

Mobility 2045 Regionally Significant Arterial Capacity Listing
2018 Transportation Conformity

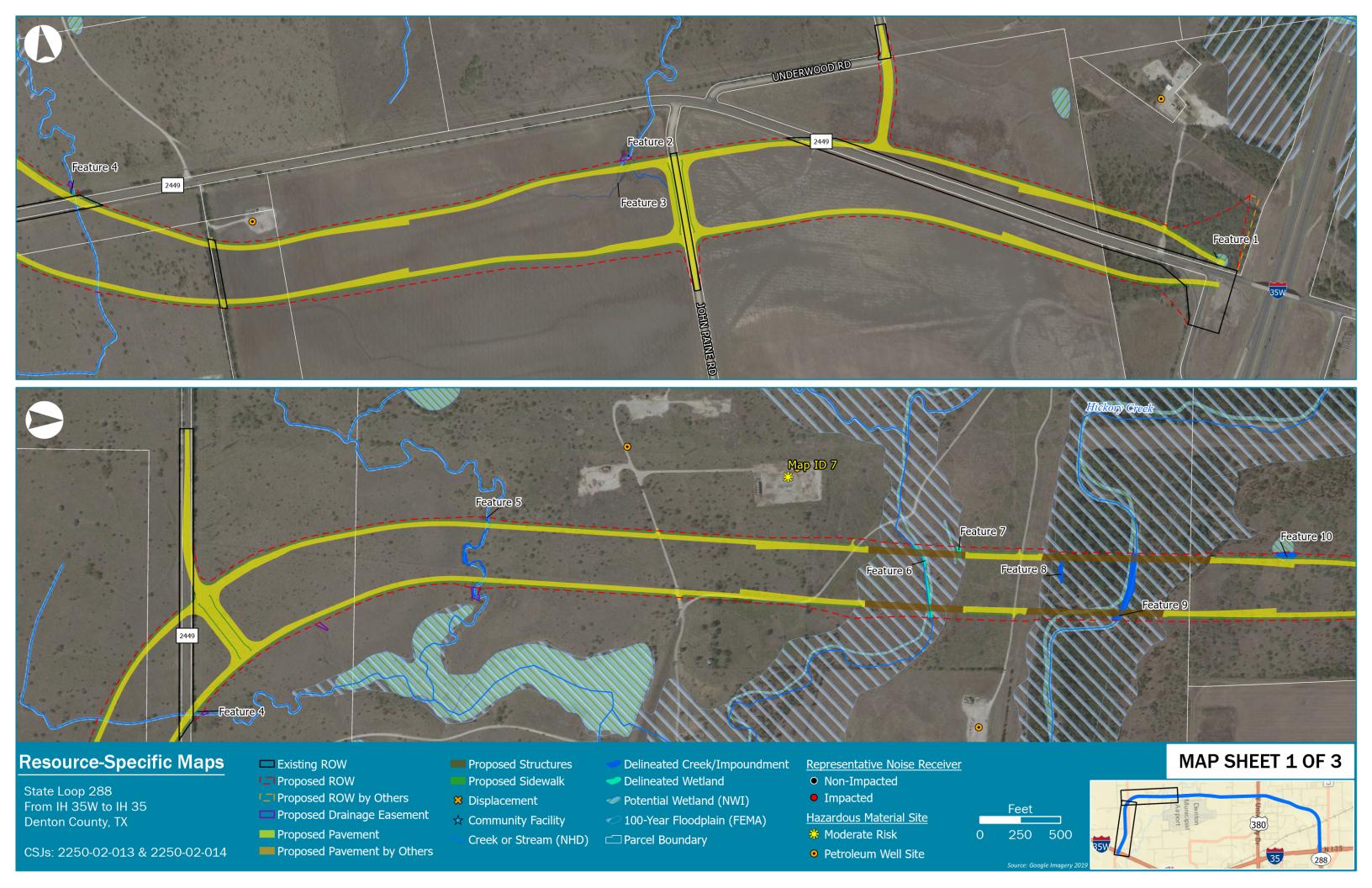
RSA ID	Agency	County	Facility	From	То	2018*	2020*	2028	2037	2045	YOE Cost
1.500.250	TxDOT Dallas	Denton	FM 428	Loop 288	Locust Street	4	4	4	4	4	
2.130.250	TxDOT Dallas	Denton	FM 455	IH 35	Marion Road	2	2	4	4	4	\$50,000,000
2.130.275	TxDOT Dallas	Denton	FM 455	Marion Road	US 377	2	2	2	2	2	
2.130.325	TxDOT Dallas	Denton	FM 455	US 377	County Line Road	2	2	2	2	2	
1.375.200	TxDOT Dallas	Denton	FM 51	Northeast of County Line Road	County Line Road	2	2	2	2	2	
2.215.375	TxDOT Dallas	Denton	FM 720 Eldorado Parkway	West of Hart Road	Hart Road	6	6	6	6	6	
2.215.400	TxDOT Dallas	Denton	FM 720 Eldorado Parkway	Witt Road	FM 720	6	6	6	6	6	
1.520.200	TxDOT Dallas	Denton	FM 720	US 380	South of Mccormick Road	2	6	6	6	6	\$34,084,000
1.520.225	TxDOT Dallas	Denton	FM 720	Hill Road	Eldorado Parkway	6	6	6	6	6	
2.290.250	TxDOT Dallas	Denton	Hebron Parkway	IH 35E	SH 121	6	6	6	6	6	
2.290.300	TxDOT Dallas	Denton	Hebron Parkway	SH 121	Midway Road	6	6	6	6	6	
1 540 160	TyDOT Dallac	Donton	Locust Stroot	EM 2164 HS 77	University Dr. US 280	2/2	2/2	2/2	2/2	2/2	\$2,441,200
1.430.150	TxDOT Dallas	Denton	Loop 288	US 380	John Paine Road	0	0	2	2/2	2/2	\$31,304,800
2.190.250	TxDOT Dallas	Denton	Loop 288	US 380	IH 35	0	0	2	2/2	2/2	\$18,883,400
2.190.300	IXDOT Dallas	Denton	Loop 288	IH 35	Audra Lane	2/2	2/2	2/2	2/2	2/2	\$10,005, 1 00
2.190.325	TxDOT Dallas	Denton	Loop 288	US 380 Offramp SB	Prominence Parkway	2/2	2/2	3/3	3/3	3/3	\$1,077,000
2.270.290	TxDOT Dallas	Denton	Main Street	IH 35F	Cowan Avenue	4	4	6	6	6	\$2,728,400
2.270.300	TxDOT Dallas	Denton	Main Street	IH 35E	Church Street	4	4	4	4	4	\$2,720,400
2.270.300	TxDOT Dallas	Denton	Main Street	Herod Street	Mill Street	2/2	2/2	2/2	2/2	2/2	
2.270.350	TxDOT Dallas	Denton	Main Street	Church Street	Mill Street	3/2	3/2	3/2	3/2	3/2	
2.270.375	TxDOT Dallas	Denton	Main Street	E2 Rail Road	BU 121	4	4	4	4	4	
2.150.275	TxDOT Dallas	Denton	Outer Loop Greenbelt Pkwy **	IH 35	US 377	0	0	2	3/3	N/A	
2.150.375	TxDOT Dallas	Denton	Outer Loop Greenbelt Pkwy **	US 377	Legacy Drive	0	0	2	3/3	N/A	
2.290.175	TxDOT Dallas	Denton	Round Grove Road	Long Prairie Road	SH 121	6	6	6	6	6	
2.205.425	TxDOT Dallas	Denton	SH 114 EB/SH 114 WB	County Line Road	West Of FM 156	2	2	2	2/2	2/2	\$33,817,800
2.205.400	TxDOT Dallas	Denton	SH 114	West of County Line Road	County Line Road	2/2	2/2	2/2	2/2	2/2	, ,
2.205.450	TxDOT Dallas	Denton	SH 114	West of FM 156	FM 156	2/2	2/2	2/2	2/2	2/2	\$1,938,600
2.205.475	TxDOT Dallas	Denton	SH 114	FM 156	Double Eagle Blvd	2/2	2/2	N/A	N/A	N/A	. ,
2.205.500	TxDOT Dallas	Denton	SH 114	Double Eagle Blvd	IH 35W	3/3	3/3	N/A	N/A	N/A	
2.205.600	TxDOT Dallas	Denton	SH 114	Labonte Drive	IH 35W	2/2	2/2	N/A	N/A	N/A	
2.205.625	TxDOT Dallas	Denton	SH 114	US 377	East Of US 377	2/2	2/2	N/A	N/A	N/A	
2.205.650	TxDOT Dallas	Denton	SH 114	East of US 377	SH 170	2/2	2/2	N/A	N/A	N/A	
2.325.500	TxDOT Dallas	Denton	SH 170 **	US 377	Roanoke Road	2/2	2/2	N/A	N/A	N/A	
2.325.550	TxDOT Dallas	Denton	SH 170 **	Roanoke Road	Jt Ottinger Road	2/2	N/A	N/A	N/A	N/A	
2.325.560	TxDOT Dallas	Denton	SH 170 **	Jt Ottinger Road	East Of Jt Ottinger Road	3/3	N/A	N/A	N/A	N/A	
2.325.575	TxDOT Dallas	Denton	SH 170 **	East Of Jt Ottinger Road	SH 114	2/2	N/A	N/A	N/A	N/A	
1.430.200	TxDOT Dallas	Denton	SL 288/ FM 2449	John Paine Road	Vintage Parkway	2	2	2	2/2	2/2	\$5,898,590
2.265.225	TxDOT Dallas	Denton	Spring Creek Parkway	SH 121	West Of Midway Road	6	6	6	6	6	
2.215.325	TxDOT Dallas	Denton	Swisher Road	IH 35E	Eldorado Parkway	4	4	4	4	4	
1.523.110	TxDOT Dallas	Denton	US 377	North of E Northside Dr	S Washington Street	2	2	2	4	6	\$20,678,165
1.523.120	TxDOT Dallas	Denton	US 377	S Washington Street	FM 428	2	2	2	4	6	\$39,767,808
1.523.130	TxDOT Dallas	Denton	US 377	FM 428	US 380	2	2	2	4	6	\$34,399,687
1.540.200	TxDOT Dallas	Denton	US 377	Carroll Blvd	IH 35E	6	6	6	6	6	
1.540.210	TxDOT Dallas	Denton	US 377	IH 35E	South of FM 1830 Country Club Road	2	2	6	6	6	\$37,980,000
1.540.220	TxDOT Dallas	Denton	US 377	South of FM 1830	Crawford Road	2	2	2	6	6	\$80,000,000
1.540.230	TxDOT Dallas	Denton	US 377	Crawford Road	Marshall Creek Road	2	2	4	4	4	\$78,922,000
1.540.240	TxDOT Dallas	Denton	US 377	Marshall Creek Road	SH 114	4	4	4	4	4	\$2,536,000
1.540.250	TxDOT Dallas	Denton	US 377	SH 114	North Of Byron Nelson Blvd	4	4	4	4	4	\$1,040,000
1.540.260	TxDOT Dallas	Denton	US 377	North of Byron Nelson Blvd	Parish Lane	2	2	4	4	4	\$12,050,000
1.540.270	TxDOT Dallas	Denton	US 377	Parish Lane	SH 170	4	4	4	4	4	
1.540.300	TxDOT Dallas	Denton	US 377	North of Westport Parkway	Bear Creek Parkway	4	4	4	4	4	
2.225.280	TxDOT Dallas	Denton	US 380 University Drive	IH 35	Malone Street	6	6	6	6	6	
2.225.300	TxDOT Dallas	Denton	US 380 University Drive	Bonnie Brae Street	Malone Street	6	6	6	6	6	\$7,456,430
2.225.375	TxDOT Dallas	Denton	US 380 University Drive	Elm Street	Fish Trap Road	6	6	6	6	6	
2.225.250	TxDOT Dallas	Denton	US 380	County Line Road	FM 156	2/2	2/2	2/2	2/2	2/2	
2.225.275	TxDOT Dallas	Denton	US 380	FM 156	IH 35	6	6	6	6	6	\$45,700,000
2.225.425	TxDOT Dallas	Denton	US 380	East of Fish Trap Road	US 377	2/2	2/2	3/3	3/3	3/3	\$3,340,000
2.225.440	TxDOT Dallas	Denton	US 380	US 377	Potter Shop Road	2/2	2/2	3/3	3/3	3/3	\$760,000
2.225.445	TxDOT Dallas	Denton	US 380	Potter Shop Road	FM 720	4	4	6	6	6	\$19,430,000
2.225.450	TxDOT Dallas	Denton	US 380	FM 720	FM 423	4	4	6	6	6	\$96,280,000
2.225.475	TxDOT Dallas	Denton	US 380	FM 423	CR 26	4	4	3/3	3/3	3/3	\$32,370,000

^{*} Attainment Years

^{**}Stage facilities reported as 'N/A' indicate project is no longer classified as an arterial and will be reported in Freeway/Tollway Recommendations listing instead.

Note: '2/2' indicates facility operates as couplet.

APPENDIX F RESOURCE-SPECIFIC MAPS





Resource-Specific Maps

State Loop 288 From IH 35W to IH 35 Denton County, TX

CSJs: 2250-02-013 & 2250-02-014

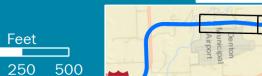
- ☐ Existing ROW
- Proposed ROW
- Proposed ROW by Others
- Proposed Drainage Easement
- Proposed Pavement
- Proposed Pavement by Others
- Proposed Structures
 - Proposed Sidewalk
 - **X** Displacement
 - ★ Community Facility
 - Creek or Stream (NHD)
- Delineated Creek/Impoundment
- Delineated Wetland
- Potential Wetland (NWI)
- 100-Year Floodplain (FEMA)
- ☐ Parcel Boundary

Representative Noise Receiver

- Non-Impacted
- Impacted

Hazardous Material Site

- ***** Moderate Risk
- Petroleum Well Site



250 500 35W 35



Resource-Specific Maps

State Loop 288 From IH 35W to IH 35 Denton County, TX

CSJs: 2250-02-013 & 2250-02-014

- Proposed ROW
- Proposed ROW by Others
- Proposed Drainage Easement
- Proposed Pavement
- Proposed Pavement by Others
- - Proposed Sidewalk
 - **X** Displacement
 - ★ Community Facility
 - Creek or Stream (NHD)
- Delineated Creek/Impoundment
- Delineated Wetland
- Potential Wetland (NWI)
- 100-Year Floodplain (FEMA)
- ☐ Parcel Boundary

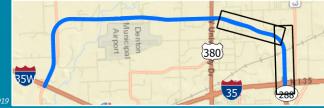
Representative Noise Receiver

- Non-Impacted
- Impacted

Hazardous Material Site

- ***** Moderate Risk
- Petroleum Well Site





APPENDIX G RESOURCES AGENCY COORDINATION

April 9, 2015

Re: Transmittal of Ecological Communications Corporation Draft Report, Archeological Survey of the Proposed Loop 288 from IH 35E North of Denton to IH 35E at Vintage Boulevard South of Denton, Denton County, Texas; CSJs: 2250-02-013 and 2250-02-014; Texas Antiquities Permit No. 5660

Ms. Pat Mercado-Allinger
Division Director/State Archeologist
Division of Archeology
Texas Historical Commission
P.O. Box 12276
Austin, TX 78711

Dear Ms. Mercado-Allinger:

Attached for your review is a draft report produced by the archeological staff of Ecological Communications Corporation (now AmaTerra) under Texas Antiquities Permit No. 5660. Since these studies were done, TxDOT cancelled the project. Consequently, TxDOT has not reviewed the report recommendations. TxDOT does not propose any findings regarding potential project effects and does not have any recommendations regarding the need for further work. In the event that this project is revived, TxDOT will resume review of the project under the terms of our existing agreements, making use of the report data.

TxDOT has reviewed the draft report and finds it acceptable. TxDOT recommends that the report be stamped for approval to submit the final report in partial fulfillment of Texas Antiquities Permit No. 5660.

Thank you for your consideration of this matter. If you have any questions regarding the report, please contact Principal Investigator Rachel Feit at (512) 329-0031. Please contact me at (512) 416-2631 for all other matters.

Sincerely,

Scott Pletka

Supervisor, Archeological Studies Branch

Environmental Affairs Division

Attachment

cc w/o attachment: ECOS; Rachel Feit, AmaTerra



MEMO

July 17, 2019

To: ECOS, Various Road Projects, Various CSJs,

Various Districts

From: Scott Pletka, Ph.D.

Subject: Internal review under the Programmatic Agreement Among the Federal Highway

Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings (PA-TU), and internal review under the Memorandum of Understanding (MOU) Between the Texas Historical Commission and the

Texas Department of Transportation

Listed below are projects reviewed internally by qualified TxDOT archeologists. The projects will have no effect on archeological historic properties. As provided under the PA-TU, consultation with the Texas State Historic Preservation Officer is not necessary for these undertakings. As provided under the MOU, the proposed projects do not require individual coordination with the Texas Historical Commission.

CSJ	District	County	Roadway	Description	Work Performed	Consultation	Initial Consult Date
0355-01-052	AMA	Lipscomb	SH 15	Bridge replacement	Background Study	ETCT	3/8/2019
0308-02-032	AMA	Hansford	SH 15	Bridge replacement	Background Study	ETCT	3/8/2019
0308-02-031	AMA	Hansford	SH 15	Bridge replacement	Background Study	ETCT	3/8/2019
0432-01-064	YKM	Calhoun	SH 185	Bridge replacement	Background Study	ETCT	1/6/2017
2250-02-013	DAL	Denton	SL 288	New road	Background Study	ETCT	1/6/2017
0913-09-097	YKM	Wharton	CR 405	Bridge replacement	Background Study	ETCT	6/26/2017
0150-04-046	AUS	Llano	SH 29	Minor road widening	Background Study	Formal	TBD

Signature For TxDOT

cc: THC

Date: 07 / 17 / 2019

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 16, 2014, and executed by FHWA and TxDOT.



MEMO August 16, 2019

TO: Administrative File From: Rebekah Dobrasko

Dallas District: County: Denton

CSJ#: 2250-02-014, 2250-02-013

Highway: **SL 288**

Let Date: September 2026

Project Limits: From IH 35W to IH 35

Project Description: Stipulation IX, Appendix 6. Construct 9.0 miles of new roadway, intersections, and

sidewalks. Approximately 416 acres of new ROW and permanent easements. No historic,

non-archeological properties present.

SUBJECT: Internal review under the Section 106 Programmatic Agreement (Section 106 PA) among

the Texas Department of Transportation, Texas State Historic Preservation Officer, Advisory

Council on Historic Preservation, and Federal Highway Administration; and the

Memorandum of Understanding (MOU) between the Texas Historical Commission and the

Texas Department of Transportation

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 16, 2014, and

executed by FHWA and TxDOT.

Proposed Project:

The Texas Department of Transportation – Dallas District proposes to construct approximately 9 miles of a new State Loop 288 in Denton County. The proposed project includes the acquisition of right-of-way (ROW) for an ultimate limited access highway, the construction of frontage roads with two travel lanes in each direction, and appropriate drainage. The project also includes the construction of 6-foot wide sidewalks on either side of the project. TxDOT proposes to acquire approximately 402 acres of new ROW for this project and 1.2 acres of permanent easement for the project. TxDOT's partner entity will acquire approximately 13 acres of new ROW.

Determination of Eligibility:

TxDOT historians reviewed the NRHP, the list of State Antiquities Landmarks (SAL), the list of Recorded Texas Historic Landmarks (RTHL) and TxDOT files and found no historically significant resources within the area of potential effect (APE). Per our Section 106 Programmatic Agreement, the APE for this project consists of 300 feet from the proposed new location ROW edges.

TxDOT conducted a reconnaissance survey of the project APE to identify historic-age (built prior to 1977) properties. As a result of that survey, TxDOT identified 13 historic-age resources. None of these identified properties have any significance to historic events, people, or in architecture or design. Therefore, TxDOT finds all 13 historic-age properties as **not eligible** for the NHRP.

Consultation with Interested Parties

TxDOT contacted the Denton County Historical Commission and the City of Denton's Historic Preservation Officer about the proposed project. TxDOT requested identification of potential historic properties from both groups. The City of Denton responded with no concerns for the project, while TxDOT did not receive a response from the County Historical Commission.

Determination of Effects:

Therefore, pursuant to Stipulation IX, Appendix 6 "Undertakings with the Potential to Cause Effects per 36 CFR 800.16(i)" of the Section 106 PA and the MOU, TxDOT historians determined that there are no historic, non-archeological properties in the APE. Individual project coordination with SHPO is not required.

Lead Reviewer	Rebekali Dobrasko	for TxDOT8/16/2019
	OF414A4900F44B3 Rebekah Dobrasko	Date
Approved by	Docusigned by: Brue Juses	for TxDOT 8/16/2019
,,	7EBA00BEBA8043B. Bruce Jensen	Date



January 6, 2017

RE: Early Coordination for Sec. 106 Consultation

To: 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 16, 2014, and executed by the Federal Highway Administration (FHWA) and TxDOT.

The purpose of this letter is to include more detailed information about TxDOT's consultation program. The documents include information on the **TxDOT Early Tribal Coordination Tool** and a table of the projects and nearby archeological sites, if any, that the **TxDOT Early Tribal Coordination Tool** map depicts. This letter provides more detail about both the **TxDOT Early Tribal Coordination Tool** and the table.

TxDOT Early Coordination Tool

The first attachment contains the link, log in information and directions for the **TxDOT Early Tribal Coordination Tool**. This web-based map depicts hundreds of both minor and major TxDOT projects within your area of interest and any known archeological sites within a kilometer of each project. Each project's provisional area of effects (APE) is defined in the tool as the area within 500 feet of a roadway segment. As TxDOT develops detailed plans for each project and finalizes the APE, this provisional APE in most cases will likely be refined to a smaller area. Archeological sites do occur in proximity to some of the projects, and new sites may be discovered through further investigations. Archeological sites that qualify for inclusion in the National Register of Historic Properties are, however, rare. TxDOT thus expects that most of these projects will have no effect on archeological historic properties. All of the depicted projects have been or will be reviewed by the Environmental Affairs' Archeology Branch to verify that the projects will have no effect.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND USE OF THE TOOL DOES NOT PRECLUDE THE ABSENTEE SHAWNEE TRIBE OF OKLAHOMA FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

We will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

- include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and
- Require new right-of-way.

Major projects would cause more than 100 cubic yards of ground disturbance to previouslyundisturbed areas, and such projects may affect areas that have not been previously surveyed for cultural resources.

For minor projects, TxDOT will conduct investigations of the final APE. These investigations will comprise review of available background information and, in some cases, field studies. TxDOT will not provide further information about such minor projects unless these investigations reveal the presence of a site.

Table of Projects and Sites

The second attachment contains a table of the projects and any sites within the 500-foot APE of each project. As previously noted, sites may have already been identified within this provisional APE. The table lists, as a separate row, each site found within 500 feet of a project. For projects where multiple sites have been found within the provisional APE, the same project will be listed multiple times in the table. Projects for which no known sites occur within 500 feet will be listed only once. The table can be sorted in various ways, such as by County, project status, and let date.

If you have any questions about these tools or would like to consult on any of the projects listed, please contact Laura Cruzada at 512/416-2638, laura.cruzada@txdot.gov. When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division From: Chantal McKenzie

To: gary.mcadams@wichitatribe.com

Subject: TxDOT Tribal Early Coordination Tool Launch Date: Thursday, December 29, 2016 9:03:00 AM

Attachments: DIRECTIONS.docx

Consultation request Wichita and Affiliated Tribes 29 Dec 16.pdf Tables for Early Coordination Wichita and Affiliated Tribes.xlsx

Good morning Mr. McAdams,

I hope you are doing well this holiday season. I wanted to introduce the rollout of TxDOT's Early Tribal Coordination Tool.

We are attaching the consultation letter explaining in detail the TxDOT Early Tribal Coordination Tool as well as the table of projects. Together, these were designed to help focus and prioritize consultation based on the hundreds of major/minor TxDOT projects that are reviewed by the Environmental Affairs' Archeology Section each year. I've also attached instructions. The link to log in is below.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND IT DOES NOT PRECLUDE THE WICHITA AND AFFILIATED TRIBES FROM ENTERING INTO CONSULTATION PER SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

We will continue to send you consultation letters on major projects.

We look forward to hearing from you and we will be in touch as the projects get updated routinely (four times a year). More details about the tool are attached.

If you have any questions about how to use the tool, please feel free to contact me. Would you be interested in a training as well?

Lastly, thank you for your feedback on our consultation program as a whole. Tribal input has been incorporated into our strategic plan for tribal consultation. You can find a copy of the plan here: http://ftp.dot.state.tx.us/pub/txdotinfo/env/tribal/strategic-plan.pdf. If you have any thoughts/comments on our strategic plan, let me know.

LOG IN TO THE TRIBAL EARLY COORDINATION TOOL HERE: https://txdot.maps.arcgis.com/home/signin.html? returnUrl=http%3A//txdot.maps.arcgis.com/apps/webappviewer/index.html%3Fid%3D5f64b86e34f44a6c9ffa91d7e0293b6a

ID: WAT.ENV_Guest PW: TXDOTETCT2016

Thanks and talk to you soon,

Chantal

Chantal Mc Kenzie MSHP, LEED AP, PMP Cultural Resources Specialist Environmental Affairs Division Texas Department of Transportation 512-416-2770

Chantal.McKenzie@TxDOT.gov



Nov. 30, 2016

RE: Early Coordination for Sec. 106 Consultation

To: Rick Quezada, Yselta Del Sur Pueblo

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 16, 2014, and executed by the Federal Highway Administration (FHWA) and TxDOT.

The purpose of this letter is to include more detailed information about TxDOT's consultation program. The documents include information on the **TxDOT Early Tribal Coordination Tool** and a table of the projects and nearby archeological sites, if any, that the **TxDOT Early Tribal Coordination Tool** map depicts. This letter provides more detail about both the **TxDOT Early Tribal Coordination Tool** and the table.

TxDOT Early Coordination Tool

The first attachment contains the link, log in information and directions for the **TxDOT Early Tribal Coordination Tool**. This web-based map depicts hundreds of both minor and major TxDOT projects within your area of interest and any known archeological sites within a kilometer of each project. Each project's provisional area of effects (APE) is defined in the tool as the area within 500 feet of a roadway segment. As TxDOT develops detailed plans for each project and finalizes the APE, this provisional APE in most cases will likely be refined to a smaller area. Archeological sites do occur in proximity to some of the projects, and new sites may be discovered through further investigations. Archeological sites that qualify for inclusion in the National Register of Historic Properties are, however, rare. TxDOT thus expects that most of these projects will have no effect on archeological historic properties. All of the depicted projects have been or will be reviewed by the Environmental Affairs' Archeology Branch to verify that the projects will have no effect.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND USE OF THE TOOL DOES NOT PRECLUDE THE YSELTA DEL SUR PUEBLO FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

Per our PA with the Yselta Del Sur Pueblo, We will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

 include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and Require new right-of-way.

Major projects would cause more than 100 cubic yards of ground disturbance to previouslyundisturbed areas, and such projects may affect areas that have not been previously surveyed for cultural resources.

For minor projects, TxDOT will conduct investigations of the final APE. These investigations will comprise review of available background information and, in some cases, field studies. TxDOT will not provide further information about such minor projects unless these investigations reveal the presence of a site.

Table of Projects and Sites

The second attachment contains a table of the projects and any sites within the 500-foot APE of each project. As previously noted, sites may have already been identified within this provisional APE. The table lists, as a separate row, each site found within 500 feet of a project. For projects where multiple sites have been found within the provisional APE, the same project will be listed multiple times in the table. Projects for which no known sites occur within 500 feet will be listed only once. The table can be sorted in various ways, such as by County, project status, and let date.

If you have any questions about these tools or would like to consult on any of the projects listed, please contact Laura Cruzada at 512/416-2638, laura.cruzada@txdot.gov. When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division From: Laura Cruzada

To: <u>"rquezada@ydsp-nsn.gov"</u>
Subject: Early Coordination Maps/Tool

Date: Wednesday, November 30, 2016 4:23:00 PM

Attachments: DIRECTIONS.docx

Early Coordination - Yselta 11-30-16.pdf

Ysleta Tables - 11-30-16.xlsx

Dear Rick,

Hope you are well! It has been a few weeks since we talked.

As promised during our October meeting, I am sending you the information on the **TxDOT Early Tribal Coordination Tool.** This is what I showed you during our meeting in your office and during our consultation event in Austin in July. I'm attaching the formal letter as well as the table of projects. Together, these tools were designed to help focus and prioritize consultation based on the hundreds of major/minor TxDOT projects that are reviewed by the Environmental Affairs' Archeology Section each year. I've also attached instructions. The link to log in is below.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND IT DOES NOT PRECLUDE THE YSLETA DEL SUR PUEBLO FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

Per our PA with your tribe, we will continue to send you consultation letters on major projects.

We look forward to hearing from you and we will be in touch as the projects get updated routinely (four times a year). More details about the tool are attached.

If you have any questions about how to use the tool, please feel free to contact me. Would you be interested in a webinar training as well?

Thanks and talk to you soon,

--Laura

LOG IN TO THE TRIBAL EARLY COORDINATION TOOL HERE:

http://txdot.maps.arcgis.com/apps/webappviewer/index.html?id=ef441fd72723475c8322c2045a2cd35b

ID: YDSP.ENV_Guest

PW: TXDOTETCT2016



Dec. 5, 2016

RE: Early Coordination for Sec. 106 Consultation

To: Eric Oosahwee-Voss, The United Keetoowah Band of Cherokee Indians

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 16, 2014, and executed by the Federal Highway Administration (FHWA) and TxDOT.

The purpose of this letter is to include more detailed information about TxDOT's consultation program. The documents include information on the **TxDOT Early Tribal Coordination Tool** and a table of the projects and nearby archeological sites, if any, that the **TxDOT Early Tribal Coordination Tool** map depicts. This letter provides more detail about both the **TxDOT Early Tribal Coordination Tool** and the table.

TxDOT Early Coordination Tool

The first attachment contains the link, log in information and directions for the **TxDOT Early Tribal Coordination Tool**. This web-based map depicts hundreds of both minor and major TxDOT projects within your area of interest and any known archeological sites within a kilometer of each project. Each project's provisional area of effects (APE) is defined in the tool as the area within 500 feet of a roadway segment. As TxDOT develops detailed plans for each project and finalizes the APE, this provisional APE in most cases will likely be refined to a smaller area. Archeological sites do occur in proximity to some of the projects, and new sites may be discovered through further investigations. Archeological sites that qualify for inclusion in the National Register of Historic Properties are, however, rare. TxDOT thus expects that most of these projects will have no effect on archeological historic properties. All of the depicted projects have been or will be reviewed by the Environmental Affairs' Archeology Branch to verify that the projects will have no effect.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND USE OF THE TOOL DOES NOT PRECLUDE THE UNITED KEETOOWAH BAND OF CHEROKEE INDIANS FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

We will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

 include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and - Require new right-of-way.

Major projects would cause more than 100 cubic yards of ground disturbance to previouslyundisturbed areas, and such projects may affect areas that have not been previously surveyed for cultural resources.

For minor projects, TxDOT will conduct investigations of the final APE. These investigations will comprise review of available background information and, in some cases, field studies. TxDOT will not provide further information about such minor projects unless these investigations reveal the presence of a site.

Table of Projects and Sites

The second attachment contains a table of the projects and any sites within the 500-foot APE of each project. As previously noted, sites may have already been identified within this provisional APE. The table lists, as a separate row, each site found within 500 feet of a project. For projects where multiple sites have been found within the provisional APE, the same project will be listed multiple times in the table. Projects for which no known sites occur within 500 feet will be listed only once. The table can be sorted in various ways, such as by County, project status, and let date.

If you have any questions about these tools or would like to consult on any of the projects listed, please contact Laura Cruzada at 512/416-2638, laura.cruzada@txdot.gov. When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division From: Laura Cruzada

To: "eoosahwee-voss@unitedkeetoowahband.org"

Subject: Resending Log-in info for TxDOT Early Coordination Map

Date: Friday, January 06, 2017 11:11:00 AM

Attachments: Undeliverable FW Early Coordination Maps for TxDOT projects.msq

Early Coordination - UKB - 12-5-16.pdf

UKB Tables 12-5-16.xlsx DIRECTIONS.docx

Hi Eric.

Happy New Year! This is the email (below) I had tried to send when your servers were down. I'm just pasting below and including the attachments. I can call you soon to go over everything. Is there a better time for you for me to call?

Thanks and talk to you soon.

Best,

Laura

512-416-2638

Hi Eric,

I hope this email finds you well! I have your name listed as interested in the mapping tool we presented in July. We are finally launching this month, so your log in (username and password) is below! (It is case sensitive.) I've also attached instructions.

LOG IN TO THE TRIBAL EARLY COORDINATION TOOL HERE:

http://txdot.maps.arcgis.com/apps/webappviewer/index.html?

id=f3f1c4f53c55429b9cc8aff85938914e

ID: UKBC.ENV_Guest PW: TXDOTETCT2016

I'm attaching the consultation letter explaining in detail the **TxDOT Early Tribal Coordination Tool.**

Again, it was designed to help focus and prioritize consultation based on the hundreds of major/minor TxDOT projects that are reviewed by the Environmental Affairs' Archeology Section each year.

In addition to the map tool, I have included a table version of the data if you prefer to sort information that way.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND IT DOES NOT PRECLUDE THE UNITED KEETOOWAH BAND OF CHEROKEE INDIANS FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

We will continue to send you consultation letters on major projects.

We look forward to hearing from you and we will be in touch as the projects get updated routinely (four times a year). More details about the tool are attached.

If you have any questions about how to use the tool, please feel free to contact me. Would you be interested in a webinar training as well?

Thanks and talk to you soon,

--Laura



November 7, 2016

RE: Early Coordination for Sec. 106 Consultation

To: Lauren Brown, The Tonkawa Tribe of Oklahoma

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 16, 2014, and executed by the Federal Highway Administration (FHWA) and TxDOT.

The purpose of this letter is to include more detailed information about TxDOT's consultation program. The documents include information on the **TxDOT Early Tribal Coordination Tool** and a table of the projects and nearby archeological sites, if any, that the **TxDOT Early Tribal Coordination Tool** map depicts. This letter provides more detail about both the **TxDOT Early Tribal Coordination Tool** and the table.

TxDOT Early Coordination Tool

The first attachment contains the link, log in information and directions for the **TxDOT Early Tribal Coordination Tool**. This web-based map depicts hundreds of both minor and major TxDOT projects within your area of interest and any known archeological sites within a kilometer of each project. Each project's provisional area of effects (APE) is defined in the tool as the area within 500 feet of a roadway segment. As TxDOT develops detailed plans for each project and finalizes the APE, this provisional APE in most cases will likely be refined to a smaller area. Archeological sites do occur in proximity to some of the projects, and new sites may be discovered through further investigations. Archeological sites that qualify for inclusion in the National Register of Historic Properties are, however, rare. TxDOT thus expects that most of these projects will have no effect on archeological historic properties. All of the depicted projects have been or will be reviewed by the Environmental Affairs' Archeology Branch to verify that the projects will have no effect.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND USE OF THE TOOL DOES NOT PRECLUDE THE TONKAWA TRIBE OF OKLAHOMA FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

Per our PA with your tribe, we will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

 include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and - Require new right-of-way.

Major projects would cause more than 100 cubic yards of ground disturbance to previously-undisturbed areas, and such projects may affect areas that have not been previously surveyed for cultural resources.

For minor projects, TxDOT will conduct investigations of the final APE. These investigations will comprise review of available background information and, in some cases, field studies. TxDOT will not provide further information about such minor projects unless these investigations reveal the presence of a site, consistent with the PA.

Table of Projects and Sites

The second attachment contains a table of the projects and any sites within the 500-foot APE of each project. As previously noted, sites may have already been identified within this provisional APE. The table lists, as a separate row, each site found within 500 feet of a project. For projects where multiple sites have been found within the provisional APE, the same project will be listed multiple times in the table. Projects for which no known sites occur within 500 feet will be listed only once. The table can be sorted in various ways, such as by County, project status, and let date.

If you have any questions about these tools or would like to consult on any of the projects listed, please contact Laura Cruzada at 512/416-2638, laura.cruzada@txdot.gov. When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division From: Laura Cruzada
To: "Brown, Lauren"
Subject: Early Coordination Maps

Date: Monday, November 07, 2016 4:42:00 PM

Attachments: <u>DIRECTIONS.docx</u>

Early Coordination - Tonkawa Tribe of Oklahoma 11-7-16.pdf

Tonkawa Tables 11-7-16.xlsx

Dear Lauren,

It was great to catch up with you today. Please feel free to call me anytime to talk about projects, ideas or questions.

As promised per our phone conversation, we are attaching the consultation letter explaining in detail the **TxDOT Early Tribal Coordination Tool** as well as a table (excel sheet) of projects. We didn't go into the latter, but I can follow up via phone again. Together, these were designed to help focus and prioritize consultation based on the hundreds of major/minor TxDOT projects that are reviewed by the Environmental Affairs' Archeology Section each year. I've also attached instructions. The link to log in is highlighted below.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND IT DOES NOT PRECLUDE THE TONKAWA TRIBE OF OKLAHOMA FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

Per our PA with the Tonkawa Tribe of Oklahoma, we will continue to send you consultation letters on major projects.

We look forward to hearing from you and we will be in touch as the projects get updated routinely (four times a year). More details about the tool are attached.

Also, thanks for any feedback you can provide on our consultation program as a whole. Tribal input has been incorporated into our strategic plan for tribal consultation. You can find a copy of the plan here: http://ftp.dot.state.tx.us/pub/txdot-info/env/tribal/strategic-plan.pdf. If you have any thoughts/comments on our strategic plan, let me know.

If you have any questions about how to use the tool, please feel free to contact me. Would you be interested in a webinar training as well?

Thanks and talk to you soon,

--Laura

LOG IN TO THE TRIBAL EARLY COORDINATION TOOL HERE: http://txdot.maps.arcgis.com/apps/webappviewer/index.html? id=b6d376c3b0754608879a5eb1453b3a44

ID: TONK.ENV_Guest

PW: TXDOTETCT2016



Jan. 3, 2017

RE: Early Coordination for Sec. 106 Consultation

To: 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 16, 2014, and executed by the Federal Highway Administration (FHWA) and TxDOT.

The purpose of this letter is to include more detailed information about TxDOT's consultation program. The documents include information on the **TxDOT Early Tribal Coordination Tool** and a table of the projects and nearby archeological sites, if any, that the **TxDOT Early Tribal Coordination Tool** map depicts. This letter provides more detail about both the **TxDOT Early Tribal Coordination Tool** and the table.

TxDOT Early Coordination Tool

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**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND USE OF THE TOOL DOES NOT PRECLUDE THE SEMINOLE NATION OF OKLAHOMA FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

Per our PA with the Seminole Nation of Oklahoma, We will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

- include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and
- Require new right-of-way.

Major projects would cause more than 100 cubic yards of ground disturbance to previouslyundisturbed areas, and such projects may affect areas that have not been previously surveyed for cultural resources.

For minor projects, TxDOT will conduct investigations of the final APE. These investigations will comprise review of available background information and, in some cases, field studies. TxDOT will not provide further information about such minor projects unless these investigations reveal the presence of a site.

Table of Projects and Sites

The second attachment contains a table of the projects and any sites within the 500-foot APE of each project. As previously noted, sites may have already been identified within this provisional APE. The table lists, as a separate row, each site found within 500 feet of a project. For projects where multiple sites have been found within the provisional APE, the same project will be listed multiple times in the table. Projects for which no known sites occur within 500 feet will be listed only once. The table can be sorted in various ways, such as by County, project status, and let date.

If you have any questions about these tools or would like to consult on any of the projects listed, please contact Laura Cruzada at 512/416-2638, laura.cruzada@txdot.gov. When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division From: Laura Cruzada

To: "Theodore Isham"

Subject: Early Coordination on Projects with TxDOT Date: Wednesday, January 04, 2017 4:19:00 PM

Attachments: DIRECTIONS.docx

Early Coordination - Seminole 1-3-17.pdf

Seminole Tables 1-3-17.xlsx

1828b.pdf

Seminole Nation Of Oklahoma - PA.pdf SeminoleNationofOklahoma.pdf

Mr. Isham,

Thanks for your time on the phone and feedback on our consultation program as a whole. I am going to inquire about how we can record what projects you have visited or responded to in the map. Also, if you fill out the PDF form titled "1828b" and return it to me (attached), we can set you up with access to our file of record online. We can set up where you receive notifications when reviews begin and you can track it at each step; you can find plans, surveys and reports.

As promised per our phone conversation, we are attaching the PDF consultation letter explaining in detail the **TxDOT Early Tribal Coordination Tool** as well as the Microsoft Excel table of projects. Together, these were designed to help focus and prioritize consultation based on the hundreds of major/minor TxDOT projects that are reviewed by the Environmental Affairs' Archeology Section each year. I've also attached instructions. The link to log in is below.

This includes the area of interest we have on record, which I sent earlier today. I know you are working on getting us updates counties that might include escape routes during the Civil War.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND IT DOES NOT PRECLUDE THE SEMINOLE NATION FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

Per our PA with the Seminole Nation of Oklahoma, we will continue to send you consultation letters on major projects. (See PA, attached)

We look forward to hearing from you and we will be in touch as the projects get updated routinely (four times a year).

If you have any questions about how to use the tool, please feel free to contact me. Would you be interested in a webinar training as well?

Thanks and talk to you soon,

--Laura

LOG IN TO THE TRIBAL EARLY COORDINATION TOOL HERE:

http://txdot.maps.arcgis.com/apps/webappviewer/index.html?id=11286389f8d04dcda4bbc2c2cbb8de06

ID: SNO.ENV_Guest

PW: TXDOTETCT2016



January 6, 2017

RE: Early Coordination for Sec. 106 Consultation

To: 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 16, 2014, and executed by the Federal Highway Administration (FHWA) and TxDOT.

The purpose of this letter is to include more detailed information about TxDOT's consultation program. The documents include information on the **TxDOT Early Tribal Coordination Tool** and a table of the projects and nearby archeological sites, if any, that the **TxDOT Early Tribal Coordination Tool** map depicts. This letter provides more detail about both the **TxDOT Early Tribal Coordination Tool** and the table.

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**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND USE OF THE TOOL DOES NOT PRECLUDE THE POARCH BAND OF CREEK INDIANS FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

We will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

- include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and
- Require new right-of-way.

Major projects would cause more than 100 cubic yards of ground disturbance to previouslyundisturbed areas, and such projects may affect areas that have not been previously surveyed for cultural resources.

For minor projects, TxDOT will conduct investigations of the final APE. These investigations will comprise review of available background information and, in some cases, field studies. TxDOT will not provide further information about such minor projects unless these investigations reveal the presence of a site.

Table of Projects and Sites

The second attachment contains a table of the projects and any sites within the 500-foot APE of each project. As previously noted, sites may have already been identified within this provisional APE. The table lists, as a separate row, each site found within 500 feet of a project. For projects where multiple sites have been found within the provisional APE, the same project will be listed multiple times in the table. Projects for which no known sites occur within 500 feet will be listed only once. The table can be sorted in various ways, such as by County, project status, and let date.

If you have any questions about these tools or would like to consult on any of the projects listed, please contact Laura Cruzada at 512/416-2638, laura.cruzada@txdot.gov. When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division From: Laura Cruzada

To: "rthrower@pci-nsn.gov"

Subject: RE: TxDOT consultation

Date: Friday, January 06, 2017 4:27:00 PM
Attachments: Early Coordination - PCBI - 1-6-17.pdf

PBCI - Tables 1-6-17.xlsx

DIRECTIONS.docx

Final Consultation NOTES rev9-2-16.docx

Mr. Thrower.

I'm sorry I haven't been able to get in touch with you via phone or leave a message on your system. When you are free, please feel free to give me a call at 512-416-2638 or let me know what time works best for you. I would love to chat more about TxDOT's consultation program. Here is our web site for any resources or info you'd like to read up on before we talk more in depth. http://www.txdot.gov/inside-txdot/division/environmental/archaeology-history/tribe-consultation.html

We have been working very diligently over the last year to introduce more frequent and more meaningful opportunities to tribes. (Read our strategic plan here:

http://ftp.dot.state.tx.us/pub/txdot-info/env/tribal/strategic-plan.pdf) In July, we co-hosted with Texas Military Department and invited all 26 federally recognized tribes to Texas to collaborate on projects and programs toward that goal. I've attached notes from that event; we were sorry that you weren't able to attend. Some of the concrete next steps from the meeting were:

- 1. TxDOT and TMD will engage with tribes on an agenda, location and topics to ensure another successful event in 2017.
- 2. We will send out log-in and password information to two of the tech tools presented at the event.
 - ➤ GIS map This tool includes the tribes' area of interest, a layer of TxDOT projects spanning 10 years, and a layer of archeological sites within a project area. (More info on that is below.)
 - ➤ File of Record "ECOS" This program serves as TxDOT's file of record and includes all environmental documents, including archeological site forms, surveys, consultation history and more.
- 3. TxDOT's Planning and Programming Division will host a Technical Advisory Committee meeting for the Long Range Plan (40+ years of transportation plans). This ensures tribes have a seat at the table during the planning process. Any tribe interested in participating is welcome. More information is forthcoming.
- 4. TxDOT is looking at multiple ways to creatively involve tribes in various phases of the Sec. 106 process that are mutually beneficial, including but not limited to: how tribes can help TxDOT in the field, trainings, field visits, public outreach, alternative mitigation and more.

Regarding the second item, we are finally launching the GIS tool. I have attached the consultation

letter explaining in detail the **TxDOT Early Tribal Coordination Tool** as well as a table of projects that allow you to filter this information in a different way. Together, these were designed to help focus and prioritize consultation based on the hundreds of major/minor TxDOT projects that are reviewed by the Environmental Affairs' Archeology Section each year. I've also attached instructions. The link to log in is below.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND IT DOES NOT PRECLUDE THE POARCH BAND OF CREEK INDIANS FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

We will continue to send you consultation letters on major projects.

LOG IN TO THE TRIBAL EARLY COORDINATION TOOL HERE:

http://txdot.maps.arcgis.com/apps/webappviewer/index.html?id=5344063e2db34816ba6c652a59759899

ID: PBCI.ENV_Guest PW: TXDOTETCT2016

We look forward to hearing from you and we will be in touch as the projects get updated routinely (four times a year). More details about the tool are attached.

If you have any questions about how to use the tool, please feel free to contact me. Would you be interested in a webinar training as well?

Thanks and talk to you soon,

--Laura

From: Laura Cruzada

Sent: Monday, January 02, 2017 8:24 AM

To: 'rthrower@pci-nsn.gov' **Subject:** TxDOT consultation

Dear Mr. Thrower,

I hope this email finds you well and that you had a good holiday season.

I work in TxDOT's archeology branch as the liaison to Tribal Nations. I would love to chat more with you about our program and tools to aid in our consultation efforts together. Have you received some of our email bulletins and the materials from our consultation conference in July?

Please let me know if you have time this week or next to chat over the phone. I can call you at your convenience or please feel free to call me anytime at 512-416-2638.

Thank you, and I look forward to hearing from you.

Best,

Laura Cruzada



Dec. 5, 2016

RE: Early Coordination for Sec. 106 Consultation

To: Corain Lowe, The Muscogee Nation of Oklahoma

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 16, 2014, and executed by the Federal Highway Administration (FHWA) and TxDOT.

The purpose of this letter is to include more detailed information about TxDOT's consultation program. The documents include information on the **TxDOT Early Tribal Coordination Tool** and a table of the projects and nearby archeological sites, if any, that the **TxDOT Early Tribal Coordination Tool** map depicts. This letter provides more detail about both the **TxDOT Early Tribal Coordination Tool** and the table.

TxDOT Early Coordination Tool

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**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND USE OF THE TOOL DOES NOT PRECLUDE THE MUSCOGEE NATION OF OKLAHOMA FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

We will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

 include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and - Require new right-of-way.

Major projects would cause more than 100 cubic yards of ground disturbance to previously-undisturbed areas, and such projects may affect areas that have not been previously surveyed for cultural resources.

For minor projects, TxDOT will conduct investigations of the final APE. These investigations will comprise review of available background information and, in some cases, field studies. TxDOT will not provide further information about such minor projects unless these investigations reveal the presence of a site.

Table of Projects and Sites

The second attachment contains a table of the projects and any sites within the 500-foot APE of each project. As previously noted, sites may have already been identified within this provisional APE. The table lists, as a separate row, each site found within 500 feet of a project. For projects where multiple sites have been found within the provisional APE, the same project will be listed multiple times in the table. Projects for which no known sites occur within 500 feet will be listed only once. The table can be sorted in various ways, such as by County, project status, and let date.

If you have any questions about these tools or would like to consult on any of the projects listed, please contact Laura Cruzada at 512/416-2638, laura.cruzada@txdot.gov. When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division From: Laura Cruzada

To: "clowe@mcn-nsn.gov"

Cc: "Section106"

Subject: Early Coordination Maps of TxDOT projects

Date: Monday, December 05, 2016 11:18:00 AM

Attachments: <u>Muscogee Tables - 12-5-16.xlsx</u>

DIRECTIONS.docx

Early Coordination - Muscogee 12-5-16.pdf

Hi Corain,

I hope this email finds you well! I have your name listed as interested in the mapping tool we presented in July. We are finally launching this month, so your log in (username and password) is below! (It is case sensitive.) I've also attached instructions.

LOG IN TO THE TRIBAL EARLY COORDINATION TOOL HERE:

http://txdot.maps.arcgis.com/apps/webappviewer/index.html? id=b7df86a22c3d46d6828c02465f2736d9

ID: MUSC.ENV Guest

PW: TXDOTETCT2016

I'm attaching the consultation letter explaining in detail the **TxDOT Early Tribal Coordination Tool.** Again, it was designed to help focus and prioritize consultation based on the hundreds of major/minor TxDOT projects that are reviewed by the Environmental Affairs' Archeology Section each year.

In addition to the map tool, I have included a table version of the data if you prefer to sort information that way.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND IT DOES NOT PRECLUDE THE MUSCOGEE NATION OF OKLAHOMA FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

We will continue to send you consultation letters on major projects.

We look forward to hearing from you and we will be in touch as the projects get updated routinely (four times a year). More details about the tool are attached.

If you have any questions about how to use the tool, please feel free to contact me. Would you be interested in a webinar training as well?

Thanks and talk to you soon,

--Laura



January 6, 2017

RE: Early Coordination for Sec. 106 Consultation

To: 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 16, 2014, and executed by the Federal Highway Administration (FHWA) and TxDOT.

The purpose of this letter is to include more detailed information about TxDOT's consultation program. The documents include information on the **TxDOT Early Tribal Coordination Tool** and a table of the projects and nearby archeological sites, if any, that the **TxDOT Early Tribal Coordination Tool** map depicts. This letter provides more detail about both the **TxDOT Early Tribal Coordination Tool** and the table.

TxDOT Early Coordination Tool

The first attachment contains the link, log in information and directions for the **TxDOT Early Tribal Coordination Tool**. This web-based map depicts hundreds of both minor and major TxDOT projects within your area of interest and any known archeological sites within a kilometer of each project. Each project's provisional area of effects (APE) is defined in the tool as the area within 500 feet of a roadway segment. As TxDOT develops detailed plans for each project and finalizes the APE, this provisional APE in most cases will likely be refined to a smaller area. Archeological sites do occur in proximity to some of the projects, and new sites may be discovered through further investigations. Archeological sites that qualify for inclusion in the National Register of Historic Properties are, however, rare. TxDOT thus expects that most of these projects will have no effect on archeological historic properties. All of the depicted projects have been or will be reviewed by the Environmental Affairs' Archeology Branch to verify that the projects will have no effect.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND USE OF THE TOOL DOES NOT PRECLUDE KIALEGEE TRIBAL TOWN FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

Per our PA with Kialegee Tribal Town, we will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

- include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and
- Require new right-of-way.

Major projects would cause more than 100 cubic yards of ground disturbance to previouslyundisturbed areas, and such projects may affect areas that have not been previously surveyed for cultural resources.

For minor projects, TxDOT will conduct investigations of the final APE. These investigations will comprise review of available background information and, in some cases, field studies. TxDOT will not provide further information about such minor projects unless these investigations reveal the presence of a site.

Table of Projects and Sites

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If you have any questions about these tools or would like to consult on any of the projects listed, please contact Laura Cruzada at 512/416-2638, laura.cruzada@txdot.gov. When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division From: Laura Cruzada

To: <u>"david.cook@kialegeetribe.net"</u>

Subject: Early Coordination with TxDOT for Sec. 106 Consultation

Date: Friday, January 06, 2017 5:05:00 PM
Attachments: Final Consultation NOTES_rev9-2-16.docx

<u>Kialegee - Tables - 1-6-17.xlsx</u> <u>Early Coordination - KTT - 1-6-17.pdf</u>

DIRECTIONS.docx

David.

Happy New Year! I am hoping to touch base with you to talk more in depth about our consultation program. I'm sorry I haven't been able to get in touch with you via phone or leave a message on your system recently. When you are free, please feel free to give me a call at 512-416-2638 or let me know what time works best for you. In the meantime, you can read our strategic plan here: http://ftp.dot.state.tx.us/pub/txdot-info/env/tribal/strategic-plan.pdf) Since we met last year, we've moved forward on several initiatives to offer more and better opportunities for consultation with TxDOT on projects. Our new web page also had a lot of resources and information if you want to look around: http://www.txdot.gov/inside-txdot/division/environmental/archaeology-history/tribe-consultation.html.

As you may remember, we co-hosted an inter-tribal consultation event in Texas in July in collaboration with Texas Military Dept. We were sorry to see you couldn't make it; I've attached notes from that event. Some of the concrete next steps from the meeting were:

- 1. TxDOT and TMD will engage with tribes on an agenda, location and topics to ensure another successful event in 2017.
- 2. We will send out log-in and password information to two of the tech tools presented at the event.
 - ➤ GIS map This tool includes the tribes' area of interest, a layer of TxDOT projects spanning 10 years, and a layer of archeological sites within a project area. (More info on that is below.)
 - ➤ File of Record "ECOS" This program serves as TxDOT's file of record and includes all environmental documents, including archeological site forms, surveys, consultation history and more.
- 3. TxDOT's Planning and Programming Division will host a Technical Advisory Committee meeting for the Long Range Plan (40+ years of transportation plans). This ensures tribes have a seat at the table during the planning process. Any tribe interested in participating is welcome. More information is forthcoming.
- 4. TxDOT is looking at multiple ways to creatively involve tribes in various phases of the Sec. 106 process that are mutually beneficial, including but not limited to: how tribes can help TxDOT in the field, trainings, field visits, public outreach, alternative mitigation and more.

Regarding the second item, we are finally launching the GIS tool. I have attached the consultation

letter explaining in detail the **TxDOT Early Tribal Coordination Tool** as well as a table of projects that allow you to filter this information in a different way. Together, these were designed to help focus and prioritize consultation based on the hundreds of major/minor TxDOT projects that are reviewed by the Environmental Affairs' Archeology Section each year. I've also attached instructions. The link to log in is below.

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Per our PA with Kialegee Tribal Town, we will continue to send you consultation letters on major projects.

LOG IN TO THE TRIBAL EARLY COORDINATION TOOL HERE:

http://txdot.maps.arcgis.com/apps/webappviewer/index.html? id=d3f696b1241d4db88dbc9a405c78060d

ID: KTT.ENV_Guest PW: TXDOTETCT2016

We look forward to hearing from you and we will be in touch as the projects get updated routinely (four times a year). More details about the tool are attached.

If you have any questions about how to use the tool, please feel free to contact me. Would you be interested in a webinar training as well?

Thanks and talk to you soon,

--Laura



January 6, 2017

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Per our PA with the Jicarilla Apache Nation We will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

- include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and
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If you have any questions about these tools or would like to consult on any of the projects listed, please contact Laura Cruzada at 512/416-2638, laura.cruzada@txdot.gov. When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division From: Laura Cruzada

To: "janthpo@gmail.com"

Subject: RE: Connecting with TxDOT

Date: Friday, January 06, 2017 4:18:00 PM

Attachments: Early Coordination - JAN - 1-6-17.pdf

<u>Jicarilla Apache Nation - Tables - 1-6-17.xlsx</u>

DIRECTIONS.docx

Final Consultation NOTES rev9-2-16.docx

Jeff:

I'm sorry I haven't been able to get in touch with you via phone or leave a message on your system. When you are free, please feel free to give me a call at 512-416-2638 or let me know what time works best for you. I would love to chat more about TxDOT's consultation program. Here is our web site for any resources or info you'd like to read up on before we talk more in depth. http://www.txdot.gov/inside-txdot/division/environmental/archaeology-history/tribe-consultation.html

As I mentioned last spring, we have been working very diligently over the last year to introduce more frequent and more meaningful opportunities to tribes. (Read our strategic plan here: http://ftp.dot.state.tx.us/pub/txdot-info/env/tribal/strategic-plan.pdf) In July, we co-hosted with Texas Military Department and invited all 26 federally recognized tribes to Texas to collaborate on projects and programs toward that goal. I've attached notes from that event. Some of the concrete next steps from the meeting were:

- 1. TxDOT and TMD will engage with tribes on an agenda, location and topics to ensure another successful event in 2017.
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- 4. TxDOT is looking at multiple ways to creatively involve tribes in various phases of the Sec. 106 process that are mutually beneficial, including but not limited to: how tribes can help TxDOT in the field, trainings, field visits, public outreach, alternative mitigation and more.

Regarding the second item, we are finally launching the GIS tool. I have attached the consultation

letter explaining in detail the **TxDOT Early Tribal Coordination Tool** as well as a table of projects that allow you to filter this information in a different way. Together, these were designed to help focus and prioritize consultation based on the hundreds of major/minor TxDOT projects that are reviewed by the Environmental Affairs' Archeology Section each year. I've also attached instructions. The link to log in is below.

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http://txdot.maps.arcgis.com/apps/webappviewer/index.html?

id=4f1f70039dba42adaffc3bdf4febe09e

ID: JAN.ENV_Guest PW: TXDOTETCT2016

We look forward to hearing from you and we will be in touch as the projects get updated routinely (four times a year). More details about the tool are attached.

If you have any questions about how to use the tool, please feel free to contact me. Would you be interested in a webinar training as well?

Thanks and talk to you soon,

--Laura

From: Laura Cruzada

Sent: Monday, January 02, 2017 8:16 AM

To: 'janthpo@gmail.com'

Subject: Connecting with TxDOT

Hi Jeff,

Happy New Year. I hope you had a good holiday. I wanted to connect with you again to chat about TxDOT's consultation program. We chatted a few months ago about the new rollout of our GIS tool, and I wanted to talk more about the specifics and to get you all set up.

(Also: I tried the number 575-759-0062 but there was no voicemail pickup to leave a message. Is this still the best number?)

Please feel free to call me or let me know what works best for you! I look forward to hearing from you at you convenience.

Best,

Laura Cruzada

From: Laura Cruzada

Sent: Tuesday, June 21, 2016 11:09 AM

To: 'janthpo@gmail.com'
Subject: Thank you - TxDOT

Hi Jeff,

Thanks for your time over the phone. I look forward to working with you more as we ramp up our consultation program and host the event on July 27-28 in Austin. Please stand by for the formal invitation.

I'm attaching the map of counties we have listed for Jicarilla Apache Nation. Please let me know if you have any updates.

Best, Laura 512-416-2638



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

January 6, 2017

RE: Early Coordination for Sec. 106 Consultation

To: 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 16, 2014, and executed by the Federal Highway Administration (FHWA) and TxDOT.

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Per our PA with The Delaware Nation, we will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

- include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and
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If you have any questions about these tools or would like to consult on any of the projects listed, please contact Laura Cruzada at 512/416-2638, laura.cruzada@txdot.gov. When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division From: Laura Cruzada

To: "nalligood@delawarenation.com"
Subject: RE: TxDOT Consultation

Date: Friday, January 06, 2017 5:12:00 PM
Attachments: Delaware Nation Tables - 1-6-17.xlsx

Early Coordination - Delaware - 1-6-17.pdf

DIRECTIONS.docx

Final Consultation NOTES rev9-2-16.docx

Nekole:

I'm sorry I haven't been able to get in touch with you via phone or leave a message on your system. When you are free, please feel free to give me a call at 512-416-2638 or let me know what time works best for you. I would love to chat more about TxDOT's consultation program. Here is our web site for any resources or info you'd like to read up on before we talk more in depth. http://www.txdot.gov/inside-txdot/division/environmental/archaeology-history/tribe-consultation.html

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Regarding the second item, we are finally launching the GIS tool. I have attached the consultation

letter explaining in detail the **TxDOT Early Tribal Coordination Tool** as well as a table of projects that allow you to filter this information in a different way. Together, these were designed to help focus and prioritize consultation based on the hundreds of major/minor TxDOT projects that are reviewed by the Environmental Affairs' Archeology Section each year. I've also attached instructions. The link to log in is below.

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Per our PA with the Delaware Nation, we will continue to send you consultation letters on major projects.

LOG IN TO THE TRIBAL EARLY COORDINATION TOOL HERE:

http://txdot.maps.arcgis.com/apps/webappviewer/index.html? id=6a4a4633b7a04bebabcb54cb84688210

ID: TDN.ENV_Guest PW: TXDOTETCT2016

We look forward to hearing from you and we will be in touch as the projects get updated routinely (four times a year). More details about the tool are attached.

If you have any questions about how to use the tool, please feel free to contact me. Would you be interested in a webinar training as well?

Thanks and talk to you soon,

--Laura

From: Laura Cruzada

Sent: Monday, January 02, 2017 8:27 AM **To:** 'nalligood@delawarenation.com' **Subject:** TxDOT Consultation

Hi Nekole,

I hope this email finds you well and that you had a good holiday season.

Please let me know if you have time this week or next to chat over the phone about the GIS took we talked about last summer. We are now online and all set to provide your log-in so we can continue coordinating early on projects in your area of interest.

I am happy to call you at your convenience or please feel free to call me anytime at 512-416-2638.

Thank you, and I look forward to hearing from you.

Best,

Laura Cruzada

From: Laura Cruzada

Sent: Monday, December 05, 2016 11:40 AM

To: 'nalligood@delawarenation.com'

Subject: follow-up (TxDOT)

Hi Nekole,

I just wanted to send a quick follow up email to see if you received the notes and other emails after July's event. I wanted to walk you through some of the new developments described in those emails, if you have some time this week to chat.

Please let me know what works for you. Sorry you weren't able to make it – we are planning for 2017's for maybe May or so. I hope you will be able to make it then.

Thanks and talk to you soon!
-Laura Cruzada

From: Laura Cruzada

Sent: Wednesday, June 29, 2016 2:27 PM **To:** 'nalligood@delawarenation.com'

Subject: Formal Invitation to Consultation Event in Texas

Importance: High

Hi Nekole,

Hope you are well. I wanted to pass along an electronic copy of the formal invites that were sent out this week. I'm so thrilled that you may be able to attend. We sent a hard copy to the President as well.

You should see the invite in the mail in a few days, but I wanted to get this to you before the holiday so that you can start planning your travel. The meeting will be held at Lone Start Court (www.lonestarcourt.com), which is a wonderful meeting space and location for Austin. We hope you can still attend and a contractor Mr. Ryan Peterson should be contacting you directly to arrange travel as needed. If you have any suggestions for agenda, please do let us know as we are grateful for input from our partners.

Thank you so much!

Best,

Laura Cruzada



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

Dec. 5, 2016

RE: Early Coordination for Sec. 106 Consultation

To: Sheila Bird. The Cherokee Nation

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Per our PA with The Cherokee Nation, We will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

 include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and - Require new right-of-way.

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Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division From: Laura Cruzada
To: "Sheila Bird"

Subject: Early Coordination Maps for TxDOT projects

Date: Monday, December 05, 2016 10:43:00 AM

Attachments: <u>DIRECTIONS.docx</u>

Early Coordination - Cherokee 12-5-16.pdf

Cherokee Tables 12-5-16.xlsx

Hi Sheila,

As promised, I am attaching the consultation letter explaining in detail the **TxDOT Early Tribal Coordination Tool**. This was the tool we presented in July that we have finally launched this month.

The login (username) and password are highlighted below. (It is case sensitive!)

LOG IN TO THE TRIBAL EARLY COORDINATION TOOL HERE:

http://txdot.maps.arcgis.com/apps/webappviewer/index.html?id=be8df83cf3d04dc08070505dc16fb5a0

ID: CHER.ENV Guest

PW: TXDOTETCT2016

Again, this was designed to help focus and prioritize consultation based on the hundreds of major/minor TxDOT projects that are reviewed by the Environmental Affairs' Archeology Section each year. I've also attached instructions.

In addition to the map tool, I have attached a table version of the data if you prefer to sort information that way.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND IT DOES NOT PRECLUDE THE CHEROKEE NATION FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

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We look forward to hearing from you and we will be in touch as the projects get updated routinely (four times a year). More details about the tool are attached.

If you have any questions about how to use the tool, please feel free to contact me. Would you be interested in a webinar training as well?

Thanks and talk to you soon,

--Laura



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

November 30, 2016

RE: Early Coordination for Sec. 106 Consultation

To: Phil Cross, Caddo Nation of Oklahoma

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 16, 2014, and executed by the Federal Highway Administration (FHWA) and TxDOT.

The purpose of this letter is to include more detailed information about TxDOT's consultation program. The documents include information on the **TxDOT Early Tribal Coordination Tool** and a table of the projects and nearby archeological sites, if any, that the **TxDOT Early Tribal Coordination Tool** map depicts. This letter provides more detail about both the **TxDOT Early Tribal Coordination Tool** and the table.

TxDOT Early Coordination Tool

The first attachment contains the link, log in information and directions for the **TxDOT Early Tribal Coordination Tool**. This web-based map depicts hundreds of both minor and major TxDOT projects within your area of interest and any known archeological sites within a kilometer of each project. Each project's provisional area of effects (APE) is defined in the tool as the area within 500 feet of a roadway segment. As TxDOT develops detailed plans for each project and finalizes the APE, this provisional APE in most cases will likely be refined to a smaller area. Archeological sites do occur in proximity to some of the projects, and new sites may be discovered through further investigations. Archeological sites that qualify for inclusion in the National Register of Historic Properties are, however, rare. TxDOT thus expects that most of these projects will have no effect on archeological historic properties. All of the depicted projects have been or will be reviewed by the Environmental Affairs' Archeology Branch to verify that the projects will have no effect.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND USE OF THE TOOL DOES NOT PRECLUDE THE CADDO NATION FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

Per our PA with your tribe, we will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

 include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and - Require new right-of-way.

Major projects would cause more than 100 cubic yards of ground disturbance to previously-undisturbed areas, and such projects may affect areas that have not been previously surveyed for cultural resources.

For minor projects, TxDOT will conduct investigations of the final APE. These investigations will comprise review of available background information and, in some cases, field studies. TxDOT will not provide further information about such minor projects unless these investigations reveal the presence of a site, consistent with the PA.

Table of Projects and Sites

The second attachment contains a table of the projects and any sites within the 500-foot APE of each project. As previously noted, sites may have already been identified within this provisional APE. The table lists, as a separate row, each site found within 500 feet of a project. For projects where multiple sites have been found within the provisional APE, the same project will be listed multiple times in the table. Projects for which no known sites occur within 500 feet will be listed only once. The table can be sorted in various ways, such as by County, project status, and let date.

If you have any questions about these tools or would like to consult on any of the projects listed, please contact Laura Cruzada at 512/416-2638, laura.cruzada@txdot.gov. When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division From: Laura Cruzada
To: "Phil Cross"

Subject: Early Coordination Maps

Date: Wednesday, November 30, 2016 3:07:00 PM

Attachments: DIRECTIONS.docx

Early Coordination - Caddo 11-30-16.pdf Caddo Nation Tables 11-30-16.xlsx

Dear Phil,

As promised per our meeting in person, attached is the consultation letter explaining in detail the **TxDOT Early Tribal Coordination Tool** as well as a table (excel sheet) of projects. As Scott mentioned, together, these were designed to help focus and prioritize consultation based on the hundreds of major/minor TxDOT projects that are reviewed by the Environmental Affairs' Archeology Section each year. I've also attached instructions. The link to log in is highlighted below.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND IT DOES NOT PRECLUDE THE TONKAWA TRIBE OF OKLAHOMA FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

Per our PA with the Caddo Nation Oklahoma, we will continue to send you consultation letters on major projects.

We look forward to hearing from you and we will be in touch as the projects get updated routinely (four times a year). More details about the tool are attached.

Also, thanks for any feedback you can provide on our consultation program as a whole. Tribal input has been incorporated into our strategic plan for tribal consultation. You can find a copy of the plan here: http://ftp.dot.state.tx.us/pub/txdot-info/env/tribal/strategic-plan.pdf. If you have any thoughts/comments on our strategic plan, let me know.

If you have any questions about how to use the tool, please feel free to contact me. Would you be interested in a webinar training as well?

Thanks and talk to you soon,

LOG IN TO THE TRIBAL EARLY COORDINATION TOOL HERE:

http://txdot.maps.arcgis.com/apps/webappviewer/index.html?id=e3269955797b4a4485c5b404f9a787af

ID: CNO.ENV Guest

PW: TXDOTETCT2016



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

Nov. 30, 2016

RE: Early Coordination for Sec. 106 Consultation

To: Samantha Robison, Alabama-Quassarte Tribal Town

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 16, 2014, and executed by the Federal Highway Administration (FHWA) and TxDOT.

The purpose of this letter is to include more detailed information about TxDOT's consultation program. The documents include information on the **TxDOT Early Tribal Coordination Tool** and a table of the projects and nearby archeological sites, if any, that the **TxDOT Early Tribal Coordination Tool** map depicts. This letter provides more detail about both the **TxDOT Early Tribal Coordination Tool** and the table.

TxDOT Early Coordination Tool

The first attachment contains the link, log in information and directions for the **TxDOT Early Tribal Coordination Tool**. This web-based map depicts hundreds of both minor and major TxDOT projects within your area of interest and any known archeological sites within a kilometer of each project. Each project's provisional area of effects (APE) is defined in the tool as the area within 500 feet of a roadway segment. As TxDOT develops detailed plans for each project and finalizes the APE, this provisional APE in most cases will likely be refined to a smaller area. Archeological sites do occur in proximity to some of the projects, and new sites may be discovered through further investigations. Archeological sites that qualify for inclusion in the National Register of Historic Properties are, however, rare. TxDOT thus expects that most of these projects will have no effect on archeological historic properties. All of the depicted projects have been or will be reviewed by the Environmental Affairs' Archeology Branch to verify that the projects will have no effect.

**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND USE OF THE TOOL DOES NOT PRECLUDE THE ALABAMA-QUASSARTE TRIBAL TOWN FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

We will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

 include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and - Require new right-of-way.

Major projects would cause more than 100 cubic yards of ground disturbance to previously-undisturbed areas, and such projects may affect areas that have not been previously surveyed for cultural resources.

For minor projects, TxDOT will conduct investigations of the final APE. These investigations will comprise review of available background information and, in some cases, field studies. TxDOT will not provide further information about such minor projects unless these investigations reveal the presence of a site.

Table of Projects and Sites

The second attachment contains a table of the projects and any sites within the 500-foot APE of each project. As previously noted, sites may have already been identified within this provisional APE. The table lists, as a separate row, each site found within 500 feet of a project. For projects where multiple sites have been found within the provisional APE, the same project will be listed multiple times in the table. Projects for which no known sites occur within 500 feet will be listed only once. The table can be sorted in various ways, such as by County, project status, and let date.

If you have any questions about these tools or would like to consult on any of the projects listed, please contact Laura Cruzada at 512/416-2638, laura.cruzada@txdot.gov. When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division



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Get Adobe Reader Now!



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

January 6, 2017

RE: Early Coordination for Sec. 106 Consultation

To: 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 16, 2014, and executed by the Federal Highway Administration (FHWA) and TxDOT.

The purpose of this letter is to include more detailed information about TxDOT's consultation program. The documents include information on the **TxDOT Early Tribal Coordination Tool** and a table of the projects and nearby archeological sites, if any, that the **TxDOT Early Tribal Coordination Tool** map depicts. This letter provides more detail about both the **TxDOT Early Tribal Coordination Tool** and the table.

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**YOU MAY COMMENT AT ANY TIME DURING THIS EARLY COORDINATION PROCESS AND USE OF THE TOOL DOES NOT PRECLUDE THE ABSENTEE SHAWNEE TRIBE OF OKLAHOMA FROM ENTERING INTO CONSULTATION PER SEC. 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA).

We will continue to send you consultation letters on any project whose area of potential effects includes Native American sites and on all major projects. Major projects:

- include border crossing facility construction, conversion of non-freeways to freeways, new location non-freeways, new location freeways, widening non-freeways, and widening freeways; and
- Require new right-of-way.

Major projects would cause more than 100 cubic yards of ground disturbance to previouslyundisturbed areas, and such projects may affect areas that have not been previously surveyed for cultural resources.

For minor projects, TxDOT will conduct investigations of the final APE. These investigations will comprise review of available background information and, in some cases, field studies. TxDOT will not provide further information about such minor projects unless these investigations reveal the presence of a site.

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If you have any questions about these tools or would like to consult on any of the projects listed, please contact Laura Cruzada at 512/416-2638, laura.cruzada@txdot.gov. When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Thank you for your attention to this matter.

Sincerely,

Scott Pletka, Deputy Section Director Environmental Affairs Division From: Laura Cruzada
To: <u>"Suhaila Newport"</u>

Subject:Coordination and Consultation with TxDOTDate:Friday, January 06, 2017 4:05:00 PMAttachments:Final Consultation NOTES rev9-2-16.docx

Early Coordination - ASTribe -1-6-17.pdf

DIRECTIONS.docx

Absentee Shawnee Tables.xlsx

Dear Ms. Newport,

I'm sorry I haven't been able to get in touch with you via phone or leave a message on your system. When you are free, please feel free to give me a call at 512-416-2638 or let me know what time works best for you. I would love to chat more about TxDOT's consultation program. Here is our web site for any resources or info you'd like to read up on before we talk more in depth. http://www.txdot.gov/inside-txdot/division/environmental/archaeology-history/tribe-consultation.html

We have been working very diligently over the last year to introduce more frequent and more meaningful opportunities to tribes. (Read our strategic plan here: http://ftp.dot.state.tx.us/pub/txdot-info/env/tribal/strategic-plan.pdf) Last July, we co-hosted with Texas Military Department and invited all 26 federally recognized tribes to Texas to collaborate on projects and programs toward that goal. I've attached notes from that event. Some of the concrete next steps from the meeting were:

- 1. TxDOT and TMD will engage with tribes on an agenda, location and topics to ensure another successful event in 2017.
- 2. We will send out log-in and password information to two of the tech tools presented at the event.
 - ➤ GIS map This tool includes the tribes' area of interest, a layer of TxDOT projects spanning 10 years, and a layer of archeological sites within a project area. (More info on that is below.)
 - ➤ File of Record "ECOS" This program serves as TxDOT's file of record and includes all environmental documents, including archeological site forms, surveys, consultation history and more.
- 3. TxDOT's Planning and Programming Division will host a Technical Advisory Committee meeting for the Long Range Plan (40+ years of transportation plans). This ensures tribes have a seat at the table during the planning process. Any tribe interested in participating is welcome. More information is forthcoming.
- 4. TxDOT is looking at multiple ways to creatively involve tribes in various phases of the Sec. 106 process that are mutually beneficial, including but not limited to: how tribes can help TxDOT in the field, trainings, field visits, public outreach, alternative mitigation and more.

Regarding the second item, we are finally launching the GIS tool. I have attached the consultation letter explaining in detail the **TxDOT Early Tribal Coordination Tool** as well as a table of projects that allow you to filter this information in a different way. Together, these were designed to help

focus and prioritize consultation based on the hundreds of major/minor TxDOT projects that are reviewed by the Environmental Affairs' Archeology Section each year. I've also attached instructions. The link to log in is below.

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We will continue to send you consultation letters on major projects.

LOG IN TO THE TRIBAL EARLY COORDINATION TOOL HERE:

http://txdot.maps.arcgis.com/apps/webappviewer/index.html? id=65f71315748348a0b386fa7cd5b1f7dd

ID: ENV.ASTO Guest

PW: TXDOTETCT2016

We look forward to hearing from you and we will be in touch as the projects get updated routinely (four times a year). More details about the tool are attached.

If you have any questions about how to use the tool, please feel free to contact me. Would you be interested in a webinar training as well?

Thanks and talk to you soon,

--Laura

Leslie Mirise

From: Stirling Robertson

Sent: Friday, January 31, 2020 3:40 PM

To: Leslie Mirise

Subject: FW: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for

early coordination

FYI

From: Suzanne Walsh [mailto:Suzanne.Walsh@tpwd.texas.gov]

Sent: Friday, January 31, 2020 3:10 PM

To: Stirling Robertson <Stirling.Robertson@txdot.gov>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Hey Stirling,

I wanted to send a note that I will be able to finalize my review and send comments next week for this project.

Thanks, Suzanne

From: Stirling Robertson < Stirling.Robertson@txdot.gov>

Sent: Thursday, January 23, 2020 12:00 PM

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

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Thanks, Suzanne. They are really trying to wrap that one up in order to take advantage of some funding that has a deadline looming.

From: Suzanne Walsh [mailto:Suzanne.Walsh@tpwd.texas.gov]

Sent: Thursday, January 23, 2020 10:33 AM

To: Stirling Robertson <Stirling.Robertson@txdot.gov>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Stirling,

Thanks for the additional information about the project and the re-design to address water impacts. If I need any other information, I will let the district know.

Thanks, Suzanne

From: Stirling Robertson <Stirling.Robertson@txdot.gov>

Sent: Tuesday, January 21, 2020 10:24 AM

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

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Hey Suzanne,

The Water Technical Report isn't available because they are re-designing the project to minimize impacts to WOUS. An IP is no longer anticipated. It looks like we can do it with a NWP 14 w/PCN. However, the Tier 1 coordinated with you assumes the worst case scenario. That is complete vegetation removal from ROW line to ROW line. This is typical of Dallas District. So I think it is safe for you to complete your review based on information already supplied. Actual impacts will likely be substantially less.

Here is what I can tell you about the re-design to avoid and minimize impacts. There are about 8 or 9 crossings affected by this re-design - going from frontage roads and main lanes to now just frontage roads. Earlier on in the process, there was one wetland that would have had greater than 0.5-acre impacts. It was redesigned to avoid an IP. The culverts would have been greater than 300-linear feet and would have triggered an IP, so this latest redesign is addressing that. Thanks,

Stirling

From: Suzanne Walsh [mailto:Suzanne.Walsh@tpwd.texas.gov]

Sent: Friday, January 17, 2020 4:42 PM

To: Stirling Robertson < Stirling.Robertson@txdot.gov>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Stirling,

Sorry for the late reply but I was out of the office for a program meeting this week.

I understand that water impacts will be addressed through USACE mitigation. Given that this is a new location project with undeveloped areas and the Tier I indicated that an IP may be needed, I asked to review the water report. Other districts have shared the water report when requested during the review of an EA. Riparian habitat is a priority of conservation for TPWD as we are the state agency charged with the primary responsibility for protecting the state's fish and wildlife resources. If the district is unable to share the report for some reason, any additional information on permanent and temporary impacts to streams and wetlands would be helpful to my review. And I can pass along to Inland Fisheries folks that I am internally coordinating the project with.

Thanks, Suzanne

From: Stirling Robertson < Stirling.Robertson@txdot.gov>

Sent: Monday, January 13, 2020 11:06 AM

To: Suzanne Walsh < <u>Suzanne.Walsh@tpwd.texas.gov</u>>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Suzanne,

Following up on Leslie's question... Is there some particular, specific information that you think might be in a Water Tech Report that you are looking for in order to complete your review?

Thanks, Stirling

From: Suzanne Walsh [mailto:Suzanne.Walsh@tpwd.texas.gov]

Sent: Friday, January 10, 2020 4:45 PM
To: Leslie Mirise <Leslie.Mirise@txdot.gov>

 $\textbf{Cc:} \ \mathsf{Mark} \ \mathsf{Hull} < \underline{\mathsf{Mark.Hull@txdot.gov}} >; \ \mathsf{Daniel} \ \mathsf{Salazar} < \underline{\mathsf{Daniel.Salazar@txdot.gov}} >; \ \mathsf{Dan} \ \mathsf{Perge} < \underline{\mathsf{Dan.Perge@txdot.gov}} >; \\ \mathsf{Daniel} \ \mathsf{Salazar} = \underline{\mathsf{Coniel.Salazar@txdot.gov}} >; \\ \mathsf{Dan} \ \mathsf{Perge} = \underline{\mathsf{Con.Perge@txdot.gov}} >; \\ \mathsf{Daniel} \ \mathsf{Salazar} = \underline{\mathsf{Con.Perge.gov}} >; \\ \mathsf{Daniel} \ \mathsf{Daniel} = \underline{\mathsf{Con.Perge.gov}} >; \\ \mathsf{Daniel} = \underline{\mathsf{Con.Perge.gov}}$

Stirling Robertson <Stirling.Robertson@txdot.gov>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Leslie,

I checked ECOS and didn't see the water tech report. Please let me know when the report is available to review.

Thanks, Suzanne

From: Leslie Mirise < Leslie.Mirise@txdot.gov > Sent: Thursday, December 19, 2019 11:54 AM

To: Mark Hull <Mark.Hull@txdot.gov>; Suzanne Walsh <Suzanne.Walsh@tpwd.texas.gov>

Cc: Daniel Salazar < Daniel.Salazar@txdot.gov>; Dan Perge < Dan.Perge@txdot.gov>; Stirling Robertson

<<u>Stirling.Robertson@txdot.gov</u>>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Suzanne,

Is there something in particular that you want to see out of the Water Tech Report? Impacts to WOUS would be addressed through mitigation with the USACE.

Leslie Mirise

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

From: Mark Hull

Sent: Wednesday, December 18, 2019 4:12 PM

To: Suzanne Walsh <<u>Suzanne.Walsh@tpwd.texas.gov</u>>; Leslie Mirise <<u>Leslie.Mirise@txdot.gov</u>>

Cc: Daniel Salazar < Dan Perge @txdot.gov

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Suzanne,

I have not received the updated Water Tech Report yet.

Mark Hull

Sent from my T-Mobile 4G LTE Device

----- Original message -----

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

Date: 12/18/19 16:09 (GMT-06:00)

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

Cc: Daniel Salazar < <u>Daniel.Salazar@txdot.gov</u>>, Dan Perge < <u>Dan.Perge@txdot.gov</u>>, Mark Hull < <u>Mark.Hull@txdot.gov</u>>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Hi Leslie,

I'm checking on the status of the water report.

Thanks, Suzanne

From: Leslie Mirise < Leslie.Mirise@txdot.gov > Sent: Wednesday, November 27, 2019 1:59 PM

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

Cc: Daniel Salazar < <u>Daniel.Salazar@txdot.gov</u>>; Dan Perge < <u>Dan.Perge@txdot.gov</u>>; Mark Hull < <u>Mark.Hull@txdot.gov</u>> **Subject:** RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Likewise! 😉

Leslie Mirise

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

From: Suzanne Walsh [mailto:Suzanne.Walsh@tpwd.texas.gov]

Sent: Wednesday, November 27, 2019 1:41 PM **To:** Leslie Mirise < Leslie.Mirise@txdot.gov >

Cc: Daniel Salazar < <u>Daniel.Salazar@txdot.gov</u>>; Dan Perge < <u>Dan.Perge@txdot.gov</u>>; Mark Hull < <u>Mark.Hull@txdot.gov</u>> Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

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

Leslie,

Thanks for letting me know. Have a Happy Thanksgiving.

Suzanne

From: Leslie Mirise < Leslie.Mirise@txdot.gov > Sent: Wednesday, November 27, 2019 1:25 PM

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

Cc: Daniel Salazar < Dan Perge < Dan.Perge@txdot.gov">Dan.Perge@txdot.gov; Mark Hull < Mark.Hull@txdot.gov> Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Hi Suzanne,

Water Resources documents are still being developed. We can let you know once it is finalized and available in ECOS.

Thanks,

Leslie Mirise

From: Suzanne Walsh [mailto:Suzanne.Walsh@tpwd.texas.gov]

Sent: Friday, November 22, 2019 12:29 PM **To:** Leslie Mirise < Leslie. Mirise@txdot.gov>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

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 Leslie,

Do you have a water report available for this project?

Thanks, Suzanne

From: Suzanne Walsh

Sent: Thursday, November 21, 2019 4:35 PM **To:** Leslie Mirise < Leslie.Mirise@txdot.gov >

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Thanks, Leslie. I received the project schematic. I have eight projects ahead of your SL 288 project. I will let you know if I have any questions or need additional information.

Suzanne

From: Leslie Mirise < Leslie.Mirise@txdot.gov>
Sent: Thursday, November 21, 2019 4:27 PM

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

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Hi Suzanne,

I just sent the 60% schematic through the dropbox. Please let me know if there are any snags picking it up. Although this schematic is at 60%, the footprint is set. We anticipate conditional approval on the schematic very soon.

Thanks!

Leslie Mirise

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

From: Suzanne Walsh [mailto:Suzanne.Walsh@tpwd.texas.gov]

Sent: Thursday, November 21, 2019 3:47 PM **To:** Leslie Mirise < Leslie.Mirise@txdot.gov >

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

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 Leslie,

Could you re-send the schematic to me? I can't find the dropbox email in my mail box. Or is it in ECOS?

Thanks, Suzanne

Suzanne Walsh Transportation Conservation Coordinator (512) 389-4579

From: Leslie Mirise < Leslie.Mirise@txdot.gov > Sent: Tuesday, October 29, 2019 10:08 AM

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

Subject: FW: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Hi Suzanne,

I am still getting used to the new ECOS update and resulting bio resources document changes. I realized I should have also attached the Species Analysis Spreadsheet as soon as I sent the initial email but wanted to wait to attach those until you were officially assigned. Here you go...(please see attached). The spreadsheet is currently available in the supporting documents file that was sent in the initial email, but I wanted to give you the "official" stand-alone file as well.

I will also drop box a copy of the 60% schematic momentarily. My understanding is that although the schematic is not yet approved, the footprint has been set. Please let me know if you have any questions or need any additional information.

Thanks,

Leslie Mirise

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

From: Ashley Reed [mailto:Ashley.Reed@tpwd.texas.gov]

Sent: Tuesday, October 29, 2019 9:05 AM **To:** Leslie Mirise < Leslie. Mirise@txdot.gov>

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

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

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.

The TPWD Wildlife Habitat Assessment Program has received your request and has assigned it project ID # 42690. The Habitat Assessment Biologist who will complete your project review is copied on this email.

Cheers,

Ashley Reed



Administrative Assistant Wildlife Diversity Program Texas Parks & Wildlife Office: (512) 389-8111 4200 Smith School Rd.

Austin, Tx 78744

ashley.reed@tpwd.texas.gov

From: Leslie Mirise < Leslie.Mirise@txdot.gov > Sent: Monday, October 28, 2019 3:44 PM

To: WHAB_TxDOT < WHAB_TxDOT@tpwd.texas.gov >

Cc: Daniel Salazar < Daniel.Salazar@txdot.gov >; Dan Perge < Dan.Perge@txdot.gov >; Mohammed Shaikh

<Mohammed.Shaikh@txdot.gov>

Subject: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Hello,

TxDOT requests early coordination for the SL 288 New Location Frontage Roads Project in Denton County, Texas. Please see ECOS for the project description. New ROW and easements are required, and the project is classified as an EA. I have attached the following:

1. The Tier 1 Site Assessment Form, including BMPs to be implemented;

- 2. Supporting Documents including but not limited to location map, species lists from TPWD RTEST and USFWS/IPaC, EMST documentation, and site photographs;
- 3. A separate NDD information file; and
- 4. The EMST and Observed Vegetation Excel spreadsheet.

These documents, along with other project-related information, are also available in ECOS under the CSJ: 2250-02-013. The 60% project schematic is available. However, due to the file size, I will drop box it directly to the assigned transportation liaison.

The letting date is currently September 2026. However, the planned NEPA clearance date for this project is April 1, 2020, and a public hearing is expected to be scheduled in early January 2020. Please provide comments or complete coordination on or before January 6, 2020, 10 weeks from this submission.

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

Thank you,

Leslie Mirise

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

A Texas Department of Transportation (TxDOT) message



Leslie Mirise

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

Sent: Wednesday, February 12, 2020 1:42 PM

To: Leslie Mirise

Cc: Mark Hull; Daniel Salazar; Dan Perge; Stirling Robertson

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for

early coordination

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

Leslie,

Thank you for submitting the following project for early coordination: SL 288 New Location Frontage Roads (CSJ: 2250-02-013). TPWD appreciates TxDOT's commitment to implement the practices listed in the Tier I Site Assessment form submitted on October 28, 2019 and those listed in the emails below. Based on a review of the documentation, the avoidance and mitigation efforts described, and provided that project plans do not change, TPWD considers coordination to be complete. However, please note it is the responsibility of the project proponent to comply with all federal, state, and local laws that protect plants, fish, and wildlife.

According to §2.204(g) of the 2013 TxDOT-TPWD MOU, TxDOT agreed to provide TXNDD reporting forms for observations of tracked SGCN (which includes federal- and state-listed species) occurrences within TxDOT project areas. Please keep this mind when completing project due diligence tasks. For TXNDD submission guidelines, please visit the following link: http://tpwd.texas.gov/huntwild/wild/wildlife diversity/txndd/submit.phtml

Sincerely,

Suzanne Walsh Transportation Conservation Coordinator (512) 389-4579

From: Leslie Mirise <Leslie.Mirise@txdot.gov> Sent: Tuesday, February 11, 2020 2:52 PM

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

Cc: Mark Hull <Mark.Hull@txdot.gov>; Daniel Salazar <Daniel.Salazar@txdot.gov>; Dan Perge <Dan.Perge@txdot.gov>; Stirling Robertson <Stirling.Robertson@txdot.gov>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Suzanne,

Thank you for your recommendations. TxDOT provides the following responses:

TPWD Recommendation 1: TPWD appreciates TxDOT's efforts to minimize impacts to water resources. 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.

TxDOT Response 1: Crossings are designed per TxDOT hydraulic specifications.

TPWD Recommendation 2: TPWD recommends avoiding riprap across stream channels and incorporating biotechnical stream bank stabilization methods, including live native vegetation or a combination of vegetative and structural materials. When riprap or other bank stabilization devices are necessary, their placement should not impede the movement of aquatic and terrestrial wildlife underneath the bridge. Consider larger bridge span lengths to cross the stream and allow for natural surface path under the roadway. Adequate vertical and horizontal clearances will allow terrestrial wildlife to pass safely under the road.

TxDOT Response 2: According to the project schematic, the project would not place riprap across stream channels. Crossings are designed per TxDOT hydraulic specifications. As an example of bridge widths, there are proposed bridges at two perennial streams within the project area: Hickory Creek and Dry Fork Hickory Creek. The proposed bridges at Hickory Creek would span the entire existing riparian corridor (approximately 870 to 1080 feet). Proposed bridges at Dry Fork Hickory Creek range in length between approximately 650 to 930 feet wide. Both of these crossings are the major riparian corridors in the project area and would provide wide areas for wildlife passage.

TPWD Recommendation 3: State-listed mussels have the potential to occur within perennial streams or intermittent streams with perennial pools in Denton County. TPWD recommends further evaluating species where suitable habitat may be present and relocating potentially impacted native aquatic resources in conjunction with a Permit to Introduce Fish, Shellfish or Aquatic Plants into Public Waters and an Aquatic Resource Relocation Plan (ARRP) if dewatering activities are required. ARRPs assist in the permitting process to ensure that aquatic organisms are being handled properly and protected from danger during dewatering and/or relocation activities. The ARRP should be completed and approved by TPWD 30 days prior to activity within project waters and/or resource relocation and submitted with an application for a no-cost Permit to Introduce Fish, Shellfish, or Aquatic Plants into Public Waters. ARRPs can be submitted to Adam Whisenant, TPWD Region 2 Kills and Spills Team (KAST) Biologist at (903) 520-8350 cell or adam.whisenant@tpwd.texas.gov.

TxDOT Response 3: As described in the Tier 1 Site Assessment Form, TxDOT commits to the Freshwater Mussel BMPs to avoid and minimize impacts to Texas heelsplitter and Louisiana pigtoe. TxDOT follows regulatory requirements by submitting an ARRP to TPWD as part of the permitting process. This includes survey and relocation prior to the start of construction.

TPWD Recommendation 4: TPWD recommends applying the Terrestrial Reptile BMPs of the 2017 BMP PA to the following additional species: Eastern box turtle, western box turtle, and western hognose snake **TxDOT Response 4:** The proposed project already proposes to implement the Terrestrial Reptile BMPs for timber rattlesnake and Texas garter snake. Eastern box turtle, western box turtle, and western hognose snake would be added to that list.

TPWD Recommendation 5: TPWD recommends applying the Amphibian and Aquatic Reptile BMPs of the 2017 BMP PA to the following species: Strecker's chorus frog, Woodhouse's toad, smooth softshell **TXDOT Response 5:** The Amphibian and Aquatic Reptile BMPs would be applied for Strecker's chorus frog. Woodhouse's

TxDOT Response 5: The Amphibian and Aquatic Reptile BMPs would be applied for Strecker's chorus frog, Woodhouse's toad, and smooth softshell.

TPWD Recommendation 6: TPWD recommends applying the Bat BMPs of the 2017 BMP PA to the following species: big brown bat, eastern red bat, hoary bat, Mexican free-tailed bat, tricolored bat **TxDOT Response 6:** If trees with cavities, peeling bark, or other suitable habitat features, are detected on-site for big brown bat, eastern red bat, hoary bat, Mexican free-tailed bat, or tricolored bat, the Bat BMPs would be implemented. No specific suitable habitat locations or indications of bats were observed during the site assessment.

TPWD Recommendation 7: TPWD recommends applying the Plains Spotted Skunk BMP of the 2017 BMP PA to the following species: American badger, eastern spotted skunk, long-tailed weasel, southern short-tailed shrew, thirteenlined ground squirrel, and woodland vole.

TxDOT Response 7: The following would be applied for American badger, eastern spotted skunk, long-tailed weasel, southern short-tailed shrew, thirteen-line ground squirrel, and woodland vole: Contractors will be advised of potential occurrence in the project area, and to avoid harming the species if encountered, and to avoid unnecessary impacts to dens.

TPWD Recommendation 8: TPWD recommends applying the Vegetation BMPs of the 2017 BMP PA. TPWD recommends surveying for Topeka purple-coneflower during the flowering period to determine if this species occurs within the project area. If SCGN plants are found within the project area, but outside the project footprint, please protect them with temporary barrier fencing and alert contractors to avoid disturbing the plants. If SCGN plants are found with the project footprint, please contact us at what is well a with the project footprint, please contact us at what is well a with the project footprint, please contact us at what is well a with the project footprint, please contact us at what is well a with the project footprint, please submit records to the TXNDD for any SCGN plants found and copy our email address.

TxDOT Response 8: TxDOT will include the following in the project EPIC sheet: 1) Minimize the amount of vegetation cleared. Removal of native vegetation, particularly mature native trees and shrubs should be avoided to the greatest extent practicable. 2) Topeka purple-coneflower - Contractors will be advised of the potential occurrence in the project area, and to avoid harming the species if encountered.

Thank you,

Leslie Mirise

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

From: Suzanne Walsh [mailto:Suzanne.Walsh@tpwd.texas.gov]

Sent: Friday, February 7, 2020 4:43 PM **To:** Leslie Mirise < Leslie.Mirise@txdot.gov>

 $\textbf{Cc:} \ \ \text{Mark Hull} < \underline{\text{Mark.Hull@txdot.gov}} >; \ \ \text{Daniel.Salazar@txdot.gov} >; \ \ \text{Dan Perge@txdot.gov} >; \ \ \text{Daniel.Salazar@txdot.gov} >; \ \ \text{Dan Perge@txdot.gov} >; \ \ \text{Daniel.Salazar@txdot.gov} >; \ \ \text{Dan Perge@txdot.gov} >; \ \ \text{Daniel.Salazar@txdot.gov} >; \ \ \text{Dan Perge@txdot.gov} >; \ \ \text{Daniel.Salazar@txdot.gov} >; \ \ \text{Daniel.S$

Stirling Robertson <Stirling.Robertson@txdot.gov>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Leslie,

Stirling Robertson stated in his email dated January 21, 2019 that the district is re-designing the project to address water impacts. I appreciate him sharing this project information, including that the re-design will include eight to nine crossings that may be impacted, the avoidance of a wetland, the project will likely require a NWP 14 with PCN rather than an IP, and the water technical report is unavailable at this time due to the re-design.

TPWD recommends the following BMPs be implemented for the new location SL 288 frontage road system:

TPWD appreciates TxDOT's efforts to minimize impacts to water resources. 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.

- TPWD recommends avoiding riprap across stream channels and incorporating biotechnical stream bank stabilization methods, including live native vegetation or a combination of vegetative and structural materials. When riprap or other bank stabilization devices are necessary, their placement should not impede the movement of aquatic and terrestrial wildlife underneath the bridge. Consider larger bridge span lengths to cross the stream and allow for natural surface path under the roadway. Adequate vertical and horizontal clearances will allow terrestrial wildlife to pass safely under the road.
- State-listed mussels have the potential to occur within perennial streams or intermittent streams with perennial pools in Denton County. TPWD recommends further evaluating species where suitable habitat may be present and relocating potentially impacted native aquatic resources in conjunction with a Permit to Introduce Fish, Shellfish or Aquatic Plants into Public Waters and an Aquatic Resource Relocation Plan (ARRP) if dewatering activities are required. ARRPs assist in the permitting process to ensure that aquatic organisms are being handled properly and protected from danger during dewatering and/or relocation activities. The ARRP should be completed and approved by TPWD 30 days prior to activity within project waters and/or resource relocation and submitted with an application for a no-cost Permit to Introduce Fish, Shellfish, or Aquatic Plants into Public Waters. ARRPs can be submitted to Adam Whisenant, TPWD Region 2 Kills and Spills Team (KAST) Biologist at (903) 520-8350 cell or adam.whisenant@tpwd.texas.gov.
- TPWD recommends applying the Terrestrial Reptile BMPs of the 2017 BMP PA to the following additional species:
 - Eastern box turtle, western box turtle, and western hognose snake
- TPWD recommends applying the Amphibian and Aquatic Reptile BMPs of the 2017 BMP PA to the following species:
 - Strecker's chorus frog, Woodhouse's toad, smooth softshell
- TPWD recommends applying the Bat BMPs of the 2017 BMP PA to the following species: big brown bat, eastern red bat, hoary bat, Mexican free-tailed bat, tricolored bat
- TPWD recommends applying the Plains Spotted Skunk BMP of the 2017 BMP PA to the following species: American badger, eastern spotted skunk, long-tailed weasel, southern short-tailed shrew, thirteen-lined ground squirrel, and woodland vole

If you have any questions, please let me know.

Thanks, Suzanne

From: Suzanne Walsh [mailto:Suzanne.Walsh@tpwd.texas.gov]

Sent: Friday, January 10, 2020 4:45 PM **To:** Leslie Mirise < Leslie. Mirise@txdot.gov>

Cc: Mark Hull <Mark.Hull@txdot.gov>; Daniel Salazar <Daniel.Salazar@txdot.gov>; Dan Perge <Dan.Perge@txdot.gov>;

Stirling Robertson < Stirling.Robertson@txdot.gov>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Leslie,

I checked ECOS and didn't see the water tech report. Please let me know when the report is available to review.

Thanks, Suzanne

From: Leslie Mirise < Leslie.Mirise@txdot.gov > Sent: Thursday, December 19, 2019 11:54 AM

To: Mark Hull < Mark. Hull@txdot.gov >; Suzanne Walsh < Suzanne. Walsh@tpwd.texas.gov >

Cc: Daniel Salazar < <u>Daniel.Salazar@txdot.gov</u>>; Dan Perge < <u>Dan.Perge@txdot.gov</u>>; Stirling Robertson

<Stirling.Robertson@txdot.gov>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Suzanne,

Is there something in particular that you want to see out of the Water Tech Report? Impacts to WOUS would be addressed through mitigation with the USACE.

Leslie Mirise

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

From: Mark Hull

Sent: Wednesday, December 18, 2019 4:12 PM

To: Suzanne Walsh < Suzanne.Walsh@tpwd.texas.gov >; Leslie Mirise < Leslie.Mirise@txdot.gov >

Cc: Daniel Salazar < <u>Daniel.Salazar@txdot.gov</u>>; Dan Perge < <u>Dan.Perge@txdot.gov</u>>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Suzanne,

I have not received the updated Water Tech Report yet.

Mark Hull

Sent from my T-Mobile 4G LTE Device

----- Original message -----

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

Date: 12/18/19 16:09 (GMT-06:00)

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

Cc: Daniel Salazar < <u>Daniel.Salazar@txdot.gov</u>>, Dan Perge < <u>Dan.Perge@txdot.gov</u>>, Mark Hull < <u>Mark.Hull@txdot.gov</u>> Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Hi Leslie,

I'm checking on the status of the water report.

Thanks, Suzanne

From: Leslie Mirise < Leslie.Mirise@txdot.gov > Sent: Wednesday, November 27, 2019 1:59 PM
To: Suzanne Walsh < Suzanne.Walsh@tpwd.texas.gov >

Cc: Daniel Salazar < <u>Daniel.Salazar@txdot.gov</u>>; Dan Perge < <u>Dan.Perge@txdot.gov</u>>; Mark Hull < <u>Mark.Hull@txdot.gov</u>> Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Likewise! 😂

Leslie Mirise

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

From: Suzanne Walsh [mailto:Suzanne.Walsh@tpwd.texas.gov]

Sent: Wednesday, November 27, 2019 1:41 PM **To:** Leslie Mirise < Leslie. Mirise@txdot.gov>

Cc: Daniel Salazar < Dan Perge < Dan.Perge@txdot.gov; Mark Hull < Mark Hull < Mark.Hull@txdot.gov>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

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

Leslie,

Thanks for letting me know. Have a Happy Thanksgiving.

Suzanne

From: Leslie Mirise < Leslie Mirise@txdot.gov>
Sent: Wednesday, November 27, 2019 1:25 PM

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

Cc: Daniel Salazar < <u>Daniel.Salazar@txdot.gov</u>>; Dan Perge < <u>Dan.Perge@txdot.gov</u>>; Mark Hull < <u>Mark.Hull@txdot.gov</u>> Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Hi Suzanne,

Water Resources documents are still being developed. We can let you know once it is finalized and available in ECOS.

Thanks,

Leslie Mirise

From: Suzanne Walsh [mailto:Suzanne.Walsh@tpwd.texas.gov]

Sent: Friday, November 22, 2019 12:29 PM **To:** Leslie Mirise < Leslie.Mirise@txdot.gov>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

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 Leslie,

Do you have a water report available for this project?

Thanks, Suzanne

From: Suzanne Walsh

Sent: Thursday, November 21, 2019 4:35 PM **To:** Leslie Mirise < Leslie.Mirise@txdot.gov>

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Thanks, Leslie. I received the project schematic. I have eight projects ahead of your SL 288 project. I will let you know if I have any questions or need additional information.

Suzanne

From: Leslie Mirise < Leslie.Mirise@txdot.gov > Sent: Thursday, November 21, 2019 4:27 PM

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

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Hi Suzanne,

I just sent the 60% schematic through the dropbox. Please let me know if there are any snags picking it up. Although this schematic is at 60%, the footprint is set. We anticipate conditional approval on the schematic very soon.

Thanks!

Leslie Mirise

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

From: Suzanne Walsh [mailto:Suzanne.Walsh@tpwd.texas.gov]

Sent: Thursday, November 21, 2019 3:47 PM **To:** Leslie Mirise < Leslie.Mirise@txdot.gov >

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

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 Leslie,

Could you re-send the schematic to me? I can't find the dropbox email in my mail box. Or is it in ECOS?

Thanks, Suzanne

Suzanne Walsh Transportation Conservation Coordinator (512) 389-4579

From: Leslie Mirise < Leslie.Mirise@txdot.gov > Sent: Tuesday, October 29, 2019 10:08 AM

To: Suzanne Walsh < <u>Suzanne.Walsh@tpwd.texas.gov</u>>

Subject: FW: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Hi Suzanne,

I am still getting used to the new ECOS update and resulting bio resources document changes. I realized I should have also attached the Species Analysis Spreadsheet as soon as I sent the initial email but wanted to wait to attach those until you were officially assigned. Here you go...(please see attached). The spreadsheet is currently available in the supporting documents file that was sent in the initial email, but I wanted to give you the "official" stand-alone file as well.

I will also drop box a copy of the 60% schematic momentarily. My understanding is that although the schematic is not yet approved, the footprint has been set. Please let me know if you have any questions or need any additional information.

Thanks,

Leslie Mirise

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

From: Ashley Reed [mailto:Ashley.Reed@tpwd.texas.gov]

Sent: Tuesday, October 29, 2019 9:05 AM **To:** Leslie Mirise < Leslie.Mirise@txdot.gov >

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

Subject: RE: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

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.

The TPWD Wildlife Habitat Assessment Program has received your request and has assigned it project ID # 42690. The Habitat Assessment Biologist who will complete your project review is copied on this email.

Cheers,



Life's better outside.

Ashley Reed

Administrative Assistant Wildlife Diversity Program Texas Parks & Wildlife Office: (512) 389-8111 4200 Smith School Rd.

4200 Smith School Ro Austin, Tx 78744

ashley.reed@tpwd.texas.gov

From: Leslie Mirise < Leslie.Mirise@txdot.gov > Sent: Monday, October 28, 2019 3:44 PM

To: WHAB_TxDOT < WHAB_TxDOT@tpwd.texas.gov >

Cc: Daniel Salazar < <u>Daniel.Salazar@txdot.gov</u>>; Dan Perge < <u>Dan.Perge@txdot.gov</u>>; Mohammed Shaikh

< Mohammed. Shaikh@txdot.gov >

Subject: CSJ 2250-02-013, etc. SL 288 New Location Frontage Roads Project - Request for early coordination

Hello,

TxDOT requests early coordination for the SL 288 New Location Frontage Roads Project in Denton County, Texas. Please see ECOS for the project description. New ROW and easements are required, and the project is classified as an EA. I have attached the following:

- 1. The Tier 1 Site Assessment Form, including BMPs to be implemented;
- 2. Supporting Documents including but not limited to location map, species lists from TPWD RTEST and USFWS/IPaC, EMST documentation, and site photographs;
- 3. A separate NDD information file; and
- 4. The EMST and Observed Vegetation Excel spreadsheet.

These documents, along with other project-related information, are also available in ECOS under the CSJ: 2250-02-013. The 60% project schematic is available. However, due to the file size, I will drop box it directly to the assigned transportation liaison.

The letting date is currently September 2026. However, the planned NEPA clearance date for this project is April 1, 2020, and a public hearing is expected to be scheduled in early January 2020. Please provide comments or complete coordination on or before January 6, 2020, 10 weeks from this submission.

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

Thank you,

Leslie Mirise

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