

Final Environmental Assessment

FM 1171, Dallas District

From West of FM 156 to IH 35W

CSJ: 1311-01-055

Denton County, Texas

May 2023

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 USC 327 and a Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.



Table of Contents

Acro	nym	S		V	
1.0	In	troductio	on	7	
2.0	Pr	oject De	scription	7	
	2.1	Existi	ng Facility	7	
	2.2	Propo	sed Facility	8	
	2.3	Logic	al Termini and Independent Utility	8	
	2.4	Plann	ed Consistency	9	
3.0	Pι	ırpose aı	nd Need	9	
	3.1	Need		9	
	3.2	Supp	orting Facts and/or Data	9	
	3.3	Purpo	ose	10	
4.0	Alt	ternative	S	10	
	4.1	4.1 Build Alternative			
	4.2	No-Bu	uild Alternative	11	
	4.3		ninary Alternatives Considered but Eliminated from Further Consideration		
5.0	Af		nvironment and Environmental Consequences		
	5.1		-of-Way/Displacements		
	5.2		Use		
	5.3		lands		
	5.4	-	Relocation		
	5.5		le and Pedestrian Facilities		
	5.6	Comr	nunity Impacts		
		5.6.1	Access and Travel Patterns	16	
		5.6.2	Community Cohesion	16	
		5.6.3	Environmental Justice	16	
		5.6.4	Limited English Proficiency	17	
	5.7	Visua	I/Aesthetics Impacts	18	
	5.8	Cultu	ral Resources	18	
		5.8.1	Archeology	19	
		5.8.2	Historic Properties	21	
	5.9	Prote	cted Lands	21	
		5.9.1	Section 4(f)	21	
		5.9.2	Section 6(f)	21	

	5.9.3	Chapter 26	21			
5.10) Water	Resources	22			
	5.10.1	Clean Water Act Section 404	22			
	5.10.2	Clean Water Act Section 401	23			
	5.10.3	Executive Order 11990 Wetlands	23			
	5.10.4	Rivers and Harbors Act	24			
	5.10.5	Clean Water Act Section 303(d)	24			
	5.10.6	Clean Water Act Section 402	24			
	5.10.7	Floodplains	25			
	5.10.8	Wild and Scenic Rivers	25			
	5.10.9	Coastal Barrier Resources	25			
	5.10.10	Coastal Zone Management	25			
	5.10.11	Edwards Aquifer	25			
	5.10.12	International Boundary and Water Commission (IBWC)	25			
	5.10.13	Drinking Water Systems	25			
5.11	Biologi	cal Resources	26			
	5.11.1	Impacts to Vegetation	26			
	5.11.2	Executive Order 13112 on Invasive Species	27			
	5.11.3	Executive Memorandum on Environmentally and Economically Beneficial Landscaping	27			
	5.11.4	Impacts to Wildlife	27			
	5.11.5	Migratory Bird Protections	28			
	5.11.6	Fish and Wildlife Coordination Act	28			
	5.11.7	Bald and Golden Eagle Protection Act of 2007	28			
	5.11.8	Magnuson-Stevens Fishery Conservation Management Act	28			
	5.11.9	Marine Mammal Protection Act	28			
	5.11.10	Threatened, Endangered, and Candidate Species	28			
5.12	Air Qua	ality	30			
5.13	B Hazaro	lous Materials	32			
5.14	Traffic	Noise	33			
5.15	.15 Induced Growth		34			
5.16		ative Impacts				
5.17	Constr	uction Phase Impacts	36			
5.18	38 Greenhouse Gas Emissions and Climate Change					

	5	5.18.1	Greenhouse Gas Emissions and Climate Change	38
	5	5.18.2	Mitigation Measures	38
	5	5.18.3	TxDOT and a Changing Climate	39
6.0	Age	ncy Coo	rdination	39
7.0	Pub	lic Invol	vement	40
	7.1		Meetings	
	7.2		Hearing	
8.0	Post		nmental Clearance Activities and Design/Construction Communities	
	8.1	Post-E	nvironmental Clearance Activities	41
9.0	Con	clusion.		42
10.0	Refe	erences		43
11.0	Nan	nes and	Qualifications of Person Preparing the EA or Conducting an Independent of the EA	
App	endi	ces		
Appe	ndix A	. – Proje	ct Location Map	
Appe	ndix E	3 – Proje	ect Photos	
Appe	ndix C	C - Sche	matics	
Appe	ndix 🛭) – Typic	eal Sections	
Appe	ndix E	- Reso	urce-Specific Maps	
	Fig	ure 1 –	Land Use and Community Facilities	
	_		Project Area Soils	
	_		Census Geographies	
	_		Water Resources	
	_		Observed Vegetation Types	
	_		Hazardous Materials	
	_		Noise Analysis Results	
	_		Indirect Impact Area	
Anna	_		Cumulative Impact Area	
			urce Agency Coordination	
Арре	naix G	ı – Publ	ic Involvement Comment and Response Matrices	

Tables

Table 1: Estimates and Projections for the City of Justin, Denton County, and the in 2010, 2020 and 2050	
Table 2: Estimated Traffic Volume within the Project Limits on FM 1171 from 20	21 thru 2051
	10
Table 3: Soil Types within the Proposed Project Area	14
Table 4: Waters of the U.S.	22
Table 5: Congestion Management Process Strategies	31
Table 6: Summary of Regulated Sites of Concern	32
Table 7: Proposed Noise Contours	34

Acronyms

ACHP Advisory Council for Historic Preservation

Antiquities Code of Texas ACT ADA American with Disabilities Act AADT Average Annual Daily Traffic

Area of Interest AOI

APE Area of Potential Effects **AST** Aboveground Storage Tank BFE **Base Flood Elevation BMP** Best Management Practice **BNSF** Burlington Northern Santa Fe

CEQ Council on Environmental Quality CFR Code of Federal Regulations CIA Community Impacts Assessment Congestion Mitigation and Air Quality CMAQ

Congestion Management Process CMP

CWA Clean Water Act

CGP **Construction General Permit** dB(A) A-weighted decibel level DBH Diameter Breast Height

DFW Dallas-Fort Worth

EΑ **Environmental Assessment** ΕJ **Environmental Justice**

ΕO **Executive Order**

EPA U.S. Environmental Protection Agency

ESA **Endangered Species Act**

FEMA Federal Emergency Management Agency

Federal Highway Administration **FHWA** FIRM Flood Insurance Rate Map

Farm-to-Market FM

Farmland Policy Protection Act FPPA Finding of No Significant Impact **FONSI**

Federal Transit Authority FTA GHG **Greenhouse Gases** GLO General Land Office

IBWC International Boundary & Water Commission

Interstate Highway IΗ ISA **Initial Site Assessment** Lead-Based Paint LBP

LEP Limited English Proficiency

LOP Letter of Permission Migratory Bird Treaty Act **MBTA**

MOU Memorandum of Understanding

MPH Miles Per Hour

Municipal Separate Storm Sewer System MS4

Mobile Source Air Toxics **MSAT**

MTP Metropolitan Transportation Plan National Ambient Air Quality Standard NAAOS NCTCOG North Texas Council of Governments

NEPA National Environment Policy Act

List of Acronyms (continued)

NHPA National Historic Preservation Act

NRCS Natural Resources Conservation Service
NRHP National Register of Historic Places

NWP Nationwide Permit

PA Programmatic Agreement
PCN Preconstruction Notification

PM Particulate Matter
PWC Parks and Wildlife Code

PS&E Plans, Specifications, and Estimates

PSL Project Specific Locations PST Petroleum Storage Tank RGP Regional General Permit

ROE Right of Entry
ROW Right of Way
RR Railroad

RSA Resource Study Area

RTEST Rare, Threatened, and Endangered Species of Texas

SAL State Archeological Landmark

SGCN Species of Greatest Conservation Need

SH State Highway

SHPO State Historic Preservation Officer

SP Individual Standard Permit SIP State Implementation Plan SOV Single Occupancy Vehicle

SW3P Storm Water Pollution Prevention Plan
TCEO Texas Commission on Environmental Quality

TERP Texas Emissions Reduction Plan

TFRLCP Texas Farm and Ranch Lands Conservation Program

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

TxDOT Texas Department of Transportation
TXNDD Texas Natural Diversity Database
USACE U.S. Army Corps of Engineers

USCG U.S. Coast Guard

USDOT U.S. Department of Transportation USFWS U.S. Fish and Wildlife Service

VMT Vehicle Miles Traveled VPD Vehicles per Day

WHAP Wildlife Habitat Assessment Program

1.0 Introduction

The Texas Department of Transportation (TxDOT) and Denton County propose constructing 3.5 miles of a new location non-freeway roadway of Farm-to-Market (FM) 1171, from west of FM 156 to Interstate Highway 35 West (IH 35W), through the Town of Northlake and the City of Justin, in Denton County, Texas. The project would connect at Cross Timbers Road (FM 1171) at the southbound IH 35W frontage road (see **Appendix A**). Construction within these limits would be proposed as both urban and rural:

- Within the section from Reatta Drive extending approximately 0.77 mile east to Harmonson Road, construction of the roadway would include a 6-lane urban roadway (3 lanes in each direction);
- Within the section beginning from Harmonson Road and extending approximately 1.89 miles
 east traversing through portions of the City of Justin and the Town of Northlake, construction
 of the roadway would include a rural 4-lane (ultimate 6-lane) roadway (2 lanes in each
 direction); and,
- Within the section beginning from Harmonson Road and extending east for approximately 1.89 miles to IH 35W, construction of the roadway would include a 6-lane urban roadway (3 lanes in each direction).

The purpose of this Environmental Assessment (EA) is to study the potential consequences of the proposed project and to determine if such consequences warrant the preparation of an Environmental Impact Statement. The EA is prepared to comply with both TxDOT's environmental review rules and National Environmental Policy Act (NEPA). The EA was made available for public review and TxDOT considered any comments received. If TxDOT determines that there are no significant adverse effects, it will prepare and sign a Finding of No Significant Impact (FONSI), which will be made available to the public.

2.0 Project Description

2.1 Existing Facility

The existing facility occurs both along existing roadways and undeveloped areas where a roadway does not exist. Approximately 0.33 miles of the existing facility of FM 1171 is part of John Wiley Road. The existing facility of John Wiley Road from Tally Boulevard to Reata Drive is a 2-lane undivided roadway with 11-foot-wide travel lanes, with dedicated left hand turn lanes that taper from 0 to 12-feet-wide, with 2-foot-wide shoulders adjacent to the eastbound travel lane, and a 14 foot wide area adjacent to eastbound travel lane that contains a 4-foot-wide sidewalk between a 4-foot-wide and 5-foot-wide buffer area all within an existing ROW width that varies between 35 and 78-feet-wide. The existing facility of Tally Boulevard is a 2-lane undivided roadway with 20-foot-wide travel lanes, with concrete curb shoulders adjacent to the travel lanes within an existing 74-foot-wide ROW. The existing facility of Harmonson Road is a 2-lane undivided and unpaved surface roadway with travel lanes vary between 14 to 20 feet wide within an existing 60-foot-wide ROW. The remaining length of the project area between FM 156 and IH 35W has an existing facility that does not exist as this area is undeveloped land. Refer to Appendix B for the project photos, Appendix C for the schematics, and Appendix D for the existing typical sections.

2.2 Proposed Facility

The proposed project would construct 3.5 miles of a new location non-freeway roadway of FM 1171. Construction within the project limits would be proposed as both urban and rural.

Within the urbanized sections of the roadway, the new location non-freeway roadway would consist of three 12-foot-wide lanes in each direction, with a 16-foot-wide median, a 4-foot-wide inside shoulders, 10-foot-wide outside shoulders, a 10-foot-wide shared use path, and a 6-foot-wide sidewalk with American Disabilities Act (ADA) curb ramps in both directions. The usual ROW width for the urban roadway is 200 feet.

Within the rural section of the roadway, the new location non-freeway roadway would consist of two 12-foot-wide lanes (ultimate 6-lanes) in each direction, a 60-foot-wide depressed median, 4-foot-wide inside shoulders, and 10-foot-wide outside shoulders for bicycle accommodations within the rural section of the proposed roadway. The usual ROW width for the rural roadway is 200 feet.

Proposed 12-foot-wide turn lanes would be constructed where appropriate at various locations throughout the project corridor. Proposed drainage would be conveyed by curb and gutter, a storm sewer system and crossing culverts. The design speed for the proposed roadway is 40 miles per hour (mph) for the urban sections and 70 mph for the rural section.

The project also proposes the construction of two new bridges:

- The proposed FM 1171 Bridge section spanning FM 156, B.N.S.F. Railroad (RR), the GE Test Track RR, and Justin Cemetery Road, a length of approximately 535 feet. The usual ROW width varies from 250 to 300 feet.
- The proposed FM 1171 Bridge section spanning Denton Creek, a length of approximately 2,940 feet. This bridge would be constructed in phases interim and ultimate. The interim phase would consist of two 12-foot lanes in each direction with a 22-foot inside shoulder and a 10-foot-wide outside shoulder. The ultimate phase would consist of three 12-foot-wide lanes in each direction with 10-foot-wide inside and outside shoulders. The usual ROW width for both phases is 200 feet.

The proposed project would require the acquisition of approximately 98 acres of new ROW (see **Appendix C**). The total estimated cost of the proposed project is \$125.9 million, and the ROW acquisition estimate is \$5.3 million. Currently, the ROW, construction, and construction engineering are not funded.

2.3 Logical Termini and Independent Utility

The Code of Federal Regulations (CFR) requires that federally funded transportation projects have logical termini (23 CFR 771.111[f][i]). Simply stated, this means that a project must have rational beginning and end points. Those endpoints may not be created simply to avoid proper analysis of environmental impacts. The limits for the proposed improvements to FM 1171 are from west of FM 156 to IH 35W, and these limits were chosen because they are major crossroads with considerable contributions to traffic within the project area (Othon, 2020). The west project limit (west of FM 156) was selected to tie into the existing John Wiley Road due to FM 1171 being grade-separated from B.N.S.F. RR and unable to directly tie into FM 156. The east project limit (IH 35W) was selected to match the proposed IH 35W frontage road and main lane improvements.

Federal regulations require that a project have independent utility and be a reasonable expenditure even if no other transportation improvements are made in the area (23 CFR 771.111[f][2]). This means that a project must be able to provide benefit by itself and must 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 projects being built. The proposed project can stand on its own without the implementation of other traffic improvements because the proposed improvements can be accomplished without additional improvements to adjacent facilities. The project limits encompass the entire length of the project in which construction would take place and account for transitions into the existing roadway. Because the project stands alone, it does not irretrievably commit federal funds for other future transportation projects.

Federal law prohibits a project from restricting consideration of alternatives for other reasonably foreseeable transportation improvements (23 CFR 771.111[f][3]). This means that a project must not dictate or restrict any future roadway alternatives. The proposed project would not restrict the consideration of alternatives for foreseeable transportation improvements because the proposed improvements would not preclude the future widening of adjacent roadway facilities or the development of other transportation modes or routes.

2.4 Planned Consistency

Both the North Texas Council of Governments' (NTCOG) financially constrained 2045 Metropolitan Transportation Plan (MTP) Update and the 2023-2026 Transportation Improvement Program (TIP), as amended, were initially found to conform to the Texas Commission on Environmental Quality (TCEQ) State Implementation Plan (SIP) by the Federal Highway Administration (FHWA) and Federal Transit Authority (FTA) on December 15, 2022. The proposed project is consistent with the MTP and TIP.

3.0 Purpose and Need

3.1 Need

The proposed project is needed because the current capacity of FM 1171 within the project limits is inadequate to meet current and future traffic volumes or provide pedestrian and bicycle accommodations, resulting in congestion, and reduced east to west mobility.

3.2 Supporting Facts and/or Data

Growth

Currently, FM 1171 begins north of State Highway (SH) 121 and runs west stopping a little past IH 35W. The proposed project indicates FM 1171 to be extended westward through IH 35W and ending west of FM 156 (Reatta Drive). The City of Northlake's Comprehensive Plan Update expresses growth along IH 35W and the intersection of IH 35W and SH 114, as well as a proposal of communities being built near and north of the project shown in the Hillwood Communities Regional Development. The City of Justin's Master Thoroughfare Plan of 2017 shows a proposal for future signal lights indicating growth within Justin. According to the US Census Bureau, the population of the City of Justin in 2010 was 3,246. In 2020, that number stood at 4,409, a growth of 36 percent. The Texas State Data Center does not publish population projections for places in Texas, although the county projection suggests steady growth over the planning horizon for the proposed project (**Table 1**).

Table 1: Estimates and Projections for the City of Justin, Denton County, and the State of Texas in 2010, 2020 and 2050

Entity	2010	2020	Percent Change 2010- 2020	2050 Projection	Percent Change 2020- 2050
City of Justin	3,246	4,409	36	N/A	N/A
Denton County	662,614	906,422	37	1,299,072	43
State of Texas	25,145,561	29,145,505	16	35,465,604	22

Source: US Census Bureau; Texas State Data Center 2022

Congestion

Increased growth in this area will result in congestion and a demand for more mobility. Refer to the traffic data within the project limit (see **Table 2**). There is a lack of east to west roadway within the study area which can create more challenges in transportation in an already growing place.

Table 2: Estimated Traffic Volume within the Project Limits on FM 1171 from 2021 thru 2051

	2021	2041	2051
From FM 156 to IH 35W	7,400	9,800	10,800

Source: Transportation Planning and Programming, September 22, 2020

3.3 Purpose

The purpose of the project is to reduce congestion, provide pedestrian and bicycle accommodations, and improve mobility on FM 1171 from west of FM 156 to IH 35W.

4.0 Alternatives

4.1 Build Alternative

The Build Alternative is described in **Section 2.2**. The length of the proposed project is 3.5 miles and would use 11.7 acres of existing ROW and 98 acres of new ROW for a total of 109.7 acres. Typical ROW width would be 200 feet and range from 116 to 300 feet. The Build Alternative would meet the proposed project's purpose and need by providing an east-west roadway to provide access to IH 35W and provide relief to FM 156. The proposed project includes the construction of a new location roadway with an urban 6-lane divided section and a rural 4-lane divided depressed median section along FM 1171. The proposed urban section design includes 3-12-foot-wide lanes and 10-foot-wide shared use path in both directions along with curbs and enclosed drainage. The proposed rural section design includes two 12-foot-wide lanes (interim, 6-lane ultimate), 10-foot-wide outside shoulder and

4-foot-wide inside shoulders in both directions. The Build Alternative meets vertical design criteria and provides desirable sight distance and geometry along the length of the project.

The proposed project is consistent with local and regional land use and transportation plans and policies in the area. It would improve mobility and provide improved system connectivity in the proposed project area. FM 1171 new location roadway provides relief to the other routes connecting IH 35W to FM 156. The project includes a new crossing over Denton Creek providing clearance over the 100-year storm event. Safety for pedestrians would benefit by adding shared use paths in the urban section and pedestrian ramps at intersections, as well as by adding left and right turn lanes for vehicles.

4.2 No-Build Alternative

Under the No-Build Alternative, the proposed FM 1171 project would not be constructed. The No-Build Alternative would not require the conversion of approximately 98 acres of new ROW from existing land uses to transportation use nor would other project-related impacts occur. The No-Build Alternative would not aid in traffic demand and local traffic management. Consequently, the anticipated mobility benefits of the proposed project would not be realized. For this reason, the No-Build Alternative does not meet the projects need and purpose, therefore the Build Alternative is the preferred alternative. However, the No-Build Alternative was carried forward for comparison purposes.

4.3 Preliminary Alternatives Considered but Eliminated from Further Consideration

To ensure the proposed FM 1171 alignment promotes safety and mobility and minimizes impacts to adjacent properties and businesses, six alternative options were evaluated:

Alternative 1

This is the base alignment presented at the March 20, 2018, Public Meeting. The Public Meeting Documentation is available at https://www.keepitmovingdallas.com/public-hearings/2018/fm-1171-from-ih-35w-to-w-of-fm-156-public-meeting and Appendix G). The proposed ROW width is typically 200 feet. The proposed roadway would consist of a six-lane divided roadway compromised of urban and rural sections. Bicycle and pedestrian accommodations would be included as part of the proposed project. The design speed for the proposed roadway is 40 miles per hour. This alternative was eliminated because the proposed bridge would span a regulatory floodway, would result in an increase in the flood elevation level, and would require 200-foot-wide ROW along the bridge.

Alternative 2

This is Alternative 1 plus additional ROW for grading. This alternative was eliminated because the grading would require removing existing woodland vegetation increasing impacts to riparian and woodland habitats.

Alternative 3

This alternative expands on to Alternative 2 to add downstream improvements along Denton Creek, which would widen the stream channel to approximately 240 feet wide and require armoring against erosion due to high water velocities. This alternative would not increase the flood elevation level because of the downstream improvements. This widening would extend 680 feet downstream of the bridge and adjacent to the Denton Creek channel. This alternative was eliminated because it would

require impacting the stream channel and armoring the shoreline, both of which would negatively affect the stream and its aquatic resources.

Alternative 4

This alternative expands on to Alternative 2 to add downstream improvements along Denton Creek, which would widen the stream channel to approximately 1,150 feet wide which would be sufficient to reduce water velocities and not require armoring. This alternative would not increase the flood elevation level because of the downstream improvements. This widening would extend 850 feet downstream of the bridge and adjacent to the Denton Creek channel. This alternative was eliminated because it would require impacting the stream channel and negatively affect aquatic resources.

Alternative 5

Alternative 5 matches Alternative 1 but the bridge length spans entire floodplain. This alternative would require the construction of a 4,800-foot-long bridge that completely spans the floodway. This alternative would not increase the flood elevation level but was eliminated due to high cost.

Alternative 6

Alternative 6 closely matches Alternative 1 but its design was adjusted to avoid impacting the existing gas easement. Two sub-alternatives (6A and 6B) were developed under this alignment. One (6A) would not increase the floodplain elevation because the bridge would span the floodplain. The other sub-alternative (6B) would also span the floodway but would result in an increase of floodplain elevation. These alternatives were eliminated due to high cost.

5.0 Affected Environment and Environmental Consequences

Environmental issues were a primary focus in the planning, design, and environmental analysis processes. In support of this EA, the following technical reports were prepared and may be inspected and copied upon request at the TxDOT Dallas District Office 4777 E. Highway 80, Mesquite, Texas 75150:

- TXDOT 2022a. Community Impact Assessment Technical Report
- TXDOT 2022b. Archeological Resources Survey Report
- TXDOT 2022c. Historic Resources Survey Report
- TXDOT 2022d. Water Features Delineation Report
- TXDOT 2022e. Species analysis Form and Spreadsheet
- TXDOT 2022f. Carbon Monoxide Traffic Air Quality Analysis.
- TXDOT 2022g. Qualitative Mobile Source Air Toxics Analysis
- TXDOT 2022h, Hazardous Materials Initial Site Assessment
- TXDOT 2022i. Traffic Noise Analysis Report
- TXDOT 2022j. Indirect Effects Technical Report
- TXDOT 2022k. Cumulative Effects Technical Report

The technical reports listed above, with the exception of the *Archeological Resources Survey Report* and the *Historic Resources Survey Report*, are based on the environmental study area associated with the final schematic design show in **Appendix C**. The difference in the environmental study area

(consisting of approximately 65.8 acres of existing ROW and 98 acres of proposed new ROW) and the actual project area (109.7 acres) is 54.1 acres. The discussion of the study area for the *Archeological Resources Survey Report* and the *Historic Resources Survey Report* are discussed in Section 5.8.

Resource categories with the potential to be affected by the implementation of the proposed project are summarized in the following sections.

5.1 Right-of-Way/Displacements

The Build Alternative would require the acquisition of approximately 98 acres of new ROW (**Appendix C**). A total of three barn/storage buildings would be potentially displaced by the proposed project however, no displacement of residences, commercial or municipal structures are anticipated.

Potential displacements were minimized by avoiding impacts to structures where possible and using available vacant or open land where practicable. Constraints were mapped and used in the planning process to avoid important resources such as places of worship, public facilities, and other various resources. Encroachment-alteration effects could include the loss of undeveloped land for agricultural use.

The ROW acquisition would be limited to those properties required for roadway construction. ROW acquisition would be conducted in accordance with the Federal Uniform Relocation and Real Property Acquisition Policy Act of 1970 (Uniform Act).

No-Build Alternative

Under the No-Build Alternative, no project-related ROW would be acquired, therefore no displacements would occur.

5.2 Land Use

This project is in a developing area in Denton County. Undeveloped lands scattered single family residences, and oil/gas well pad sites comprise a majority of the immediate project vicinity. A residential subdivision, park, and retail strip center with service station/convenience store and fast food/drive-thru restaurants are located at the western end of the proposed project area in the City of Justin (Figure 1 in Appendix E).

The BNSF at-grade railroad crossing traverses the proposed project area. The Texas Motor Speedway, which is in the southern portion of the overall project study area in the City of Fort Worth and is within close proximity of this proposed project.

Streams (Denton Creek and Trail Creek and some associated tributaries), wetlands, and soils rated as prime farmland and farmland of statewide importance are located within the proposed project study area. Most of the project area is dominated by agriculture, grassland, woodland, and riparian zones. Portions of the proposed project would be located within the 100-year floodplain and the floodway (Figure 4 in Appendix E).

The project is not anticipated to change the overall land use character of the project area. The land use changes associated with the proposed project do not conflict with the goals of the Town of Northlake and City of Justin's Comprehensive Plans, would not delay or interfere with any other planned improvements, and are consistent with applicable laws; therefore, no mitigation is warranted.

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

5.3 Farmlands

The U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) Web Soil Survey (see Figure 2 in Appendix E) was used to determine the soil types present within the proposed project area and the U.S. Census Bureau map of urbanized areas (see Figure 3 in Appendix E) was used to see the areas within designated urban areas that are exempt from the Farmland Protection Policy Act (FPPA). Observations made during the site reconnaissance on April 5, 2022, revealed that active agricultural lands exist adjacent to the proposed project and the soils determined to be within the existing and proposed ROW are listed in Table 3.

Table 3: Soil Types within the Proposed Project Area

Map Unit Name	Farmland Classification	
Bastsil fine sandy loam, 0 to 3 percent slopes	All areas are prime farmland	
Frio clay loam, 0 to 1 percent slopes, frequently flooded	Not prime farmland	
Frio silty clay, 0 to 1 percent slopes, occasionally flooded	All areas are prime farmland	
Gowen clay loam, occasionally flooded	Not prime farmland	
Lewisville clay loam, 1 to 3 percent slopes	All areas are prime farmland	
Lindale clay loam, 1 to 3 percent slopes	All areas are prime farmland	
Medlin-Sanger stony clay, 5 to 15 percent slopes	Not prime farmland	
Mingo clay loam, 1 to 3 percent slopes	Farmland of statewide importance	
Ponder loam, 1 to 3 percent slopes	All areas are prime farmland	
Sanger clay, 1 to 3 percent slopes	All areas are prime farmland	
Sanger clay, 3 to 5 percent slopes	All areas are prime farmland	
Seagoville clay, occasionally flooded	All areas are prime farmland	
Slidell clay, 1 to 3 percent slopes	All areas are prime farmland	

Source: NRCS Web Soil Survey, https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx (accessed 3/25/2022).

The Farmland Conversion Impact Rating for Corridor Type Projects was completed on February 8, 2023, and scored 37 (0 on Part IV) for Denton County; therefore, coordination with the NRCS is not required. Farmland impacts would be limited to areas where the new location roadway would be constructed. The proposed FM 1171 extension would result in the division or separation of existing agricultural land. The majority of farmlands would continue to function as they do under existing conditions; therefore, encroachment-alteration effects stemming from farmland impacts are not significant as a result of the Build Alternative.

Under the No-Build Alternative, additional ROW would not be obtained, existing farmland would not be developed, therefore there would be no impacts to farmland.

5.4 Utility Relocation

The new location portion of this project would impact existing utilities on John Wiley Road and along FM 156 and IH 35W.

There are 13 natural gas pipelines that cross the project as well as two oil/gas well pad sites situated adjacent to proposed ROW. These features are not considered environmental concerns for the project.

The impacts resulting from removal of any utilities from within existing highway ROW (e.g., construction noise, potential disturbance to archeological resources, and potential impacts to species habitat) have been considered as part of the overall project footprint impacts within this EA.

It has not yet been determined whether the dislocated utilities will be re-installed within the project ROW or to a location outside the project ROW. However, the potential impacts resulting from re-installation of the displaced utilities within the project ROW have been considered as part of the overall project footprint impacts (e.g., construction noise, potential disturbance to archeological resources, and potential impacts to species habitat) 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 project ROW, such location will be determined by the owner of the utility subject to the rules and policies governing the utility relocation process. Additionally, the owner of the utility will be responsible for acquiring any easements outside the project ROW and ensuring that the design and construction meet all regulatory and environmental compliance requirements. See 43 TAC 21.37(a)(9), (g)(1)), and (g)(4); and 43 TAC 21.38(e)(2).

No-Build Alternative

Under the No-Build Alternative there would be no project-related impacts to utilities.

5.5 Bicycle and Pedestrian Facilities

Bicycle and pedestrian facilities that comply with TxDOT's Bicycle Accommodation Design Guidance are proposed as part of the proposed project. TxDOT's guidance implements the U.S. Department of Transportation Policy Statement on Bicycle and Pedestrian Accommodations, as well as FHWA policy.

Bicycle traffic would be accommodated with 10-foot-wide outside shared-use lanes. Six-foot-wide ADA-compliant sidewalks would be included along the entire project limit (see **Appendix C** for the schematics and **Appendix D** for the typical sections).

There is the potential for the proposed project area to experience changes in the mode(s) of transportation utilized by area residents and changes in traffic volumes. The introduction of new bike/pedestrian facilities in the immediate area may encourage people to pursue alternative modes of transportation. With improved access to bike/pedestrian facilities, people may have more desire to visit or use local services and facilities. The addition of bicycle and pedestrian facilities is a positive benefit; therefore, mitigation is not warranted.

Under the No-Build Alternative, bicycle and pedestrian facilities would not be constructed.

5.6 Community Impacts

5.6.1 Access and Travel Patterns

The proposed project is anticipated to reduce travel times through the construction of a new 6-lane divided roadway connecting the City of Justin directly to IH 35W and the greater region. Access would be improved for non-motorists, through the inclusion of shared use paths and sidewalks across urban segments of the project.

No-Build Alternative

Under the No-Build Alternative, there would be no access to vehicular and pedestrian traffic within the project limits between FM 156 and IH 35W.

5.6.2 Community Cohesion

No adverse impacts to community cohesion would occur as the proposed project would be constructed on agricultural and undeveloped land. Congestion for regional travelers and local workers in the area would be improved as would the delivery of goods to the various economic centers along the IH 35W corridor with the inclusion of the proposed project.

A detailed discussion of the community impacts can be found in the *Community Impacts Assessment Technical Report Form* for the proposed project.

No-Build Alternative

Under the No-Build Alternative, there would be no impacts to the community associated with the proposed project.

5.6.3 Environmental Justice

The Executive Order (EO) 12898 directs federal agencies to:

- identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations, to the greatest extent practicable and permitted by law.
- develop a strategy for implementing environmental justice.
- promote nondiscrimination in federal programs that affect human health and the environment, as well as provide minority and low-income communities access to public information and public participation.

The proposed project would be consistent with EO 12898. Environmental Justice (EJ) populations occur within the Community Impacts Assessment (CIA) study area. Eleven out of 68 census blocks within the CIA study area contain populations of 50% or more minorities. Four EJ census blocks are adjacent to the project, of which three are sparsely populated and large. There are no EJ census block groups encompassing the CIA study area (see **Figure 3** in **Appendix E**). No adverse impacts to EJ populations are anticipated. Any impacts would be equally shared between EJ populations and non-EJ populations.

The 2023 Department of Health and Human Services poverty level for a family of four is \$30,000.00. No census tracts or block groups encompassing the study area have median household incomes below the poverty threshold. Median incomes for census tracts range from \$77,482 to \$149,639, and for block groups, range from \$53,750 to \$171,708. There are an estimated 7,927 households within the four census tracts encompassing the study area, with 332 (4.2%) being below the poverty threshold. There are an estimated 2,710 households within the four block groups encompassing the study area, with 32 (1.2%) being below the poverty threshold. (See **Figure 3** in **Appendix E**).

EJ populations are limited within the study area, and impacts are not limited to these areas. The EJ census blocks adjacent to the proposed project are sparsely populated and no residences are impacted by proposed right of way for the project. Based on this information, disproportionately high and adverse impacts to EJ populations are not anticipated. Refer to the *Community Impacts Assessment Technical Report Form* for the locations of the EJ census areas containing low-income and minority populations within the CIA study area, as well as census data obtained from the U.S. Census Bureau.

No-Build Alternative

Under the No-Build Alternative, there would be no impact, adverse or beneficial, to EJ populations.

5.6.4 Limited English Proficiency

The EO 13166 requires Federal agencies to examine the services they provide, identify any need for services to those with LEP, and develop and implement a system to provide those services so LEP persons can have meaningful access to them. Persons who have special communication or accommodation needs, or need an interpreter, have been, and will continue to be encouraged to contact the TxDOT Dallas District Public Information Office for assistance. Reasonable steps have been and would continue to be taken to ensure LEP persons have meaningful access to the programs, services, and information TxDOT provides.

All census tracts and block groups encompassing the CIA study area have LEP populations. The populations range from 1% to 8.4%. The estimated population of five years and older across the four census block groups is 7,750 based on the 2016-2020 American Community Survey 5-Year Estimates. The LEP population is estimated to be 356 (4.6%). Of the 356 LEP persons; 344 (4.4%) are Spanish Speakers; and 12 (0.2%) are Other Indo-European Language Speakers (See **Figure 3** in **Appendix E**).

The LEP populations are sparse across the CIA study area and are not expected to have adverse impacts. There were no signs observed in languages other than English during the site visit conducted on April 5, 2022 (see **Appendix B**).

Accommodations for LEP persons during previous public involvement have included, and would continue to include, providing bilingual (English/Spanish) public notices, placing public notice display ads in English and Spanish newspapers, and having Spanish-speaking staff present at public involvement events. In addition, the public involvement notices state that accommodations for other non-English languages would be provided if requested ahead of the meeting. An In-Person Public Hearing was held April 6, 2023, at Gene Pike Middle School cafeteria in Justin, Texas. This hearing took place virtually and in-person. Notices for public involvement opportunities were provided in English and Spanish, and a translator was made available upon request; however, no requests for translation services were received.

A detailed discussion of the Limited English Proficiency (LEP) can be found in the *Community Impacts* Assessment Technical Report Form for the proposed project.

5.7 Visual/Aesthetics Impacts

This section of FM 1171 is a new location roadway that ties into the existing John Wiley Road, an undivided two-lane roadway with bicycle/pedestrian facilities. Vegetation in the ROW consists primarily of maintained grasses with minimal tree cover at some of the stream crossings. Aesthetic enhancement of the existing roadway is minimal. The Build Alternative would have minimal effect on the overall aesthetic quality along the project area. Visual impacts resulting from the Build Alternative would include roadway widening. Because this is a change from the existing condition, the viewsheds of existing residences and business facilities would be directly impacted. However, these impacts would not be considered as being detrimental to business operations. Landscaping would not be included as a part of the proposed project.

The proposed project may incorporate safety lighting, which could be considered as a positive effect for visual and aesthetic qualities for the proposed pedestrian and bicycle accommodations. During final design, the design of light fixtures would be completed. Local, state, and federal requirements would be reviewed during design and designation of additional lighting required for this project. The roadway lighting system could consist of low-impact, downward directional lighting to minimize impacts to adjacent properties.

Where reasonable and feasible, mitigation measures that would result in beneficial visual and aesthetic impacts may be programmed for this project. These measures may include aesthetic enhancements, such as lighting, and/or decorative details. Aesthetics treatments would be developed during final design and incorporated into the project design as appropriate.

No-Build Alternative

The No-Build Alternative would not result in FM 1171 project-related visual impacts along the existing corridor as the proposed improvements would not be constructed.

5.8 Cultural Resources

Evaluation of impacts to cultural resources has been conducted under Section 106 of the National Historic Preservation Act (NHPA) in accordance with the Programmatic Agreement (PA) among FHWA, TxDOT, the Texas State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP) Regarding the Implementation of Transportation Undertakings.

Cultural resources are structures, buildings, archeological sites, districts (a collection of related structures, buildings, and/or archeological sites), cemeteries and objects. Both federal and state laws require consideration of cultural resources during project planning. At the federal level, NEPA and the NHPA of 1966, among others, apply to transportation projects such as this one. Compliance with these laws often requires consultation with the Texas Historical Commission (THC)/SHPO and/or federally recognized tribes to determine the project's effects on cultural resources. Review and coordination of this project followed approved procedures for compliance with federal and state laws.

5.8.1 Archeology

The purpose of the archeological investigation is to conduct an inventory or determine the presence/absence of archeological resources (36 CFR 800.4) and to evaluate identified resources for their eligibility for inclusion on the National Register of Historic Places (NRHP), per Section 106 (36 CFR 800) of the NHPA of 1966, as amended, or as a designated state archeological landmark (SAL) under the Antiquities Code of Texas (ACT) (13 Texas Administrative Code 26.12).

The Area of Potential Effects (APE) for the archeological resources is defined as the footprint of the proposed project to the maximum depth of impact and project specific location. Thus, the APE for the archeological resources would cover a total distance of approximately 3.39 miles. The total ROW for the project is approximately 109.7 acres, consisting of approximately 11.7 acres of existing ROW, 98 acres of proposed new ROW. The maximum depth of impacts would be approximately 25 feet, with the typical depth of impact being approximately four feet. Based on the findings of the background study and through coordination with TxDOT and the THC, 65.8 acres (39.8%) of the APE is considered No Survey Area, consisting of existing road and railroad ROW within the APE.

The total recommended survey area was 99.4 acres. The survey area consists of proposed ROW and excludes existing road and railroad ROW where potential for the presence of intact cultural resources is negligible. Right-of-entry (ROE) was denied for 61.4 acres (61.8%) of the recommended survey area. Due to ROE restrictions the area surveyed totaled approximately 38 acres. While ROE was granted for two parcels (PID 70642 and 67995) near the west bank of Denton Creek, backhoe access was denied by a tenant upon investigators' arrival. These parcels are not included in the Access Denied Area, as ROE was granted and both parcels were accessed by archeologists. The total area of proposed ROW within these two parcels is approximately 18.4 acres.

Work consisted of 100 percent intensive pedestrian survey of proposed ROW on all parcels where ROE was granted. Forty-two shovel testing was conducted in transects along the APE with ROE that were not significantly disturbed by existing road or railroad ROWs, construction, installation of utilities, or other ground-disturbing activities. Mechanical trenching was conducted in one proposed area where ROE was granted (PID 70743) and where it was determined deep excavations might identify deeply buried cultural deposits. Additional trenches were to be excavated in the vicinity of Denton Creek, though access to parcels east of the creek was denied altogether, and a tenant refused backhoe access to the western side of the creek (PID 67995 and 70642), despite ROE for the parcel was granted. In areas where trenching could safely commence, archeologists selected the least disturbed portions of the survey area and avoided trenching in heavily disturbed soil. Archeologists did not identify any new or previously recorded archeological sites within the APE. Areas where ROE was denied will require pedestrian survey, shovel testing, and mechanical trenching to assess the potential for archeological deposits. Additionally, a portion of the survey area west of Denton Creek was not adequately assessed for deeply buried archeological deposits and will need to be mechanically trenched.

Intensive survey including shovel testing is recommended for 61.4 acres of proposed ROW where ROE was denied. Trenching is recommended for parcels where ROE was denied in areas where Holoceneage soil deposits may have a higher potential for deeply buried cultural deposits. Specifically, trenching is recommended for the floodplain that extends east and west of Denton Creek near the center of the APE. A portion of the survey area where trenching was not conducted at the time of survey was visually inspected and shovel tested (i.e., parcels PID 67995 and 70642 where ROE was granted), however a

tenant did not allow mechanical trenching on these parcels when backhoe access was requested. While ROE was granted and pedestrian survey and shovel testing were conducted on these parcels, soils mapped in these two parcels indicate that there is potential for deeply buried archeological deposits to occur, and mechanical trenching is recommended for parcels 67995 and 70642.

Prior to fieldwork, the THC's Archeological Sites Atlas was consulted to identify previous work, documented, and potential archeological sites within and surrounding the APE. Research focused on the identification of archeological sites, sites listed as SALs, Recorded Texas Historic Landmarks, sites listed on the NRHP, cemeteries, and previously conducted archeological surveys within one kilometer (0.62 mile) of the APE. The search identified six previously conducted surveys and one cemetery within one kilometer of the APE.

One of the six surveys intersects with the APE near its western terminus (Atlas ID 8500072900). The survey was conducted by TxDOT in 2016 in support of the expansion of FM 156 and did not record any archeological sites within one kilometer of the APE (Atlas 2022; Hanselka 2014).

Justin Cemetery (DN-CO34), also known as the Odd Fellows or IOOF Cemetery, is located approximately 740 meters (0.46 mile) north of the APE and will not be impacted by the proposed project (Atlas 2022).

The proposed project would have no effect on archeological Historic Properties and/or SALs within the APE where survey was conducted. Any design change would not require additional review or investigation. Design changes that either extend beyond the horizontal boundaries of the surveyed area or result in potential impacts deeper than the impacts considered would require additional review. See the *Archeological Survey Report* for FM 1171 for detailed information.

The project is compliant with Section 106 of the NHPA of 1966 (and subsequent amendments) and the ACT. Section 106 coordination will be conducted in accordance with the terms and conditions of the First Amended PA among the FHWA, the THC, the ACHP, and TxDOT, as well as the Memorandum of Understanding (MOU) between TxDOT and the THC.

A TxDOT archeologist has reviewed the report and concurs with the results. The SHPO concurred with this assessment in a letter signed and dated January 1, 2023 (Appendix F). The identification efforts and analysis of effects completed to date are adequate. No further work or consultation is required within the evaluated portions of the APE. Once access is obtained to areas for which access has been denied, TxDOT will complete required investigations and consultation prior to construction. In the event that unanticipated archeological deposits are encountered during construction, work in the immediate area will cease and TxDOT archeological staff will be contacted to initiate post-review discovery procedures under the provisions of the PA and MOU.

It is not anticipated that the proposed project would result in direct impacts to known archeological resources. In the unlikely event that cultural resources are discovered during construction of the proposed project, TxDOT would immediately initiate cultural resource discovery procedures. All work in the vicinity of the discovery would cease until a specialist from TxDOT and/or the THC could arrive on site and assess the discovery's significance and the need, if any, for additional investigation.

Consultation with federally recognized Native American tribes was concluded on February 17, 2023. No objections or expressions of concern were received. See **Appendix F** for the tribal coordination documentation.

Potential impacts to archeological resources would be limited to the construction phase of the project and confined to the existing and proposed ROW; thus, encroachment-alteration effects would not

CSJ: 1311-01-055, FM 1171, Final Environmental Assessment

occur. Once access is obtained to areas for which access has been denied, TxDOT will decide if mitigation would be required. It is not anticipated that the proposed project would result in direct impacts to known archeological resources.

No-Build Alternative

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

5.8.2 Historic Properties

TxDOT-certified historians surveyed the project APE on August 18, 2022. It was determined through consultation with the SHPO that the APE for the proposed project is 300 feet on either side of the proposed ROW. The survey identified a total of 29 historic-age resources located on four properties, all agricultural in nature. The landowners of two of the properties had expressly denied ROE to the properties, limiting survey to what was visible from public ROW and to photographs taken by other project personnel during a site visit earlier in the year. Of the four properties identified and evaluated by the survey, none are recommended eligible for NRHP listing. See the *Historical Resources Survey Report* for FM 1171 for detailed information.

On November 3, 2022, TxDOT historians determined that there are no historic, non-archeological properties in the APE. Individual project coordination with SHPO is not required (**Appendix F**).

No-Build Alternative

No changes to existing conditions would occur in the No-Build Alternative scenario; therefore, no impacts to historic properties would be anticipated with the No-Build Alternative.

5.9 Protected Lands

5.9.1 Section 4(f)

Section 4(f) protects publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, and any land from an historic site of national, State, or local significance. Although Reatta Park is located adjacent north of the project area along John Wiley Road near the project's western limits, there will be no use or impact to the property.

5.9.2 Section 6(f)

The proposed project would not use any lands protected by Section 6(f) of the Land and Water Conservation Fund Act or Parks and Wildlife Code (PWC) Chapter 26 lands. There are no Section 6(f) properties present in the project area.

5.9.3 Chapter 26

Chapter 26 of the Texas PWC protects the taking of public land designated and used prior to the arrangement of the project as a park, recreation area, scientific area, wildlife refuge, or historic site. There are no Chapter 26 properties present in the project area.

As construction of the proposed FM 1171 project would not occur, there would be no project-related impacts on Section 4(f), Section 6(f), and PWC Chapter 26 properties associated with the No-Build Alternative.

5.10 Water Resources

5.10.1 Clean Water Act Section 404

This project will involve regulated activity in jurisdictional waters and therefore will require authorization under Section 404. The following table shows the waters that are anticipated to be jurisdictional waters in which 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 (i.e., no pre-construction notification (PCN) required), or if it is anticipated that a nationwide permit (NWP) with PCN, individual standard permit (SP), letter of permission (LOP), or regional general permit (RGP) will be required.

Water features within the project area were not field delineated, due to lack of ROE, but the project location was visited on June 21, 2022. Following this visit, water features within the project area were desktop delineated. Please see the Water Features Delineation Report for detailed information and figures based on best available data, which is on file at the TxDOT Dallas District office.

Table 4: Waters of the U.S.

Name of water feature	Type of water feature	Location of water feature	Covered by non- reporting NWP under Section 404?	NWP with PCN, SP, LOP, or RGP required under Section 404?
5	Intermittent tributary to Trail Creek	33.0700199 -97.2820640	N	Y, NWP 14 with PCN
8	Intermittent tributary to Trail Creek	33.0704096 -97.2769869	Y, NWP 14	N
9	Trail Creek (Intermittent stream)	33.0704944 -97.2766634	Y, NWP 14	N
10	Denton Creek (Perennial stream)	33.0709291 -97.2759358	Y, NWP 14	N
11	Palustrine Forested Wetland	33.0719056 -97.2712080	N	Y, NWP 14 with PCN
13	Palustrine Forested Wetland	33.0701718 -97.2617940	N	Y, NWP 14 with PCN
14	Intermittent tributary to Trail Creek	33.0690812 33.0690812	N	Y, NWP 14 with PCN
17	Intermittent tributary to Denton Creek	33.0646907 -97.2478669	N	Y, NWP 14 with PCN

Impacts on potentially jurisdictional water features would result from roadway construction and culvert installation and would be authorized under NWP 14 with PCN. The need for an SP under Section 404 is not anticipated. If it is later determined that an SP under Section 404 is needed, compliance with EPA's Section 404(b)(1) Guidelines will be confirmed prior to submittal of the individual standard permit application.

Table 4 shows the waters that are anticipated to be jurisdictional waters in which regulated activity is anticipated to take place. Impacts on potentially jurisdictional water features resulting from roadway construction and culvert installation would be authorized under NWP 14 with PCN. Adverse construction-related impacts would be minimized by implementing soil erosion and sedimentation Best Management Practices (BMPs), as noted in Section 5.10.2, below.

No-Build Alternative

As construction of the proposed project would not occur, there would be no project-related impacts on potentially jurisdictional water features associated with the No-Build Alternative.

5.10.2 Clean Water Act Section 401

For projects that require an NWP under Section 404 that is covered by TCEQ's blanket 401 water quality certification, regardless of whether the NWP is non-reporting, or requires the submission of a PCN, TxDOT complies with Section 401 of the Clean Water Act (CWA) by implementing TCEQ conditions for NWPs. For projects that require authorization under a NWP under Section 404 that is <u>not</u> covered by TCEQ's blanket 401 water quality certification, or under an SP, LOP, or RGP under Section 404, TxDOT will coordinate the Section 401 water quality certification with TCEQ. TCEQ will either approve or deny the Section 401 water quality certification or issue a waiver. The TCEQ Section 401 water quality certification decision must be submitted to the USACE before use of the NWP can be confirmed, or an SP, LOP, or RGP decision can be made.

General Condition 25 of the NWP Program requires applicants using NWP 14 to comply with Section 401 of the CWA. Compliance with Section 401 requires the use of 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.

Impacts on water quality would be minimized by using BMPs to control erosion, sediment, and post-construction Total Suspended Solids (TSS), as identified in the Stormwater Pollution Prevention Plan (SWP3). BMPs would be used before and after construction, regularly inspected, and proactively maintained.

No-Build Alternative

As construction of the proposed project would not occur, there would be no project-related impacts on potentially jurisdictional water features associated with the No-Build Alternative.

5.10.3 Executive Order 11990 Wetlands

This project is federally funded and therefore is subject to Executive Order 11990, Protection of Wetlands, and will involve construction in one or more wetlands. Explanation of how the project will comply with Executive Order 11990 is provided below.

There are no practicable alternatives to avoid construction in the wetlands because this is a new location roadway being constructed in an east-west orientation for the purpose of connecting I-35W CSJ: 1311-01-055, FM 1171, Final Environmental Assessment

23
May 2023

with John Wiley Road (just west of FM 156). The area between the two existing roadways consists of Denton Creek and its floodplain, which extends a great distance to the north and south and includes multiple wetlands throughout.

The Preferred Alternative will bridge most of the Denton Creek floodplain including Denton Creek and Trail Creek so that permanent impacts to potentially jurisdictional water features and wetlands are minimized.

No-Build Alternative

As construction of the proposed project would not occur, there would be no project-related impacts on wetlands associated with the No-Build Alternative.

5.10.4 Rivers and Harbors Act

This project does not involve work in or over a navigable Water of the U.S.; therefore, Section 10 of the Rivers and Harbors Act does not apply. Likewise, a navigational clearance under the General Bridge Act of 1946, and Section 9 of the Rivers and Harbors Act (administered by the U.S. Coast Guard [USCG]) is not applicable. Coordination with the USCG (for Section 9 and the General Bridge Act) and the USACE (for Section 10) would not be required.

5.10.5 Clean Water Act Section 303(d)

The project is not located within five linear miles (not stream miles) of, is not within the watershed of, and does not drain to an impaired assessment unit under the July 7, 2022, Section 303(d) list.

5.10.6 Clean Water Act Section 402

Since Texas Pollutant Discharge Elimination System (TPDES) Construction General Permit (CGP) authorization and compliance (and the associated documentation) occur outside of the environmental clearance process, compliance is ensured by the policies and procedures that govern the design and construction phases of the projects. The Project Development Process Manual and the Plans, Specifications, and Estimates (PS&E) Preparation Manual require an SW3P be included in the plans of all projects that disturb one or more acres. The Construction Contract Administration Manual requires that the appropriate CGP authorization documents (Notice of Intent or site notice) be completed, posted, and submitted, when required by the CGP, to TCEQ and the Municipal Separate Storm Sewer System (MS4) operator. It also requires that projects be inspected to ensure compliance with the CGP.

The PS&E Preparation Manual requires that all projects include Standard Specification Item 506 (Temporary Erosion, Sedimentation, and Environmental Controls), and the "Required Specification Checklists" require Special Provision 506-003 on all projects that need authorization under the CGP. These documents require the project contractor to comply with the CGP and SW3P and complete the appropriate authorization documents.

No-Build Alternative

The No-Build Alternative would not alter the amount of runoff generated within the proposed project area.

5.10.7 Floodplains

Denton County and the Town of Northlake and the City of Justin are participants in the National Flood Insurance Program. The study area is located on Flood Insurance Rate Map (FIRM) Panel Numbers 48121C0485G and 48121C0505G (effective 4/18/2011).

This project is federally funded and therefore is subject to and would comply with federal EO 11988, Floodplain Management. However, the project will not involve a significant encroachment in the floodplain.

A review of Federal Emergency Management Agency (FEMA) FIRMs indicates that the majority of the project area is outside the 100-year floodplain. The sections of the proposed project that cross Trail Creek, Denton Creek, their tributaries, and wetlands are situated within Zone AE (areas subject to inundation by the 1-percent-annual-chance flood event generally determined using approximate methodologies, with BFE of 597 feet). Mandatory flood insurance purchase requirements and floodplain management standards apply. This project is subject to and would comply with federal EO 11988 on Floodplain Management. The department implements this EO on a programmatic basis through adherence with its Hydraulic Design Manual. Design of this project would be conducted in accordance with the department's 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 23CFR 650.105(q).

No-Build Alternative

This alternative would not alter the existing level of roadway encroachments into floodplains.

5.10.8 Wild and Scenic Rivers

The proposed project would not impact any present, proposed, or potential unit of the National Wild and Scenic Rivers System.

5.10.9 Coastal Barrier Resources

The Coastal Barrier Resources Act does not apply.

5.10.10 Coastal Zone Management

The proposed project is not located within the Texas Coastal Management Plan boundary. Therefore, a consistency determination is not required.

5.10.11 Edwards Aquifer

The TCEQ Edwards Aquifer Rules and the EPA Edwards Aquifer MOU do not apply.

5.10.12 International Boundary and Water Commission (IBWC)

This proposed project does not cross or encroach upon the floodway of the IBWC ROW or an IBWC flood control project.

5.10.13 Drinking Water Systems

In accordance with TxDOT's Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges (Item 103, Disposal of Wells), any drinking water wells would need to be properly removed and disposed of during construction of the project.

5.11 Biological Resources

5.11.1 Impacts to Vegetation

The proposed project would directly impact the following habitats: Agriculture (15.1 acres), Crosstimbers Oak Forest and Woodland (14.5 acres); Edwards Plateau Limestone Savanna and Woodland (38.6 acres); Native Invasive Shrub and Woodland (0.5 acre); Open Water (1.1 acre); Southeastern Great Plains Riparian Forest (16.0 acres); Texas Blackland Tallgrass Prairie (2.7 acres); and Urban (18.2 acres). Refer to the Vegetation Map in **Figure 5** in **Appendix E**.

The Texas Natural Diversity Database (TXNDD) data obtained from the Texas Parks and Wildlife Department (TPWD) on April 18, 2022, was reviewed along with the TPWD Rare, Threatened, and Endangered Species of Texas list for Denton County, dated December 8, 2022. The TXNDD radii search revealed element of occurrence records within 1.5 and 10 miles of the proposed project. Within 1.5 miles of the proposed project, the Mollisol Blackland Prairie (Schizachyrium scoparium-Andropogon gerardii-series) was recorded. Within 10 miles of the proposed project, the following occurrence were recorded: one record of Ozark Limestone Glade (Schizachyrium scoparium-Bouteloua curtipendula-Wooded Herbaceous Vegetation series), two records of Comanche Peak prairie clover (Dalea reverchonii), and three records for the Mollisol Blackland Prairie. These species and this plant community are located outside of the project area and would not be impacted by the proposed project.

According to the MOU with TPWD, important remnant vegetation includes communities listed as suitable habitat and within the range of Species of Greatest Conservation Need (SGCN). Important remnant vegetation includes 1) rare vegetation communities and 2) those that are suitable habitat for SGCN. Suitable habitats for the Topeka purple-coneflower (Echinacea atrorubens) and Sutherland hawthorn (Crataegus viridis var. glabriuscula) are located within the proposed project area and would be impacted by the proposed project. To address important remnant vegetation's second component, general habitat types of those SGCNs that may be impacted by the proposed project include agriculture, grassland, woodland, riparian, and urban. These habitat types are located within the proposed project area. Impacts to these habitats were quantified based on the MOU type that best fits vegetation present in the given habitat, by using Ecological Mapping Systems of Texas correcting for discrepancies using actual observed vegetation types. None of these areas that include habitat for SGCNs are considered rare or remnant vegetation communities. Potential impacts to vegetation would be confined to the existing and proposed ROW; thus, encroachment-alteration effects would not occur. 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, particularly mature native trees and shrubs would be avoided to the greatest extent practicable. Seeding and replanting with TxDOT-approved seed mixes containing native species would be used in the re-vegetation of disturbed areas.

No-Build Alternative

If the No-Build Alternative were implemented, the proposed project would not be constructed. No effects to vegetation related to the construction of the proposed project would occur. Existing land use and activities, including routine mowing, would continue to periodically affect vegetation communities.

5.11.2 Executive Order 13112 on Invasive Species

This project is subject to and would comply with EO 13112 on Invasive Species. The department implements the EO on a programmatic basis through its Roadside Vegetation Management Manual and Landscape and Aesthetics Design Manual. Accordingly, seeding and replanting with TxDOT-approved seed mixes containing native species would be done where possible. Soil disturbance would be minimized in the ROW in order to minimize invasive species establishment.

5.11.3 Executive Memorandum on Environmentally and Economically Beneficial Landscaping

This project is subject to and would comply with the federal Executive Memorandum on Environmentally and Economically Beneficial Landscaping, effective April 26, 1994. The department implements this Executive Memorandum on a programmatic basis through its Roadside Vegetation Management Manual and Landscape and Aesthetics Design Manual.

5.11.4 Impacts to Wildlife

Developed and undeveloped lands are present within the proposed project area. Developed land includes single-family residences, retail, commercial, public facilities, and places of worship. Undeveloped lands comprise vacant (not utilized), agriculture (ranch and pasture), woodlands, fence row vegetation, streams, and ponds. A notable feature is Denton Creek and its associated floodplain and wide riparian corridor that the proposed project would bridge over. Wildlife species expected to inhabit the proposed project area are likely adapted to both a rural environment as well as an urban, developed environment, however the Denton Creek corridor has suitable habitat for species not adapted to an urban environment. Mammalian species that likely inhabit the area include the coyote (Canis latrans), Virginia opossum (Didelphis virginiana), raccoon (Procyon lotor), and eastern fox squirrel (Sciurus niger). Amphibian and reptiles such as the Texas rat snake (Elaphe obsolete linheimen), red-eared slider (Trachemys scripta), western ribbon snake (Thamnophis proximus), and the norther cricket frog (Acris crepitans) may also utilize the different available habitats within the project area. Various songbirds and waterfowl such as Northern Cardinal (Cardinalis cardinalis) and Carolina Chickadee (Parus carolinensis), would also be likely to occur within and around the project area.

The TXNDD radii search revealed element of occurrence records within 1.5 and 10 miles of the proposed project. Within 10 miles of the proposed project, the following occurrence were recorded: one record of the eastern spotted skunk (*Spilogale putorius*), Texas garter snake (*Thamnophis sirtalis annectens*), and Texas heelsplitter (*Potamilus amphichaenus*). These species are located outside of the project area and would not be impacted by the proposed project.

The presence of the following wildlife species was observed during field reconnaissance by a qualified biologist on April 16, 2018, April 30, 2018, May 1, 2018, May 7, 2018, June 14, 2018, January 19, 2022, April 5, 2022, and June 21, 2022: crayfish, toads, turtles, and frogs. As noted, there is suitable habitat present within the proposed project area for state and federally listed species, and SGCN species as discussed in **Section 5.11.10.**

The proposed project would extend Cross Timbers Road (FM 1171) on new location from west of FM 156 at John Wiley Road to IH 35W, bisecting continuous wildlife habitat resulting in habitat fragmentation. This would result in wildlife potentially being exposed to greater predation, people, domestic pets and increased wildlife vehicle collisions. Wildlife that does currently inhabit adjacent

CSJ: 1311-01-055, FM 1171, Final Environmental Assessment May 2023

urban development and existing roadway structures (culverts, utility poles, etc.) would be temporarily impacted due to potential structural displacements/relocations and roadway structure reconstruction and relocation. It is likely that the impacted wildlife would recolonize the available habitat once construction of the proposed project is complete. Designing the bridge to span the floodplain, including Denton Creek, may enable the bridge to function as a wildlife crossing, and may help to lessen impacts to local populations once construction is complete.

No-Build Alternative

Under the No-Build Alternative, the proposed project would not be constructed; thus, there would be no project-related impacts to wildlife.

5.11.5 Migratory Bird Protections

This project would comply with applicable provisions of the Migratory Bird Treaty Act (MBTA) and Texas Wildlife Code Title 5, Subtitle B, Chapter 64, Birds. It is the department's policy to avoid removal and destruction of active bird nests except through federal or state approved options and FHWA policy. In addition, it is the department's policy to, where appropriate and practicable:

- 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.

Additional preemptive and preventative measures that may be applied, where appropriate and practicable, are described in TxDOT's Guidance - Avoiding Migratory Birds and Handling Potential Violations.

5.11.6 Fish and Wildlife Coordination Act

The project is anticipated to require a nationwide permit issued by the USACE. Compliance with the Fish and Wildlife Coordination Act will be accomplished by complying with the terms and conditions of the nationwide permit.

5.11.7 Bald and Golden Eagle Protection Act of 2007

This project is not within 660 feet of an active or an inactive Bald or Golden Eagle nest. Therefore, no coordination with U.S. Fish and Wildlife Service (USFWS) is required.

5.11.8 Magnuson-Stevens Fishery Conservation Management Act

There are no tidally influenced waters in Denton County and the proposed project would not affect essential fish habitat. The Essential Fish Habitat/Magnuson-Stevens Fishery Conservation and Management Act does not apply.

5.11.9 Marine Mammal Protection Act

The project area does not contain suitable habitat for marine mammals.

5.11.10 Threatened, Endangered, and Candidate Species

The TXNDD data obtained from TPWD on April 18, 2022, was reviewed along with the USFWS Official Species List, dated December 8, 2022. Based on field investigations conducted on April 16, 2018, April 30, 2018, May 1, 2018, May 7, 2018, June 14, 2018, January 19, 2022, April 5, 2022, and June

CSJ: 1311-01-055, FM 1171, Final Environmental Assessment

21, 2022, and as detailed in the Species Analysis Spreadsheet and Species Analysis Form, the following were identified:

Federally Listed Endangered Species

According to the USFWS Official Species list, there are four federally listed species which include: Black Rail (*Laterallus jamaicensis*), Piping Plover – Migratory (*Charadrius melodus*), Red Knot – Migratory (*Calidris canutus rufa*), and Whooping Crane (*Grus americana*). No effect calls were made for these species and explanations for determination can be seen in the *Species Analysis Spreadsheet*. The monarch butterfly (*Danaus plexippus*) is a federally protected candidate species. Suitable habit (milkweed species and nectar-producing plants) is present within the project area, therefore this species may occur or could potentially be affected by the proposed project. TXDOT has determined that the proposed project may affect the monarch butterfly; however, because it is a candidate species, no consultation with USFWS is required at this time. As construction activities for this project area not anticipated to be completed prior to Fiscal Year 2024, when a listing decision for the species is anticipated, additional coordination may be required. The project should be reevaluated at that time to determine if further action is required if the species becomes proposed for federal listing. There is no USFWS designated Critical Habitat for any federally listed species within the project area.

State-Listed Species

The TXNDD radius search was 1.5 and 10 miles from the proposed project. TxDOT has reviewed the TPWD RTEST list and analyzed potential impacts to state listed species in the Species Analysis Spreadsheet. State-listed species that may be impacted by the project include; White-faced Ibis (*Plegadis chihi*), Louisiana pigtoe (*Pleurobema riddellii*), sandbank pocketbook (*Lampsilis satura*), Texas heelsplitter (*Potamilus amphichaenus*), and Texas horned lizard (*Phyrnosoma cornutum*). Bird BMPs, Freshwater Mussel BMPs, Water Quality BMPs, Stream Crossings BMPs, Terrestrial Amphibian and Reptile BMPs, Vegetation BMPs, Aquatic Amphibian and Reptile BMPs, Insect Pollinator BMPs, Bat BMPs, General Design and Construction BMPs and Rare Plant BMPs would be implemented for the impacted species.

Species of Greatest Conservation Need

Element occurrences for the Texas garter snake and the eastern spotted skunk, both SGCN species were recorded within the 10-mile radius of the proposed project. Suitable habitat was observed within the proposed project for the following SGCN: Woodhouse's toad (Anaxyrus woodhousii), Strecker's chorus frog (Pseudacris streckeri), Bald Eagle (Haliaeetus leucocephalus), Mountain Plover (Charadrius montanus), Sprague's Pipit (Anthus spragueii), Western Burrowing Owl (Athene cunicularia hypugaea), Chestnut-collared Longspur (Calcarius ornatus), American bumblebee (Bombus pensylvanicus), big brown bat (Eptesicus fuscus), eastern red bat (Lasiurus borealis), hoary bat (Lasiurus cinereus), swamp rabbit (Sylvilagus aquaticus), long-tailed weasel (Mustela frenata), eastern spotted skunk (Spilogale putorius), western hog-nosed skunk (Conepatus leuconotus), mountain lion (Puma concolor), western chicken turtle (Deirochelys reticularia miaria), eastern box turtle (Terrapene carolina), western box turtle (Terrapene ornata), smooth softshell (Apalone mutica), slender glass lizard (Ophisaurus attenuatus), prairie skink (Plestiodon septentrionalis), Texas garter snake, timber (canebrake) rattlesnake (Crotalus horridus), western rattlesnake (Crotalus viridis), Topeka purple-coneflower, and the Sutherland hawthorn (Crataegus viridis var. glabriuscula).

Because the project would impact several state-listed species and SGCN species coordination with TPWD was initiated on February 8, 2023. Refer to **Appendix F** for the coordination documentation and to **Section 8** for BMPs or mitigation strategies that will be used to avoid or minimize impacts to these SGCN.

No-Build Alternative

Under the No-Build Alternative, the proposed project would not be constructed; thus, there would be no effects to federally and state-listed threatened, endangered, or candidate species and SGCNs.

5.12 Air Quality

For information regarding air quality refer to the *Air Quality Technical Report* available at the TxDOT Dallas District office and to **Appendix F** for the letter of concurrence from TCEQ.

<u>Transportation Conformity</u>

This project is located within an area that has been designated by EPA as a severe nonattainment area and moderate nonattainment area for the 2008 ozone National Ambient Air Quality Standard (NAAQS) and 2015 ozone NAAQS, respectively; therefore, transportation conformity rules apply. Conformity for older standards is satisfied by conformity to the more stringent 2008 and 2015 ozone NAAQS, as applicable.

The proposed action is consistent with the NTCOG's financially constrained MTP and TIP, as amended, which were initially found to conform to the TCEQ SIP by FHWA and FTA on December 15, 2022. All projects in the NCTCOG's 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.

Carbon Monoxide Traffic Air Quality Analysis

Traffic data for the existing year 2021 and design year 2041 is 7,400 vehicles per day (VPD) and 9,800 VPD, respectively. A prior TxDOT modeling study and previous analyses of similar projects demonstrated that it is unlikely that the carbon monoxide standard would ever be exceeded as a result of any project with an average annual daily traffic (AADT) below 140,000. The AADT projections for the project do not exceed 140,000 VPD; therefore, a Traffic Air Quality Analysis was not required.

Mobile Source Air Toxics

A qualitative mobile source air toxics (MSAT) assessment has been conducted relative to the Build and No-Build Alternative. As documented in the technical report, all project alternatives may result in increased exposure to MSAT emissions in certain locations 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 cause substantial reductions that, in almost all cases, will cause region-wide MSAT levels to be significantly lower than today.

Congestion Management Process

The proposed project is adding single-occupant vehicle capacity, is a project with FHWA/FTA involvement, and is within the Dallas Fort-Worth (DFW) Transportation Management Area (TMA); therefore, a Congestion Management Process (CMP) analysis is required. The proposed project is

within the DFW TMA. The project-level CMP analysis in on file and available for review at the NCTCOG and is included as an appendix in the *Air Quality Technical Report*.

Committed congestion reduction strategies and operational improvements within the study boundary will consist of providing shared-use bicycle and pedestrian path along both sides of FM 1171, the addition of turning lanes, and connecting FM 1171 to the southbound IH 35W frontage road. Individual projects are listed in **Table 5**.

Table 5: Congestion Management Process Strategies

Location	Туре	Implementation Date
IH 35W from SH 114 to IH 35W/ IH 35E Interchange	Addition of lanes	2046
US 377 from SH 114 to South of FM 1171	Addition of Lanes	2036
US 377 from South of FM 1171 to Crawford Road	New Roadway	2021
FM 156 from SH 114 to 12th Street	Addition of Lanes	2016
FM 407 from Bill Cook Road to FM 1830	Addition of Lanes	Tentative 2045

To reduce congestion and the need for single occupancy vehicle (SOV) lanes in the region, TxDOT and NCTCOG will continue to promote appropriate congestion reduction strategies through the Congestion Mitigation and Air Quality Improvement (CMAQ) program, the CMP, and the MTP. The congestion reduction strategies considered for this project would help alleviate congestion in the SOV study boundary but would not eliminate it.

Therefore, the proposed project is justified. The CMP analysis for added SOV capacity projects in the TMA is on file and available for review at the NCTCOG.

Air Quality Construction Emissions Reduction Strategies

During the construction phase of this project, temporary increases in particulate matter (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 will be minimized by using fugitive dust control measures contained in standard specifications, as appropriate. The Texas Emissions Reduction Plan (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. Information about the TERP program can be found on TCEQ's TERP website¹.

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 will have any significant impact on air quality in the area.

No-Build Alternative

This alternative would result in gradually increasing vehicle miles travelled as traffic volumes increase and traffic congestion worsens within the existing 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.

5.13 Hazardous Materials

The presence of hazardous materials within a project study area can create issues affecting ROW acquisition, project development and construction. The Hazardous Materials Initial Site Assessment (ISA) identifies the potential hazardous materials concerns as they relate to project construction and/or ROW acquisition for concerns identified. The ISA was completed and approved on July 21, 2022, and summarizes potential hazardous materials within and adjacent to the project corridor. The ISA included a site reconnaissance, research of existing and previous land use, reviewing the project design and ROW requirements, and reviewing federal and state regulatory database files. The evaluation reached conclusions regarding potential impacts for each concern identified during preparation of the ISA. The ISA is maintained in the Dallas District project files.

The existing and previous land use of the project location and surrounding area is a combination of undeveloped land, agricultural fields, and commercial and residential development. As part of the ISA, a review of selected environmental regulatory databases published by federal and state agencies was conducted to determine the potential for hazardous material issues within and near the project study area. A review of the regulatory database report dated March 23, 2022, was performed in general accordance with the ASTM Standard E1527 and TxDOT guidelines, which defines the environmental record sources to be reviewed and their minimum search distances from the proposed project.

Four regulatory sites, including unplotted sites, were identified on the regulatory database report. Based on an evaluation of the regulatory sites, two were determined to be adjacent to the project, one of which has proposed ROW acquisition. All sites were determined to pose a low environmental risk or no environmental concern to the project. **Table 6** provides the summaries of the two adjacent regulatory sites. The site locations are shown on the Hazardous Materials Site Location Map (see **Figure 6** in **Appendix E**).

Table 6: Summary of Regulated Sites of Concern

ERIS Map ID*	Site Information	Database	Location Relative to Project
1	ALLSUPS 102238 952 S. FM 156 Justin, TX 76247	PST ID: 83862 Risk Level: Low	The site is adjacent north of the project at the northwest corner of John Wiley Road and FM 156. The site is an active gas station utilizing one single-wall composite 12,000-gallon gasoline, one single-wall composite 20,000-gallon gasoline, and one single-wall composite 20,000-gallon diesel underground PSTs, all installed in 2010. The tank hold is approximately 60 feet north of

Table 6: Summary of Regulated Sites of Concern

ERIS Map ID*	Site Information	Database	Location Relative to Project
			proposed FM 1171 ROW. No releases are reported for the facility. No ROW would be acquired from this site. Based on the absence of ROW acquisition from the site and no reported releases, this site is considered a low environmental risk to the proposed project
2	Redi-Mix Alliance PR 4720, Justin, TX 76247	PST ID: 77756 Risk Level: Low	The site is situated adjacent north along FM 1171 and approximately 465 feet from the IH 35W southbound frontage road. The site is an active concrete batch plant. The site has no underground PSTs but utilizes one steel, aboveground 14,000-gallon diesel PST that was installed in 2000. A review of the 2021 aerial photo identified the AST on the northern portion of the property, the tank being approximately 800 feet north of proposed ROW. No releases are reported for the facility. A minor amount of ROW is proposed from this site along the FM 1171. This portion of the site is not utilized for any batch plant operations. Based on the location of the AST in relation to proposed ROW, no reported releases, and the nature of the area of proposed ROW, this site is considered a low environmental risk to the proposed project.

AST – Aboveground Storage Tanks; PST - Petroleum Storage Tanks; *Map ID numbers correspond to those used in the ISA.

Sources: GeoSearch (March 23, 2022) and Site Survey (April 5, 2022).

No-Build Alternative

Under the No-Build Alternative, the proposed project would not be constructed; thus, project-related hazardous materials impacts would not occur.

5.14 Traffic Noise

A traffic noise analysis was prepared in accordance with TxDOT's (FHWA-approved) *Traffic Noise Policy* (2019). The *Traffic Noise Analysis Report* (2022), which includes details about the analysis, is available for public review at the TxDOT Dallas District office.

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

Modeled noise-sensitive locations were primarily residential (single- and multi-family), but also included a park (basketball court). The traffic noise analysis determined that out of seven representative receptors, none 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 not result in traffic noise impacts (see **Figure 7** in **Appendix E**).

To avoid noise impacts that may result from future development of properties adjacent to the 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 (2041) noise impact contours (**Table 7**).

Table 7: Proposed Noise Contours

	Land Use NAC Category	Impact Contour	Distance from Right of Way
FM 156 to Talty Boulevard	NAC category B & C	66 dB(A)	Within ROW
FWI 130 to Talty Boulevalu	NAC category E	71 dB(A)	Within ROW
Talty Boulevard to Reatta Drive	NAC category B & C	66 dB(A)	Within ROW
Tally boulevard to Realla Drive	NAC category E	71 dB(A)	Within ROW
FM 4F0 to III 2FW	NAC category B & C	66 dB(A)	Within ROW
FM 156 to IH 35W	NAC category E	71 dB(A)	Within ROW

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

No-Build Alternative

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

5.15 Induced Growth

The Council on Environmental Quality (CEQ) defines indirect effects as those caused by the action and occur later in time or farther removed in distance than direct effects but are still reasonably 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 effects on air and water and other natural systems, including ecosystems (40 CFR Section 1508.8).

An analysis of indirect impacts followed the processes outlined in TxDOT's Indirect Impacts Analysis Guidance (January 2019). Refer to the FM 1171 *Indirect and Cumulative Impacts Analysis* Technical Report for a detailed discussion of the indirect effects analysis.

The Area of Influence (AOI) encompasses approximately 7,029.1 acres. A map of the AOI is provided as **Figure 8** in **Appendix E**.

Based on the information from the planning departments of the City of Fort Worth, City of Justin, and Town of Northlake, as well as planning documents, land use and zoning maps, thoroughfare plans, and population, employment and housing trend data, there is potential for accelerated or induced growth on the approximately 1,014.8 acres of adjacent land from the proposed project.

The induced growth associated with the proposed project does not conflict with study area goals, would not delay or interfere with the planned improvement of a resource, and is not inconsistent with any applicable laws; therefore, mitigation for the impacts to Waters of the U.S., floodplains, and socio-CSJ: 1311-01-055, FM 1171, Final Environmental Assessment

34

May 2023

economic/community resources is not warranted. All developers, public and private, would be subject to the CWA, ESA, and MBTA; however, private developers would not be subject to Section 106 of the NHPA. There are no known mitigative responsibilities for private developers in Texas for impacts to Agriculture; Disturbed Prairie; Edwards Plateau Savannah, Woodland, and Shrubland; Riparian; or Tallgrass Prairie, Grassland vegetation. Private developers would not be subject to the FPPA impacts to prime farmland soils and farmland soils of statewide importance. Land development activities would be regulated by the local municipalities. The mitigation of potential development within the AOI considered for this assessment would be the responsibility of the agencies with the authority to implement such controls. This authority rests with the municipal governments of Northlake, Justin and, to a lesser extent, Denton County.

The municipalities experiencing induced growth from the proposed project have development ordinances that regulate the types of construction and landscape plantings mandated by development codes. For example, Article 9 of the Town of Northlake's Design Standards sets open space requirements for residential developments. Overall, the expected project induced growth would be compatible with zoning requirements, city planning documents, and project area goals.

No-Build Alternative

This alternative would not result in induced growth.

5.16 Cumulative Impacts

The CEQ defines cumulative impacts as those which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR §1508.7). As such, it may be difficult to understand the role that a proposed action may have in contributing to the overall or cumulative impacts to an area or resource.

An analysis of cumulative impacts followed the processes outlined in TxDOT's Cumulative Impacts Analysis Guidelines (January 2019). Refer to the FM 1171 *Indirect and Cumulative Impacts Analysis* Technical Report for a detailed discussion of the cumulative impact analysis.

The Resource Study Area (RSA) captures the City of Justin, Town of Northlake, and unincorporated areas of Denton County. The RSA totals approximately 32,694.9 acres. A map of the RSA is provided as **Figure 9** in **Appendix E**.

The cumulative impacts on non-urban vegetation and wildlife habitat resulting from the approximately 95.1 acres of direct impacts, 951.4 acres from accelerated growth impacts, and 12,827.3 acres of impacts from the previously described other past, present, and reasonably foreseeable actions would total approximately 13,873.8 acres. The cumulative impacts to vegetation and wildlife habitat would affect approximately 48.8 percent of the approximately 28,429.0 acres of non-Urban MOU Habitat-type vegetation within the RSA.

While cumulative impacts would affect approximately 13,873.8 acres of non-Urban Habitat-type vegetation and potential wildlife habitat, it is likely that most of the wildlife that resides in the RSA would migrate to other areas of available non-human-altered habitat such as those protected within floodplain areas near streams like Denton Creek. In addition, riparian areas are known to be migration corridors for wildlife. It is expected that these areas would not be adversely affected due to municipal

protections to riparian resources within floodplains. That is, restrictions on construction within floodplains and tree preservation regulations make it probable that most of the riparian habitat within the RSA would not be subject to widespread removal. The proposed project for example, would span Denton Creek and its floodplain, allowing for wildlife passage underneath once the project was complete. Based on the continued availability of protected habitat areas, the proposed project would not contribute to substantial cumulative impacts to the area's vegetation and habitat.

The cumulative impact on prime farmland soils subject to the FPPA resulting from the approximately 62.3 acres of direct impacts, 750.1 acres from accelerated growth impacts, and 7,859.8 acres of impacts from the previously described other past, present, and reasonably foreseeable actions would total 8,672.2 acres. The cumulative impacts to prime farmland soils subject to the FPPA would affect approximately 53.2 percent of the approximately 16,288.6 acres of prime farmland soils subject to FPPA within the RSA.

While the cumulative impacts to prime farmland soils subject to the FPPA would affect approximately 53 percent of the 16,288.6 acres of prime farmland soils subject to FPPA within the RSA, the majority of agricultural land use within the RSA is ranchland, not farmland.

Private developers would not be subject to the FPPA for impacts to prime farmland soils. The Texas Farm and Ranch Lands Conservation Program (TFRLCP) is a grant-making program that provides landowners with financial incentives to conserve their land and productivity through Agricultural Conservation Easements. These easements restrict all future development while allowing the landowner to continue farming or ranching (American Farmland Trust, 2009). The TFRLCP was transferred from the Texas General Land Office (GLO) to TPWD in 2016. Approved grant projects awarded by the Texas GLO range in size from 175 acres to 2,995 acres and by the TPWD range in size from 144 acres to 7,229 acres. This type of program could be effective mitigation within the Farmland (Soils) RSA. The average farm size in Denton County is 120 acres.²

Incorporated areas can manage growth issues through local ordinances, such as zoning and subdivision ordinances. Development activities outside of the incorporated areas are under the jurisdiction of Denton County, which use subdivision ordinances primarily to regulate lot sizes and density.

No-Build Alternative

The implementation of this alternative would not contribute to cumulative impacts in the 32,694.9-acre RSA for vegetation and wildlife habitat and prime farmland soils.

5.17 Construction Phase Impacts

Depending on required traffic control and phasing, the construction phase of the proposed project, and associated construction impacts, is anticipated to be 24 to 48 months. During the construction phase of the proposed project, there is the potential for noise, dust, or light pollution; impacts associated with physical construction activity and other traffic disruptions. These potential impacts are discussed as follows:

² https://www.nass.usda.gov/Publications/AgCensus/2012/Online_Resources/County_Profiles/Texas/cp48121.pdf

36

CSJ: 1311-01-055, FM 1171, Final Environmental Assessment

Construction Noise – Noise associated with the construction of the 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 is expected to be exposed to construction noise for a long duration; therefore, any extended disruption of normal activities is not expected. 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.

Light Pollution – 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 residences and businesses to the project, if construction were to occur during the night-time hours, it would be of short duration and would not be conducted late in the evening. Construction during the night-time hours would follow any local policies and ordinances established for construction activities, such as light limitations.

Construction Activity Impacts – Construction activities would be limited to the proposed project footprint. Excessive vibration from construction equipment is not anticipated. If there was excessive vibration from construction equipment, it would be of short duration.

Traffic control plans would be prepared and implemented in coordination with the city 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 required, clear and visible signage for an alternative route would be displayed. In residential areas, major activity would be limited to normal work hours whenever practicable, to avoid noise and related impacts to the local population.

Temporary Lane, Road, or Bridge Closures (Including Detours) – Traffic control plans would be prepared and implemented in coordination with the city 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 required, clear and visible signage for an alternative route would be displayed.

Motorists would be inconvenienced during construction of the project due to lane and cross-street closures; however, these closures would be of short duration and alternate routes would be provided.

Residents and businesses in the immediate construction area would be notified in advance of proposed construction activity using a variety of techniques, including signage, electronic media, community newspapers, and other techniques. The proposed project would not restrict access to any existing public or community services, businesses, commercial areas, or employment centers. Impacts to wildlife during construction could include direct mortality to species during grading and vegetation removal. Disturbance of habitat could also result in increased vehicle strikes from construction vehicles and motorists in the area.

No-Build Alternative

The No-Build Alternative would not result in noise, dust, or light pollution; impacts associated with physical construction activity, temporary lane, road closures; and other traffic disruptions associated with construction.

5.18 Greenhouse Gas Emissions and Climate Change

TxDOT has prepared a Statewide On-Road Greenhouse Gas Analysis and Climate Change Assessment technical report (TxDOT 2021). The report discloses: 1) an analysis of available data regarding statewide greenhouse gas (GHG) emissions for on-road GHG emissions, 3) TxDOT actions and funding that support reducing GHG emissions, 3) projected climate change effects for the state of Texas and 4) TxDOT's current strategies and plans for addressing the changing climate. A summary of key issues in this technical report is provided below. Please refer to the technical report for more details.

The Earth has gone through many natural changes in climate over time. However, since the industrial revolution began in the 1700s, atmospheric concentration of GHG emissions have continued to climb, primarily due to humans burning fossil fuel (e.g., coal, natural gas, gasoline, oil and/or diesel) to generate electricity, heat and cool buildings, and power industrial processes, vehicles, and equipment. According to the Intergovernmental Panel on Climate Change, this increase in GHG emissions is projected to contribute to future changes in climate (Solomon 2007, Stocker 2013).

5.18.1 Greenhouse Gas Emissions and Climate Change

TxDOT prepared a GHG analysis for the statewide on-road transportation system and associated emissions generated by motor vehicle fuels processing called "fuel-cycle emissions." EPA's Motor Vehicle Emissions Simulator (MOVES2014 version) emissions model was used to estimate emissions. Texas on-road and fuel cycle GHG emissions are estimated to be 186 million metric tons (MMT) in 2050 and reach a minimum in 2032 at 161 MMT. Future on-road GHG emissions may be affected by changes that may alter where people live and work and how they use the transportation system, including but not limited to: 1) the results of federal policy including tailpipe and fuel controls, 2) market forces and economics, 3) individual choice decisions, 4) acts of nature (e.g. pandemic) or societal changes, and 5) other technological advancements. Such changes cannot be accurately predicted due to the inherent uncertainty in future projections related to demographics, social change, technology, and inability to accurately forecast where people work and live.⁴

5.18.2 Mitigation Measures

Strategies that reduce on-road GHG emissions fall under four major categories:

- Federal engine and fuel controls under the Clean Air Act implemented jointly by EPA and USDOT, which includes Corporate Average Fuel Economy standards;
- "Cash for clunker" programs which remove older, higher-emitting vehicles from roads;
- Traffic system management which improves the operational characteristics of the transportation network (e.g., traffic light timing, pre-staged wrecker service to clear accidents faster, or traveler information systems); and

³ Greenhouse gas (GHG) emissions consist of on-road tailpipe emissions and upstream fuel cycle emissions. Upstream fuel cycle emissions are the emissions generated by extracting, shipping, refining, and delivering fuels.

⁴ Transportation Research Board Special Report 288 (2007) Metropolitan Travel Forecasting Current Practice and Future Direction.

 Travel demand management which provides reductions in vehicle miles traveled (VMT) (e.g., transit, rideshare, and bicycle and pedestrian facilities) and requires personal choice decisions.

TxDOT has implemented programmatic strategies that reduce GHG emissions including: 1) travel demand management projects and funding to reduce VMT, such as bicycle and pedestrian facilities, 2) traffic system management projects and funding to improve the operation of the transportation system, 3) participation in the national alternative fuels corridor program, 4) clean construction activities, 5) clean fleet activities, 6) CMAQ funding, 7) transit funding, and 8) two statewide campaigns to reduce tailpipe emissions.

5.18.3 TxDOT and a Changing Climate

TxDOT has strategies that address a changing climate in accordance with TxDOT and FHWA design, asset management, maintenance, emergency response, and operational policies and guidance. The flexibility and elasticity in TxDOT transportation planning, design, emergency response, maintenance, asset management, and operation and maintenance of the transportation system are intended to consider any number of changing scenarios over time. Additional detail is in the statewide technical report.

6.0 Agency Coordination

Texas Historical Commission

Coordination with the THC regarding impacts to cultural resources has been completed, and the results of the coordination are included in **Appendix G**.

Texas Parks and Wildlife Department

In accordance with the MOU between TxDOT and TPWD, TPWD has provided a set of recommended BMPs in a document titled, "Beneficial Management Practices – Avoiding, Minimizing, and Mitigating Impacts of Transportation Projects on State Natural Resources," which is available on TxDOT's Natural Resources Toolkit at https://www.TxDOT.gov/inside-TxDOT/division/environmental/ compliance-toolkits/natural-resources.html. The MOU provides that application of specific BMPs to individual projects will be determined by TxDOT at its discretion. The TPWD-recommended BMPs that will be applied to this project are indicated in the Form – Documentation of Texas Parks and Wildlife Department Best Management Practices prepared for the project, which is included in **Appendix F**.

Coordination between TxDOT and TPWD was initiated on February 8, 2023. In accordance with the TxDOT-TPWD MOU, **Appendix F** includes written coordination correspondence between TxDOT and TPWD.

Texas Commission on Environmental Quality

Coordination with the TCEQ regarding impacts to air quality will be initiated.

7.0 Public Involvement

7.1 Public Meetings

A public meeting was held at Northwest Independent School District Outdoor Learning Center Great Hall, located at 7773 Mulkey Lane, Northlake, Texas 76247 on March 20, 2018. The meeting was held in an open house format from 6:00 p.m. to 8:00 p.m. to allow for questions and review of project exhibits. TxDOT and consultant personnel were available to answer questions during the open house. The total registered attendance at the public meeting was 131 persons, which was comprised of eight elected official and 123 members of the public. A total of nine project staff members from TxDOT, and 10 project consultants also attended. Commenters were given the opportunity to select their preferred alternative: Magenta (Alignment A), Orange (Alignment B), or No-Build. Of the 66 comments submitted, 64 commenters identified their preferred alternative. The results are as follows:

- Build Alternative Magenta: 14.1% preferred.
- Build Alternative Orange: 73.4% preferred.
- Build Alternative No-Preference: 3.1% preferred.
- No-Build Alternative: 9.4% preferred.

Overall, the Orange Alternative (Alignment B) was highly preferred over the Magenta (Alignment A) and No-Build Alternatives and is therefore considered the Publicly Preferred Alternative.

A virtual public meeting was held from Thursday, July 8, 2021, at 6:00 p.m. through Friday, July 23, 2021, at 11:59 p.m. The virtual public meeting consisted of a video presentation explaining the proposed project, which included both audio and video components, along with other exhibits and materials for review. The virtual public meeting materials were http://www.keepitmovingdallas.com/FM1171 on June 23, 2021 and remained available online through the comment period deadline of July 23, 2021. For those who did not have internet access, a phone number was provided in order to ask questions about the project and access project materials at any time during the project development process. Formal comments were submitted by mail, email, electronically, or via voicemail. Translation services were available but was not requested. Attendance for this virtual public meeting did not require elected officials to identify themselves. Total views from July 8, 2021, to July 23, 2021, was 99 views. The average session duration was 1 minute and 55 seconds. The meeting was held to share information about the project and seek input from area residents and interested parties. Three comments were received during the 15-day comment period that ended on July 23, 2021. Support for the project and coordination with the GE Test Track during construction were received at the Public Meeting (Appendix G).

The public meeting documentation may be inspected and copied upon request at the TxDOT Dallas District Office.

7.2 Public Hearing

A Public Hearing was held on April 6, 2023, at Gene Pike Middle School cafeteria, located at 2200 Texan Drive, Justin, TX 76247. Advertisement for the public hearing included mailed notices to adjacent property owners and elected officials, and publications were made 15 days prior to the hearing both in print and online. Publications included the Denton Record-Chronicle (print), Dallas Morning News (print), Al Dia (print), Fort Worth Star-Telegram (print), TxDOT online schedule

CSJ: 1311-01-055, FM 1171, Final Environmental Assessment May 2023

(https://www.txdot.gov/projects/hearings-meetings/dallas/fm1171-from-west-of-fm156-to-

i35w.html) and Keep It Moving Dallas (https://www.keepitmovingdallas.com/FM1171). The hearing was held in an open house format from 6:00 p.m. to 8:00 p.m. to allow for questions and review of project exhibits. Translation services were available but was not requested. TxDOT and consultant personnel were available to answer questions during the hearing. The total registered attendance at the public hearing was 39 persons, which was comprised of three elected official and 36 members of the public. A total of nine project staff members from TxDOT, and 11 project consultants also attended. Commenters were given the opportunity to ask questions on the project. The hearing also took place virtually and materials were posted to http://www.keepitmovingdallas.com/FM1171 from April 6, 2023, and remained available online through the comment period deadline of April 21,2023. For those who did not have internet access, a phone number was provided in order to ask questions about the project and access project materials. Formal comments were submitted by mail, email, electronically, or via voicemail. Attendance for this virtual public hearing did not require elected officials to identify themselves. Total views from April 6, 2023 to April 21, 2023, was 263 views. Eight comments were received during the 15-day comment period that ended on April 21, 2023. Support for the project, impacts to properties from the widening and realignment, and noise concerns were received at the hearing (Appendix G).

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 Design/Construction Communities

8.1 Post-Environmental Clearance Activities

Following the environmental clearance, a Notification of Noise letter will be sent to the Local Officials in the Town of Northlake and the City of Justin, along with Denton County, about traffic noise and its potential impacts on the communities adjacent to the roadway receiving improvements.

TxDOT will provide a FONSI Notice of Availability to the Metropolitan Planning Organization's once the FONSI has been approved.

This section lists project-specific avoidance measures or special instructions that will be conveyed to the design or construction contractor because of the department's environmental review of the project.

- In the unlikely event that significant cultural resources are discovered during construction of the proposed project, TxDOT would immediately initiate cultural resource discovery procedures. All work in the vicinity would cease until a specialist from TxDOT and/or the THC could arrive on site and assess the discovery's significance and the potential need for additional investigation, if necessary.
- 2. Formal utilities location and advance planning would be required to facilitate pipeline and utilities adjustments and to otherwise avoid associated impacts.

- 3. Asbestos and lead-based paint inspections, specification, notification, license, accreditation, abatement, and disposal would be addressed during the ROW process for building structures.
- 4. Should unanticipated hazardous materials/substances be encountered during construction, TxDOT and/or the contractor would be notified, and steps would be taken to protect personnel and the environment. Any unanticipated hazardous materials encountered during construction would be handled according to applicable federal, state, and local regulations per TxDOT Standard Specifications. The contractor would take appropriate measures to prevent, minimize, and control the spill of hazardous materials in construction staging areas. 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.
- 5. 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. Information about the TERP program can be found at: https://www.tceq.texas.gov/airquality/terp
- 6. Implement Water Quality BMPs including permanent seeding/sodding, stone riprap at culverts, silt fence, rock berms, mulch filter socks and installing vegetative-lined ditches.
- 7. To avoid or minimize impacts to migratory birds, freshwater mussels, aquatic and terrestrial amphibian and reptiles, mammals, insects, and vegetation: implement Bird BMPs, Freshwater Mussel BMPs, Water Quality BMPs, Stream Crossings BMPs, Terrestrial Amphibian and Reptile BMPs, Vegetation BMPs, Aquatic Amphibian and Reptile BMPs, Insect Pollinator BMPs, Bat BMPs, General Design and Construction BMPs and Rare Plant BMPs. As indicated above in Section 6.0, the TPWD-recommended BMPs that will be applied to this project are indicated in the Form Documentation of Texas Parks and Wildlife Department Best Management Practices prepared for the project, which is included in Appendix F.

9.0 Conclusion

Implementation of the proposed project would not result in a significant impact on the human or natural environment; therefore, a FONSI is recommended.

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	d. Water Features Delineation Report.
	e. Species analysis Form and Spreadsheet.
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	g. Qualitative Mobile Source Air Toxics Analysis.
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11.0 Names and Qualifications of Person Preparing the EA or Conducting an Independent Evaluation of the EA

TxDOT Dallas District

Mohammed Shaikh, Environmental Program Manager, District Environmental Lead - 20 years

Michael McIntire, Environmental Specialist, Project Manager - 4 years

Grace Lo, P.E., Transportation Engineer, Project Manager - 10 years

Adam Fouts, Environmental Specialist, District Water Resources Specialist - 11 years

Leslie Mirise, Environmental Specialist, District Biologist - 21 years

Manuel Trevino, Environmental Specialist, District Traffic Noise Specialist – 16 years

TxDOT Environmental Affairs Division

Doug Booher, Director of Environmental Affairs - 25 years

Michelle Lueck, Project Delivery Manager - 22 years

Ray Umscheid, Traffic Noise Specialist - 15 years

Susan M. Shuffield, Environmental Specialist, Water Team Lead - 24 years

Renee BennLee, Environmental Specialist - 17 years

Scott Pletka, Archeology Program Manager - 19 years

Spencer Ward, Community Impacts Specialist – 3 years

Glendora Lopez, Air Quality Specialist - 1 year

Stirling Robertson, Ph.D., Environmental Specialists, Biology Team Lead - 28 years

Deborah Nixon, Environmental Specialist, Hazardous Materials Specialist - 20 years

Nicolle Kord, Indirect and Cumulative Specialist - 15 years

Bartlett & West, Inc.

Jonathan Stewart, Supervising Environmental Manager - 34 years

Alma R. Canning, Sr. Environmental Scientist – 27 years

Austin Gibson, Environmental Planner/GIS specialist - 4 years

Katrina Wiser, Sr, Environmental Scientist - 10 years

Robert Pitt, Sr. Environmental Scientist - 26 years

Christopher Hagar, Sr, Environmental Scientist – 30 years

Chris Davis, Environmental Planner - 5 years

Lauren Bartsch, Environmental Planner - 1 year

Jillian North, Environmental Planner – 3 years

Teague Nall and Perkins, Inc.

Christopher M. Hartke, P.E., Director of Engineering Services – 24 years Justin K. Baker, P.E., Project Manager – 14 years

AmaTerra Environmental, Inc.

Jill Madden, President - 38 years

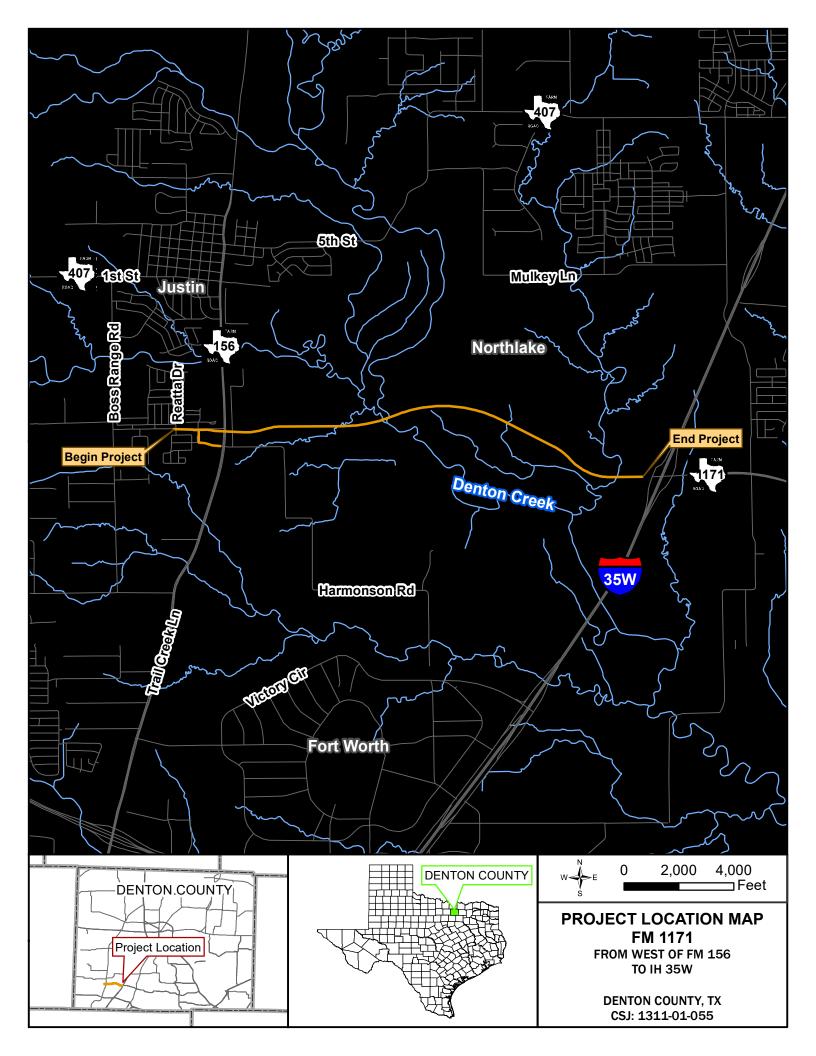
Deborah Dobson-Brown Sr. Architectural Historian – 38 years

Aaron Norment Archeological Principal Investigator - 17 years

Katherine Seikal, PhD Archeological Principal Investigator - 15 years

Kurt Korfmacher Sr. Architectural Investigator - 19 years

APPENDIX A PROJECT LOCATION MAP



APPENDIX B
PROJECT PHOTOS



Photograph 1: View looking east along John Wiley Road from approx. STA 11+75 (outside the project limits) toward the western project terminus at Reatta Drive. Date of photograph: 4/5/22.



Photograph 2: View looking west from FM 1171 at the intersection with the IH 35W frontage road toward the eastern project terminus. Date of photograph: 4/5//22.



Photograph 3: View looking east near approximately STA: 40+00 showing a typical savanna grassland habitat along the project. Date of photograph: 6/21/22.



Photograph 4: View looking south near approximately STA: 60+00 showing typical row crops along the project. Date of photograph: 6/21/22.



Photograph 5: View looking east at approximately STA: 74+00 toward a typical forested habitat along the project. Date of photograph: 6/21/22.



Photograph 6: View looking southwest near approximately STA: 126+00 toward a typical savanna grassland habitat along the project. Date of photograph: 4/30/18.



Photograph 7: View looking north toward the Justin Church of Christ (ID 1) at 424 S. Snyder Avenue, Justin, TX 76247. Date of photograph: 4/5/22.



Photograph 8: View looking east from Boss Range Road toward Justin Elementary School (ID 2) at 425 Boss Range Road, Justin, TX 76247. Date of photograph: 4/5/22.



Photograph 9: View looking north toward Hardeman Park (ID 3) at 251 Cedar Crest Drive, Justin, TX 76247. Date of photograph: 4/5/22.



Photograph 10: View looking east from Boss Range Road toward Kid's Kampus Preschool (ID 4) at 427 Boss Range Road, Justin, TX 76247. Date of photograph: 4/5/22.



Photograph 11: View looking south toward Justin Youth Sports Association (ID 5) at 420 Ovaletta Drive, Justin, TX 76247. Date of photograph: 4/5/22.



Photograph 12: View looking east from Justin Cemetery Road toward Justin Cemetery (ID 6) at Justin Cemetery Road, Justin, TX 76247. Date of photograph: 4/5/22.



Photograph 13: View looking north from Bishop Park toward Bishop Park (ID 7) at Bishop Park, Justin, TX 76247. Date of photograph: 4/5/22.



Photograph 14: View looking northeast toward Reatta Park (ID 8) off Reatta Drive, Justin, TX 76247. Date of photograph: 4/5/22.



Photograph 15: View looking southwest towards One Church (ID 9) at 531 John Wiley Road, Justin, TX, 76247. Date of photograph: 4/5/22.



Photograph 16: View looking west toward Justin Fine Arts Preschool (ID 10) at 9535 Industrial Road, Justin, TX 76247. Date of photograph: 4/5/22.



Photograph 17: View looking north from John Wiley Road toward ALLSUPS (ERIS Map ID 1) at 952 S FM 156, Justin, TX. The tank hold is on the south side of the building (mid-upper left of photo). No ROW would be acquired from this site. This site is a low environmental risk to the project. Date of photograph: June 2022.



Photograph 18: View looking west along FM 1171 from the IH 35W southbound frontage road toward the end project limits (end of pavement in photo center). ERIS Map ID 2 is approximately 465 feet further west, and on the north side of the road, from this point. Date of photograph: June 2022.



Photograph 19: View looking west-southwest at Water Feature No. 3 – Drainage Ditch. No datapoint was taken from this drainage water feature. The vegetation within the immediate area of the ditch is dominated by Johnson grass (*Sorghum halepense*) and Bermudagrass (*Cynodon dactylon*).



Photograph 20: View looking south-southwest at Water Feature No. 4 - Upland Pond located east of Water Feature No. 3.



Photograph 21: View looking northeast at Water Feature No. 5 - Intermittent Tributary to Trail Creek.



Photograph 22: View looking west at wetland data sampling point DP5-1 at Water Feature No. 5 - Intermittent Tributary to Trail Creek.



Photograph 23: View looking east at Water Feature No. 5 - Intermittent Tributary to Trail Creek.



Photograph 24: View looking west-southwest at Water Feature No. 5 - Intermittent Tributary to Trail Creek.

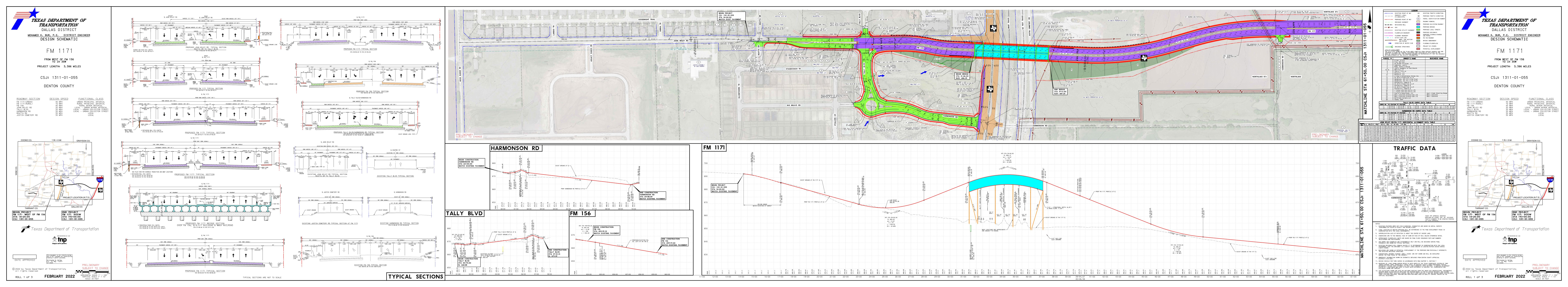


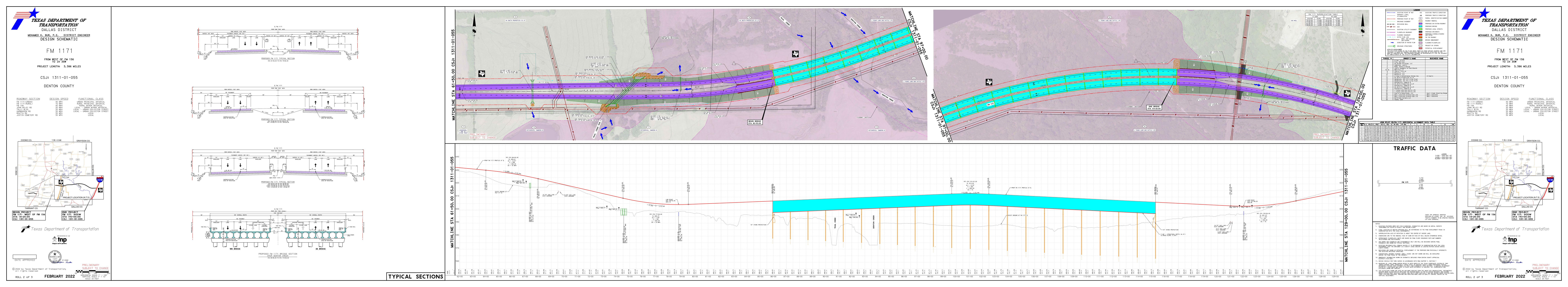
Photograph 25: View looking southwest at Water Feature No. 6 - Excavated upland impoundment east of Water Feature No. 5.

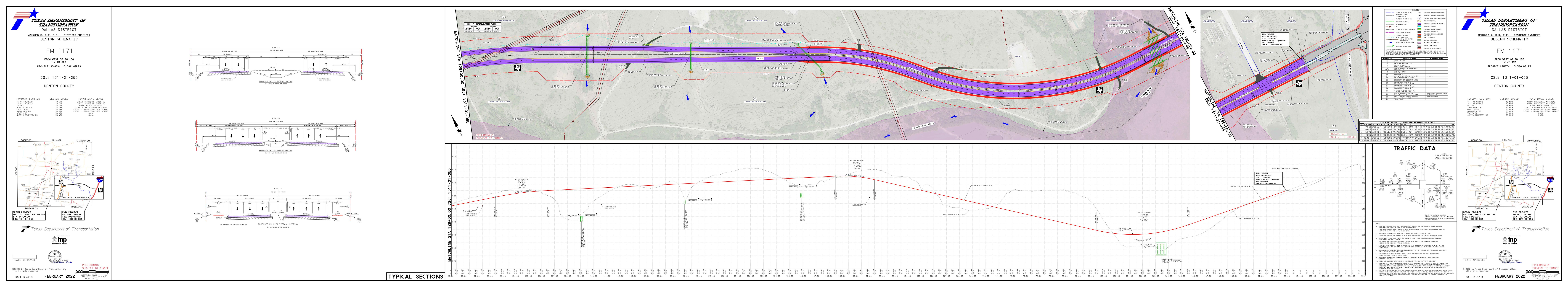


Photograph 26: View looking southwest at Water Feature No. 7 - Excavated upland impoundment west of Water Feature No. 8.

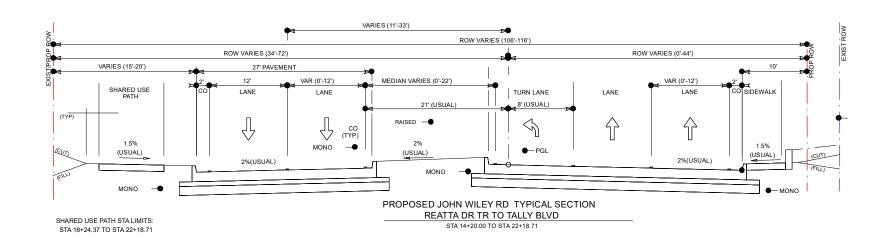
APPENDIX C
SCHEMATICS







APPENDIX D TYPICAL SECTIONS



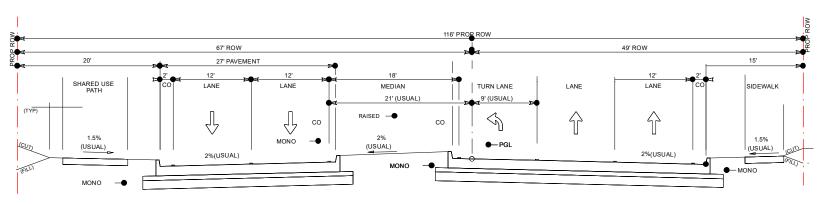
Page 1 of 20

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TYPICAL SECTION

FM 1171 FROM IH 35W TO WEST OF FM 156 DENTON COUNTY, TX



PROPOSED FM 1171 TYPICAL SECTION
STA 22+18.71 TO STA 23+18.71

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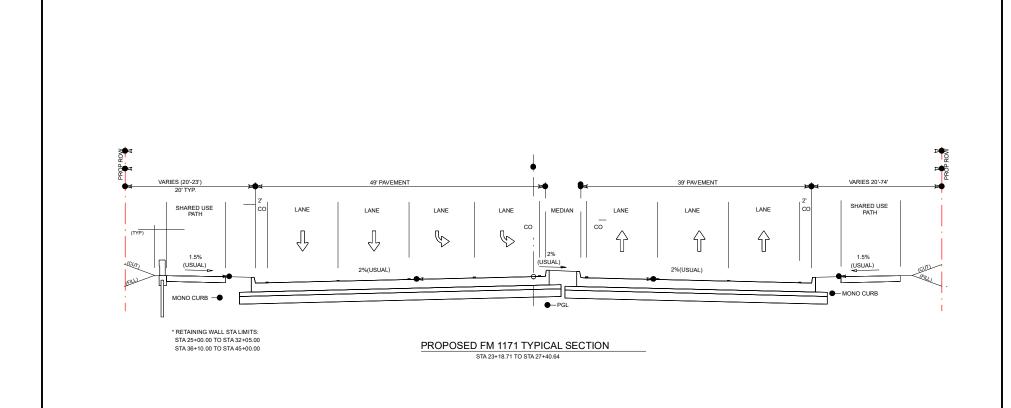
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TYPICAL SECTION

FM 1171 FROM IH 35W TO WEST OF FM 156 DENTON COUNTY, TX

CSJ: 1311-01-055

Page 2 of 20



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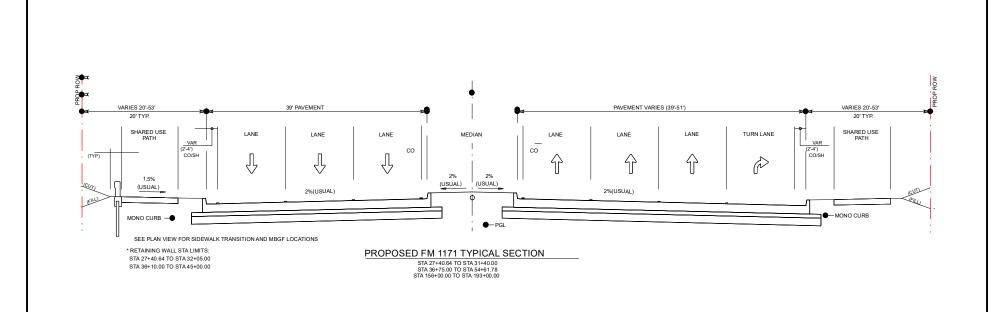
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CSJ: 1311-01-055

Page 3 of 20



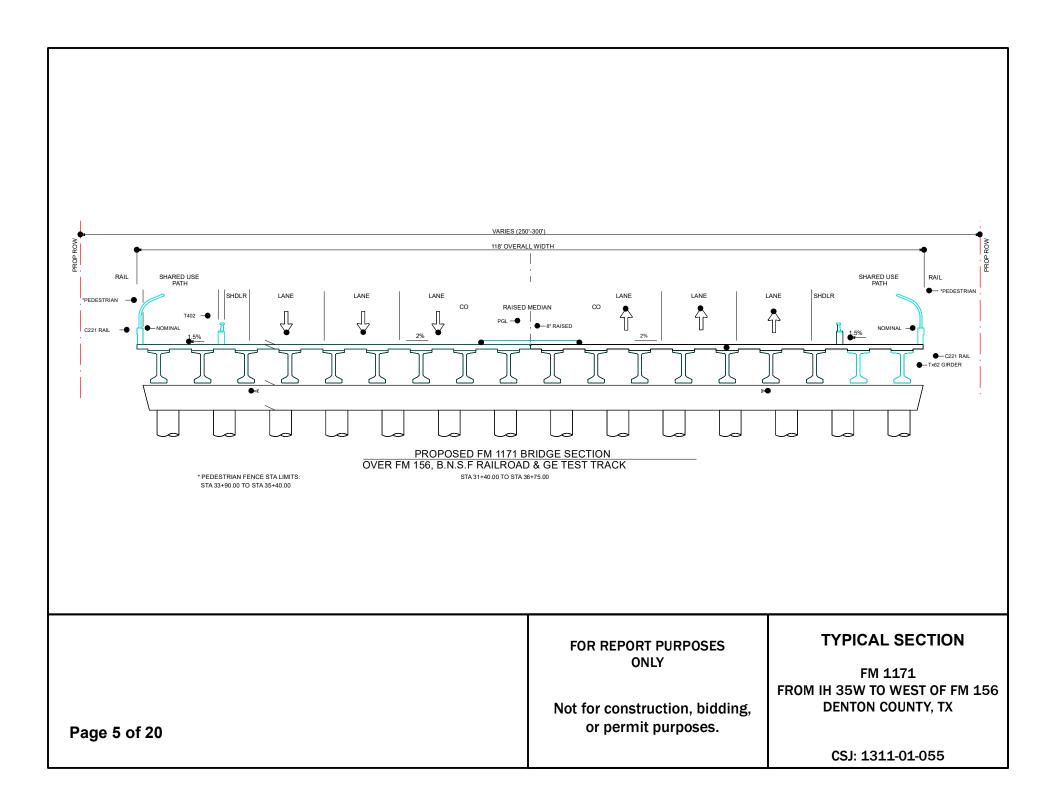
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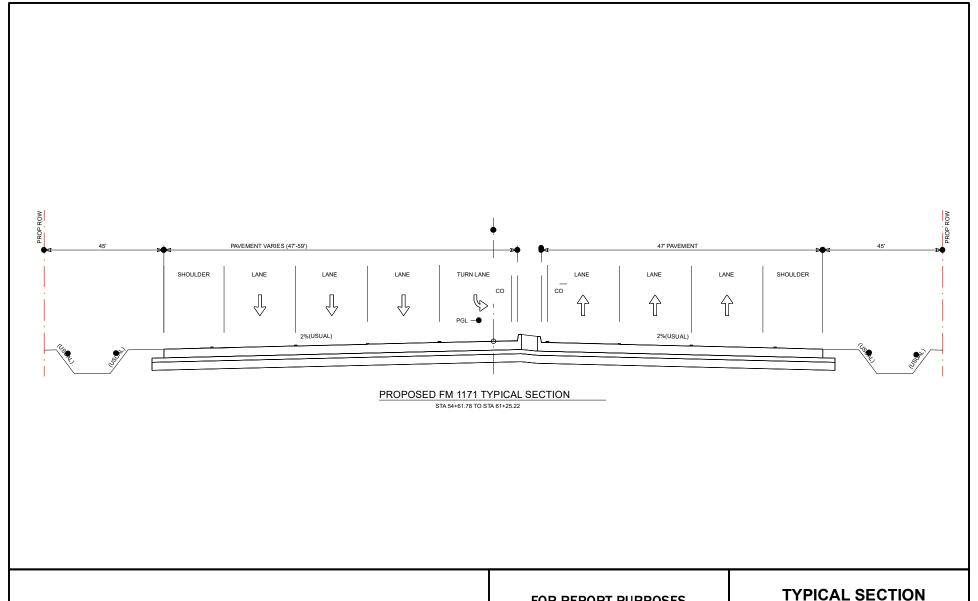
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Page 4 of 20





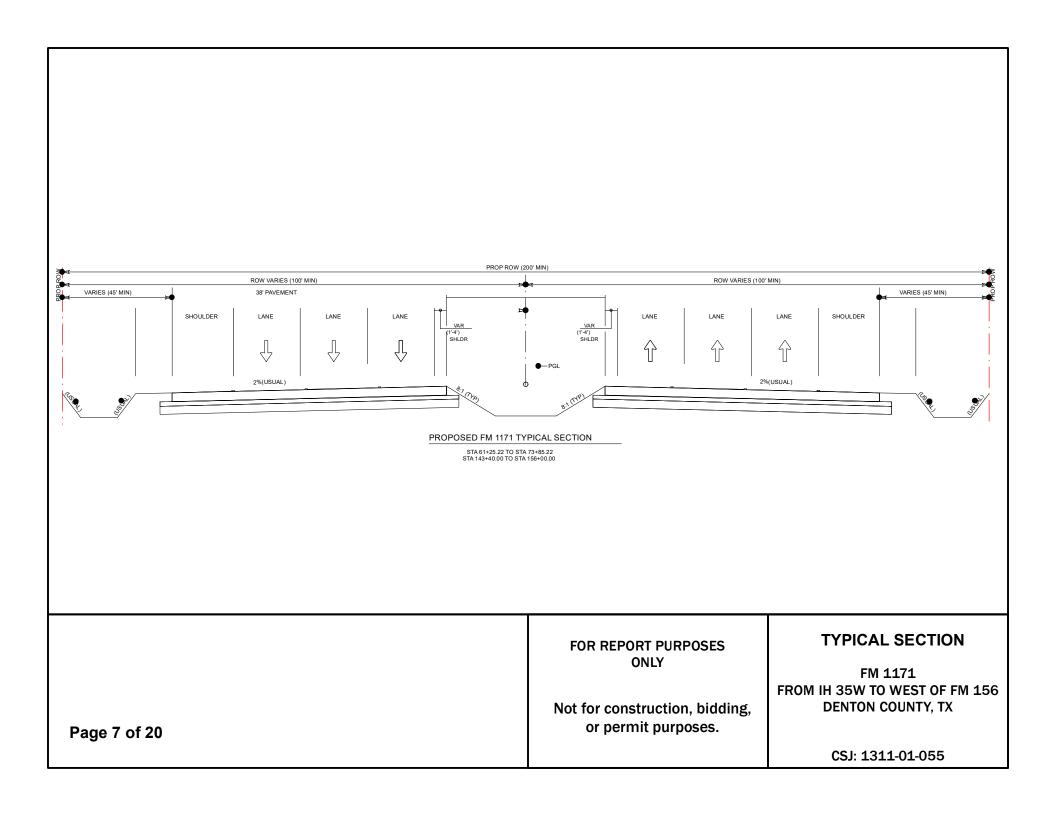
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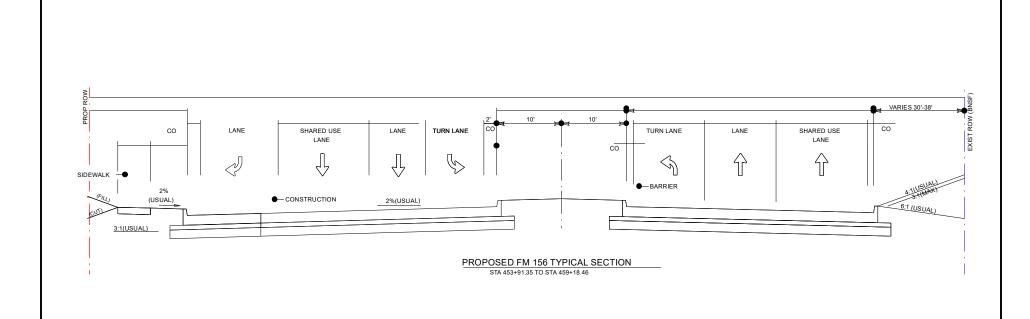
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FM 1171 FROM IH 35W TO WEST OF FM 156 **DENTON COUNTY, TX**

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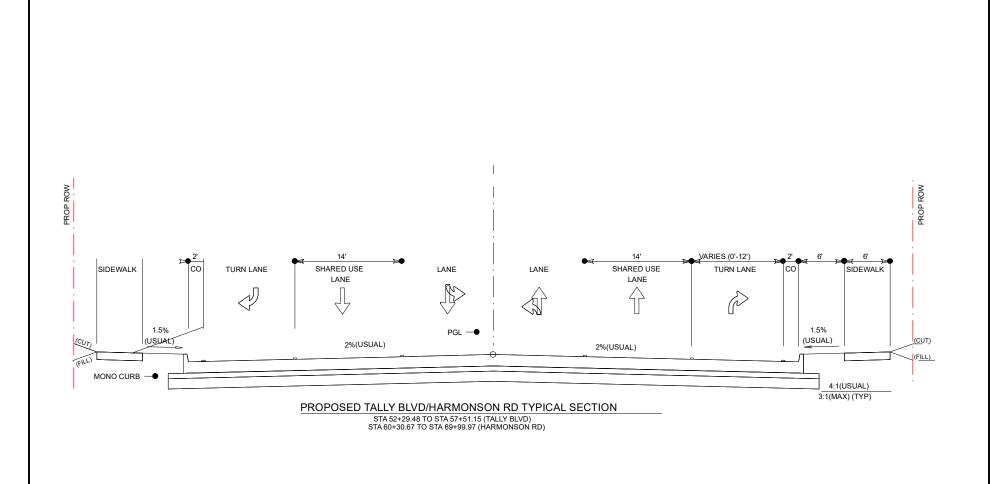
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FM 1171 FROM IH 35W TO WEST OF FM 156 DENTON COUNTY, TX

CSJ: 1311-01-055

Page 8 of 20



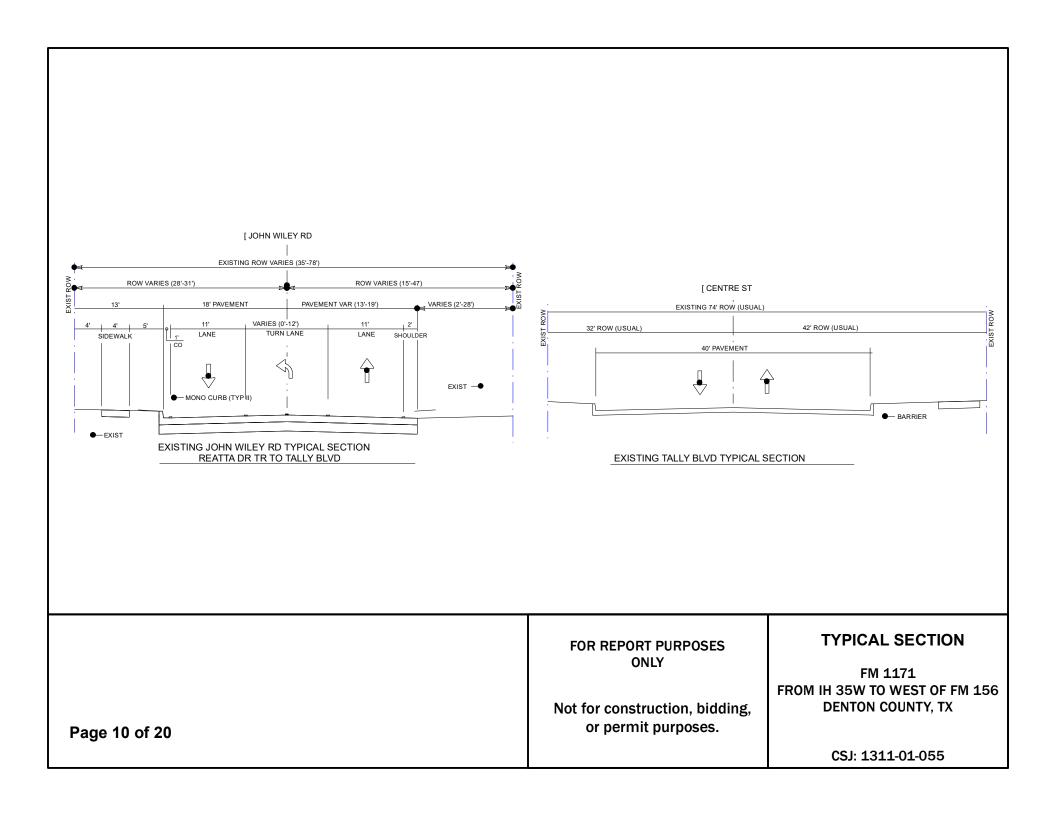
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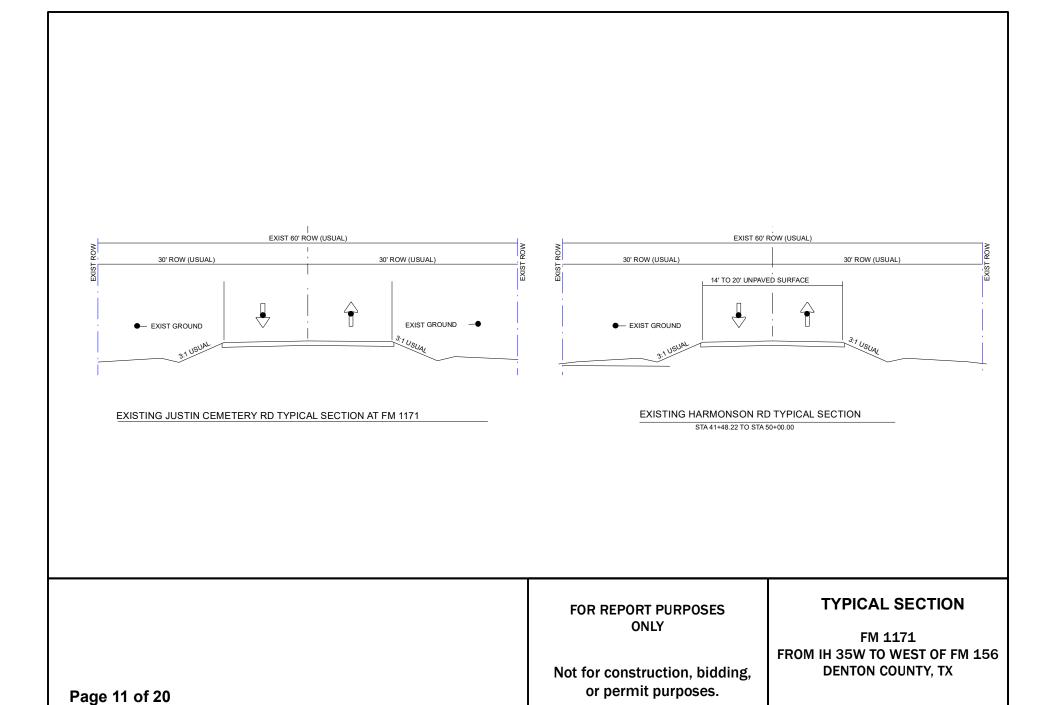
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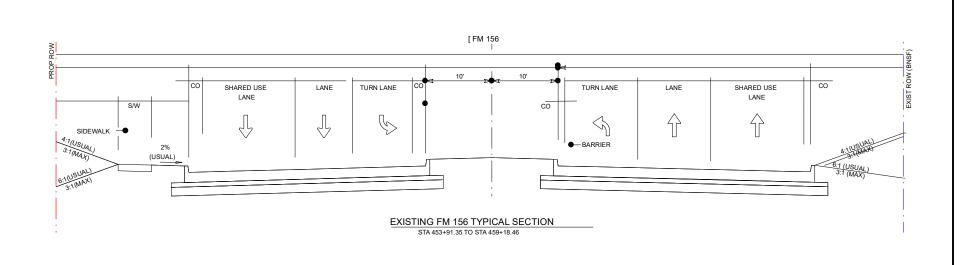
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Page 9 of 20





CSJ: 1311-01-055



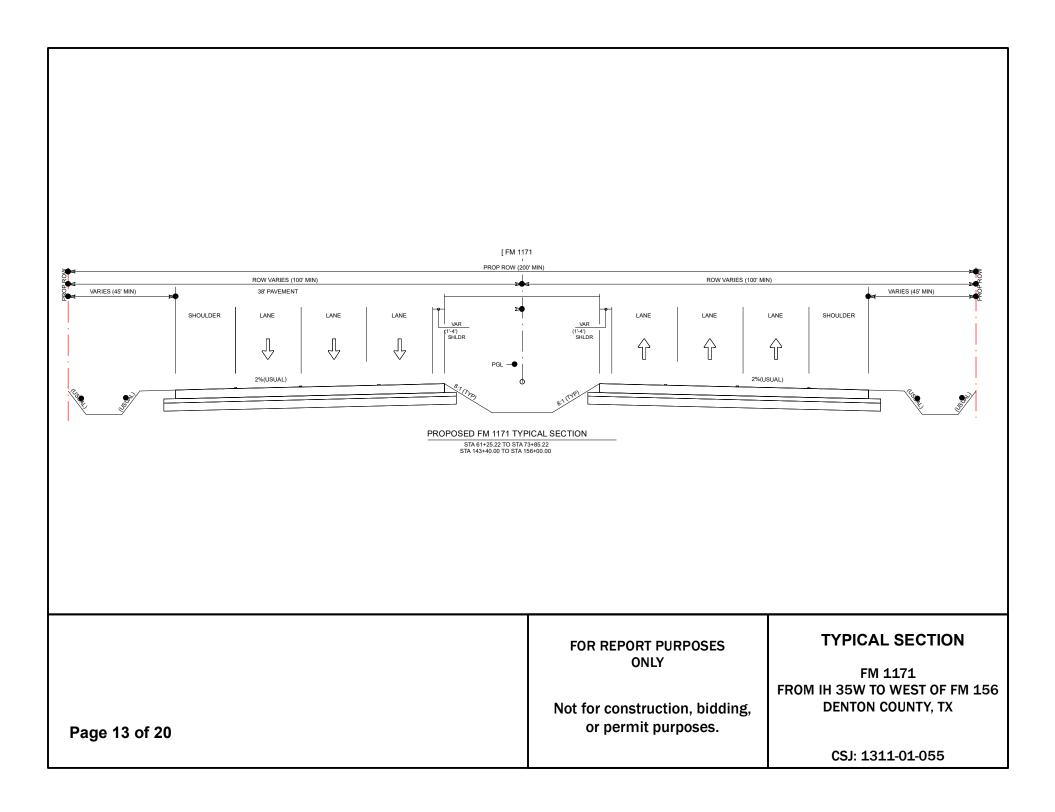
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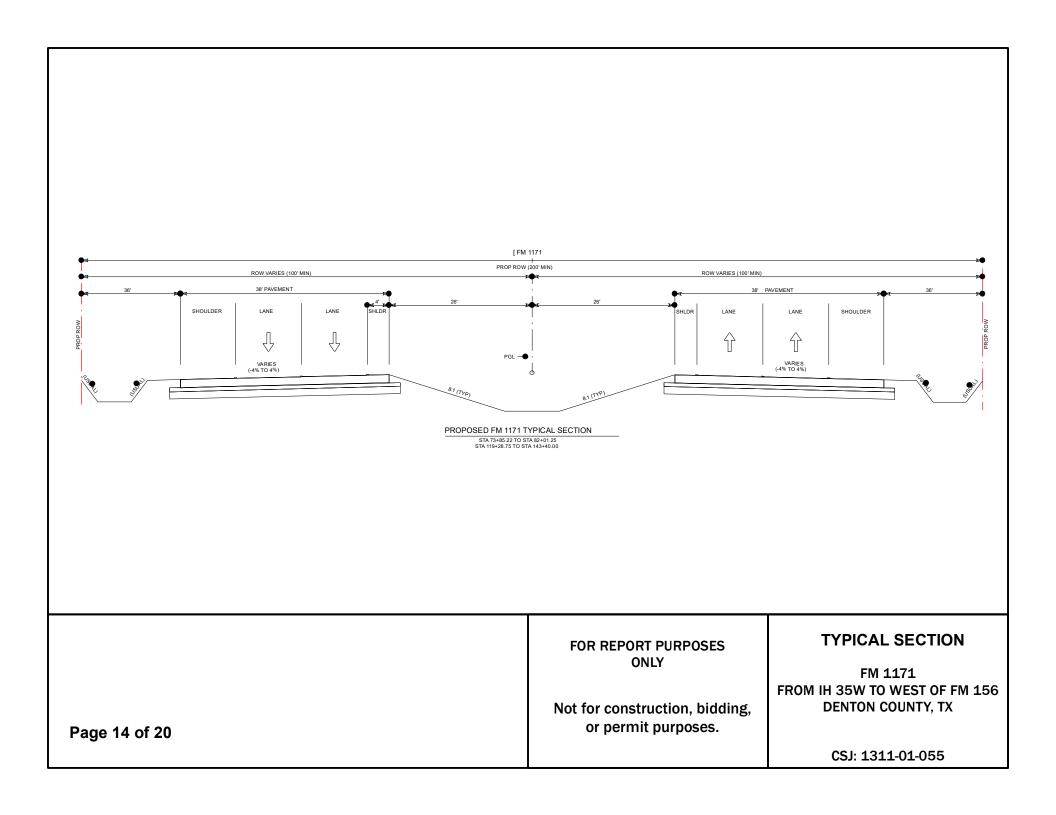
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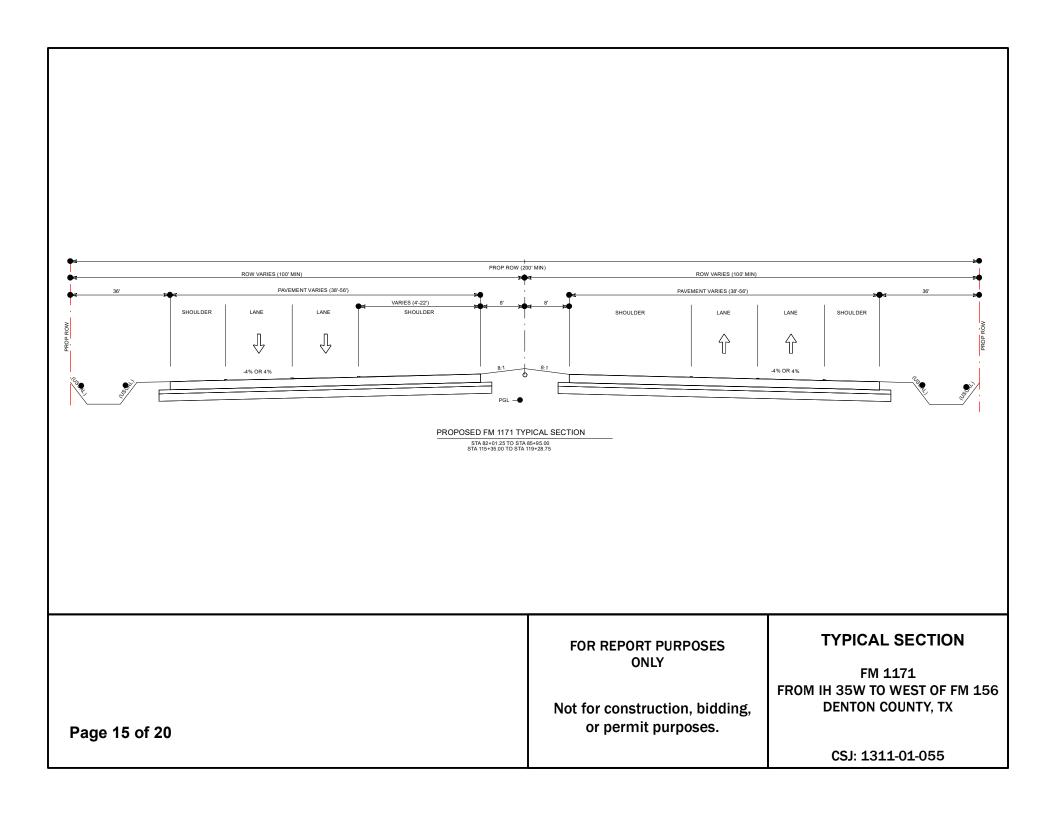
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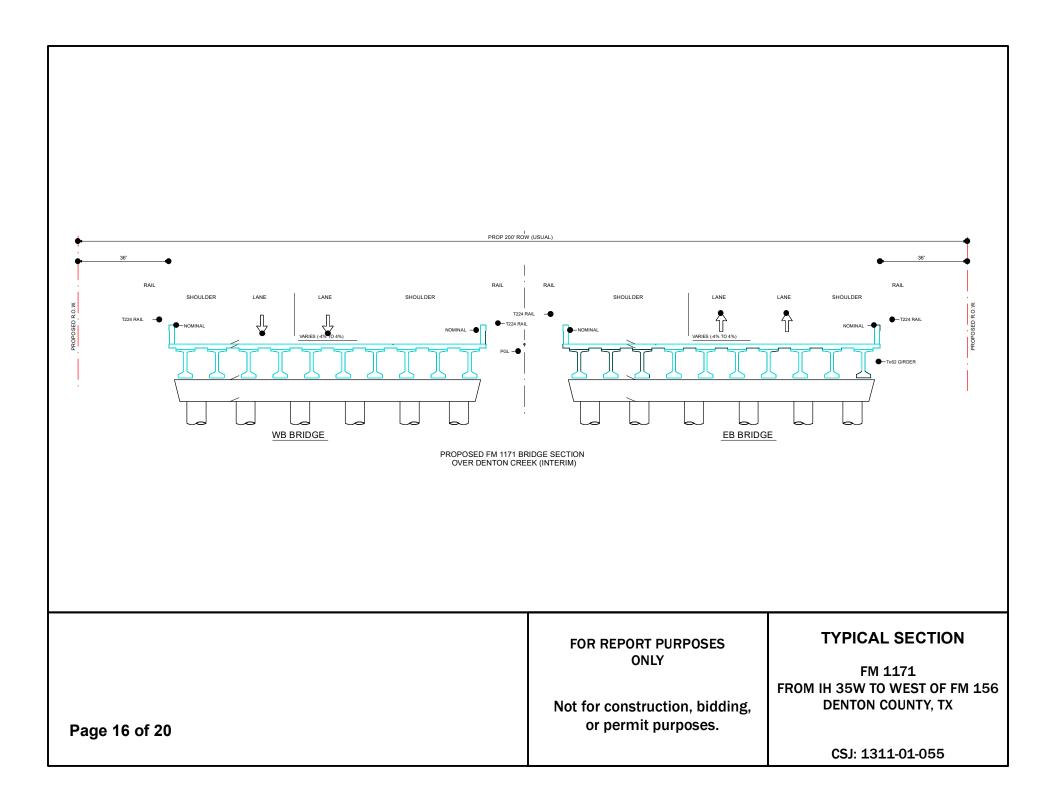
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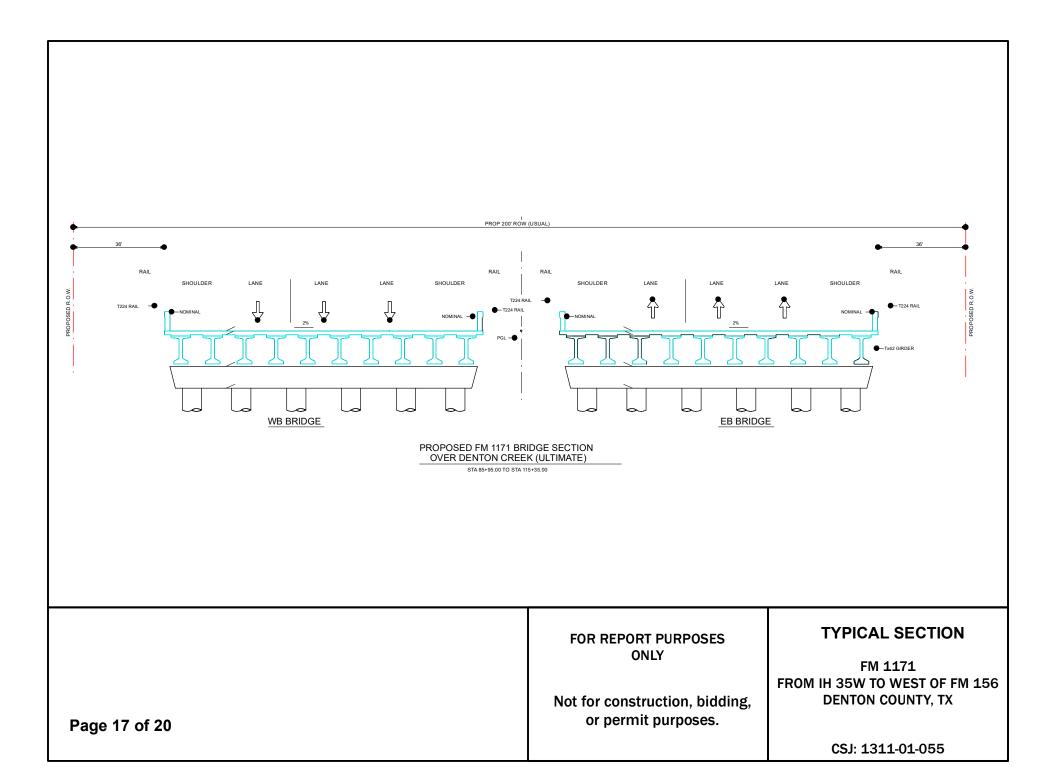
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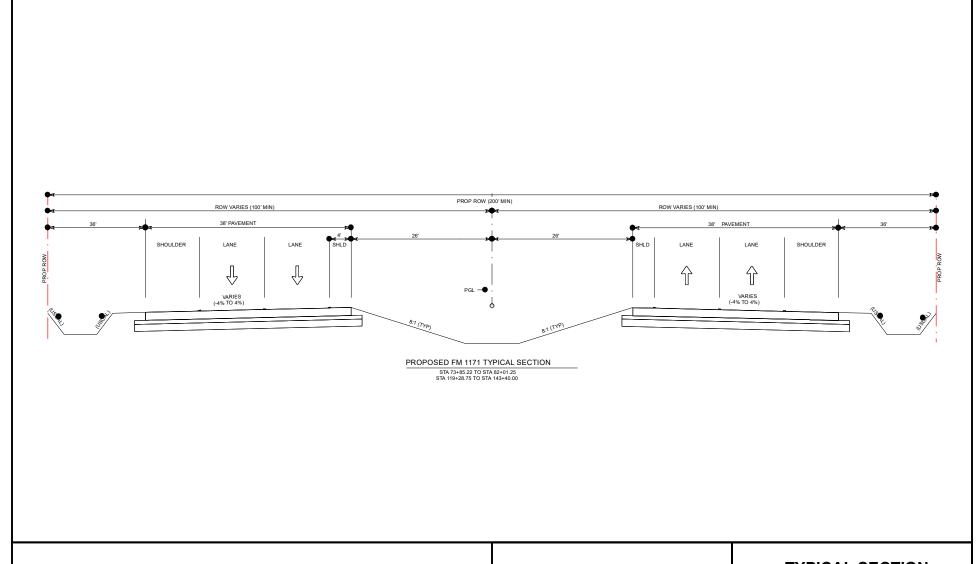












Page 18 of 20

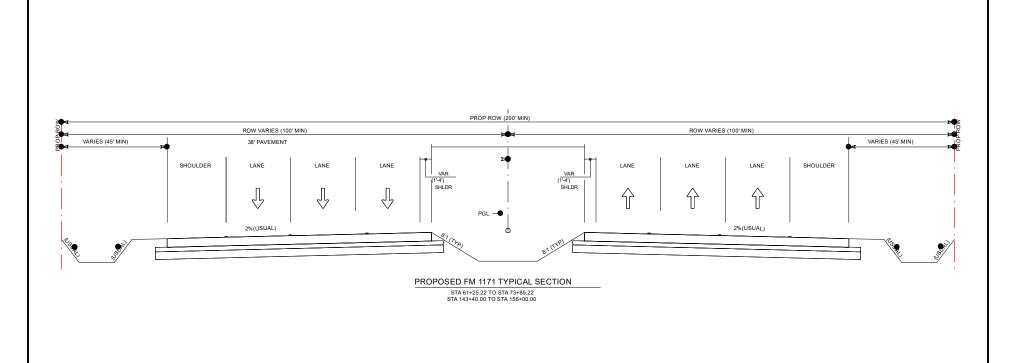
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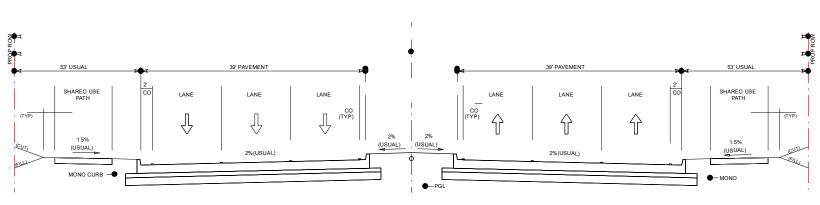
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CSJ: 1311-01-055

Page 19 of 20



PROPOSED FM 1171 TYPICAL SECTION

STA 27+40.64 TO STA 31+40.00 STA 36+75.00 TO STA 54+61.78 STA 156+00.00 TO STA 193+00.00

FOR REPORT PURPOSES ONLY

Not for construction, bidding, or permit purposes.

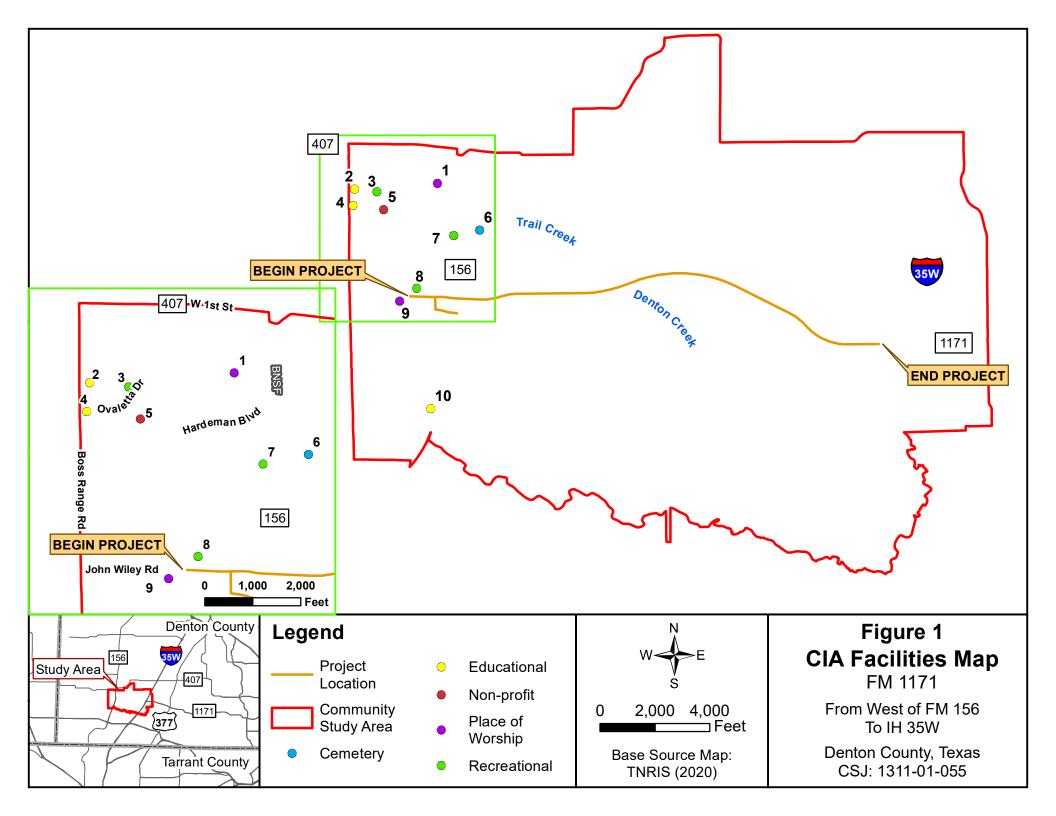
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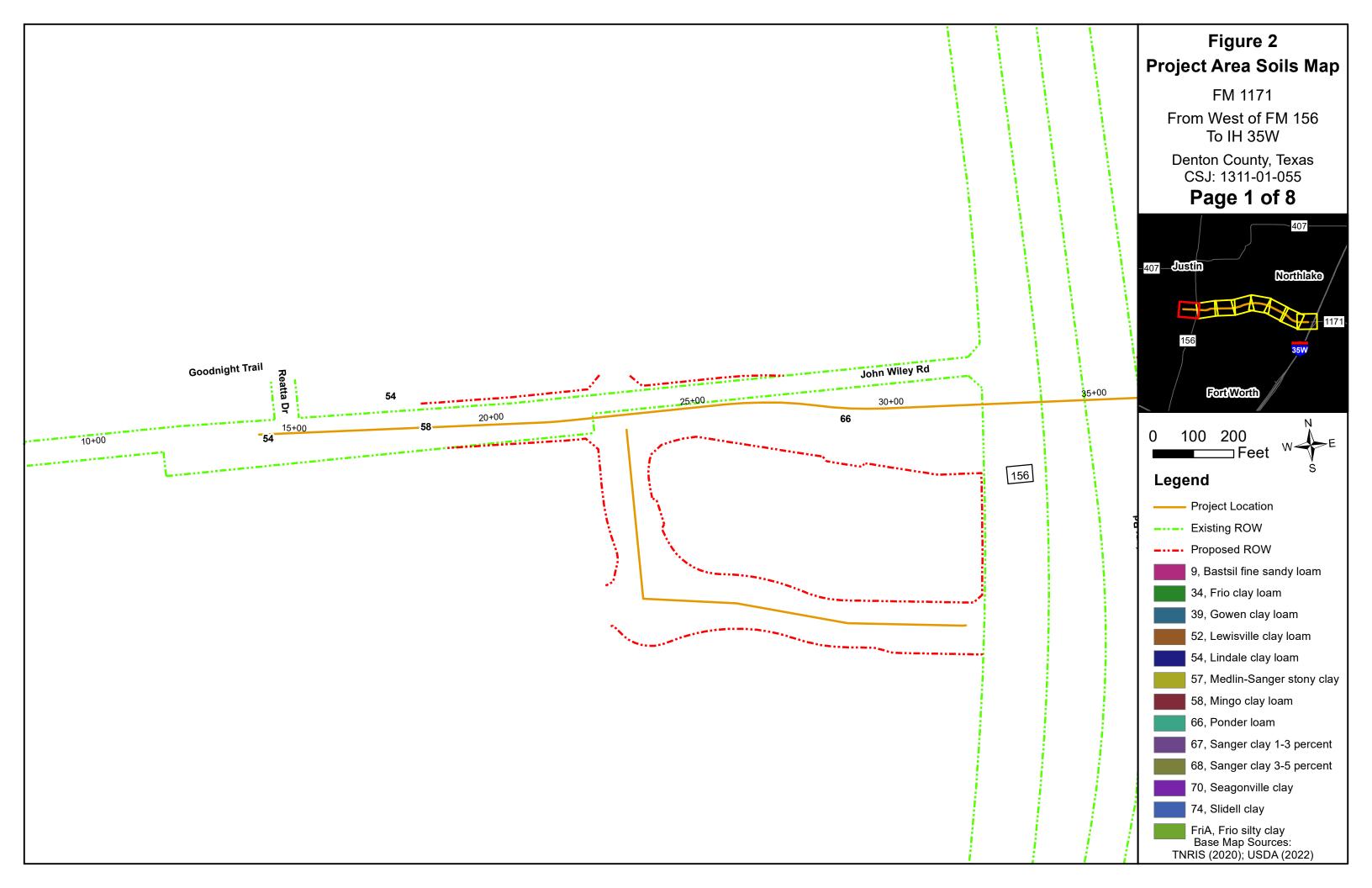
FM 1171 FROM IH 35W TO WEST OF FM 156 DENTON COUNTY, TX

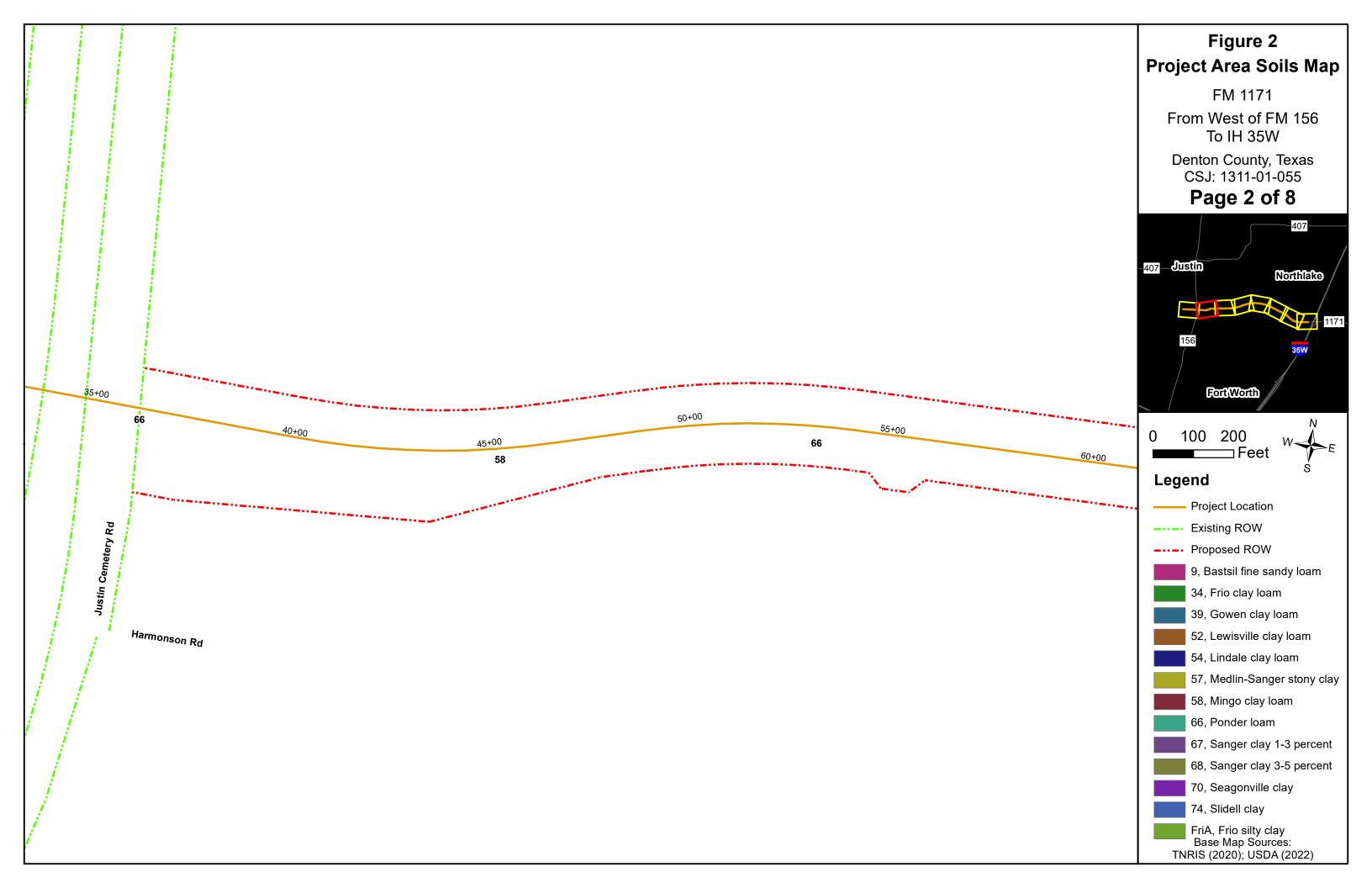
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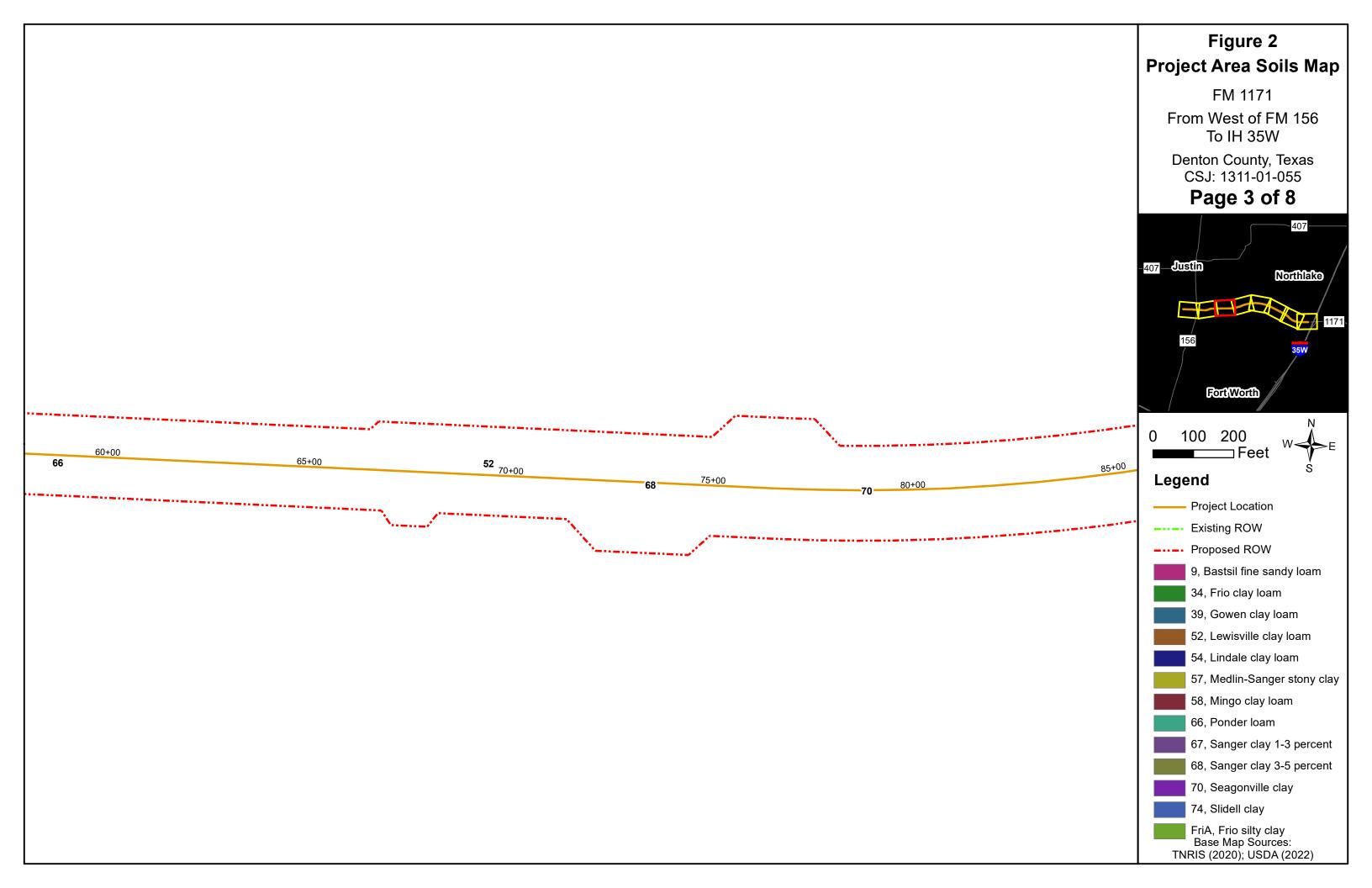
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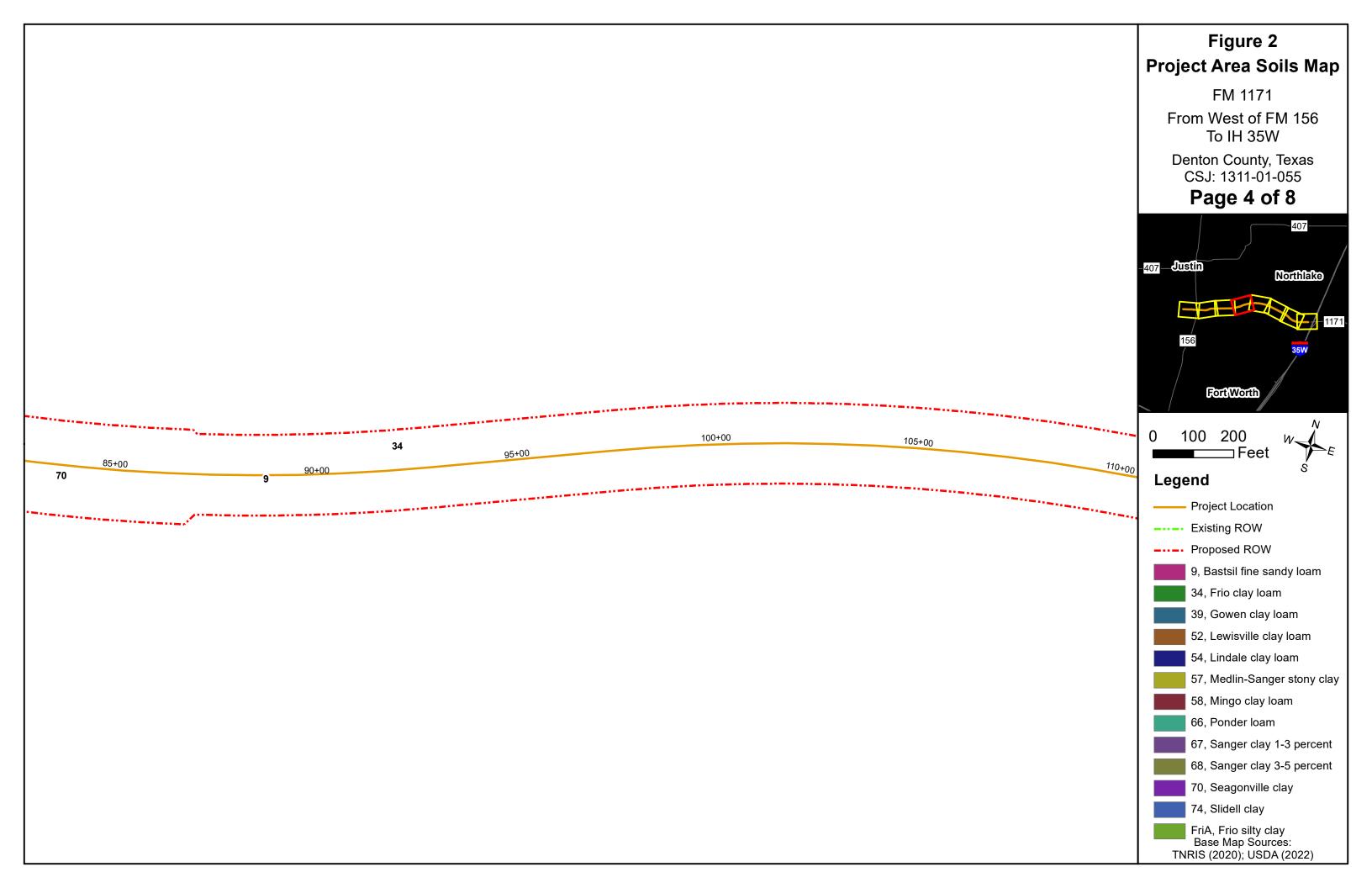
APPENDIX E RESOURCE-SPECIFIC MAPS

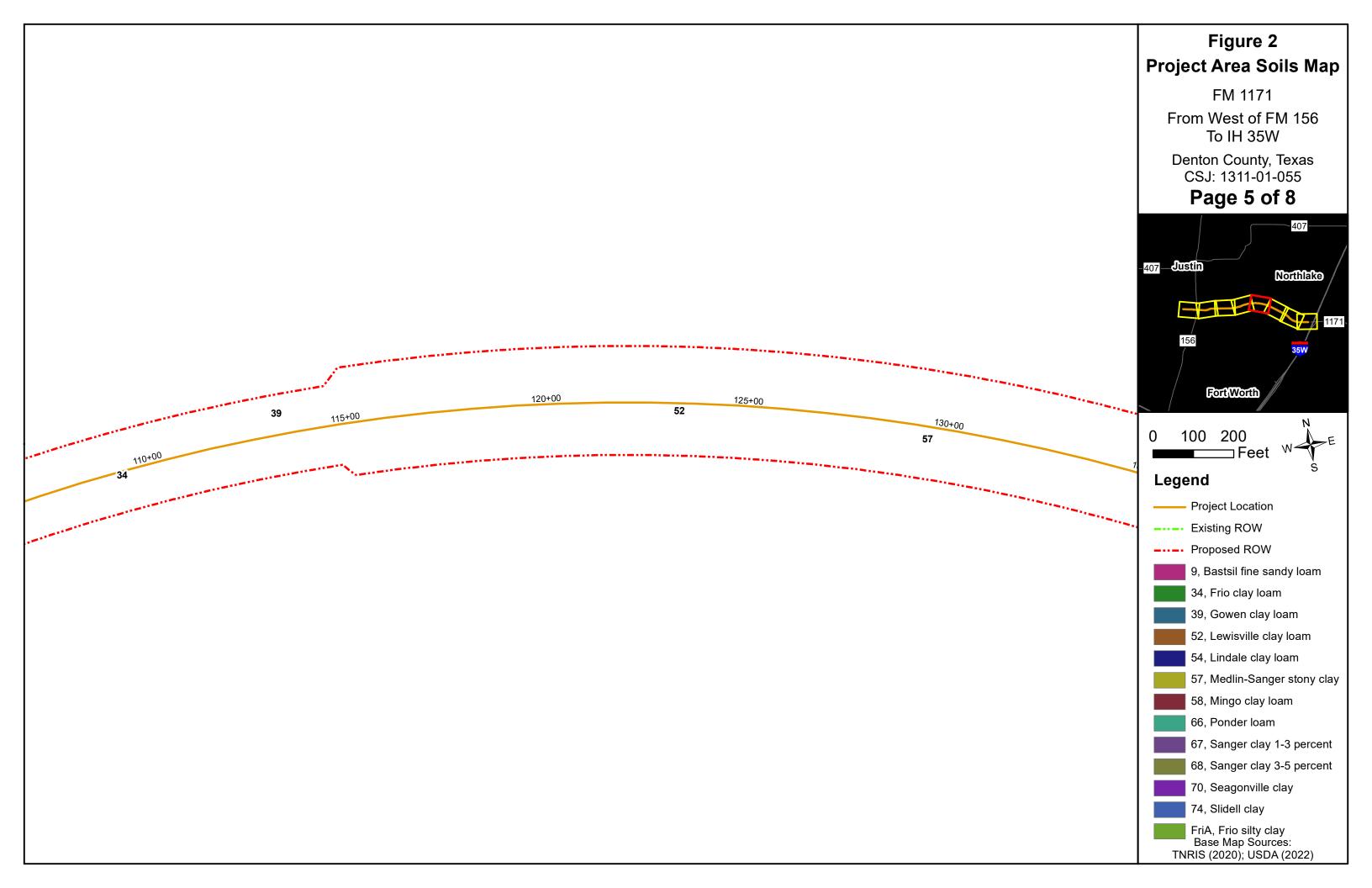


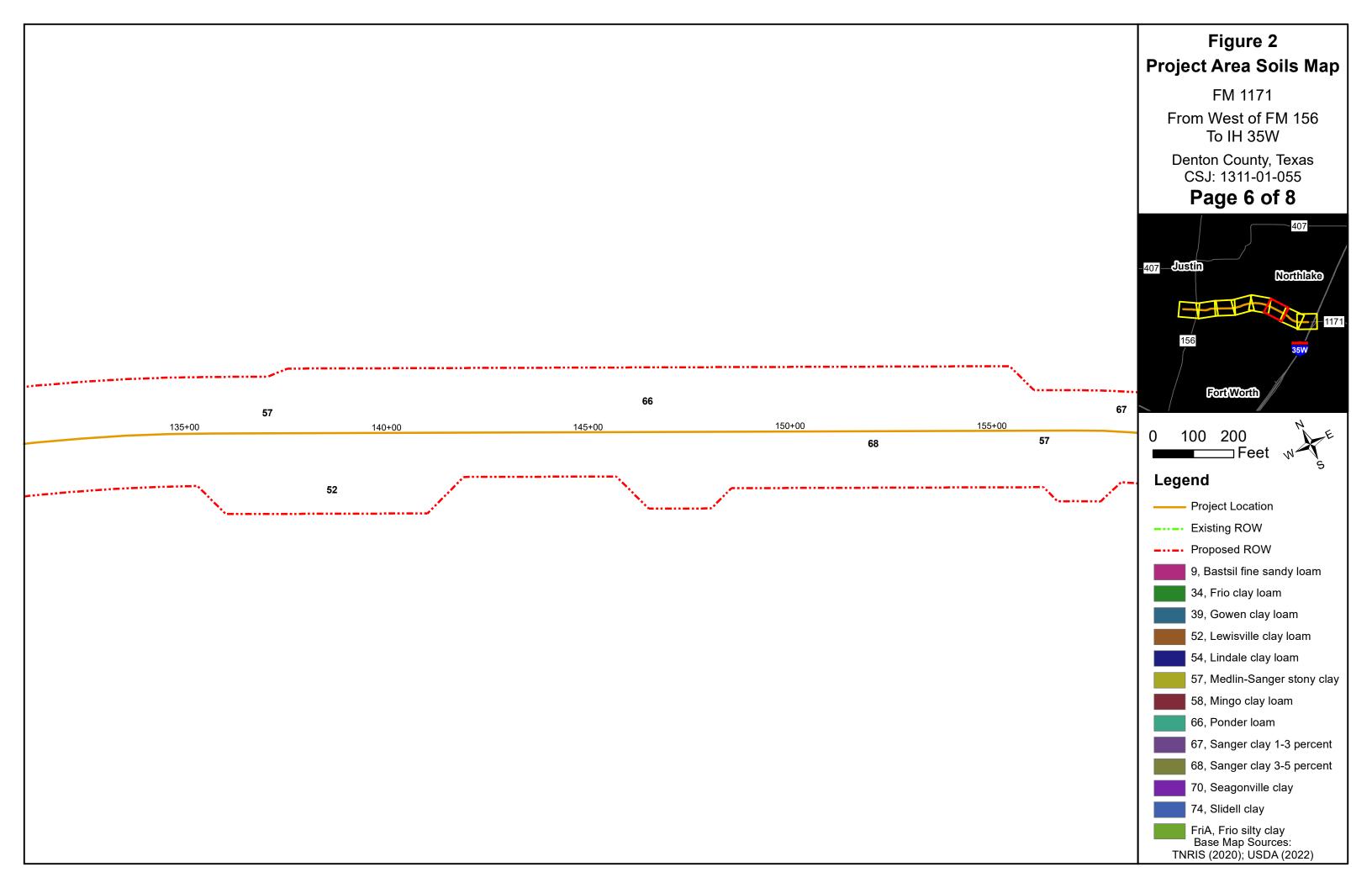


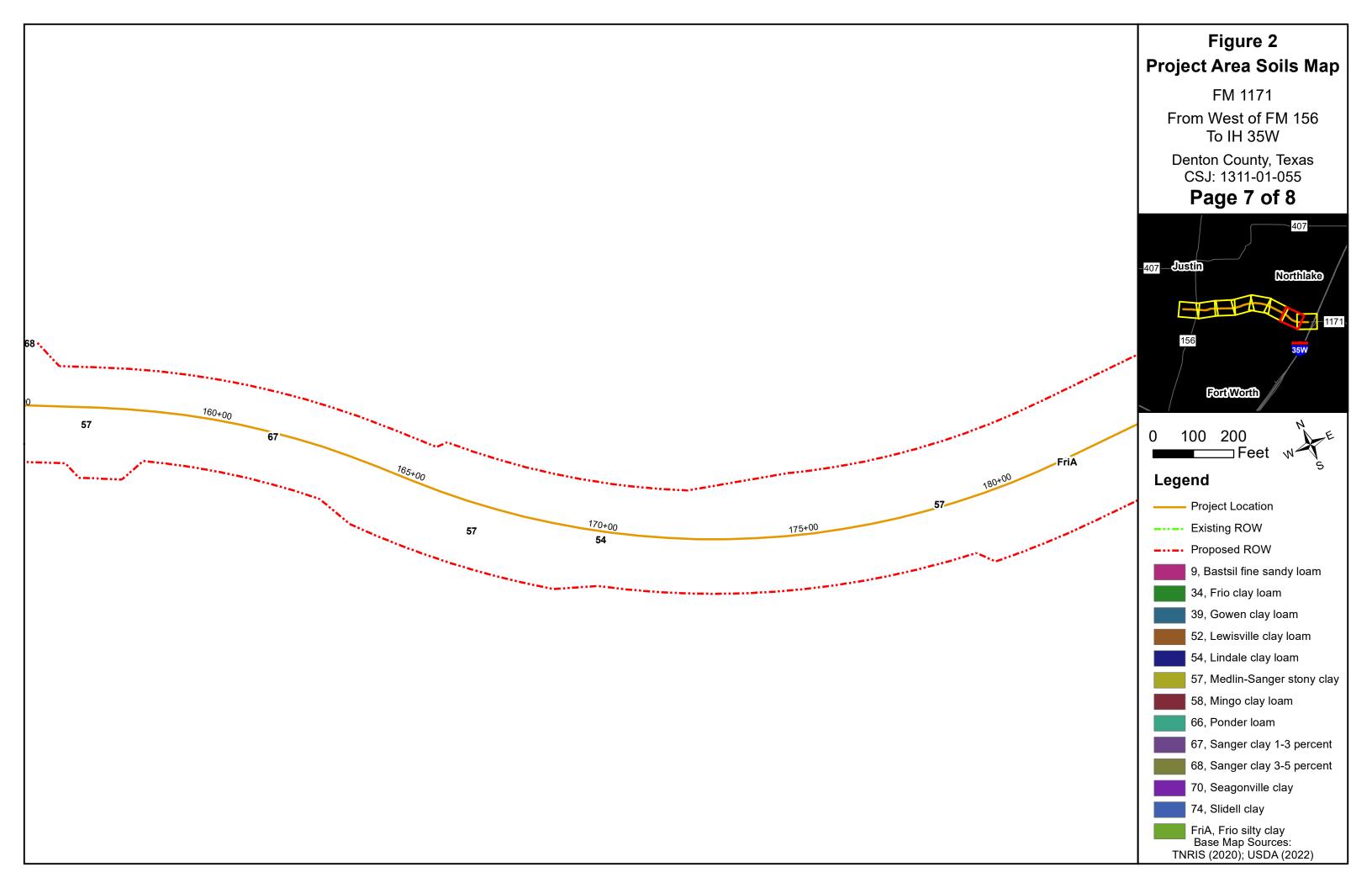


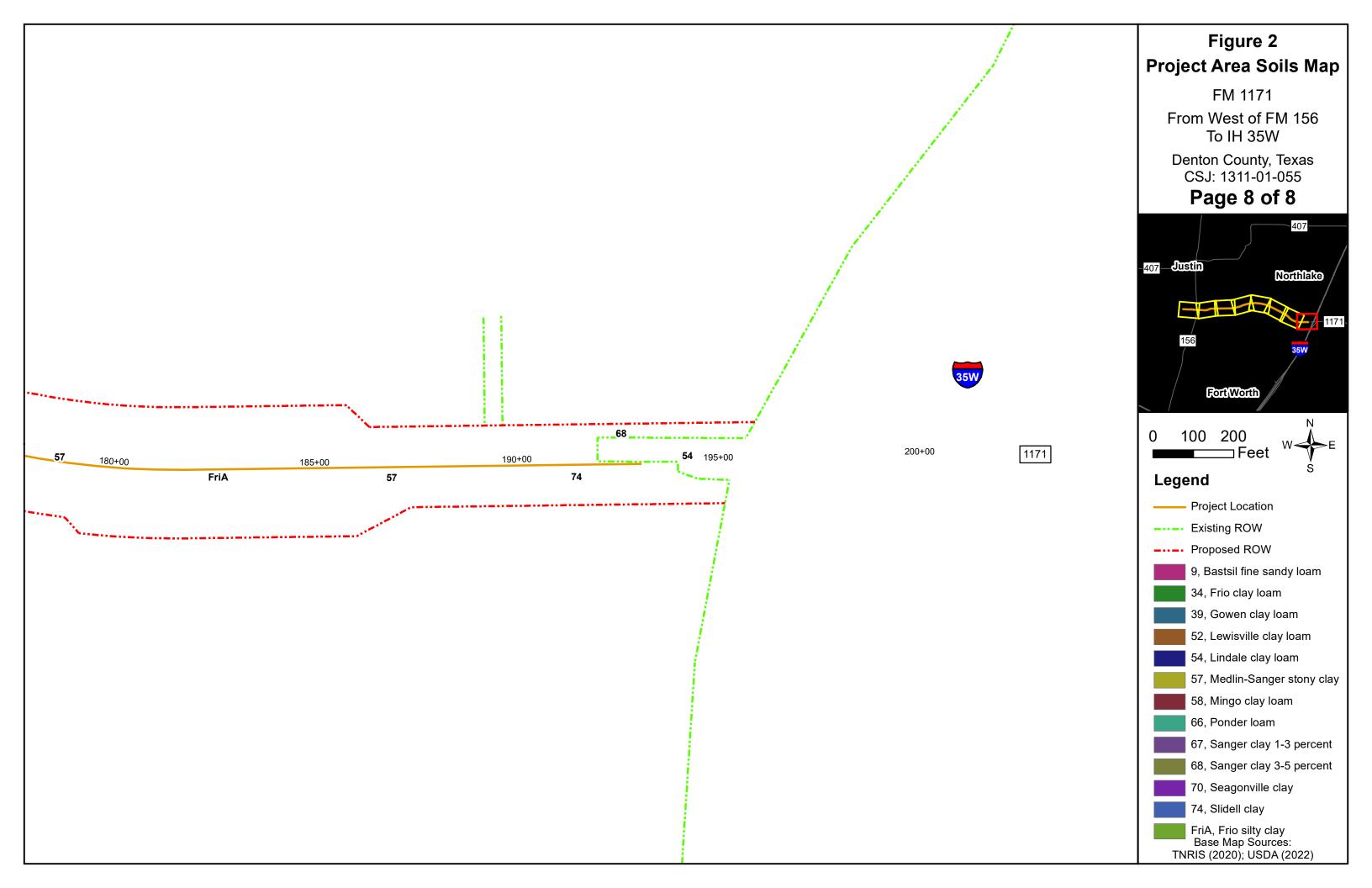


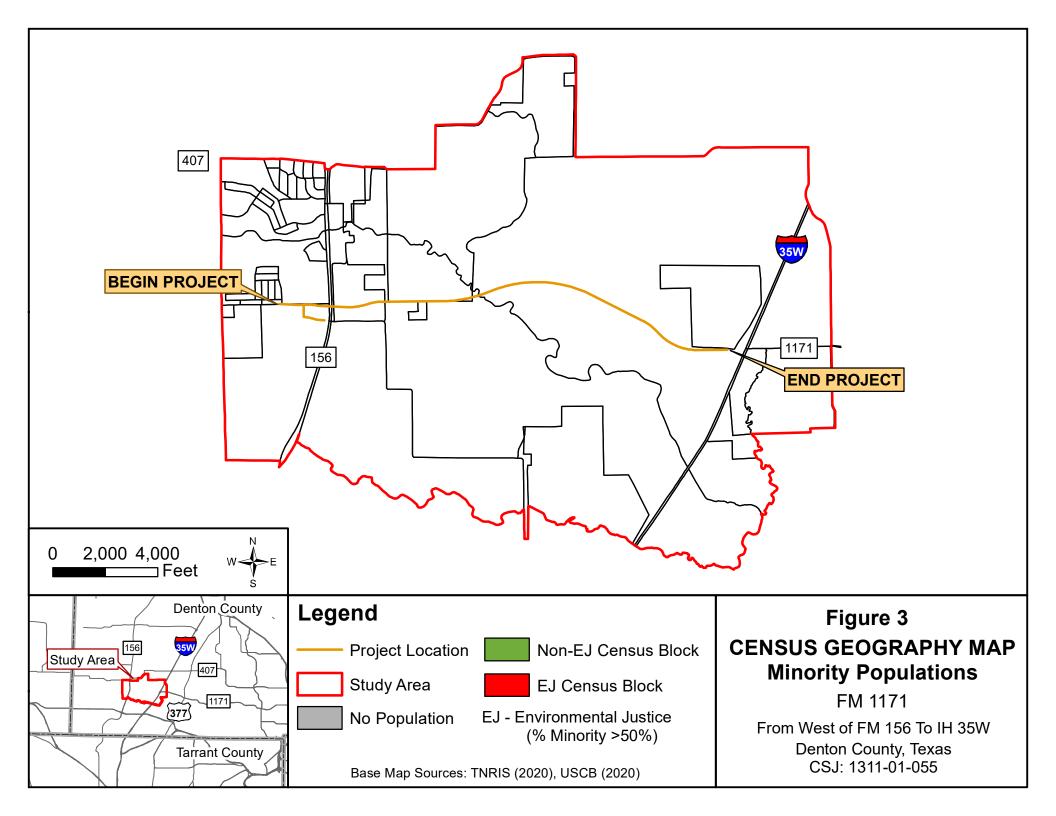


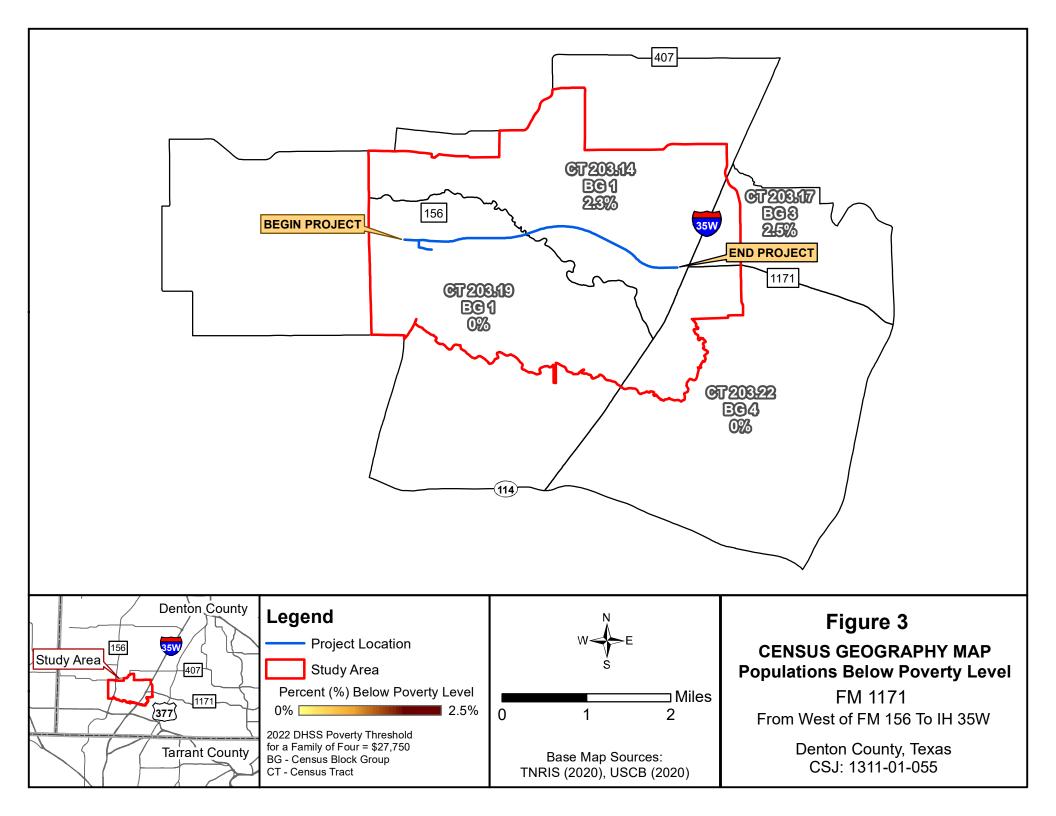


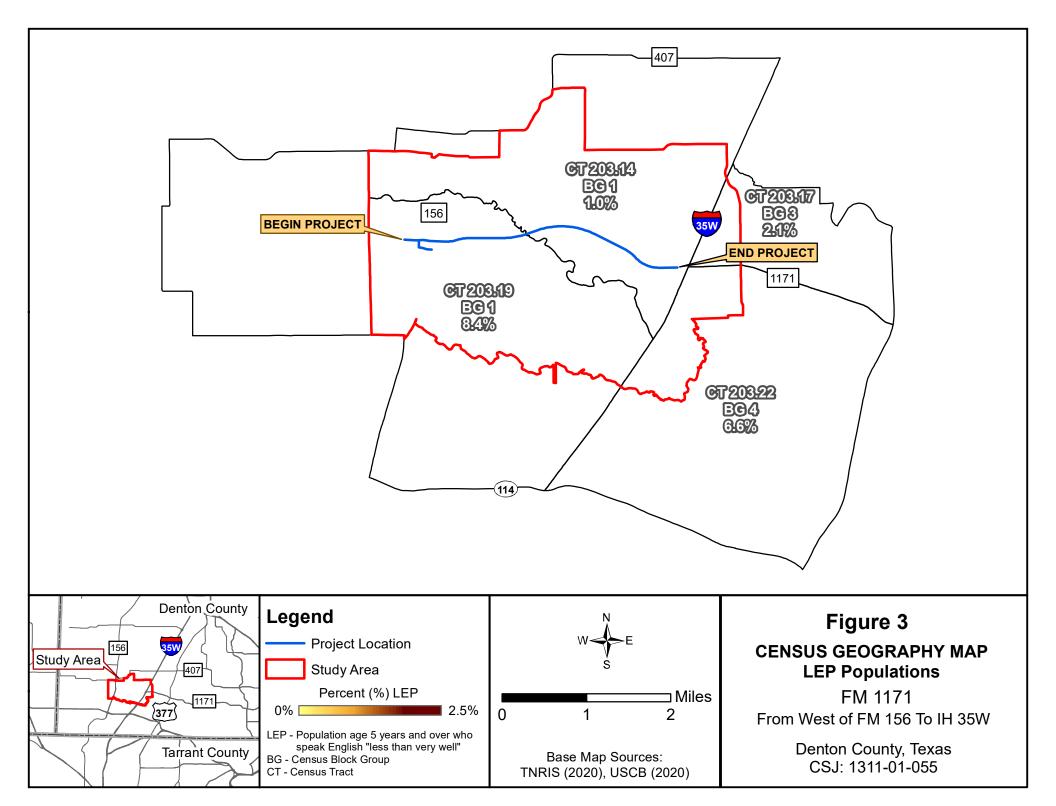


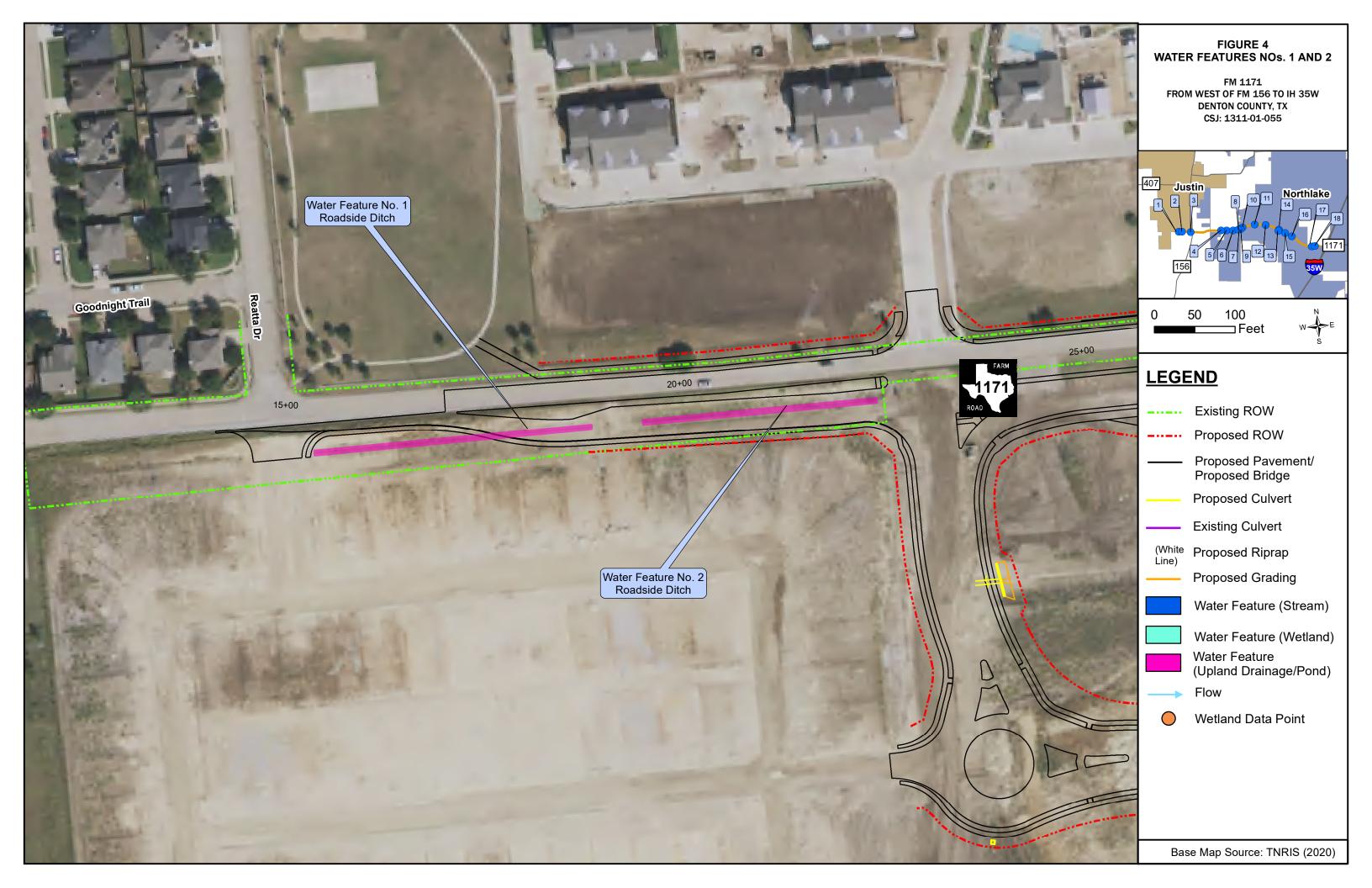


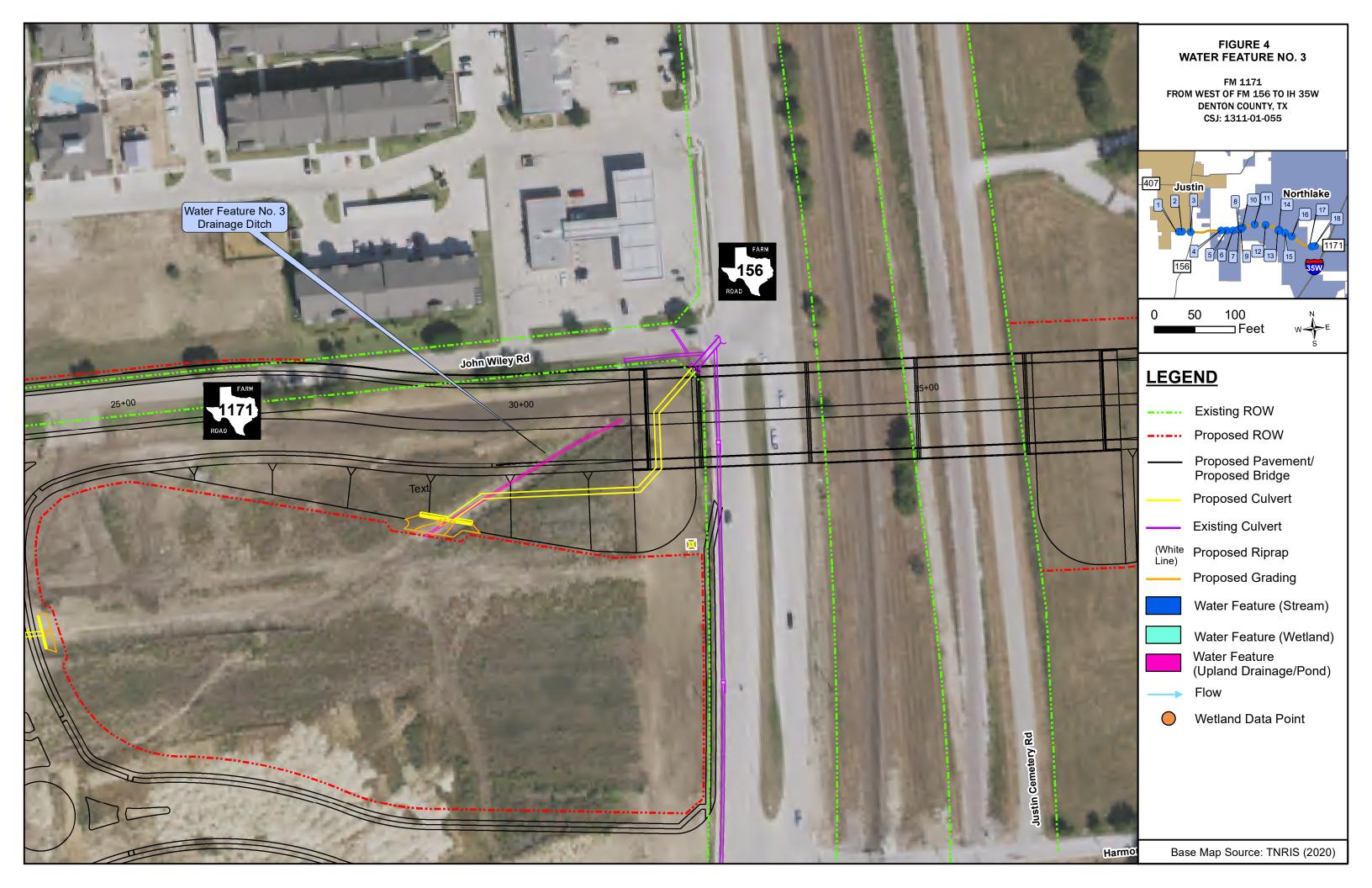


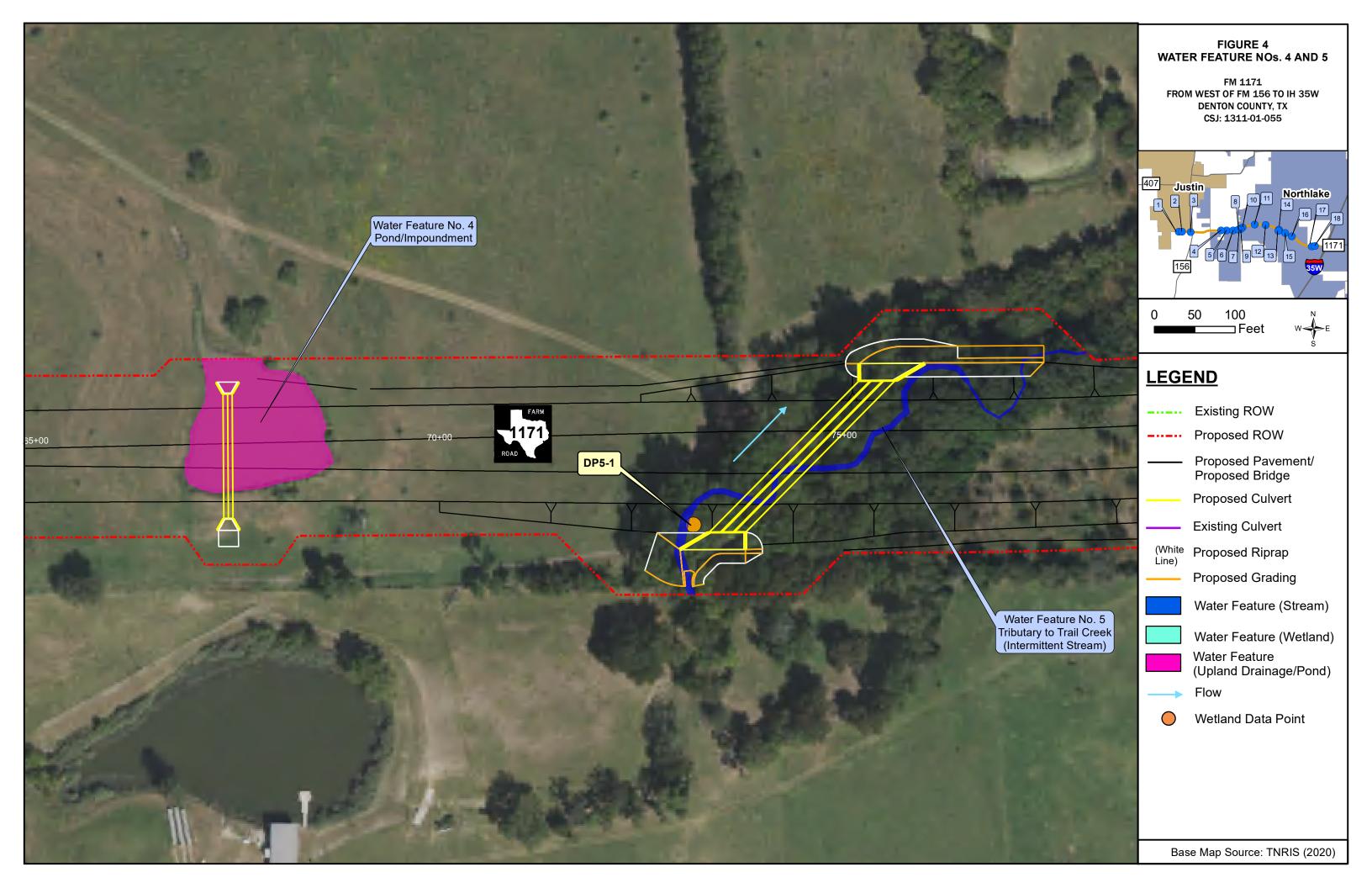


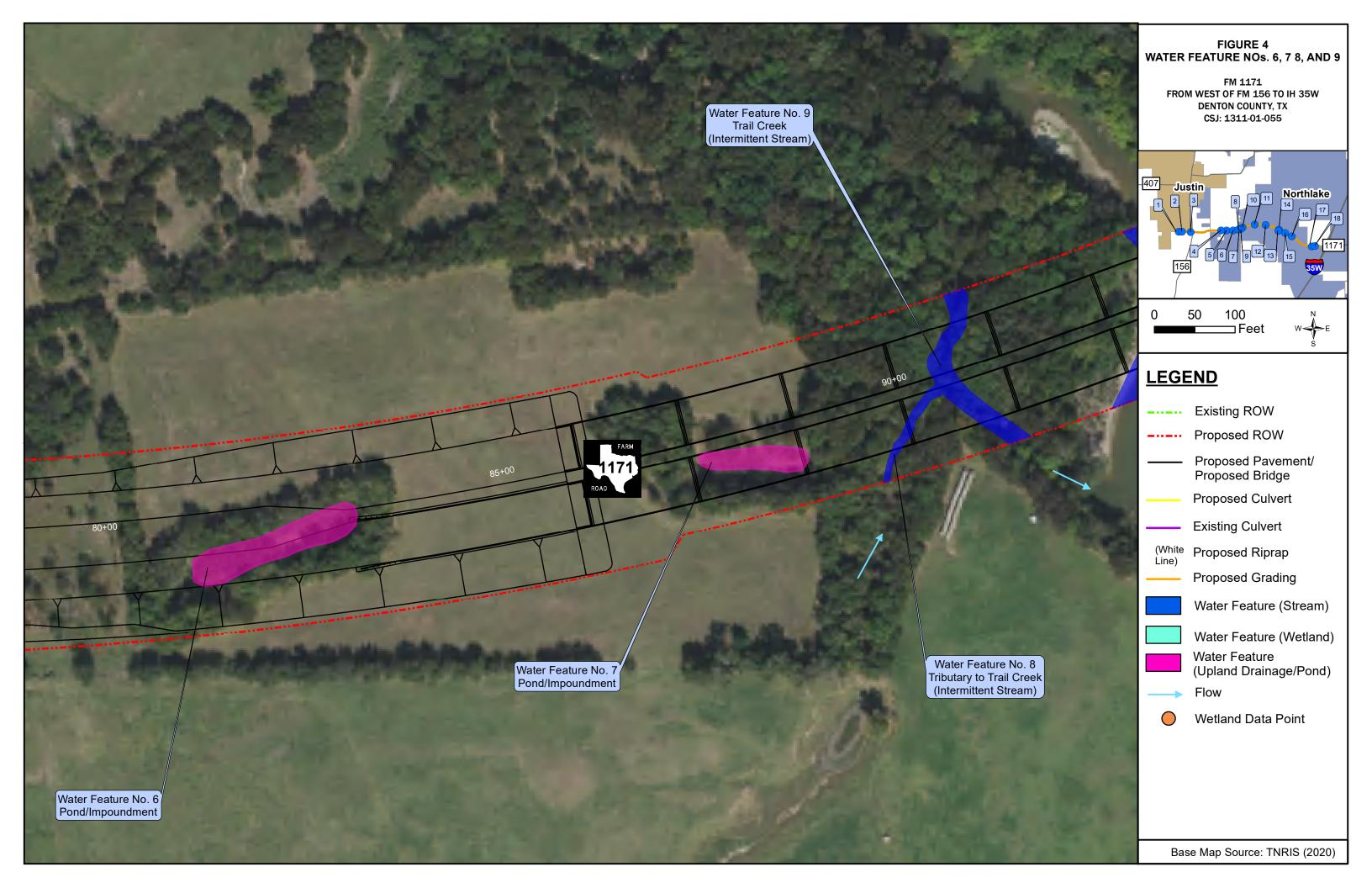


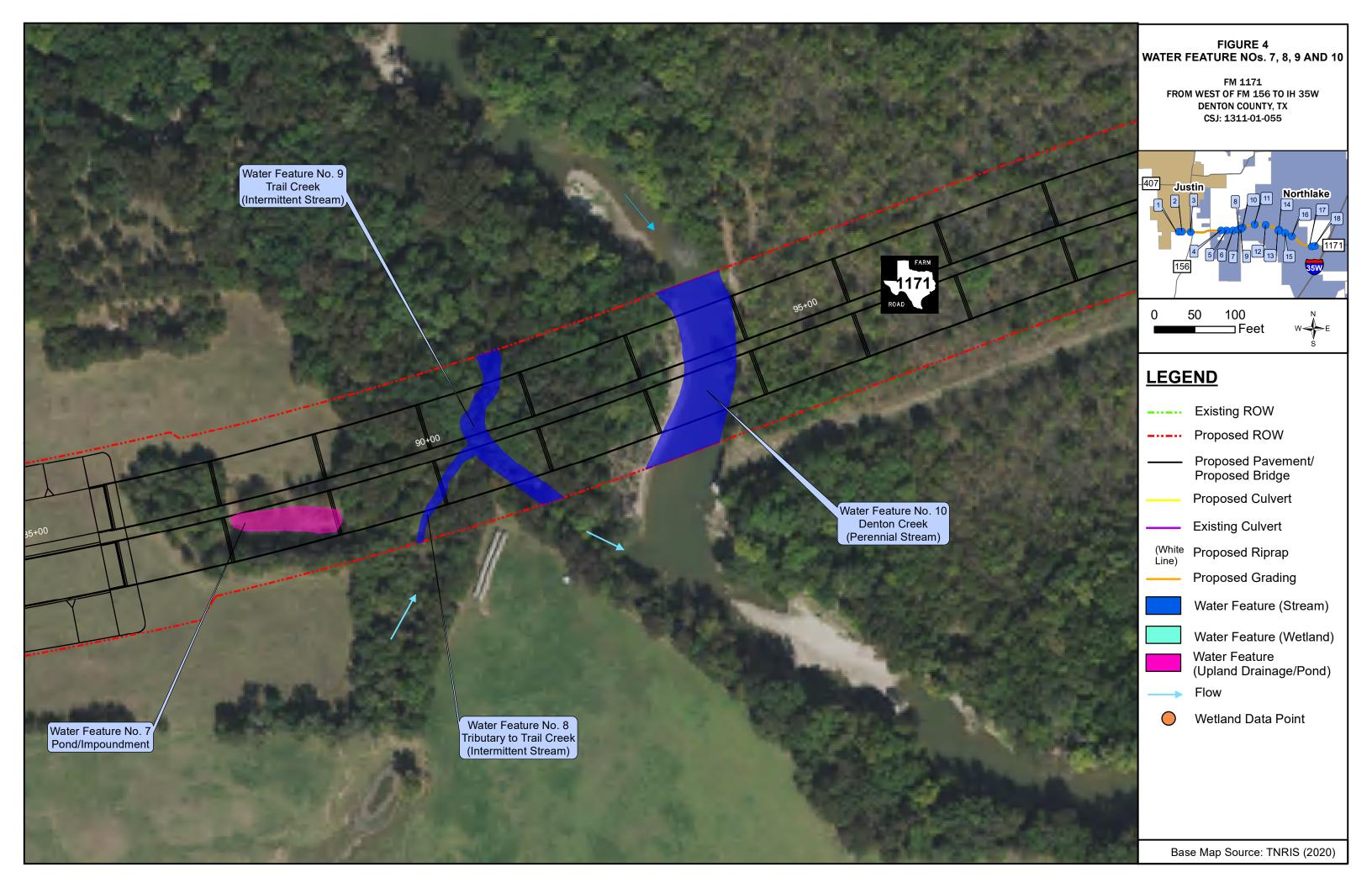


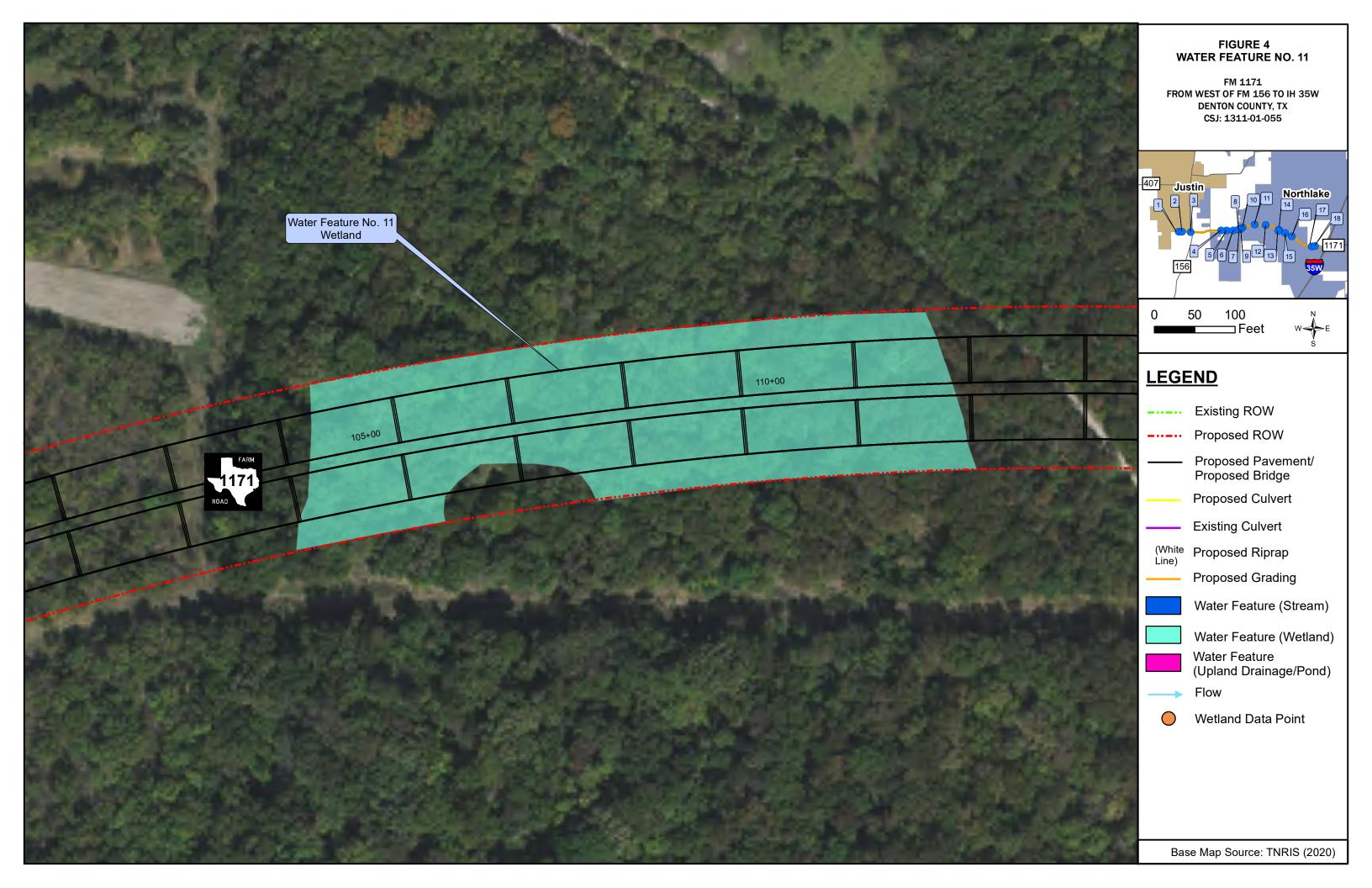


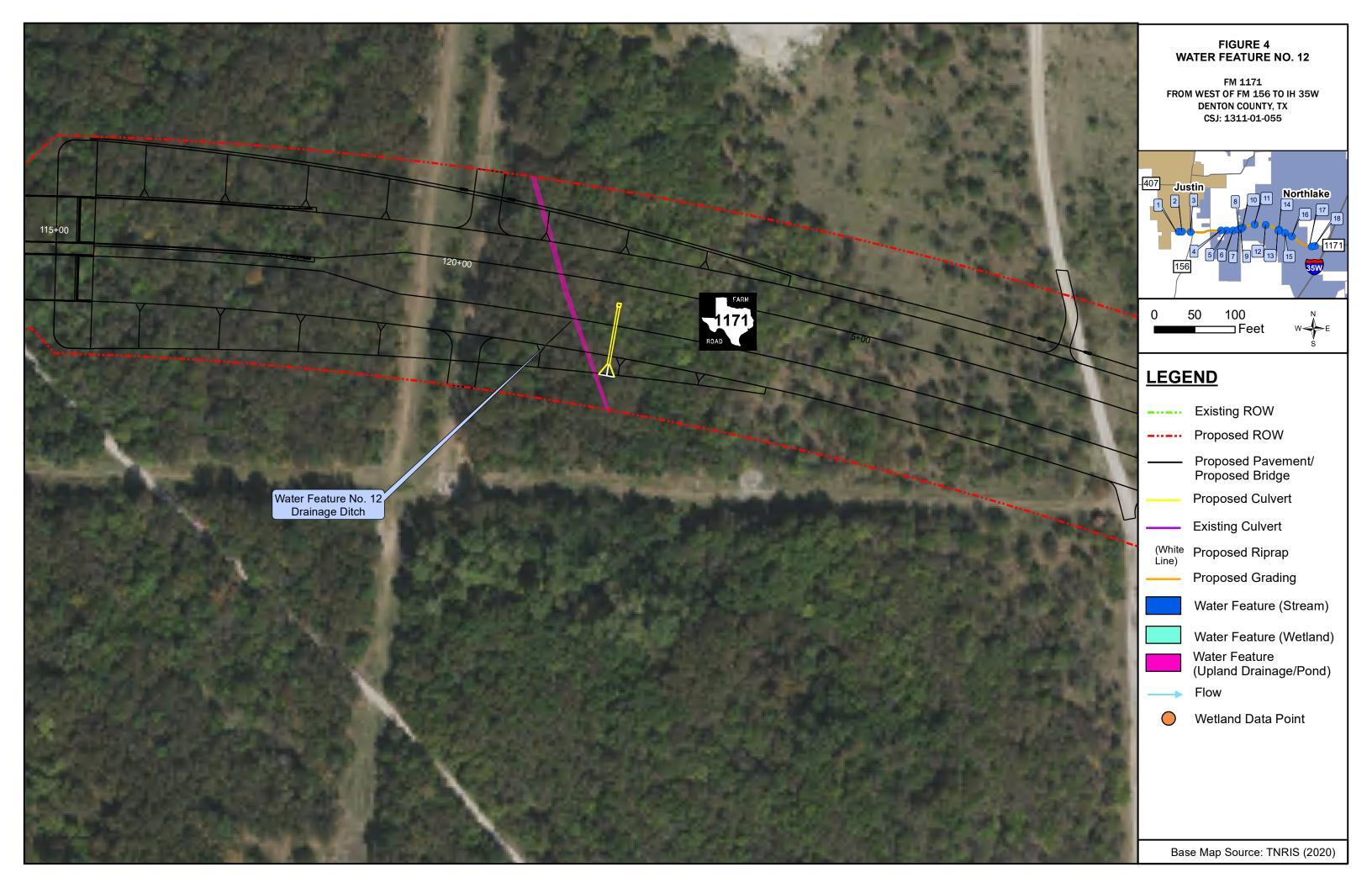


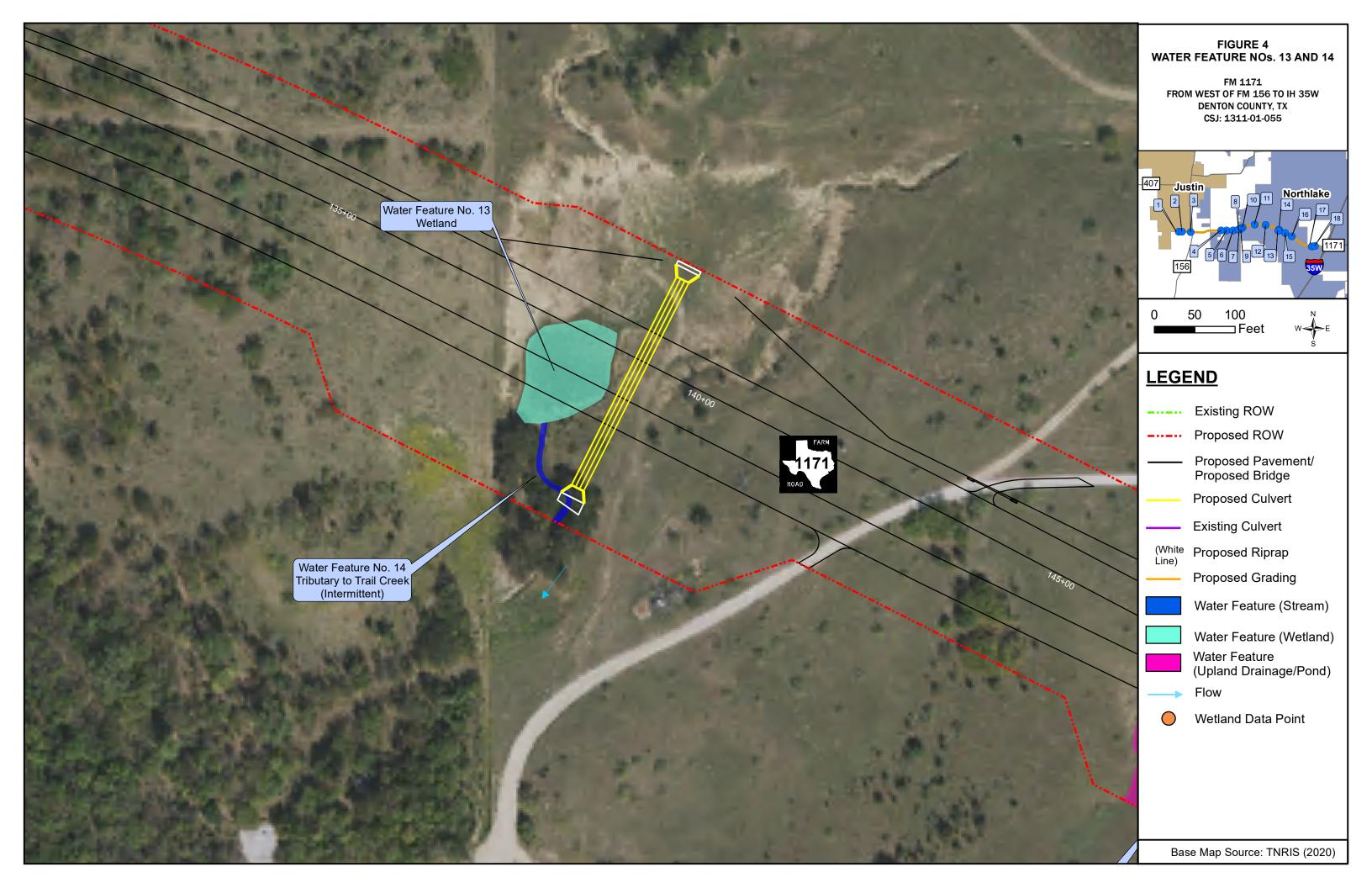


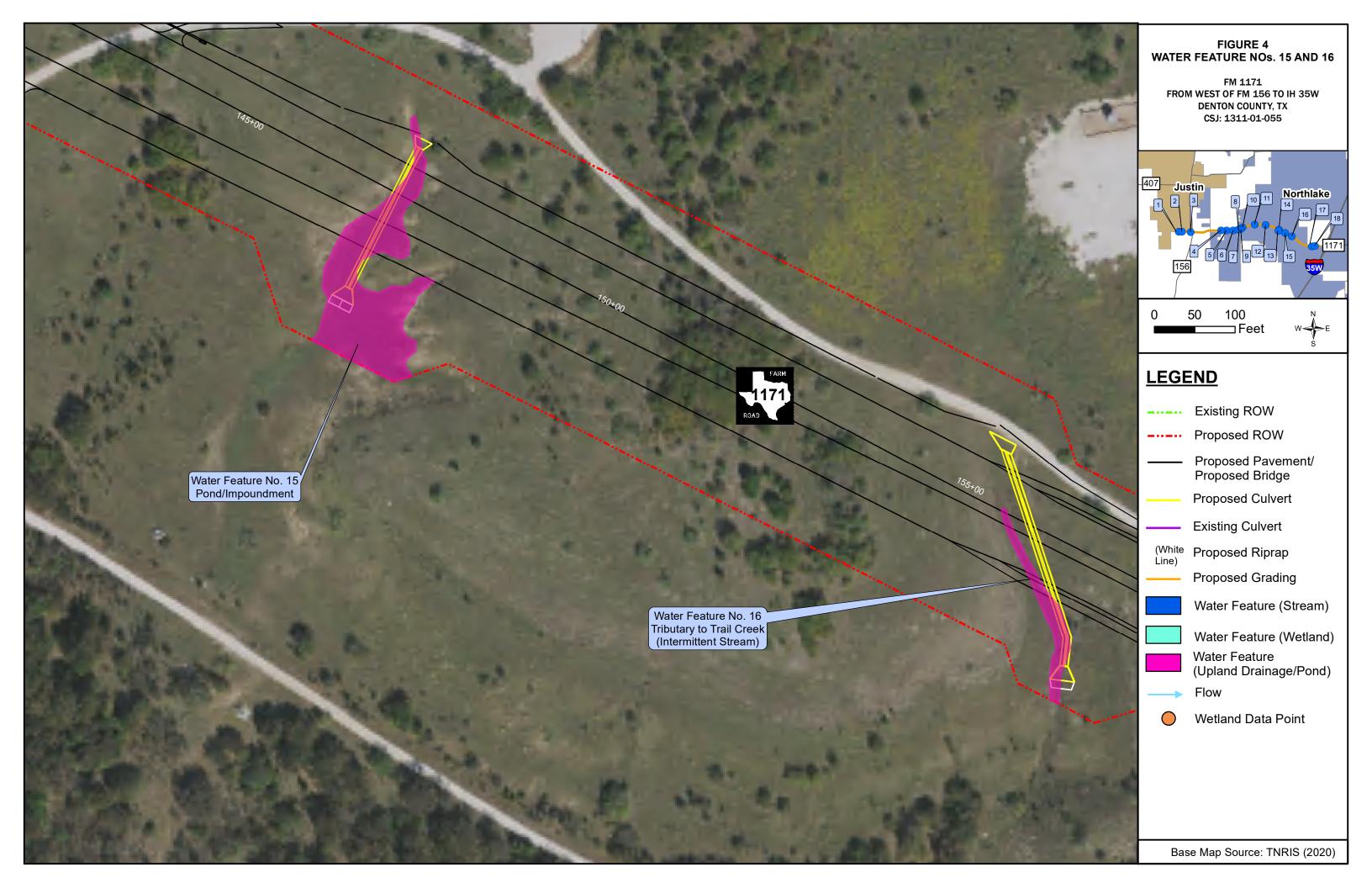


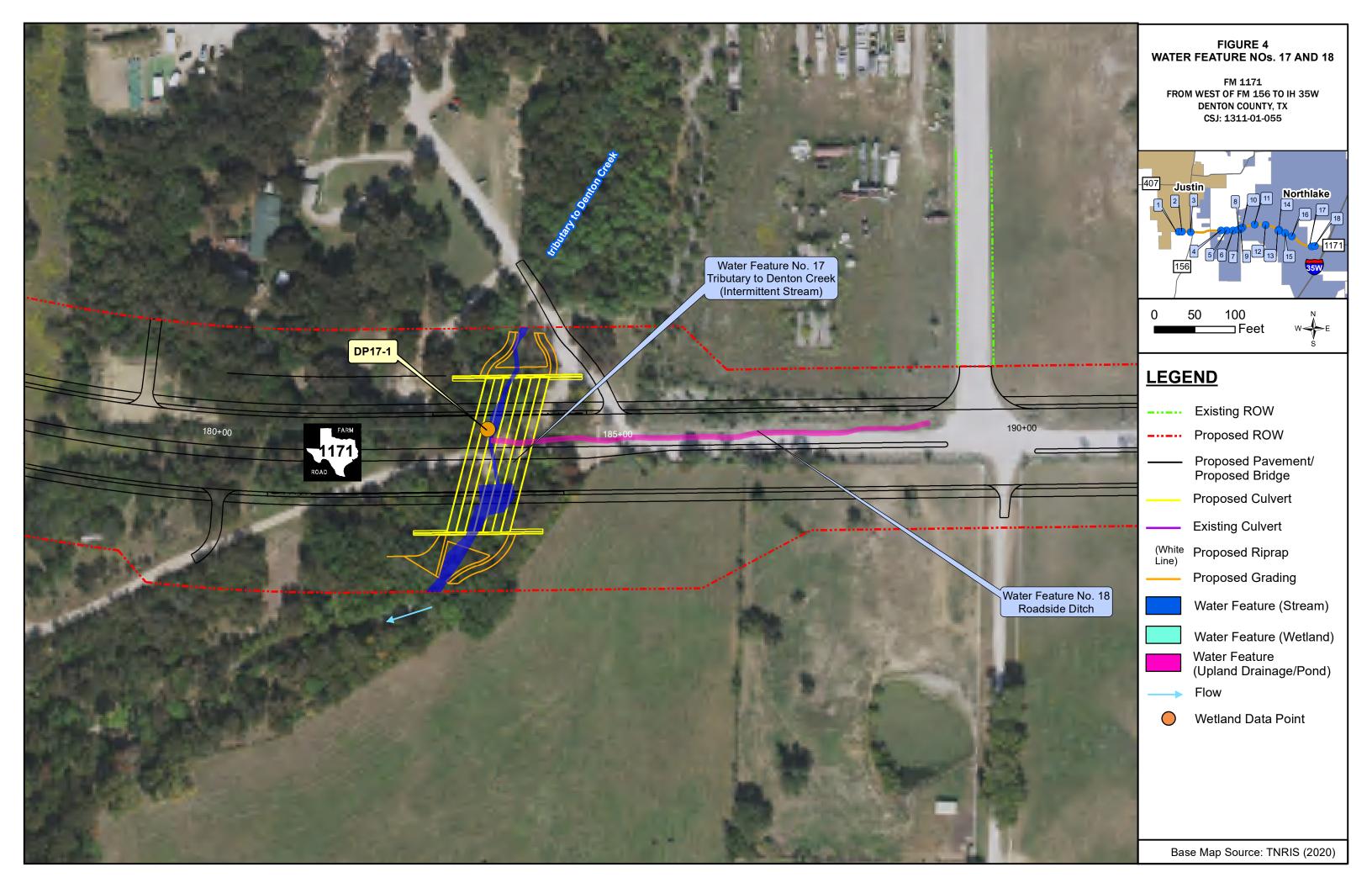


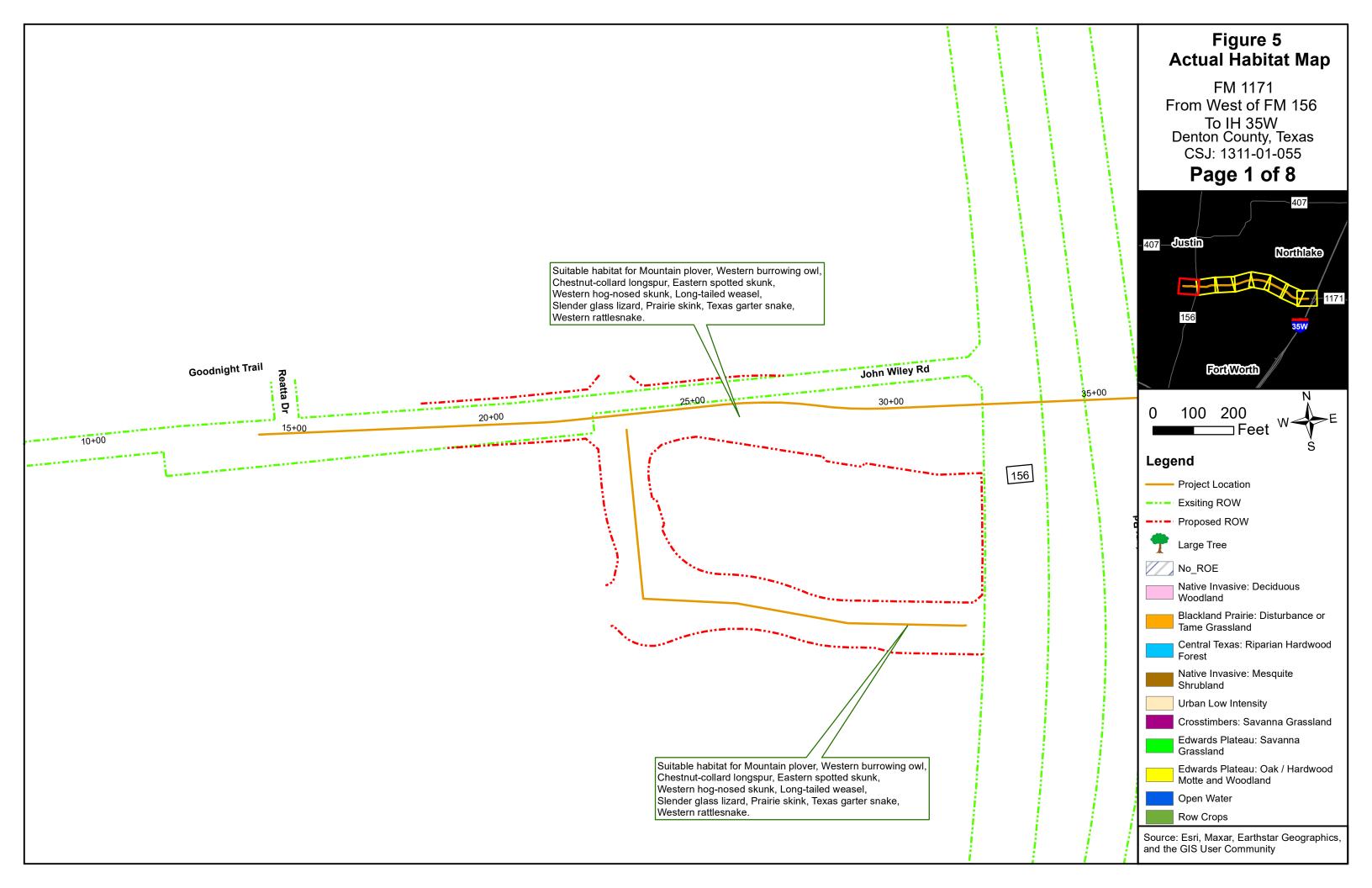


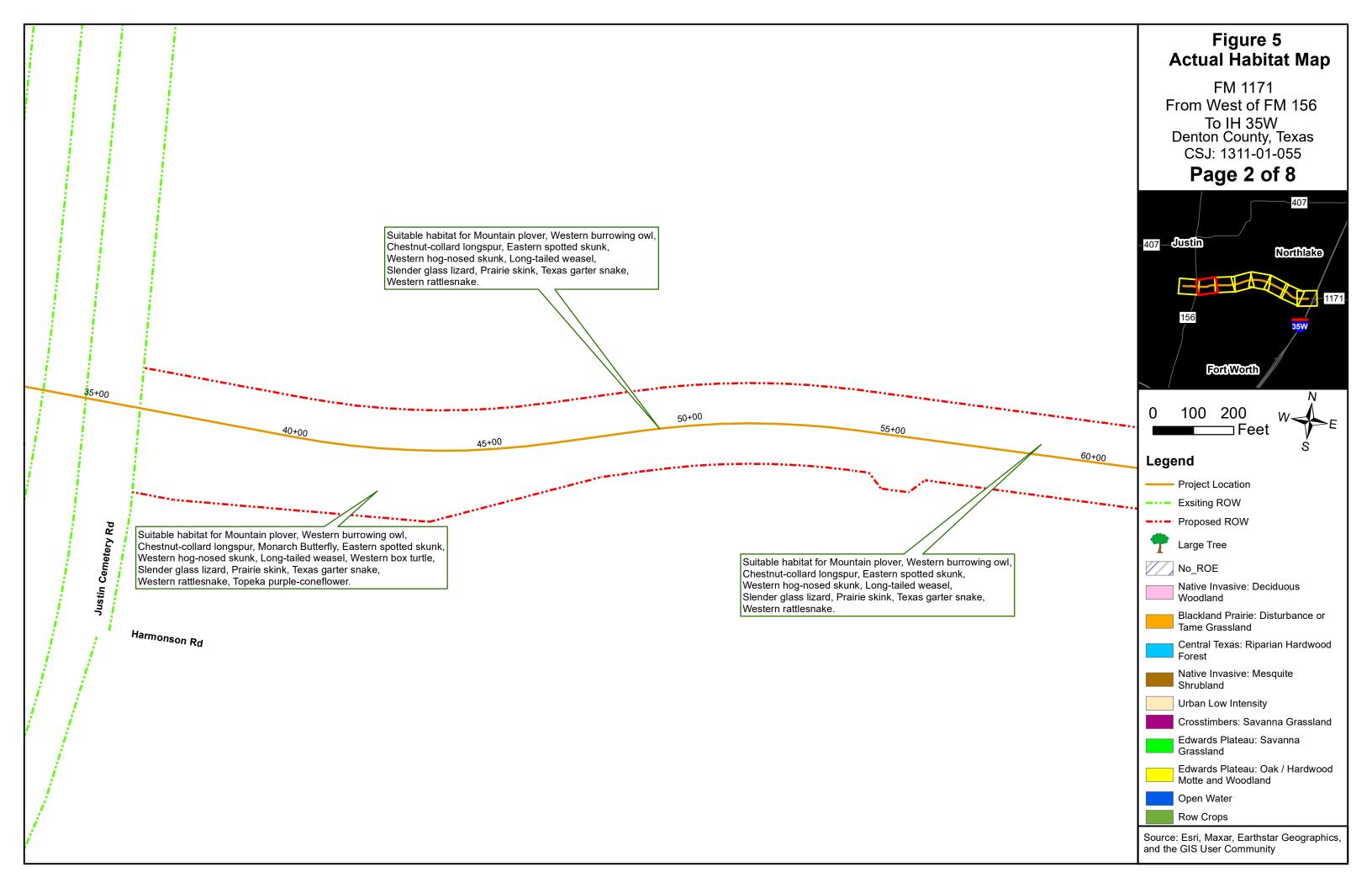


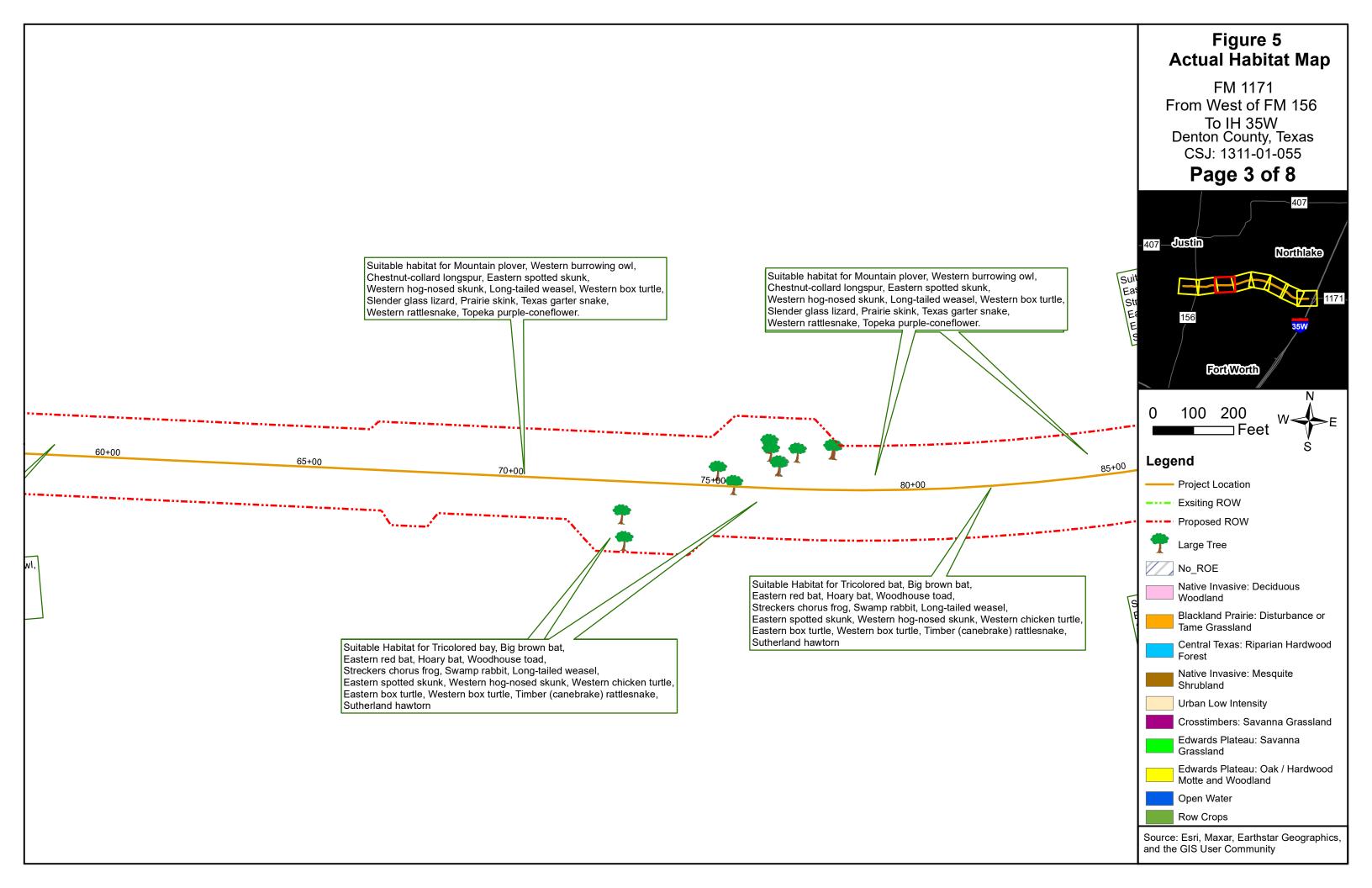


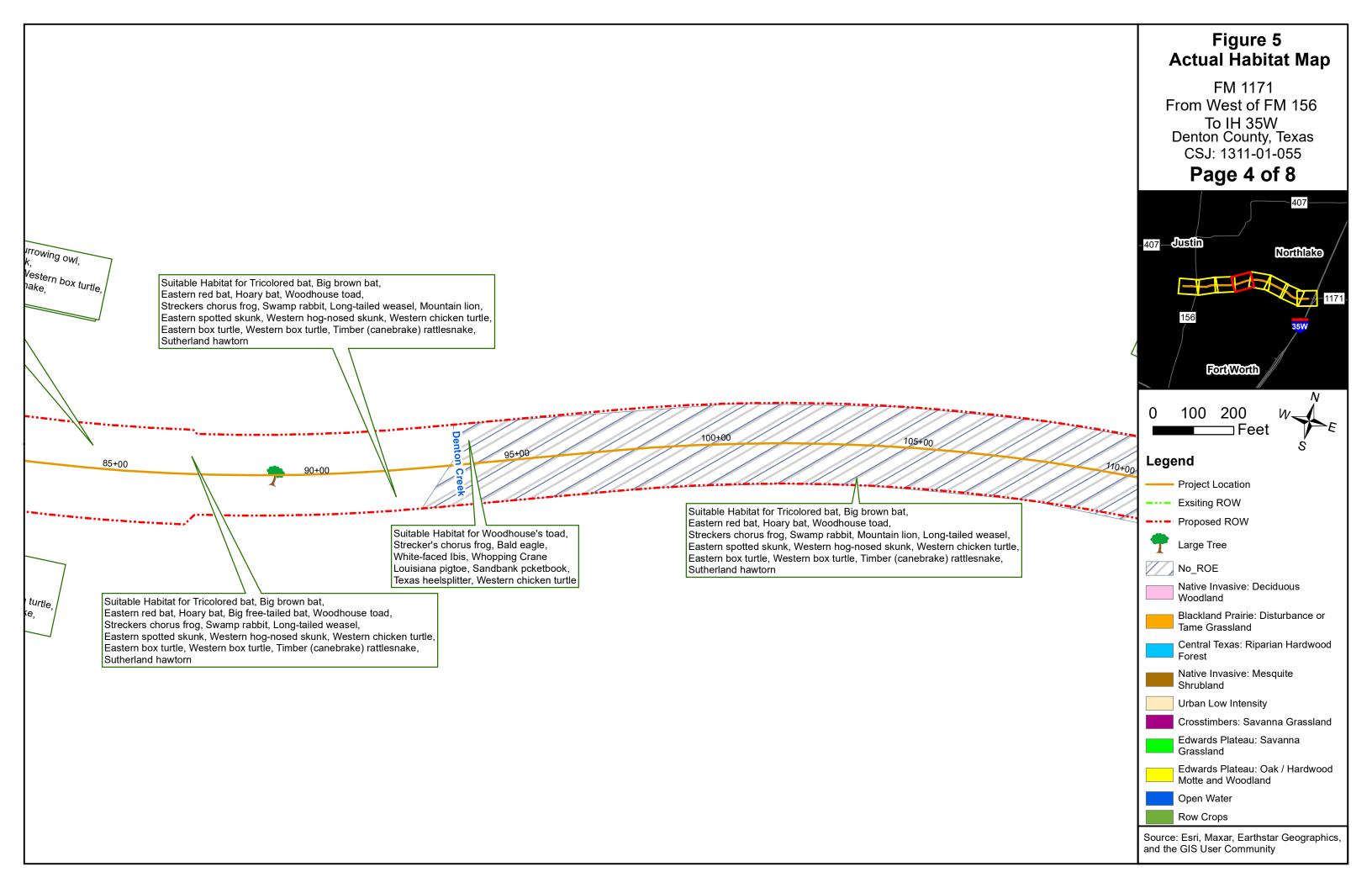


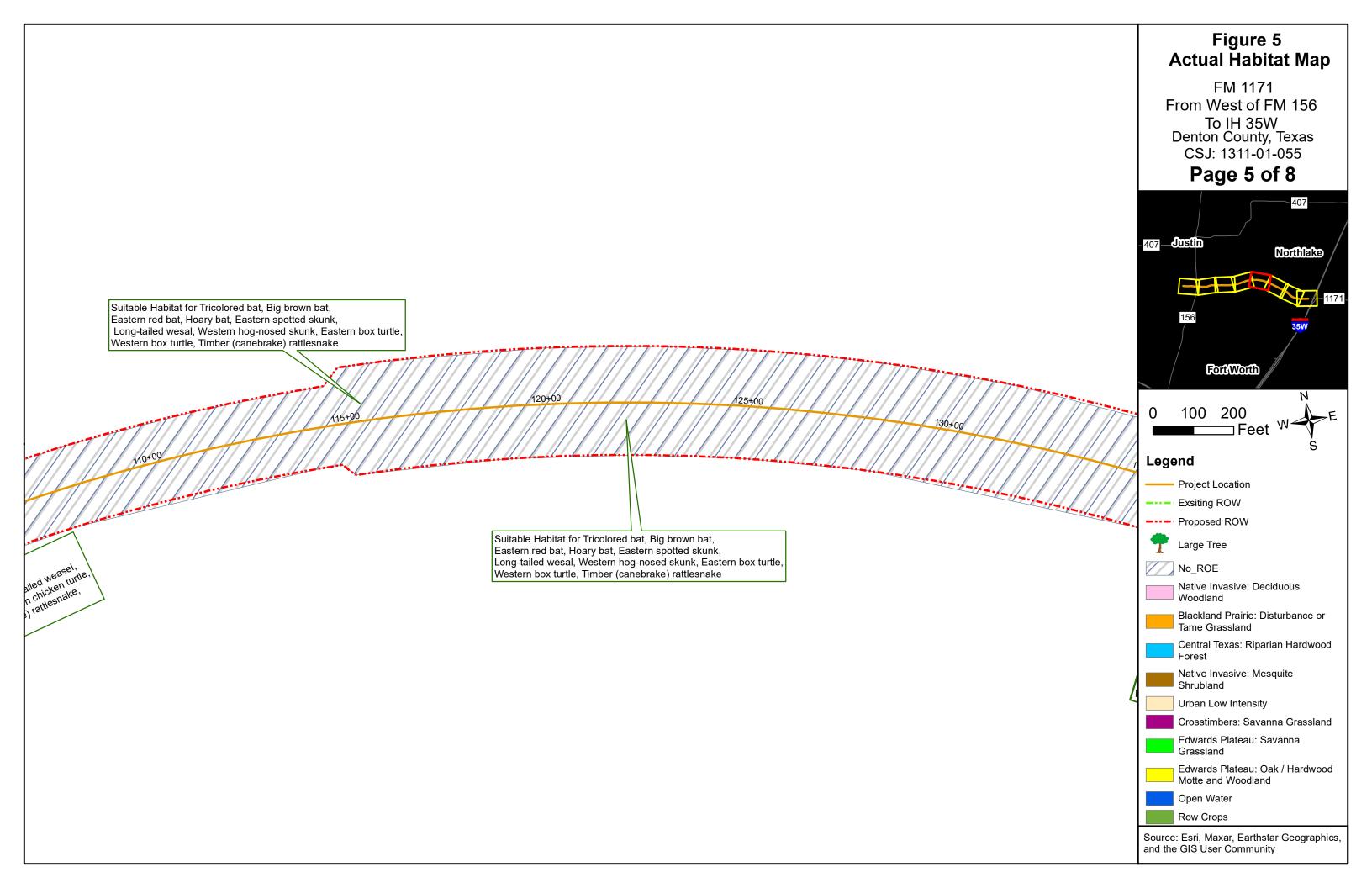


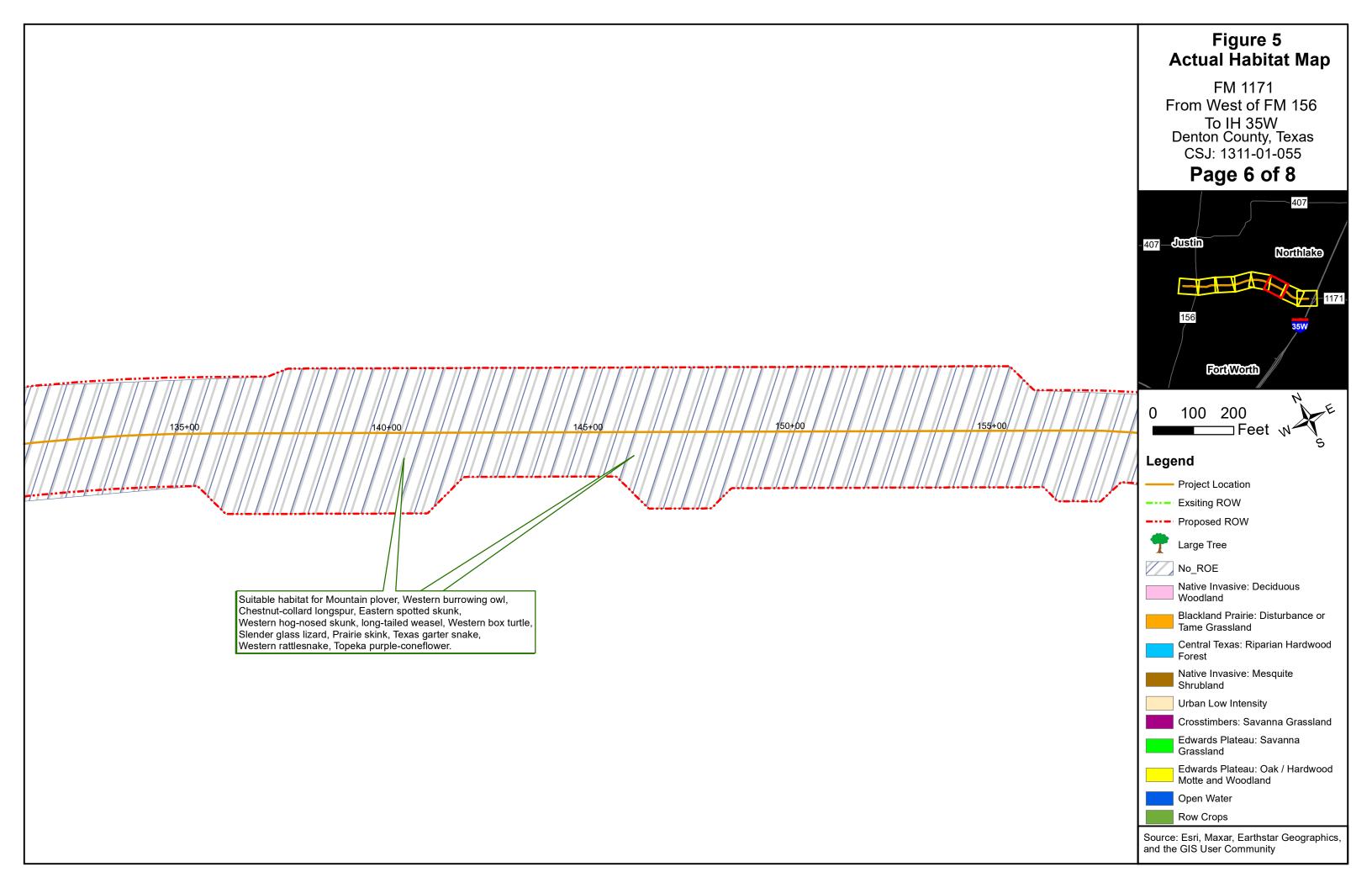


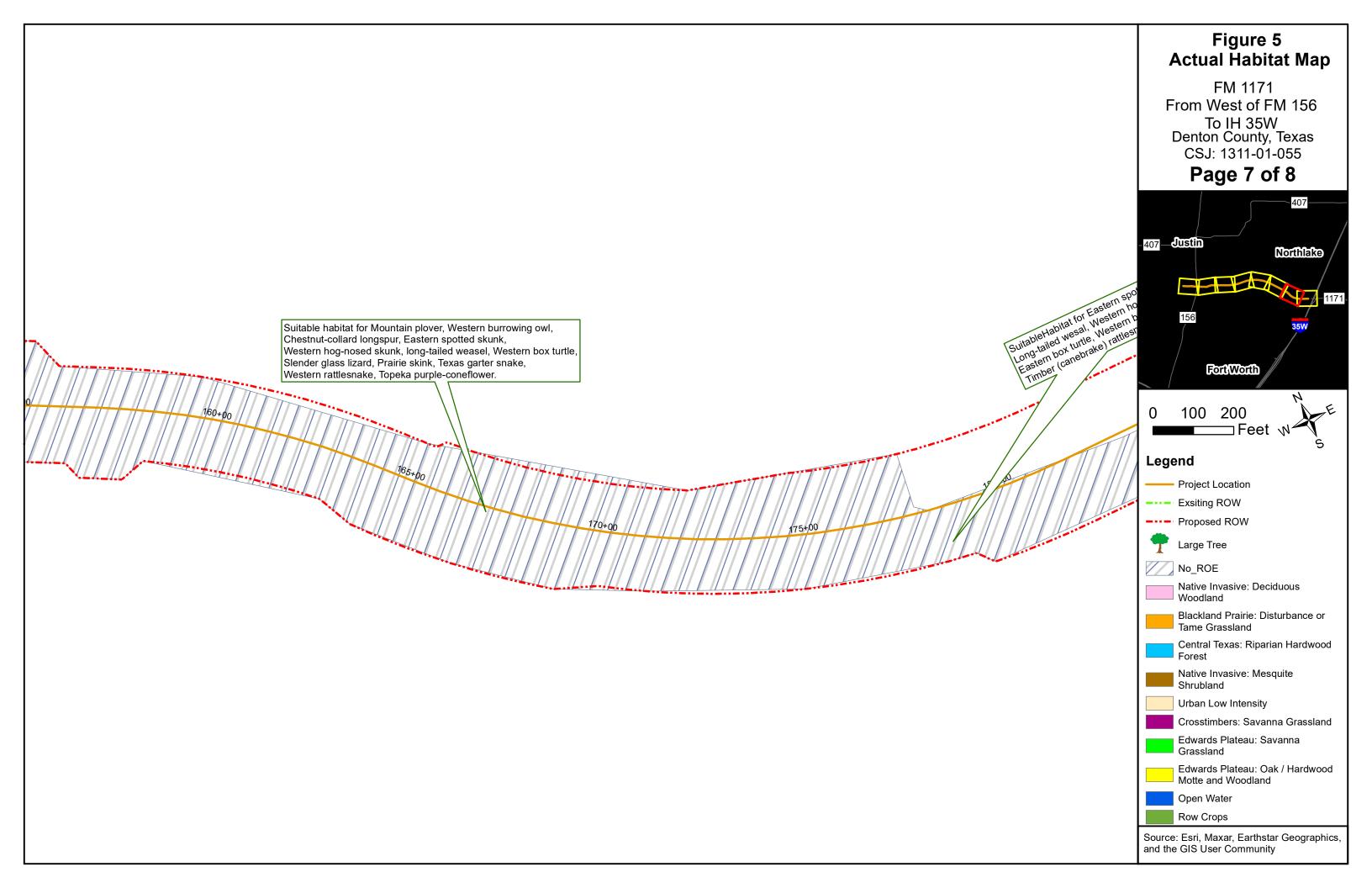


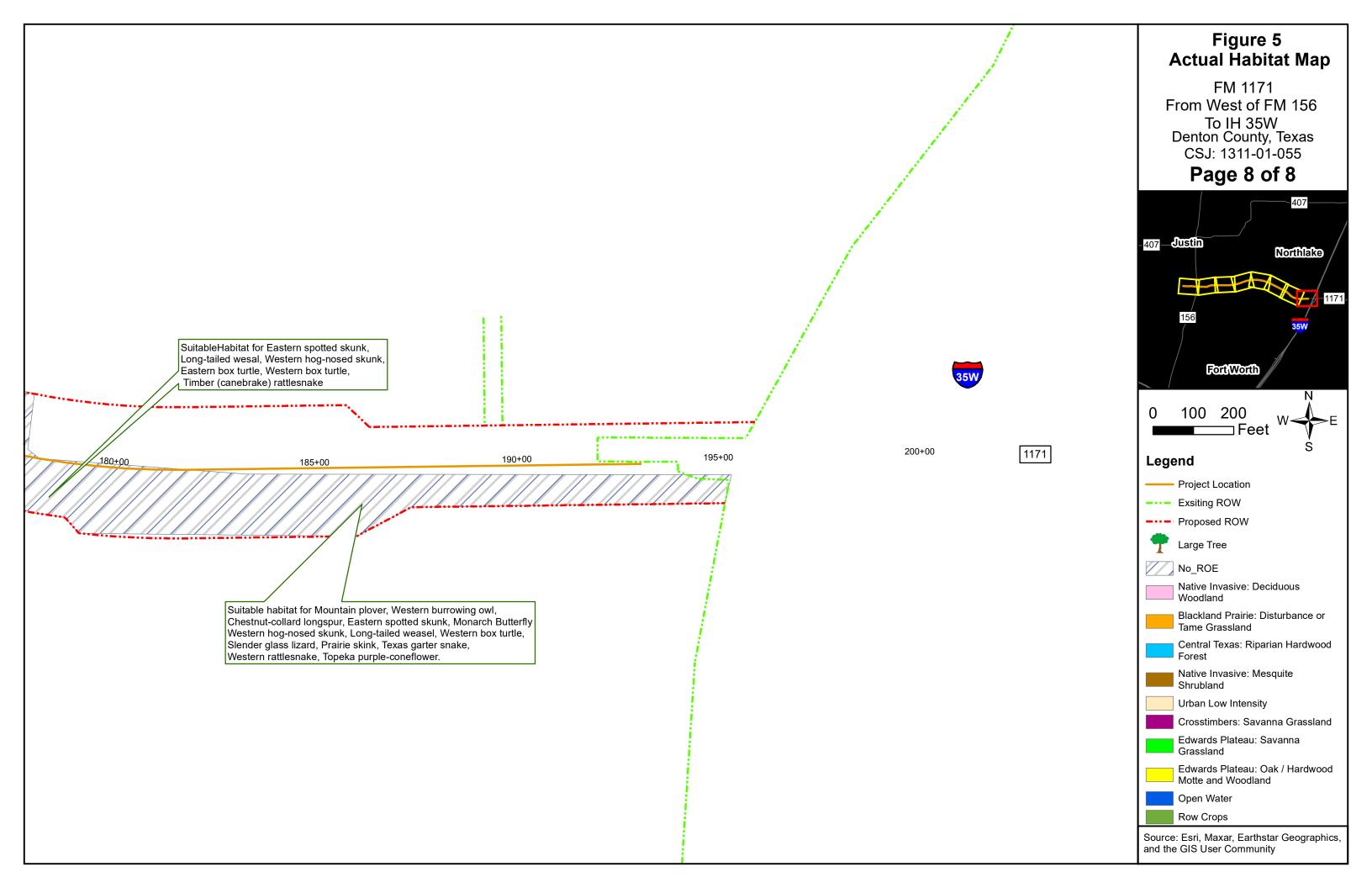


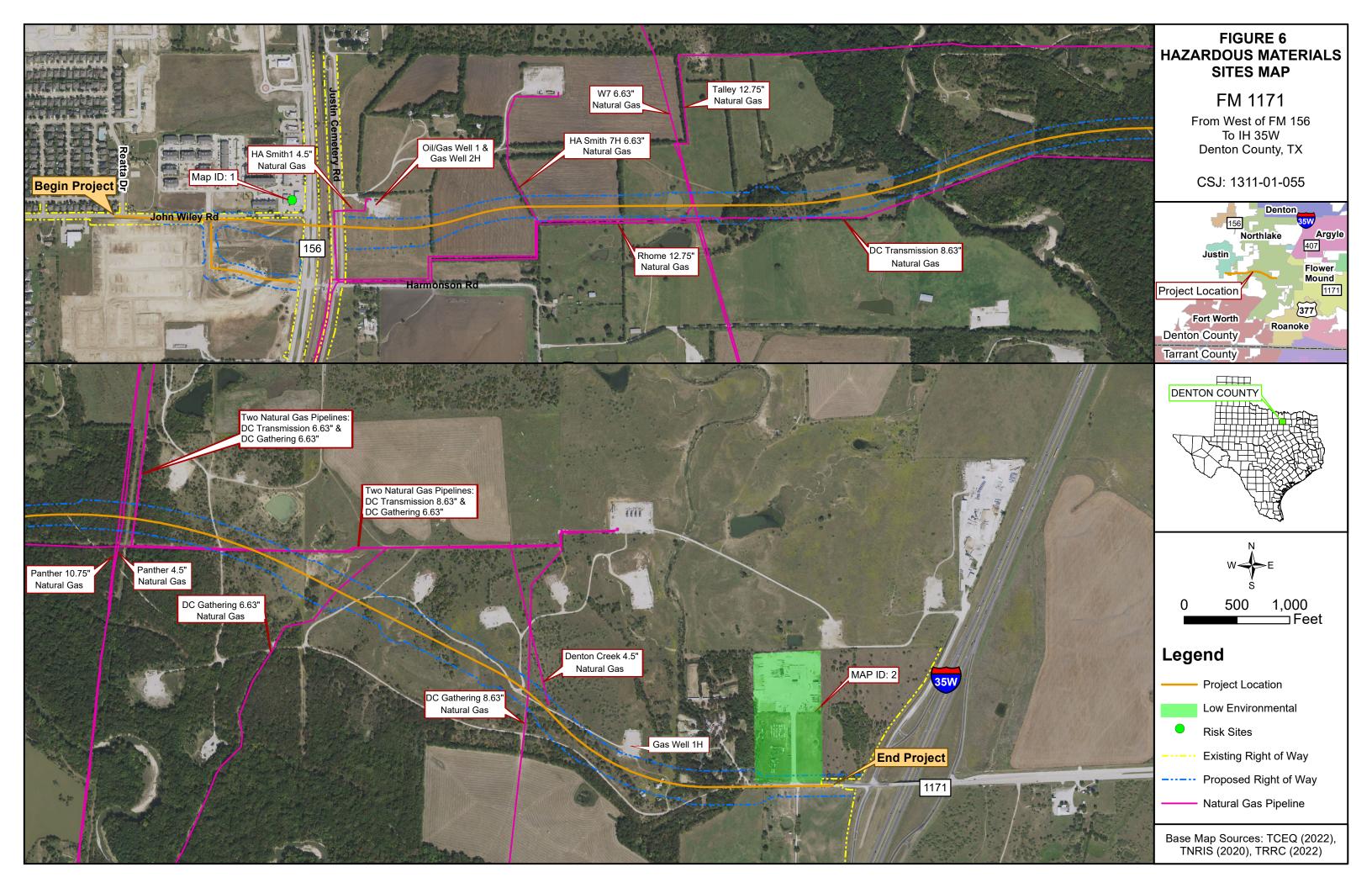


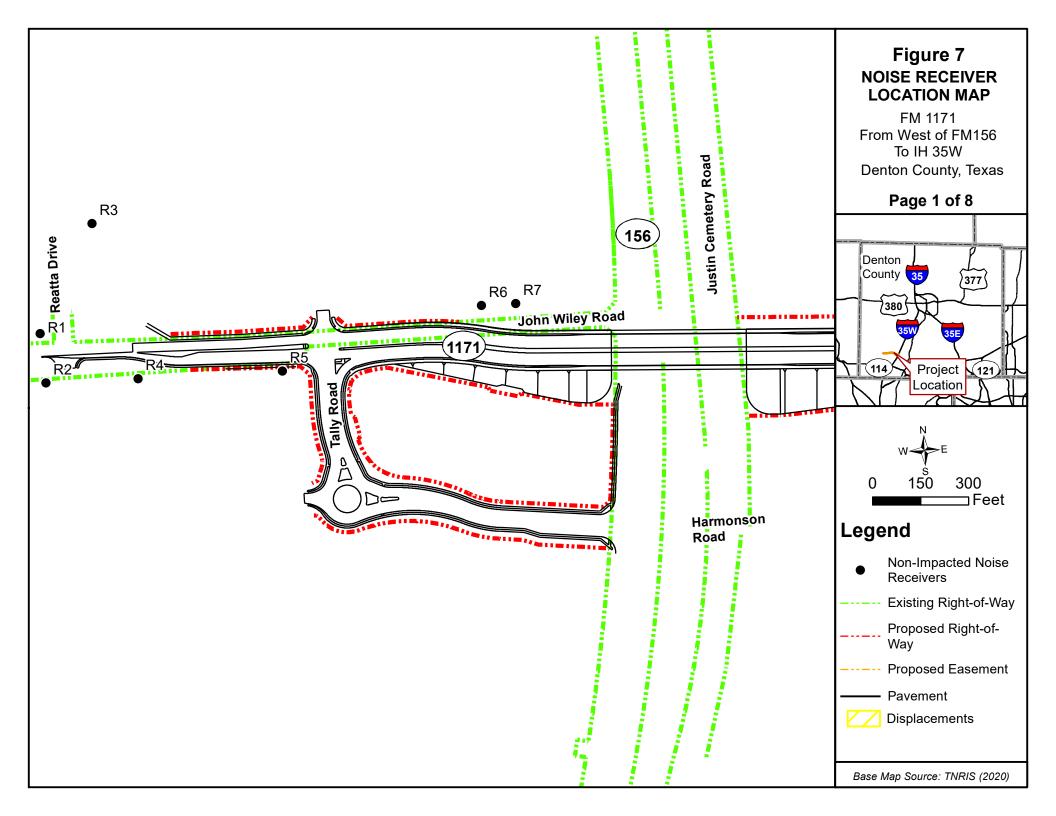


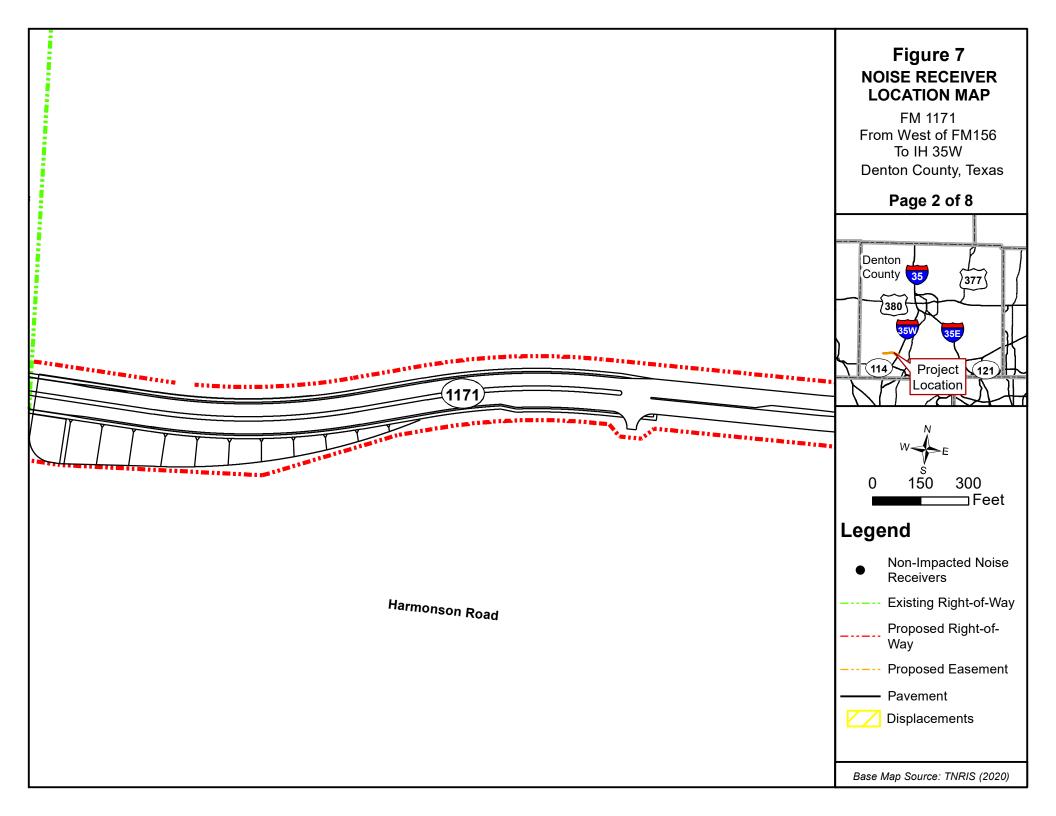


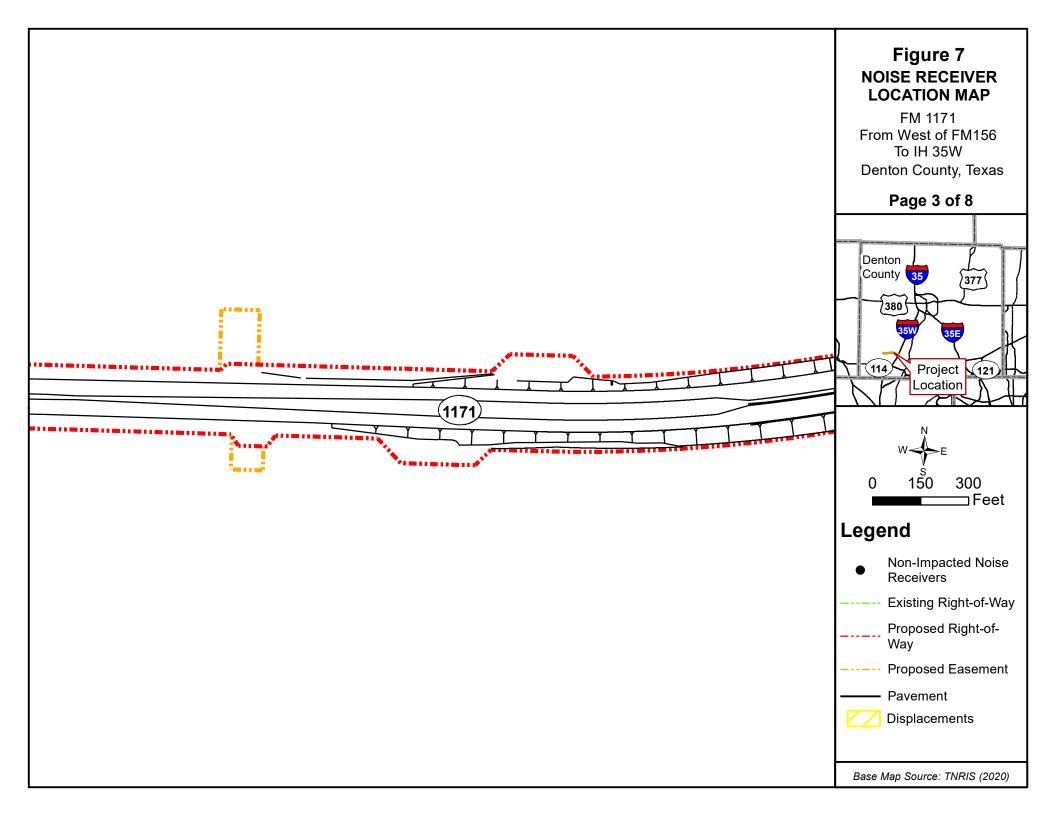


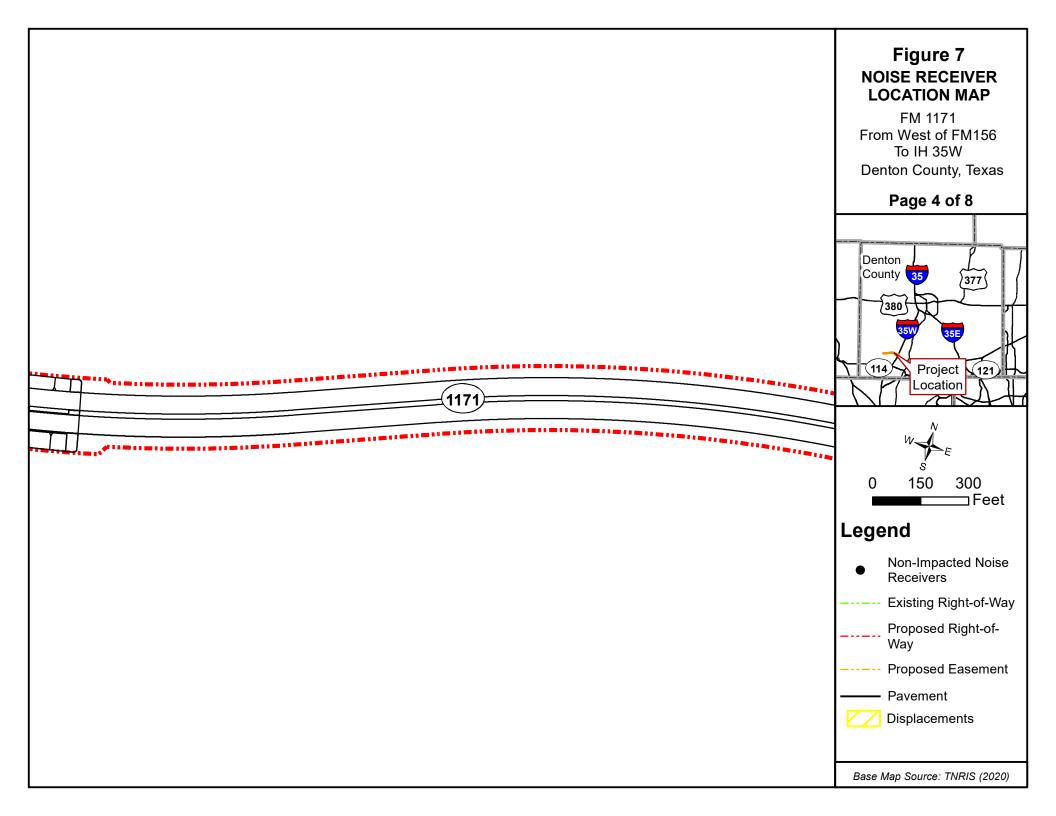


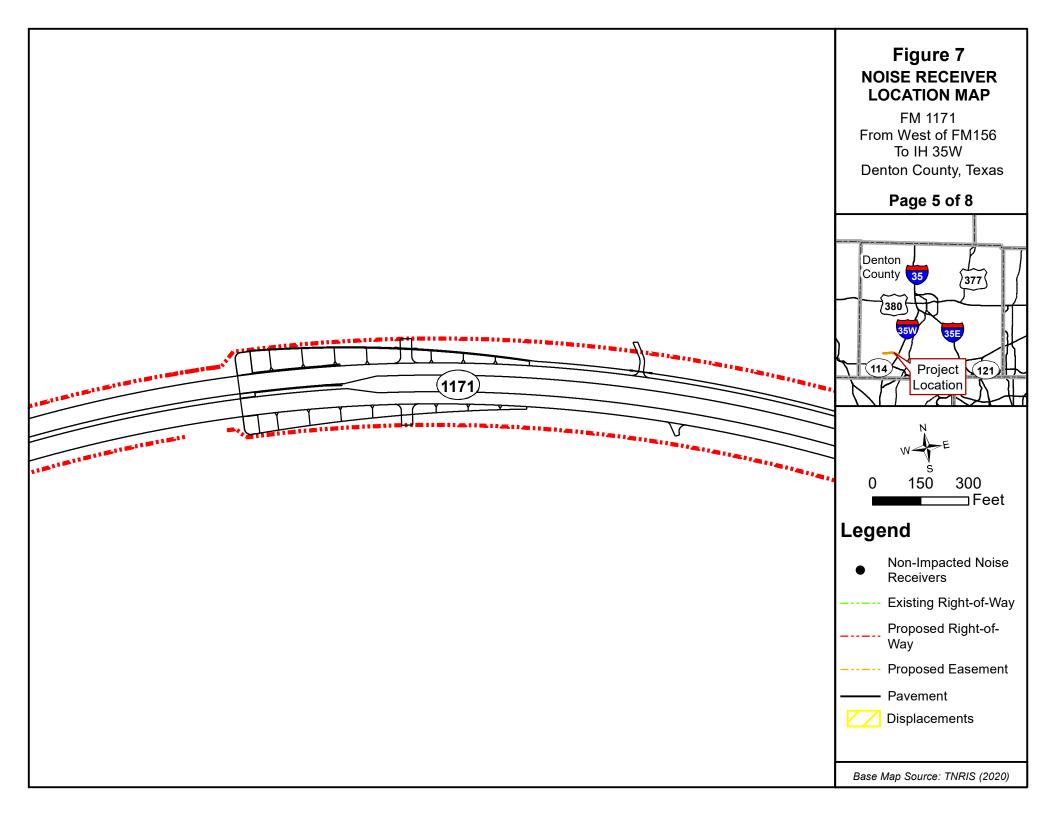


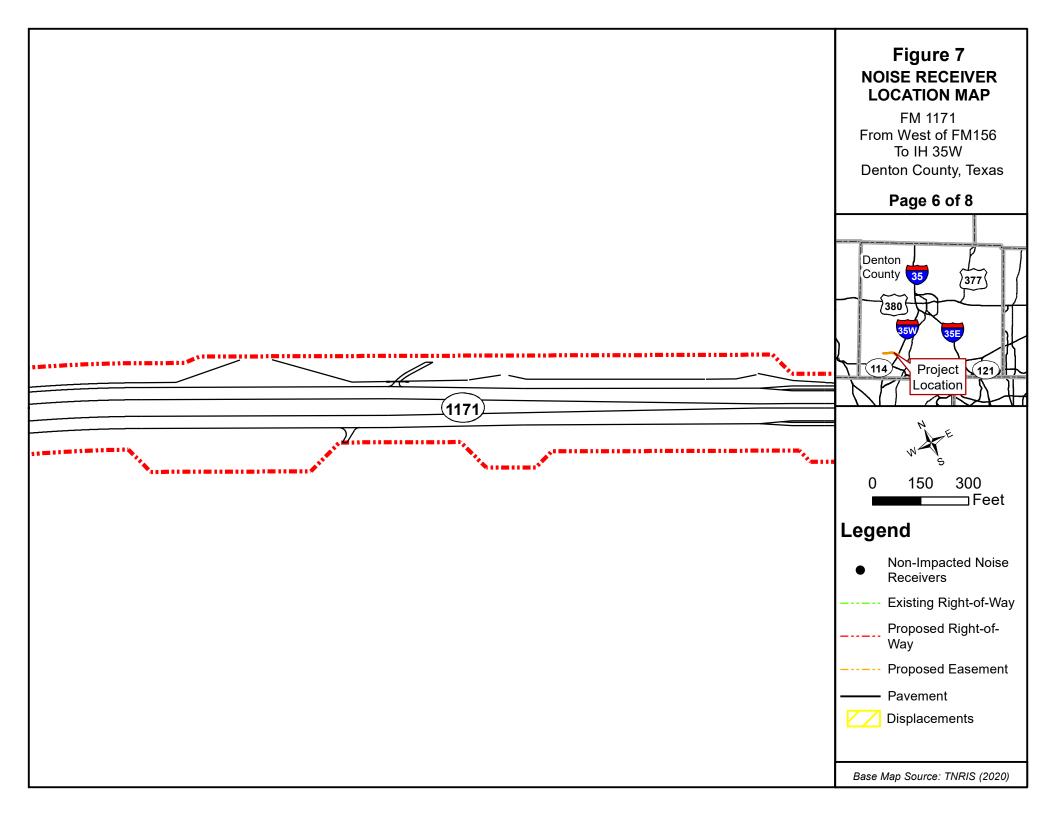


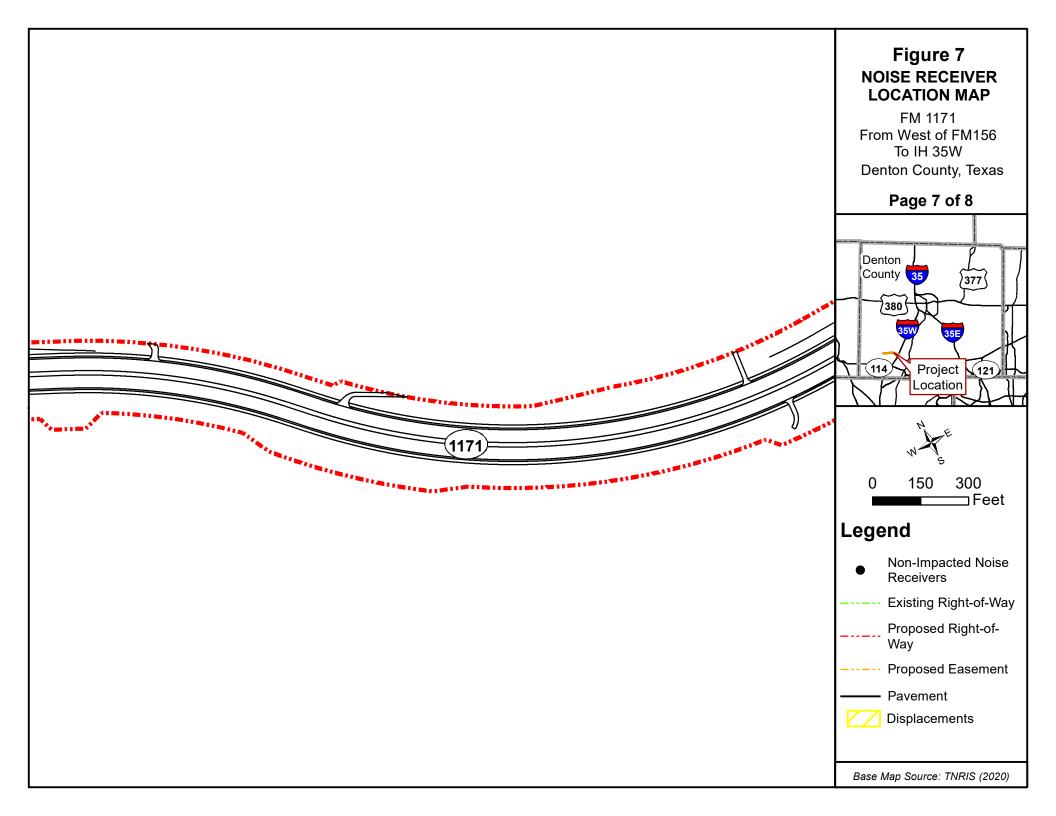


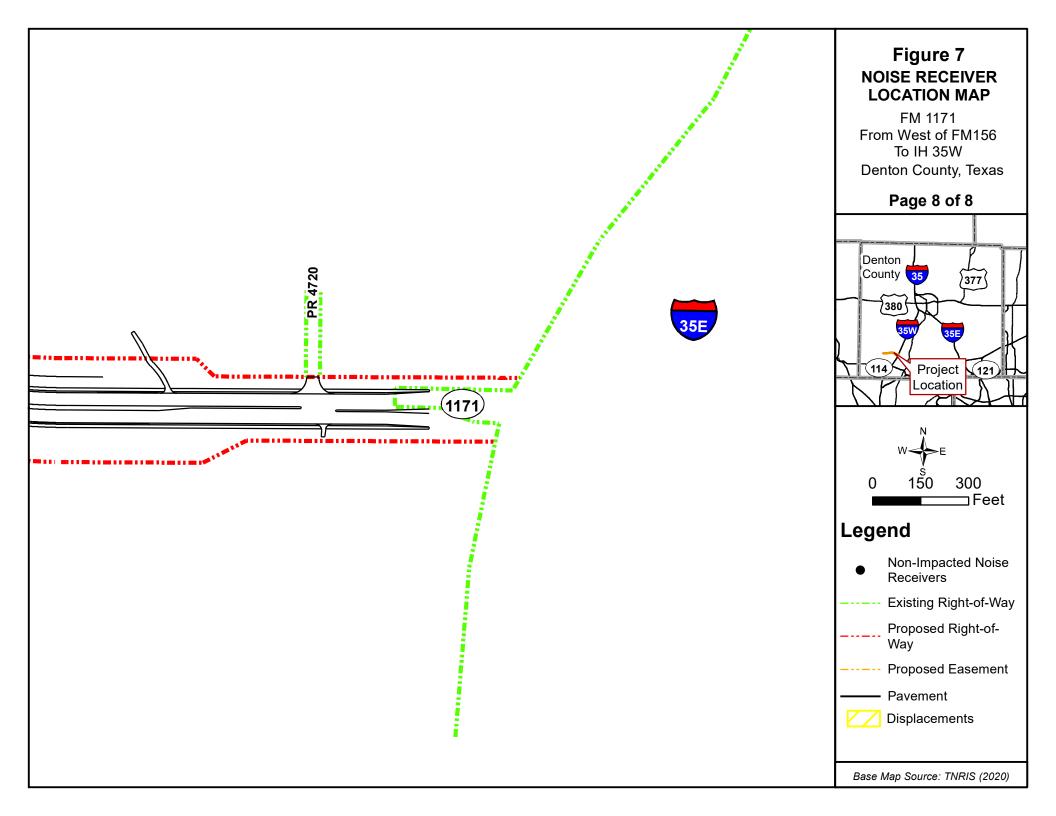


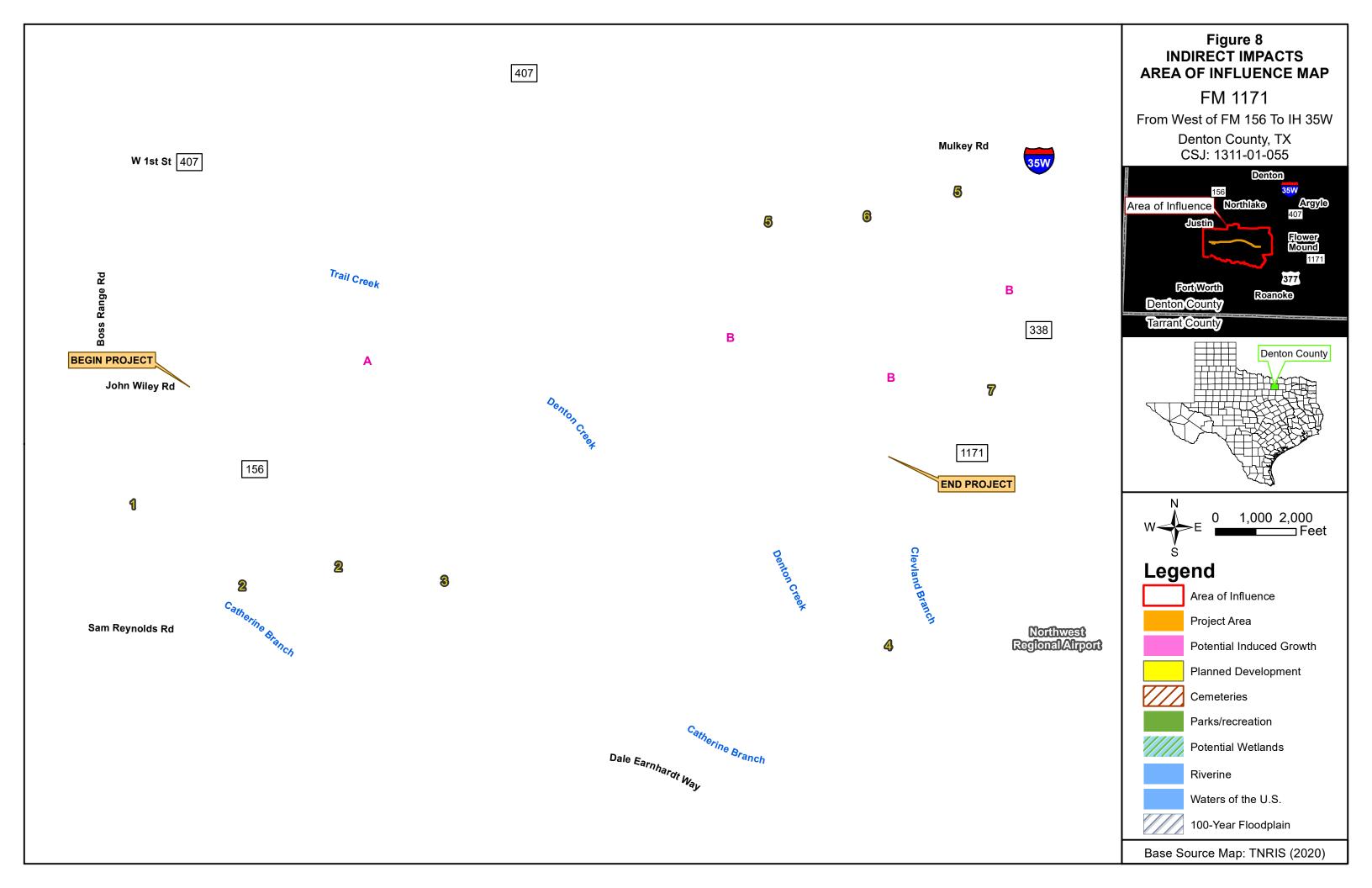


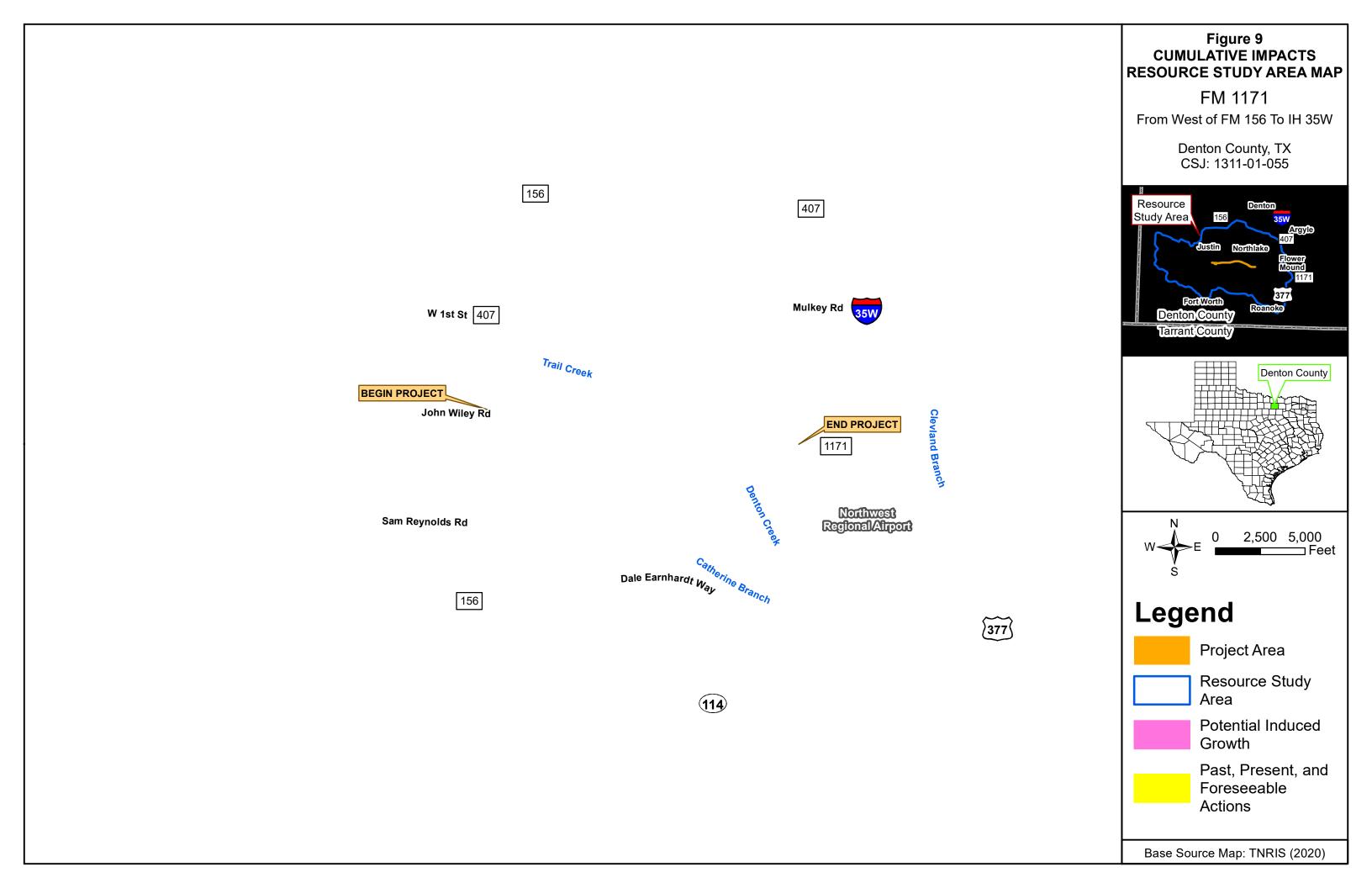












APPENDIX F RESOURCE AGENCY COORDINATION



MEMO
November 3, 2022

TO: Administrative File From: Renee Benn

District: Dallas
County: Denton

CSJ#: 1311-01-055 Highway: FM 1171

Project Limits: FM 156 to IH 35

Let Date: 2025

Project Summary: Construct new location roadway. New ROW req'd. No historic 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 9, 2019, and

executed by FHWA and TxDOT.

Project Description

See the attachment from TxDOT's Environmental Compliance Oversight System (ECOS) that describes the project, setting, and amount of right-of-way (ROW) and easements necessary for the project.

Determination of Eligibility:

TxDOT historians reviewed the National Register of Historic Places (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 previously documented within the area of potential effects (APE). The TxDOT Section 106 Programmatic Agreement defines the APE for this project as 300' from the proposed ROW as the project alignment is new location.

Based on the HRSR, TxDOT determined there are four historic-age (built prior to 1980) properties in the APE. All four properties are agricultural in type and have resources with dates ranging from c.1935 to 1980. As a clarification to the HRSR, resource 1f is not a former house as the HRSR states but a former milk house. TxDOT historians determined that the property is a common design that lacks architectural merit, is not the work of a master, and has no known historic associations with important events or persons, and is therefore not eligible for NRHP listing under Criterion A, B, or C.

Consultation

TxDOT consulted with the Denton CHC in September 2022 and they indicated they knew of no historic properties in the project area. See appendix F of HRSR.

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. In compliance with the Antiquities Code of Texas and the MOU, TxDOT historians determined project activities have no potential for adverse effects. Individual project coordination with SHPO is not required.

Program Manager _	Production de ser	for TxDOT 11/3/2022
_	BCD2B2E1F7EF495	
	Linda Henderson	Date

Project Description from ECOS:

-	Environmental Clearance Pro	iect Description	1					
- P	roject Area	Joer D Courtput						
	pical Depth of Impacts:	4	(Feet)		Maximum Depth of Impacts:	25 (Fee	et)	
N	ew ROW Required:	98	(A	Acres)				
N	w Perm. Easement Required:	0	(A	Acres)	New Temp. Easement Required	: 0	(Acre	es)
_ P	roject Description							
	Describe Limits of All Activities	4.5						
	The Texas Department of T construction of a new loc to Interstate 35 West (I-Texas. Construction withi Within the sectio construction of the roadw Within the sectio traversing through portio roadway would include a r	ransportation ransportation non-fre 35W), through n these limit on from Reatta ay would include the beginning fins of the Citural 4-lane (eway roadwa the Town of s would be Dr, extend ude a 6-lar rom Harmons y of Justin ultimate 6-	ay from of Nort propos ding ap ne urba son Rd n and t -lane)	junction with Denton County n west of FM 156 (beginning chlake and City of Justin, sed as both urban and rural oproximately 0.77 mile east an roadway (3 lanes in each and extending approximatel che Town of Northlake, cons roadway (2 lanes in each of	at Reatta Drive) in Denton County, : to Harmonson Rd, direction); y 1.89 miles east truction of the lirection); and,	^	
					and extending east for app Lude a 6-lane urban roadway	•	V	

Describe Project Setting: (1666 characters left) Spell

This project is located in a developing area in Denton County. Undeveloped lands, scattered single family residences, and oil/gas well pad sites comprise a majority of the immediate project vicinity. A residential subdivision, park, and retail strip center with service station/convenience store and fast food/drive-thru restaurants are located at the western end of the proposed project area in the City of Justin.

Based on preliminary desktop cultural resource investigation, no archeological or historic properties have been identified. There are historic-age properties, structures, and farmsteads within the proposed project study area that may require a survey. According to TxDOT's potential archeological liability maps, there is a high potential for National Register of Historic Places-eligible prehistoric archeological sites to be preserved in the near surface (less than three feet) and at deeper levels in the Denton Creek floodplain, which is traversed by the proposed project alignment. There are no identified historic districts, historic properties (including SALs), or Historic Bridges of Texas located within the project area.

13 natural gas pipelines that cross the proposed project study area. No other known hazardous material sites were identified that would pose an environmental concern to the proposed alignments.

The Burlington Northern Santa Fe (BNSF) at-grade railroad crossing traverses the proposed project area. The Texas Motor Speedway (TMS), which is located in the southern portion of the overall project study area in the City of Fort Worth and is considered to be located within close proximity of this proposed project.

Streams (Denton Creek and Trail Creek and some associated tributaries), Waters of the U.S., and wetlands are located within the study area. Soils rated as prime farmland and farmland of statewide importance are located within the proposed project study area. The majority of the project area is dominated by pasture, agricultural fields, disturbed and undisturbed oak-juniper woodlands, and large areas of hardwood riparian zones. Portions of the proposed project would be located within the 100-year flood plain and the floodway.

Because this is a new location roadway, impacts to access and travel patterns are anticipated because of the proposed project.

CSJ: 131101055 11/22

Describe Existing Facility: The proposed project is a new location roadway. There is no existing facility.

Describe Proposed Facility:

Construction within the project limits would be proposed as both urban and rural.

Within the urbanized sections of the roadway, the new location non-freeway roadway would consist of three 12-foot lanes in each direction, with a 16-foot. wide median, a 4-foot inside shoulders, 10-foot outside shoulders, a 10-foot wide shared use path, and, a 6-foot sidewalk with American Disabilities Act curb ramps in both directions. The usual ROW width for the urban roadway is 200 feet.

Within the rural section of the roadway, the new location non-freeway roadway would consist of two 12-foot lanes (ultimate 6-lanes) in each direction, a 60-foot. wide depressed median, 4-foot inside shoulders, and 10-foot outside shoulders for bicycle accommodations within the rural section of the proposed roadway. The usual ROW width for the rural roadway is 200 feet.

12-foot wide turn lanes would be constructed where appropriate at various locations throughout the project corridor. Proposed drainage will be conveyed by curb and gutter, a storm sewer system and crossing culverts. The design speed for the proposed roadway is 40 miles per hour (mph) for the urban sections and 70 mph for the rural section.

The project also proposes the construction of two new bridges:

- The proposed FM 1171 Bridge section spanning FM 156, B.N.S.F. Railroad, the GE Test Track Railroad, and Justin Cemetery Road, a length of approximately 535 feet. The usual ROW width varies from 250 feet to 300 feet.
- The proposed FM 1171 Bridge section spanning Denton Creek, a length of approximately 2,940 feet. This bridge will be constructed in phases interim and ultimate. The interim phase would consist of two 12-foot lanes in each direction with a 22-foot inside shoulder and a 10-foot outside shoulder. The ultimate phase would consist of three 12-foot lanes in each direction with a 10-foot inside and outside shoulder. The usual ROW width for both phases is 200 feet.

From:
To:
Subject: 131101055 FM 1171
Date: Monday, January 9, 2023 12:34:42 PM

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.



Re: Project Review under Section 106 of the National Historic Preservation Act and/or the

Antiquities Code of Texas THC Tracking #202303893

Date: 01/09/2023

131101055 FM 1171 (Permit 30652)

FM 1171 at IH 35 Justin,TX 76247

Description: TxDOT proposes to construct a road on new location. The submitted report is the draft archeological survey report for the accessible portions of the area of potential effect.

Dear TxDOT Staff:

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

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

Archeology Comments

- No historic properties affected. However, if cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.
- THC/SHPO concurs with information provided.
- This draft report is acceptable. To facilitate review and make project information and final reports available through the Texas Archeological Sites Atlas, we appreciate submission of tagged pdf copies of the final report including one restricted version with all site location information (if applicable), and one public version with all site location information redacted; an online abstract form submitted via the abstract tab on eTRAC; and survey area shapefiles submitted via the shapefile tab on eTRAC. For questions on how to submit these please visit our video training series at:

https://www.youtube.com/playlist?list=PLONbbv2pt4cog5t6mCqZVaEAx3d0MkgQC

Please note that these steps are required for projects conducted under a Texas Antiquities Permit.

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

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

Sincerely,



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

Please do not respond to this email.

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

January 6, 2023

RE: CSJ: 1311-01-055; FM 1171, New Location Non-Freeway, Denton County, Dallas District; Section 106 Consultation and Antiquities Code Coordination; Texas Antiquities Permit No. 30652

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

Dear Mr. Wolfe:

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

Undertaking Description

The proposed project will be undertaken with federal funds and will occur in part or in whole on non-federal public lands. TxDOT is proposing to construct a new location non-freeway roadway (FM 1171) from west of FM 156 (beginning at Reatta Drive) to Interstate 35 West (I-35W), through the Town of Northlake and City of Justin, in Denton County, Texas. Within the section from Reatta Dr. extending about 0.77 mile east to Harmonson Rd, construction of the roadway would include a 6-lane urban roadway (3 lanes in each direction); from Harmonson Rd. and extending approximately 1.89 miles east traversing through portions of the City of Justin and the Town of Northlake, construction of the roadway would include a rural 4-lane (ultimate 6-lane) roadway (2 lanes in each direction); and, from Harmonson Rd and extending east for approximately 1.89 miles to IH 35W, construction would include a 6-lane urban roadway (3 lanes in each direction).

Area of Potential Effects

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

- The project limits extend from west of FM 156 to IH 35W along FM 1171. The total project length is thus 3.39 miles, and the APE includes any existing ROW within these limits.
- The existing ROW comprises approximately 65.8 acres.
- The proposed project would require 98 acres of new right of way.
- The proposed project would require 1.4 acres of temporary and permanent easements.
- The estimated depth of impacts is typically four feet with a maximum depth of impacts of 25 feet.
- The APE is further detailed and illustrated in the attached report.

Identification Efforts

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

- The investigations reported here concern portions of the APE that did not warrant survey and portions of the APE that were accessible during survey.
- Archeologists undertook a survey. For this survey,
 - Zero acres had been previously surveyed or otherwise evaluated for this project;
 - 65.8 acres were identified as not requiring field survey, due to existing conditions of the setting identified through background research and described in the attached report;
 - About 38 acres of accessible new ROW were surveyed and described in the attached report;
 - o 61.4 acres still require survey due to access issues;
 - o previous investigation within the APE identified no archeological sites; and
 - o the current survey identified no archeological sites.

Effects Determination

The proposed project would have direct effects resulting from ground-disturbing construction activities within the APE. Given the results of the identification efforts, TxDOT proposes that the project will have no effect on archeological historic properties within the areas evaluated by survey thus far; however, additional survey is recommended on 61.4 acres of currently inaccessible new ROW once access is obtained. The next section identifies the steps recommended by TxDOT based on the results of the identification efforts and this effects analysis.

Recommendations

TxDOT seeks your concurrence on the following points:

• The identification efforts and analysis of effects completed to date are adequate.

CSJ: 1311-01-055, FM 1171, Denton County, Dallas District Texas Antiquities Permit No. 30652

- No further work or consultation is required within the evaluated portions of the APE.
 Once access is obtained to areas for which access has been denied, TxDOT will complete required investigations and consultation prior to construction.
- The attached draft report meets the reporting requirements of the Texas Antiquities Permit issued for the investigation.

Thank you for your consideration of this matter. If you have any questions or have need of further information, please contact me at 214-320-4472.

J. Nevi Hausella

Sincerely,

Kevin Hanselka Archeological Studies Branch Environmental Affairs Division

Cc w/o attachments: ECOS Scan

Concurrence By:	
for: Mark Wolfe, Executive Director and SHPO Texas Historical Commission	Date



February 6, 2023

To Whom It May Concern:

The Delaware Nation Historic Preservation Department received correspondence regarding the following referenced project(s):

Project: TxDOT CSJ 1311-01-055, Denton County, Dallas District, TX

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470f), and implementing regulation 36 CFR 800, "Protection of Historic Properties," **Delaware Nation accepts your invitation for consultation on this project.**

Our office is committed to protecting tribal heritage, culture and religion with particular concern for archaeological sites potentially containing burials and associated funerary objects. According to our files, the proposed project should have **no adverse effect** on any known cultural or religious sites of interest to the Delaware Nation, but there is always the potential for discovery of archaeological resources in this area.

<u>Please continue with the project as planned</u> keeping in mind during construction should human remains and/or any Native American archaeological resources inadvertently be uncovered, all construction and ground disturbing activities should immediately be halted until the appropriate state agencies, as well as this office, are notified (within 24 hours), and a proper archaeological assessment can be made.

Please note that Delaware Nation, the Delaware Tribe of Indians, and the Stockbridge Munsee Community are the only Federally Recognized Delaware/Lenape entities in the United States and consultation for Lenape homelands must be made with only the designated staff of these three Nations (and/or other federally recognized tribal nations who may have overlapping areas of interest). We appreciate your cooperation in contacting the Delaware Nation Historic Preservation Office to conduct proper Section 106 consultation. Should you have any questions, feel free to contact our offices at 405-247-2448 ext. 1403.

Carissa Speck

Carissa Speck Historic Preservation Director Delaware Nation Ph. 405-247-2448 ext. 1403 From:

Cc:

Subject: Sect. 106 Consultation Request - FM 1171 (CSJ 1311-01-055), Denton County, Dallas District

Date: Tuesday, January 3, 2023 3:35:32 PM

Sec. 106 Consultation

JANUARY 3, 2023

Contacts:

Kevin Hanselka

Notice:

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

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

Summary:

Project ID (CSJ), Roadway, Limits, County and TxDOT District	CSJ 1311-01-055, FM 1171 from West of FM 156 to IH 35W, Denton County, Dallas District
Project Sponsor:	TxDOT
Consultation Status	⊠Initial Consultation □ Continuation of Consultation Reason(s)
Short Description	FM 1171, Widen Road – Add Lanes and Shoulders
Lat/Longs	Begin Lat. 33.069773, Long97.308922 End Lat. 33.064484, Long97.244828
New Right of Way	98 acres proposed new ROW; 1.4 acres temporary and permanent easements.
Depth of Impacts	Typical four feet; maximum 25 feet
Known Archeological Sites or Properties in project area	n/a
Identification Efforts	Survey
Recommendations	No sites affected within surveyed new ROW properties (ca. 38 acres); however, prior to construction intensive survey with shovel testing is recommended on 61.4 acres of proposed ROW where access was denied, and trenching is recommended in two accessible properties where access with a backhoe was denied.
Link to Detailed Report	https://txdot.box.com/s/6rwgxm93n7fn58ekv78xp36ml2b39fh5

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

From:
To:
Subject: 131101055 FM 1171
Date: Monday, January 9, 2023 12:34:42 PM

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

THC Tracking #202303893

Date: 01/09/2023

131101055 FM 1171 (Permit 30652)

FM 1171 at IH 35 Justin,TX 76247

Description: TxDOT proposes to construct a road on new location. The submitted report is the draft archeological survey report for the accessible portions of the area of potential effect.

Dear TxDOT Staff:

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

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

Archeology Comments

- No historic properties affected. However, if cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.
- THC/SHPO concurs with information provided.
- This draft report is acceptable. To facilitate review and make project information and final reports available through the Texas Archeological Sites Atlas, we appreciate submission of tagged pdf copies of the final report including one restricted version with all site location information (if applicable), and one public version with all site location information redacted; an online abstract form submitted via the abstract tab on eTRAC; and survey area shapefiles submitted via the shapefile tab on eTRAC. For questions on how to submit these please visit our video training series at:

https://www.youtube.com/playlist?list=PLONbbv2pt4cog5t6mCqZVaEAx3d0MkgQC

Please note that these steps are required for projects conducted under a Texas Antiquities Permit.

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

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

Sincerely,



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

Please do not respond to this email.

From: <u>Leslie Mirise</u>
To: <u>WHAB TXDOT</u>

Cc: Michael McIntire; Christine Polito; Dan Perge

Subject: CSJ 1311-01-055 FM 1171 From West of FM 156 to IH 35W - Request to initiate Collaborative Review

Date: Wednesday, February 8, 2023 4:45:58 PM

Hello,

TxDOT requests initial collaborative review for the FM 1171 From West of FM 156 to IH 35W project in Denton County, Texas. Please see ECOS WPD I screen for the project description. The project includes new location non-freeway roadway in proximity of the town of Northlake and City of Justin. The following file names for relevant documents are available in ECOS:

- 1. CSJ 1311-01-055_FM 1171_USFWS Species List_20221208.pdf
- 2. CSJ 1311-01-055_FM 1171_TPWD RTEST Species List_20221208.pdf
- 3. APPROVED 01 1311-01-055 FM 1171 SAS 20230208.pdf
- 4. APPROVED 02 1311-01-055 FM 1171 SAF 20230208.pdf
- 5. APPROVED 03 1311-01-055 FM 1171 BMP Form 20230208.pdf
- APPROVED 04 1311-01-055 FM 1171 NDD 20220418.pdf
- 7. APPROVED 05 1311-01-055 FM 1171 EMST 20230208.pdf
- 8. APPROVED 06 1311-01-055 FM 1171 Actual Veg Map 20230208.pdf
- 9. APPROVED 07 1311-01-055 FM 1171 Vegetation Table 20230208.xlsx
- 10. APPROVED 08 1311-01-055 FM 1171 Bio Photos 20230208.xlsx
- 11. APPROVED 09 1311-01-055 FM 1171 Soils Map 20230208.pdf
- 12. APPROVED 10 1311-01-055 FM 1171 Bat Habitat 20230208.pdf
- 13. APPROVED 11 1311-01-055 FM 1171 Mussel Habitat 20230208.pdf
- 14. APPROVED 12 1311-01-055 FM 1171 Rare Plant Habitat 20230208.pdf
- 15. FINAL APPROVED CSJ 1131-01-055 FM 1171 Surface Water Analysis Form 1-04-23.docx
- FINAL APPROVED CSJ 1131-01-055_FM 1171_Waters if the U.S. Delineation Report 1-4-2023.pdf
- 17. FINAL APPROVED CSJ 113101-055FM 1171 Section 40410 Impacts Table 1-04-23.xlsx

As general timeline information, the Draft EA is expected to be released in April 2023 and environmental clearance is expected in May 2023. Please contact me with any questions or if additional information is needed.

Thank you,

Leslie Mirise

Environmental Specialist
Dallas District – DAL-ENV
Texas Department of Transportation
4777 East Highway 80
Mesquite, Texas 75150



FormDocumentation of Texas Parks and Wildlife Department Best Management Practices

Pro	Dject Name: FM 11/1
CS	SJ(s): 1311-01-055
Со	unty(ies): Denton
Da	te Form Completed: 2/7/2023
Pre	epared by: Jonathan Stewart, CAI, Inc. a Bartlett & West Co.
in	ormation on state-listed species, SGCN, water resources, and other natural resources can be found the ECOS documents tab under the filenames specified in the e-mail sent to HAB_TXDOT@tpwd.texas.gov.
1.	Does the project impact any state parks, wildlife management areas, wildlife refuges, or other designated protected areas?
	⊠ No
	☐ Yes
	<if describe="" yes,=""></if>
2.	Does TxDOT need TPWD assistance in identifying and locating Section 404 mitigation opportunities for this project?
	No / N/A / Not yet determined
	☐ Yes
	<if describe="" yes,=""></if>
3.	Is there a species or resource challenge that TPWD can assist with additional guidance? If so, describe below:
	<describe assistance="" requested=""></describe>



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

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

BMP to be Implemented:

Avoid harvester ant mounds in the selection of Project Specific Locations (PSLs)

Bird BMPs

- The following Bird BMP apply to projects within the range and in suitable habitat for all bird SGCN listed on TPWD's RTEST application. Please note that projects within the range and in suitable habitat for the bald eagle (*Haliaeetus leucocephalus*) are required to comply with the Bald and Golden Eagle Protection Act.
- In addition to complying with the Migratory Bird Treaty Act (MBTA) and Chapter 64 of the Parks and Wildlife Code (PWC) regarding nongame bird protections, perform the following BMP:
- Avoid vegetation clearing activities during the general bird nesting season, March through August, to minimize adverse impacts to birds.
- Prior to construction, perform daytime surveys for nests including under bridges and in culverts to determine if they are active before removal. Nests that are active should not be disturbed. If active nests are observed during surveys, TPWD recommends a 150-foot buffer of vegetation remain around the nests until the young have fledged or the nest is abandoned.
- Do not disturb, destroy, or remove active nests, including ground nesting birds, during the nesting season.
- If unoccupied, inactive nests will be removed, ensure that nests are not protected under the Endangered Species Act (ESA), MBTA, or BGEPA.
- Prevent the establishment of active nests during the nesting season on TxDOT owned and operated facilities and structures proposed for replacement or repair.
- Do not collect, capture, relocate, or transport birds, eggs, young, or active nests without a permit.
- Minimize extended human presence near nesting birds during construction and maintenance activities. Protect sensitive habitat areas with temporary barriers or fencing to limit human foot-traffic and off-road vehicle use to alert and discourage contractors from causing any unintentional impacts.
- Minimize construction noise above ambient levels during general bird nesting season to minimize adverse impacts on birds.
- Minimize construction lighting during the general bird nesting season by scheduling work activities between dawn and dusk.

Freshwater Mussel BMP

• In addition to Water Quality and Stream Crossing BMP, follow the most recent, "TPWD— TxDOT Annual Work Plan for Pre-Construction Surveys, Aquatic Resources Relocations, and Other Best Management Practices to Avoid, Minimize, and Mitigate Impacts to Freshwater Resources."



When work is adjacent to the water: Water Quality BMP implemented as part of the Texas
Commission on Environmental Quality (TCEQ) Stormwater Pollution Prevention Plan (SWPPP)
for a construction general permit or any conditions of the 401 Water Quality Certification for
the project will be implemented. (Note: SWPPP and 401 BMP are not listed in this document).

Water Quality BMP

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

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

Stream Crossings BMP

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

Terrestrial Amphibian and Reptile BMPs

- For open trenches and excavated pits, install escape ramps at an angle of less than 45 degrees (1:1) in areas left uncovered. Visually inspect excavation areas for trapped wildlife prior to backfilling
- Avoid or minimize disturbing or removing cover objects, such as downed trees, rotting stumps, brush piles, and leaf litter. If avoidance or minimization is not practicable, consider removing cover objects prior to the start of the project and replace them at project completion.



- Examine heavy equipment stored on site before use, particularly after rain events when reptile and amphibian movements occur more often, to ensure use will not harm individuals that might be seeking temporary refuge.
- Due to increased activity (mating) of reptiles and amphibian during the spring, construction
 activities like clearing or grading should attempt to be scheduled outside of the spring
 (March-May) season. Also, timing ground disturbing activities before October when reptiles
 and amphibians become less active and may be using burrows in the project area is also
 encouraged.
- When designing roads with curbs, consider using Type I or Type III curbs to provide a gentle slope to enable turtles and small animals to get out of roadways.
- If Texas tortoises (*Gopherus berlandieri*) or box turtles (*Terrepene* spp.) are present in a project area, they should be removed from the area and relocated between 100 and 200 meters from the project area. After removal of the individuals, the area that will be disturbed during active construction and project specific locations should be fenced off to exclude reentry by turtles, tortoises, and other reptiles. The exclusion fence should be constructed and maintained as follows:
 - The exclusion fence should be constructed with metal flashing or drift fence material.
 - o Rolled erosion control mesh material should not be used.
 - The exclusion fence should be buried at least 6 inches deep and be at least 24 inches high.
 - The exclusion fence should be maintained for the life of the project and only removed after the construction is completed and the disturbed site has been revegetated.

After project is complete, revegetate disturbed areas with an appropriate locally sourced native seed mix. If erosion control blankets or mats will be used, the product should not contain netting, but should only contain loosely woven natural fiber netting in which the mesh design allows the threads to move, therefore allowing expansion of the mesh openings. Plastic netting should be avoided.

Vegetation BMPs

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



Aquatic Amphibian and Reptile BMP

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

Insect Pollinator BMP



- Mowing should only be applied to 30% or less of a site in a given year when practical. In general, mowing is inadequate for management of native insect pollinator habitat in the long term, except to remove annual non-native plants during establishment (i.e., high-mowing before they flower) or to facilitate a light disking. When conducted it should be done post bloom or when host plants have gone dormant for the growing season. This can also be done by leaving strips of habitat farthest from road or highway corridors un-mowed when practical. • If mowing is required during period of active bloom or high pollinator activity it should be
 - implemented during the heat of the day and with a high mower deck to allow for pollinators to escape and to give late season blooming species a chance to recover and bloom.
- Deep soil disturbances, such as, tilling or deep disking in areas that host aggregations of ground-nesting bees should be avoided. Tilling and disking also may promote the invasion or germination of non-native plants. Different species of native ground-nesting bees prefer different soil conditions, although research suggests that many ground nesting bees prefer sandy, loamy sand or sandy loam soils. In areas with these soil types consider leaving open patches of soil.
- Allow dead trees to stand (so long as they do not pose a risk to property or people) and protect shrubs and herbaceous plants with pithy or hollow stems (e.g., cane fruits, sumac, elderberry), as these provide nesting habitat for tunnel-nesting native bees.
- Retain dead or dying branches whenever it is safe and practical at the edges of the ROW. Wood-boring beetle larvae often fill dead trees and branches with narrow tunnels into which tunnel-nesting bees will establish nests. Additionally, bumble bees may choose to nest in wood piles.
- Retain rotting logs at edges of the ROW where some bee species may burrow tunnels in which to nest.
- Protect sloped or well-drained ground sites where plants are sparse and direct access to soil is available. These are the areas where ground-nesting bees may dig nests. Turning the soil destroys all ground nests that are present at that depth and hinders the emergence of bees that are nesting deeper in the ground.
- Protect grassy thickets, or other areas of dense, low cover from mowing or other disturbance. These are the sites where bumble bees might find the nest cavities they need, as well as annual and perennial wildflowers that can provide important food resources.
- Where available and economical, native plants and seed should be procured from local ecotype providers. Seed mixes should be diverse and include as many ecoregion natives as possible ensuring full season floral resources. Species by Texas ecoregion can be found in the Texas Management Recommendations for Native Insect Pollinators in Texas document: https://tpwd.texas.gov/publications/pwdpubs/media/pwd_bk_w7000_1813.pdf.
- Planting at least three different native flowering plants within each of three blooming periods are recommended (spring, summer, early fall) in high rainfall regions of Texas. In drier regions of the state, a target of three native flowering plants within each of two blooming periods can be used. In areas along the I-35 corridor of central Texas consider increasing fall blooming nectar resources as this is a critical time period of monarch butterflies (Danaus plexippus) and nesting bees and has been identified as a critical need for these species in Texas. Habitat enhancements for native pollinators should include at least one native bunchgrass adapted to the site.
- Utilize an Integrated Pest Management Strategy (IPM) strategy for controlling weedy or invasive plants by minimizing broad use of certain herbicides and surfactants in close



proximity to intact habitats utilized by native pollinators. Reduce application timing to periods of low pollinator activity and not during peak bloom season.

Bat BMP

- Inform TPWD WHAB during initial collaborative review phase for projects that may impact the following bat species:
 - o Any Myotis spp.
 - Tricolored bat (Perimyotis subflavus)
- If identification of a bat species is in question, consult with TPWD or a qualified TxDOT biologist during initial collaborative review phase.
- For activities that have the potential to impact structures, cliffs or caves, or trees; a qualified biologist will perform a habitat assessment and occupancy survey of the feature(s) with roost potential as early in the planning process as possible or within one year before project letting.
- For roosts where occupancy is strongly suspected but unconfirmed during the initial survey, revisit feature(s) at most four weeks prior to scheduled disturbance to confirm absence of bats.
- If bats are present or recent signs of occupation (i.e., piles of guano, distinct musky odor, or staining and rub marks at potential entry points) are observed, take appropriate measures to ensure that bats are not harmed, such as implementing non-lethal exclusion activities or timing or phasing of construction.
- Exclusion devices can be installed by a qualified individual between September 1 and March 31. Exclusion devices should be used for a minimum of seven days when minimum nighttime temperatures are above 50°F AND minimum daytime temperatures are above 70°F. Prior to exclusion, ensure that alternate roosting habitat is available in the immediate area. If no suitable roosting habitat is available, installation of alternate roosts is recommended to replace the loss of an occupied roost. If alternate roost sites are not provided, bats may seek shelter in other inappropriate sites, such as buildings, in the surrounding area.
- If feature(s) used by bats are removed as a result of construction, replacement structures should incorporate bat-friendly design or artificial roosts should be constructed to replace these features.
- Conversion of property containing cave or cliff features to transportation purposes should be avoided.
- Avoid unnecessary removal of dead fronds on native and ornamental palm trees in south
 Texas (Cameron, Hidalgo, Willacy, Kenedy, Brooks, Kleberg, Nueces, and San Patricio
 counties) from April 1 through October 31. If removal of dead fronds is necessary at other
 times of the year, limit frond removal to extended warms periods (nighttime temperatures ≥
 55°F for at least two consecutive nights), so bats can move away from the disturbance and
 find new roosts.
- Large hollow trees, snags (dead standing trees), and trees with shaggy bark should be surveyed for colonies and, if found, should not be disturbed until the bats are no longer occupying these features. Post-occupancy surveys should be conducted by a qualified biologist prior to tree removal from the landscape.
- Retain mature, large diameter hardwood forest species and native/ornamental palm trees.
- If gating a cave or abandoned mine is desired, consult with TPWD before installing gates. Gating should only be conducted by qualified groups with a history of successful gating operations. Gate designs must be approved by TPWD.



- In all instances, avoid harm or death to bats. Bats should only be handled as a last resort and after communication with TPWD.
- Coordinate with TPWD about the latest bat handling restrictions and protocols involving COVID-19 and bat handling. In general, all staff must follow the guidelines listed below:
 - Do not handle bats if not part of a critical or time-sensitive research project. Contact TPWD to discuss your project needs before beginning work.
 - o All participants must follow CDC social-distancing guidelines.
 - Wear a face mask to minimize the exchange of respiratory droplets such as a surgical mask, dust mask, or cloth mask when within 6 feet of a living bat.
 - Use disposable exam gloves or other reusable gloves (e.g., rubber dish-washing gloves) that can be decontaminated to prevent spread of pathogens. Do not touch your face or other potentially contaminated surfaces with your gloves prior to handling bats.
 - Limit handling to as few handlers as possible.
 - Do not blow on bats for any reason.
 - Use separate temporary holding containers for each bat such as disposable paper bags.
 - Caves housing bats should be avoided unless absolutely necessary.
 - o Implement additional disinfection, quarantine, and cleaning procedures.
- Bat surveys of structures should include visual inspections of structural fissures (cracked or spalled concrete, damaged or split beams, split or damaged timber railings), crevices (expansion joints, space between parallel beams, spaces above supports piers), and alternative structures (drainage pipes, bolt cavities, open sections between support beams, swallow nests) for the presence of bats.
- Before excluding bats from any occupied structure, bat species, weather, temperature, season, and geographic location must be incorporated into any exclusion plans to avoid unnecessary harm or death to bats. Winter exclusion must entail a survey to confirm either, 1) bats are absent or 2) present but active (i.e., continuously active not intermittently active due to arousals from hibernation).
 - Avoid using materials that degrade quickly, like paper, steel wool or rags, to close holes.
 - Avoid using products or making structural modifications that may block natural ventilation, like hanging plastic sheeting over an active roost entrance, thereby altering roost microclimate.
 - Avoid using chemical and ultrasonic repellents.
 - o Avoid use of silicone, polyurethane or similar non-water-based caulk products.
 - Avoid use of expandable foam products at occupied sites.
 - Avoid the use of flexible netting attached with duct tape.
- In order to avoid entombing bats, exclusion activities should be only implemented by a qualified individual. A qualified individual or company should possess at least the following minimum qualifications:
 - Experience in bat exclusion (the individual, not just the company).
 - o Proof of rabies pre-exposure vaccinations.
 - Demonstrated knowledge of the relevant bat species, including maternity season date range and habitat requirements.
 - Demonstrated knowledge of rabies and histoplasmosis in relation to bat roosts.
- Contact TPWD for additional resources and information to assist in executing successful bat exclusions that will avoid unnecessary harm or death in bats.



General Design and Construction BMP

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

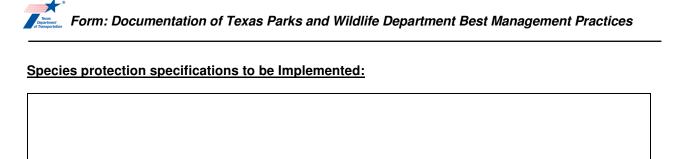
Rare Plant BMP

- The following plant BMP apply to projects within range of and in suitable habitat for all plant SGCN that are listed on TPWD's RTEST online application.
- Survey project area during appropriate seasons to allow for correct species identification. Habitat and survey seasons are usually during the flowering and/or fruiting period listed on the RTEST website, if available. Surveys should be performed within suitable habitat for the species. Survey effort is project-, species- and habitat-dependent. Botanical field surveys should be conducted by qualified individual(s) with botanical experience and according to commonly accepted survey protocols. Ensure that any equipment, tools, footwear and clothing are clean prior to entering the project site area to avoid introducing invasive species. Prior to surveying, TPWD Staff is available to provide assistance with species identification and appropriate survey effort.
- If SGCN plants are located, the surveyor should attempt to determine the complete extent of the occurrence and the approximate number of individuals within the occurrence. Suitable GPS equipment should be used to map the boundaries of the population. Photographs should be taken and/or voucher specimens should be collected (if sufficient plants are present, i.e.,



more than 10 reproductive plants). Please note that a state collection permit is required from TPWD to collect voucher specimens of state-listed species and a federal collection permit is required from U.S. Fish and Wildlife Service (USFWS) to collect federally listed species. Photographs should capture diagnostic characters of the species for verification and should be discussed with TPWD Staff prior to surveys if surveyor is unfamiliar with the species. Vouchers should be deposited with TPWD Staff or in one of Texas' major herbaria (e.g., University of Texas at Austin, Botanical Research Institute of Texas, Texas A&M University, Sul Ross State University, etc.).

- If there is a known TXNDD SGCN plant population within the project area and project timing or other constraints do not allow for surveys, contact TPWD Transportation Staff as soon as possible to discuss other options.
- If an SGCN plant species is located during surveys of the project area, then complete the following during the construction phase:
 - a. Avoid impacts and minimize unavoidable impacts. Plant locations should be protected with temporary barrier fencing and contractors should be instructed to avoid protected areas. Conducting construction outside of the growing season or after a plant has produced mature fruit is the preferred way to avoid/minimize impacts to SGCN plant populations. Staging areas, stockpiles, and other project related sites on TxDOT ROW should not impact SGCN plant populations. After construction begins, minimize herbicide use near SGCN plant populations (if possible, use hand-held spot sprayers, several meters from rare plants, on still or days with little wind).
 - b. If there are unintended impacts to SGCN populations, these impacts should be reported to TPWD Transportation Staff.
 - c. If the project footprint is finalized or is subject to change AND impacts to SGCN plants cannot be avoided, notify TPWD Transportation Staff as soon as possible. Early notification will allow adequate time and opportunity to seed bank or otherwise conserve populations prior to construction.
- Submit observation(s) of SGCN plant populations and associated data to the TXNDD and WHAB_TxDOT@tpwd.texas.gov. A TXNDD Reporting Form with shapefiles delineating the outer boundary of the population are preferable. Include detailed information on who identified and how a species was identified (resources/references used; diagnostic characters observed). If an SGCN plant population is located near non-native invasive plants, this should be recorded and reported in TXNDD Reporting Form.
- Although these BMP do not apply to federally listed species, the observation of federally listed species should also be submitted to TPWD.
- During project period, conduct work during times of the year when plants are dormant and/or conditions minimize disturbance of the habitat.
- Develop a plan based on growing season, mower height/season, etc. for protecting sites into
 future. Maps should also be developed for rare plant area, which includes no mow areas.
 Known rare plant sites on ROWs and/or new sites found in future projects can be added to
 this map/plan.
- Conducting maintenance outside of the growing season or after a plant has produced mature fruit is the preferred way to avoid/minimize impacts to habitat.
- 5. List all TxDOT species protection specifications that will be applied to this project (e.g., Amphibian and Reptile Exclusion Fence, Bat Houses, etc.)



Jon Niermann, *Chairman*Emily Lindley, *Commissioner*Bobby Janecka, *Commissioner*Erin E. Chancellor, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 10, 2023

Re: Response to Request for TCEQ Environmental Review

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

Farm-to-Market (FM) 1171, From West of FM 156 to Interstate Highway (I)-35W, Denton County (CSJ: 1311-01-055)

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

This project is in an area of Texas classified by the United States Environmental Protection Agency as severe nonattainment for the 2008 ozone National Ambient Air Quality Standard (NAAQS) and moderate nonattainment for the 2015 ozone NAAQS. Air Quality staff has reviewed the document in accordance with transportation and general conformity regulations codified in 40 Code of Federal Regulations Part 93. We concur with TxDOT's assessment.

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

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

If you have any questions, please contact the agency NEPA coordinator at (512) 239-0010 or NEPA@tceq.texas.gov

From: Maley, Barbara (FHWA)

To: Glendora Lopez

Cc: Campos, Jose (FHWA); Bruechert, Tom (FHWA); Tim Wood

Subject: FW: CRF for the FM 1171 From West of FM 156 to IH 35W (Denton County; CSJ 1311-01-055)

Date: Thursday, April 20, 2023 7:35:40 AM

Attachments: <u>image001.png</u>

<u>CRF Correspondence Letter.pdf</u> <u>CRF Correspondence Letter (00A).pdf</u>

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.

Glendora-

Attached is our approval of the project level conformity determination for FM 1171 from FM 156 to IH 35W (csj 1311-01-055) in Denton co.

Should you have questions and/or comments please do not hesitate to contact me.

cc: PL TL/Jose

EV TL/Tom B ENV/Tim W

W:\FINAL\PPD\Air Quality\Conformity Report Forms\CY 2023

Signed, Barbara 512.536.5926

From: Glendora Lopez <Glendora.Lopez@txdot.gov>

Sent: Thursday, April 13, 2023 9:19 AM

To: Maley, Barbara (FHWA) <Barbara.Maley@dot.gov>

Cc: Tim Wood <Tim.Wood@txdot.gov>; Campos, Jose (FHWA) <Jose.Campos@dot.gov>

Subject: CRF for the FM 1171 From West of FM 156 to IH 35W (Denton County; CSJ 1311-01-055)

Good morning Barbara,

Please review and respond to the attached conformity report form for FM 1171 from west of FM 156 to IH 35W in Denton County (CSJ 1311-01-055).

CC: Tim Wood (TxDOT ENV); Jose Campos (FHWA PPD)

Thank you,



Environmental Affairs Division | 6230 E Stassney Ln, Austin, Texas 78744

Office: (512) 840-9720 | Email: <u>Glendora.Lopez@TxDOT.gov</u>

April 13, 2023

Transmitted Via E-mail

Mrs. Barbara C. Maley, AICP Env/Tranp Plan Coord & Air Quality Specialist Barbara.Maley@dot.gov

Re: Request for Project-Level Conformity Determination

> **Denton County** CSJ 1311-01-055

FM 1711: From West of FM 156 to IH 35W

Dear Mrs. Maley:

Attached is the copy of the Transportation Conformity Report Form for your review and concurrence.

A project-level conformity determination is requested from you. If you have any questions regarding this project, please contact me at (512) 840-9720.

Sincerely,

-DocuSigned by:

-D7144948868E4E9.. Glendora Lopez Air Specialist

Glendora lopes

Environmental Affairs Division

Attachment(s)



Project Facility Name: FM 1171

MPO Project IDs: RSA1-2.270.200, RSA1-2.270.225, RSA1-2.270.235

Project CSJ Numbers: 1311-01-055

Project Limits

From: West of FM 156

To: IH 35W Project Sponsor: TxDOT

Project Description1: From west of FM 156 to east of FM 156, construct a 6 lane divided roadway on new location. From east of FM 156 to west of PR 4720, construct 4 lane divided roadway on new location. From west of PR 4720 to IH 35W, reconstruct

and widen existing 2 lane rural roadway to a 6 lane divided arterial.

Date of anticipated	environmental	decision/re-evaluation:	May 2023
Date of affiliation	environneniai	uecision/re-evaluation.	IVIAV ZUZJ

Let Year: 2026 ETC² Year: 2028

Conformity Year³: 2036

Total Project Cost: \$144 Million

Adding Capacity? X Yes □No

Counties: Denton

Project Classification: ☐ CE ☐ EA ☐ EIS ☐ Re-evaluation

Important Information

A determination of project-level conformity is not permanent. It is recommended that conformity be checked early and often in the project development process, but that this specific form be coordinated within 60 days of the anticipated environmental decision to avoid coordinating the form more than once. The following events would require a project's conformity determination to be reevaluated.

- 1. Changes to the project's design concept, scope, limit, funding, or estimated time of completion (ETC) year
- 2. Changes to the project's listing in the MTP, TIP, or STIP related to design concept, scope and limits; funding or ETC year
- 3. New conformity determinations on the applicable MTP, TIP, or STIP (even if it occurs after the FHWA/FTA project-level conformity determination has been made)

Form

Project description, project details, and other project information should include enough detail in order to make a determination of project consistency with the MTP, TIP, STIP, and corresponding transportation conformity determination.

² The ETC or estimated time of completion year is the date the entire project as described in the environmental review document will be open to traffic.

³ If this project is NOT considered regionally significant by the MPO, enter "N/A – non-regionally significant". In addition, note that the conformity year is sometimes referred to as the network year. When a MTP identifies a specific timeframe during which a project will be operational, the last year of that timeframe is the conformity year.



In particular, if there is a planned MTP update/amendment and associated transportation conformity determination expected to be completed on or near the time of project approval, it is recommended that the project sponsor prepare this conformity determination after the plan update/amendment and associated transportation conformity determination is completed, if the update/amendment will affect the project as specified in item 1 above. Consult with ENV air specialist if further assistance is needed.

Instructions

Check the appropriate box for each question, using the most current information available, and be aware that the answers will dictate which questions must be answered for each specific project. Start with Step One, and follow the instructions included in each step, if any additional instructions are provided.

The information displayed between carets, <like this> represents a field that should be customized with project specific information. In the electronic file, these fields are highlighted in grey. Content prompts, like **Choose an item**, represent dropdown menus, which also must be customized with project specific information.

If the form requires the preparer to "STOP" because something is lacking, then it is recommended that the time it would take to make the necessary changes to the MTP, TIP, or project should be re-evaluated against the project's proposed letting date (i.e., letting date may need to be adjusted).

Step 1:	Is this a federal project with a federal lead other than FHWA/FTA?								
	Yes – STOP. Transportation conformity does not apply to the project, however, general conformity may apply.								
	Consult the ENV air specialist regarding this project and potential general conformity requirements.								
	No − Continue to Step 2.								
Step 2:	Is this a FHWA/FTA project⁴?								
	☐ No – Continue to Step 3.								
Step 3:	Is this project considered regionally significant ⁵ in accordance with <u>40 CFR 93.101</u> or <u>30 TAC 114.260(d)(2)(iv)</u> ?								
	☐ Yes – Continue to Step 4.								
	No − STOP. In accordance with 40 CFR 93.102(a)(2), a project level transportation conformity determination is not required for non-regionally significant, non-FHWA/FTA projects.								

-

⁴ Note that this includes projects which may not have federal funding but would otherwise require federal approval.

⁵ If a project is on the MPO's NON-regionally significant project list, it is not regionally significant. Each MPO may have different criteria for designating a project as regionally significant.





Step 4:	Is the project located in a nonattainment or maintenance area6 for ozone7, nitrogen dioxide (NO2), carbon monoxide (CO), particulate matter (PM2.5 or PM10)?							
	Yes – Transportation conformity rules apply. The project is located in the EPA designated Dallas-Forth Worth severe and moderate nonattainment ⁸ area for 2008 and 2015 ozone NAAQS, respectively. Continue to Step 5.							
Step 5:	Is the project exempt ⁹ from conformity in accordance with <u>40 CFR 93.126¹⁰ or 40 CFR 93.128¹¹?</u>							
	Yes – STOP. Transportation conformity does not apply to the project. This project falls under the following exemption: Choose an item.							
	No − Continue to Step 6.							
Step 6:	Is the project exempt from the regional conformity analysis in accordance with 40 CFR 93.127?							
	Yes – The project is exempt from regional conformity requirements. This project falls under the following exemption: <i>Choose an item.</i> Proceed to Step 16.							
	No − Continue to Step 7.							
Step 7:	Does the project fall within the boundaries ¹² of an MPO?							
	☐ No – Continue to Step 8.							

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⁶ If unsure about the nonattainment or maintenance status, it can be checked in multiple locations, including: the <u>EPA</u> Greenbook, the TCEQ website, or the applicable table in the Air Quality toolkit.

⁷ Note the 1997 ozone standard was revoked by EPA.

⁸Area classifications can be either maintenance, marginal nonattainment, moderate nonattainment, serious nonattainment, severe nonattainment, or extreme nonattainment

⁹ Most added capacity projects will not be exempt, whereas most non-added capacity projects will be exempt.

¹⁰ Ultimately, the interpretation of what projects types meet these exemption criteria is under the purview of the federal lead agency. For example, although it could be interpreted to meet some of the exemption project types, a project changing from general purpose to managed lanes is NOT considered to be exempt from conformity.

¹¹ Grouped CSJ projects, by rule, must be exempt under these criteria.

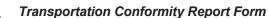
¹² i.e., within a Metropolitan Planning Area (MPA)



Step 8:	Is the project design concept, scope and limits, conformity analysis year, and funding consistent with an approved ¹³ regional conformity analysis for an isolated rural area that meets the requirements of 40 CFR 93.109?
	Yes – The project is consistent with an approved regional conformity determination that meets the requirements of 40 CFR 93.109 for isolated rural areas. Proceed to Step 16.
	No − STOP. The project is not consistent with a regional conformity determination for an isolated rural area. TxDOT will not take final action until the project is consistent with an approved regional conformity determination that meets the requirements of 40 CFR 93.109 for isolated rural areas.
	Do not sign this form. Please ensure that the project is included in and consistent with an approved regional conformity determination then reevaluate the project using this form.
Step 9:	Are all of the project phases ¹⁴ for the entire project described in the environmental document included in the fiscally constrained portion of the MTP?
	□ No – STOP. The project was not included in the area's regional conformity determination, and, therefore, is not consistent with it. The MTP needs to be amended to include this project and a new conformity determination needs to be made on the MTP before consistency can be determined for the project, or the project needs to be revised to be consistent with the existing MTP.
	Consult with the district TP&D and MPO on how to proceed.
Step 10:	Is at least one phase of the project beyond the NEPA study (corridor study) included in either the appropriate year of the conforming TIP ¹⁵ or in Appendix D (if will not be let within the timeframe of the TIP)?
	✓ Yes – Continue to Step 11.
	No – STOP. The project is not included in the conforming TIP and is therefore not consistent with it. At least one phase of the project must be added to the conforming TIP before consistency can be determined.
	Consult with the district TP&D and MPO on how to proceed.
¹³ The cons	sultation partners are responsible for approving regional conformity analyses.

¹⁴ A project phase is a separate portion of a project such as: NEPA study, ROW acquisition, final design, construction, and/or partial construction.

¹⁵ In Texas, a conforming TIP is one that has been included into the STIP, so projects must be in the STIP in order to show that they come from a conforming TIP.



Step 11:	Are the cur MTP and S	rent project limits the same ¹⁶ or do they fall within the project limits listed in the TIP?
	⊠ Yes -	- Continue to Step 12.
	□ No –	STOP. The project is not consistent with the conforming MTP and TIP. Either the MTP and TIP, or the project needs to be revised before consistency can be determined.
		Consult with the district TP&D and MPO on how to proceed.
Step 12:		ty being proposed the same as that in the MTP and STIP project description in of facility and number ¹⁸ of lanes?
	⊠ Yes -	- Continue to Step 13.
	□ No –	STOP. The project is not consistent with the conforming MTP and TIP. Either the MTP and TIP, or the project needs to be revised before consistency can be determined.
		Consult with the district TP&D and MPO on how to proceed.
<i>St</i> ep 13:		roject's ETC year fall between its identified conformity year ¹⁹ in the MTP and the onformity year identified in the MTP?
	⊠ Yes -	- Continue to Step 14.
	□ No –	STOP. The project is not consistent with the conforming MTP and TIP. Either the MTP and TIP or the project needs to be revised before consistency can be determined.
		Consult with the district TP&D and MPO on how to proceed.
	□ N/A -	This project is non-regionally significant. Continue to Step 14.
Step 14:	Is the estin	nated total project cost or the cost identified in the MTP greater than \$1,500,000?
	⊠ Yes -	- Proceed to Step 15.
		Fiscal constraint requirements do not apply. This project is consistent with the currently conforming MTP and TIP. Proceed to Step 16.
¹⁶ The limit		

Form

^{(~1}mile) than the limits noted in the MTP due to transition areas for safety or other factors required to be considered when establishing logical termini for environmental document purposes.

¹⁷ The type of activity refers to the type of enhancement, such as: main lanes, frontage roads, HOV lanes, direct connectors, bridge replacement, etc...

¹⁸ The number refers to the amount of each activity type, such as: number of main lanes or number of frontage lanes.

¹⁹ For the purposes of this determination, the term conformity year is synonymous with the network analysis year for the MTP.

Step 15:	Does the estimated project cost exceed what is contained in the MTP by more than 50% ²⁰ ?
	Yes – STOP. The project is not consistent with the MTP and TIP because it is not fiscally constrained. Either the MTP and TIP, or the project needs to be revised before consistency can be determined or a case-by-case decision will need to be made by FHWA.
	Consult with the district TP&D and MPO on how to proceed.
	No − This project is consistent with the currently conforming MTP and TIP. Continue to Step 16.
Step 16:	Is the project located in either a CO, $PM_{2.5}$, or PM_{10} nonattainment or maintenance area? ²¹
	Yes – Continue to Step 17.
	No − Hot-spot conformity requirements do not apply. Proceed to Step 21.
Step 17:	Is this a state or local project with NO federal funding and NO federal decision required?
	Yes – Hot-spot conformity requirements do not apply. Proceed to Step 21.
	□ No − Hot-spot conformity requirements apply. Request the local MPO to initiate a consultation call with the Consultation Partners.
	Fill out the Hot-Spot Analysis Data for a Consultation Partner Decision Form to present the project data to the Consultation Partners for review prior to the consultation call.
	Continue to Step 18.
Step 18:	Did the consultation partners determine that this is a project of air quality concern (POAQC)?
	Conduct a hot-spot analysis in accordance with the methodology approved by the consultation partners, and use the applicable <u>EPA hot-spot guidance</u> .
	Continue to Step 19.
	Proceed to Step 21.

²⁰ Multiply the MTP cost by 1.5. The current estimated total project cost should not exceed this amount.

²¹ Note that this currently only applies to projects in El Paso.

Step 19:	worsen a	approved hot-spot analysis verify that the project will not cause, contribute to, or violation of applicable CO, PM _{2.5} , or PM ₁₀ NAAQS or that the project will at least conditions from that of the no-build alternative?
	☐ Yes	s – The project is not anticipated to cause, contribute to, or worsen a violation of the applicable NAAQS. Continue to Step 20.
	□ No	 STOP. The project, as it is currently presented, does not comply with conformity requirements because it is anticipated to cause, contribute to, or worsen a violation of the applicable NAAQS.
		Identify and get consultation partner agreement upon mitigation measures to offset project impacts to air quality. Reevaluate this project using this form once these mitigation measures have been identified and committed to.
Step 20:		he agreed upon mitigation measures as well as any applicable SIP control measures a written commitment?
	☐ Yes	s – Continue to Step 21.
	☐ No	- STOP.
	miti	not proceed until there are written commitments to implement all the agreed upon igation measures and any applicable SIP control measures. Reevaluate this project and this form once these commitments have been made in writing.
		because no mitigation is required and there are no applicable SIP control measures ch affect this project, Continue to Step 21.
Step 21:	The trans	portation conformity evaluation is complete.
	sec	ach applicable pages of the MTP and TIP, or the STIP, project schematics, typical tions, hot-spot analyses and determinations, and any conformity related public nment and response. Implement the following processing instructions as applicable.
		s is a regionally significant State-only project with no FHWA/FTA action required (the wer to Steps 3 is yes); therefore:
	con	omit this form to the ENV air specialist. If ENV concurs that all project level formity requirements have been met, ENV shall sign the form below. Coordination of FHWA/FTA is not required.
	Ret	ain this form in the project file.
		s is a FHWA/FTA non-exempt project (the answer to Steps 2 and 4 is yes, and the wer to Steps 5 and 6 is no); therefore:
	cod FH sha con	omit this form to the ENV air specialist. After ENV air specialist review, ENV will ordinate this form with FHWA/FTA for a project level conformity determination. If WA/FTA agrees that all project level conformity requirements have been met, they sign the project level conformity determination line below. A project level formity determination is not complete and project clearance cannot be given until WA/FTA signs this form.
	Ret	ain this form and any coordination with FHWA/FTA in the project file.



TxDOT ENV Transportation Conformity Validation Complete:

.,	and position and a second confidence.
Project CSJ No Signature	Umbers: 1311-01-055 Docusigned by: Gundora Lopex D7144948868E4E9
Name:	Glendora Lopez
Title:	Environmental Specialist
Date:	4/13/2023
	termination of the Project-level Conformity:
Name:	
Title:	Air Quality Specialist and Transportation Planner
Date:	

NOTE: FHWA project-level conformity determination is based upon clarification provided by TxDOT (attached).

List Of Appendices

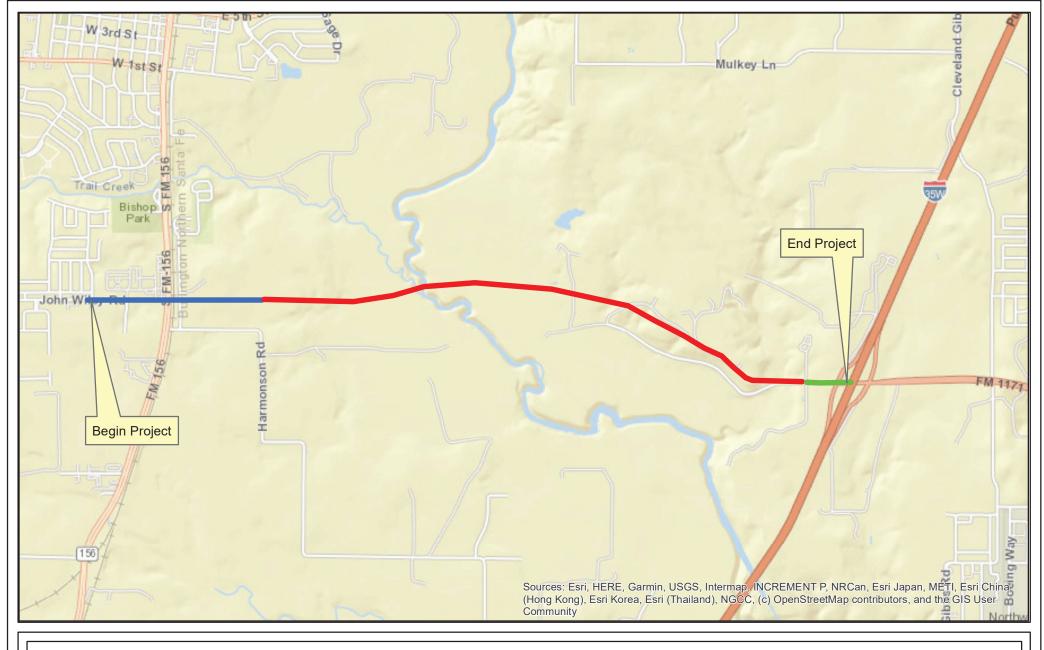
APPENDIX A: Project Location Map

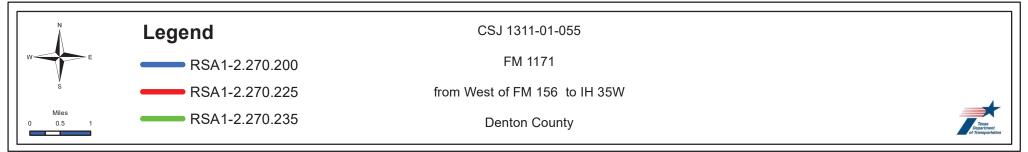
APPENDIX B: Mobility 2045 - 2022 Update Regionally Significant Arterials Listing

APPENDIX C: STIP 2023-2026

APPENDIX D: Typical Sections

APPENDIX A Project Location Map





APPENDIX B Mobility 2045 - 2022 Update
Regionally Significant Arterials Listing

Regionally Significant Arterials Improvements Summary

RSA ID	Agency	County	Facility	From	From To		2026 Lanes	2036 Lanes	2045 Lanes	Total Project Cost*
2.205.475	TxDOT Dallas	Denton	SH 114**	FM 156	Double Eagle Blvd	2/2	2/2	N/A	N/A	Included w/ Freeways/Tollways
2.205.500	TxDOT Dallas	Denton	SH 114**	Double Eagle Blvd	IH 35W	3/3 (Frtg)	3/3 (Frtg)	N/A	N/A	Included w/ Freeways/Tollways
2.205.600	TxDOT Dallas	Denton	SH 114**	US 377	IH 35W	2/2 (Frtg)	N/A	N/A	N/A	Included w/ Freeways/Tollways
2.205.625	TxDOT Dallas	Denton	SH 114**	US 377	East of US 377	2/2 (Frtg)	N/A	N/A	N/A	Included w/ Freeways/Tollways
2.205.650	TxDOT Dallas	Denton	SH 114**	East of US 377	SH 170	2/2	N/A	N/A	N/A	Included w/ Freeways/Tollways
2.215.350	TxDOT Dallas	Denton	Eldorado Parkway	West of FM 720	FM 720	4	4	4	6	\$5,000,000
2.225.425	TxDOT Dallas	Denton	US 380	East of Fish Trap Road	US 377	2/2	2/2	3/3	3/3	\$3,340,000
2.225.440	TxDOT Dallas	Denton	US 380	US 377	Potter Shop Road	4	4	6	6	\$14,935,100
2.225.445	TxDOT Dallas	Denton	US 380	Potter Shop Road	FM 720	4	4	6	6	\$77,798,026
2.225.450	TxDOT Dallas	Denton	US 380	FM 720	FM 423	4	4	6	6	\$39,159,223
2.225.475	TxDOT Dallas	Denton	US 380	FM 423	Teel Parkway/ Championship Drive	4	4	3/3	3/3	\$70,247,012
2.225.500	TxDOT Dallas	Denton	US 380	Teel Parkway/ Championship Drive	East of Legacy Drive	4	4	3/3	3/3	\$128,200,000
2.270.200	TxDOT Dallas	Denton	FM 1171	West of FM 156	East of FM 156	0	0	6	6	\$29,400,000
2.270.225	TxDOT Dallas	Denton	FM 1171	East of FM 156	West of PR 4720	0	0	4	4	\$80,800,000
2.270.235	TxDOT Dallas	Denton	FM 1171	West of PR 4720	IH 35W	2	2	6	6	\$33,800,000
2.270.290	TxDOT Dallas	Denton	Main Street	IH 35E	Cowan Avenue	4	4	6	6	\$2,728,400
2.286.325	TxDOT Dallas	Denton	Corporate Drive	Railroad Street	East of Holford's Prairie Road	0	4	4	4	\$15,502,609
2.286.350	TxDOT Dallas	Denton	Corporate Drive	East of Holford's Prairie Road	SH 121 SRT	4	4	4	4	Included w/ 2.286.360
2.286.360	TxDOT Dallas	Denton	Corporate Drive	SH 121 SRT	FM 2281 Old Denton Road	3	4	4	4	\$6,843,921
1.220.725	TxDOT Dallas	Ellis	US 287**	St Paul Road	Old Fort Worth Road	2/2	2/2	N/A	N/A	Included w/ Freeways/Tollways

(Frtg): Frontage Lanes

NOTE: 2/2 - Directional lanes (facility serves as either a couplet or facility with wide median); 4 - Total lanes of both directions

^{*}Total Project Cost based on Year of Expenditure

^{**}Staged facilities reported as "N/A" indicate project is no longer classified as an arterial, and future lanes will be reported in the Freeway/Tollway Recommendations listing instead

APPENDIX C 2023 - 2026 STIP



Logged in as Glendora Lopez Log Out

							(PIO)	ect Manag	emently	Reports □ Suppo
oject Management > A		NCTCOG) > Revision	_		assigned) > Hi		_	-	roject Details · latest approv	red copy
Statewide ②		STIP Revision ②	None	~	Phase ②	_ c	onstruction	Total	Project Cost I	nformation
District ②	DALLAG	County (2)	DENITON			Ų E	ngineering	Prelim E	ngineering 🕐	\$1,600,000
District 😈	DALLAS	∨ County ②	DENTON	~			Environmental	ROW	/ Purchase 🕐	\$9,090,000
мро 🔮	NCTCOG	✓ Highway ②	FM 1171			~	Engineering	Constru	ction Cost 🕐	\$116,126,453
						✓ R	ight-of-Way	Const E	ngineering 🕐	\$7,485,107
CSJ 🐨	1311 - 01 - 055	TIP FY 🕄	2023			~	Acquisition		tingencies ⁽²⁾	\$6,160,846
							Utilities ransfer	Indi	irect Costs 🕐	\$3,324,167
							idilisici	Bond	Financing 3	\$0
Revision Date ②	11/2022				NOX (Kg 🗸	/D): (0.0000	Potenti	al Chg Ord 🕐	\$0
roject Sponsor 🕲	DENTON CO				VOC (Kg 🗸	/D): (0.0000	Total P	roject Cost 🕙	\$143,786,573
O Proj Number 🕐	55218				PM10 (Kg 🗸	/D): (0.0000)	YOE Cost 🕙	
MTP Reference ②	RSA1-2.270.235, RSA	A1-2.270.225, RSA	1-2.270.200		PM2.5 (Kg 🗸	/D): (0.0000)	Toll 🕐	
City 🕐	VARIOUS				CO (Lbs 🗸	/D): (2		тсм 🕙	
Limits From ②	IH 35W									
Limits To 🕅	WEST OF FM 156]		
Lillits 10 W	WEST OF FINI 156									
ect Description ②	CONSTRUCT NEW 0)/2 TO 4/6 LANE DI	VIDED ARTE	RIAL						
P7 Remarks ②	INCREASE ROW FU	NDING; LOCAL CC	ONTRIBUTION	I PAID BY DE	NTON COUNTY	,				
Project History ®	R IN FY2023 IS ROW	/ AND R IN FY2025	IS UTIL							
			Authori	zed Funding	by Category/SI	hare				
Category	Federal	Stat	e	Regiona	ı ı	_ocal	Match Loc	al Contrib	utions	Total
3LC ✓		\$0	\$0		\$0		\$0	\$10	,600,000	\$10,600,000
Total	\$	60.00	\$0.00		\$0.00		\$0.00	\$10,	600,000	\$10,600,000
DISTRICT	MPO	COUNTY	CSJ	TIP F			PHASE CIT			YOE COST
LIMITS PROJE DES	P7: INCREASE ROW F	V 0/2 TO 4/6 LANE D	ONTRIBUTION	RIAL	: PRO.II	FCT F		T SPONSO REVIS MPO F FUNDI	R: DENTON CO ION DATE: 11/2 PROJ NUM: 552 NG CAT(S): 3L0 FY2025 IS UTIL	2022 218 C
TOTA	DENTON COUNTY L PROJECT COST INFO				AUTHORIZED	rni. FUND	ING BY CATEGORY	/SHARE		
PRELIM E ROW PUR	NG: \$ 1,600,000	<u>C.</u>		FEDERAL	STATE		GIONAL LOCAL N	MATCH	LC	TOTAL
CONST E CONTI INDIRE BOND	DST: \$ 116,126,453 NG: \$ 7,485,107 NG: \$ 6,160,846 ECT: \$ 3,324,167	APPROVED TO PHASES TO \$ 10,600,000	_C DTAL	\$ 0 \$ 0	\$ 0 \$ 0		\$ 0 \$ 0		\$ 10,600,000 \$ 10,600,000	\$ 10,600,000 \$ 10,600,000
POT CHG O TOTAL CO	RD : \$ 0									

TIP History

2023-2026 STIP 11/2022 Revision: Approved 02/10/2023									
DISTRICT	MPO	COUNTY	CSJ	TIP FY	HWY	PHASE	CITY	YOE COST	
DALLAS	NCTCOG	DENTON	1311-01-055	2023	FM 1171	E,ENG,R,ACQ	VARIOUS	\$ 10,600,000	

PROJECT DESCR:	IH 35W WEST OF FM 156 CONSTRUCT NEV						RE\ MP FUN	SOR: DENTON CO VISION DATE: 11/2 O PROJ NUM: 552 IDING CAT(S): 310	2022 218 C
REMARKS P7:	INCREASE ROW F	FUNDING; LOCAL	. CONTRIBUTION	ON PAID BY	PROJE	CT R IN FY20:	23 IS ROW AND R	IN FY2025 IS UTIL	
TOTAL PR	DENTON COUNTY ROJECT COST INFO	ORMATION			AUTHORIZED FI	UNDING BY C	ATEGORY/SHARE	•••••	
PRELIM ENG:			CATEGORY	FEDERAL	STATE		LOCAL MATCH	LC	TOTAL
ROW PURCH:		COST OF APPROVED	3LC	\$ 0	\$ 0	\$ 0	\$ 0	\$ 10,600,000	\$ 10,600,000
CONST COST: CONST ENG: CONTING: INDIRECT: BOND FIN: POT CHG ORD: TOTAL COST:	\$ 7,485,107 \$ 6,160,846 \$ 3,324,167 \$ 0 \$ 0	PHASES \$ 10,600,000	TOTAL	\$ 0	\$ 0	\$ 0	\$ 0	\$ 10,600,000	\$ 10,600,000
2023-2026 STIP	•			07/2022 Revi	sion: Approved	01/20/2023			
DISTRICT	MPO	COUNTY	CSJ	TIP F		PHASE	CITY		YOE COST
DALLAS	NCTCOG	DENTON					CQ VARIOUS		\$ 2,500,000
PROJECT DESCR:	WEST OF FM 156 CONSTRUCT NEV						PROJECT SPONS REV MP	SOR: DENTON CO VISION DATE: 07/2 O PROJ NUM: 552 IDING CAT(S): 3LO IN FY2025 IS UTIL) 2022 218 C
TOTAL DE	LOCAL CONTRIBU	DEMATION			HISTOR	RY:	ATEGORY/SHARE		
PRELIM ENG:			CATEGORY		STATE		LOCAL MATCH	LC	TOTAL
ROW PURCH:	\$ 990,000	COST OF	3LC	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,500,000	\$ 2,500,00
CONST COST: CONST ENG: CONTING: INDIRECT: BOND FIN: POT CHG ORD: TOTAL COST:	\$ 6,197,544 \$ 5,101,078 \$ 2,752,355 \$ 0 \$ 0	APPROVED PHASES \$ 2,500,000	TOTAL	\$ 0	\$ 0	\$ 0	\$0	\$ 2,500,000	\$ 2,500,00
2021-2024 STIP	•			07/2020 Revi	sion: Approved	03/15/2021			
DISTRICT	MPO	COUNTY	CSJ	TIP F		PHASE	CITY		YOE COST
PROJECT DESCR:	WEST OF FM 156 CONSTRUCT NEV		VIDED ARTERI		FM 11	I71 R,ACQ	RE\ MP	SOR: DENTON CO	2020
REMARKS P7:	TOCAL CONTRIBI			- ·				IDING CAT(S): 3L0	2
TOTAL PR		JTION PAID BY D	ENTON COUNT	ſΥ	HISTOR	RY: IS FOR UT	ILITIES	ROW, R PHASE IN	0
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PRELIM ENG: ROW PURCH:	ROJECT COST INFO \$ 1,600,000 \$ 990,000	ORMATION COST OF	CATEGORY 3LC	FEDERAL \$ 0	HISTOR AUTHORIZED FOR	RY: IS FOR UT UNDING BY C	ATEGORY/SHARE LOCAL MATCH \$ 0	ROW, R PHASE IN	C N APPENDIX D TOTA
PRELIM ENG: ROW PURCH: CONST COST: CONST ENG: CONTING: INDIRECT: BOND FIN:	COJECT COST INFO \$ 1,600,000 \$ 990,000 \$ 76,452,055 \$ 3,784,377 \$ 764,521 \$ 0 \$ 0	ORMATION	CATEGORY	FEDERAL	HISTOF AUTHORIZED FI STATE	RY: IS FOR UT Unding by C Regional	ILITIES ATEGORY/SHARE LOCAL MATCH	ROW, R PHASE IN	0
PRELIM ENG: ROW PURCH: CONST COST: CONST ENG: CONTING: INDIRECT: BOND FIN: POT CHG ORD: TOTAL COST:	ROJECT COST INFO \$ 1,600,000 \$ 990,000 \$ 76,452,055 \$ 3,784,377 \$ 764,521 \$ 0 \$ 0 \$ 83,590,953	ORMATION COST OF APPROVED PHASES	CATEGORY 3LC	\$ 0 \$ 0	HISTOR AUTHORIZED FOR	RY: IS FOR UT UNDING BY C. REGIONAL \$ 0 \$ 0	ATEGORY/SHARE LOCAL MATCH \$ 0	ROW, R PHASE IN LC \$ 900,000	N APPENDIX D TOTAL \$ 900,000
PRELIM ENG: ROW PURCH: CONST COST: CONST ENG: CONTING: INDIRECT: BOND FIN: POT CHG ORD: TOTAL COST:	ROJECT COST INFO \$ 1,600,000 \$ 990,000 \$ 76,452,055 \$ 3,784,377 \$ 764,521 \$ 0 \$ 0 \$ 83,590,953	ORMATION COST OF APPROVED PHASES	CATEGORY 3LC TOTAL	\$ 0 \$ 0	: HISTOF AUTHORIZED FI STATE \$ 0 \$ 0	RY: IS FOR UT UNDING BY C. REGIONAL \$ 0 \$ 0	ATEGORY/SHARE LOCAL MATCH \$ 0	ROW, R PHASE IN LC \$ 900,000	N APPENDIX D TOTAL \$ 900,000
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PRELIM ENG: ROW PURCH: CONST COST: CONST ENG: CONTINES: BOND FIN: POT CHG ORD: TOTAL COST: 2019-2022 STIP DISTRICT DALLAS LIMITS FROM: LIMITS FROM: LIMITS TO: PROJECT DESCR: REMARKS P7:	***COJECT COST INFO	COUNTY COUNTY COUNTY COUNTY DENTON VO TO 6 LANE DI DEMATION	CATEGORY 3LC TOTAL CSJ 1311-C	FEDERAL \$ 0 \$ 0 \$ 0 \$ 0 \$ 10 \$ 10 \$ 10 \$ 10 \$	SION: Approved Y HWY FM 11	NY: IS FOR UT UNDING BY C. REGIONAL \$0 \$0 08/13/2018 PHASE 171 R,ACQ,UTI CT R PHASE RY: UNDING BY C.	CITY VARIOUS PROJECT SPONS REV MP FUN	LC \$ 900,000 \$ 900,000 SOR: DENTON COVISION DATE: 07/ O PROJ NUM: 55/ IDING CAT(S): 31/	TOTAL \$ 900,00 \$ 900,000 YOE COST \$ 990,000 0 2018
PRELIM ENG: ROW PURCH: CONST COST: CONST ENG: CONTING: INDIRECT: BOND FIN: POT CHG ORD: TOTAL COST: 2019-2022 STIP DISTRICT DALLAS LIMITS FROM: LIMITS TO: PROJECT DESCR: REMARKS P7:	***COST INFO *** ***I,600,000 *** ***990,000 *** ***76,452,055 *** ***3,784,377 *** ***764,521 *** ***0 *** ***0 *** ****** ****** ******* ******* ****	COST OF APPROVED PHASES \$ 900,000 COUNTY DENTON VO TO 6 LANE DI UTION PAID BY D DRMATION	CATEGORY 3LC TOTAL CSJ 1311-C VIDED ARTERI	FEDERAL \$ 0 \$ 0 07/2018 Revi TIP FV 11-055 2022	SIATE \$ 0 \$ 0 sion: Approved Y HWY FM 11 PROJE HISTOR	NY: IS FOR UT UNDING BY C. REGIONAL \$0 \$0 08/13/2018 PHASE 171 R,ACQ,UTI CT R PHASE RY: UNDING BY C.	CITY CITY VARIOUS PROJECT SPON: MP. FUN ATEGORY/SHARE	LC \$ 900,000 \$ 900,000 \$ 900,000 SOR: DENTON CC VISION DATE: 07:70 O PROJ NEI 07:70 DING CAT(S): 3L(TOTAI \$ 900,000 \$ 900,000 YOE COST \$ 990,000 2018

Comment History

Time	User	Comment	Related Approval
2023/01/20 07:43:12	Krystal Lastrape	Approval based on Mobility 2045 2022 Update as found conforming on December 15, 2022.	07/2022: Approved
2023/01/16 10:33:30	Barbara Maley		11/2022: Approved
2022/11/08 14:36:49	Barbara Maley	Not approved due to Plan to Program inconsistencies.	07/2022: Not Approved
2021/03/15 09:43:14	Barbara Maley		07/2020: Approved
2018/08/13 16:07:18	Barbara Maley		07/2018: Approved



Logged in as Glendora Lopez Log Out

							Projec	t Management □ R	eports □ Supp
ect Management >	Area List > S	TIPs (M-NCTCOG) > Revi	sions () > TIP Inst	tances (Unas	signed) > High	way Projects	(Unassig	ned) > Project Details	
(Color Key: (- Business rule violation	on - Value	changed in c	urrent session	O- Diffe	erent from	DCIS or latest approve	ed copy
Statewide ②		STIP Revision (None	~	Phase 🕐 🔲	Construction		Total Project Cost Ir	nformation
District ②	DALLAS	∨ County (DENTON	~		Engineerin Environn	- 1	Prelim Engineering ROW Purchase	\$1,600,00
мро ②	NCTCOG	→ Highway ⁽¹⁾	FM 1171			Engineer	-	Construction Cost ®	\$990,00 \$89,807,71
CS.I (?)	1311 - 0	1 - 055 TIP FY	2025		<	Right-of-Wa	-	Const Engineering	\$6,197,54
000	1311 - 0	1 - 000	2023			Utilities		Contingencies Indirect Costs	\$5,101,07
						Transfer		Bond Financing ②	\$2,752,35
Revision Date [®]	07/2022			N	OX (Kg V / D): ③	0.0000	Potential Chg Ord ②	\$
oject Sponsor 🐒	DENTON C	0		V	OC (Kg 🗸 /D): ②	0.0000	Total Project Cost ^②	\$106,448,688
O Proj Number 🕲	55218			PI	/110 (Kg 🗸 /D): ②	0.0000	YOE Cost ②	
MTP Reference ②	RSA1-2.270	0.200, RSA1-2.270.225, RS	A1-2.270.235	PM	12.5 (Kg 🗸 /D): ③	0.0000	Toll ②	
City 🕐	VARIOUS				CO (Lbs 🗸 /D): ②		тсм 🎱	
Limits From ②	IH 35W								
Limits To 🕐	WEST OF F	M 156							
P7 Remarks 🕲	LOCAL CON	NTRIBUTION PAID BY DEN	ITON COUNTY						
Project History ②	R IN FY2023	3 IS ROW AND R IN FY202	5 IS UTIL						
			A vette a vissa e	d Frankinsk bre	Cata war (Shar				
Category	Fe	ederal Sta		Regional	Category/Sha	cal Match	Local	Contributions	Total
3LC ✓		\$0	\$0		\$0		\$0	\$90,000	\$90,000
Total		\$0.00	\$0.00		\$0.00	\$0.0	00	\$90,000	\$90,000
DISTRICT	MPO	COUNTY	CSJ	TIP FY	HWY		CITY		YOE COST
LIMITS	NCTCOC OM: IH 35W TO: WEST O		1311-01-055				VARI PROJECT	OUS SPONSOR: DENTON CO REVISION DATE: 07/2 MPO PROJ NUM: 552	022
DES	CR:				: PPO IEC	T D IN EVONO	3 IS ROW 4	FUNDING CAT(S): 3LC	
		COST INFORMATION		Δ	HISTOR UTHORIZED FU	Y:			
PRELIM E ROW PUF	NG: \$ 1.	,600,000	CATEGORY FEI	DERAL \$ 0	STATE \$ 0	REGIONAL \$ 0			**************************************
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POT CHG C	ORD: \$,448,688							

TIP History

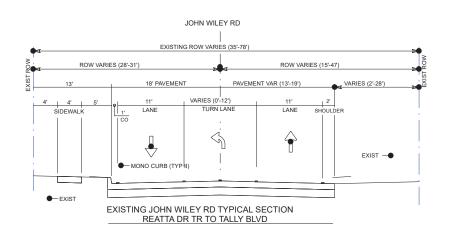
2023-2026 S	STIP		07/20	22 Revision	: Approved 01/20/2023		
DISTRICT	MPO	COUNTY	CSJ	TIP FY	HWY PHASE	CITY	YOE COST
DALLAS	NCTCOG	DENTON	1311-01-055	2025	FM 1171 R,UTL	VARIOUS	\$ 90,000

	ST OF FM 156	/ 0/2 TO 4/6 LAN	E DIVIDED ART	ERIAL			MPO I	SION DATE: 07/20 PROJ NUM: 5521	
DESCR: REMARKS P7: LO	CAL CONTRIBL	ITION PAID BY D	ENTON COUNT	ΓY	PROJE HISTO		23 IS ROW AND R IN	NG CAT(S): 3LC FY2025 IS UTIL	
	ECT COST INFO	RMATION					ATEGORY/SHARE		
PRELIM ENG: \$ ROW PURCH: \$	1,600,000 990.000	COST OF	CATEGORY	FEDERAL	STATE		LOCAL MATCH	LC	TOTAL
CONST COST: \$	89.807.711		3LC	\$ 0	\$ 0	\$ 0	\$ 0	\$ 90,000	\$ 90,000
CONST ENG: \$ CONTING: \$ INDIRECT: \$ BOND FIN: \$ POT CHG ORD: \$ TOTAL COST: \$	6,197,544 5,101,078 2,752,355 0 0 106,448,688	PHASES \$ 90,000	TOTAL	\$ 0	\$ 0	\$ 0	\$ 0	\$ 90,000	\$ 90,000

Comment History

Time	User	Comment	Related Approval
2023/01/20 07:42:45	Krystal Lastrape	Approval based on Mobility 2045 2022 Update as found conforming on December 15, 2022.	07/2022: Approved
2022/11/08 14:39:53	Barbara Maley	Not approved due to Plan to Program inconsistencies.	07/2022: Not Approved

APPENDIX D
Typical Sections

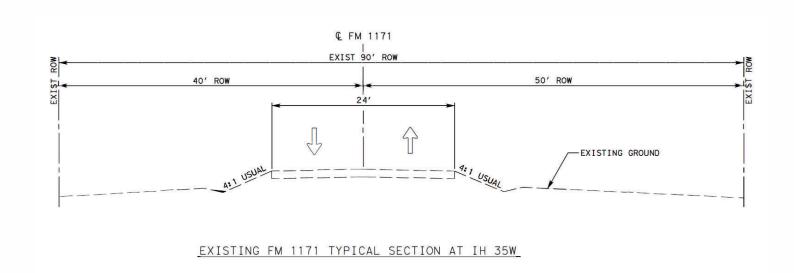


FOR REPORT PURPOSES ONLY

Not for construction, bidding, or permit purposes.

TYPICAL SECTION

FM 1171 FROM WEST OF FM 156 TO IH 35W DENTON COUNTY, TX

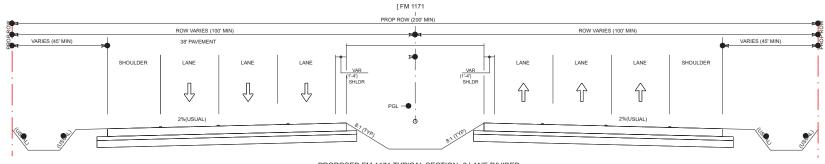


FOR REPORT PURPOSES ONLY

Not for construction, bidding, or permit purposes.

TYPICAL SECTION

FM 1171 FROM WEST OF FM 156 TO IH 35W DENTON COUNTY, TX



PROPOSED FM 1171 TYPICAL SECTION- 6 LANE DIVIDED

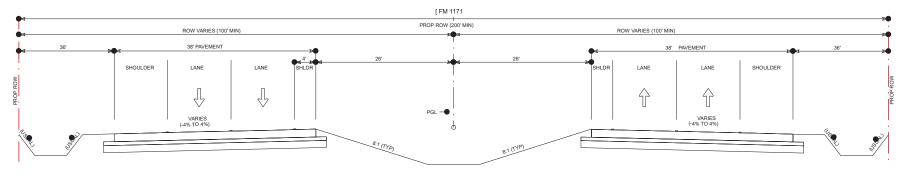
FOR REPORT PURPOSES ONLY

Not for construction, bidding, or permit purposes.

TYPICAL SECTION

FM 1171 FROM WEST OF FM 156 TO IH 35W DENTON COUNTY, TX

PROPOSED FM 1171 TYPICAL SECTION



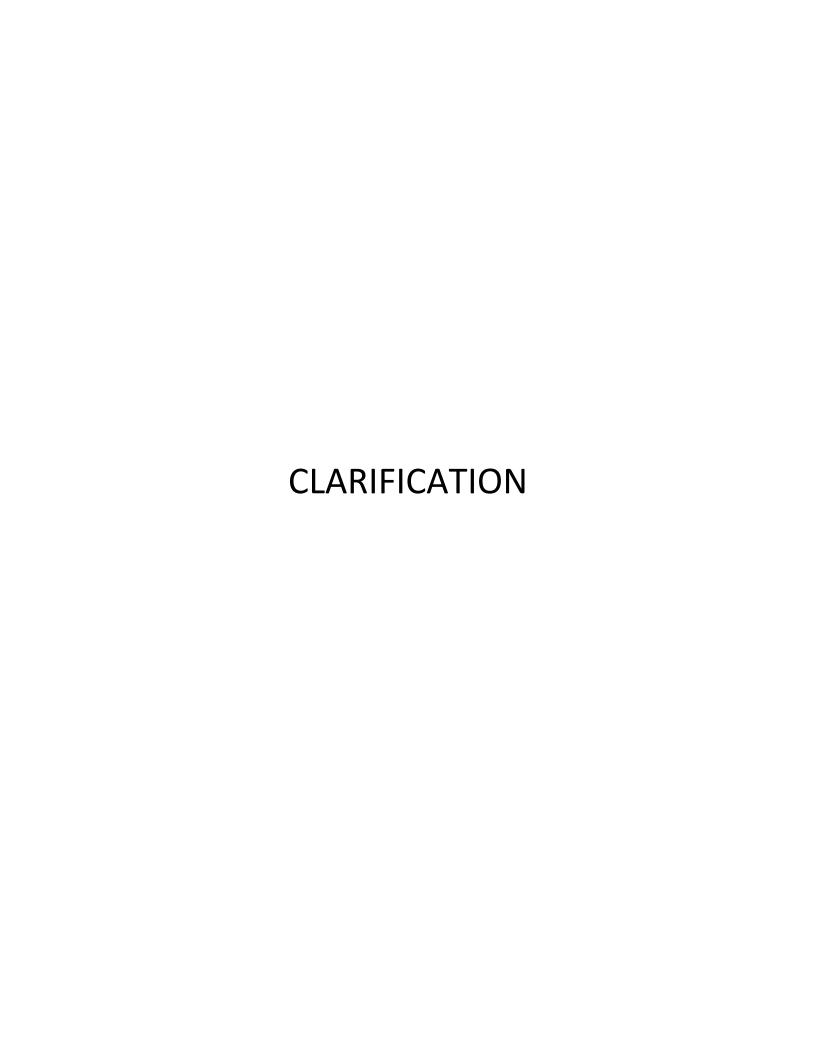
PROPOSED FM 1171 TYPICAL SECTION- 4 LANE DIVIDED

FOR REPORT PURPOSES ONLY

Not for construction, bidding, or permit purposes.

TYPICAL SECTION

FM 1171 FROM WEST OF FM 156 TO IH 35W DENTON COUNTY, TX



From: Glendora Lopez
To: Maley, Barbara (FHWA)

Cc: <u>Campos, Jose (FHWA)</u>; <u>Tim Wood</u>

Subject: RE: CRF for the FM 1171 From West of FM 156 to IH 35W (Denton County; CSJ 1311-01-055)

Date: Monday, April 17, 2023 8:44:56 AM

Attachments: <u>image001.png</u>

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning Barbara,

Please see the clarification related to the project typical sections below:

The segments of the project on page 23, showing the proposed 6 lane roadway:

- west of FM 156 to east of FM 156
- west of PR 4720 to IH 35W

The segment of the project on **page 24**, showing the **proposed 4 lane** roadway:

• east of FM 156 to west of PR 4720

CC: Tim Wood (TxDOT ENV); Jose Campos (FHWA PPD)

Thank you,



Glendora Lopez | Environmental Specialist III

Environmental Affairs Division | 6230 E Stassney Ln, Austin, Texas 78744

Office: (512) 840-9720 | Email: Glendora.Lopez@TxDOT.gov

From: Maley, Barbara (FHWA) <Barbara.Maley@dot.gov>

Sent: Friday, April 14, 2023 7:49 AM

To: Glendora Lopez <Glendora.Lopez@txdot.gov>

Cc: Campos, Jose (FHWA) <Jose.Campos@dot.gov>; Tim Wood <Tim.Wood@txdot.gov>

Subject: FW: CRF for the FM 1171 From West of FM 156 to IH 35W (Denton County; CSJ 1311-01-

055)

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.

Tim, Dan, Jan, Brenda:

I'm sending along - as an auto msg has Glendora away from the office.

Glendora:

Please clarify the proposed typical sections (pp. 23 to 24.) e.g.,

From:

p. 23 PROPOSED FM 1171 TYPICAL SECTION- 6 LANE DIVIDED

To:

p. 23 PROPOSED FM 1171 TYPICAL SECTION- 6 LANE DIVIDED

west of FM 156 to east of FM 156 and

west of PR 4720 to IH 35W

From:

p. 24 PROPOSED FM 1171 TYPICAL SECTION- 4 LANE DIVIDED

To:

p. 24 PROPOSED FM 1171 TYPICAL SECTION- 4 LANE DIVIDED

east of FM 156 to west of PR 4720

Signed, Barbara 512.536.5926

From: Glendora Lopez < Glendora.Lopez@txdot.gov >

Sent: Thursday, April 13, 2023 9:19 AM

To: Maley, Barbara (FHWA) < Barbara.Maley@dot.gov>

Cc: Tim Wood < Tim. Wood@txdot.gov >; Campos, Jose (FHWA) < Jose.Campos@dot.gov >

Subject: CRF for the FM 1171 From West of FM 156 to IH 35W (Denton County; CSJ 1311-01-055)

Good morning Barbara,

Please review and respond to the attached conformity report form for FM 1171 from west of FM 156 to IH 35W in Denton County (CSJ 1311-01-055).

CC: Tim Wood (TxDOT ENV); Jose Campos (FHWA PPD)

Thank you,



Glendora Lopez | Environmental Specialist III Environmental Affairs Division | 6230 E Stassney Ln, Austin, Texas 78744

Office: (512) 840-9720 | Email: Glendora.Lopez@TxDOT.gov

APPENDIX G

PUBLIC INVOLVEMENT COMMENT AND RESPONSE MATRICES

Comment #	Commenter Name	Date Received	Source	Comment Topic	Response
1	Allen, Kimberly	3/20/2018	Comment Form		
2	Arsht, Dawnette	3/20/2018	Comment Form	Great!! Can we do it earlier?	Construction is scheduled to begin in late 2021 pending funding, environmental clearance and
					Right-of-Way acquisition.
	Bricker, Carol	3/20/2018	Comment Form	I am in favor of this project happening sooner rather than later. I really don't care which plan	Construction is scheduled to begin in late 2021 pending funding, environmental clearance and
3					Right-of-Way acquisition.
				we desparately need this road to ease congestion.	
4	Bricker, Dave	3/20/2018	Comment Form	This would make travel into Justin more accessible from several areas. Can we get this done	Construction is scheduled to begin in late 2021 pending funding, environmental clearance and
·			_	quickly?	Right-of-Way acquisition.
_	Caesar, David	3/20/2018	Comment Form	Since I live 4 miles west of Justin off FM 407 I have no preferred alignment for the FM 1171	Comment noted.
5				extension project. What this will allow me is more certain access to I-35W. Trains block FM 407	
	0	2 (00 (004 0	0	access to I-35W.	
6	Caesar, S.	3/20/2018	Comment Form	-Just very glad bridge over FM 156-RRLike that gentle curve and no sharp curves like FM 407.	Construction is scheduled to begin in late 2021 pending funding, environmental clearance and
6				-Like that genue curve and no sharp curves like FM 407. -Build it QUICK - easier access to I-35W.	Right-of-Way acquisition.
	Chambara Danny	3/20/2018	Comment Form	Either route would please me. Just do the one that can be started and finished "first".	Construction is scheduled to begin in late 2021 pending funding, environmental clearance and
7	Chambers, Danny	3/20/2018	Comment Form	Etitler route would please me. Just do the one that can be started and imistied first.	Right-of-Way acquisition.
	Chambers, Jo	3/20/2018	Comment Form	Cost should be a consideration. Cost of ROW will affect costs. We just need an east/west road	Project cost is a factor in determining the project design and preferred alignment.
8	Onambers, 50	3/20/2010	Gomment Tom	now. Don't have strong opinion of either route.	rivigest cost is a factor in actermining the project design and preferred diigniment.
	Clark, Thayne	3/20/2018	Comment Form	Please rush this project. Better access to I-35 is needed to counter build-up.	Construction is scheduled to begin in late 2021 pending funding, environmental clearance and
9	olani, mayne	0,20,2010	Gomment of the	Trouble rush this project. Better decess to ree is needed to counter bailed up.	Right-of-Way acquisition.
10	Cleveland, Mark	3/20/2018	Comment Form		The training documents
11	Coakley, Gayle	3/26/2018	Comment Form via Postal Mail		
12	Coakley, William	3/26/2018	Comment Form via Postal Mail		
13	Cox, Vick	3/20/2018	Comment Form		
14	Crites, Connie	3/20/2018	Comment Form		
	Crites, Lynn	3/20/2018	Comment Form	Thank you for all this information. Need to add better access to Center Blvd. and business at	John Wiley will transition into FM 1171 between Reatta Dr. and FM 156 and the elevation
45				corner of John Wiley and FM 156.	required to clear FM 156, BNSF RR, GE RR and Cemetery Road will not allow for the existing
15					access at John Wiley to remain. A FM 156 median U-Turn access is currently being constructed
					as disclosed at the FM 156 Public Hearing.
	DuBose, Lindsey	3/20/2018	Comment Form	1. Start tomorrow please! Great for those of us living west of I-35 commuting to work in the	Construction is scheduled to begin in late 2021 pending funding, environmental clearance and
				Lewisville/Flower Mound area. I know these things take time, but for realI wish this could be	Right-of-Way acquisition.
				done in a month!	The project will consider access to trails during preparation of schematic development and final
16				2. Easy acess to potential trails coming in from road.	construction plans.
				But really, I don't care. Just build quicker! (I'm heartless to the landownersjust be nice to the	
				animals)	
	DuBose, Nick	3/20/2018	Comment Form	Prefer the orange route for perceived benefit to future roadway connections.	Construction is scheduled to begin in late 2021 pending funding, environmental clearance and
					Right-of-Way acquisition.
17				Sidewalks and hike/bike trails are a priority for us.	The project will consider access to trails during preparation of schematic development and final
				Walter consists of all constability consists and	construction plans.
40	Dudante Davil-	2/00/0046	Common and Fourth	We're excited about this project!	
18	Dudark, Paula	3/20/2018	Comment Form	(maganta professed basquas itla ski-serser)	The construction cost provided in the alternative analysis is a sufficient of the su
19	Dudark, Tom	3/20/2018	Comment Form	(magenta preferred because it's cheaper)	The construction cost provided in the alternative analysis is preliminary. Cost is an important factor in the overall project's value.
20	Dufresne, Beate	3/20/2018	Comment Form		
21	Dyer, Jim	3/20/2018	Comment Form		
22	Dyer, Lisa	3/20/2018	Comment Form		
23	Ellis, Thomas	3/20/2018	Comment Form	Cannot wait for this to be built. Generally for the magenta design, mainly because it keeps the	Comment noted.
	Formale Dain	2 (00 (204.0	0	construction out of both Northlake and Justin.	
24	French, Brian	3/20/2018	Comment Form		

Comment #	Commenter Name	Date Received	Source	Comment Topic	Response
25	Fyffe, Suzen	3/20/2018	Comment Form		
26	Grace, Dan	3/20/2018	Comment Form	Need stoplight at Centre Street and FM 156 on both routes.	The need for a traffic signal will be determined based on projected traffic volumes and a Signal Warrant Study.
27	Harris, Diana and Doug	3/20/2018	Comment Form	Either plan impacts our quality of life that we have now and have had for 24 years. I will either have a bridge in front of my house or look at a highway. Orange has less impact on our family and our business. With the magenta, this will hurt our business. You would be taking out our eastern driveway that our business needs for 18-wheelers to deliver. And with the bridge feet from our home impacts our country life we have.	Comment noted.
28	Harrison, Alicia	3/20/2018	Comment Form	I'm a partner on Northlake Corner LLC and would be happy to support this project in any way I can.	Comment noted.
29	Hartle, Chrissa	3/20/2018	Comment Form	I think building this road would greatly benefit the local communities. As a local realtor, I embrace responsible growth and I think the "orange" route would do this well. Creating new areas for expansion with acknowledgement of nature is important. Placing a light at the interstection of Hwy 156 and the new Centre St. would be needed to avoid potential accidents, as the speed on Hwy 156 is high in that area and merging can be difficult.	The need for a traffic signal will be determined based on projected traffic volumes and a Signal Warrant Study.
30	Henderson, Marie	3/20/2018	Comment Form		
31	Henderson, Phillip	3/20/2018	Comment Form		
32	Herb, Beverly	3/20/2018	Comment Form		
33	Herb, Paul	3/20/2018	Comment Form		
34	Kanimaya, Donna	3/20/2018	Comment Form	Great plan. Approve. Hurry Up.	Construction is scheduled to begin in late 2021 pending funding, environmental clearance and Right-of-Way acquisition.
35	Ketchersid, Cameron	3/20/2018	Comment Form		
36	Ketchersid, James	3/20/2018	Comment Form		
37	Ketchersid, Samantha	3/20/2018	Comment Form		
38	Ledbetter, Scott	3/20/2018	Comment Form	Leave a portion of John Wiley Rd. for entrance and exit to Allsups. Make proposed Centre Street longer for FM 1171 traffic backup.	John Wiley will transition into FM 1171 between Reatta Dr. and FM 156 and the elevation required to clear FM 156, BNSF RR, GE RR and Cemetery Road will not allow for the existing access at John Wiley to remain. Centre Street is anticipated to be a 4-lane roadway, potentially with traffic signals on either end that will be coordinated for efficient traffic movement.
39	Lee, Donna	3/20/2018	Comment Form		
40	Lichnovsky, Frank	, ,	Comment Form	Hurry up.	Construction is scheduled to begin in late 2021 pending funding, environmental clearance and Right-of-Way acquisition.
41	Lichnovsky, John	3/20/2018	Comment Form		
42	Lichnovsky, Rhesa	3/20/2018	Comment Form		
43	Marrow-Zane, Dee	3/20/2018	Comment Form	I find this whole thing unnecessary. Beyond that I have 2 major concerns: 1. Having 6 lanes go down to 2 at Reatta Drive will be a nightmare - especially at rush hour. To make matters worse, there's a park and walking trails there - LOTS OF KIDS. 2. From my home (#23), getting to Allsups, etc. is now a nightmare. We do not need 6 lanes to 35W. We've got 114 (post-expansion on 156 and 114) and 407.	 The Public Meeting exhibits reflect an interim condition as the City of Justin's Thoroughfare Plan calls for John Wiley Rd to be widened to a divided 4 lane roadway. The majority of westbound FM 1171 traffic is anticipated to turn left on the Centre Street for access to FM 156. The plan does not place traffic closer to the park than current conditions nor have any ROW acquisition from the park. The curb and white fence adjacent to the park will not be impacted and meet safe clear zone requirements in accordance with TxDOT Roadway Design Manual 2014-1. The City of Justin's Thoroughfare Plan reflects a norther loop road similar to Centre Street that will connect John Wiley Rd to FM 156 north of the Pizza Hut.
44	Montini, Brian	3/20/2018	Comment Form	Orange is good, but 407 improvemets were supposed to happen next. What is the status of this project? 1171 bridge over 35W has to be widened to eliminate choke points between existing 1171 and proposed 1171.	Project Tracker Website (http://apps.dot.state.tx.us/apps-cq/project_tracker/) for delivery information.

Comment #	Commenter Name	Date Received	Source	Comment Topic	Response
45	Mounce, John	3/20/2018	Comment Form	The orange option is the best. Need a red light at the intersection of Center Street and FM 156.	The need for a traffic signal will be determined based on projected traffic volumes and a Signal Warrant Study.
46	Oliver, Jennifer	3/20/2018	Comment Form	I like it!	Comment noted.
47	Oliver, Kevin	3/20/2018	Comment Form	Need more work on the 156 and the 1171. Don't like the orange or magenta part of the "156-1171". Future congestion! After 3 year.	The connection between FM 1171 and FM 156, Centre Street, is anticipated to be a 4-lane roadway, potentially with traffic signals on either end that will be coordinated for safe and efficient traffic movement.
48	Pedersen, Bob	3/20/2018	Comment Form	I am for this project. It is needed for an east west hwy and ease traffic on 114 and 407.	Comment noted.
49	Pedersen, Robert	3/26/2018	Email	I just want to say I am FOR this project and hope it gets under way soon. I prefer the orange route, but either way works for me. I feel this project is needed for another east west route and would relieve some of the traffic on	Comment noted.
				FM 407 and Highway 114.	
50	Rodgers, Todd	3/20/2018	Comment Form	Dear Sirs, I am a partner on Northlake Corners LLC. I support this project and will be happy to assist in any way.	Comment noted.
51	Savoie, Michael	3/20/2018	Comment Form	I have the following concerns: 1. Bridge over 35W. 2. Bridge and connection at 156. 3. Connection to existing roadways (Harmonson). 4. Line of sight issues due to changing elevations. Thank you for hosting this event.	 The FM 1171 bridge over IH 35W is part of the current schematic study of IH 35W for TxDOT's Dallas District and will be widened or replaced during the future reconstruction of IH 35W. The proposed bridge over FM 156 also clears the BNSF RR, GE Test Track and Cemetery Road and is a key feature for safety and eliminate delay due to trains blocking the at-grade crossings. The connection between FM 1171 and FM 156, Centre Street, is anticipated to be a 4-lane roadway, potentially with traffic signals on either end that will be coordinated for efficient traffic movement. The connections to existing roadways and intersection sight distances and sight lines will be designed to meet TxDOT standards.
52	Sebesta, Brent	3/20/2018	Comment Form	Please don't take land away from farmers that have been here. 156 has been widened relieving	Comment noted.
	0 1 1 1	0 (00 (00 10		traffic.	
53	Sebesta, Melissa	3/20/2018	Comment Form	Please do not take land from builders.	Comment noted.
54	Shaw, Doug	3/20/2018	Comment Form	Looking forward to "moving dirt" on the 1171 project (sooner the better)!	Comment noted.
55	Solomon, Shellene	3/20/2018	Comment Form	Leave the farmers land alone. There is too much history. Plus there working land for the cows.	Comment noted.
56	Tally, Curtis	3/20/2018	Comment Form		
57	Tally, Oneta	3/20/2018	Comment Form		
58	Toon, Dale	3/20/2018	Comment Form	The two routes are similar enough that it probably doesn't matter which plan is chosen. I picked magenta because it appears to have less impact in terms of length, total ROW, and wetlands in ROW. It is also the least expensive, but don't enough for cost to be a limiting factor.	Comment noted.
59	Travis, Clifford	3/20/2018	Comment Form	As I understood the 1171 project will now take precedence over FM 407. Why is this? Was FM 407 planned out well before the 1171 project? Thanks.	There are no priorities ranking either project, FM 1171 and FM 407, over the other. Both projects are currently not funded.
60	Walhood, Preston	3/20/2018	Comment Form	Orange route has less impact on the 1171/John Wiley intersection. Orange route preferred.	Comment noted.
61	Weathers, Pam	3/20/2018	Comment Form	Leave a portion of John Wiley Rd. open by Allsups and existing strip center for convenience of neighbors to the west. Make Centre Street longer. (With development coming in and the amount of traffic coming from the west and traffic coming westbound 1171 traffic trying to access 156.)	The connection between FM 1171 and FM 156, Centre Street, is anticipated to be a 4-lane roadway, potentially with traffic signals on either end that will be coordinated for efficient traffic movement. John Wiley will transition into FM 1171 between Reatta Dr. and FM 156 and the elevation required to clear FM 156, BNSF RR, GE RR and Cemetery Road will not allow for the existing access at John Wiley to remain.

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62	William, Wanda	4/4/2018	Email	Thanks so much to Txdot for hosting the public information meeting on March 20 regarding the proposed FM1171 extension from I35W to FM156 in Justin. I have been a resident of Justin for 19 years. I am ecstatic about this road finally coming to Justin! We desperately need this road as another east-west alternative, to ease congestion that is getting worse everyday, and to provide a bridge over the railroad tracks. We need this road BEFORE the proposed 2022. The sooner it is built, the better for everyone in the area. It seemed to me that the Orange Alternative proposal had the least impact on existing homes and structures in the tract of land. If that is the case, then that is the proposal I favor. I would ask that Txdot make every effort to avoid existing homes and structures. I would also ask that Txdot consider building some type of protective barrier at the park in Reatta Ridge subdivision to shield it from traffic. I don't live there, but I think a barrier is necessary for their park. I am not employed by Txdot. I don't do business with Txdot. I will not benefit monetarily from the project or anything about which I am commenting.	The plan does not place traffic closer to the park than current conditions nor have any ROW acquisition from the park. The curb and white fence adjacent to the park will not be impacted and meet safe clear zone requirements in accordance with TxDOT Roadway Design Manual 2014-1.
63	Wilson, Victoria	3/20/2018	Comment Form	Please make sure there's a red light at the intersection of Centre Street and 156 for safety.	The need for a traffic signal will be determined based on projected traffic volumes and a Signal Warrant Study.
64	Young, Jack	3/22/2018	Comment Form via Email	Having owned the property for a short time, the northern most proposed route would be easier to construct. This route also comes to the closest point for the intersection of the expansion of Florence Rd. to its south.	Comment noted.
65	Young, Robin	3/22/2018	Comment Form via Email	The orange route, the northern most proposed route, is the route best suited for Northlake as a whole. It brings the road closer to the land Northwest ISD has purchased to build an elementary through high school with a football stadium. As the majority property owner and former mayor of Northlake, I want what is best for Northlake. As a property owner, being able to use both sides of the road (out of flood plan) gives our cows a place to run when there is flooding.	
66	Zane, Dave	3/20/2018	Comment Form	The on ramp west of 156 is horrifying. 6 lanes into 2 doesn't make sense. It is dangerous for our neighborhood.	The proposed design is safe and meets TxDOT Roadway Design Manual 2014-1 standards for urban streets. It also conforms to the City of Justin's Thoroughfare Plan which proposes a future John Wiley Rd improvement to a divided 4 lane roadway. The majority of westbound FM 1171 traffic is anticipated to turn left on the Centre Street for access to FM 156.

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1	Jackson Hurst	07/09/2021	Comment Form Submitted Online	I approve and support TxDOT's FM 1171 from I-35W to West of FM 156 Project. The aspect that I love about TxDOT's FM 1171 from I-35W to West of FM 156 Project is that FM 1171 will be extended from I-35W to West of FM 156. The extension of FM 1171 will provide greater connectivity between I-35W and Justin, Texas.	Comment noted.
2	Mark Lorance	07/09/2021	Comment Form Submitted Online	This is a much needed segment of FM 1187. I drive this route weekdays on my commute to work. I will use this section to get to FM 156 instead of getting on IH 35W. I am in full support of this project.	Comment noted.
3	Michael Nietch	07/23/2021	Comment Form Submitted Online	Comments from Wabtec (formerly GE Transportation), owner of the "GE Test Track": 1. Construction to be coordinated with Wabtec test track operations including no interference to track operations, track safety requirements to match BNSF track safety requirements. 2. Any potential changes to drainage patterns / volumes to be addressed as part of the project.	Comment noted. Comment noted.

Comment Number	Commenter Name	Date Received	Source	Comment Topic	Response
1	Janet and Miles Bresler	April 6, 2023	Comment Form	"Yes- we are in favor of extending 1171 into Justin!"	Thank you for your comment.
2	Terri and Kim Nierman	April 6, 2023	Comment Form	"Will it be noisy? Do cars drive 70 mph on top of the bridge at 156. I hope the signage will lower the speed to a crawl. NO NOISE Low speed Lots of trees"	Based on the noise analysis all receivers will not be impacted by traffic noise. The highest decibel rating for one of the receptors analyzed is 65 decibels which is below the threshold of 67 decibels to trigger a warrant for a noise wall. The proposed 6 lane urban section of 1171 where the roadway bridges over FM 156 and UPRR has a proposed speed limit of 40 MPH. The 4-lane rural section has a proposed speed limit of 70 MPH. Once the proposed FM 1171 has been constructed, traffic speed and safety studies will occur to determine the proper speed limit based on current traffic use. The City of Justin can work with TxDOT to determine the best speed limit to meet traffic demands and safety requirements of the roadway. TxDOT tries to salvage as many existing trees as possible when constructing roadway projects. The right-of-way for FM 1171 is a clear safety zone that is mowed and maintained and will need to be cleared of trees and other woody vegetation. TxDOT will leave any trees outside of the right-of-way of FM 1171 undisturbed.

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		April 10, 2023	Email	"I live off John Wiley in a nice area and nice home with homes starting from 500-800,000. Justin is a small town with 300-500 cars driving in (by 2030) on John Wiley to get home from work- to and from work. Only have 800 cars by (2050) so why do we need a huge cement industrial structure 50' bridge high up in the air with cement everywhere so we can get to Flower Mound? We will take TxDot future 407.	The project merges down towards the residential areas as that traffic is projected to be reduced at the project starting point. The leg of the project that connected FM 156 to FM 1171 via Tally Road will keep congestion away from the residential areas to the west of the proposed project area. The projected 800 vehicles in 2050 is the average daily traffic for the area in a 24-hour period. This means that there will not be 800 vehicles using the proposed roadway at the same time. The proposed grade separation to bridge FM 1171 over FM 165 and UPPR has to meet certain clearance requirements that UPRR has for any project that is going to bridge over their railroad. The vertical clearance for the proposed bridge over UPPR is 24 feet. The highest point of the proposed bridge has an elevation of 698 feet. The lowest point of the roadway below the bridge is 666 feet. The elevation of Reatta Dr is 691 feet which is only a 6-foot difference in elevation. The elevation of intersection of FM 1171 FM 156 is 654 feet. The change in elevation from Reatta Dr to FM 156 IS 37 feet which occurs over 0.34 miles. The bridge is the most feasible way to connect FM 156 to FM 1171 without reducing mobility due to the railroad train traffic and the FM 156 traffic. FM 407 has an estimated let date of 2028 compared to the proposed FM 1171 project which has a let date of 2026. FM 1171 will be completed before FM 407 lets for construction.

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	Comment /Dogge			One idea: Turn the 1171 bridge before 156 to land on the acreage west south of 156. Make the ramp descend into Harmonson rd and end it there. Then make a circle or a round-about unto John Wiley-trying to keep John Wiley a small slow road. The noise, the aesthetics and the smell and sound of automobiles going 70mph nearing the 156 bridge and screeching to a halt on John Wiley braking to 25-30mph to a dead end street- why do we need a major 6 lane road to a four land and yards to a dead end street? You are coming so close to our family backyard swimming pools, chicken coops and children playing near the roads in their backyards.	The proposed design includes both rural and urban and rural sections with design speeds of 40 MPH and 70 MPH respectively. The speed limit so the 6-lane urban section is proposed to be 40 MPH which includes the proposed FM 1171 bridge over FM 156 and UPRR. A roadway speed limit and safety study will be conducted once the proposed FM 1171 is constructed to where a speed limit will be set, and safety markers and signs will be placed in the proper locations to enable drivers to slow down when they approach the end of FM 1171. The design allows traffic to keep moving and keep congestion to a minimum which will prevent vehicles from idling in stop-go traffic and reduce tail pipe emissions. The amount of traffic projected to 2041 between Reatta Dr and FM 156 is projected to be 4,400 vehicles per day (24-hour period). Being able to plan for future growth of the area will allow for safety and mobility concerns to be addressed in the present before population growth in the area occurs. The centerline of the railroad tracks is approximately 75-ft from the FM 156 edge of pavement. It is not feasible to bridge over the railroad and tie back in on the East side of FM 156. TxDot has to follow certain standards of border width between the edge of the right-of-way and the roadway way. There has be a minimum of 15 feet of border width maintained for areas with sidewalks and a minimum of 20 feet of border width maintained for areas with shared use paths.

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				After the public meeting, I drove to the bridge at Bailey Boswell Rd in Saginaw. I heard this is the design for 1171 @ 156. TXDOT bridge for the small residential town of Justin. The area in Saginaw is an industrial area with multiple commercial buildings and shopping for retail-Walmart, CVS, Albertsons. It looks dirty & rusty and filthy- how does that bridge fit on a narrow road of residents living in their backyards? 118 million dollars and it looks that ugly— our houses were here first— It is too close to our nice developments You do not add beauty to the area Would plants or trees help? I feel like we would be living on the edge of a highway. It cannot be safe for people or children or dogs-"	Please clarify what Bailey Boswell intersection in Saginaw. There appears to be at-grade crossings on this road. The proposed bridge at FM 156 is an overpass of FM 156, BNSF RR, GE RR, and Cemetery Rd. The project provides connectivity between FM 156 and IH 35W with an overpass bridge at the railroad to provide a grade-separated crossing for safety and mobility. The bridge design will be finalized in PS&E where bridge design aesthetics will be approved. The current proposed bridge will be constructed from concrete which allow the bridge to maintain its integrity over time. The highest point of the bridge is only 8 feet higher than the elevation of the current Reatta Dr. The lowest point of the roadway and the bridge will have a grade separation of around 3% which will make it less obvious from Tally Blvd. Landscape plant for beautification of the roadway is left up to the HOA's of the neighborhood developments and the City of Justin. There many 6 lane roads with 10,000 or more vehicles average daily traffic next to established neighborhoods in the Dallas-Fort Worth area. Fm 1171 is being built to address future growth and traffic safety concerns of rapidly growing Denton County.
3	Kenneth Harbin	April 6, 2023	Comment Form Submitted Online	"Not a minute too soon, lets get this done!"	Thank you for your comment.
4	Daniel Guiley	April 7, 2023	Comment Form Submitted Online	"Just curious why 3 houses on John Wiley will directly be	The proposed alignment to tie into existing John Wiley Blvd would have resulted in

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				impacted on the back yards over 3-15ft while it's wide open on the opposite side that the road naturally curves to any way? I understand the community came after plans were discussed. Just asking please consider looking at current development and I invite you into my home to reconsider the projected 65 decibel level I am considered to be at. I don't hear one car at Tx Motor speedway but yes I hear the races.	taking right-of-way from Reatta if the tie and shift of the roadway was to the open area in the north. The proposed alignment eliminates the impact to the park and allows the construction of the proposed Tally Blvd tie into FM 1171 and Harmonson Road. The amount of right-of-way being taken from the homes is very minimal that it will not have any significant impact to those properties. The property owners will be compensated by TxDot for right-of-way acquisition. According to the 2019 guidance for noise, the outcome of a project decibel level of 67 decibel project triggers a need for a noise wall. Noise walls are engineered based on reasonable and feasible areas such as will the impacted receptors actually see a benefit from a noise and can it be built at the proposed location/cost per square foot. Noise walls benefit receptors that are within proximity of the roadway compared to a dwelling that is 40 or more feet away from a roadway.
					A race car has an 800-1000 horsepower engine that has a straight through exhaust with no muffler restriction to maximize power output and efficiency. A passenger care must meet noise and emission's standards that are put in place by the federal government. Put 40 racecars together where their engines are running at high engine speed, the noise they generate will travel to be heard from long distances especially with the racetrack being located roughly 2.5 miles away from the project
	Commont /Poons				area. In comparison a passenger car going

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					down a stretch of road can't be heard 2.5 miles away but can be heard within 100 feet of the project area. The areas where traffic noise is the loudest is directly adjacent to the roadway.
				The additional lanes are a concern as we already hear the existing 2 lanes. Maybe ROW acquisition will consider assisting with costs of upgrades to homes for noise? If back fenced is moved, possibly go taller for noise and privacy?"	Once environmental clearance has been obtained and the project has been fully authorized, TxDOT would initiate the ROW acquisition process. The TxDOT Right of Way Acquisition and Relocation Assistance Program would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, as amended in the Uniform Relocation Assistance Act of 1987. A Noise Study was conducted, and it was determined that the project would not result in a traffic noise impact. No homes were
5	Rod Stokes	April 17, 2023	Comment Form Submitted Online	"Curious as to how the railroad tracks located at SH 156 and John Wiley will be incorporated into the project. Will there be a bridge over them?	shown to be impacted by noise. The proposed bridge at FM 156 is an overpass of FM 156, BNSF RR, GE RR, and Cemetery Rd. The project provides connectivity between FM 156 and IH 35W with an overpass bridge at the railroad to provide a grade-separated crossing for safety and mobility.
				Additionally, the project terminates after or west of SH 156 and before Boss Range Road. Is it possible to continue it to Boss Range Road?"	As part of any roadway project, limits are set early in the project planning process. The environmental process analyzes all environmental impacts within the set project limits. At this point in the environmental process and with the project schematic being finalized, the project cannot be extended to Boss Range Road. A future project to accommodate and widen John

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					Wiley from Reatta Dr to John Wiley Rd could occur if there is a demand or need for it. There are other future projects to improve mobility in the area such as the widening of FM 407 and SH 114.
6	Dennis Mortimer	April 17, 2023	Emailed Comment Form	"Thank y'all for the presentation on FM 1171 going from i-35W west to just past hwy 156. I believe it is a needed road going across between Justin and i-35. My concern is that where FM 1171 ends on John Wiley in Justin is going to cause heavy back up in traffic (especially during the rush hours). Boss Range can barely handle the traffic now when it gets a little heavy and Boss Range is not a good road. Add to that the developments coming into this area, traffic will only get worse at this transition point from John Wiley onto FM 1171. I do have a serious concern about this one point, but I do like the rest of the planned road. Thank y'all."	The FM 1171 project is designed to get traffic from FM 156 to IH 35W and improve mobility of the area. Based on the proposed design of bridging FM 1171 over FM 156 and UPRR to prevent traffic congestion at the intersection of both roadways, it is designed to use Harmonson Road and Tally Blvd as a route move traffic from FM 1171 to FM 156 with little congestion as possible. Most of the vehicles traveling on John Wiley Road are coming from the homes and subdivisions to the west of Tally Blvd whereas there is more development to the north and south of FM 1171 that will use FM 156 to traverse to the proposed FM 1171 roadway.
7	Linda Mortimer	April 17, 2023	Email with Attached Comment Form	"Thank you for the opportunity to visit with a see the plans for the expansion and extension of 1171. It is a much needed plan. My concern is that nothing has been planned for Boss Range Rd and Sam Reynolds. These two roads are already taxed with school buses on Boss Range and the already expansion of houses off Sam Reynolds. Both of these	As part of any roadway project, limits are set early in the project planning process. The environmental process analyzes all environmental impacts within the set project limits. At this point in the environmental process and with the project schematic being finalized, the project cannot be extended to Boss Range Road. A future project to accommodate and widen John Wiley from Reatta Dr to John Wiley Rd could occur if there is a demand or need for it.

Comment Number	Commenter Name	Date Received	Source	Comment Topic	Response
				roads desperately need widing along with the rest of John Wiley. What I see with the expansion of 1171 and where it stops on John Wiley and the NO-expansion of Boss Range along with Sam Reynolds is traffic congestion and or possible accidents"	There are other future projects to improve mobility in the area such as the widening of FM 407 and SH 114.
8	Patty Newcomb	April 21, 2023	Email	"I am an owner whose property is affected by the proposed extension of FM 1171. I am concerned that proposed road will eliminate a pond. This pond is the only water source for the cattle raised on my property."	Grace Lo, the TxDOT Project Manager, responded back to Patty Newcomb on April 6, 2023 with the following: "Thank you for reaching out regarding the FM 1171 project. We are more than happy to meet with you virtually or in person at the area office to discuss your pond issues. I am not sure if you had an opportunity to talk to our ROW acquisition staff at the 4/6 public hearing. If not, we can have someone from the ROW office meet with you as well to discuss how this would potentially be compensated. Let me know if you would like to meet virtually or in person and we can coordinate and set something up." Grace Lo sent a follow up email on May 10, 2023 with the following: "This is Grace Lo from TxDOT. I reached out to you a couple of weeks ago regarding the FM 1171 project and your inquiry about your property and the pond. I want to follow up and see if you would like to meet and discuss. We can do it virtually or in person. We are more than happy to arrange the meeting. Please feel free to reach out to us."

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				Patty Newcomb responded to Grace Lo's follow up email on May 10, 2023 with the following: "I did receive your email. I have been out of my office for the past couple of weeks. I will reach out to the other member(s) of the partnership and see how they would like to proceed."	Once environmental clearance has been obtained and the project has been fully authorized, TxDOT would initiate the ROW acquisition process. The TxDOT Right of Way Acquisition and Relocation Assistance Program would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, as amended in the Uniform Relocation Assistance Act of 1987.