

Appendix D – Agency Coordination

PAGE INTENTIONALLY LEFT BLANK



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270-2102

August 5, 2019

Mr. Carlos Swonke, Director
Texas Department of Transportation
Environmental Affairs Division
125 East 11th St.
Austin, TX 78701-2483

Dear Mr. Swonke:

This letter is in response to your letter dated May 30, 2019, inviting the U.S. Environmental Protection Agency (EPA) to be a cooperating agency and to participate, in accordance with the National Environmental Policy Act (NEPA), for the proposed Loop 9, Segment A: US 67 to IH 35E Project. The proposed project would construct an east-west road between US 67 and IH 35E in Dallas County and Ellis County, Texas.

Since the EIS will analyze the impacts of the proposed project to the human and natural environment, EPA accepts your invitation and agrees to participate as a cooperating agency. As a cooperating agency, the EPA will:

- Provide expertise on NEPA compliance and other applicable subject matters;
- Provide timely technical reviews and comments on preliminary documents, reports, analyses, and sections of the Draft and Final EIS;
- Participate in meetings, as resources allow; and
- Provide available information during preparation of the Draft and Final EIS in areas in which EPA has expertise.

EPA's role as a cooperating agency is independent from our responsibility to review and comment pursuant to Section 309 of the Clean Air Act.

EPA looks forward to continued involvement and cooperation in the EIS development for this project. If you have any further questions, please contact Robert Houston of my staff at (214) 665-8565 or by e-mail at houston.robert@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Arturo J. Blanco", is written over a circular stamp.

Arturo J. Blanco
Director

Office of Communities, Tribes and
Environmental Assessment

From: Berrien Barks [mailto:BBarks@nctcog.org]
Sent: Wednesday, June 12, 2019 2:01 PM
To: Matthew Atkinson
Cc: Dan Lamers; Jeffrey Neal; Samuel Simmons; Brendon Wheeler
Subject: Loop 9 Segment A

Hello Matthew,

Per our phone conversation, the NCTCOG would be a willing participant in the development of the Loop 9 Segment A EIS.

Let me know if you have any questions.

Berrien

Berrien Barks
Program Manager – Roadway Corridor and Subarea Studies
North Central Texas Council of Governments
Phone: (817) 695-9282
Fax: (817) 640-3028
Email: bbarks@nctcog.org



Find us on [Facebook](#)



Follow us on [Twitter](#)



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

Sent: Tuesday, June 11, 2019 4:01 PM

To: Matthew Atkinson

Subject: TxDOT Participating Agency Invitation - Loop 9, Segment A: US 67 to IH 35E

Thank you for your letter of May 30, 2019 inviting the Texas Parks and Wildlife Department (TPWD) to become a Participating Agency for the preparation of an Environmental Impact Statement on the Loop 9, Segment A: US 67 to IH 35E in Dallas and Ellis counties. TPWD appreciates the opportunity to participate in the environmental review process, and this email acknowledges that TPWD will act as a participating agency for this project. Please let me know if this email correspondence will be sufficient or if the district requires a written letter on agency letterhead. If you have any questions, please contact me at (512) 389-4579.

Sincerely,

Suzanne Walsh

Transportation Conservation Coordinator

Wildlife Division – Wildlife Habitat Assessment Program

Texas Parks and Wildlife Department

4200 Smith School Road

Austin, TX 78744

Phone: (515) 389-4579

Suzanne.Walsh@tpwd.texas.gov





DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT
P.O. BOX 17300
FORT WORTH, TX 76102-0300

June 19, 2019

Regulatory Division

SUBJECT: Project Number SWF-2019-00040, Loop 9 Segment A (US 67 to IH 35E)

Mr. Carlos Swonke, P.G.
Texas Department of Transportation
125 East 11th Street
Austin, TX 78701-2483

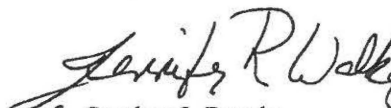
Dear Mr. Swonke:

This concerns your letter dated May 30, 2019, requesting that the U.S. Army Corps of Engineers (USACE), Fort Worth District, participate in the preparation of an Environmental Impact Statement (EIS) for the Loop 9 Segment A project as a cooperating agency. The EIS is for the proposed Loop 9 Segment A project from US 67 to IH 35E in Dallas and Ellis Counties, Texas. This project has been assigned Project Number SWF-2019-00040. Please include this number in all future correspondence concerning this project.

Under Section 404 of the Clean Water Act, the USACE regulates the discharge of dredged and fill material into waters of the United States, including wetlands. Our responsibility under Section 10 of the Rivers and Harbors Act of 1899 is to regulate any work in, or affecting, navigable waters of the United States. Any such discharge or work requires Department of the Army authorization in the form of a permit. Based on our review of possible alignments for the proposed project, including an initial assessment of potential crossings of wetlands and other water features, it has been determined that the proposed project may require authorization in accordance with Section 404. Because we have jurisdiction by law, we agree to be included as a cooperating agency for the preparation of the EIS in accordance with 40 CFR Part 1501.6 of the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act.

If you have any questions about this letter, please contact Mr. Barry Osborn at the address above or telephone (817) 886-1734 and refer to the assigned project number.

Sincerely,


Stephen L. Brooks
Chief, Regulatory Division



ᏌᏍᏔᏅ ᏍᏏᏁ
CHEROKEE NATION®
P.O. Box 948 • Tahlequah, OK 74465-0948
918-453-5000 • www.cherokee.org

Office of the Chief

Chuck Hoskin Jr.
Principal Chief

Bryan Warner
Deputy Principal Chief

July 1, 2020

Laura Cruzada
Texas Department of Transportation
125 East 11th Street
Austin, TX 78701

Re: CSJ 2964-10-006, SL-9, Widening of Non-Freeway, Segment A, Alternatives 1 – 4

Ms. Laura Cruzada:

The Cherokee Nation (Nation) is in receipt of your correspondence about **CSJ 2964-10-006**, and appreciates the opportunity to provide comment upon this project.

The Nation maintains databases and records of cultural, historic, and pre-historic resources in this area. Our Historic Preservation Office reviewed this project, cross referenced the project's legal description against our information, and found no instances where this project intersects or adjoins such resources. Thus, the Nation does not foresee this project imparting impacts to Cherokee cultural resources at this time.

However, the Nation requests that the Texas Department of Transportation (TXDOT) halt all project activities immediately and re-contact our Offices for further consultation if items of cultural significance are discovered during the course of this project.

Additionally, the Nation requests that TXDOT conduct appropriate inquiries with other pertinent Tribal and Historic Preservation Offices regarding historic and prehistoric resources not included in the Nation's databases or records.

If you require additional information or have any questions, please contact me at your convenience. Thank you for your time and attention to this matter.

Wado,

Elizabeth Toombs, Tribal Historic Preservation Officer
Cherokee Nation Tribal Historic Preservation Office
elizabeth-toombs@cherokee.org
918.453.5389

From: noreply@thc.state.tx.us
To: [Scott Pletka](#); reviews@thc.state.tx.us
Subject: Project Review: 202101464
Date: Monday, October 12, 2020 2:17:21 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

Permit 9195

THC Tracking #202101464

296410006 SL 9

SL 9 at US 67

Midlothian, TX 76065

Description: TxDOT proposes to build a road on new location. This submission is a draft report that compiles and updates previous interim reports. The report is too large to upload, so I will send a separate link.

Dear TxDOT Staff:

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

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

Archeology Comments

- THC/SHPO concurs with information provided.
- Property/properties are not eligible for listing in the National Register of Historic Places.
- This draft report is acceptable. Please submit a final report: one restricted version with any site location information (if applicable), and one public version with all site location information redacted. To facilitate review and make project information and final reports available through the Texas Archeological Sites Atlas, we appreciate submitting abstracts online at <http://xapps.thc.state.tx.us/Abstract> and e-mailing survey area shapefiles to archeological_projects@thc.texas.gov if this has not already occurred. 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 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.



Finalized

[Back To List](#)[Assignment Details](#) ★ [Activity](#)[Print this Page](#)**Coordinate Species Analysis (TPWD or BGEPA)**

Associated Activity: Perform Species Analysis ▼

Agency Name: Texas Parks and Wildlife Department (TPWD) ▼

Coordination Status: Completed ▼

Are Correspondence Details Included: Yes ▼

Add Correspondence**Correspondence Status:** ▼**Correspondence Method:** ▼**Correspondence Date :** **Correspondence From:** **Correspondence To:** **Comments:****Add**

| Correspondence For | Correspondence Type | Date | Correspondence From | Correspondence To | Comments | Actions |
|--------------------------------------|---------------------|------------|---------------------|-------------------|---|---------|
| Sent Information | Email | 12/31/2020 | Leslie Mirise | TPWD/WHAB | Requested early coordination and shared file names/locations in ECOS. | |
| Sent Information | Email | 01/04/2021 | TPWD/WHAB | Leslie Mirise | Request received. Assigned project ID # 45814 and Habitat Assessment Biologist, Suzanne Walsh. | |
| Response received - futher action | Email | 01/25/2021 | Suzanne Walsh | Leslie Mirise | Is TxDOT in the scoping phase for this project or is there a draft EIS available for agency review? Could you please send the schematic files or direct me to the files in ECOS? | |
| Sent Information | Email | 01/25/2021 | Leslie Mirise | Suzanne Walsh | The DEIS is under development. Expect agency review of DEIS this summer, as the public hearing is expected to be scheduled then. The latest preliminary schematic would be dropboxed. | |
| Response received - no futher action | Email | 01/26/2021 | Suzanne Walsh | Leslie Mirise | Dropboxed schematic received. | |
| Sent Information | Email | 02/26/2021 | Suzanne Walsh | Leslie Mirise | Provided a list of seven recommendations. Please see the uploaded coordination record for specifics. | |
| Sent Information | Email | 03/17/2021 | Leslie Mirise | Suzanne Walsh | Provided TxDOT responses to TPWD's recommendations. Please see the uploaded coordination record for specifics. | |
| Response received - no futher action | Email | 03/23/2021 | Suzanne Walsh | Leslie Mirise | Response received. Coordination complete. | |

Comments:**Last Updated By:** Leslie Mirise**Last Updated Date:** 03/25/2021 02:47:22

C

Finalized

[Back To List](#)

Assignment Details

[Print this Page](#)

Activity - Perform Species Analysis

Comments:

Note: Draft 1 documents were received in June 2019. However, shortly after submission an additional alignment alternative. Therefore, the draft 1 documents were not reviewed.

The Species Analysis Spreadsheet, Species Analysis Form, Tier 1 Site Assessment, and supporting documents have been uploaded in the Documents/Biology section. Early coordination with TFPD was required.

Last Updated By: Leslie Mirise

Last Updated Date: 03/25/2021 02:49:15

[Site Map](#)