



U.S. Department
of Transportation
**Federal Highway
Administration**

Texas Division

December 28, 2011

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In Reply Refer To:
HA-TX

Finding of No Significant Impact
CSJ: 0196-03-138, 0196-03-180, 0196-03-240
IH-35E from IH-635 to President George Bush Turnpike
Dallas County

Mr. Mark A. Marek, P.E.
Interim Director
Environmental Affairs Division
Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701-2483

Dear Mr. Marek:

We have thoroughly reviewed our records on this project which include, but are not limited to, the revised Environmental Assessment (EA) dated August 2011, the Public Hearing Summary and Analysis Report and public involvement materials, and all of the previous environmental studies and findings. Based upon our own independent agency review and consideration of the analysis and evaluation contained in the EA for this project and after further consideration of all social, economic, and environmental factors, including input from the public involvement process, we hereby approve issuance of a FONSI for the IH-35E South project.

We concur in the findings of the August 2011 EA in that (1) the Build Alternative is the recommended alternative for the project, (2) the Build Alternative best meets the need and purpose of the project with the least amount of impacts to the resources in the area, and (3) the project will have no significant impacts on the quality of the human or natural environment under NEPA. In addition, based on this review, we find that an Environmental Impact Statement (EIS) is not required for this project.

Sincerely,

Anita N. Wilson
Urban Engineer

Enclosure

Cc: Moosa Saghian, P.E., Director of Transportation Planning and Development,
Dallas District

FEDERAL HIGHWAY ADMINISTRATION

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

For

IH 35E: FROM IH 635 TO PRESIDENT GEORGE BUSH TURNPIKE
DALLAS COUNTY, TEXAS

TxDOT CSJs: 0196-03-138, 0196-03-180, 0196-03-240

INTRODUCTION

The Federal Highway Administration (FHWA) has determined, in accordance with 23 CFR §771.119 and §771.121, that the proposed project to widen IH 35E from Interstate Highway (IH) 635 to President George Bush Turnpike (PGBT), also known as IH 35E South, will not have a significant impact on the human or natural environment. This Finding of No Significant Impact (FONSI) for the Build Alternative is based on the August 2011 Environmental Assessment (EA), public involvement input and agency coordination. The EA was approved by FHWA for public involvement August 22, 2011. The Public Hearing Summary Report (which includes responses to public comments) was prepared by TxDOT in December of 2011 and is on file at the TxDOT–Dallas District office, which includes the Dallas East and West area offices.

The August 2011 EA and the December 2011 Public Hearing Summary Report have been independently evaluated by FHWA, and determined to adequately and accurately discuss the need for, the purpose of, alternatives, environmental issues, and impacts of the proposed IH 35E widening project, and appropriate mitigation measures as summarized below. These documents provide sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. Finally, these documents are incorporated by reference into this decisional document.

PROJECT BACKGROUND

The Texas Department of Transportation (TxDOT) proposes the reconstruction of approximately 5 miles of Interstate Highway (IH) 35E within the Cities of Dallas, Farmers Branch, and Carrollton in Dallas County, Texas. The project limits extend from IH 635 and PGBT. As a result of this FONSI the approved reconstruction will result in:

- eight mainlanes (four in each direction);
- two to four collector distributor lanes (each direction) from north of Sandy Lake Road to PGBT;
- four concurrent High Occupancy Vehicles (HOV)/managed lanes in the center median of IH 35E;
- two to four-lane continuous frontage roads in each direction along the entire project corridor;
- proposed overpass and improvements/extension of Dickerson Parkway, and

- approximately 86 acres of proposed right-of-way (ROW) and approximately 0.4 acre of proposed easements; and
- grade separation of Belt Line Road, IH 35E frontage roads, and the Dallas Area Rapid Transit (DART) railroad tracks.

The selected Build Alternative is a product of municipal stakeholder and property owner input. The decision to shift the alignment to the west, thereby focusing proposed right-of-way (ROW) needs west of IH 35E was requested by municipal officials and property owners during the initial stages of schematic development. Preliminary design modifications such as this were coordinated between the local stakeholders and property owners to achieve a balanced and feasible solution for the proposed reconstruction of IH 35E. Based on feedback received from various stakeholder, public, and project meetings, the public is generally supportive of the incorporation of HOV/managed lanes and proposed reconstruction of IH 35E from IH 635 to PGBT.

A Corridor Aesthetic Master Plan will be developed providing technical illustrative corridor design guidelines that include aesthetic design guidance for architectural and landscape highway design elements. Such elements will include roadway- and community-related elements, roadside elements, and landscape opportunities. The aesthetic design guidelines and Corridor Aesthetic Master Plan will ultimately function as a guiding tool related to context-sensitive design considerations for contractor implementation of the proposed project.

Existing Facility

IH 35E South is within a primarily urbanized area with a few undeveloped areas adjacent to the ROW. The existing facility consists of six 12-foot (ft) mainlanes and two (interim) concurrent, buffer separated HOV lanes. The mainlanes are divided by a concrete traffic barrier (CTB) throughout the project limits. The existing ROW varies from approximately 250 to 300 ft along the corridor. The outside shoulders are 10-ft wide.

The existing Dickerson Parkway is a two-lane arterial roadway from Mayes Drive to PGBT on the east side of IH 35E. Dickerson Parkway terminates at Mayes Drive. The width of the existing ROW is 120 ft. The approximate widths of the existing lanes are 18 ft wide with 6-ft wide sidewalks on both sides of the existing facility. Curbs separate the roadway from the sidewalks along the current thoroughfare.

The existing interchange of IH 35E and Belt Line Road consists of an underpass (Belt Line Road going under IH 35E). Belt Line Road consists of six 12-ft wide lanes (three in each direction), separated by a median, within a variable ROW. The DART railroad tracks, Belt Line Road, and the IH 35E frontage roads are currently at grade.

There are seven arterial streets and two rail lines that cross (as an underpass or overpass) the existing facility within the project limits.

Traffic Projections

According to data obtained from the TxDOT's Planning and Programming (TPP) Division, the limits of the proposed IH 35E South improvements are located within two traffic analysis sections. These sections, IH 635 to Belt Line Road and Belt Line Road to Valley Ridge Boulevard, encompass the proposed IH 35E South section limits. The 2010 average daily traffic (ADT) from IH 635 to Belt Line Road is 245,800 ADT, and is projected to increase to 338,400 ADT in 2030. The 2010 ADT from Belt Line Road to Valley Ridge Boulevard is 200,300 ADT. Traffic within this segment is projected to increase to 288,000 ADT in 2030. The ADT for the two sections include both northbound and southbound mainlanes.

Need and Purpose

The project, located within Dallas County, is an essential element of the local and regional transportation system. Within the project area, IH 35E serves multiple purposes. It functions as an interstate and also serves as a major arterial serving local trips to and from work, school, shopping, etc. It also serves as an important regional commuter route connecting the Cities of Dallas, Farmers Branch, and Carrollton, as well as neighboring developing communities.

The IH 35E corridor between Dallas and Denton is in a state of rapid growth and needs substantial improvements to the existing transportation system. Between 2000 and 2030, the population of Dallas County is projected to increase 26.9 percent. Each of the cities adjacent to IH 35E in the study area is expected to increase in population. Evaluating the total population of all three cities and their projected 2030 population, this area is expected to grow by 246,430 people, or 18.5 percent. This growth pattern necessitates substantial transportation improvements to accommodate the projected increases in traffic demand to the already insufficient regional transportation system.

The purpose of the project is to address the transportation needs by increasing capacity, managing traffic congestion, improving mobility, and improving roadway deficiencies within the Dallas-Fort Worth metropolitan area. The project would also serve to enhance the regional transportation system and local area through which it traverses. The roadway expansion is consistent with local planning efforts.

REVIEW OF THE EA

Preferred Alternative

Considering the projected growth patterns and population projections for the corridor, only one Build Alternative was evaluated to accommodate the projected traffic demand. There would be limitations associated with improving the capacity of the existing freeways and thoroughfares for additional vehicle trips in the project area. The growth and expansion of the cities adjacent to the corridor are considered as how best to accommodate their increased use of IH 35E.

The Build Alternative will involve following the existing alignment and reconstruction of the existing facility. The typical mainlane section for the Build Alternative will consist of eight 12-ft wide lanes (four in each direction) with 10-ft inside and outside shoulders and two to four collector distributor lanes (each direction) from north of Sandy Lake Road to PGRT. Frontage roads will mostly consist of two and four lanes in each direction with 2-ft wide curb offsets (to the outside) for a maximum width of 38 ft. The frontage roads will be continuous throughout the length of the project and include 11-ft wide inside lanes and a 14-ft wide outer lane (excluding gutter) to accommodate bicycle travel along the IH 35E corridor. The cross roads within the

project limits will also accommodate bicycle travel by including a 14-ft wide outer lane for shared use by bicycles and vehicles.

The improvements to Dickerson Parkway (CSJ 0196-03-180) will consist of constructing an overpass for the extension of Dickerson Parkway over IH 35E and improvements to the existing portion of Dickerson Parkway. The proposed Dickerson Parkway facility will consist of four through lanes in total (two in each direction) and a 16-ft wide raised concrete median. The inside lanes will be 12 ft wide, while the outside lanes will be 14 ft wide for shared use of bicycles and vehicles. A 6-ft wide sidewalk is proposed along both sides of Dickerson Parkway. The proposed improvements to Dickerson Parkway will provide direct access from IH 35E and PGBT to the DART North Carrollton Transit Center and to the future DART Trinity Mills station associated with the Northwest Corridor expansion (Green Line).

The improvements to the interchange of IH 35E and Belt Line Road (CSJ 0196-03-240) include the grade separation of both Belt Line Road and the IH 35E frontage roads from the DART railroad tracks. For this purpose, Belt Line will be rehabilitated for approximately 0.5 mile. The proposed improvements to Belt Line Road will be depressed approximately 31 ft from its current location. No increase in capacity is proposed for Belt Line Road. Belt Line Road will consist of six through lanes (three in each direction) separated by a 16-ft wide raised concrete median; within a maximum proposed ROW of 122 ft. The two inside lanes will be 11 ft wide, while the outside lanes will be 14 ft wide for shared use of bicycles and vehicles. A 6-ft wide sidewalk is proposed for pedestrian use. The DART railroad tracks will cross underneath IH 35E.

The improvements will result in constructing, rebuilding, or upgrading all of the existing and proposed overpasses, bridges, and interchanges along IH 35E from IH 635 to PGBT.

Preferred Alternative Justification

Because the Build Alternative optimally accommodates the increased capacity, management of traffic congestion, improved mobility, and regionally adopted transportation policy objectives of the project need and purpose in conjunction with the extensive consideration of local stakeholders' needs, goals, and concerns regarding the project's interface with their respective communities and interests, the construction of the Build Alternative will best meet the need and purpose stated in this document.

Extensive stakeholder input solicitation occurred as early as the development of the Major Investment Study (MIS) through the 2008 public meeting to best incorporate the needs and goals of potentially affected property owners, communities, and other local and regional agencies. Between public meetings held in 2003 and 2008 as part of the EA process, the proposed IH 35E reconstruction project underwent design modifications in coordination with municipalities adjacent to the proposed project and other stakeholders. As a result of the public meetings and coordination and in order for the project to best interface with the concerns of the public, affected agencies, municipalities, and property owners, the preferred alternative's design underwent substantial adjustments from what was originally proposed to mitigate for such concerns and to optimally tie into stakeholders' goals. Design modifications were coordinated between local stakeholders and property owners to achieve an optimally balanced and feasible solution to the corridor's transportation needs and goals based upon comments of support received at public meetings and stakeholder work group meetings. Adjustments consisted of mainlane shifts to avoid displacing or adversely impacting valued community assets and amenities and to minimize the number of displacements. Additionally, adjustments included enhancements to adjacent and nearby properties to improve access and improve safety due to

sight distance. Adjustments minimized the amount of overall ROW acquisition and were made to the extent practicable to optimally mitigate and incorporate the goals of all stakeholders involved in the process and to retain the objectives of the project's need and purpose to increase capacity, manage traffic congestion, improve mobility, and incorporate local transportation policy related to the HOV/managed lane concept.

Anticipated Impacts from the Preferred Alternative

An EA was prepared that examined the social, economic, and environmental impacts associated with the proposed project. The following direct impacts are anticipated as a result of the proposed improvements:

Waters of the U.S., including Wetlands

Pursuant to Executive Order (EO) 11990 (Protection of Wetlands) and Section 404 of the Clean Water Act (CWA), an investigation was conducted to identify potential jurisdictional waters of the U.S., including wetlands, within the proposed project limits. Areas within the proposed project ROW were identified, characterized, and delineated in order to evaluate the potentially jurisdictional status of the sites. Alternatives were reviewed as required by EO 11990 on wetlands, after avoidance and minimization of impacts were implemented and no other practicable alternatives to wetland impacts were identified.

Two wetlands, totaling approximately 0.55 acres, were delineated. These wetlands are considered potentially jurisdictional. Thirteen water features were delineated totaling approximately 5.04 acres. One water feature (Water 9), which appears to be an old borrow pit, is potentially non-jurisdictional. Four mitigation areas constructed as mitigation for previous Section 404 impacts associated with a TxDOT project were delineated totaling approximately 7.74 acres. Any potential jurisdictional and non-jurisdictional areas will be determined by completing coordination with the USACE.

Wetland 2; Waters 8A, 10, and 12; and Mitigation Areas 1 and 2 will have fill material permanently placed within each feature. Wetland 1; Waters 6 and 11; and Mitigation Areas 3 and 4 will be bridged and minimal impacts (including temporary impacts) will result from the placement of columns within the delineated boundaries of the features. Water 6 will be bridged and no columns will be placed within the delineated boundary of this feature. Temporary impacts will result from the proposed construction activities during the construction of the proposed bridge structures.

The placement of temporary or permanent dredge or fill material into waters of the U.S., including wetlands, that are determined to be jurisdictional will require a Section 404 Nationwide Permit (NWP) 14 (*Linear Transportation Projects*). A NWP 14 Preconstruction Notification (PCN) will be required for Areas 3, 6, and 8 because the permanent fill impact exceeds the NWP 14 threshold of 0.10 acre of impacts, but are less than 0.50 acre of impacts, and/or because fill will be placed in a special aquatic site (wetland). For Area 9, an amendment to USACE Permit Number 1994400674 will be required for the permanent impacts to the Mitigation Areas 1 through 4. US Army Corps of Engineers (USACE) Permit Number 1994400674 is a TxDOT Section 404 permit. A NWP 14 will be required for the permanent impacts to Water 11, Areas 1, 2, 6, 7 and 12. It is anticipated that temporary fills in potential jurisdictional waters and wetlands will occur during construction.

Compensatory mitigation for Section 404 impacts will be coordinated with the USACE and performed in accordance with the terms of the approved NWP 14 PCN and Permit Amendment.

Floodplains

Approximately 179.6 acres of the Build Alternative lie within the 100-year floodplains of Rawhide Creek, Cooks Branch, Hutton Branch, Furneaux Creek, and the Elm Fork Trinity River. The floodplain of these water bodies are designated as Zone A and Zone X500. Preliminary conclusions of the hydrology and hydraulics analyses indicated that the structures proposed at Cooks Branch, Hutton Branch, and Furneaux Creek will result in no adverse backwater effects. Furthermore, the changes in water surface elevation were found to be not significant. Therefore, the resulting impact to the floodplain will be minimal.

The project is within the Trinity River Corridor Development Regulatory Zone and a Corridor Development Certificate (CDC) will be required. Coordination with the local Floodplain Administrator will be required and will occur during the detailed design phase of the proposed project.

Water Quality

Runoff from the proposed project construction will flow into several creeks that flow into the Elm Fork Trinity River south of Lewisville Lake (Segment 0822). Segment 0822 of the Elm Fork Trinity River is listed as impaired for bacteria in the 2008 303(d) list. Therefore, coordination with Texas Commission on Environmental Quality (TCEQ) will be required.

Threatened/Endangered Species and Habitat

After reviewing habitat requirements and conducting multiple field visits between 2003 and 2009, it was determined that this project will have no effect on any federally listed threatened or endangered species, its habitat, or designated habitat, nor will it adversely impact any state-listed species within the project limits.

Potential habitat may exist in the project corridor for the timber/canebrake rattlesnake which is a state-listed species. These species were not seen during the reconnaissance surveys by qualified biologists nor are they anticipated to utilize areas within the project limits because the areas are isolated and located primarily in urbanized metropolitan areas that have been established for some time.

Suitable habitat may exist within the proposed ROW at the two perennial stream systems for the Louisiana pigtoe and Texas heelsplitter (both state-listed species) and for the little spectaclecase and Wabash pigtoe (both state species of concern). Prior to any construction activities a qualified biologist shall survey the proposed project corridor for any listed species, due to the time period that will elapse between this evaluation and the start of construction activities. A brief investigation of the site immediately prior to construction by a qualified wildlife biologist will help to minimize any adverse impacts to species that have limited mobility (i.e., snakes, frogs, and lizards) during roadway construction activities. If the listed mussel species are encountered within the proposed project ROW the local Texas Parks and Wildlife Department (TPWD) biologist will be contacted by TxDOT-ENV to determine an appropriate plan of action.

The stream systems within the project limits have been previously modified to some extent to better manage the drainage from IH 35E and other developments. Hutton Branch and Furneaux Creek are the two perennial streams within the project limits which could provide the stable water source and preferred substrate for the species. These two streams are currently bridged and the proposed design will bridge these features. Within the existing ROW, many of the streams flow through a culvert or contain concrete or riprap along the bottom of the stream

channel. Temporary crossings may be utilized for the construction of the bridges. However, the temporary crossings will be removed after construction and the areas will continue to function as they do currently. If temporary fill or mats are utilized at the crossings, the areas will be returned to the pre-existing conditions once the temporary fill is removed.

In a May 20, 2010, coordination letter, TPWD recommended replacement compensatory mitigation for the impacts to the wetland mitigation areas of past projects and compensatory mitigation for the 0.45 acre of riparian habitat impacts. The impacts to the wetland mitigation areas of past projects will be addressed through coordination with the USACE as an amendment to USACE Permit Number 1994400674. The riparian woodland impacts will be mitigated for as part of the Section 404 mitigation and performed in accordance with the terms of the approved NWP. As requested in the letter, a copy of the USACE-approved NWP will be provided to the TPWD to document completion of mitigation requirements.

Vegetation and Wildlife Habitat

Most of the project area exhibits commercial and residential development with some isolated pockets of undeveloped land. The existing ROW along IH 35E contains herbaceous vegetation and landscape plantings, both of which are routinely maintained by mowing. There are approximately 352.3 acres of land within the existing and proposed ROW and easements. Of this total acreage, approximately 52 percent (183.4 acres) contains herbaceous vegetation, approximately 6 percent (19.4 acres) contains woody vegetation, and approximately 42 percent (149.5 acres) is paved or contains structures within developed areas. Based on the current schematic design, it is anticipated that the entire existing and proposed ROW or easements will be cleared during construction of the proposed project. This could result in potential impacts to the entire approximately 183.4 acres of herbaceous vegetation and approximately 19.4 acres of woody vegetation.

Approximately 86.8 acres of land will be required for this roadway reconstruction project. Of the total 86.8 acres of land required for the project, there are approximately 12.5 acres of woody vegetation and approximately 34.6 acres of herbaceous vegetation interspersed throughout the proposed ROW and easements that would potentially be impacted. The remaining approximately 39.7 acres is developed areas and contains structures or areas that are paved. Of the total area comprised of woody vegetation, there is approximately 4.38 acres which are considered woodland areas. The remaining approximately 8.12 acres of woody vegetation is interspersed throughout the proposed project limits. Of the total 86.8 acres of land acquired, the percent canopy cover is approximately 14 percent, herbaceous cover is approximately 40 percent, and the remaining approximately 46 percent is comprised of paved areas or contains structures within developed areas.

Of the total woody vegetation, approximately 0.45 acres are considered riparian woodlands for which compensatory mitigation is proposed in accordance with Provision (4)(A)(ii) of the 1998 TxDOT-TPWD Memorandum of Agreement (MOA). Additionally, TxDOT will mitigate for the loss of large trees which were identified at four woodland sites. The total number of large individual trees and total acreage affected and thus compensated for may change during final design. TxDOT will minimize the loss by preserving as many trees as possible. Trees within the ROW, but not in the construction zone, will not be removed if possible.

The adverse effects to vegetation could be minimized to the extent that only those trees that will be directly impacted by construction will be removed. In areas where impervious cover is not required, TxDOT approved seeding specifications will be followed. Direct loss of vegetation from

the construction of this project will be minor. It is anticipated that this loss of vegetation will contribute cumulatively to the overall loss of wildlife habitat in the general area.

Land Use

It is not anticipated that this project will substantially affect current or future land uses; however, the proposed project may affect the rate of development and redevelopment along the IH 35E corridor. The project may delay short and mid-term land development and investment along the IH 35E corridor, but in the long term, land development and redevelopment are anticipated to rebound and continue at an accelerated pace in accordance with the land uses planned and prescribed by cities traversed by the proposed project. The project is consistent with local planning efforts.

Section 4(f) and Section 6(f) Properties

The project will not require the use of, nor substantially impair the purposes of any publicly owned land from a public park, recreational area, wildlife and waterfowl refuge lands, or historic sites of national, state, or local significance; therefore, a Section 4(f) or 6(f) Evaluation is not required.

Right-of-Way/Easements/Construction License/Displacements

Approximately 86.4 acres of additional ROW will be required for the Build Alternative resulting in the displacement of 111 business establishments, 24 vacant buildings/suites, and 3 places of worship for a total of 138 displacements. The proposed improvements will require 0.4 acre of easements. The easements consist of multiple drainage easements and will not result in any of the 138 anticipated displacements.

An Economic Opportunities Impact Assessment (EOIA) was conducted to assess whether any adverse effects would be caused by the implementation of the proposed IH 35E improvements given the economic climate and the potential effects to existing employment opportunities if the displaced businesses cannot successfully re-establish. The EOIA anticipated that a total of 2,427 employees would be potentially impacted by the displacement of the 111 commercial establishments. Of the 2,427 anticipated employee impacts, approximately 65 percent (1,578 impacted employees) are associated with the 27 displaced commercial entities located within the City of Farmers Branch, and approximately 35 percent (849 impacted employees) are located within the City of Carrollton. The EOIA technical report is provided in Appendix H of the EA.

Environmental Justice/Socio-Economic Impacts

Based on the analysis provided in the EA, two environmental justice effects were identified: displacements of three places of worship (two of which confirmed provision of services to non-English speaking populations) and the economic impact of tolling. However, when considering the totality of effects of this project, the overall benefits provided for the entire community, including low-income and minority populations, outweigh the specific concerns about environmental justice that are discussed in the EA.

The proposed project's direct impacts associated with tolling are not anticipated to be isolated within a limited number of census blocks such as the potential displacement impacts, but are believed to be distributed among all users of the IH 35E facility. Low-income populations who elect or can only on occasional basis afford to pay tolls to access the tolled HOV/managed lanes will be impacted by toll rates, toll collection, and other matters associated with user fees. In addition, the economic impact of tolling the HOV/managed lanes will be higher for low-income

users because the cost of paying tolls will represent a higher percentage of household income than for non-low-income users. However, tolled HOV/managed lane users (including environmental justice populations) might decide to reduce their personal economic or time travel impact of tolls by either utilizing the non-toll mainlanes, non-toll frontage roads, or transit options, where tolls will be waived for the transit provider.

Over the long term, the entire corridor and users will benefit from the proposed IH 35E South project as a result of increased capacity, managed traffic congestion, and improved mobility in the area. There do not appear to be any disproportionately high and adverse impacts on minority or low-income populations associated with the proposed project because the majority of displacements (approximately 91 percent) will occur in non-environmental justice census blocks, feedback from the public meeting and other TxDOT-sponsored meetings did not indicate any environmental justice issues as a result of displacements or impacts to community cohesion, the origin and destination (O&D) analysis indicated the majority of trips anticipated to utilize the Build Alternative will not originate from areas identified with high concentrations of environmental justice populations, and non-toll options exist for those who elect or can only on an occasional basis afford to pay tolls to access the tolled HOV/managed lanes.

The overall impact of the IH 35E South project can be expected to result in both negative and positive impacts to community cohesion. Negative impacts that may result from the proposed improvements could require community members to travel a further distance from their present community because of the relocation of commercial facilities and places of employment. The congregations of the three potentially relocated places of worship may be required to travel a further distance to participate in worship services or community outreach programs depending on the relocation of these facilities. Positive impacts that may result from the proposed improvements include redevelopment of the IH 35E commercial frontage on the west side of IH 35E. The potential redevelopment could yield additional commercial retail or places of employment opportunities for community members. Over the long term, it is anticipated that all users of the IH 35E corridor within the adjacent community will benefit from the proposed project's increase in capacity, managed traffic congestion, and improved mobility in the area.

Clarification on the Managed Lane Policy

The RTC serves as the transportation policy-making board for North Central Texas and is responsible for developing policies with regard to the delivery, development, and operation of the transportation system including current HOV lanes and the future integrated Managed Lane System. The current managed lane policy, known as "Managed Lanes Policies," was adopted by the RTC on May 11, 2006 (and subsequent revisions). The policy can be found at http://www.nctcog.org/trans/committees/rtc/ManagedLanePolicies_091307.pdf. This policy is subject to modification by the RTC; however, this would only occur after an opportunity for public input and comment on any changes to the policy. The managed lanes in this corridor would operate according to the regional policy in place at the time the facility opens to traffic, in concert with revisions to the long-range transportation plan (*Mobility 2035*) and the environmental document.

The basic occupancy definition for HOV is currently defined as a vehicle with two or more occupants and is commonly referred to as "2+." This has been the operational definition for an HOV in the region since 1992 when the first interim HOV facility opened to traffic. Since then, many interim HOV facilities have opened in corridors throughout the region as a way to make some level of immediate-action improvement until a more permanent solution could be designed and funded.

The HOV system was the first phase of growing and developing a regional framework of facilities which are actively managed throughout the day to maximize mobility benefits and offer more reliable and consistent travel time expectations. The current interim HOV system will begin to transition into a fully managed network over the next few years. The managed facility concept, referred to as a Managed Lane System, broadens the usage and eligibility definition for these lanes in such a way as to allow congestion to be fully managed using operational techniques based on but not limited to number of occupants, time of day, level of congestion, vehicle type, pricing, or other criteria.

The current regional long-range transportation plan, *Mobility 2035*, identifies and recommends a need to begin the transition to a managed lane system, while at the same time reviewing current policies regarding a possible shift in the occupancy definition from “2+” to “3+”, and also reviewing the need for additional management techniques which includes dynamic pricing. This is currently being studied with the desire that these changes begin as early as mid- to late 2013, to coincide with the phased opening of the region's first permanent managed lanes as part of the LBJ Express project. The implementation of this change could shift to ensure the completion of appropriate technical analyses, environmental documentation, operational studies, and public notification and involvement.

Rebate Language Clarification

For managed lanes with dynamic pricing, current policy (found at http://www.nctcog.org/trans/committees/rtc/ManagedLanePolicies_091307.pdf) stipulates that rebates would be paid if the average speed in a managed lane facility drops below 35 miles per hour over a predetermined amount of time. However, rebates would not apply if the speed reduction is out of the control of the operator of the managed lane (i.e., accidents, incidents, weather conditions). Current technical limitations exist which will prevent individual travelers or vehicles from receiving these rebates directly. Instead, the intent of the policy is that the rebate will likely be in the form of a specific corridor or system-level rebate, where monies collected will go back into improving the overall system, benefiting all drivers. Policies are being reviewed and developed by regional transportation agencies and the RTC which will further clarify and determine how the rebate is to be applied. This rebate language is included in the managed lane policies adopted by the RTC in 2006 (and subsequently modified).

Air Quality

The project is consistent with the conforming *Mobility 2030 – 2009 Amendment* and the *2011-2014 TIP*. A carbon monoxide (CO) analysis was conducted for the project. This analysis concluded that local concentrations of CO are not expected to exceed national standards in either the estimated time of completion (2025) or the design year (2035). A quantitative Mobile Source Air Toxics (MSAT) analysis was also conducted for this project. This analysis evaluated the mass of MSAT emissions estimated to occur in the 2009 base year and the 2030 Build and No-Build scenarios. The analysis indicated that the MSAT emissions for 2030 are predicted to decrease by 48% compared with 2009 levels.

Traffic Noise

Existing and predicted traffic noise levels were modeled at receiver locations that represent the land use activity areas adjacent to the proposed project that might be impacted by traffic noise and potentially benefit from feasible and reasonable noise abatement. The proposed project will result in a traffic noise impact and the following noise abatement measures were considered: traffic management, alteration of horizontal and/or vertical alignments, acquisition of undeveloped property to act as a buffer zone and the construction of noise barriers. Because

none of these noise abatement measures will be both feasible and reasonable; no abatement measures are proposed for this project.

Traffic Operations

Although it is anticipated that the increased capacity and continuous frontage roads will benefit the local roadway system, a traffic study area was developed to better analyze traffic operations between the Build and No-Build scenarios. The direct impacts analysis entailed the comparison of the number of lane-miles operating under different LOS between Build and No-Build Alternatives in 2030 during the AM peak hour. The LOS comparison indicates that there will be an increase in lane-miles operating under LOS A-B-C along both the mainlanes and HOV/managed lanes under the Build Alternative.

Hazardous Materials

There are 17 High Risk hazardous materials sites that must be considered during final design. Sites considered likely to be contaminated and within the proposed ROW are categorized as "high risk". Eleven of the high risk sites (Sites 6, 7, 11, 12, 26, 28, 30, 40, 41, 48 and 49) have a reported leaking petroleum storage tank (LPST). Each of the LPST sites will have a portion or the entire parcel acquired. Site 137, a municipal Solid Waste Landfill (MSWLF), is included as a high-risk site. A portion of the property will be impacted. This site is listed as "permit withdrawn" and is not currently operating as a MSWLF. During final design, additional investigation will be required to confirm if contamination will be encountered during construction. If contamination is confirmed, then TxDOT will develop appropriate soils and/or groundwater management plans for activities within these areas.

Additional ROW will be acquired from one voluntary cleanup program (VCP) site (Site 11) at-grade in relation to the proposed project which contains soil /groundwater contamination from volatile organic compounds (VOC) and total petroleum hydrocarbons (TPH). Sites 1, 2, and 3 are spills of diesel fuel, concrete additive, and calcium lignosulfate that occurred within the existing ROW. Site 5 is listed as a chemical storage site and small quantity generator of industrial waste, including corrosive and ignitable waste. This facility has passed all validation checks; however, it is considered a high-risk site because of anticipated property impacts at the site and the potential for encountering hazardous materials such as chromium, lead, and mercury.

The visual survey identified three properties (N1, N2 and N3) which are automotive service stations. Site N2 will not be affected by property acquisition; therefore, the risk for encountering contaminated soils or water in this area is low. Although no database information is available for Sites N1 and N3, there is a low risk of encountering soil or water contamination during construction based on gradient, anticipated ROW impacts, current land use, and field observations.

Thirty-five sites are characterized as low risk. Sites are categorized as "low risk" if available information indicates that some potential for contamination exists, but the site is not likely to pose a contamination problem to highway construction. Fifteen of the total 35 low-risk sites within or adjacent to the proposed roadway improvements are registered petroleum storage tanks (TXPSTs) sites. Sites 8, 18, 21 and 27 also contain a TXLPST and are at-grade with the proposed project. No additional ROW is needed from these four sites. Many of the sites contain multiple tanks; and a total of 39 tanks have been registered at the 15 sites. A total of 30 tanks have been removed from the ground, one has been permanently filled in place, one is currently out of use, and seven are currently in use. Most of the tanks are used for the storage

of gasoline, although some are used for diesel, used oil, or kerosene. However, because these sites are adjacent to the proposed project or minimal impacts could occur, they have been classified as low risk due to the low possibility of encountering contamination as a result of leaks. The remaining sites were identified as small quantity generators or dry cleaners. Coordination with property owners, tank owners, operators, and TCEQ on these sites will be an ongoing process up to and during construction.

No oil or gas wells exist within the proposed ROW. Two natural gas pipelines cross the proposed project area, near the northern project terminus. The Atmos Pipeline is an active gas transmission line. The Goldfield Gathering, Ltd. line is an active gas gathering line. These natural gas pipelines will be addressed during the utility adjustment phase of the proposed project.

The proposed project includes the demolition of building structures. Asbestos containing materials (ACM) are not present in the existing bridge structures. However, TxDOT will notify the Department of State Health and Human Services (DSHS) of the bridge demolition 15-working days prior to the scheduled demolition.

PUBLIC INVOLVEMENT

Public involvement is an integral and critical component of the NEPA project development process. The public involvement team for the IH 35E South project included representatives from TxDOT's Dallas District and Dallas County Area Office, and also included extensive consultation with and the participation and involvement of the FHWA and county and local officials.

Stakeholder Involvement

Stakeholder work group meetings have been held since August 2008 to facilitate communication between TxDOT and adjacent municipalities as well as other public agencies with interests along the IH 35E corridor. Stakeholders invited to the stakeholder work group meetings are defined as municipal, county, or other public agencies affiliated with the proposed IH 35E improvements, such as the USACE, DART, Denton County Transportation Authority (DCTA), North Central Texas Council of Governments (NCTCOG), and the University of North Texas

Elected Official Outreach

In addition to the public meetings and stakeholder meetings, various meetings and/or presentations have been given to public officials associated with several municipalities along the project corridor.

Public Meetings and Public Hearing

Two public meetings were conducted on April 3, 2003 and November 17, 2008 as part of the EA process for the proposed IH 35E reconstruction project. During the time period when the first public meeting was held in 2003 through the second public meeting held in 2008, the proposed IH 35E reconstruction project underwent schematic design modifications and coordination with the adjacent municipalities occurred.

An Open House/Public Hearing was held on September 27, 2011 at the R.L. Turner High School in Carrollton, TX. There were 80 registered attendees, from which one was an elected official. In addition, the District Manager, from State Representative Burt Solomons' office, Landon Bell, was in attendance. Three attendees were municipal officials and included the

following: City of Carrollton Transportation Engineer, Tom Hammons, City of Carrollton City Manager, Leonard Martin, and Dallas County Planner, D'Juan Harris. A Summary and Analysis document detailing the Public Hearing and the associated comments received was submitted to TxDOT ENV in December 2011.

In order to update those who attended the 2011 Public Hearing and adjacent property owners on the status of the proposed project, TxDOT published a notice (at least 30 days and 10 days in advance of the public hearing) in three area papers during August and September 2011. The notice was published in the following papers:

- *Dallas Morning News* (Metro, Central, and Metro West) on August 28 and September 18, 2011;
- *Al Dia* on August 27 and September 17, 2011; and
- *Carrollton Leader* on August 31 and September 14, 2011;

The same notice was mailed to the adjacent property owners, based on Dallas County Appraisal District records. The notice was released by the TxDOT Dallas District's Public Information Office to local media on September 15, 2011. The notice requested that any comments or questions regarding the proposed project be made to the TxDOT Dallas District by October 7, 2011 during which period a total of nine written comments were received. Two attendees made verbal comments during the Public Hearing.

Of the 11 total comments received (two verbal and nine written), two expressed support for the project and nine expressed concern and/or inquiries relating to the following issues:

- general project information;
- ROW acquisition;
- the project timeline;
- access;
- pedestrian/bicycle facilities; and
- tolls on the HOV/Managed Lanes

FHWA has completed a review of the required public involvement procedures and documentation and has determined that TxDOT adequately responded to all comments appropriately. The Public Hearing Summary Report (which includes responses to public comments) was prepared by TxDOT in December 2011 and is on file at the TxDOT – Dallas District office, which includes the Dallas East and West area offices.

Changes to be Made to the IH 35E Design as a Result of Public Input

As a result of close coordination with stakeholders, resource agencies and the community, TxDOT was able to identify and address community needs and concerns throughout the project development process. No design changes were made as a result of comments received from the September 2011 public hearing.

MITIGATION AND MONITORING COMMITMENTS

Right-of-Way/Easements/Construction License/Displacements

The proposed IH 35E improvements will require additional ROW, and thus will result in a number of displacements. Approximately 86.4 acres of proposed ROW and approximately 0.4

acre of proposed easements, and approximately 138 displacements will be required. All relocation efforts will be consistent with the requirements of the Civil Rights Act of 1964, the Uniform Relocation Assistance and Real Properties Acquisition Act of 1970 as amended, and the Housing and Urban Development Act of 1974.

Although the Cities of Carrollton and Farmers Branch are not developing formal initiatives or plans to mitigate the impacts of business displacements, representatives of both Cities have expressed a willingness to assist all potentially affected employers if it is practical and feasible to do so.

The Workforce Solutions for North Central Texas, at TxDOT's request, is being proactive in assisting any employees that will be affected as a result of the displacements associated with the proposed reconstruction of IH 35E. Workforce Solutions staff attended the proposed project's Open House/Public Hearing and provided handouts and other information regarding Workforce Solutions services. As presented in Appendix I of the EA, Workforce Solutions for North Central Texas can coordinate with employers identified for relocation by TxDOT via the ROW acquisition phase of project development to engage and provide 1-2 hour "rapid response workshops" if requested by the employers, regardless of the number of employees anticipated to be impacted. The rapid response workshops could be planned and conducted by the Workforce Solutions of North Central Texas to provide information to groups ranging from 5 to 500 employees regarding the programs provided by the Workforce Centers and how to apply for unemployment benefits. Multiple rapid response workshops could be conducted by the Workforce Solutions for North Central Texas to distribute information to all employees potentially impacted by the proposed IH 35E project. Efforts by Workforce Solutions' services are targeted toward assisting the individual employees and can help prepare those employees to work in other occupations if the employee is unable to find work in or chooses to leave their current field of employment.

Waters of the U.S., including Wetlands

Section 404

The placement of temporary or permanent dredge or fill material into waters of the U.S., including wetlands, that are determined to be jurisdictional will require a Section 404 NWP 14. A NWP 14 PCN will be required for Areas 3, 6, and 8 (Waters 3, 4, 5, 8, 8A, and 10; and Wetlands 1 and 2) because the permanent fill impact exceeds the NWP 14 threshold of 0.10 acre of impacts, but are less than 0.50 acre of impacts, and/or because fill will be placed in a special aquatic site (wetland). For Area 9 (Mitigation Areas 1 through 4 and Water 11), an amendment to USACE Permit Number 1994400674 will be required for the permanent impacts. USACE Permit Number 1994400674 is a TxDOT Section 404 permit. A NWP 14 will be required for the permanent impacts to Areas 1, 2, 4, 5, and 10 (Waters 1, 2, 6, 7, 11 and 12). It is anticipated that temporary fills in potential jurisdictional waters and wetlands will occur during construction.

If additional jurisdictional impacts (beyond those covered in the proposed Section 404 permit application) are identified due to the construction contractor's elected construction methodologies or activities, the contractor will be responsible for obtaining the appropriate Section 404 permit from the USACE for the additional impacts.

Section 401

The Stormwater Pollution Prevention Plan (SW3P) will include at least one Best Management Practice (BMP) from the 401 Water Quality Certification Conditions for NWP as published by the TCEQ. A Tier I Water Quality Certification will be required for the proposed project.

Water Quality**Texas Pollution Discharge Elimination System (TPDES)**

The proposed project will disturb more than five acres; therefore, a Notice of Intent will be filed to comply with TCEQ stating that TxDOT will have a SW3P in place during construction of proposed project. A Notice of Termination will also be required for the proposed project.

Threatened/Endangered Species and Habitat

Suitable habitat may exist within the proposed ROW at the two perennial stream systems for the Louisiana pigtoe and Texas heelsplitter (both state-listed species) and for the little spectaclecase and Wabash pigtoe (both state species of concern). Prior to any construction activities a qualified biologist shall survey the proposed project corridor for any listed species, due to the time period that will elapse between this evaluation and the start of construction activities. A brief investigation of the site immediately prior to construction by a qualified wildlife biologist will help to minimize any adverse impacts to species that have limited mobility (i.e., snakes, frogs, and lizards) during roadway construction activities. If the listed mussel species are encountered within the proposed project ROW the local TPWD biologist will be contacted by TxDOT-ENV to determine an appropriate plan of action.

Migratory Bird Treaty Act (MBTA)

Between October 1 and February 15, the contractor will remove all old migratory bird nests from any structures that will be affected by the proposed project, and complete any bridge work and/or vegetation clearing. Between February 15 and October 1, the contractor will be prepared to prevent migratory birds from building nests per the Environmental Permits, Issues, and Commitments (EPIC) plans. In the event that migratory birds are encountered on-site during project construction, adverse impacts on protected birds, active nests, eggs, and/or young will be avoided. If species are present, work will cease at that location and TxDOT personnel will be contacted. If any active nests are found, the local U.S. Fish and Wildlife Service (USFWS) biologist will be contacted by TxDOT to determine an appropriate plan of action.

Vegetation and Wildlife Habitat

The 1998 MOA between TPWD and TxDOT provides for compensatory mitigation for impacts to certain habitat features, including large and unusual trees that result from the construction of roadway projects. As part of the Section 404 permit, TxDOT proposes compensation/mitigation for the loss of approx. 0.45 acres of riparian woodlands and individual trees with a diameter at breast height greater than 20 inches is proposed. Planting design and species selection will be based on habitat value to wildlife and will simulate wooded communities naturally occurring in the area. Trees within the ROW, but not in the construction zone, will not be removed if possible.

Air Quality

To minimize air quality impacts due to dust and exhaust gases associated with construction activities, measures to control fugitive dust will be considered and incorporated into the final design and construction specifications.

Historical and Archeological Sites

If archeological or historic sites are discovered prior to or during construction, work will cease immediately. A TxDOT staff archeologist will then assess the site pursuant to the Texas Antiquities code and the site will be avoided or mitigated according to Section 106 of the National Historic Preservation Act.

Traffic Noise Assessment

The proposed project will result in a traffic noise impact and the following noise abatement measures were considered: traffic management, alteration of horizontal and/or vertical alignments, acquisition of undeveloped property to act as a buffer zone and the construction of noise barriers. Because none of these noise abatement measures will be both feasible and reasonable; no abatement measures are proposed for this project.

Hazardous Materials

There are 17 High Risk hazardous materials sites that should be considered during final design. Eleven of the high risk sites have a reported LPST (Sites 6, 7, 11, 12, 26, 28, 30, 40, 41, 48, and 49) and the corrective action for each site is "final concurrence issued, case closed." Sites 1, 2, and 3 are spills of diesel fuel, concrete additive, and calcium lignosulfate that took occurred within the ROW limits. Site 5 is listed as a chemical storage site and small quantity generator of industrial waste, including corrosive and ignitable waste. Site 35 (Chromalloy) is listed as a Tier II, Resource Conservation and Recovery Act – Generator (RCRAG), industrial and hazardous waste (IHW) site in compliance with waste generation permits. Site 137, a MSWLF, is included as a high-risk site as a portion of the property will be impacted. During final design, additional investigation will be required to confirm if contamination will be encountered during construction. If contamination is confirmed, then TxDOT will develop appropriate soils and/or groundwater management plans for activities within these areas.

MONITORING OR ENFORCEMENT

All commitments and conditions of approval stated in the EA and shown on the EPIC sheet (attached) will be monitored by TxDOT and other appropriate state, federal, and local agencies to ensure compliance.

FHWA DECISION

FHWA has reviewed all of the relevant documents and materials and all of the environmental studies and findings. Based upon our own independent review and analysis we find that the August 2011 Final EA for the IH 35E South project analyzed and considered all of the relevant potential environmental impacts and issues. FHWA concurs with the findings made in the EA in that: (1) the Build Alternative is the selected alternative for the IH 35E South project, (2) the Build Alternative best meets the purpose and need of the project with the least amount of impacts to the resource areas, and (3) the proposed project with all the required mitigation and coordination as detailed above will have no significant impacts on the quality of the human or natural environment under NEPA.

The analyses conducted for the proposed project was based on data and methodologies associated with the long-range metropolitan transportation plan (MTP) *Mobility 2030-2009*

Amendment adopted by the RTC of the NCTCOG on April 9, 2009. On March 10, 2011, a new MTP, *Mobility 2035*, was adopted by the RTC of the NCTCOG. On July 14, 2011, this new plan and the associated TIP (*2011-2014 TIP – 2011 Amendment*) were found to conform to the SIP. This EA was prepared during the MTP transition period between *Mobility 2030-2009 Amendment* and *Mobility 2035*.

On June 22, 2011, FHWA released a guidance memorandum containing procedures to determine environmental document consistency between MTPs during an MTP transition period. The purpose of the guidance memorandum, entitled *Guidance for Metropolitan Transportation Plan Transition (between Plan years) and NEPA Document Requirements and Processing*, is to ensure that environmental documents prepared during the MTP transition period are consistent with the new MTP and are not required to be updated, thus streamlining the environmental process. In accordance with the guidance memorandum, TxDOT prepared a technical report and determined that the EA is consistent throughout the transition period between *Mobility 2030-2009 Amendment* and *Mobility 2035*; therefore, the analyses based on *Mobility 2030-2009 Amendment* remains valid.

Based upon our own agency review and consideration of the analysis and evaluation contained in the EA and Administrative Record for this proposed project, and after further careful consideration of all social, economic, and environmental factors, including input from the public involvement process, FHWA further approves the Build Alternative as the selected alternative for the proposed action. The selected alternative best fulfills the need and purpose for the project and meet the goals identified for the IH 35E corridor.

As to project mitigation, TxDOT is hereby required to ensure completion of all mitigation outlined above and set out specifically in the August 2011 Final EA for the IH 35E South project and EPIC sheet. TxDOT is also required to ensure that any and all local, state, or federal permit requirements and conditions are met and otherwise complied with.


For Federal Highway Administration

12/28/2011
Date

Revised: October, 2010

Action No.	Waters of the US/Station #		Commitment
	N/L of Centerline	of Centerline	
1. Erie NAL with TIED for			Comply with IPDES CDP, Contractor must implement and maintain a SGP. See SGP Plan Sheets, BMAP, and detail.
Water 1	662-50		
Water 2	677-00		
Waterland 1	703-00	to 712-00	
Water 3	713-25		
Water 4	718-00		
Water 5	729-00	to 734-00	
Water 6	760-50		
Water 7	793-50		
Water 8	816-50		
Water 8A	816-50		
Water 9	830-00		
Water 10	853-00		
Waterland 1	24-00	to 27-00 (10:00am)	
Waterland 2	20-50	to 21-50 (10:00am)	
Waterland 3	668-00		

Permit	Required Action	States of the US	Applicable Plan Sheet Number
<input type="checkbox"/> No Permit Required			
Permit 14 with PDI	Comply with all permit conditions	Boiler 3 Boiler 4 Boiler 5 Boiler 8 Boiler BA Boiler 10 Boiler 11 Refractor 1 Refractor 2 Refractor 3	
WPP 1994-00574	Obtain permit amendment	Refractor 4 Refractor 5 Refractor 6 Refractor 7 Refractor 8 Refractor 9 Refractor 10 Refractor 11	

General Condition 12 - Categories I and II Marks required	
Category I (Entrain Control)	
25 Temporary Vegetation	<input type="checkbox"/> Blotches, Netting
25 Murch	<input type="checkbox"/> Spot
25 Murcher Seals	<input type="checkbox"/> Divergent Dike
25 Entrain Control Capost	<input type="checkbox"/> Murch Filter Barms and Soda
25 Capost Filter Barms and Soda	<input type="checkbox"/> Capost Blotlets
Category II (Soil/Entrainment Control)	
25 Sand Bag Bern	<input checked="" type="checkbox"/> Rock Bern
25 Silt Fence	<input type="checkbox"/> Hay Bale Dike
25 Tri-angular Filter Dike	<input type="checkbox"/> Brush Barms

Special lanes for temporary crisscrossing may be utilized for the construction of the bridge. However, the temporary crisscrossing must be removed after construction and the areas would continue to function as they do currently. If the temporary crisscrossing is not removed, the areas would be returned to the pre-existing conditions once the temporary fill is removed. If additional jurisdictional lands beyond the project area are needed for the construction of the bridge, the contractor would be responsible for obtaining the appropriate Section 401 permit from the USACE for the additional impacts.

Upon discovery of archeological artifacts, immediately contact the Environmental Protection Agency (EPA) and the National Park Service (NPS).

3.	2.
3.	2.

☐ No Action Required

Species Potentially within Project Area w/ Description

1. Alligator snapping turtles characterized by a large, heavy head, and a long, small with three dorsal ridges on shell with three dorsal ridges on shell a solid gray, brown, black, or in color, and often covered with radiating yellow patterns around
2. Tiger/compound rattlesnakes black crossbands down the back brown

ation prior to any construction activities for any of the listed species, due to the timing of construction activities.

transport any migratory bird, nest, you
in accordance with the Act's policies on
any structure where work would be done.
In addition, the contractor would be per-
mitted to remove any migratory bird on
October 1, in the event that migratory birds
rook on protected birds, active nests

etc.) cease work in the

would be restored and stabilized as soon as possible. Temporary seedling would occupy large areas of disturbed ground would require considerable length of time. Use only native seedlings and in seedling mixtures.

For the loss of approx. 6.45 acres and individual trees with a diameter greater than 20 inches. This would be done by replanting.

water of rivers,
swamps, bays,
usually in water
quarries

the proposed project corridor for its evaluation and the start of qualified wildlife biologist

out a Federal permit issued in
aid of migratory bird nests from
October 1 to February 15.
During this period, efforts to
construct, efforts to avoid adverse

[illegible]

See the project involve any bridge, ciga structure rehabilitation or construction of new structures not including box culverts? ☐ Yes ☒ No

If "No", then no further action required.

If "Yes", then what is the reason for compiling an asbestos assessment? ☐ Yes ☒ No

Are the results of the asbestos inspection positive (i.e. asbestos presence)? ☐ Yes ☒ No

the final design, additional investigation would be required to confirm if contaminated areas of the project would be associated with the construction of the project. The final environmental document would be required to confirm if contaminated areas of the project would be associated with the construction of the project. The final environmental document would be required to confirm if contaminated areas of the project would be associated with the construction of the project.

Medical Note
 Courses to control fugitive dust would be considered and incorporated
 in construction specifications.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY DESIGN TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM WITH TEXAS PARKS AND WILDLIFE DEPARTMENT DESIGN TEXAS DEPARTMENT OF TRANSPORTATION DESIGN TRANSMISSIONS AND ENDANGERED SPECIES DESIGN U.S. ARMY CORP OF ENGINEERS DESIGN U.S. FISH AND WILDLIFE SERVICE	STATE TEXAS	DISTRICT DALLAS
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