

United States Department of Transportation

Federal Highway Administration

Texas Division Office

Finding of No Significant Impact

for

Loop 375 (Transmountain Road)

**from IH-10 to 0.479 Mile East of the Tom Mays Unit of
the Franklin Mountains State Park**

El Paso County, Texas

CSJ: 2552-01-033

August 2011

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1.0 INTRODUCTION

The Federal Highway Administration (FHWA) has determined that the Preferred Build Alternative for Loop 375 project from Interstate Highway 10 (IH-10) to 0.479 miles east of the Tom Mays Unit of the Franklin Mountains State Park (Loop 375 Transmountain West Project), as described in the *Corrected* February 2011 Environmental Assessment (EA), will not have a significant impact on the human or natural environment. In accordance with 23 Code of Federal Regulations (C.F.R.) § 771.121, this Finding of No Significant Impact (FONSI) for the Preferred Build Alternative (Build Alternative) is based on the entire project record which includes the February 2011 Loop 375 Transmountain West Project EA as corrected by Errata dated August 9, 2011 (hereinafter referred to as the *Corrected* February 2011 EA), supplemental technical memoranda included with the State Recommendation pursuant to 23 CFR 771.119(g) , Public Hearing Summary Report, the Jacobs Engineering Group traffic analysis report dated August 9, 2011, and FHWA's direct oversight and review of the EA Process.

The Loop 375 Transmountain West Project is 100% State funded. The National Environmental Policy Act of 1969 (NEPA) (42 United States Code (U.S.C.) § 4321 et seq.), as amended, applies to this 100% State funded highway project as the FHWA must approve new access to the Interstate in accordance with 23 U.S.C. § 111. Because the proposed project includes new direct connector ramps with IH-10, FHWA is required to evaluate the action in accordance with 23 C.F.R. Part 771. Based on the scope of the proposed action, and the previous environmental studies accomplished in the project area, FHWA determined that an EA was the appropriate level of documentation for this project accordance with 23 C.F.R. § 771.119. FHWA reviewed the project in accordance with 23 C.F.R. § 771.111(f) to ensure that the project connects to logical termini and is of sufficient length to address environmental matters on a broad scope. The proposed connections to IH-10 have been determined to be engineering and operationally acceptable. This FONSI constitutes FHWA's approval of the Build Alternative and completes the environmental approval process for additional access to IH-10 as described in the Interstate Access Justification Report dated November 2010.

The EA for the Loop 375 Transmountain West Project was developed in accordance with NEPA, Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of the NEPA (40 C.F.R. §§ 1500-1508), FHWA Environmental Impact and Related Procedures (23 C.F.R. Part 771), Public Involvement Rules (43 Texas Administrative Code Chapter 2), and other related federal and state requirements.

The FHWA has independently evaluated the *Corrected* February 2011 EA and the Public Hearing Summary, the State Recommendation, and the following supplemental technical reports and errata to the EA:

1. Traffic Data developed by the Texas Department of Transportation's (TxDOT) Transportation Planning and Programming Division (TPP) and documented in

memorandum dated February 9, 2009 (based on the TransBorder 2035 Metropolitan Transportation Plan (MTP))

2. *Loop 375 (Transmountain Road) Corridor Simulation Study*, Jacobs Engineering Group, June 7, 2011 (based on TransBorder 2035 MTP)
3. *Loop 375 (Transmountain Road) Corridor Alternative Simulation Study*, Jacobs Engineering Group, dated August 9, 2011 (based on the *Revised Mission 2035 MTP*)
4. Public Hearing Summary (3 volumes), August 2011
5. EA Errata dated August 9, 2011
6. State Recommendation submitted by TxDOT on August 11, 2011
7. Technical Reports included as appendices to the State Recommendation:
 - a. Corridor Analysis Technical Report – TransBorder 2035 MTP, February 9, 2009 Memorandum from William E. Knowles to Charles H. Berry, Jr.
 - b. Corridor Analysis Technical Report – Mission 2035 MTP, dated August 9, 2011
 - c. Planning Report, dated August 9, 2011
 - d. Alternative Analysis Technical Report, dated August 9, 2011
 - e. Indirect and Cumulative Impact Analysis Technical Report, dated August 9, 2011
 - f. Noise Technical Report, dated August 9, 2011
 - g. Air Quality Technical Report, dated August 9, 2011
8. Safety Analysis Memos and Technical Report, August 9, 2011 Memorandum from Charles H. Berry, Jr. to Dianna F. Noble
9. TxDOT Memorandum on PM10 Hot Spot Analysis, dated August 15, 2011 (with revised response to comments dated August 17, 2011)
10. April 21, 2003 FONSI for a four-lane divided highway within the same limits as the Loop 375 Transmountain West Project.

FHWA has determined that the above documents, along with other supporting documents contained in the project record, adequately and accurately discuss the project need, purpose, alternatives, and potential environmental impacts of the proposed Loop 375 Transmountain West Project and appropriate mitigation measures. They provide sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required.

2.0 PROJECT BACKGROUND

The TxDOT El Paso District is proposing improvements to Loop 375 from IH-10 to 0.479 Mile East of the Tom Mays Unit of the Franklin Mountains State Park (hereinafter referred to as State Park), as detailed in the EA approved by the FHWA in February 2011 in accordance with 23 CFR §771.119(c). The Loop 375 Transmountain West Project is included in the fiscally constrained project list of the Mission 2035 MTP (project identification F043X-MOD on page 64) for an estimated total project cost of \$98,473,449. The description and project limits are consistent with those of the Build Alternative described in the *Corrected* February 2011 EA. For transportation conformity purposes, the project is included in the travel demand and air quality models for the 2020 network analysis year of the Mission 2035 MTP. The time frame is consistent with the information disclosed in the *Corrected* February 2011 EA, which states that the project would be open to traffic in 2013.

From east of IH-10 to the Tom Mays Unit of the Franklin Mountains State Park Access Road (hereinafter referred to as the "Tom Mays Park Access Road") the existing facility consists of a variable width right-of-way (ROW) with two undivided 12-foot-wide travel lanes (one lane in each direction), an 8-foot-wide shoulder on the north side of the roadway, and a 10-foot-wide shoulder on the south side of the roadway. From Tom Mays Park Access Road to the eastern end of the project, Loop 375 consists of a four-lane divided roadway with two 12-foot-wide travel lanes in each direction, a variable median, 6-foot-wide inside shoulders, and 10-foot-wide outside shoulders. The existing roadway does not contain sidewalks or hike-and-bike trails but the existing shoulder is currently used as an emergency lane and bike path.

The need for the project, as identified in the EA, exists on both a local and a regional level. The EA identifies the need for local mobility to:

- serve rapid population and housing growth in the Northwestern Planning Area;
- serve increasing demand on the existing facility, resulting in decreased levels of mobility; and
- address safety concerns at intersections and driveways, as well as unprotected turning and passing movements.

The EA identifies the need for regional mobility to:

- serve regional population increases and past and future growth on the Fort Bliss military installation;
- serve increasing traffic volumes on IH-10 and the lack of a viable east-west alternative route through the El Paso metropolitan area; and

- address limitations of the physical network due to topography and geographic/natural boundaries.

The purpose of the project is to provide a solution that addresses the needs identified in the EA, including:

- improving mobility and safety issues for local residents by increasing roadway capacity and reducing the number of crashes at intersections; and
- providing a viable alternate route to IH-10 in the increasingly congested and geographically restricted transportation network of El Paso.

Development of a project to improve this section of Loop 375 began with an EA prepared in 2003 to evaluate impacts associated with a project consisting of three functionally separate but integral projects:

- Loop 375 from State Highway (SH) 20 (Doniphan Drive) 0.168 mile north of Borderland Road to 0.31 mile west of IH-10 (CSJ: 2552-01-021);
- Loop 375 from 0.31 mile west of IH-10 to 1.161 miles east of IH-10 (CSJ: 2552-01-029); and
- Loop 375 from 0.038 mile east of IH-10 to 0.479 mile east of the Franklin Mountains State Park (CSJ: 2552-01-033).

FHWA approved the EA for these project limits and issued a FONSI on April 21, 2003. The typical section for CSJ: 2552-01-033 consisted of two 12-foot travel lanes in each direction with one 4-foot and one 8-foot wide inside shoulder, a 26-foot wide raised median, and 10-foot wide outside shoulders that would continue the existing designations as a bicycle route. Upon approval, TxDOT began implementing the projects in phases with the interchange work at IH-10 (CSJ: 2552-01-029) completed in the fall of 2004. Since the time of approval, the section of Loop 375 from SH 20 to IH-10 consisting of a new location roadway (CSJ: 2552-01-021) has undergone a re-evaluation of the EA and the highway has been re-designated as Spur (SP) 276. Therefore, SP 276 is no longer a part of the Loop 375 system. Of the three CSJ numbered projects approved in the 2003 FONSI, only CSJ: 2552-01-033 remains as part of the existing project. A summary of actions taken between 2003 and 2010 is provided below. More detailed information can be found in Section 2.0 and Table 1 of the State Recommendation for the Loop 375 Transmountain West Project.

Since 2003, TxDOT has pursued several options for interim improvements due to funding constraints. In 2005, the 2003 EA was re-evaluated to propose a redesigned project that would construct a four-lane roadway divided by a 36- to 48-foot raised median. In addition, frontage roads were proposed as were overpasses at Northwestern, Resler, the future Paseo Del Norte, and the Tom Mays Park Access Road. Direct connectors to and from IH-10 were also proposed. TxDOT received letters from the public expressing concern about potential visual impacts at the park entrance if an overpass and ramps were constructed there. While other

options were under consideration for how to address the park entrance, funding could not be identified for construction of the project so review of the EA re-evaluation was stopped before FHWA took any action.

Due to funding constraints, in 2009 TxDOT reduced the scope of the project and proposed improvements that could be implemented in phases. TxDOT developed another EA re-evaluation document to consider a four-lane divided highway where overpasses could be added in the future. The project included a four-lane divided highway separated by an open median with a cable-barrier leaving space in the median for future lane expansion. No overpasses were proposed and no new ROW would be required under the scope of work proposed in 2009. The 2009 Re-evaluation document was drafted by the TxDOT El Paso District, but never submitted to FHWA. During the preparation of the document, funding became available for the ultimate design envisioned in 2005.

Due to the age of the 2003 FONSI, in early 2010, TxDOT prepared an EA to evaluate the impacts of the ultimate design, which is the Loop 375 Transmountain West Project addressed by this decisional document. The project is described as "Widen from two-lane to four-lane divided with grade separations at major streets, two direct connectors and frontage roads," and within the limits from IH-10 to 0.479 miles east of the Tom Mays Park Access Road. The ultimate design is similar to the freeway evaluated in 2005, but without the overpass at the Tom Mays Park Access Road. Environmental investigations for the proposed project were initiated in January 2010. An EA was prepared to identify the environmental impacts of this project. A Draft Section 4(f) evaluation had been undertaken in 2005 due to the proposed acquisition of 9 acres of ROW from the State Park. Some improvements to the park entrance are proposed as part of the current project, but these do not require any ROW from the park, nor result in any impact to the Section 4(f) property. The Section 4(f) evaluation was not necessary as part of the new project because the project would not result in the use of Section 4(f) property.

A State Categorical Exclusion (SCE) document was prepared in order to acquire ROW in advance of completion of the EA. The SCE evaluated the existence or absence of major environmental concerns and hazardous materials contamination on the acquired properties. The SCE received TxDOT clearance on June 25, 2010. FHWA clearance is not required for a SCE. The ROW was acquired in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970. Acquisition of ROW was not a factor in the Federal decisionmaking process for the proposed Loop 375 Transmountain West Project and did not predetermine outcome of the EA document. Properties would revert to landowners if a project was not constructed.

3.0 REVIEW OF THE EA

FHWA approved the EA for the Loop 375 Transmountain West Project as Satisfactory for Further Processing (SFP) in February 2011. This EA evaluated the potential social, economic, and environmental impacts related to the proposed improvements to Loop 375. The potential

impacts studied include direct, indirect, and cumulative impacts of the project. The EA evaluated four build alternatives and determined that Alternative 5 (Four-lane Freeway Facility with Frontage Roads and Direct Connectors to IH-10) best met the purpose and need of the project. Alternative 5 was then carried forward as the Build Alternative. The EA studied the potential impacts associated with the Build Alternative and the No Build Alternative. Subsequent to receiving SFP, and due in part to public comments, FHWA and TxDOT recognized the need to correct the EA by issuing a list of errata. The Errata Sheet, dated August 9, 2011, outlines needed changes to the EA as identified by FHWA and TxDOT.

The TxDOT El Paso District held a public hearing for the Loop 375 Transmountain West Project on March 22, 2011. The Public Hearing Summary, which includes responses to public comments, was prepared by the TxDOT in August, 2011 and has been incorporated into the project file and is available on TxDOT's website at http://www.txdot.gov/project_information/projects/el_paso/loop_375_west.htm. TxDOT's State Recommendation is available upon written request to the TxDOT District Office in El Paso.

The project is programmed in the Mission 2035 MTP and the 2011-2014 Statewide Transportation Improvement Program (STIP), to reflect that the proposed improvement project is fully funded with State of Texas (Proposition 12) funds. TxDOT does not propose to use Federal funds for this project. In both planning documents, the estimated construction cost of the project is listed at \$76,263,108 and total project cost is listed as \$98,473,449. The El Paso Metropolitan Planning Organization (MPO) Policy Board approved the Mission 2035 MTP on August 6, 2010 and FHWA approved the corresponding Transportation Conformity documents in a letter dated January 28, 2011. FHWA and the Federal Transit Administration (FTA) approved the 2011-2014 STIP on February 1, 2011.

4.0 ALTERNATIVES ANALYSIS IN THE EA

During the alternative evaluation process presented in the *Corrected* February 2011 EA, TxDOT determined that preliminary build alternatives should utilize the existing Loop 375 corridor to minimize the amount of ROW needed and to enhance regional and local connectivity. The physical location of the Franklin Mountains prevented practical consideration of additional parallel routes to Loop 375 to address improvements to mobility or safety. A detailed alternatives analysis of four preliminary build alternatives as well as the No Build Alternative was conducted in order to determine how each alternative met the need for and purpose of the proposed project. The preliminary build alternatives evaluated included:

- **Alternative 1 (No Build)** that would consist of routine maintenance of the existing two-lane Loop 375 facility and other state and regional projects that are already planned for improvement in the TxDOT STIP;

- **Alternative 2 (Construct Climbing Lane)** that would widen the existing two-lane roadway to three lanes in order to provide two lanes traveling east toward the Franklin Mountains and one lane traveling west away from the mountains;
- **Alternative 3 (Construct Two New Lanes)** that would use the existing roadbed as two eastbound lanes and would construct two new lanes for westbound traffic with left turn movements and crossing of the highway restricted to five locations (existing Northwestern and Resler Drives, Tom Mays Park Access Road, and the future Plexxar and Paseo Del Norte Roads);
- **Alternative 4 (Boulevard Concept)** that would consist of a central roadway conveying through-traffic movement with raised landscaped medians separating two directions of travel in addition to medians separating central roadway from one lane, one-way access lanes and at-grade intersections with traffic signals as traffic volumes required them; and
- **Alternative 5 (Four-lane Freeway Facility with Frontage Roads and Direct Connectors to IH-10)** that would include widening the roadway to a four-lane divided freeway with two-lane frontage roads in each direction, grade-separated intersections without ramps at Northwestern Drive and the future Plexxar Road, and with grade separated interchanges with ramps at Resler Drive and future Paseo Del Norte Road. The proposed alternative also includes two direct connector ramps from Loop 375 westbound to IH-10 eastbound and from IH-10 westbound to Loop 375 eastbound. The freeway section would transition back to a four-lane divided highway, without frontage roads, for approximately one mile at the eastern end of the project.

Based on the Alternatives Analysis (as reflected in the *Corrected* February 2011 EA), the No Build scenario in 2035 would experience highly congested conditions along the corridor and at the intersections, as evidenced by the average travel speed of 13 miles per hour along the corridor in 2035. The Total Corridor Intersection Delay, which represents the sum of the average delay at all intersections in the corridor (i.e., system delay), was computed at 1,178 seconds per vehicle. Similarly, the Total Corridor Average Queue Length, which reflects the sums of the longest queue length at each intersection, is 10,353 feet. In terms of safety, the No Build alternative includes a total of 140 conflict points along the corridor. This number represents the sum of all vehicle-to-vehicle and vehicle-to-pedestrian conflict points at all five intersections along the corridor, excluding at IH-10. Under this alternative, all of the vehicles (i.e., 100%) traveling along Loop 375 would be exposed to at least one of the conflict points at any intersection, since no grade separations exist.

Under Alternative 5 in 2035 (as reflected in the *Corrected* February 2011 EA), Loop 375 would experience improved conditions along the corridor and at the intersections, as evidenced by an average speed along the corridor of 34 miles per hour, which is almost three times the speed in the No Build alternative, and the highest average speed of all build alternatives considered. Total Corridor Intersection Delay is reduced to 325 seconds per vehicle (72% reduction) and

Total Corridor Average Queue Length is reduced to 2,973 feet (71% reduction). Compared to the No Build alternative, Alternative 5 improves mobility along the corridor. In terms of safety, Alternative 5 would reduce the number of conflict points along the corridor from 140 to 108 (a 23% reduction). Under this alternative, 48% of all vehicles traveling along Loop 375 would not travel through four of the intersections at grade, substantially improving safety. The reduction in traffic through the intersections, combined with a reduction in the number of conflict points, substantially reduces the risk of involvement in intersection crashes, resulting in an overall safety improvement along the corridor.

Alternatives 2, 3 and 4 were found to improve mobility but not as significantly as the improvement provided by Alternative 5. Alternatives 2, 3 and 4 were not found to improve safety because they either had the same number of conflict points, or a larger number of conflict points, and since these alternatives do not include grade separations, 100% of the traffic would be exposed to conflict points at every intersection.

The above analysis was presented in the *Corrected* February 2011 EA and is based on the TransBorder 2035 MTP. The EA was largely written before the FHWA made a conformity determination under the Clean Air Act for the Mission 2035 MTP on January 28, 2011. After the EA was approved in February 2011 for public review, and based on public input, FHWA independently determined that additional analysis was required to analyze the alternatives in light of the new Mission 2035 MTP. This effort was conducted and is described in Section 7.5 of this decisional document.

5.0 PREFERRED BUILD ALTERNATIVE

Based on the results of the Alternatives Analysis, Alternative 5 was selected as the Preferred Build Alternative (Build Alternative). This alternative was determined to best achieve the need for, and purpose of, the project. The No Build and Build Alternatives were carried forward to evaluate the environmental impacts of the Build Alternative.

The proposed Loop 375 Transmountain West Project Build Alternative will reconstruct and widen Loop 375 from IH10 to 0.479 miles east of the Tom Mays Park Access Road for a distance of approximately 3.6 miles in El Paso County, Texas. Proposed improvements include widening the roadway to a four-lane divided freeway with two-lane, one-way frontage roads in each direction for approximately 2.6 miles. The project also proposes grade-separated intersections without ramps for Northwestern Drive and future Plexar Road. Grade-separated interchanges with ramps are proposed at Resler Drive and future Paseo Del Norte Road. The proposed improvements also include two direct connector ramps, one from Loop 375 westbound to IH-10 eastbound and the other from IH-10 westbound to Loop 375 eastbound. To accommodate bicyclists, a wide outside lane will be included on the frontage roads for shared use by bicyclists and motorists. To accommodate less experienced bicyclists and pedestrians, a separate shared-use path will be constructed between the frontage roads and the right of way

line, from IH-10 to future Paseo Del Norte Road. At approximately 0.5 mile east of the future Paseo del Norte Road, the divided freeway with frontage roads will transition to a four-lane divided highway that matches the existing configuration of Loop 375 approximately 0.5 mile east of Tom Mays Park Access Road. The project would require approximately 41.2 acres of additional ROW and will not result in any residential or commercial displacements. However, two existing commercial signs in the southeast corner of the IH-10 and Loop 375 interchange and partially within existing TxDOT ROW will need to be relocated.

The EA examined direct, indirect, and cumulative impacts of the Build Alternative and identified potential impacts of special concern to include impacts to waters of the U.S., visual impacts, and potential indirect and cumulative impacts on land use in the general project vicinity due to the rapidly developing nature of the area. The Loop 375 Transmountain West Project is not expected to result in significant impacts to vegetation, threatened or endangered species habitat, waters of the U.S., water quality, air quality, cultural resources, hazardous materials, or Environmental Justice populations. The EA concluded:

1. Alternative 5 (Build Alternative) is recommended for implementation because it best meets the need and purpose of the project;
2. The Loop 375 Transmountain West Project would have no significant impacts on the quality of the human or natural environment.

The selection of the Build Alternative resulted from a full and thorough process that involved the public, and included coordination with various federal, state, and local government agencies.

6.0 PUBLIC INVOLVEMENT

Public involvement is an integral and critical component of the NEPA project development process. A comprehensive public involvement plan was developed to incorporate the different types of stakeholders and their needs, from safety to mobility to environmental concerns.

6.1 Stakeholder Meetings

Numerous stakeholder meetings were held to present details of the proposed project and to receive input. The meetings are described below.

- Coordination with the Texas Parks and Wildlife Department (TPWD) regarding the entrance at the Tom Mays Park Access Road and native vegetation began in 2003 and continued throughout project development. As part of outreach for the currently proposed project, TxDOT conducted meetings with TPWD regarding plant selection, animal crossings, and how the Tom Mays Park Access Road would be addressed as part of the proposed project. In February 2010, TxDOT met with TPWD staff to present the proposed project schematic, and again in September 2010 on-site at the Tom Mays

Park Access Road to discuss the proposed geometry, landscaping, and vegetation. Most recently, TxDOT met with TPWD on March 3, 2011 to discuss TPWD comments made in a letter dated December 29, 2010. Subsequently, TxDOT responded on August 8, 2011 to TPWD's letter dated April 1, 2011.

- In September 2010, TxDOT met with the City of El Paso engineering staff and the Assistant City Manager to present proposed project aesthetics.
- On August 19, 2010, TxDOT presented the proposed project design and layouts to the City of El Paso Open Space Advisory Committee. This meeting was followed by another presentation in September 2010 in order to present proposed aesthetics to the Committee.
- In October 2009, TxDOT attended a meeting with city engineering personnel and property owners where potential zoning condition changes and landscaping were discussed.

6.2 Outreach to Public Officials

Since December 2009, TxDOT has provided regular updates on project development and progress to the El Paso MPO's Transportation Policy Board (TPB). As part of the project development process, elected officials were invited to the Public Meeting and Public Hearing held for the Loop 375 Transmountain West Project. Presentations regarding the proposed project were made to the El Paso City Council on August 17, 2010, November 30, 2010, and March 29, 2011.

On March 29, 2011, the El Paso City Council approved a resolution in favor of the proposed configuration of the Build Alternative in a vote of seven to one. The vote included support from the City Mayor and the City Representative in whose city district the project is proposed. The configuration approved by the Council included an overpass at existing Northwestern Drive and the future Plexxar Road, in addition to interchanges with ramps at existing Resler Drive and the future Paseo Del Norte Road. The Build Alternative would be consistent with the City of El Paso's Northwest Master Plan, existing land use, the City of El Paso's Major Thoroughfare Plan, and the El Paso MPO's Mission 2035 MTP.

Letters from the following public officials were received regarding the proposed improvements to Loop 375:

- Veronica Escobar, El Paso County Judge
- Edmund Archuleta, President of the El Paso Water Utilities Public Service Board
- Jose Rodriguez, State Senator District 29
- Dee Margo, State Representative District 78

- Joseph Pickett, State Representative District 79
- Ramon Gonzalez, Mayor of the City of Anthony, New Mexico
- Patricia L. Hughes, President of the El Paso Independent School District Board of Trustees
- Susie Byrd, City Representative, District 2
- Chente Quintanilla, State Representative District 75
- Joyce Wilson, El Paso City Manager
- Mayor John Cook, City of El Paso

6.3 Public Meetings and Public Hearing

TxDOT held a public meeting on March 10, 2010, at Canutillo High School to discuss the proposed freeway improvement of Loop 375 with the public. Notices of the meeting were sent to adjacent property owners and elected officials and were published in both the *El Paso Times* and *El Diario de El Paso* (a Spanish-language newspaper). The public meeting was conducted in an open-house format with a formal presentation of the proposed improvements. A Spanish-language interpreter was available to translate the presentation if requested; no requests were received. TxDOT staff and their consultants were available to answer questions regarding the project before and after the presentation. A total of 50 individuals signed the attendance sheets, including one State Representative, 10 TxDOT employees, and three TxDOT consultants. All services and information pertaining to the project were made available to the public, including public notices advertised in *El Diario de El Paso*, letters to property owners in both English and Spanish, and English/Spanish translation at the meeting. Five comment forms were submitted the night of the March 10, 2010 meeting and five additional forms were received before the comment period ended on March 24, 2010. Six comments requested that a wildlife crossing be included in the project design and five comments requested that a hike and bike trail be constructed connecting the State Park to areas south of Loop 375. In addition to these public comments, TxDOT received letters from TPWD Urban Wildlife Biologist Lois Balin, El Paso County Commissioner Veronica Escobar (representing Precinct 2), and Representative Joseph Moody requesting that TxDOT consider including wildlife crossings and bike paths with connectivity to the State Park in the project design.

Coordination with the FHWA and TPWD, as well as public input, prompted TxDOT to evaluate the use of additional warning signs and the construction of a wildlife crossing somewhere along the proposed project. TxDOT evaluated the use of existing drainage crossings so that the road would not require a change in roadway grade or elevation. Coordination with State Park officials and review of crash records that involved wild animals did not reveal a concentration of crossings at any particular location, further complicating the review for a possible wildlife crossing location. TxDOT has determined a location along Drainage 4 as a crossing location: City of El Paso Arroyo Number 128 immediately west of the proposed Paseo Del Norte Interchange. The arroyo would remain as open space as part of the Westside Master Plan for

future development of the area. The crossing location will utilize an existing storm drainage structure that crosses the highway within the right-of-way and will not require elevating the roadway profile. TxDOT has proposed a 10 ft tall by 20 ft wide metal plate arch pipe culvert with an earthen bottom that could be utilized by large mammals as a grade separated highway crossing for the proposed project. TxDOT will also install additional wildlife signage between proposed Paseo Del Norte and the eastern end of the project cautioning the public of the potential for wildlife crossing the road.

In response to public input regarding bicycle and pedestrian access to the park, TxDOT revised the proposed project design to extend the hike-and-bike path located north of Loop 375 from its planned terminus at the future Paseo Del Norte Road, approximately one mile further to the Tom Mays Park Access Road. A connection between the hike-and-bike trails on the north and south sides of the proposed facility would be possible at any of the grade separated intersections. Pedestrians and bicyclists wishing to access the State Park will be encouraged to cross Loop 375 at Paseo Del Norte Road, where 5-foot-wide dedicated bicycle lanes will be provided between the outside travel lane and the gutter line.

A Public Hearing was held on Tuesday March 22, 2011 at Canutillo High School. The hearing was advertised in notices published in English in the *El Paso Times* and in Spanish in *El Diario de El Paso*. Letters were sent to adjacent property owners and elected officials notifying them of the project. In addition, the hearing was announced in newspaper articles and on local television news and radio stations in weeks prior to the hearing. Internet web sites at TxDOT, the City of El Paso, and individual interested organizations publicized the public hearing schedule to encourage participation. The hearing included an open house format that allowed attendees to review project information (provided in English and Spanish), project schematics, environmental constraints maps, virtual simulations of project alternatives displayed on television screens, and copies of the EA. Bilingual TxDOT staff members responded to visitors in both English and Spanish. The open house was followed by a presentation on project information, project development, public participation procedures, and the public comment period. Simultaneous Spanish translation services of the formal presentation were provided during the hearing. Total registered attendance consisted of 240 persons comprised of 186 members of the general public, 14 public officials, and 10 media personnel. Thirty team members were present to assist attendees and answer questions. A total of 40 individuals registered to provide verbal comments, and 30 chose to make verbal comment at the meeting. A court reporter was utilized to record verbal comments. TxDOT provided media packets containing project information to members of the media who attended the hearing, including representatives from KVIA TV- 7, Telemundo TV, La Voz - KXPL Spanish Radio, the *El Paso Times* newspaper, and *El Diario de El Paso* newspaper.

Web postings regarding the project on the TxDOT website included a copy of the EA, the public notice for the Public Hearing in English and Spanish, a project location map, and presentation slides (in English) from the Public Hearing. The City of El Paso website included much of the same information. TxDOT prepared a virtual fly-over animated video representation of the

proposed improvements that was created to provide the public a visual depiction of the project as if the viewer was flying over the project at low altitude and the proposed project was completed.

A total of 131 individuals submitted comments on the proposed project during the public hearing comment period. The comment period began on the date the proposed project EA was made publically available (February 11, 2011) and extended through Monday, April 1, 2011. TxDOT allowed comments to be made at the Public Hearing in writing or by verbal presentation, via comment card, or via internet email address. All methods of providing comment were publicized with the project information in newspapers, at the Public Hearing, and on the TxDOT and City of El Paso web sites. The following table identifies the most frequently made comments and number of comments for each.

FMC #	Frequently Made Comment	Number of Commenters
1	Animal Crossings	11
2	Issues with Freeway Design (Alternative 5 - Four-lane Freeway Facility with Frontage Roads and Direct Connectors to IH-10) and Support of Four Lane At-grade Alternative (Alternative 3) or Boulevard Alternative (Alternative 4)	31
3	Issues with Plexxar / Paseo Del Norte Overpass or Suggestion to Combine Plexxar / Paseo Del Norte Overpasses	24
4	Safety at Tom Mays Park Access Road Entrance	21
5	Open Space Concern / Development of Land Managed By the El Paso Water Utilities Public Service Board (PSB) for the City of El Paso	40
6	Use of Natural Vegetation / Landscaping	5
7	Addition of Direct Connectors to IH-10 North of Loop 375	5
8	Alternatives Considered	33
9	Spacing Between Intersections	6
10	Plexxar Not Shown in Northwest Master Plan, Westside Master Plan, or MTP- what is justification for inclusion of Plexxar Overpass?	2
11	Concern that TxDOT used "Outdated" Traffic Data	7
12	Concern with Visual Impacts	37
13	Project Funding	24

The comments summarized above and the responses to each are included in the Public Hearing Summary, which includes a summary of the hearing, certification of the hearing, responses to the verbal and written comments received at the hearing or by mail and email,

sign-in sheets, written comments, transcript, mailing list of those who received notice of the hearing, public hearing notices, hearing presentation slides and handouts, and photographs.

6.4 Responses to Frequently Made Comments

Responses to the Frequently Made Comments described in Section 6.3 above are available as part of the Public Hearing Summary available on TxDOT's website at http://www.txdot.gov/project_information/projects/el_paso/loop_375_west.htm and are incorporated by reference into this decisional document.

6.5 News Media

TxDOT records indicate that representatives from KVIA – TV 7, Telemundo TV, La Voz - KXPL Spanish Radio, the *El Paso Times* newspaper, and *El Diario de El Paso* newspaper, were all in attendance at the Public Hearing. Representatives from the *El Paso Times* were also in attendance at the Public Meeting. Media kits were prepared and distributed to attendees employed by news media at both the Public Meeting and the Public Hearing. The kits included copies of the legal notices in English and Spanish, meeting agendas, public comment forms, project location map, and the contact information of TxDOT El Paso District Public Information Officer.

7.0 ACTIONS TAKEN IN REPONSE TO PUBLIC COMMENTS

7.1 Background

This section describes the research and analytical activities that occurred after the EA was made available for public comment.

After the February 2011 EA was approved for public review, FHWA and TxDOT were made aware of several instances where correction to the information presented in the EA was warranted. These changes are documented in the "Environmental Assessment Errata Sheet" for the February 2011 EA that was provided to FHWA on August 10, 2011. The Errata are available on the TxDOT website. The EA, when combined with the changes shown in the Errata Sheet, comprise what is referred to as the *Corrected* February 2011 EA.

Several comments related to the transition of MPO's long range plans from the TransBorder 2035 MTP to the Mission 2035 MTP. The comments stated that the new Mission 2035 MTP shows lower traffic volumes in the future years compared to the TransBorder 2035 MTP, and that this condition would change the outcome of the alternative analysis that selected Alternative 5 as the Build Alternative.

FHWA did not make a conformity determination under the Clean Air Act for the Mission 2035 MTP until January 28, 2011, at which point the Draft EA had already been written and reviewed

internally, and was in the final stages of preparation for release in February of 2011. However, after the conformity finding for the Mission 2035 MTP, and in response to public comments, TxDOT prepared a new analysis of projected traffic volumes using the Mission 2035 MTP travel demand model to assess the accuracy of conclusions reached in the *Corrected* February 2011 EA that were based on assumptions derived from the TransBorder 2035 MTP.

The development of a corridor-level estimate of average daily traffic (“ADT”) for the project began with the travel demand model used by the MPO. A corridor-level analysis requires a multi-step investigation of traffic flows particular to the project, and the use of more detailed information concerning traffic flows and traffic generators. The results of a corridor analysis for highway design include a set of vehicular flows along the corridor and any intersections as well as information that is used, among other things, for pavement design and project level noise and air quality analyses. For the *Corrected* February 2011 EA, the corridor analyses that were performed based on the TransBorder 2035 MTP resulted in a projected ADT of approximately 71,000 vehicles. To address the public comments, the MPO completed a verification of the assumptions used to develop the Mission 2035 MTP model. MPO demographic and network changes to the model necessitated a re-evaluation of the traffic analysis for highway design. TxDOT’s re-evaluation utilized the Travel Demand Model (TDM) prepared for the Mission MTP in conjunction with regression-based analysis tools in accordance with TxDOT’s standard practice. This re-evaluation resulted in new traffic projections hereafter referred to as the *Revised* Mission 2035 TDM.

The results of the new traffic analysis and discussion of whether the new traffic volumes change the environmental impacts and decisionmaking assumptions described in the EA are included in a series of technical reports prepared by TxDOT and incorporated into the State Recommendation. Based on the technical reports summarized below, FHWA has independently determined that using the Mission 2035 MTP would not result in any new or previously unidentified impacts to the environment, nor would the impacts to any resource be greater than that identified in the *Corrected* February 2011 EA.

7.2 Corridor Analysis Technical Report – TransBorder

The Corridor Analysis Technical Report – TransBorder (Appendix A to State Recommendation) provides the traffic analysis for highway design results, dated February 9, 2009. These results were developed using the MPO’s TransBorder 2035 MTP and were the basis for the analysis included in the *Corrected* February 2011 EA.

7.3 Corridor Analysis Technical Report – Mission

The Corridor Analysis Technical Report - Mission (Appendix B to State Recommendation) describes the process followed to develop new corridor level traffic analysis for highway design as described in Section 7.1 above. The El Paso MPO reviewed land use and demographic information along Loop 375 to ensure that the data and assumptions utilized in the development of the Mission 2035 MTP were appropriate. The review by the MPO led to several adjustments

to the demographic information and network coding elements of the Mission 2035 TDM. TxDOT then re-evaluated the traffic analysis for highway design utilizing the TDM prepared for the Mission MTP in conjunction with regression-based analysis tools in accordance with TxDOT's standard practice, resulting in forecasted traffic volumes of 22,100 ADT in the base year (2015) and 33,200 ADT in the design year (2035).

TxDOT, in coordination with the Texas Transportation Institute (TTI), also performed a regional emissions analysis of the Mission 2035 TDM output that reflects the demographic and network revisions made by the MPO. This analysis demonstrated that the levels of emissions of relevant pollutants for the El Paso area are below the emissions budgets established by the federal and state air quality rules. The analysis confirms that the Mission 2035 TDM as revised by the MPO are consistent with the Conformity determination for the Mission 2035 MTP.

7.4 Planning Technical Report

The Planning Technical Report (Appendix C to State Recommendation) confirms that the proposed project is consistent with the Mission 2035 MTP and all federal and state planning and programming requirements.

7.5 Alternatives Analysis Technical Report

The Alternatives Analysis Technical Report (Appendix D to State Recommendation) provides a revised analysis of alternative design scenarios for the Loop 375 Transmountain West Project. The revised analysis was performed using data from the *Revised* Mission 2035 TDM. Technical procedures to develop the alternatives analysis are consistent with the procedures and assumptions utilized in the alternatives analysis included in the *Corrected* February 2011 EA.

Based on the revised analysis, Alternative 5 would yield an average speed along the LP 375 corridor of 47 miles per hour in year 2035, which is almost three times the speed of the No Build alternative, and the highest average speed of all build alternatives considered. Total Corridor Intersection Delay is reduced to 81 seconds per vehicle (67% reduction) and Total Corridor Average Queue Length is reduced to 288 feet (93% reduction). Compared to the No Build alternative, Alternative 5 improves mobility along the corridor. In terms of safety, Alternative 5 would reduce the number of conflict points along the corridor from 140 to 108 (a 23% reduction). Under this alternative, 35% of all vehicles traveling along Loop 375 would not travel through four of the intersections at grade, substantially improving safety. The reduction in traffic through the intersections, combined with a reduction in the number of conflict points, substantially reduces the risk of involvement in intersection crashes, resulting in an overall safety improvement along the corridor.

Alternatives 2, 3 and 4 were found to improve mobility but not as significantly as the improvement provided by Alternative 5. Alternatives 2, 3 and 4 were not found to improve safety because they either had the same number of conflict points, or a larger number of conflict points, and since these alternatives do not include grade separations, 100% of the traffic would be exposed to conflict points at every intersection.

The revised alternatives analysis demonstrates that Alternative 5 best meets the purpose and need of the project and remains the Preferred Build Alternative. Alternatives 2 through 4 were found to not meet the need and purpose of the project and were eliminated from further study.

7.6 Indirect and Cumulative Impact Analysis Technical Report

The Indirect and Cumulative Impacts Technical Report (Appendix E of State Recommendation) was prepared to determine whether the indirect and cumulative impacts analysis in the *Corrected* February 2011 EA requires revision based on the use of traffic volumes from the *Revised* Mission 2035 TDM. The use of traffic data in the indirect and cumulative impacts analysis of the *Corrected* February 2011 EA was limited to Step 6 of TxDOT's *Draft Guidance on Preparing Indirect and Cumulative Impact Analyses* (September 2010) of the cumulative impacts assessment, which discussed and attempted to quantify potential cumulative impacts to each resource. To formulate a growth scenario for the land use Resource Study Area (RSA), the analysis included a review of existing growth patterns (as detailed above), input from local planning officials, and a review of future zoning maps, all of which were not specific to either of the MTPs. The growth scenario also analyzed the increase in traffic using traffic projections from the TransBorder TDM. Using these tools, the *Corrected* February 2011 EA assumed a modest 20-year growth rate of 20 percent to quantify potential land use conversion. The increase in traffic under the TransBorder TDM was 78 percent between the years 2015 and 2035, as compared to a 50 percent increase in traffic under the *Revised* Mission 2035 TDM over the same time period. The *Revised* Mission 2035 TDM traffic estimates more closely reflect this assumed growth rate, while not understating the projected increases in population and development. The Indirect and Cumulative Impact Analysis Technical Report confirms that the conclusions reached in the *Corrected* February 2011 EA remain valid in consideration of the *Revised* Mission 2035 TDM traffic projections.

7.7 Noise Technical Report

The Noise Technical Report (Appendix F of the State Recommendation) was prepared to determine whether the traffic noise assessment in the *Corrected* February 2011 EA requires revision based on the use of traffic volumes from the *Revised* Mission 2035 TDM. In addition, on July 13, 2011 TxDOT adopted new traffic noise guidelines entitled, *TxDOT Guidelines for Analysis and Abatement of Roadway Traffic Noise*. Projects not approved by July 13, 2011 were required to comply with the policy; therefore, the noise analysis has been revised in accordance with the new guidelines.

The noise analysis using the *Revised* Mission 2035 TDM indicates that a 3 dBA increase in noise is expected at three representative receivers. A 3 dBA increase is barely perceptible to the human ear (TxDOT 2011 Guidelines for Analysis and Abatement of Roadway Traffic Noise).

Much of the surrounding land use in the Loop 375 project area is undeveloped. To avoid noise impacts that may result from future development of properties adjacent to the project, local officials for land use control programs would ensure, to the maximum extent possible, that no new activities are planned or constructed along or within the impact contours. Table 3 to Appendix F in the State Recommendation provides a comparison of the *Corrected* February

2011 EA and *Revised* Mission 2035 TDM noise impact contours. Based on the *Revised* Mission 2035 TDM, the contour for Category B (exterior recreation, institutional, and residential spaces) & C (exterior developed lands) land use is 65 feet from the ROW line, while the contour for Category E (interior residential, institutional, and some commercial spaces) land use is 15 feet from the ROW line.

Use of the *Revised* Mission 2035 TDM traffic data in conducting the traffic noise analysis for the Loop 375 Transmountain West Project would not result in different conclusions than the analysis conducted using the TransBorder 2035 TDM. The results of both noise analyses indicate that the Loop 375 Transmountain West Project would not result in a traffic noise impact.

7.8 Air Quality Technical Report

The Air Quality Technical Report (Appendix G to the State Recommendation) was prepared to provide supplementary information regarding the original air quality assessment conducted as part of the *Corrected* February 2011 EA for the project, and to determine whether the air quality assessment in the *Corrected* February 2011 EA requires revision based on the use of traffic volumes from the *Revised* Mission 2035 TDM.

7.8.1 *Carbon Monoxide (CO)*

In the past, TxDOT prepared a modeling study that demonstrated it is unlikely that a CO standard would ever be exceeded as a result of any project with an Annual Average Daily Traffic (AADT) below 140,000. The traffic projections for this project would not exceed 140,000 AADT in either case (i.e., TransBorder 2035 MTP or Mission 2035 MTP-based traffic volumes) and therefore a Traffic Air Quality Analysis is not required.

7.8.2 *PM-10 Hot Spot Analysis*

On June 6, 2011, this project was reviewed by the Consultative Partners for the El Paso MPO area, which consists of representatives from the U.S. Environmental Protection Agency (EPA), FHWA, TxDOT, the Texas Commission on Environmental Quality, the El Paso MPO, and representatives from the State of New Mexico transportation and environmental agencies. Based on information presented to them by the TxDOT and the El Paso MPO, the Consultative Partners determined that the project is not of local air quality concern and is not subject to a PM₁₀ qualitative or quantitative hotspot analysis.

The determination was based upon the fact that the project ADT and percent truck traffic are below the values that would indicate a project of air quality concern (125,000 AADT and 8 percent truck traffic), as specified in 40 CFR Part 93 (Conformity Regulation) and in EPA's *Transportation Conformity Guidance for Quantitative Hotspot Analyses in PM_{2.5} and PM₁₀ Nonattainment and Maintenance Areas*, December 2010. The projected traffic volumes and percent truck traffic under both the Mission and TransBorder TDMs do not exceed the aforementioned thresholds for a project of air quality concern; therefore, neither scenario would require the preparation of a PM₁₀ Hot-Spot Analysis.

The public was notified of the results of the Consultative Partners meeting in notices published in the El Paso Times on June 12, 2011 and June 15, 2011, as well as in Spanish in *El Diario de El Paso* on June 15, 2011. These notices initiated a seven day public comment period and two comments were received. One commenter wrote in support of the project. The other commenter suggests that a PM₁₀ Hot-Spot Analysis should be performed, especially with regard to the level of service at intersections.

In late July 2011, the El Paso MPO reviewed land use and demographic assumptions along the Loop 375 corridor that resulted in development of the *Revised Mission 2035 TDM*. These runs yielded lower traffic values than previously discussed with the Consultative Partners. The proposed traffic is projected to be 22,100 AADT and 4.2 percent truck traffic in the base year (2015) and 33,200 AADT and 4.2 percent truck traffic in the design year (2035) throughout the entire project length. These values do not exceed the aforementioned thresholds for a project of air quality concern. This updated traffic data was presented to the Consultative Partners on August 15, 2011.

Using procedures contained in the *Highway Capacity Manual*, TxDOT consultants performed a level of service (LOS) analysis at intersections based on both the TransBorder 2035 TDM and the *Revised Mission 2035 TDM*. In both cases, intersections along LP 375 operate at LOS C or better in year 2035, with the exception of the intersection at Tom Mays Park Access Road and the intersections with the IH-10 frontage roads. Using the TransBorder 2035 TDM, the intersections at the IH-10 frontage roads operate at LOS F. Because the Loop 375 intersection at Tom Mays Park Access Road is unsignalized, the Highway Capacity Manual (HCM) 2000 edition procedures report the delay of movements that must stop and wait until a sufficient gap is available for them to proceed.

Using the *Revised Mission 2035 TDM*, the intersections with the IH-10 frontage roads operate at level of service C. At the intersection with Tom Mays Park Access Road, and with the elimination of the left turn exit from the State Park, the procedures indicate that this intersection will operate at LOS C.

On August 15, 2011, the Consultative Partners concurred that the Loop 375 Transmountain West Project is not a project of local air quality concern and that a qualitative or quantitative hot spot analysis is not required.

7.8.3 Mobile Source Air Toxics (MSATs)

Because the design year traffic for this project did not exceed 140,000 AADT under the TransBorder TDM and does not exceed 140,000 AADT under the *Revised Mission 2035 TDM*, a quantitative MSAT analysis is not required. Therefore, the qualitative analysis conducted as part of the *Corrected February 2011 EA* will not change as a result of Mission TDM-based traffic projections and does not require revision or reassessment.

7.9 Errata to February 2011 EA (“Corrected February 2011 EA”)

FHWA determined that preparing errata to the EA was appropriate in lieu of revising the entire EA. TxDOT provided an EA Errata Sheet to the FHWA on August 10, 2011. The Errata Sheet identifies sections of the February 2011 EA for the Loop 375 Transmountain West Project that have been corrected or updated since issuance of SFP by FHWA on February 11, 2011. The Errata Sheet is available on the TxDOT website at http://www.txdot.gov/project_information/projects/el_paso/loop_375_west.htm.

7.10 Results of Additional Studies and Technical Reports

The overall results of the additional studies and technical reports show that the lower traffic volumes in the *Revised* Mission 2035 TDM did not result in any noticeable change in the environmental impacts attributable to the project. The discussions of potential traffic-related environmental impacts in the *Corrected* February 2011 EA are considered conservative. None of the conclusions about environmental impacts discussed in the *Corrected* February 2011 EA are affected by the new analyses of traffic. The conclusion of the alternatives analysis in the *Corrected* February 2011 EA also remains unaffected by the new analyses of traffic.

8.0 FHWA PROJECT OVERSIGHT

In response to public comments, FHWA has been closely overseeing the NEPA process for the Loop 375 Transmountain West Project, both before and after the SFP was issued in February 2011. An EA for this project was first submitted to FHWA for review in July 2010. FHWA had comments and questions on the document and worked with TxDOT to address these. In September 2010, FHWA received correspondence from a member of the El Paso City Council expressing concern about this project and whether TxDOT was following the NEPA process. FHWA provided enhanced oversight of TxDOT and the NEPA process in response to this concern and to ensure that the comments were appropriately addressed in the EA, including the recommendation that a boulevard alternative to be considered. In response to FHWA's guidance, TxDOT performed a traffic microsimulation analysis of the various alternatives to improve the ability to compare the performance of different alternative solutions. On November 4, 2010, FHWA met with staff from the City of El Paso, including Mayor John Cook, City Manager Joyce Wilson and Councilmembers Byrd and O'Rourke, and TxDOT staff.

Later in November 2010, TxDOT submitted a revised EA for FHWA review. FHWA again provided comments to TxDOT. At FHWA's recommendation, TxDOT attempted to utilize the Texas Roadway Safety Design Workbook to quantitatively compare the safety of various alternatives. As documented in the project record, this effort proved unsuccessful as many of the parameters and assumptions embedded in the tool were not suitable for application on this project. A revised EA was submitted in February 2011 and approved by FHWA on February 11, 2011 as SFP in accordance with 23 CFR §771.119(c). At that point, the EA was made available to the public for review.

As part of FHWA's enhanced oversight of this project, the FHWA District Engineer and the FHWA Area Engineer attended the March 22, 2011 public hearing. They noted comments both in favor of, and opposed to, the Loop 375 Transmountain West Project. FHWA provided oversight to ensure that the issues they heard emphasized at the public hearing were addressed.

As recommended by FHWA, TxDOT worked to address concerns expressed about safety at the Tom Mays Park Access Road and ultimately modified the design to prohibit left turns out of the park. All traffic exiting the park will turn right on Loop 375, and traffic desiring to travel eastbound over the mountains will make a u-turn at the future Paseo Del Norte interchange. This change will eliminate the most problematic traffic maneuver at this intersection. TxDOT's highway capacity analysis also shows that level of service will be improved at this intersection as a result of eliminating the left exit from the park.

As a result of public comments on the EA, FHWA directed TxDOT to perform a new traffic analysis based on the Mission 2035 TDM. FHWA closely reviewed the revision of the traffic data and the resulting June 7, 2011 *Interim* Loop 375 Corridor Alternative Simulation Study. The report was forwarded to traffic modeling experts at the FHWA Resource Center, who found inconsistencies between the demographic information used in the travel demand model and the interim traffic analysis. After consultation with technical staff, FHWA recommended that TxDOT consult with the El Paso MPO to resolve the demographic inconsistencies. TxDOT asked the El Paso MPO to review the land use assumptions and Mission model data along the corridor. The MPO made revisions to the demographics for the TDM based on developments already underway in the corridor, resulting in the *Revised* Mission 2035 TDM. As noted in the MPO's memorandum to TxDOT dated August 2, 2011, property adjacent to the corridor is zoned as Commercial/Regional Commercial District, or C-4. A city ordinance restricts development on the property owned by the City of El Paso and managed by the Public Service Board (PSB). Finding there was no indication that development permits on the PSB Master Plan or under the development restrictions were moving forward, the MPO did not account for development within property owned by PSB, nor on other C-4 zoned property.

TxDOT used the data from the MPO to revise the corridor traffic analysis and develop new traffic volumes for highway design. The resulting August 9, 2011 Loop 375 Corridor Alternative Simulation Study was again independently reviewed by experts at the FHWA Resource Center and found to have no fatal flaws. Although the traffic volumes resulting from this August 9, 2011 report are substantially lower than the volumes presented in the *Corrected* February 2011 EA, the Preferred Build Alternative provides the greatest improvement to mobility and is the only alternative that improves safety by substantially reducing the number of conflict points. Since the MPO included only those projects that have already been permitted in their land use analysis, actual 2035 traffic volumes are likely to be somewhere between those based on the *Revised* Mission 2035 TDM and the TransBorder 2035 TDM.

When the lower traffic volumes are carried forward in the alternatives analysis, additional alternatives did demonstrate that some improvement in mobility would be achieved under any of the build alternatives. Alternative 5 (freeway) provides the most mobility improvement. In

addition, Alternative 5 is the only alternative that provides an improvement to safety because of the controlled-access design and the reduction in traffic utilizing the at-grade intersections. Since vehicles on the mainlanes do not encounter conflicts with intersecting traffic at four of the existing and planned intersections, safety is improved.

Comments were noted questioning the need for the Paseo Del Norte interchange. Construction of a future Paseo Del Norte roadway within this area is a separate action from the current proposed project. The City of El Paso's Northwest Master Plan, the City of El Paso's Major Thoroughfare Plan, and the El Paso MPO's Mission 2035 MTP include this facility in the future area roadway network. Whether or not a future roadway is constructed at this location, this interchange provides a good opportunity to detour eastbound traffic when Loop 375 through the mountains is closed during inclement weather. This interchange, as do the other grade separations, provides a good connection for bicyclists and pedestrians wishing to cross Loop 375. It can also serve as a location for wildlife to cross Loop 375 and may result in a reduction of wildlife conflicts with high speed traffic, thus further improving safety.

In May 2011, TxDOT submitted a Public Hearing Summary for FHWA review. As a result of FHWA's independent review and comments regarding the formatting of the information, a revised Public Hearing Summary and technical reports were submitted to FHWA in June 2011. FHWA provided TxDOT with extensive comments on the content of the Summary and has conducted interim informal reviews as revised drafts were prepared. Formal submission of revised documents was made to FHWA on August 10 and 11, 2011.

9.0 ENVIRONMENTAL IMPACT AND MITIGATION COMMITMENTS

Based on the *Corrected* February 2011 EA, public comments, and supplemental technical analyses, the environmental impacts of the project are summarized below. TxDOT has committed to take the actions cited below to minimize any harm from the Loop 375 Transmountain West Project. All commitments and conditions of approval will be monitored by TxDOT and other appropriate state, federal, and local agencies to ensure compliance.

Land Use

The Build Alternative requires approximately 41.2 acres of additional ROW and will result in the relocation of two business signs located at the southeast corner of the intersection of Loop 375 and IH-10. The project will result in permanent impacts to 14.3 acres of existing ROW vegetation. The Build Alternative will result in the conversion of 32.6 acres of Creosote Shrub and 2.7 acres of Arroyo Shrub vegetation cover to transportation uses throughout the project length. This vegetation does not provide critical habitat for any federally or state-listed threatened or endangered species known to occur in the region and the Build Alternative will not have a significant impact on the land use in the corridor.

ROW Acquisition and Displacements

Since a majority of the property adjacent to the corridor is undeveloped, the Build Alternative will not result in an impact to adjacent properties.

The improvements proposed under the Build Alternative will require approximately 41.2 acres of additional ROW. The proposed ROW will be acquired through a combination of purchases by the State of Texas and donations to the State of Texas from current property owners. These properties include 21 parcels, 17 of which are undeveloped land, two of which are located on Texas Natural Gas Property, one of which is classified as a special use property, and one of which is a commercial gas station and convenience store.

The proposed Loop 375 project will not require the displacement of any residential properties but will impact one commercial property. The proposed construction of direct connectors to IH-10 will require the relocation of two signs associated with the combined Shell gas station and Dairy Queen restaurant, located in the southeast corner of the IH-10/Loop 375 interchange and partially within existing TxDOT ROW.

The project may also require the relocation of the El Paso Natural Gas pipeline that crosses the project near the proposed Plexxar Road extension. If required, the adjustment and relocation of utilities will be conducted in compliance with the TxDOT Utility Accommodation Policy.

Environmental Justice

It is not anticipated that the Build Alternative will cause disproportionately adverse impacts to any Environmental Justice populations in and adjacent to the project area. Additionally, the project objective of increasing mobility represents a positive impact for neighborhoods in the general project vicinity. Access to existing and future commercial and residential properties will be maintained along the project through the proposed frontage roads. The proposed project will not require residential displacements, and temporary impacts as a result of construction will be mitigated through construction minimization efforts for air quality and noise impacts outlined in this section and Section 3.13 of the EA.

Limited English Proficiency (LEP)

Although there are no residents within the blocks adjacent to the project area, the census data indicate the presence of a Spanish-speaking LEP population within the project area Census tracts and block groups. TxDOT will make services and information pertaining to the project available to LEP persons by advertising public notices in *El Diario de El Paso* (a Spanish-language newspaper) and providing English/Spanish translation at public meetings and hearings.

Community Cohesion

Because there are no community services or residential areas located directly adjacent to the project, the proposed Build Alternative will not result in the isolation of any distinct neighborhoods, nor will access be denied to existing facilities. The proposed improvements

include the construction of a hike-and-bike trail and a shared-use lane on both sides of the proposed frontage roads. These paths will accommodate projected pedestrian and bicycle traffic associated with future development in the project vicinity. The commercial area located south of the western portion of the proposed project is currently served by Sun Metro bus route 17. Because the bus route does not currently travel along Loop 375, it is not expected that bus service will be interrupted due to the construction of the proposed project.

Section 4(f) Properties

The Build Alternative will not require the use of a publicly owned refuge, park or land from a historical site. Although the project will require reconfiguring the entrance to the publicly owned State Park, located at the eastern end of the project area, the entrance is currently located in TxDOT-owned ROW. No improvements will be undertaken on TPWD-owned property. Although construction will temporarily alter access to the State Park, the improvements will not limit access or alter the long-term function of the park. Based on FHWA's review of the noise and visual impact analyses, and the entire project record, FHWA has determined that the Loop 375 Transmountain West Project will not result in a constructive use of Section 4(f) properties. As the proposed Loop 375 Transmountain West Project will not result in a use of Section 4(f) property, a Section 4(f) evaluation is not needed.

Commitment

TxDOT will maintain access to the park throughout the construction period. [EA p. 31]

Traffic Noise

The Build Alternative will not result in a traffic noise impact.

Commitment

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. [EA p.35]

Air Quality

The Build Alternative was developed from El Paso MPO's Congestion Management Process, adopted by the El Paso MPO on July 18, 2008 and is consistent with the project described in the region's conforming MTP and STIP.

Commitment

Potential impacts to air quality during construction will be minimized by implementing measures such as site watering. The control of particulate matter will be in accordance

with TCEQ regulations. The contractor will be required to use emission control devices and limit unnecessary idling of construction vehicles. [EA p.81]

Water Resources and Water Quality

The Build Alternative is not expected to have a significant impact on water resources. Because this project will disturb more than 5 acres, TxDOT will comply with the large construction requirements of the Texas Commission on Environmental Quality (TCEQ) Texas Pollutant Discharge Elimination System General Permit for Construction Storm Water Runoff (General Permit TXR150000).

Commitment

A Storm Water Pollution Prevention Plan (SW3P) will be implemented and maintained by the contractor during construction and a Notice of Intent (NOI) will be filed with the TCEQ. Temporary erosion, sedimentation, and water pollution prevention control measures will be implemented to minimize pollution of storm water runoff from the construction site. Where appropriate, the temporary erosion and sedimentation control features shall be in place prior to construction. [EA p.116]

Temporary erosion control measures will be used during construction to minimize impacts to water quality as specified in the TxDOT *Storm Water Management and Guidelines for Construction Activities*. Vegetation will be cleared only as needed and clearing may be phased to maintain soil integrity and minimize exposure of an erosive surface. When construction is completed, disturbed areas will be restored and re-seeded according to the TxDOT specification Seeding for Erosion Control. [EA p.50]

The contractor will be required to implement beneficial landscaping practices to re-vegetate the ROW. Permanent erosion and water pollution controls will be used in all areas disturbed by the contractor's equipment. These controls will consist of the placement of topsoil and permanent seeding with a mix of native grasses. Only native species of vegetation will be planted in areas of disturbed ROW where possible. [EA p.115]

Field investigations identified 20 drainage crossings within the project area boundaries. Several of these are potential waters of the U.S. that may be subject to regulation under Section 404 of the Clean Water Act and the jurisdiction of the U.S. Army Corps of Engineers (USACE). No wetlands or other special aquatic sites are located in the project area. The proposed construction at Drainages 3, 5 through 7, 15, 19 and 20 is expected to be authorized by NWP 14 Linear Transportation Projects without a Pre-construction Notification to the USACE. The construction at Drainages 4 and 16 is expected to be authorized by NWP 14 but will require a Pre-construction Notification to the USACE. No Section 404 permit is expected to be required at Drainages 1, 2, and 18 because no construction is planned at these crossings. No Section 404 permit is required for the proposed construction at Drainages 8 through 14 and 17 because

they are not expected to be considered waters of the U.S. Coordination with the USACE is underway.

Commitment

Coordination with the USACE regarding impacts to waters of the U.S. under Preconstruction Notification for Nationwide Permit 14 is currently ongoing. If mitigation is required, TxDOT will comply with the terms of the findings issued by the USACE. [EA p.93]

Floodplains

According to the Federal Emergency Management Agency's (FEMA's) most current Flood Insurance Rate Maps for El Paso County (Map Panel numbers 480214 0017C and 480214 0017C (February 5, 1986)), portions of the project are located within the 100-year floodplain, associated with Drainages 2 and 14 through 20. El Paso County participates in the National Flood Insurance Program (NFIP).

Commitment

The proposed improvements will be designed to handle a 100-year flood without impacting the 100-year floodplain or floodways. Inundation of the facility without causing damage to the highway, frontage roads, streams, or other property is considered acceptable. The hydraulic design practices for this project will be in accordance with current TxDOT and FHWA design policies and standards. [EA p.51]

Approximately 1.2 acres of the Build Alternative lie within the 100-year floodplain of the FEMA Flow Path 40. The Build Alternative will require the placement of permanent fill material within portions of the 100-year floodplain of FEMA Flow Path 40. The hydraulic design of the proposed improvement will be in accordance with the current TxDOT and FHWA policy standards. The roadway will permit the conveyance of the 100-year flood, inundation of the roadway being acceptable, without causing significant damage to the roadway, stream or other property. The criteria of the Build Alternative design are not to increase the base flood elevation (BPE) to a level that would violate applicable floodplain regulations and ordinances. The Build Alternative will provide, at a minimum, at least the same flood flow capacity and therefore should not adversely increase the water surface elevation above the existing conditions of delineated stream crossings. FHWA has determined that there is no significant encroachment to floodplains per 23 CFR 650 [EA p. 51].

Wild and Scenic Rivers

A portion of the Rio Grande located from river mile 842.3 above Mariscal Canyon downstream to river mile 651.1 at the Terrell-Val Verde County line is designated as a Wild and Scenic River; however, this segment is over 300 miles downstream of the project area. The Build Alternative

will not involve work within the designated segment of the Rio Grande and will not harm the river's free-flowing condition, water quality, or outstanding resource values.

Vegetation/Wildlife Habitat

The Build Alternative will not significantly impact vegetation or wildlife habitat. Proposed permanent impacts to vegetation in the project area will include approximately 14.3 acres of Maintained ROW, 32.6 acres of Creosote Shrub, and 2.7 acres of Arroyo Shrub. Temporary impacts to vegetation in the project area will include approximately 32.1 acres of Maintained ROW, 46.7 acres of Creosote Shrub, and 5.6 acres of Arroyo Shrub. Temporary impacts were assumed to be all areas within the existing and proposed ROW that are not located within the project footprint. This vegetation does not provide critical habitat for any federally or state-listed threatened or endangered species known to occur in the region.

Commitment

To minimize impacts to vegetation and wildlife during construction activities, the clearing of vegetation will be limited to those areas needed for construction, and disturbed areas will be reseeded with native vegetation where possible. [EA p.54]

During construction, TxDOT will minimize the amount of wildlife habitat disturbed. As a result of coordination with TPWD, TxDOT will re-vegetate the entrance of the State Park (within TxDOT ROW) with TPWD-approved native plants. TxDOT will add extra signage along the roadway between proposed Paseo Del Norte and the eastern end of the project to alert motorists of the potential for large-mammal crossings. [EA p.115-116]

Migratory Bird Impacts

The provisions of the Migratory Bird Treaty Act of 1918 provide protection for migratory birds by making it unlawful to take, kill, or possess any migratory bird, any part, nest, or eggs of any such bird, or any product, whether or not manufactured, which, consists or is composed in whole or part, of any such bird or any part, nest, or egg thereof. No habitat for migratory birds was found and no impacts are anticipated.

Commitment

In accordance with the Migratory Bird Treaty Act, measures will be taken to avoid harm to migratory birds, their nests, eggs, or young. The contractor will remove any old migratory bird nests from any structures that will be affected by the proposed project and be prepared to prevent migratory birds from building nests. In the event that migratory birds are encountered on-site during project construction, appropriate procedures will be implemented to minimize habitat disturbance and to prevent the taking of occupied nests. [EA p. 55-56]

Invasive Species and Beneficial Landscaping

In accordance with the EO 13112 on Invasive Species and the Executive Memorandum on Beneficial Landscaping, seeding and replanting with TxDOT-approved specifications will be performed where possible.

Commitment

Permanent soil erosion control features will be constructed as soon as feasible during the early stages of construction through proper techniques. Disturbed areas will be restored and stabilized where possible as soon as the construction schedule permits and temporary measures will be considered where large areas of disturbed ground will be left bare for a considerable length of time. Landscaping will be included in the construction contract. [EA p. 56]

TxDOT will not use invasive plant species on the proposed project. [August 8, 2011 letter to TPWD]

Threatened and Endangered Species

The Build Alternative will have no effect on federally-listed threatened or endangered species. Suitable habitat exists for both the state-listed Texas horned lizard and Chihuahuan desert lyre snake; however, the habitats in the project area are small compared to the expanse of suitable habitat located throughout the region and the Build Alternative is not expected to impact either species at a population level.

Based on the TPWD's habitat descriptions, the project area contains potential habitat for ferruginous hawks, prairie falcons, cave myotis bats, long-legged bats, pale Townsend's big-eared bats, western small-footed bats, Yuma myotis bats, desert night-blooming cereus, and resin-leaf brickellbush. No impacts to these species are anticipated as a result of the Build Alternative.

Commitment

Provisions will be included in the project to avoid any harm to these species should they be discovered in the project area during construction. [EA p. 63]

Farmlands

The project area contains two different soil types as part of two similar associations, the Delnorte and Canutio soils as part of undulating or hilly associations. Based on the Natural Resources Conservation Service's (NRCS) Electronic Field Office Technical Guide (NRCS 2010) and coordination with the NRCS on previous projects in El Paso County, no soils within El Paso County are classified as Prime and Important Farmland Soils. No land within the project area is currently in production as cropland and the project area is not zoned as agricultural. The proposed Loop 375 Transmountain West Project will not result in impacts to agricultural lands.

Cultural Resources

On April 2, 2010, TxDOT historians determined that none of the six historic-age resources present within the APE are eligible for listing in the National Register of Historic Places (NRHP). Since the properties are not NRHP eligible, the Build Alternative would have no effects to historic properties and individual project coordination with the SHPO is not required.

An intensive survey of the APE revealed no archeological deposits within the proposed undertaking's APE. Individual project coordination with the SHPO is not required. TxDOT archeologists completed their review of the project on May 7, 2010 and Section 106 consultation with federally recognized Native American tribes with a demonstrated interest in the area was initiated on March 23, 2010. No objections or expressions of concern were received within the comment period.

Commitments

If 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 First Amended Programmatic Agreement Among the FHWA, TxDOT, the SHPO, the Advisory Council on Historic Preservation Regarding Implementation of Transportation Undertakings (PA-TU) and the Memorandum of Understanding regarding compliance with the Texas Antiquities Code. [EA p. 65 & 115]

Hazardous Materials

Based on the results of the regulatory database review and field reconnaissance, there is a low likelihood of hazardous materials impacts to the Build Alternative from the sites identified during the hazardous materials assessment. The Build Alternative will not require ROW from any of the known active sites identified in the database search. However, ROW will be acquired from the Shell gas station but will only result in the relocation of two signs associated with the facility. The ROW requirements at this location will not impact the gas pumps, canopies, or buildings. Petroleum Storage Tanks associated with the gas station are not expected to be impacted by the ROW purchase or proposed improvements.

Commitment

Potential impacts to hazardous materials that have not been identified by the regulatory records, but that may be found during ongoing project planning and research, will be avoided where possible. Any unanticipated hazardous material and/or petroleum contamination encountered during construction of the Loop 375 Transmountain West Project will be handled according to applicable federal and state regulations per TxDOT Standard Specifications. [EA p. 68 & 115]

The contractor will take appropriate measures to prevent, minimize and control the spill of hazardous materials in construction staging areas. All materials removed and/or disposed of by the contractor will be done in accordance with State and Federal laws and by approval of TxDOT. TxDOT will consult the owners/operators of any pipelines that would be potentially impacted by the proposed project prior to initiating construction in order to eliminate accidental releases of petroleum products and/or hazardous materials. [EA pp. 81 & 115]

Visual Impact Assessment

The scale and dominance of the roadway were determined to be compatible with the project surroundings due in large part to the fact that a distinct transportation corridor within the identified visual assessment units has already been established by the existing roadway. This corridor will not be substantially altered or realigned under the proposed design. The proposed grade separations at intersecting roadways will result in increased elevations of the roadway in portions of the project area; however, after examination of the project plan and profile, these changes are not expected to substantially obstruct current scenic viewsheds to and from existing recreational areas such as the State Park. Views of the Franklin Mountains from south of Loop 375 will not be fully obstructed by the proposed roadway design due to the relative scale of the mountains as compared to the maximum roadway elevation of 19 feet in that area. The elevated direct connectors between IH-10 and Loop 375 are not expected to alter the visual character of the project area which is already dominated by the IH-10 transportation corridor and industrial and commercial properties. It is anticipated that the most substantial post-construction visual impacts within the project area will result from locally-planned future development in the region.

Increased future development and urbanization could alter the existing visual character of the region, creating a more uniform urban character in the project vicinity. The conversion of undeveloped areas could reduce the natural visual continuity of the region by disrupting currently unobstructed scenic viewsheds. However, if future development is undertaken in a manner that is harmonious with the existing visual elements and patterns in terms of form, line, color, texture, dominance, scale, diversity, and continuity, impacts could be minimized. Local governments have some control over land use regulations whereas the TxDOT does not have any authority to control land use.

Construction Impacts

Temporary construction-related impacts to communities and area businesses arising from road and street closings could include temporary traffic detours, noise, dust and construction vehicle emissions, increased traffic on local streets and roads to avoid the construction area, and occasional, temporary congestion on portions of major arterials approaching the construction area. The impacts from these temporary activities will be offset by the implementation of a Traffic Control Plan developed to provide for the safe passage of traffic with minimum inconvenience to travelers near the construction area.

Commitment

Contract provisions will include proposals for traffic handling, construction scheduling, detours, barricades, lights, and warning signals. [EA p.81]

During the construction phase, a potential for short-term adverse effects on air quality exists. Dust from construction projects, termed “fugitive dust,” is produced by wind and construction machinery moving over disturbed soil.

Commitment

The contractor will be responsible for dust control. The control of particulate matter emanating from various construction activities will be in accordance with TCEQ regulations. [EA p.81]

To minimize emissions, contractors will be required to use emission control devices and limit unnecessary idling of construction vehicles. [EA p.81]

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. [EA p.81]

The contractor will take appropriate measures to prevent, minimize, and control the spill of hazardous materials in the construction staging area. The use of construction equipment within sensitive areas will be minimized or eliminated entirely. All construction materials used for the Loop 375 Transmountain West Project will be removed as soon as work schedules permit. [EA p.81]

Indirect and Cumulative Impacts

The analysis of indirect and cumulative impacts associated with the proposed project identified changes in land use associated with projected population growth and development in the region as the main indirect impacts of the project. Because the proposed study area is largely comprised of undeveloped land, potential indirect and cumulative impacts to vegetation, threatened and/or endangered species, waters of the U.S., and/or water quality associated with the implementation of the Build Alternative were documented. As noted in Section 8.0, the City of El Paso has control over land use regulations and may choose to restrict development or alter the zoning for property adjacent to Loop 375 at their discretion, and outside of TxDOT’s authority.

Monitoring and Enforcement

TxDOT and other appropriate federal, state, and local agencies will monitor all commitments and conditions of approval as stated in the *Corrected* February 2011 EA to ensure compliance.

10.0 LIMITATION ON CLAIMS NOTICE (23 USC §139[L])

FHWA will publish a notice in the *Federal Register*, pursuant to 23 USC §139(I), indicating that one or more federal agencies has taken final action on permits, licenses, or approvals for this transportation project. After notice is published, claims seeking judicial review of those federal agency actions will be barred unless such claims are filed within 180 days after the date of publication of the notice, or within such shorter time period as is specified in the federal laws pursuant to which judicial review of the federal agency action is allowed.

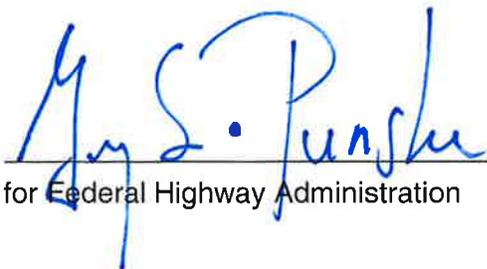
11.0 FHWA DECISION

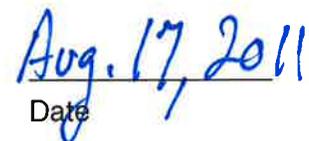
FHWA has reviewed all of the relevant documents and materials referenced in this decisional document. Based upon our own independent review and analysis, we find that the *Corrected* February 2011 Loop 375 Transmountain West Project EA and supplemental information analyzed and considered all relevant potential environmental impacts and issues. FHWA concurs with the findings documented in the EA and that:

1. The Build Alternative best meets the need and purpose of the project and is the Preferred Alternative for the Loop 375 Transmountain West Project.
2. The Build Alternative will have no significant impact on the quality of the human or natural environment, as defined under NEPA.

Based upon our own agency review and consideration of the analysis and evaluation contained in the EA for this project, supplemental documents and the entire project record, and after careful consideration of all social, economic, and environmental factors, including input from the public involvement process, FHWA hereby issues this FONSI for the Loop 375 Transmountain West Project. FHWA further approves the Build Alternative for selection as the Preferred Alternative for the proposed action for this project, as it best fulfills the need and purpose of the project.

TxDOT is hereby required to ensure completion of all mitigation as outlined above and set out specifically in the *Corrected* February 2011 Loop 375 Transmountain West Project EA. TxDOT is required to ensure compliance with any and all local, state, or federal permit requirements and conditions.


for Federal Highway Administration


Date