Finding of No Significant Impact for a FHWA Project

Proposed Action: I-35E/US 67 Project

Project Limits: I-35E from US 67 to I-30 and US 67 from I-20 to I-35E

City: Dallas **County:** Dallas **State:** Texas

TxDOT CSJ(s): 0442-02-088, 0196-03-269, 0261-03-030

In accordance with 23 CFR Section 771.119 and Section 771.121, the Texas Department of Transportation (TxDOT) has determined that the I-35E/US 67 Project will not have a significant impact on the human or natural environment.

This Finding of No Significant Impact (FONSI) for the Preferred Alternative is based on the final Environmental Assessment dated December 2016 and the entire project record. This decision documents the selection of Build Alternative presented in the final EA as the Preferred Alternative, which is described as:

The improvements to I-35E between US 67 and I-30 and to US 67 between I-20 and I-35E. The proposed project would include the following improvements.

a) I-35E between Colorado Blvd. and Reunion Blvd.: Convert two reversible HOV lanes under construction to two reversible non-tolled express lanes.
b) I-35E between the US 67 and Colorado Blvd.: Full reconstruction of the freeway and frontage roads and associated ramp modifications and intersection improvements to increase the mainlanes from eight to 10 lanes, include two reversible non-tolled express lanes, and increase the number of frontage road lanes from four to four to six lanes.
c) US 67 from I-20 to I-35E: Partial reconstruction to widen the mainlanes from four to six lanes and ramp modifications, change the existing two concurrent HOV lanes to one reversible non-tolled express lane within the existing median, and ramp modifications.
d) Sidewalks and shared use lanes to accommodate vehicles and bicyclists would be implemented along those frontage roads where reconstruction is proposed.
e) Dedicated bicycle lanes and sidewalks would be implemented at cross-streets proposed for reconstruction.

A Notice of Availability of the draft EA was issued on August 6, 2016.

A public hearing for this project was held on September 6, 2016.

The draft EA was revised to reflect results of the historic resources coordination completed by TxDOT and the THC/SHPO on September 8, 2016.

Public Hearing Documentation has been prepared and is available for review on request.

The final EA and reports contained in the file of record have been independently evaluated by TxDOT and determined to adequately and accurately discuss the need, purpose, alternatives, environmental issues, impacts of the proposed project, and appropriate mitigation measures. These documents provide sufficient evidence and analysis for determining that preparation of an Environmental Impact Statement is not required. These documents are incorporated by reference into this decisional document.

Based upon TxDOT's review and consideration of the analysis and evaluation contained in the EA for this project, and after careful consideration of all social, economic, and environmental factors, including input

from the public involvement process, TxDOT hereby issues this Finding of No Significant Impact for the I-35E/US 67 Project consisting of improvements to I-35E from US 67 to I-30 and US 67 from I-20 to I-35E.

TxDOT will ensure adherence and completion of all project commitments described in the final EA (December 2016), Section 8.0, TxDOT will ensure that any and all local, state, or federal permit requirements and conditions are met and otherwise complied with.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and the Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT.

TxDOT Environmental Affairs Division Director

12/27/16
Date

Environmental Document Review Checklist

Project Name:	I-35E / US 67			☐ State ☒ Federal - Assigned ☐ Federal - Not Assigned	
CSJ No.:	0442-02-088	**Federal-Aid No. (if applicable):**		**Date of Administrative Completeness:**	July 27, 2016
District / County:	Dallas / Dallas		**Project Sponsor:**	TxDOT	
Document Type:	☒ EA ☐ EIS	**Document Stage:**	☐ Draft ☒ Final		

Preparer Identify	Preparer check if content is:		Core Team check if content is:	Major Required Content
Section in Document	Included	Not Applicable	Acceptable	
Cover	☒	☐	☒	**Cover Sheet**
Cover	☒	☐	☒	Follows TxDOT/FHWA approved format
Cover	☒	☐	☒	Includes 23 U.S.C. 327 assignment language
Cover	☒	☐	☒	Title including any cooperating agencies
N/A	☐	☒	☐	Legal citations, including 49 USC 303 for Section 4(f) if applicable
N/A	☐	☒	☐	Signature block and contacts (only required for EIS)
N/A	☐	☒	☐	**Abstract (only required for EIS)**
N/A	☐	☒	☐	**ROD (for Final Environmental Impact Statement)**
ES	☒	☐	☒	**Executive Summary (optional for EA, but required for EIS)**
Cover	☒	☐	☒	Includes 23 U.S.C. 327 assignment language
ES	☒	☐	☒	Identify lead agency under NEPA
ES	☒	☐	☒	Summary of major conclusions (table recommended)
TOC	☒	☐	☒	**Table of Contents:** include list of tables figures and appendices
Acronyms	☒	☐	☒	**List of Acronyms**
Sect 3.0	☒	☐	☒	**Proposed Project**
Sect 1.0	☒	☐	☒	**Introduction:** Brief introduction including appropriate figures
Sect 1.1	☒	☐	☒	**Existing Facility Description**
Sect 3.1	☒	☐	☒	**Project Description**
Sect 3.1.1	☒	☐	☒	Logical termini and independent utility
Sect 3.1.2	☒	☐	☒	Includes location, length, type of improvements, ROW / Easements needed
Sect 2.0	☒	☐	☒	**Purpose and Need**
Sect 2.0	☒	☐	☒	Purpose statements
Sect 2	☒	☐	☒	Need statements
Sect 3.1.4	☒	☐	☒	**Planning and Programming Status**
Sect 3.1.4	☒	☐	☒	Consistent with current Plan and Program (required for Final Environmental Document)
Sect 3.1.4	☒	☐	☒	Reference to plan sheet in appendix (required for Final Environmental Document)
Sect 3.0	☒	☐	☒	**Alternatives**
Sect 3.0	☒	☐	☒	Discussion of build alternative(s)
Sect 3.1.4	☒	☐	☒	Estimated cost information
Sect 3.2	☒	☐	☒	No-build alternative
Sect 3.1	☒	☐	☒	Identification of preferred alternative (required for Final Environmental Document)
Sect 3.1	☒	☐	☒	Locally preferred alternative, if one has been identified
N/A	☐	☒	☐	Alternatives Considered But Eliminated From Further Consideration
Sect 8.0	☒	☐	☒	**Avoidance, Minimization and/or Mitigation Measures (see page 2 for further information)**
Sect 7.0	☒	☐	☒	**Comments and Coordination (Public Involvement and Agency Coordination)**
Sect 8.0	☒	☐	☒	**Permits and Approvals Needed**
Sect 8.0	☒	☐	☒	**Commitments (table recommended)**
N/A	☐	☒	☐	**List of Preparers (EIS only)**
N/A	☐	☒	☐	**Distribution List (EIS only)**
N/A	☐	☒	☐	**References Cited**

Comments:

Environmental Document Review Checklist

Preparer identify	Preparer check if content is:			Core Team check if content is:	Affected Environment / Impacts / Avoidance, Minimization and Mitigation Measures
Section in Document	Included	Subject of Technical Report	Not Applicable	Acceptable	
Summarize investigation outcomes and project effects as appropriate for each topic. Summary may be presented in table format with expanded discussions of topics with project effects. Address applicable avoidance, minimization, and mitigation measures for each topic.					
S. 4.2.1.2	☒	☐	☐	X	Right of way/Displacements
Sect 4.4	☒	☐	☐	X	Land Use
Sect. 4.4.4	☒	☐	☐	X	Farmlands
Sect 4.2	☒	☒	☐	X	Community Impacts (EJ, LEP, ROW/Displacements)
Sect 3.1.3	☒	☐	☐	X	Utilities/Emergency Services
Sect 3.0	☒	☐	☐	X	Traffic and Transportation/Pedestrian and Bicycle Facilities
S. 4.2.1.6	☒	☐	☐	X	Visual/Aesthetics
Sect 4.5.1	☐	☒	☐	X	Historic Resources
Sect 4.5.2	☐	☒	☐	X	Archeological Resources
Sect 4.3	☐	☒	☐	X	Water Quality
Sect 4.3.3	☒	☐	☐	X	Floodplain
Sect 4.7	☒	☒	☐	X	Hazardous Materials
Sect 4.6	☒	☒	☐	X	Air
Sect 4.8	☒	☒	☐	X	Noise
Sect 4.4	☒	☒	☐	X	Biological Environment (Wetland, Wildlife, T&E Species, Natural Communities)
Sect 4.0	☒	☐	☐	X	Construction Impacts
Sect 5.0	☒	☐	☐	X	Indirect Impacts
Sect 6.0	☒	☐	☐	X	Cumulative Impacts
N/A	☐	☐	☒	X	Section 4(f) / 6(f) – *if applicable*
Comments:					

Core Team check if information is:			Supporting Documentation
Included as Appendix	Not applicable	Present in File	
The appendices and/or file of record must contain the following items/documents			
☒	☐	☒	Exhibits
☐	☐	☒	Technical Reports: all technical reports as identified above have been completed, approved, and are present in the project file
☒	☐	☒	Agency coordination/consultation documentation in appendices and/or file
☐	☒	☐	Section 4(f) Evaluation, Programmatic Section 4(f) Evaluation, Section 4(f) De Minimis Determination, or Section 6(f) Evaluation
Comments:			

Yes	No	Not applicable	Document Consistency (Core Team Completes)
☒	☐	☐	Quantitative consistency between technical reports and Environmental Document (traffic, ROWs, etc.)
☒	☐	☐	Quantitative consistency within Environmental Document
☒	☐	☐	Map and figure consistency (project limits, street names, key, etc.)
☒	☐	☐	Referenced documents located in File of Record and/or Appendices
☒	☐	☐	Acronym identification and consistency
☒	☐	☐	Exhibits and appendices listed in the Table of Contents are present in the Environmental Document
Comments:			

Completed By:

Sandra J. Williams *Preparer (Print Name)*	*Signature*	12-20-16 *Date*
Sandra J. Williams *District Core Team Member (Print Name)*	*Signature*	12-20-16 *Date*
Scott Ford *ENV Core Team Member (Print Name)*	*Signature*	12-21-16 *Date*

Environmental Document Certification Form

Project Name: I-35E / US 67

Control Section Job Number (CSJ): 0442-02-088

Document Type: ☒ EA ☐ EIS ☒ FONSI ☐ ROD **Document Stage:** ☐ Draft ☒ Final

This checklist shall be used to certify that an environmental document is ready for public review (draft documents) or approval (final documents).

When all required items are satisfactorily completed, the District and ENV representatives will sign this form indicating the environmental document is certified and may proceed to public review or is ready for final approval.

This project meets all the following requirements:

A. A project scope has been completed for the project.

B. The document has been determined to be administratively complete.

C. The document meets the requirements of technical review (43 TAC §2.49) as required to date.

D. The required public participation has been completed as required to date.

E. All consultation and coordination required for the environmental decision is complete and appropriately documented (for final environmental documents).

F. Legal Review or Legal Sufficiency Review has been completed, as required.

G. Current funding has been reviewed, and is as follows:

☒ Mix of Federal/State/Local funding ☐ State-only funding Date Verified: Dec 20, 2016

Comments: <Enter Comments>

Signed: _____ **Date:** 12-20-16
District Core Team Member

Print Name: Sandra J. Williams

Signed: _____ **Date:** 12-21-16
ENV Core Team Member

Print Name: Scott Ford

Approved for Circulation (EAs only):

Signed: _____ **Date:** _____
Project Delivery Director

Print Name: _____

2017-2020 STIP — **07/2016 Revision: Approved 12/19/2016**

DISTRICT	MPO	COUNTY	CSJ	HWY	PHASE	CITY	YOE COST
DALLAS	DALLAS-FORT WORTH	DALLAS	0442-02-088	IH 35E	C,E,ENG,R,ACQ,UTL	DALLAS	$ 562,237,446

LIMITS FROM US 67
LIMITS TO IH 30
PROJECT SPONSOR TXDOT-DALLAS
REVISION DATE 07/2016
MPO PROJ NUM 54008
FUNDING CAT(S)

PROJECT DESCR CONVT 2 REV HOV TO 2 EXP LN FROM IH 30 TO COLORADO; RECONST & WIDEN 8 TO 10 GP L N & RECONST 1 REV HOV TO 2 REV EXP LN FROM COLORADO TO US 67; RECONST 4/6 LN CON T FRTG RD FROM COLORADO TO MARSALIS; RECONST 4/6 TO 2/6 LN DIS FRTG RD FROM MARS ALIS TO US 67

REMARKS P7 CMAQ FOR SIDEWALKS, BIKE LANES, TEXAS U-TURN BRIDGE S, & INTERSECTION IMPROVEMENTS (5) ONLY; SOUTHERN G ATEWAY CORRIDOR; RTR121-DA1

PROJECT HISTORY

TOTAL PROJECT COST INFORMATION

PREL ENG	$ 65,711,462
ROW PURCH	$ 49,816,475
CONSTR	$ 446,709,509
CONST ENG	$ 14,847,301
CONTING	$ 621,514
INDIRECT	$ 19,819,420
BOND FIN	$ 0
PT CHG ORD	$ 0
TOTAL CST	$ 597,525,681

COST OF APPROVED PHASES $ 562,237,446

AUTHORIZED FUNDING BY CATEGORY/SHARE

CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL	LC	TOTAL
2M	$ 32,000,000	$ 8,000,000	$ 0	$ 0	$ 0	$ 40,000,000
3RTR121	$ 0	$ 0	$ 20,000,000	$ 0	$ 0	$ 20,000,000
5	$ 38,647,738	$ 9,661,935	$ 0	$ 0	$ 0	$ 48,309,673
7	$ 10,551,818	$ 2,637,955	$ 0	$ 0	$ 0	$ 13,189,773
11	$ 208,000,000	$ 52,000,000	$ 0	$ 0	$ 0	$ 260,000,000
12	$ 112,590,400	$ 28,147,600	$ 0	$ 0	$ 0	$ 140,738,000
S102	$ 32,000,000	$ 4,000,000	$ 0	$ 4,000,000	$ 0	$ 40,000,000
TOTAL	$ 433,789,956	$ 104,447,490	$ 20,000,000	$ 4,000,000	$ 0	$ 562,237,446

2017-2020 STIP — **07/2016 Revision: Approved 12/19/2016**

DISTRICT	MPO	COUNTY	CSJ	HWY	PHASE	CITY	YOE COST
DALLAS	DALLAS-FORT WORTH	DALLAS	0353-05-089	SP 244	E,ENG	DALLAS	$ 50,000

LIMITS FROM ON NORTHWEST HIGHWAY (SPUR 244)
LIMITS TO AT PLANO RD
PROJECT SPONSOR TXDOT-DALLAS
REVISION DATE 07/2016
MPO PROJ NUM 537
FUNDING CAT(S)

PROJECT DESCR TRAFFIC SIGNAL AND PEDESTRIAN IMPROVEMENTS

REMARKS P7

PROJECT HISTORY

TOTAL PROJECT COST INFORMATION

PREL ENG	$ 50,000
ROW PURCH	$ 0
CONSTR	$ 522,500
CONST ENG	$ 100,593
CONTING	$ 117,358
INDIRECT	$ 66,056
BOND FIN	$ 0
PT CHG ORD	$ 0
TOTAL CST	$ 856,507

COST OF APPROVED PHASES $ 50,000

AUTHORIZED FUNDING BY CATEGORY/SHARE

CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL	LC	TOTAL
SBPE	$ 0	$ 50,000	$ 0	$ 0	$ 0	$ 50,000
TOTAL	$ 0	$ 50,000	$ 0	$ 0	$ 0	$ 50,000

2017-2020 STIP — **07/2016 Revision: Approved 12/19/2016**

DISTRICT	MPO	COUNTY	CSJ	HWY	PHASE	CITY	YOE COST
DALLAS	DALLAS-FORT WORTH	DENTON	0353-02-053	SH 114	R,ACQ	ROANOKE	$ 100,000

LIMITS FROM AT UP RAILROAD UNDERPASS
LIMITS TO IN ROANOKE DOT NO 795 342V
PROJECT SPONSOR TXDOT-DALLAS
REVISION DATE 07/2016
MPO PROJ NUM 51060
FUNDING CAT(S)

PROJECT DESCR REPLACE RAILROAD UNDERPASS

REMARKS P7 CAT 2M FUNDS ARE PROP 1 FUNDS

PROJECT HISTORY

TOTAL PROJECT COST INFORMATION

PREL ENG	$ 400,000
ROW PURCH	$ 100,000
CONSTR	$ 9,065,800
CONST ENG	$ 514,031
CONTING	$ 104,541
INDIRECT	$ 391,420
BOND FIN	$ 0
PT CHG ORD	$ 0
TOTAL CST	$ 10,575,792

COST OF APPROVED PHASES $ 100,000

AUTHORIZED FUNDING BY CATEGORY/SHARE

CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL	LC	TOTAL
S102	$ 80,000	$ 20,000	$ 0	$ 0	$ 0	$ 100,000
TOTAL	$ 80,000	$ 20,000	$ 0	$ 0	$ 0	$ 100,000

2017-2020 STIP — **07/2016 Revision: Not Approved 12/19/2016**

DISTRICT	MPO	COUNTY	CSJ	HWY	PHASE	CITY	YOE COST
DALLAS	DALLAS-FORT WORTH	DENTON	0918-46-288	VA	T	VARIOUS	$ 895,050

LIMITS FROM: REGIONAL VANPOOL PROGRAM
LIMITS TO:
PROJECT DESCR: OPERATE A VANPOOL SUBSIDY INITIATIVE FOR COMMUTERS TRAVELING LONG DISTANCES AND IN AREAS WITH LITTLE OR NO FIXED ROUTE SERVICE
REMARKS P7:
PROJECT HISTORY:
PROJECT SPONSOR: DCTA
REVISION DATE: 07/2016
MPO PROJ NUM: 11639
FUNDING CAT(S):

TOTAL PROJECT COST INFORMATION

PREL ENG	$ 0
ROW PURCH	$ 0
CONSTR	$ 895,050
CONST ENG	$ 0
CONTING	$ 0
INDIRECT	$ 0
BOND FIN	$ 0
PT CHG ORD	$ 0
TOTAL CST	$ 895,050

COST OF APPROVED PHASES: $ 895,050

AUTHORIZED FUNDING BY CATEGORY/SHARE

CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL	LC	TOTAL
7	$ 313,267	$ 0	$ 0	$ 581,783	$ 0	$ 895,050
TOTAL	$ 313,267	$ 0	$ 0	$ 581,783	$ 0	$ 895,050

2017-2020 STIP — **07/2016 Revision: Approved 12/19/2016**

DISTRICT	MPO	COUNTY	CSJ	HWY	PHASE	CITY	YOE COST
DALLAS	DALLAS-FORT WORTH	DALLAS	0261-03-030	US 67	C,E,ENG,R,ACQ,UTL	DALLAS	$ 98,987,794

LIMITS FROM: IH 20
LIMITS TO: IH 35E
PROJECT DESCR: WIDEN 4 TO 6 MAINLANES, RECONSTRUCT EXISTING 2 LANE CONCURRENT TO 1 REVERSIBLE E XPRESS LANE
REMARKS P7: SOUTHERN GATEWAY CORRIDOR; CMAQ FOR INTERSECTION IMPROVEMENTS, SIDEWALKS, BIKE LANES, & TEXAS UTURN BRIDGE; RTR121-DA1
PROJECT HISTORY: CLARIFIED FROM LIMIT AS IH 20 VS. SOUTH OF IH 20; RELATED TO TIP 54008/CSJ 0442-02-088
PROJECT SPONSOR: TXDOT-DALLAS
REVISION DATE: 07/2016
MPO PROJ NUM: 54085
FUNDING CAT(S):

TOTAL PROJECT COST INFORMATION

PREL ENG	$ 12,911,451
ROW PURCH	$ 6,503,800
CONSTR	$ 79,572,543
CONST ENG	$ 2,644,249
CONTING	$ 110,690
INDIRECT	$ 3,529,765
BOND FIN	$ 0
PT CHG ORD	$ 0
TOTAL CST	$ 105,272,498

COST OF APPROVED PHASES: $ 98,987,794

AUTHORIZED FUNDING BY CATEGORY/SHARE

CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL	LC	TOTAL
2M	$ 8,000,000	$ 2,000,000	$ 0	$ 0	$ 0	$ 10,000,000
3RTR121	$ 0	$ 0	$ 19,580,000	$ 0	$ 0	$ 19,580,000
5	$ 4,550,662	$ 1,137,665	$ 0	$ 0	$ 0	$ 5,688,327
7	$ 30,775,574	$ 7,693,893	$ 0	$ 0	$ 0	$ 38,469,467
12	$ 20,200,000	$ 5,050,000	$ 0	$ 0	$ 0	$ 25,250,000
TOTAL	$ 63,526,236	$ 15,881,558	$ 19,580,000	$ 0	$ 0	$ 98,987,794

2017-2020 STIP — **07/2016 Revision: Approved 12/19/2016**

DISTRICT	MPO	COUNTY	CSJ	HWY	PHASE	CITY	YOE COST
DALLAS	DALLAS-FORT WORTH	DALLAS	0196-03-269	IH 35E	C,E,ENG	DALLAS	$ 2,762,760

LIMITS FROM: IH 30
LIMITS TO: REUNION BLVD
PROJECT DESCR: CONVERT EXISTING 2 REVERSIBLE HOV LANES TO 2 REVERSIBLE EXPRESS LANES
REMARKS P7: SOUTHERN GATEWAY CORRIDOR
PROJECT HISTORY: CLARIFIED RECONSTRUCT TO CONVERT
PROJECT SPONSOR: TXDOT-DALLAS
REVISION DATE: 07/2016
MPO PROJ NUM: 55093
FUNDING CAT(S):

TOTAL PROJECT COST INFORMATION

PREL ENG	$ 360,360
ROW PURCH	$ 0
CONSTR	$ 2,402,400
CONST ENG	$ 161,228
CONTING	$ 6,749
INDIRECT	$ 215,221
BOND FIN	$ 0
PT CHG ORD	$ 0
TOTAL CST	$ 3,145,958

COST OF APPROVED PHASES: $ 2,762,760

AUTHORIZED FUNDING BY CATEGORY/SHARE

CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL	LC	TOTAL
5	$ 249,600	$ 62,400	$ 0	$ 0	$ 0	$ 312,000
7	$ 1,960,608	$ 490,152	$ 0	$ 0	$ 0	$ 2,450,760
TOTAL	$ 2,210,208	$ 552,552	$ 0	$ 0	$ 0	$ 2,762,760

PHASE: C = CONSTRUCTION, E = ENGINEERING, R = ROW, T = TRANSFER

DISCLAIMER:
The use of this standard is governed by the "Texas Engineering Practice Act". No warranty of any kind is made by TxDOT for any purpose whatsoever. TxDOT assumes no responsibility for the conversion of this standard to other formats or for incorrect results or damge resulting from its use.

Notes To Designer:
1. Do not alter Sheet Design or Font style, size or weight - match text attributes.
2. If additional space is needed for a numbered section, fence and adjust sections up or down as needed for proportioning and readability but do not relocate from its relative position.
3. All areas should be addressed thoroughly and verify the necessary pay items are set up to support actions needed.

Filled Out: XX/XX/XXXX
Prepared by: Name/Section

I. STORMWATER POLLUTION PREVENTION PLAN-CLEAN WATER ACT SECTION 402

TPDES TXR 150000: Stormwater Discharge Permit or Construction General Perrmit required for projects with 1 or more acres disturbed soil. Projects with any disturbed soil must protect for erosion and sedimentation in accordance with Item 506.

List adjacent MS 4 Operator(s) that receive discharges from this project. They need to be notified prior to construction activities.
(Note: Leave blank only if no adjacent MS 4 Operator(s) are affected.)

1. Mainstem/Phase II Lissa Shepard/Senior Bridge Engineer & Floodplain Manager 411 Elm Street, 4th Floor, Dallas, TX 75202
2. Mainstem/Phase I Jennifer Cottingham/Assistant Director, Dallas, TX
3. East fork/Phase I Robert Diebert/Environmental Specialist 4777 E. Hwy 80, Mesquite, TX 75150-6643

☐ No Action Required ☒ Required Action

Action Number:

1. Prevent stormwater pollution by controlling erosion and sedimentation in accordance with TPDES Permit TXR 150000.
2. Comply with the SW3P and revise when necessary to control pollution or required by the Engineer.
3. Post Construction Site Notice (CSN) with SW3P information on or near the site, accessible to the public and TCEQ, EPA or other inspectors.
4. When Contractor project specific locations (PSL's) increase disturbed soil area to 5 acres or more, submit NOI to TCEQ and the Engineer.

II. WORK IN OR NEAR STREAMS, WATERBODIES AND WETLANDS CLEAN WATER ACT SECTIONS 401 AND 404

USACE Permit required for filling, dredging, excavating or other work in any water bodies, rivers, creeks, streams, wetlands or wet areas. No equipment is allowed in any sream channel below the ordinary High Water Mark except on approved temporary stream crossings or drill pads.

The Contractor must adhere to all of the terms and conditions associated with the following permit(s):

☐ No Permit Required
☒ Nationwide Permit 14 - PCN not Required (less than 1/10th acre waters or wetlands affected)
☐ Nationwide Permit 14 - PCN Required (1/10 to <1/2 acre, 1/3 in tidal waters)
☐ Individual 404 Permit Required
☐ Other Nationwide Permit Required: NWP# _____

Required Actions: List Waters of the US Permit applies to, location in project and check Best Management Practices planned to control erosion, sedimentation and post-project TSS.

1. Woody Branch - US 67 STA 570+50 - Bridge Construction
2. Fivemile Creek - US STA 693+50 - Bridge Construction
3. Tributary to Cedar Creek - I35E STA 676+00 - Bridge Construction
4. Cedar Creek (South of Clarendon Dr) - I35E STA 682+00 - Bridge Construction
5. Cedar Creek - Ewing Ave and CLarendon Dr - STA 745+00 - Construction of pipe and associated outfall.

The elevation of the ordinary high water marks of any areas requiring work to be performed in the waters of the US requiring the use of a nationwide permit can be found on the Bridge Layouts.

Best Management Practices for applicable 401 General Conditions:
(Note: If CORP Permit not required, do not check boxes.)

Erosion	Sedimentation	Post-Construction TSS
☒ Temporary Vegetation	☒ Silt Fence	☒ Vegetative Filter Strips
☐ Blankets/Matting	☐ Rock Berm	☐ Retention/Irrigation Systems
☐ Mulch	☐ Triangular Filter Dike	☐ Extended Detention Basin
☐ Sodding	☐ Sand Bag Berm	☐ Constructed Wetlands
☐ Interceptor Swale	☐ Straw Bale Dike	☐ Wet Basin
☐ Diversion Dike	☐ Brush Berms	☐ Erosion Control Compost
☐ Erosion Control Compost	☐ Erosion Control Compost	☐ Mulch Filter Berm and Socks
☐ Mulch Filter Berm and Socks	☐ Mulch Filter Berm and Socks	☐ Compost Filter Berm and Socks
☐ Compost Filter Berm and Socks	☐ Compost Filter Berm and Socks	☐ Vegetation Lined Ditches
	☐ Stone Outlet Sediment Traps	☐ Sand Filter Systems
	☐ Sediment Basins	☐ Grassy Swales

III. CULTURAL RESOURCES

Refer to TxDOT Standard Specifications in the event historical issues or archeological artifacts are found during construction. Upon discovery of archeological artifacts (bones, burnt rock, flint, pottery, etc.) cease work in the immediate area and contact the Engineer immediately.

☒ No Action Required ☐ Required Action

Action Number:

1.

2.

3.

IV. VEGETATION RESOURCES

Preserve native vegetation to the extent practical.
Contractor must adhere to Construction Specification Requirements Specs 162, 164, 192, 193, 506, 730, 751 & 752 in order to comply with requirements for invasive species, beneficial landscaping and tree/brush removal commitments.

☒ No Action Required ☐ Required Action

Action Number:

1.

2.

3.

4.

V. FEDERAL LISTED, PROPOSED THREATENED, ENDANGERED SPECIES, CRITICAL HABITAT, STATE LISTED SPECIES, CANDIDATE SPECIES AND MIGRATORY BIRDS TREATY ACT.

☐ No Action Required ☒ Required Action

Action Numbered:
1. Vegetation Resources/No action required; standard language applies.
2. Listed speciesAction Required
   a. Cave myotis bat maybe present on site.; b. Texas pigtoe, Louisiana pigtoe, sandbank pocketbook, & Texas heelsplitter may be present on site. Perform freshwater mussel survey/relocation at appropriate habitat locations 6 months prior to construction.; c. Western burrowing owl may be present on site. See note below and MBTA language for Bird BMPs.; d. Wood stork may be present on site. See note below and MBTA language for Bird BMPs.; e. Plains spotted skunk may be present on site.; f. Timber/canebrake rattlesnake may be present on site.; g. Texas garter snake may be present on site.
3. Additional directions for the contractor per Early Coordination with TPWD (this can go under the Species section if you?d like).
   a. The contractor shall be instructed to avoid harming wildlife within the entire project area.
   b. The contractor shall be instructed to prioritize the use of wildlife-friendly erosion and sediment control BMPs to stabilize disturbed areas where applicable.

Migratory Bird Treaty Act Standard language applies.

If any of the listed species are observed, cease work in the immediate area, do not disturb species or habitat and contact the Engineer immediately. The work may not remove active nests from bridges and other structures during nesting season of the birds associated with the nests. If caves or sinkholes are discovered, cease work in the immediated area, and contact the Engineer immediately.

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

LIST OF ABBREVIATIONS

BMP:	Best Management Practice	SPCC:	Spill Prevention Control and Countermeasure
CGP:	Construction General Permit	SW3P:	Storm Water Pollution Prevention Plan
DSHS:	Texas Department of State Health Services	PCN:	Pre-Construction Notification
FHWA:	Federal Highway Administration	PSL:	Project Specific Location
MOA:	Memorandum of Agreement	TCEQ:	Texas Commission on Environmental Quality
MOU:	Memorandum of Understanding	TPDES:	Texas Pollutant Discharge Elimination System
MS4:	Municipal Separate Stormwater Sewer System	TPWD:	Texas Parks and Wildlife Department
MBTA:	Migratory Bird Treaty Act	TxDOT:	Texas Department of Transportation
NOT:	Notice of Termination	T&E:	Threatened and Endangered Species
NWP:	Nationwide Permit	USACE:	U.S. Army Corp of Engineers
NOI:	Notice of Intent	USFWS:	U.S. Fish and Wildlife Service

VI. HAZARDOUS MATERIALS OR CONTAMINATION ISSUES

General (applies to all projects):
Comply with the Hazard Communication Act (the Act) for personnel who will be working with hazardous materials by conducting safety meetings prior to beginning construction and making workers aware of potential hazards in the workplace. Ensure that all workers are provided with personal protective equipment appropiate for any hazardous materials used.

Obtain and keep on-site Material Safety Data Sheets (MSDS) for all hazardous products used on the project, which may include, but are not limited to the following categories: Paints, acids, solvents, asphalt products, chemical additives, fuels and concrete curing compounds or additives. Provide protected storage, off bare ground and covered, for products which may be hazardous. Maintain product labelling as required by the Act. Maintain an adequate supply of on-site spill response materials, as indicated in the MSDS. In the event of a spill, take actions to mitigate the spill as indicated in the MSDS, in accordance with safe work practices, and contact the District Spill Coordinator immediately. The Contractor shall be responsible for the proper containment and cleanup of all product spills.

Contact the Engineer if any of the following are detected:
* Dead or distressed vegetation (not identified as normal)
* Trash piles, drums, canisters, barrels, etc.
* Undesirable smells or odors
* Evidence of leaching or seepage of substances

Does the project involve any bridge class structure rehabilitation(s) or replacement(s) (bridge class structures not including box culverts)?

☒ Yes ☐ No

If "No", then no further action is required.
If "Yes", then TxDOT is responsible for completing asbestos assessment/inspection.

Are the results of the asbestos inspection positive (is asbestos present)?

☐ Yes ☐ No

If "Yes", then TxDOT must retain a DSHS licensed asbestos consultant to assist with the notification, develop abatement/mitigation procedures, and perform management activities as necessary. The notification form to DSHS must be postmarked at least 15 working days prior to scheduled demolition.

If "No", then TxDOT is still required to notifiy DSHS 15 working days prior to any scheduled demolition.

In either case, the Contractor is responsible for providing the date(s) for abatement activities and/or demolition with careful coordination between the Engineer and asbestos consultant in order to minimize construction delays and subsequent claims.

Any other evidence indicating possible hazardous materials or contamination discovered on site. Hazardous Materials or Contamination Issues Specific to this Project:

☐ No Action Required ☒ Required Action

Action Number:
1. Fourteen sites were identified as high-risk for encountering contamination during construction activities. Additional assessment of these sites may be required to determination possible risk prior to project construction.
2. ACM and LBP testing will be performed on exsiting bridge and building structures to be removed as feasible. TxDOT would notify DSHS of the bridge demolition 10-working days prior to the scheduled demolition.

VII. OTHER ENVIRONMENTAL ISSUES

(includes regional issues such as Edwards Aquifer District, etc.)

☐ No Action Required ☒ Required Action

Action Number:
1. Any unanicipated hazardous materials and/or petroleum contamination encountered during construction would be handled according to applicable federal and state regulation perTxDOT Standard Specifications.
2. The proposed project would result in a traffic noise impact with feasible and reasonable abatement. Thirty-fourtraffic noise barrier segments are proposed to abate traffic noise. In accordance with TxDOT Guidelines forAnalysis and Abatement of roadway Traffic noise, polling already occurred and that a total of thirty-two barrier segments would be constructed as part of the project.
3. Due to the proximity of the Dallas Executive Airport along US 67 (on Marilla Rd), coordination with FAA to ensure compliance with all FAA requirements is required.
4. Because the proposed noise barrier at the zoo would be partially located on top of a retaining wall along the new northbound frontage road, timing of the construction of the noise barrier at the Dallas Zoo would depend on the construction schedule for the new retaining wall and northbound frontage road. TxDOT has been and will continue communicating with the Dallas Zoo to coordinate construction timing of the noise barrier at the zoo.

GENERAL NOTE:

Any change orders and/or deviations from the final design must be reported to the Engineer prior to commencement of construction activities, as additional environmental clearance may be required.

©2015 Texas Department of Transportation
Dallas District

ENVIRONMENTAL PERMITS, ISSUES AND COMMITMENTS (EPIC)

FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.		HIGHWAY NO.
6			I-35E/ US 67
STATE	DISTRICT	COUNTY	
TEXAS	DALLAS	DALLAS	
CONTROL	SECTION	JOB	SHEET NO.
0442	02	088, etc.	

LAST REVISION: 1/15/15