



REPLY TO
ATTENTION OF

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

August 24, 2012

Planning, Environmental, and Regulatory Division

Mr. Salvador Deocampo
District Engineer
U.S. Department of Transportation
Federal Highway Administration, HA-TX
300 E. 8th Street, Room 826
Austin, Texas 78701

REFERENCE: Proposed Interstate Highway 35W from Interstate Highway 820 to Interstate Highway 30, City of Fort Worth, Tarrant County, Texas Project (CSJ Nos. 0014-16-179 and 0014-16-268)

Dear Mr. Deocampo:

The Fort Worth District U.S. Army Corps of Engineers (USACE) is currently reviewing the proposed above-referenced project pursuant to 33 U.S.C. Section 408. In making its Section 408 determination, the USACE must also comply with the National Environmental Policy Act (NEPA). In order to avoid duplicating efforts, the USACE has been a cooperating agency pursuant to 33 C.F.R. Section 1501.6 in the preparation of the proposed project Environmental Assessment (EA). The USACE appreciates the opportunity to be a cooperating agency for NEPA compliance and to review the EA prepared for the proposed project. Additionally, the USACE appreciates the efforts of the Texas Department of Transportation (TxDOT) and Federal Highways Administration (FHWA) to add USACE-requested design criteria and restrictions for the bridge structures crossing the Fort Worth Floodway, and to address USACE concerns and incorporate the Agency's suggestions. TxDOT and FHWA have, to date, addressed the USACE's concerns, suggestions, and requirements related to Section 408 NEPA compliance in the proposed project EA.

USACE will continue to coordinate with the United States Fish and Wildlife Service in order to satisfy our requirements under the Fish and Wildlife Coordination Act. Please be aware that Tarrant Regional Water District (TRWD) is the non-federal sponsor of the Fort Worth Floodway with responsibilities for operation and maintenance, and coordination with TRWD will be required to ensure operation and maintenance is not impacted.

Pursuant to 33 U.S. Code, Section 408, the USACE may not sign a Finding of No Significant Impact (FONSI) until the District Engineer issues a Section 408 Approval for the proposed project crossing of the Fort Worth Floodway. This action may only occur after the Section 408 design submittal is reviewed by USACE staff and a recommendation has been given to the District Engineer. USACE understands that FHWA intends to sign a FONSI in order to continue with the proposed project outside the Fort Worth Floodway. We are committed to continued cooperation with your agency and TxDOT in this effort. We look forward to our continued role as a cooperating agency on this proposed project.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Verwers". The signature is fluid and cursive, with a long horizontal stroke at the end.

Eric Verwers
Chief, Planning, Environmental, and
Regulatory Division