



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

Texas Division

January 16, 2014

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In Reply Refer To:
HA-TX

Finding of No Significant Impact (FONSI)
SH 360: from E. Sublett Road/W. Camp Wisdom Road to US 287
Tarrant, Johnson, and Ellis Counties
CSJ: 2266-02-136

Mr. Scott Ford
Project Delivery Manager
Environmental Affairs Division
Texas Department of Transportation
125 E. 11th Street
Austin, TX 78701

Dear Mr. Ford:

We have thoroughly reviewed our records on this project which include, but are not limited to, the Environmental Assessment (EA) dated November 2013 and the public involvement documents and analysis prepared by the Texas Department of Transportation (TxDOT). Based upon our own agency review and consideration of the analysis and evaluation contained in the EA as documented in the enclosed Finding of No Significant Impact (FONSI) document and after further consideration of all social, economic and environmental factors, including input from the public involvement process, we hereby issue a FONSI for the SH 360 project from E. Sublett Road/W. Camp Wisdom Road to US 287.

We concur in the findings of the November 2013 EA in that: (1) the Build Alternative is the selected alternative for the project, (2) the Build Alternative best meets the purpose and need of the project with the least amount of impacts to the resource areas, and (3) the project when implemented with all the required mitigation and coordination as detailed above will have no significant impacts on the quality of the human or natural environment under NEPA. In addition, based on this review, we find that an Environmental Impact Statement (EIS) is not required for this project.

If you have any questions about this letter approving the FONSI, please call Wesley Kaisershot, P.E. at 512-536-5957.

Sincerely,

Salvador Deocampo
District Engineer

Enclosure

FEDERAL HIGHWAY ADMINISTRATION

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

For
SH 360: FROM E. SUBLETT ROAD / W. CAMP WISDOM ROAD
TO
U.S. HIGHWAY 287
CITIES OF ARLINGTON, GRAND PRAIRIE, MANSFIELD
TARRANT, ELLIS AND JOHNSON COUNTIES, TEXAS
TxDOT CSJ: 2266-02-136

INTRODUCTION

The Federal Highway Administration (FHWA) has determined, in accordance with 23 CFR §771.119 and §771.121, that the proposed project to add tolled mainlanes to a portion of State Highway (SH) 360 will not have a significant impact on the human or natural environment.

The Environmental Assessment (EA) was given “Satisfactory for Further Processing” (SFP) by FHWA for a public hearing on August 16, 2013. This Finding of No Significant Impact (FONSI) for the preferred alternative is based on the November 2013 EA. This EA matches the North Central Texas Council of Governments (NCTCOG) Metropolitan Transportation Plan (MTP) Mobility 2035 – 2013 Update.

The EA and Public Hearing Summary Report have been independently evaluated by FHWA, and determined to adequately and accurately discuss the need, purpose, alternatives, environmental issues, and impacts of the proposed SH 360 project and appropriate mitigation measures. These documents provide sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. Finally, these documents are incorporated by reference into this decisional document.

PROJECT BACKGROUND

The North Texas Tollway Authority (NTTA) and the Texas Department of Transportation (TxDOT) propose to add tolled mainlanes to the existing non-tolled frontage road system along approximately 9.2 miles of SH 360 in Tarrant, Ellis, and Johnson Counties, Texas. The proposed project would transition from the existing 4-lane roadway to an 8-lane divided tollway from approximately 1,310 feet north of E. Sublett Road/W. Camp Wisdom Road to Debbie Lane/Ragland Road and then to a 6-lane divided tollway from Debbie Lane/Ragland Road to US 287. The proposed project would also include improvements at the SH 360/US 287 interchange. The logical termini for the proposed project extend along SH 360 from E. Sublett Road/W. Camp Wisdom Road to US 287. The proposed construction limits extend from approximately 1,310 feet north of E. Sublett Road/W. Camp Wisdom Road to US 287 along SH 360 and from Lone Star Road to Farm to Market (FM) 661 along US 287. The phased construction of SH 360 would consist of both “interim” and “ultimate” improvements.

Approximately 6.0 acres of additional right-of-way (ROW) would be required to accommodate the proposed facility.

The proposed project is a product of a public hearing and work group/stakeholders group meetings. The project is fully supported by the Cities of Arlington, Grand Prairie, and Mansfield, Tarrant County, Johnston County, and Ellis County and the NCTCOG. Based on feedback received from various stakeholders, public, and project meetings, the public is generally supportive of the incorporation of tolled mainlanes and proposed construction.

Existing Facility

The existing SH 360 facility consists of two mainlanes and two frontage road lanes in each direction that transition to two frontage roads in each direction approximately 1,310 feet north of E. Sublett Road/W. Camp Wisdom Road. The existing ROW width varies from 480 feet to 1,800 feet throughout the project area.

Need and Purpose

For the year 2010, the Mobility 2035: The Metropolitan Transportation Plan for North Central Texas (Mobility 2035) identified the Dallas–Fort Worth–Arlington Metropolitan Statistical Area (MSA) as the fourth-largest population area in the U.S. In 2010, the 12-county Dallas–Fort Worth (DFW) Metropolitan Planning Area (MPA) had a population of 6.5 million, and this area is expected to grow to 9.8 million residents by 2035. Tarrant, Ellis, and Johnson counties are included in the 12-county Dallas–Fort Worth–Arlington MSA. According to data obtained by the NTTA, the percentage increases of projected average daily traffic (ADT) from 2020 to 2040 within the two traffic analysis sections from E. Sublett Road/W. Camp Wisdom Road to Broad Street and from Broad Street to US 287 are 57.8% and 167.3%, respectively.

The need for the proposed SH 360 project is to add additional transportation system linkages that are critical to local infrastructure and regional mobility. The purpose of the proposed SH 360 project is to add tolled mainlanes to the existing non-tolled frontage road system of SH 360 to provide effective transportation while enhancing mobility within the rapidly developing SH 360 corridor for the growing population in southern Tarrant, northwest Ellis, and northeast Johnson counties.

The area's projected population and employment growth are anticipated to cause future traffic congestion and increased traffic delays. These delays would contribute to lost economic productivity and increased air pollution. Federal regulations require that metropolitan transportation plans be financially constrained to available resources. This means that projects and programs can be included in the long-range plan only if funding can be identified for their implementation. It is estimated that the DFW region would need approximately \$395.3 billion to eliminate the worst levels of congestion. Mobility 2035 identifies approximately \$101.1 billion to fund transportation in the region out to 2035. The annual cost of congestion, assuming that the \$101.1 billion of recommended improvements are in place, is expected to be \$10.1 billion by 2035, substantially more than the \$4.5 billion that is projected in 2012. If the Mobility 2035 recommendations are not implemented and no improvements are made or additional capacity added, the region can expect to see a \$17.5-billion annual cost of congestion (NCTCOG 2011).

Due to the lack of an efficient connection from US 287 to IH 20, this project would provide a much-needed transportation link in the Mansfield, Arlington, and Grand Prairie areas. These areas have been developing rapidly, and the trend of conversion of undeveloped land to primarily residential use with some commercial and industrial land uses is forecasted to continue.

REVIEW OF THE ENVIRONMENTAL ASSESSMENT (EA)

Preferred Alternative

The proposed project would involve improvements for the addition of tolled mainlanes to the existing non-tolled frontage road system along approximately 9.2 miles of State Highway (SH) 360 between E. Sublett Road/W. Camp Wisdom Road and US 287. This includes providing a transition along SH 360 from the existing 4-lane roadway to an 8-lane divided tollway from 1,310 feet north of E. Sublett Road/W. Camp Wisdom Road to Debbie Lane/Ragland Road and a 6-lane divided tollway from Debbie Lane/Ragland Road to US 287. The proposed project includes overpasses and underpasses, ramps, and an interchange at US 287.

Preferred Alternative Justification

Implementing the Preferred Alternative will improve traffic mobility and will provide a much-needed transportation link in the Mansfield, Arlington, and Grand Prairie areas. These areas have been developing rapidly, and the trend of conversion of undeveloped land to primarily residential use with some commercial and industrial land uses is forecasted to continue. Adjacent and surrounding property values would be affected by improved accessibility and mobility, thereby increasing the tax base and producing benefits that would accrue during the design life of the proposed project.

Anticipated Impacts from the Preferred Alternative

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

Waters of the U.S., including Wetlands

Pursuant to Executive Order (EO) 11990 (Protection of Wetlands) and Section 404 of the Clean Water Act (CWA), an investigation was conducted over multiple periods from April 2008 through January 2012 to identify potential jurisdictional waters of the U.S., including wetlands, within the proposed project limits. Areas within the proposed project ROW were identified, characterized, and delineated in order to evaluate the potentially jurisdictional status of the sites. Alternatives were reviewed as required by EO 11990 for wetlands. After avoidance and minimization of impacts were implemented, no other practicable alternatives to wetland impacts were identified.

Impacts to Area Crossings 1, 3, 5, 6, 9, 10, 11, and 12 would be authorized under NWP 14 - *Linear Transportation Projects* when each crossing is permitted separately. Because permanent impacts at Area Crossings 1, 9, and 11 exceed the 0.1 acre impact threshold and/or a discharge in wetlands, a Pre-construction Notification (PCN) would be required. Impacts to Area Crossings 4, 7, and 8 would be authorized under an Individual Permit (IP) as the 0.5 acre permanent acre impact threshold would be exceeded.

Floodplains

The proposed project area crosses approximately 124.0 acres of 100-year floodplain and 21.0 acres of 500-year floodplain. According to the National Flood Insurance Program (NFIP), Zone A and Zone AE are located in a

special flood hazard area inundated by the 100-year level. The hydraulic design practices for the proposed project would be in accordance with current TxDOT design policy and standards. The highway facility would permit the conveyance of the 100-year flood levels, inundation of the roadway being acceptable, without causing significant damage to the roadway, stream, or other property. The proposed project would not increase the base flood elevation to a level that would violate applicable floodplain regulations or ordinances; therefore, coordination with either the Federal Emergency Management Agency (FEMA) or the local floodplain administrator is not required. However, informal coordination with the local floodplain administrator would occur.

The proposed project is not within the Trinity River Corridor Development Regulatory Zone; therefore, a Corridor Development Certificate (CDC) would not be required.

Water Quality

Storm water runoff from the proposed project would flow into Lynn Creek, Bowman Branch, and Walnut Creek and into tributaries of Joe Pool Lake, Low Branch, and Mountain Creek. Best Management Practices (BMPs) would be in place to minimize the runoff from the proposed project into an impaired water body.

Section 402 of the CWA (the National Pollutant Discharge Elimination System [NPDES] program) controls direct discharges into navigable waters. The proposed project would disturb more than 1 acre; therefore, NTTA/TxDOT would be required to comply with the TCEQ Texas Pollutant Discharge Elimination System (TPDES) Construction General Permit. In addition, since the proposed project would disturb more than 5 acres, a Notice of Intent (NOI) would be filed with the TCEQ stating that NTTA/TxDOT would have a Stormwater Pollution Prevention Plan (SW3P) in place during construction of the proposed project. This SW3P would use the temporary control measures described in TxDOT's manual Standard Specifications for the Construction and Maintenance of Highways, Streets, and Bridges.

Threatened/Endangered Species and Habitat

During construction of the proposed Build Alternative there is the potential for impacts to the following federal candidate species, state-listed species, and state-listed species of concern and their habitats from construction activities: Plains spotted skunk, western burrowing owl, fawnsfoot, little spectaclecase, Louisiana pigtoe, Texas fawnsfoot, Texas heelsplitter, Texas pigtoe, Wabash pigtoe, alligator snapping turtle, Texas garter snake, timber/canebrake rattlesnake, and Glen Rose yucca.

Vegetation and Wildlife Habitat

The impacts of the proposed project on the vegetation types within the project area are associated with clearing existing vegetation cover as required for constructing the travel lanes, ramps, connectors, safety clear zones, and bridges. The vegetation would be permanently impacted by these activities as well as by construction phasing, storage, and staging activities. Grading and clearing activities conducted for the proposed project would temporarily impact 225.8 acres of maintained herbaceous vegetation and 139.5 acres of unmaintained herbaceous vegetation. The proposed project would permanently impact approximately 123.8 acres of crops, 207.2 acres of unmaintained herbaceous vegetation, 58.8 acres of maintained herbaceous vegetation, 1.0 acre of fence line vegetation, 69.0 acres of upland woodlands including 0.2 acre of large trees greater than 20 inches diameter at base height (dbh), 7.4 acres of riparian vegetation, and 15.3

acres of bottomland hardwoods. Of the 6.0 acres of proposed ROW, 5.5 acres are vegetated and 0.5 acre contains no vegetation or has been developed and contains impervious cover.

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

The proposed project would not require the use of, nor substantially impair the purposes of any publicly owned land from a public park, recreational area, wildlife and waterfowl refuge lands, or historic sites of national, state, or local significance; therefore, a Section 4(f) or 6(f) Evaluation is not required. Additionally, the proposed project would not affect a park or recreation area purchased with a grant from the Land and Water Conservation Fund. Therefore, the proposed project would not affect any resources protected by Section 4(f) of the USDOT Act of 1966 or Section 6(f) of the Land and Water Conservation Fund Act of 1965.

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

Approximately 6.0 acres of proposed ROW would be converted to transportation use to accommodate cross street transitions from the existing roadway to the ultimate width at the SH 360 frontage roads; however, no residential relocations or commercial or public facility displacements would be required for the proposed project.

Environmental Justice/Socio-Economic Impacts

Minority populations exist within the project study area. However, these populations are not anticipated to experience disproportionate adverse effects as a result of the proposed project. There are no residential relocations or commercial displacements associated with the proposed project. The existing SH 360 facility would remain non-tolled and would serve as frontage roads for the proposed project. In addition, there are several non-tolled roads in the area that would not be affected by the proposed project. These roads and the existing non-tolled roads would provide equal access for minority and non-minority populations as well as high-income and low-income populations to the surrounding area.

Any other impacts from the proposed project would be experienced equally by all populations in the project study area. None of the Census block groups have median household incomes below the 2013 poverty threshold established by DHHS. The requirements of Executive Order 12898 appear to be satisfied for the proposed project.

Induced Growth Effects

The area evaluated for potential induced growth indirect effects includes approximately 47,812 acres. Existing land uses in the area of influence (AOI) are primarily residential (30.5%) and undeveloped (30.1%) uses. The proposed project is not likely to induce land use changes in the AOI and is supported by the local municipalities. The proposed project is anticipated to only accelerate the rate of development rather than induce additional development within the AOI.

Toll-Related Impacts

Impacts related to tolling have been analyzed and there would not be an economic impact to low income users of the proposed managed (toll) lanes. The existing SH 360 facility would remain non-tolled and would serve as frontage roads for the proposed project. In addition, there are several non-tolled roads in the area that would not be affected by the proposed project. The improved capacity on the proposed facility would improve mobility for all users compared to the existing facility.

Air Quality

Direct impacts on air quality and mobile-source air toxics are primarily those associated with the increased capacity and accessibility, as well as the resulting projected increases in vehicle-miles traveled. In accordance with FHWA's *Guidance for Metropolitan Transportation Plan Transition* (between Plan years) and *NEPA Document Requirements and Processing* dated June 2011, a comparison of *Mobility 2035* and *Mobility 2035 – 2013 Update* was made to confirm that the proposed project is consistent between the two plans. Based on the July 2013 *Metropolitan Transportation Plan Consistency Report*, the proposed project is consistent between the two in regards to: cost, limits, completion date, land use, demographics, air quality, traffic volumes, the projects anticipated to be implemented and priced facilities impacts, and will not alter the analyses and conclusions presented in the EA.

Traffic Noise

The Build Alternative would result in a traffic noise impact. The noise analysis was conducted in accordance with TxDOT's (FHWA approved) *Guidelines for Analysis and Abatement of Roadway Traffic Noise*. Further information can be researched in the Public Hearing Summary Analysis/Recommendation, section 2.

Hazardous Materials

A visual survey of the proposed project limits and surrounding area was performed by qualified personnel to identify possible hazardous materials within the Build Alternative project area. Ten oil and gas storage sites that were not identified in the database search were observed during the site visit. Impacts associated with hazardous materials and substances could occur as a result of the proposed project. Two sites exist which could pose a high risk to ROW acquisition and/or construction of the proposed project.

PUBLIC INVOLVEMENT

Past public involvement for the proposed SH 360 project included two public hearings and numerous Texas Transportation Commission (TTC) meetings. Public hearings for the original construction of SH 360 were conducted in September 1972 and in July 1984. The FHWA submitted a letter to TxDOT in May 1984 stating that no further evaluation of social, economic, or environmental effects of the proposed project would be required. TTC meetings were held in November 1986 and in November 1989. Delegates from counties and cities adjacent to the proposed project attended these TTC meetings. The county and city delegates expressed their desire for the proposed project.

With regard to the current SH 360 project, bi-monthly stakeholder meetings were established to promote open communication with all stakeholders for the SH 360 corridor, and a series of technical work group (TWG) meetings have been conducted. Primary stakeholder groups taking part in the TWG meetings included the cities of Arlington, Grand Prairie, and Mansfield; the NCTCOG; the NTTA; and the Dallas and Fort Worth Districts of TxDOT. Twenty-one TWG meetings have been held as of the release of this EA. Items discussed included progress on the EA document, conceptual alternative evaluations, constraints analyses, facility design criteria, ramping schemes, ROW parcel maps and acquisition, traffic flow criteria, passenger rail component design, and Section 404 permitting. Other issues discussed at the TWG meetings involved access and egress corridors to local businesses, schools, and community organizations positioned along SH 360.

Texas State Representative Paula Pierson organized a town hall meeting associated with the proposed project in Mansfield, Texas, on April 29, 2010. NTTA, TxDOT, and NCTCOG representatives were invited and in attendance. Representative Pierson conducted the meeting to update her constituents on various transportation issues including the progress on SH 360. The NTTA made a brief presentation on SH 360 including the chronology of the proposed project, current status, and next steps.

A public meeting was held June 24, 2010, at the Mansfield City Hall in Mansfield, Texas. Eleven written comments and five verbal comments were received. A summary of the general nature of the comments follows:

- 6 comments supported the proposed project
- 8 comments supported the proposed project, but did not support the project being tolled
- 2 comments were related to ramp locations

A public hearing was conducted October 17, 2013, at Timberview High School located in Arlington, Texas. Approximately 326 persons were in attendance of which 264 were private citizens with the remaining attendees representing TxDOT, NTTA, NCTCOG, elected officials, city and county government representatives, and consultants. A summary indicated that:

- 55 commenters expressed support of the proposed project and an expedited delivery.
- 9 comments were opposed to the proposed facility being tolled.
- 3 comments on the need for noise walls at the Deer Valley and the Lake Port Meadows Subdivisions.
- 3 comments requesting copies of items such as sign-in sheets; visualization as shown at the public hearing uploaded to the TxDOT website; copies of the exhibit/schematics for the interim phase of the project as seen at the public hearing.
- 1 comment suggesting construction of SH 360, the PGBT extended to the IH 35E / IH 35W interchange.
- 1 comment suggesting revenues from other tolled segments of SH 360 used to fund the proposed project.
- 1 comment suggesting that more of the proposed pavement be constructed with the interim phase of the project, more specifically that there should be six lanes continued from Camp Wisdom Road down to US 287.
- 1 comment suggesting that a parking lot be included next to Walnut Creek, with direct paved access from the frontage roads.
- 1 comment opposing the proposed project, citing no redeeming value and misuse of tax-payer dollars.
- 1 comment expressing concern about a proposed retaining wall in front of the Louise Cabanis Elementary school.
- 1 comment expressing concern that local Home Owner taxes would go up.
- 1 comment indicating the southbound exit ramp just south of Green Oaks Boulevard is over capacity.
- 1 comment requested that New York Avenue be built out to the ultimate, and that a dedicated exit ramp be placed to provide direct access from SH 360 to New York Avenue.

TxDOT will continue to work with the local municipalities and property owners during the design and construction phases of the project.

MITIGATION AND MONITORING COMMITMENTS

Vegetation and Wildlife Habitat

Approximately 7.4 acres of riparian woodlands, 15.3 acres of bottomland hardwoods, and four individual trees with a “diameter at breast height” (DBH) greater than 20 inches would be impacted by the proposed project. Once final design is complete and actual impacts are determined, appropriate compensatory mitigation would be considered in accordance with the 1998 MOA/MOU between the Texas Parks and Wildlife Department (TPWD) and TxDOT.

If mitigation occurs, planting design and species selection would be based on habitat value to wildlife and would simulate wooded communities naturally occurring in the area. Tree replacement would occur at a 1:1 ratio. Potential mitigation areas would be Fish Creek Linear Park, Lynn Creek Park, and Loyd Park. In addition, the Parks and Recreation Departments for the Cities of Mansfield, Arlington, and Grand Prairie could be contacted for areas near the proposed project for habitat enhancement. During construction, the contractor would minimize the amount of wildlife habitat disturbed.

Threatened and Endangered Species

If listed species are encountered during construction, the contractor would stop construction and coordinate with TxDOT and the TPWD. If it is determined during the detailed design phase that preferred construction methods may impact protected mussel species, TxDOT would coordinate with TPWD and would take appropriate measures to minimize impacts to the mussels. These measures may include surveys, relocation, efforts to limit direct impacts during construction, and implementation of BMPs to limit stormwater runoff reducing potential for turbidity and sedimentation in the water bodies during construction. TxDOT would obtain appropriate permits and contract with appropriate experienced personnel in conducting surveys and species relocation as necessary per TPWD MOA/MOU.

Water Quality

The proposed project would disturb more than 5 acres of surface area; therefore, a Notice of Intent (NOI) must be signed and submitted to the TCEQ, and a copy must be posted at the construction site. The proposed project must comply with the Texas Pollutant Discharge Elimination System (TPDES) Construction General Permit. The contractor must implement and maintain a Storm Water Pollution Prevention Plan (SW3P). The proposed project would be considered a Tier II project because it would affect more than 1,500 linear feet of streams. The applicant would be required to complete a Tier II 401 Certification questionnaire and Alternatives Analysis Checklist.

Waters of the U.S., Including Wetlands

If temporary fills are needed in jurisdictional waters, then the affected areas would be returned to their pre-existing elevations. Channelization would not be required to construct the proposed project. Compensatory mitigation for Section 404 impacts would be coordinated with the U.S. Army Corps of Engineers (USACE) and performed in accordance with the terms of the approved permit(s).

Noise

To mitigate traffic noise impacts, four noise barriers, benefitting 80 receivers, was determined to be feasible and reasonable and is proposed for incorporation into the proposed project.

Migratory Birds

If migratory birds are encountered on-site during project construction, every effort will be made to avoid the take of protected birds, active nests, eggs, and/or young. The contractor would remove all old migratory bird nests found from October 1 through February 15 from any structure where work will be performed. In addition, the contractor would be prepared to prevent migratory birds from building nests from February 15 to October 1, per EPIC plans.

Hazardous Materials

The contractor would 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 would be minimized or eliminated entirely. All construction materials used for the proposed project would be removed as soon as work schedules permit. If hazardous materials or substances are encountered, the contractor would notify the NTTA and TxDOT Fort Worth District Hazardous Materials Section and take steps to protect personnel and the environment. The contractor would handle hazardous materials encountered during construction in compliance with applicable federal, state, and local regulations.

Air Quality

During site preparation, some construction activities may produce temporary elevated levels of emissions such as particulate matter (fugitive dust). The potential impacts of this particulate matter emission will be minimized through use of fugitive dust control measures such as covering or treating disturbed areas with dust suppression techniques, sprinkling, covering loaded trucks, and other dust abatement controls, as appropriate.

Archeology

If unanticipated archeological deposits are encountered during construction, work in the immediate area will stop, and TxDOT archeological staff will be contacted to initiate post-review discovery procedures.

Construction Impacts

Construction of the proposed project would temporarily affect traffic. During construction, temporary lane closures would be kept to a minimal length and time. The contractor would make every reasonable effort to maintain the existing number of traffic lanes. Increased noise levels are anticipated in areas adjacent to the active construction. The impacts to any given noise receiver would be relatively brief, and extended disruption of normal activities is not likely. Every reasonable effort would be made to minimize construction noise. Dust and exhaust gas from construction equipment could temporarily reduce local air quality. Measures to control or abate fugitive-dust emissions would be incorporated into the construction specifications. Construction might not be limited to daylight hours, but the contractor would make reasonable efforts to perform certain work during off-peak hours to minimize motorist delay.

FHWA DECISION

FHWA has reviewed all of the relevant documents and materials and all of the environmental studies and findings. Based upon our own independent review and analysis we find that the EA for the SH 360 project analyzed and considered all of the relevant potential environmental impacts and issues. FHWA concurs with the findings made in the EA in that: (1) the Build Alternative is the selected alternative for the SH 360 project, (2) the Build Alternative best meets the purpose and need of the project with the least amount of impacts to the resource areas, and (3) the proposed project with all the required mitigation and coordination as detailed above will have no significant impacts on the quality of the human or natural environment under NEPA.

The proposed project was consistent with the financially constrained Metropolitan Transportation Plan (Mobility 2035) and 2013-2016 Transportation Improvement Program (TIP). Mobility 2035 and the TIP were found to conform to the TCEQ State Implementation Plan (SIP) by US DOT (FHWA/FTA). The proposed project is consistent with Mobility 2035 – 2013 Update and 2013-2016 TIP. All projects in the NCTCOG's TIP that are proposed for federal or state funds were initiated in a manner consistent with federal guidelines in Section 450, of Title 23 CFR and Section 613.200, Subpart B, of Title 49 CFR.

Based upon our own agency review and consideration of the analysis and evaluation contained in the EA and Administrative Record for this proposed project, and after further careful consideration of all social, economic, and environmental factors, including input from the public involvement process, FHWA further approves the Build Alternative as the selected alternative for the proposed action. The selected alternative would best fulfill the need and purpose for the project and meet the goals identified for the SH 360 project.

As to project mitigation, TxDOT is hereby required to ensure completion of all mitigation outlined above and set out specifically in the EA for the SH 360 project and EPIC sheet. TxDOT is also required to ensure that any and all local, state, or federal permit requirements and conditions are met and otherwise complied with.


For Federal Highway Administration

1/16/14
Date