



Finding of No Significant Impact for a FHWA Project

Proposed Action: Conflans Road

Project Limits: From Valley View Lane to State Highway (SH) 161

City: Irving

County: Dallas

State: Texas

TxDOT CSJ(s): 0918-45-812

In accordance with 23 CFR Section 771.119 and Section 771.121, the Texas Department of Transportation (TxDOT) has determined that the Conflans Road 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 (EA) dated June 2018 and the entire project record. This decision documents the selection of the Build Alternative, presented in the final EA as the Preferred Alternative, which is described as:

As currently proposed, the Build Alternative would involve the extension of existing Conflans Road on new location with a project length of approximately 0.881-mile. The new roadway would be a four-lane divided section that would begin at Valley View Lane and end at SH 161. The proposed project is needed due to increased development in the surrounding areas requiring an east-west collector to meet traffic demand and connect local traffic to arterial roadways. The Build Alternative would meet the proposed project's need by improving mobility and provide improved system connectivity in the proposed project area. These proposed improvements would help the roadway meet current design standards.

The proposed new roadway would consist of a four-lane divided facility within a variable right-of-way (ROW) width of approximately 116 feet to 310 feet. The westbound section of the roadway would consist of a 12-foot wide inside lane, a 14-foot wide outside shared use lane, and a five-foot wide American with Disabilities Act (ADA) compliant sidewalk. The eastbound section of the roadway would consist of a 12-foot wide inside lane, a 14-foot wide outside shared use lane, a five-foot wide buffer, and a 12-foot wide shared use path. A 17-foot wide raised median is proposed. The proposed project would require 16.34 acres of new ROW and 6.49 acres of temporary easements.

Effective August 3, 2018, the EPA designated Dallas County as marginal nonattainment for the 2015 ozone NAAQS. In accordance with 40 CFR 93.109(c), transportation conformity to this new standard is required by August 3, 2019 (one year after the effective date).

A Notice of Availability of the draft EA was issued on Saturday, April 14, 2018.

A public hearing for this project was held on Tuesday, May 15, 2018.

A Notice of Availability on the final EA was issued on July 28, 2018.

No changes to the draft EA were made as a result of comments received on the draft EA during the posted comment period or from comments made at the public hearing.

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

The final EA, environmental technical reports, 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



Finding of No Significant Impact for a FHWA Project

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 Conflans Road project from Valley View Lane to SH 161.

TxDOT will ensure adherence and completion of all project commitments described in the final EA June 2018, Section 8. 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



Date

Non-regionally Significant Roadways
Dallas District

MTP ID	TIP Code	Project Type	CSJ	Project	From	To	Description	YOE Total Project Cost	FFCS
NRSA1 DAL 2	660 0	Addition of lanes	0918-45-368	Montfort Drive	Peterson Lane	Alpha Road	Widen roadway - 4 lanes to 5 lanes	\$2,900,000	Major Collector
NRSA1 DAL 4	2310 0	Addition of lanes	0918-45-236	Denton Drive	Webb Chapel E	Farmers Branch city limits	Intersection improvements		Major Collector
NRSA1 DAL 6	661 0	Addition of lanes	0918-45-366	Motor Street	Harry Hines Blvd.	Maple Avenue	Widen roadway - 2 lanes to 4 lanes		Major Collector
NRSA1 DAL 8	11005 0	Reconstruct roadway	0918-47-864	Whitlock Road	IH 35E	Old Denton Road	Reconstruct roadway - 4 lanes undivided to 4 lanes divided with left turns	\$4,116,718	Minor Arterial
NRSA1 DAL 9	633 0	Addition of lanes	0918-45-372	Hatcher Street	Spring Avenue	Haskell Avenue/Military Parkway	Add 1-lane continuous left turn lane to existing 4 lanes		Minor Arterial
NRSA1 DAL 10	11533 0	Addition of lanes	0918-45-868	Freeport Parkway	Sandy Lake Road	Ruby Road	Widen roadway - 2 lanes to 4 lanes	\$6,795,443	Minor Arterial
NRSA1 DAL 11	11237 2	New roadway	0918-45-812	Conflans Road	SH 161	Valley View Lane	Construct 0 to 4 lane divided facility with new sidewalks and shared use path	\$13,057,834	Minor Arterial
NRSA1 DAL 12	11463 0	New roadway	0918-22-085	Red Oak Road	Red Oak Road underpass	2,750 feet east of IH 35E	Realign roadway - Red Oak Road		Major Collector
NRSA1 DAL 13	11532 0	New roadway	0918-45-867	Freeport Parkway	SH 121	Sandy Lake Road	New roadway - 0 lanes to 6 lanes	\$8,370,000	Minor Arterial
NRSA1 DAL 14	11528 1	New roadway	0918-48-900	Gifford	Macarthur	Bagdad	New roadway - 0 lanes to 4 lanes	\$5,008,646	Major Collector
NRSA1 DAL 15	51257 0	Addition of lanes	1318-01-010	FM 1181	BI 45-G in Ennis	IH 45	Construct roadway - 4 lanes undivided urban		Major Collector
NRSA1 DAL 16	11217 1 11217 2	Addition of lanes	0918-46-298 0081-11-012	Old FM 426 (McKinney St)	1.4 miles west of Loop 288	1.1 miles east of Loop 288	Widen roadway - 2 lanes to 4 lanes divided urban	\$18,950,000	Minor Arterial
NRSA1 DAL 17	52538 0	Addition of lanes	0009-12-078	FM 551	At IH 30		Reconstruct and widen FM 551 at IH 30, includes 4-lane frontage roads and ramps	\$29,500,000	Major Collector
NRSA1 DAL 19	684 0	Intersection Improvements	0918-45-374	Valley View/Walnut	West of Greenville Ave	East of Audelia Rd	Intersection improvements at South Greenville Ave, Abrams Rd, Richland College, and Audelia Rd	\$4,393,500	Minor Arterial
NRSA1 DAL 22	11112 0	New roadway	0918-24-936	Los Rios Blvd.	Jupiter Road	Parker Road	Construct roadway - 4-lane divided		Minor Arterial
NRSA1 DAL 27	11231 6	Addition of lanes	N/A	Cotton Gin Road	NB DNT	SB Dallas North Tollway	Widen roadway - 2 lanes WB to 4 lanes WB		Major Collector
NRSA1 DAL 28	N/A	New roadway	1014-04-901	FM 1777	IH 30 North frontage road	SH 66	New location - Phase I		Major Collector



Logged in as Michelle Lueck

Log Out

Project Management

Reports

Support

Project Management > Area List > STIPs (M-NCTCOG) > Revisions (2019-2022) > TIP Instances (07/2018) > Highway Projects (07/2018) > Project Details

Color Key: - Business rule violation - Value changed in current session - Different from DCIS or latest approved copy

Data

Statewide TIP Revision Phase Construction

District County Engineering

MPO Highway Environmental

CSJ TIP FY Engineering

- Right-of-Way
- Acquisition
- Utilities
- Transfer

Prelim Engineering	\$1,737,721
ROW Purchase	\$5,840,000
Construction Cost	\$22,504,000
Const Engineering	\$800,000
Contingencies	\$70,481
Indirect Costs	\$0
Bond Financing	\$0
Potential Chg Ord	\$0
Total Project Cost	\$30,952,202
YOE Cost	
Toll	
TCM	

Revision Date NOX (Kg /D):

Project Sponsor VOC (Kg /D):

MPO Proj Number PM10 (Kg /D):

MTP Reference PM2.5 (Kg /D):

City CO (Lbs /D):

Limits From

Limits To

Project Description

P7 Remarks

Project History

Authorized Funding by Category/Share

Category	Federal	State	Regional	Local	Local Contributions	Total
3LC	\$0	\$0	\$0	\$0	\$2,440,000	\$2,440,000
7	\$2,720,000	\$0	\$0	\$680,000	\$0	\$3,400,000
Total	\$2,720,000	\$0.00	\$0.00	\$680,000	\$2,440,000	\$5,840,000

2019-2022 STIP		07/2018 (Current) Revision: Pending Review						
DISTRICT	MPO	COUNTY	CSJ	TIP FY	HWY	PHASE	CITY	YOE COST
DALLAS	NCTCOG	DALLAS	0918-45-812	2019	CS	R,ACQ,UTL	IRVING	\$ 5,840,000
LIMITS FROM: ON CONFLANS RD FROM SH 161							PROJECT SPONSOR: IRVING	
LIMITS TO: VALLEY VIEW LANE							REVISION DATE: 07/2018	
PROJECT: CONSTRUCT 0 TO 4 LANE DIVIDED FACILITY WITH NEW SIDEWALKS AND SHARED USE PATH							MPO PROJ NUM: 11237.2	
DESCR:							FUNDING CAT(S): 3LC,7	
REMARKS P7: LOCAL CONTRIBUTION PAID FOR BY IRVING, ROW CSJ 0918-47-198							PROJECT: 2017 PE AUDIT PROJECT	
HISTORY:								
TOTAL PROJECT COST INFORMATION				AUTHORIZED FUNDING BY CATEGORY/SHARE				
PRELIM ENG: \$	1,737,721	CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL	LC	TOTAL
ROW PURCH: \$	5,840,000	7	\$ 2,720,000	\$ 0	\$ 0	\$ 680,000	\$ 0	\$ 3,400,000
CONST COST: \$	22,504,000	3LC	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,440,000	\$ 2,440,000
CONST ENG: \$	800,000	TOTAL	\$ 2,720,000	\$ 0	\$ 0	\$ 680,000	\$ 2,440,000	\$ 5,840,000
CONTING: \$	70,481							
INDIRECT: \$	0							
BOND FIN: \$	0							
POT CHG ORD: \$	0							
TOTAL COST: \$	30,952,202							

TIP History

2017-2020 STIP										11/2017 Revision: Approved 02/27/2018									
DISTRICT	MPO	COUNTY	CSJ	TIP FY	HWY	PHASE	CITY	YOE COST											
DALLAS	NCTCOG	DALLAS	0918-45-812	2019	CS	R.ACQ,UTL	IRVING	\$ 5,840,000											
LIMITS FROM: ON CONFLANS RD FROM SH 161							PROJECT SPONSOR: IRVING												
LIMITS TO: VALLEY VIEW LANE							REVISION DATE: 11/2017												
PROJECT DESCR: CONSTRUCT 0 TO 4 LANE DIVIDED FACILITY WITH NEW SIDEWALKS AND SHARED USE PATH							MPO PROJ NUM: 11237.2												
REMARKS P7: CHANGE SCOPE DELAY ROW PHASE TO FY2019. ADD UTILITIES PHASE IN FY2019. LOCAL CONTRIBUTION PAID FOR BY THE CITY OF IRVING							FUNDING CAT(S): 3LC,7												
PROJECT ROW CSJ IS 0918-47-198 - LEAVING AS CONTRACT CSJ HISTORY: FOR CONSISTENCY IN THE ESTIP																			
TOTAL PROJECT COST INFORMATION					AUTHORIZED FUNDING BY CATEGORY/SHARE														
PRELIM ENG: \$	1,737,721	COST OF APPROVED PHASES \$ 5,840,000	CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL	LC	TOTAL										
ROW PURCH: \$	5,840,000		3LC	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,440,000	\$ 2,440,000										
CONST COST: \$	22,504,000		7	\$ 2,720,000	\$ 0	\$ 0	\$ 680,000	\$ 0	\$ 3,400,000										
CONST ENG: \$	800,000		TOTAL	\$ 2,720,000	\$ 0	\$ 0	\$ 680,000	\$ 2,440,000	\$ 5,840,000										
CONTING: \$	364,521																		
INDIRECT: \$	0																		
BOND FIN: \$	0																		
POT CHG ORD: \$	0																		
TOTAL COST: \$	31,246,242																		

2017-2020 STIP										07/2016 Revision: Approved 12/19/2016									
DISTRICT	MPO	COUNTY	CSJ	TIP FY	HWY	PHASE	CITY	YOE COST											
DALLAS	NCTCOG	DALLAS	0918-45-812	2018	CS	R.ACQ	IRVING	\$ 2,440,000											
LIMITS FROM: ON CONFLANS RD FROM SH 161							PROJECT SPONSOR: IRVING												
LIMITS TO: VALLEY VIEW LANE							REVISION DATE: 07/2016												
PROJECT DESCR: CONSTRUCT 4 LANE DIVIDED FACILITY							MPO PROJ NUM: 11237.2												
REMARKS P7: LOCAL CONTRIBUTION PAID FOR BY IRVING							FUNDING CAT(S): 3LC												
PROJECT ADDITIONAL ENGINEERING \$824,750 CAT 7 IN FY 2016 AND HISTORY: \$977,328 OF CAT 7 OBLIGATED IN FY 2007																			
TOTAL PROJECT COST INFORMATION					AUTHORIZED FUNDING BY CATEGORY/SHARE														
PRELIM ENG: \$	2,117,834	COST OF APPROVED PHASES \$ 2,440,000	CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL	LC	TOTAL										
ROW PURCH: \$	2,440,000		3LC	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,440,000	\$ 2,440,000										
CONST COST: \$	30,486,422		TOTAL	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,440,000	\$ 2,440,000										
CONST ENG: \$	346,448																		
CONTING: \$	450,382																		
INDIRECT: \$	338,826																		
BOND FIN: \$	0																		
POT CHG ORD: \$	0																		
TOTAL COST: \$	36,179,912																		

2015-2018 STIP										07/2014 Revision: Approved 12/02/2014									
DISTRICT	MPO	COUNTY	CSJ	TIP FY	HWY	PHASE	CITY	YOE COST											
DALLAS	NCTCOG	DALLAS	0918-45-812	2016	CS	E.ENG	IRVING	\$ 824,750											
LIMITS FROM: ON CONFLANS RD FROM W OF SH 161							PROJECT SPONSOR: IRVING												
LIMITS TO: VALLEY VIEW LANE							REVISION DATE: 07/2014												
PROJECT DESCR: CONSTRUCT 4 LANE DIVIDED FACILITY							MPO PROJ NUM: 11237.2												
REMARKS P7: LOCAL CONTRIBUTION PAID FOR BY IRVING, PLANNING CSJ 0918-48-902							FUNDING CAT(S): 7												
PROJECT ADDITIONAL ENGINEERING \$824,750 CAT 7 IN FY 2016 AND HISTORY: \$986,250 OF CAT 7 OBLIGATED IN FY 2007																			
TOTAL PROJECT COST INFORMATION					AUTHORIZED FUNDING BY CATEGORY/SHARE														
PRELIM ENG: \$	824,750	COST OF APPROVED PHASES \$ 824,750	CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL	LC	TOTAL										
ROW PURCH: \$	2,440,000		7	\$ 659,800	\$ 0	\$ 0	\$ 164,950	\$ 0	\$ 824,750										
CONST COST: \$	10,000,000		TOTAL	\$ 659,800	\$ 0	\$ 0	\$ 164,950	\$ 0	\$ 824,750										
CONST ENG: \$	346,447																		
CONTING: \$	450,382																		
INDIRECT: \$	338,825																		
BOND FIN: \$	0																		
POT CHG ORD: \$	0																		
TOTAL COST: \$	14,400,404																		

2015-2018 STIP										07/2014 Revision: Approved 12/02/2014									
DISTRICT	MPO	COUNTY	CSJ	TIP FY	HWY	PHASE	CITY	YOE COST											
DALLAS	NCTCOG	DALLAS	0918-45-812	2015	CS	E.ENG,R	IRVING	\$ 2,755,756											
LIMITS FROM: ON CONFLANS RD FROM W OF SH 161							PROJECT SPONSOR: IRVING												
LIMITS TO: VALLEY VIEW LANE							REVISION DATE: 07/2014												
PROJECT DESCR: CONSTRUCT 4 LANE DIVIDED FACILITY							MPO PROJ NUM: 11237.2												
REMARKS P7: LOCAL CONTRIBUTION PAID FOR BY IRVING, PLANNING CSJ 0918-48-902							FUNDING CAT(S): 3LC												
PROJECT ADDITIONAL ENGINEERING \$824,750 CAT 7 IN FY 2016 AND HISTORY: \$986,250 OF CAT 7 OBLIGATED IN FY 2007																			
TOTAL PROJECT COST INFORMATION					AUTHORIZED FUNDING BY CATEGORY/SHARE														
PRELIM ENG: \$	315,756	COST OF APPROVED PHASES \$ 2,755,756	CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL	LC	TOTAL										
ROW PURCH: \$	2,440,000		3LC	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,755,756	\$ 2,755,756										
CONST COST: \$	10,000,000		TOTAL	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,755,756	\$ 2,755,756										
CONST ENG: \$	346,448																		
CONTING: \$	450,382																		
INDIRECT: \$	338,826																		
BOND FIN: \$	0																		
POT CHG ORD: \$	0																		
TOTAL COST: \$	13,891,412																		

Comment History

Time	User	Comment	Related Approval
2017/11/28 15:10:04	Barbara Maley	Approval is based on NCTCOG KBunkley December 6, 2017 upload of a Dec 2017 NRSA table and his Dec 7, 2017 confirmation that NRSA1-DAL-11 was the only revision between the Oct and Dec NRSA tables.	11/2017: Approved
2016/09/26 12:36:07	Barbara Maley		07/2016: Approved
2014/12/04 12:30:58	Lori Morel	TPP approval for FHWA, letter dated (12/2/2014)	07/2014: Approved
2014/12/04 12:15:09	Lori Morel	TPP approval for FHWA, letter dated (12/2/2014)	07/2014: Approved
2014/11/14 15:25:24	Lori Morel	All project information consistent w/ .pdf submittal.	
2014/11/14	Lori Morel	All project information consistent w/ .pdf submittal.	



April 12, 2018

Transmitted Via E-mail

Mrs. Barbara C. Maley, AICP
Env/Tranp Plan Coord & Air Quality Specialist
Barbara.Maley@dot.gov


Re: Request for Project-Level Conformity Determination
Dallas County
CSJ 0918-45-812
CS (on Conflans Road): From On Conflans, From Valley View Lane to SH 161 in City of Irving

Dear Mrs. Maley:

Attached is the copy of the Transportation Conformity Report Form for your review and concurrence.

A project-level conformity determination is requested from you. If you have any questions regarding this project, please contact me at (512) 416-2659.

Sincerely,

DocuSigned by:

C9CB724D35CE4BD

Tim Wood
Air Specialist
Environmental Affairs Division

Attachment(s)



Transportation Conformity Report Form

Project Facility Name: CS (on Conflans Road)

MPO Project IDs: 11237

Project CSJ Numbers: 0918-45-812

Project Limits

From: On Conflans, From Valley View Lane

To: SH 161 in City of Irving

Project Sponsor: TxDOT

Project Description¹: The proposed activities include the extension of existing Conflans Road, on new location with a project length of approximately 0.881-mile in southwest Irving, Dallas County, Texas. The new roadway would be a four-lane divided section that would begin at Valley View Lane and end at SH161. The design speed for the proposed roadway is 35 miles per hour. Additional work includes pavement markings, traffic signals, addition of pedestrian ramps and railing, adding culverts and constructing a levee.

The proposed roadway would consist of a four-lane divided facility within a variable right-of-way (ROW) width of approximately 116 feet to 310 feet. The westbound section of the roadway would consist of a 12-foot wide inside lane, a 14-foot wide outside shared use lane, and a five-foot wide sidewalk. The eastbound section of the roadway would consist of a 12-foot wide inside lane, a 14-foot wide outside shared use lane, a five-foot wide buffer, and a 12-foot wide shared use path. A 17-foot wide raised median is proposed.

The proposed bridge would consist of a four-lane divided facility within a ROW width of approximately 116 feet with an overall bridge width of approximately 96 feet. The westbound section of the bridge would consist of a 12-foot wide travel lane, a 14-foot wide shared use lane, a six-foot wide sidewalk directly behind curb and a one-foot traffic rail. The eastbound section of the bridge would consist of a 12-foot wide inside lane, a 14-foot wide outside shared use lane, and one-foot wide railings on each side of the 10-foot wide shared use path. A 17-foot wide raised median is proposed.

The project crosses Bear Creek and its associated floodplain. Land in the project vicinity is primarily undeveloped and is zoned for light industrial activity and freeway use.

The proposed project would require 16.34 acres of new ROW and 6.49 acres of temporary easements. No displacements would be required for this project.

Refer to the Schematic and Typical Sections in the Attachments.

Date of anticipated environmental decision/re-evaluation: August 2018

Let Year: 2023

ETC² Year: 2025

¹ Project description, project details, and other project information should include enough detail in order to make a determination of project consistency with the MTP, TIP, STIP, and corresponding transportation conformity determination.



Conformity Year³: N/A Non-regionally Significant

Total Project Cost: \$31,246,242

Adding Capacity? Yes No

Counties: Dallas

Project Classification: CE EA EIS Re-evaluation

Important Information

A determination of project-level conformity is not permanent. It is recommended that conformity be checked early and often in the project development process, but that this specific form be coordinated within 60 days of the anticipated environmental decision to avoid coordinating the form more than once. The following events would require a project's conformity determination to be reevaluated.

- 1. Changes to the project's design concept, scope, limit, funding, or estimated time of completion (ETC) year
2. Changes to the project's listing in the MTP, TIP, or STIP related to design concept, scope and limits; funding or ETC year
3. New conformity determinations on the applicable MTP, TIP, or STIP (even if it occurs after the FHWA/FTA project-level conformity determination has been made)

In particular, if there is a planned MTP update/amendment and associated transportation conformity determination expected to be completed on or near the time of project approval, it is recommended that the project sponsor prepare this conformity determination after the plan update/amendment and associated transportation conformity determination is completed, if the update/amendment will affect the project as specified in item 1 above. Consult with ENV air specialist if further assistance is needed.

Instructions

Check the appropriate box for each question, using the most current information available, and be aware that the answers will dictate which questions must be answered for each specific project. Start with Step One, and follow the instructions included in each step, if any additional instructions are provided.

The information displayed between carets, <like this> represents a field that should be customized with project specific information. In the electronic file, these fields are highlighted in grey. Content prompts, like Choose an item, represent dropdown menus, which also must be customized with project specific information.

If the form requires the preparer to "STOP" because something is lacking, then it is recommended that the time it would take to make the necessary changes to the MTP, TIP, or project should be re-evaluated against the project's proposed letting date (i.e., letting date may need to be adjusted).

Step 1: Is this a federal project with a federal lead other than FHWA/FTA?

2 The ETC or estimated time of completion year is the date the entire project as described in the environmental review document will be open to traffic.

3 If this project is NOT considered regionally significant by the MPO, enter "N/A - non-regionally significant". In addition, note that the conformity year is sometimes referred to as the network year. When a MTP identifies a specific timeframe during which a project will be operational, the last year of that timeframe is the conformity year.



Transportation Conformity Report Form

- Yes – STOP. Transportation conformity does not apply to the project, however, general conformity may apply.**

Consult the ENV air specialist regarding this project and potential general conformity requirements.

- No – Continue to Step 2.**

Step 2: Is this a FHWA/FTA project⁴?

- Yes – Proceed to Step 4.**
 No – Continue to Step 3.

Step 3: Is this project considered regionally significant⁵ in accordance with [40 CFR 93.101](#) or [30 TAC 114.260\(d\)\(2\)\(iv\)](#)?

- Yes – Continue to Step 4.**
 No – STOP. In accordance with 40 CFR 93.102(a)(2), a project level transportation conformity determination is not required for non-regionally significant, non-FHWA/FTA projects.

Step 4: Is the project located in a nonattainment or maintenance area⁶ for ozone⁷, nitrogen dioxide (NO₂), carbon monoxide (CO), particulate matter (PM_{2.5} or PM₁₀)?

- Yes – Transportation conformity rules apply.** The project is located in the EPA designated Dallas - Ft. Worth (DFW) Moderate Nonattainment⁸ area for 2008 Eight-hour Ozone. Continue to Step 5.
 No – STOP. Transportation conformity does not apply to the project.

Step 5: Is the project exempt⁹ from conformity in accordance with [40 CFR 93.126](#)¹⁰ or [40 CFR 93.128](#)¹¹?

- Yes – STOP. Transportation conformity does not apply to the project.** This project falls under the following exemption: *Choose an item.*
 No – Continue to Step 6.

⁴ Note that this includes projects which may not have federal funding but would otherwise require federal approval.

⁵ If a project is on the MPO's NON-regionally significant project list, it is not regionally significant. Each MPO may have different criteria for designating a project as regionally significant.

⁶ If unsure about the nonattainment or maintenance status, it can be checked in multiple locations, including: the [EPA Greenbook](#), the [TCEQ website](#), or the applicable table in the [Air Quality toolkit](#).

⁷ Note the 1997 ozone standard was revoked by EPA.

⁸ Area classifications can be either maintenance, marginal nonattainment, moderate nonattainment, serious nonattainment, severe nonattainment, or extreme nonattainment

⁹ Most added capacity projects will not be exempt, whereas most non-added capacity projects will be exempt.

¹⁰ Ultimately, the interpretation of what projects types meet these exemption criteria is under the purview of the federal lead agency. For example, although it could be interpreted to meet some of the exemption project types, a project changing from general purpose to managed lanes is NOT considered to be exempt from conformity.

¹¹ Grouped CSJ projects, by rule, must be exempt under these criteria.



Step 6: Is the project exempt from the regional conformity analysis in accordance with 40 CFR 93.127?

- Yes – **The project is exempt from regional conformity requirements.** This project falls under the following exemption: *Choose an item.* Proceed to Step 16.
- No – Continue to Step 7.

Step 7: Does the project fall within the boundaries¹² of an MPO?

- Yes – Proceed to Step 9.
- No – Continue to Step 8.

Step 8: Is the project design concept, scope and limits, conformity analysis year, and funding consistent with an approved¹³ regional conformity analysis for an isolated rural area that meets the requirements of 40 CFR 93.109?

- Yes – **The project is consistent with an approved regional conformity determination that meets the requirements of 40 CFR 93.109 for isolated rural areas.** Proceed to Step 16.
- No – **STOP. The project is not consistent with a regional conformity determination for an isolated rural area. TxDOT will not take final action until the project is consistent with an approved regional conformity determination that meets the requirements of 40 CFR 93.109 for isolated rural areas.**

Do not sign this form. Please ensure that the project is included in and consistent with an approved regional conformity determination then reevaluate the project using this form.

Step 9: Are all of the project phases¹⁴ for the entire project described in the environmental document included in the fiscally constrained portion of the MTP?

- Yes – Continue to Step 10.
- No – **STOP. The project was not included in the area's regional conformity determination, and, therefore, is not consistent with it.** The MTP needs to be amended to include this project and a new conformity determination needs to be made on the MTP before consistency can be determined for the project, or the project needs to be revised to be consistent with the existing MTP.

Consult with the district TP&D and MPO on how to proceed.

Step 10: Is at least one phase of the project beyond the NEPA study (corridor study) included in either the appropriate year of the conforming TIP¹⁵ or in Appendix D (if will not be let within the timeframe of the TIP)?

¹² i.e., within a Metropolitan Planning Area (MPA)

¹³ The consultation partners are responsible for approving regional conformity analyses.

¹⁴ A project phase is a separate portion of a project such as: NEPA study, ROW acquisition, final design, construction, and/or partial construction.



Transportation Conformity Report Form

- Yes – Continue to Step 11.
- No – **STOP. The project is not included in the conforming TIP and is therefore not consistent with it.** At least one phase of the project must be added to the conforming TIP before consistency can be determined.

Consult with the district TP&D and MPO on how to proceed.

Step 11: Are the current project limits the same¹⁶ or do they fall within the project limits listed in the MTP and STIP?

- Yes – Continue to Step 12.
- No – **STOP. The project is not consistent with the conforming MTP and TIP.** Either the MTP and TIP, or the project needs to be revised before consistency can be determined.

Consult with the district TP&D and MPO on how to proceed.

Step 12: Is the activity being proposed the same as that in the MTP and STIP project description in both type¹⁷ of facility and number¹⁸ of lanes?

- Yes – Continue to Step 13.
- No – **STOP. The project is not consistent with the conforming MTP and TIP.** Either the MTP and TIP, or the project needs to be revised before consistency can be determined.

Consult with the district TP&D and MPO on how to proceed.

Step 13: Does the project's ETC year fall between its identified conformity year¹⁹ in the MTP and the previous conformity year identified in the MTP?

- Yes – Continue to Step 14.
- No – **STOP. The project is not consistent with the conforming MTP and TIP.** Either the MTP and TIP or the project needs to be revised before consistency can be determined.

Consult with the district TP&D and MPO on how to proceed.

- N/A – This project is non-regionally significant. Continue to Step 14.

¹⁵ In Texas, a conforming TIP is one that has been included into the STIP, so projects must be in the STIP in order to show that they come from a conforming TIP.

¹⁶ The limits are considered the same if the logical termini noted in the environmental document fall within the limits of the project noted in the MTP or the logical termini noted in the environmental document are not significantly greater (~1mile) than the limits noted in the MTP due to transition areas for safety or other factors required to be considered when establishing logical termini for environmental document purposes.

¹⁷ The type of activity refers to the type of enhancement, such as: main lanes, frontage roads, HOV lanes, direct connectors, bridge replacement, etc...

¹⁸ The number refers to the amount of each activity type, such as: number of main lanes or number of frontage lanes.

¹⁹ For the purposes of this determination, the term conformity year is synonymous with the network analysis year for the MTP.



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Step 14: Is the estimated total project cost or the cost identified in the MTP greater than \$1,500,000?

- Yes – Proceed to Step 15.
- No – Fiscal constraint requirements do not apply. This project is consistent with the currently conforming MTP and TIP. Proceed to Step 16.

Step 15: Does the estimated project cost exceed what is contained in the MTP by more than 50%²⁰?

- Yes – **STOP. The project is not consistent with the MTP and TIP because it is not fiscally constrained.** Either the MTP and TIP, or the project needs to be revised before consistency can be determined or a case-by-case decision will need to be made by FHWA.

Consult with the district TP&D and MPO on how to proceed.

- No – **This project is consistent with the currently conforming MTP and TIP.** Continue to Step 16.

Step 16: Is the project located in either a CO, PM_{2.5}, or PM₁₀ nonattainment or maintenance area?²¹

- Yes – Continue to Step 17.
- No – **Hot-spot conformity requirements do not apply.** Proceed to Step 21.

Step 17: Is this a state or local project with NO federal funding and NO federal decision required?

- Yes – **Hot-spot conformity requirements do not apply.** Proceed to Step 21.
- No – **Hot-spot conformity requirements apply.** Request the local MPO to initiate a consultation call with the Consultation Partners.

Fill out the Hot-Spot Analysis Data for a Consultation Partner Decision Form to present the project data to the Consultation Partners for review prior to the consultation call.

Continue to Step 18.

Step 18: Did the consultation partners determine that this is a project of air quality concern (POAQC)?

- Yes – **A hot-spot analysis is required and must be approved by the consultation partners.**

Conduct a hot-spot analysis in accordance with the methodology approved by the consultation partners, and use the applicable EPA hot-spot guidance.

Continue to Step 19.

- No – **A hot-spot analysis is not required because the project is not a POAQC. The consultation partners made this determination on <insert date>.**

Proceed to Step 21.

²⁰ Multiply the MTP cost by 1.5. The current estimated total project cost should not exceed this amount.

²¹ Note that this currently only applies to projects in El Paso.



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Step 19: Does the approved hot-spot analysis verify that the project will not cause, contribute to, or worsen a violation of applicable CO, PM_{2.5}, or PM₁₀ NAAQS or that the project will at least improve conditions from that of the no-build alternative?

Yes – The project is not anticipated to cause, contribute to, or worsen a violation of the applicable NAAQS. Continue to Step 20.

No – STOP. The project, as it is currently presented, does not comply with conformity requirements because it is anticipated to cause, contribute to, or worsen a violation of the applicable NAAQS.

Identify and get consultation partner agreement upon mitigation measures to offset project impacts to air quality. Reevaluate this project using this form once these mitigation measures have been identified and committed to.

Step 20: Have all the agreed upon mitigation measures as well as any applicable SIP control measures received a written commitment?

Yes – Continue to Step 21.

No – STOP.

Do not proceed until there are written commitments to implement all the agreed upon mitigation measures and any applicable SIP control measures. Reevaluate this project using this form once these commitments have been made in writing.

N/A because no mitigation is required and there are no applicable SIP control measures which affect this project, Continue to Step 21.

Step 21: The transportation conformity evaluation is complete.

Attach applicable pages of the MTP and TIP, or the STIP, project schematics, typical sections, hot-spot analyses and determinations, and any conformity related public comment and response. Implement the following processing instructions as applicable.

This is a regionally significant State-only project with no FHWA/FTA action required (the answer to Steps 3 is yes); therefore:

Submit this form to the ENV air specialist. If ENV concurs that all project level conformity requirements have been met, ENV shall sign the form below. Coordination with FHWA/FTA is not required.

Retain this form in the project file.

This is a FHWA/FTA non-exempt project (the answer to Steps 2 and 4 is yes, and the answer to Steps 5 and 6 is no); therefore:

Submit this form to the ENV air specialist. After ENV air specialist review, ENV will coordinate this form with FHWA/FTA for a project level conformity determination. If FHWA/FTA agrees that all project level conformity requirements have been met, they shall sign the project level conformity determination line below. A project level conformity determination is not complete and project clearance cannot be given until FHWA/FTA signs this form.

Retain this form and any coordination with FHWA/FTA in the project file.



TxDOT ENV Transportation Conformity Validation Complete:

Project CSJ Numbers: 0918-45-812

Signature  _____
DocuSigned by:
C9CB724D35CE4BD

Name: Timothy Wood
Title: Environmental Specialist
Date: 4/12/2018

FHWA/FTA Determination of the Project-level Conformity:

Signature **BARBARA C MALEY** _____
Digitally signed by BARBARA C MALEY
DN: c=US, o=U.S. Government, ou=FHWA FHWAAustinTX,
ou=DOT FHWAAustinTX, cn=BARBARA C MALEY
Date: 2018.04.12 15:13:47 -05'00'

Name: _____
Title: _____
Date: _____