



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

Texas Division

August 23, 2012

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In Reply Refer To:
HA-TX

CSJ: 3136-01-107
Project Number: STP 1102 (558)
Highway: Loop 1 from FM 734 to Cesar Chavez Street
County: Travis County

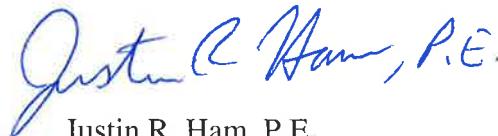
Ms. Vicki Crnich
Project Delivery Management Section
Environmental Affairs Division
Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701-2483

Dear Ms. Crnich:

We have thoroughly reviewed our records on this project which include, but are not limited to, the Environmental Assessment (EA) dated August 2012, the Public Hearing Summary and Analysis prepared by the Texas Department of Transportation, and all of the previous environmental studies and findings. Based upon our own agency review and consideration of the analysis and evaluation contained in the EA for this project and after further consideration of all social, economic and environmental factors, including input from the public involvement process, we hereby approve issuance of a finding of no significant impact for the Loop 1 project (MoPac Improvement Project).

We concur in the findings of the August 2012 EA in that 1) the Build Alternative 6 is the recommended alternative for the MoPac Improvement Project, 2) the Build Alternative 6 best meets the need and purpose of the project, and 3) the proposed project would have no significant impacts on the quality of the human or natural environment under the National Environmental Policy Act of 1969. In addition, based on this review, we find that an Environmental Impact Statement is not required for this project.

Sincerely,



Justin R. Ham, P.E.
Urban Engineer

Enclosure

**Federal Highway Administration
Finding of No Significant Impact (FONSI)
MoPac from FM 734 (Parmer Lane) to Cesar Chavez Street
Travis County, Texas**

Introduction

The Federal Highway Administration (FHWA) has determined, in accordance with 23 Code of Federal Regulations (CFR) § 771.119 and §771.121, that the MoPac Improvement Project (MoPac from FM 734 to the Cesar Chavez Street interchange) 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 August 2012 MoPac Improvement Project Environmental Assessment (EA) document. The EA was approved by FHWA for public involvement on April 12, 2012. The Public Hearing Summary and Analysis, and Comment and Response Report (which includes responses to public comments) prepared by the Texas Department of Transportation (TxDOT) in August of 2012 has been incorporated into the EA.

The August 2012 EA and the Public Hearing Summary and Analysis, have been independently evaluated by the FHWA and determined to adequately and accurately discuss the need and purpose, alternatives, environmental issues and impacts of the proposed MoPac Improvement Project and appropriate mitigation measures. These documents provide sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. These documents are incorporated by reference into this decision document.

Project Background

The existing MoPac facility is a six-lane, limited-access freeway with one-way, two- to three-lane frontage roads through most of the northern section of the project. South of Ranch-to-Market (RM) 2222 to the Cesar Chavez Street interchange, there are no frontage roads along the facility, and the center median is occupied by the Union Pacific Railroad (UPRR); north of RM 2222 to FM 734, the UPRR runs adjacent to the eastern edge of the MoPac right-of-way (ROW). Within central Texas, MoPac extends north to south, connecting to State Highway (SH) 45 in Williamson County to the north and to SH 45 south of Slaughter Lane to the south. The proposed project would add one express lane in each direction for the entire length of the project area, from FM 734 to Cesar Chavez (a total distance of 11.2 miles); the additional lane would remain within the existing ROW.

The need for the project, or reason for the project, is identified in the EA as follows:

1. Increasing congestion causing unreliable operations

The purpose of the project, or solutions to the need, as identified in the EA are:

1. Improve mobility and operational efficiency by accommodating the movement of people and goods;
2. Facilitate congestion management in the corridor;
3. Provide a reliable route for transit that will reduce travel times;
4. Maximize use of the facility without reducing reliability; and,
5. Facilitate reliable emergency response.

The MoPac Improvement Project was developed in accordance with the National Environmental Policy Act (NEPA) of 1969, Council on Environmental Quality (CEQ) Regulation for

Implementing the Procedural Provisions of NEPA (40 CFR 1500-1508), FHWA Environmental Impact and Related Procedures (23 CFR Part 771) and the TxDOT environmental and public involvement rules (43 Texas Administrative Code [TAC] Part 1, Chapter 2), and other related federal and state requirements.

In a letter dated April 20, 2010 which was preceded by several communications and discussions, TxDOT requested concurrence from FHWA to proceed with the preparation of an EA for the MoPac Improvement Project, according to 23 CFR § 771.115 and § 771.119. On June 24, 2010 FHWA concurred with TxDOT's recommendation to proceed with an EA.

Review of the EA

TxDOT, in cooperation with the Central Texas Regional Mobility Authority (Mobility Authority) completed the final EA in August 2012. The EA considered and analyzed the potential social, economic and environmental impacts related to the proposed improvements to MoPac.

The potential impacts studied include direct, indirect and cumulative impacts of the project. Direct effects are defined by the CEQ regulations (40 CFR § 1508) as being "caused by the action and occur at the same time and place." Indirect effects are defined as effects that are "caused by an action and occur later in time or farther removed in distance, but are still reasonably foreseeable," and may "include growth-inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related impacts on air and water and other natural systems, including ecosystem." Cumulative impacts are the incremental impacts that the project's direct or indirect effects have on a resource in the context of the myriad of other past, present and future effects on that resource from unrelated activities.

In accordance with the CEQ Regulations for Implementing the Procedural Provisions of NEPA (40 CFR 1500-1508), FHWA regulations 23 CFR 771, and FHWA and TxDOT guidance, reasonable alternatives, identified through earlier corridor studies and public input, were developed and evaluated. Initially, 10 preliminary alternatives were considered, representing a range of options for meeting the project's purpose. In addition to design concept alternatives, a transportation system management (TSM) alternative and a transportation demand management (TDM) alternative were identified as preliminary alternatives and evaluated as to their ability to satisfy the need and purpose for the project.

During the alternatives analysis process, described in detail in **Section 3.0** of the EA, 10 preliminary alternatives were screened to determine which of them met the stated need and purpose of the project. Four alternatives were carried forward for the second phase of screening after meeting all five criteria for the need and purpose; the No-Build Alternative was also carried forward as a baseline future condition. These alternatives are more fully discussed.

The Build alternatives that met the project's need and purpose all involve the construction of at least one additional lane of traffic in each direction. The difference between these alternatives is in the number and type of additional lane(s): Build Alternative 3 calls for adding one high occupancy vehicle (HOV) lane in each direction, Build Alternative 6 calls for one express lane in each direction, Build Alternative 7 calls for one general purpose (GP) lane in each direction, and Build Alternative 8 calls for multiple lanes (GP and express) in each direction.

The No Build Alternative assumes the construction of other projects currently planned and programmed in the Capital Area Metropolitan Planning Organization (CAMPO) 2035 Regional

Transportation Plan, as amended (CAMPO, 2010). The No Build Alternative offers no additional capacity or mobility improvements to the MoPac facility between FM 734 and the Cesar Chavez Street interchange.

The second phase of screening evaluated the Build alternatives using the following criteria:

- Environmental effects;
- Public input;
- Effects to historic properties and neighborhoods;
- Implementation ability;
- ROW impacts and displacements; and,
- Projected impacts on mobility

The outcome of this analysis was identification of the Recommended Alternative to be studied in the EA against the No Build Alternative. Based on the results of the detailed screening, TxDOT has recommended the approval of Build Alternative 6 as the Preferred Alternative, as discussed below.

Build Alternative 6 would involve the construction of one new travel lane in each direction on MoPac between FM 734 and the Cesar Chavez Street interchange; these new lanes would be operated as Express lanes. Under this Build Alternative, the Express lanes would be tolled using the variable pricing mechanism for congestion management; this means that toll rates are not capped and will increase with demand during peak hours in order to manage use of the lane. The tolled Express lanes would be located on the inside of the facility with the outer lanes continuing to operate as general purpose lanes; the Express lanes will be separated from the outer lanes by pylon buffers. Express lane access will be available at FM 734, between Far West Boulevard and RM 2222, and at Cesar Chavez Street and Lady Bird Lake. This alternative would include downtown access ramps that would connect the Express lanes to Cesar Chavez Street. Build Alternative 6 would stay within the existing ROW and avoid impacts to National Register Historic Districts, neighborhoods, cemeteries, and public facilities. No residential relocations or commercial displacements would result from the Build Alternative. Minimal effects to the commercial characteristics of the project area are anticipated, and these would result from changes in travel patterns associated with connections to MoPac's general purpose and Express lanes. The Build Alternative would impact three jurisdictional water crossings and no wetlands. Appropriate Section 404 permits will be obtained prior to construction letting. In order to address erosion, sedimentation and pollution concerns during the construction and operation of the proposed project, a Texas Pollutant Discharge Elimination System (TPDES) permit will be required as well as a water pollution abatement plan (WPAP) and a storm water pollution prevention plan (SW3P). The WPAP must be prepared for any construction-related activity that has the potential for contaminating the Edwards Aquifer recharge zone, which is located at the north end of the project. This alternative would not impact prime farmlands; however, there would be impacts to 100-year floodplains surrounding Federal Emergency Management Agency (FEMA) studied streams (Shoal Creek, Johnson Creek, and Walnut Creek). Construction within the floodplains would not increase the base-flood elevations to a level that would violate applicable floodplain regulations/ordinances and would permit conveyance of the 100-year flood without causing substantial damage to the roadway, stream, or property. A survey was performed to identify geologic features that might contribute to aquifer recharge and provide habitat to federally-listed karst invertebrate species. No habitat for such species was identified within the study area. This alternative is not anticipated to affect any federally listed threatened, endangered, or candidate species, nor is it expected to impact any State-listed threatened or endangered species. Predicted noise levels were modeled at 65 representative receiver locations

throughout the corridor. Build Alternative 6 would impact 49 of the representative noise receivers. No cultural, historic or archeological resources have been identified as being adversely impacted under the Build Alternative.

This alternative would improve mobility by increasing the operational efficiency of the facility and by facilitating implementation of the City of Austin's Bicycle and Pedestrians plans by funding construction of sidewalks and shared use paths along the corridor. In addition, Build Alternative 6 would provide transit and emergency response vehicles a reliable route even when General Purpose lanes are congested. It also provides sound walls for adjacent properties where reasonable and feasible along the corridor. In addition to meeting all of the project's need and purpose, Build Alternative 6 offers the greatest implementation ability as the alternative can be funded through a combination of Category 2 Federal Funding for Mobility Projects and local revenue-backed funds. Build Alternative 6 is included in CAMPO's FY 2011 - 2014 Transportation Improvement Program (TIP), TxDOT's 2011 - 2014 Statewide Transportation Improvement Program (STIP) for the Austin District, and the CAMPO 2035 Regional Transportation Plan (RTP)

As noted above, the EA examined the direct, indirect and cumulative impacts of the project and identified potential impacts of special concern to include: (a) the Edwards Aquifer groundwater quality, (b) preservation of air quality, (c) project level and regional environmental justice tolling analyses, (d) the accommodation of bicycle and pedestrian users along and across the MoPac corridor, and (e) the mitigation of noise impacts on adjacent communities. The EA concluded:

1. Build Alternative 6 is the recommended Preferred Alternative for the MoPac Improvement Project.
2. Build Alternative 6 meets the need and purpose of the project offering the greatest mobility, efficiency and reliability improvements on the corridor.
3. The proposed project would have no significant impacts on the quality of the human or natural environment.
4. TxDOT recommended a FONSI for the MoPac Improvement Project.

TxDOT's recommendation for the selection of Build Alternative 6 resulted from a process that involved the public and close coordination with various federal, state and local government agencies.

Public Involvement

Public involvement is an integral and critical component of the NEPA project development process. A comprehensive public involvement plan was developed to incorporate all of the different types of stakeholders and their needs (safety, mobility, environmental, economic). The public involvement team for the MoPac Improvement Project included representatives from the TxDOT Austin District, the TxDOT Environmental Affairs Division, the Mobility Authority, and the project's consultant team. The public involvement process included extensive consultation with and participation by FHWA.

Stakeholder Involvement

Numerous stakeholder meetings were held to gather public input on the proposed purpose and need for the project. Project team members reached out to neighborhood organizations, business groups, environmental organizations, local jurisdictions and citizens to discuss and obtain input on the project. While numerous stakeholder meetings took place as part of the prior Loop 1 Corridor Study (2006-2008), the stakeholder meetings summarized below occurred after the project restart in July 2010.

- In 2010, numerous meetings with neighborhood associations and two presentations to the Austin Landmarks Commission took place.
- In 2011, the project team held a meeting with the University of Texas at Austin to discuss the proposed project; a meeting with Capital Metro and presentations to the City of Austin's Urban Transportation Commission and City Council also took place. In addition, four meetings were held with neighborhood associations and three meetings were held with the Context Sensitive Design Advisory Committee.
- Since the project restart, a total of 15 Interagency Exchange Meetings between TxDOT, the Mobility Authority, the City of Austin and Capital Metro have taken place.

Advisory Committees

Two advisory committees made up of neighborhood and community representatives were formed to participate in the design and planning of the MoPac Improvement Project:

- An Aesthetic Advisory Committee was formed in 2007 and met over a six-month period to review various aesthetic elements and provide input regarding the design of the MoPac Improvement Project. The committee included neighborhood and community representatives.
- The Context Sensitive Design Advisory Committee included members from the Aesthetics Advisory Committee as well as additional representatives from neighborhoods along the corridor and the Texas Historical Commission. The general public was also invited to share their opinions regarding the design of the project during the environmental study process.

Agency Coordination

TxDOT, the Mobility Authority, and project team members also exchanged correspondence and met with numerous federal, state, county, and local governmental and utility agencies including the Texas Historical Commission, U.S. Environmental Protection Agency, and the Texas Parks and Wildlife Department.

Bicycle - Pedestrian Coordination Meetings

Numerous coordination meetings were held with the bicycling community as well as with the City of Austin between January and November 2011 in order to develop the bicycle and pedestrian accommodations proposed under this project.

Team members met with Austin City Councilmember Chris Riley, League of Bicycle Voters, Austin Bicycle Advisory Council, Austin Cycling Association, Austin Metro Trails and Greenways, Bicycle Sports Shop, Mellow Johnny's Bike Shop, the City of Austin, and Bike Texas.

Sound Wall Workshops

TxDOT has proposed the construction of sound walls in an effort to mitigate traffic noise impacts resulting from the proposed project. In order to incorporate this noise abatement measure, the sound walls must be determined both reasonable¹ and feasible².

TxDOT held seven sound wall workshops between June and August, 2011 at locations close to neighborhoods where sound walls were warranted. The purpose of the workshops was to present conceptual designs of the sound walls including the proposed locations, heights and constraints. Residents were given the opportunity to view graphic displays of design options and perspective drawings for each proposed wall type including surface treatments and color. A total of 387 adjacent property owners eligible to vote received notification of the Sound Wall Workshops and a voting ballot via certified letter. Prior to the workshops, informational materials were sent to other area residents, libraries and to the cities and counties in the region; information was also made available electronically via e-mail newsletters in spring 2011.

Of the 23 sound walls proposed, adjacent property owners voted in support of 20 sound walls; three walls were voted against. Sound walls that had less than 51 percent return of ballots from adjacent property owners required re-polling.

Three public Noise Education Forums were held in 2006 to discuss traffic noise and answer questions about MoPac Improvement Project planning; October 17 – 19, 2006.

Elected Official Outreach

Additionally, as part of the project development process, meetings were held with elected officials including county commissioners, state representatives, city councilmembers, mayors, congressmen's staff, a county judge and a state senator.

Public Meeting and Public Hearing

Four sets of Open Houses were held since 2010 under this study and five Open Houses were held as part of the prior Loop 1 Corridor Project before the project restart.

A Public Hearing was held on May 23, 2012. As with the public meeting, the Public Hearing notice was published in both English and Spanish in the *Austin American-Statesman*, *West Austin News* and *Ahora Si*. Communication materials used before and during the hearing included letters, e-mails, fact sheets, "Frequently Asked Questions," a PowerPoint presentation, and a high definition 3D simulation of the proposed project. A transcript of the Public Hearing, as well as responses to comments that were received as a result of the hearing, are available at the Austin District office or at www.mopacexpress.com

Media Coordination

Media coordination continued throughout the project, with news media outreach ongoing since the project restart in 2010. In addition to the press releases, media kits were prepared and

¹ They must not exceed the cost-effectiveness criterion of \$25,000 for each receiver that would benefit by a reduction of at least five dBA in the predicted noise level

² They must be able to reduce the predicted noise level at an impacted receiver by at least seven dBA for at least one receiver

distributed at the public meetings, open houses and public hearing. These kits included fact sheets and a 3D simulation of the proposed project. Interviews with members of the news media took place at several of the open houses, public meetings and at the Public Hearing.

A website with information on the MoPac Improvement Project (www.mopacexpress.com) was developed and includes project background, meeting notices and details of the environmental study in both English and Spanish. A project overview and history, maps, 3D video simulations, a list of upcoming events, meeting materials, e-Newsletters, and "Frequently Asked Questions" are among the resources made available to the public through this website. Copies of the EA were made available to the public at the TxDOT Austin District and the City of Austin's John Henry Faulk Central Library. The EA document was also available online at www.mopacexpress.com.

Changes Made to the MoPac Improvement Project as a Result of Public Input

As a result of close coordination with stakeholders, agencies and the community, TxDOT was able to identify and address community needs and concerns throughout the project development process. The following is a summary of key public issues and the corresponding actions taken by TxDOT:

- *Right-of-way:* Preliminary MoPac project studies, including the previous Loop 1 Corridor Study, investigated ROW acquisition from adjacent residential properties. The public rejected this plan and, in response, TxDOT acquired design exceptions (for reduced lane and shoulder widths) for construction of the Express lanes. The Build Alternative as proposed would require no acquisition of ROW.
- *Increased noise level:* Property owners adjacent to the proposed MoPac improvements have expressed concern over the increased noise level as a result of the project. In response, TxDOT designed 23 sound walls to mitigate noise in the surrounding neighborhoods. Adjacent home owners (those who own a residence in the first row of houses next to the project corridor) were able to cast a vote regarding whether they wanted to have a sound wall built abutting their property. In most cases, the walls were approved; in a few, they were rejected. Some residents also requested use of sound absorbing materials on the walls. Because the special materials are not currently used by TxDOT, applying it to this project's sound walls is not anticipated.
- *Protection of water resources:* The construction contractor will be required to develop a WPAP which must be approved by the Texas Commission on Environmental Quality (TCEQ) for those portions of the project within the Edwards Aquifer Recharge Zone. The plan will include designs to clean at least 80% of the particulates from the pavement runoff prior to outfalling into the creeks. Also required for the entire project is a SW3P. An Environmental Compliance Manager will be on site during construction to assure all environmental safeguards and requirements are implemented correctly.
- *Bicycle and pedestrian facilities:* TxDOT and the Mobility Authority held numerous meetings with stakeholder groups and government agencies to develop a bicycle and pedestrian plan for the corridor. As a result of this coordination, more than \$5 million in enhancements have been proposed; these would maximize the use of existing bicycle and pedestrian facilities as well as add to them. The new bike facilities will provide important connections through the 183/MoPac intersection and provide a link between Capital of Texas Highway and the Walnut Creek bike path. The new sidewalks will fill in the gaps between existing sidewalks

along the frontage roads on both sides of MoPac. While, a number of cycling groups have suggested the need for a continuous bike trail down the entire corridor, the cost (an estimated \$30 million) and significant design challenges make this suggestion infeasible.

- *Visual Impact (of sound walls and flyovers):* TxDOT and the Mobility Authority worked with a special committee and residents to develop design guidelines for the corridor. The project will commit approximately \$3.4 million towards aesthetics and landscaping. While some large trees will need to be removed to accommodate construction, TxDOT will take steps to identify and protect trees that do not need to be removed. Tree planting is proposed to replace those that must be removed.
- *Preservation of Historic Properties:* In response to concerns expressed about historic properties and in compliance with the National Historic Preservation Act, TxDOT has identified historic properties in the MoPac corridor, assessed any potentially adverse effects the project could have on those properties, and determined best practices to avoid these effects in coordination with the Texas Historical Commission.
- *5th Street/Cesar Chavez Access:* Residents along the corridor expressed concern about the construction of any elevated structures so, in order to provide a direct exit from the Express lane to downtown, TxDOT developed a low profile bridge design. Area residents and the City of Austin requested that access from the Express lane to 5th Street be blocked entirely; business owners in the 5th Street commercial district, however, would like a direct connection from the Express lane to 5th Street. In response, TxDOT intends to design the exit such that access to 5th Street can still be accommodated during special events and emergencies when Cesar Chavez Street is closed.

Mitigation/Commitments

A majority of the potential impacts associated with the construction of the recommended selected alternative (Build Alternative 6) were avoided or minimized, as documented in the EA. The design and construction of the MoPac Improvement Project will incorporate measures to minimize harm to the environment, as described in Table 1 below. As there is no ROW acquisition under the proposed project, there would be no displacement of homes or businesses. The Build Alternative is expected to have minimal effects on the commercial characteristics of the project area, such as changes in travel patterns associated with ingress to and egress from MoPac.

RESOURCE / ISSUE	COMMITMENT
Trees	Trees within the ROW which are to remain shall be clearly marked and protected as necessary. Vegetation not directly impacted by the Work shall remain undisturbed.
Noise	Construction noise minimization by use of mufflers, appropriate construction timing, and equipment placement. Broad spectrum backup alarms shall be used on construction equipment.

	Height and locations of sound walls are identified in the EA. Contractor shall construct walls to meet or exceed top elevation shown. Revisions to the length, location, or height or changes to the Schematic Plan in the areas near the walls may require Contractor to provide updated noise analysis and public coordination.
Stream Channel, Riparian Habitats	Avoidance and minimization through bridging major stream crossings. Minimization of construction impacts. Enforcement of a SW3P. Following appropriate mitigation requirements as outlined in United State Army Corps Engineers (USACE) Nationwide Permit 14. Design to minimize accumulation of debris under bridges.
Wildlife / Vegetation	Work stoppage if threatened or endangered species observed in the Project area. Preserve trees outside safety clear zone. Minimal construction of work roads.
Jurisdictional Waters / Special Aquatic Sites	Minimization of impacts through bridging. USACE Nationwide Permit 14 (with or without pre-construction notification, as appropriate) for unavoidable temporary and permanent impacts. Enforcement of a SW3P including implementation of appropriate Section 401 Water Quality certification best management practices (BMPs). Mitigation of impacts shall follow guidance of Section 404 of the Clean Water Act.
Landscaping / Re-vegetation	Reseeding with grass seed mix containing native species. Landscaping with native trees & shrubs in accordance with TxDOT's Vegetation Management Guidelines and in compliance with the intent of FHWA Executive Memorandum on Beneficial Landscapes and the FHWA Executive Order on Invasive Species. Follow the Aesthetic and Landscaping guidelines for this Project. Contractor shall submit the landscaping plan for the Austin Memorial Cemetery to the Texas Historical Commission and designated Consulting Parties for a 30-day review period.
Migratory Bird Nesting	Migratory bird nest surveys will be performed to adhere to the Migratory Bird Treaty Act. The surveys will need to be performed when any clearing of trees or demolition of bridges and culverts take place during nesting season. Bridge and culvert demolition must be scheduled outside of nesting season to avoid nesting impacts to birds or Contractor shall remove all old bird nests between September 1 and January 31 from any structure where work will be done and prevent migratory birds from building nests between February 1 and August 31. Efforts will be made to perform bridge construction work between October 1 and February 15 to prevent harm to nesting swallows. All construction methods must be approved by the TxDOT Austin District Biologist well in advance of planned use.
Floodplains	Coordination with appropriate local FEMA floodplain administrators for project encroachment in floodplains.

Water Quality	Stormwater treatment (SW3P) planning, including Section 401 BMPs, implementation, monitoring/maintenance, and removal. Field inspection each 7 days. Reseeding or re-stabilization of disturbed areas within 14 days. Minimize water quality impacts through the implementation of SW3P and comply with conditions of the 401 certification. Maintain all permanent and temporary controls as indicated in the SW3P, the 401 certification, and as required by Governmental Entities. Suitable BMPs shall comply with Storm Water Management Guidelines for Construction Activities and meet the standards specified in the Edwards Aquifer Rules. Comply with the TCEQ Storm Water Program regulations. Prepare and submit a NOI and SW3P for review and acceptance. Seal any domestic water wells in accordance with TCEQ well abandonment procedures prior to roadway construction. Prepare WPAP.
Cultural Resources	Mitigation (Or removal, if found appropriate.) through data collection or other means following Federal and State guidelines. Protection of known and currently unidentified historic properties, archeological, and or paleontological sites, or other items of cultural significance. Coordination and acquisition of all necessary Antiquities Permits from the Texas Historic Commission required for surveys of areas out of the Schematic ROW. Identification and testing for cultural resources for Additional Properties and all staging areas, field office sites, borrow sites, and stockpile locations. Prepare technical reports presenting the results of the identification and testing for cultural resources. Contractor shall submit the landscaping plan for the Austin Memorial Cemetery to the Texas Historical Commission and designated Consulting Parties for a 30-day review period. Complete an archeological survey along Great Northern Boulevard and along alignment of shared use path from Neils Thompson Dr to Shoal Creek Blvd.
Air Quality (dust control)	Watering, chemical stabilization, construction vehicle speed reduction, as feasible.
Hazardous and or Contaminated Materials	Removal, capping, or other acceptable means of mitigation as outlined by Federal and State Regulations.
Cemeteries/ Grave sites	At Austin Memorial Cemetery, plant trees along ROW as shown in the Aesthetic and Landscaping Guidelines. Follow State Regulations for work around cemetery and grave sites.
Geology and Karst	Provide a qualified geologist and biologist for investigation of voids and caves discovered during construction. Fill and seal voids not favorable for the occurrence of Endangered Species according to TCEQ procedures. Initiate pre-construction survey procedures if it is determined conditions are favorable for the occurrence of Endangered Species. If karst features or any listed karst invertebrates are found, work should cease in that location and TxDOT should be contacted.
Johnson Creek Hike & Bike	The Johnson Creek Hike and Bike Trail, within TxDOT ROW, shall remain open during and after construction. Any temporary closures or detours, if necessary, will require prior approval of TxDOT.

Monitoring or Enforcement

All commitments and conditions of approval stated in the EA (**Section 4.** "Affected Environment and Environmental Consequences") will be monitored by TxDOT and other appropriate federal, state and local agencies to ensure compliance.

FHWA Decision

FHWA has reviewed all of the relevant documents and materials and all of the previous environmental studies and findings. Based upon our own independent review and analysis we find that the August 2012 MoPac Improvement Project EA analyzed and considered all the relevant potential environmental impacts and issues. FHWA concurs with the findings made in the EA that: (1) Build Alternative 6 is the recommended alternative for the MoPac Improvement Project, (2) Build Alternative 6 best meets the need and purpose of the project with the least amount of impacts to the resource areas, and (3) the proposed project would have no significant impacts on the quality of the human or natural environment under NEPA.

Based upon our own agency review and consideration of the analysis and evaluation contained in the EA for this project, and after further careful consideration of all social, economic and environmental factors, including input from the public involvement process, FHWA hereby approves the issuance of a Finding of No Significant Impact for the MoPac Improvement Project. FHWA further approves Build Alternative 6 as the preferred alternative for selection as the proposed action for this project. The selected alternative would best fulfill the need and purpose for the project and meet the goals identified for the MoPac corridor. Build Alternative 6 is included in CAMPO's FY 2011 - 2014 TIP, TxDOT's 2011 - 2014 STIP for the Austin District, and the CAMPO 2035 RTP.

As to project mitigation, TxDOT is hereby required to ensure completion of all mitigation outlined above and set out specifically in the August 2012 MoPac Improvement Project EA. TxDOT is also required to ensure that any and all federal, state and local permit requirements and conditions are met and otherwise complied with.



Justin Ham, P.E.

Urban Programs Engineer
Federal Highway Administration

Date: 8-23-12