

RECORD OF DECISION

FHWA-TX-EIS-99-01-F

SH 130 FROM SH 195 NORTH OF GEORGETOWN TO IH 10 NEAR SEGUIN IN THE COUNTIES OF WILLIAMSON, TRAVIS, CALDWELL AND GUADALUPE, TEXAS

Decision

The Texas Turnpike Authority Division of the Texas Department of Transportation (TTA) and the Federal Highway Administration (FHWA) have approved a Final Environmental Impact Statement (FEIS) for the construction of State Highway (SH) 130 from SH 195 north of Georgetown to Interstate 10 (I-10) near Seguin in Williamson, Travis, Caldwell and Guadalupe Counties, Texas. The alternative selected is Alternative 2, characterized as an eastern route that passes east of Round Rock, east of Lake Walter E. Long in Austin, and connects to I-10 east of Seguin. The route location and preliminary design of the selected alternative is shown on Plates 1-1 through 1-46 in the FEIS. The total length of the selected alternative is 90.88 miles. SH 130 would be constructed ultimately as a 6-lane controlled access facility, with a median width capable of accommodating additional transportation modes. It would feature limited frontage roads except when necessary to restore access to adjacent properties. Although the ultimate design is as described above, it is anticipated that actual construction will be accomplished in phases; thus, the proposed roadway may be initially constructed with fewer lanes than the ultimate facility. The proposed facility is being studied by TTA as a candidate toll road.

The SH 130 project was developed in accordance with the National Environmental Policy Act (NEPA) of 1969, CEQ Regulation for Implementing the Procedural Provisions of the NEPA (40 CFR 1500-1508), FHWA Environmental Impact and Related Procedures (23 CFR Part 771), TTA Environmental Review and Public Involvement rules (43 TAC Chapter 52), and other related federal and state requirements.

As part of the project development process, federal, state, and local government agencies were consulted prior to and during the preparation of the FEIS. Resource agencies were initially notified of the project at an interagency scoping meeting held on March 31, 1994. In addition, an initial Notice of Intent (NOI) to prepare a Draft Environmental Impact Statement (DEIS) was issued by FHWA on January 5, 1995. FHWA subsequently issued a revised NOI, which was published in the *Federal Register* and the *Texas Register*. Public meetings for the proposed project were held on October 25 and 27, 1994, April 9, 15 and 16, 1996, June 11, 1996, June 12, 17 and 26, 1997, July 15 and 17, 1997, September 25 and 30, 1997, February 3, 1998, November 5, 1998, and December 2 and 8, 1998. Meetings were also held with individuals, local government representatives, and local businesses throughout the project development process. The DEIS was prepared and made available to the public and circulated for agency comment. Notice of the availability for review of the DEIS was published in the *Texas Register* on January 28, 2000 and in the *Federal Register* on February 4, 2000. The notice was also published in local newspapers. Copies of the DEIS were also made available for public review. A Public Hearing was held on February 10, 2000. An FEIS was prepared and made available for public review and circulated for agency comment in April 2001.

Alternatives Considered

A number of preliminary route alternatives were evaluated for SH 130. All of these route alternatives included the following design concepts for the SH 130 ultimate facility:

Portions of SH 130 without frontage roads

- a usual right-of-way corridor of 329 feet;
- either two or three, 12-foot travel lanes in each direction;
- a 103-foot median width capable of accommodating alternative transportation modes;
- potential future bicycle trails to be provided by others; and
- a variable width scenic easement to be provided by others.

Portions of SH 130 with frontage roads

- a usual right-of-way corridor of 529 feet;
- three, 12-foot travel lanes in each direction
- three, 12-foot frontage road lanes (one-way) in each direction;
- a 103-foot median width capable of accommodating alternative transportation modes;
- sidewalks between frontage roads and right-of-way lines, where feasible and appropriate;
- potential future bicycle trails to be provided by others; and
- a variable width scenic easement to be provided by others.

Comparison of Primary Alternatives

During the alternatives analysis process, described in detail in the FEIS, eight primary build alternatives and a No-Action Alternative were carried forward for further review and comparison. These eight build alternatives, known in the FEIS as Alternatives 1 through 8, all extend from SH 195 north of Georgetown to I-10 near Seguin and all are considered sufficient to satisfy the purpose and need of the proposed action; relieving congestion on I-35 and other major transportation facilities in the Austin-San Antonio corridor, improving mobility, and increasing accessibility to important public facilities. Following is a brief description of the general route and relative environmental merits of each of the build alternatives and the No-Action Alternative. See Plates 1-1 through 1-46 in Appendix A of the FEIS for a graphic depiction of the route followed by each of the build alternatives.

Alternative 1

Alternative 1 is a generally western route, traveling through portions of Round Rock, west of Lake Walter E. Long, and connecting to I-10 in Seguin. It is approximately 92.64 miles in length, the longest of any build alternative, and is generally considered to have more than average impacts

environmentally. It has a high degree of neighborhood/community impacts and the greatest high-quality wildlife habitat impacts, when compared to the other build alternatives. This alternative also requires the taking of land from two public parks and directly impacts six properties eligible for inclusion in the National Register of Historic Places (NRHP).

Alternative 2

Alternative 2, the Selected Alternative, passes east of Round Rock, east of Lake Walter E. Long, and connects to I-10 east of Seguin. This alternative is considered environmentally preferable, based on its relatively medium to low degree of impact to various resources. Compared to the other build alternatives, Alternative 2 has a medium degree of impact to neighborhoods and communities because it avoids passing through neighborhoods in Round Rock and east Austin, and avoids displacement of two churches. This alternative has the lowest amount of impact to high-quality wildlife habitat and avoids direct impacts to public parkland and National Register eligible properties.

Alternative 3

Alternative 3 travels west through portions of Round Rock, passes to the west of Lake Walter E. Long, and connects to I-10 east of Seguin. This alternative was originally considered the Preferred Alternative at the draft stage of the EIS process. Based on overwhelming public opposition and other environmental factors, Alternative 3 was not selected. Alternative 3 has a relatively high degree of neighborhood and community impacts as a result of its route through residential areas in Round Rock and east Austin, and comments received at the February 10, 2000 Public Hearing indicate the community's strong opposition to this alignment. Further, this alternative requires land from two public parks and has a direct impact on the NRHP eligible Palm Valley Lutheran Church.

Alternative 4

Alternative 4 travels west through portions of Round Rock, passes to the east of Lake Walter E. Long, and connects to I-10 in Seguin. This alternative has a medium degree of neighborhood/community impacts, when compared to other alternatives, and a relatively high degree of impacts to high-quality wildlife habitat. Alternative 4 avoids impacts to public parkland but does directly impact six NRHP eligible properties, including the Palm Valley Lutheran Church.

Alternative 5

Alternative 5 passes east of Round Rock, passes east of Lake Walter E. Long, and connects to I-10 in Seguin. Alternative 5 has a medium degree of impact to neighborhoods and communities, as compared to the other alternatives, and a relatively low degree of impact to high-quality wildlife habitat. This alternative directly impacts five NRHP eligible properties.

Alternative 6

Alternative 6 travels east of Round Rock, passes to the west of Lake Walter E. Long, and connects to I-10 in Seguin. Alternative 6 has a medium degree of neighborhood/community impacts, including the highest number of residential displacements (175), and highest number of business displacements (29). This alternative requires the taking of land from two public parks and directly impacts five NRHP eligible properties.

Alternative 7

Alternative 7 travels east of Round Rock, passes to the west of Lake Walter E. Long, and connects to I-10 east of Seguin. This alternative has a medium degree of impact to neighborhoods and communities but does require the taking of land from two public parks. Alternative 7 avoids direct impacts to NRHP eligible properties.

Alternative 8

Alternative 8 travels west through portions of Round Rock, passes to the east of Lake Walter E. Long, and connects to I-10 east of Seguin. This alternative has a medium degree of impact to neighborhoods and communities, including the lowest number of residential displacements (155) and the lowest number of business displacements (16). Alternative 8 avoids taking of public parkland but does directly impact the NRHP eligible Palm Valley Lutheran Church.

No-Action Alternative

The No-Action Alternative represents the case in which SH 130 is not constructed. Other transportation improvements, including those identified in the Capital Area Metropolitan Planning Organization's (CAMPO) 2025 Transportation Plan, may or may not be constructed, depending on project development and funding availability issues for each such improvement. In addition to planned roadway improvements located in the study corridor, CAMPO's Plan includes transit system improvements and a variety of Transportation Systems Management and Transportation Demand Management measures. All of these comprise the No-Action Alternative.

Because this alternative does not include construction of SH 130, direct environmental impacts associated with construction of any one of the build alternatives would not occur. The indirect effects of maintenance and enhancement of the existing transportation network are considered in the FEIS as secondary impacts occurring as a result of the No-Action Alternative. This alternative would not result in the direct expenditure of nearly \$1.5 Billion in estimated construction and right-of-way acquisition costs, but it also does not satisfy the purpose and need of the proposed action.

Measures to Minimize Harm/Commitments

A majority of the potential impacts associated with the construction of the Selected Alternative, Alternative 2, were avoided or minimized during the EIS process. Nevertheless, impacts to some resources as a result of the project are unavoidable. The following describes the measures that TTA

and FHWA will implement to minimize or mitigate such impacts during the construction and/or operation of SH 130.

Impact Minimization Measures

The Selected Alternative will require 168 residential relocations and 22 business displacements. TxDOT's acquisition and relocation assistance program will provide assistance to residences and businesses that are required to relocate. The relocation assistance program would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Qualified persons will be provided with relocation benefits that are intended to assist in purchasing or renting decent, safe, and sanitary housing comparable to their current dwelling.

Modeling of noise levels for the completed facility indicated that noise abatement measures would be both feasible and reasonable in one location. A noise reduction barrier will be constructed at this location, discussed in Section 4.6 of the FEIS, if desired by affected property owners. Noise levels during construction will be mitigated by various methods including the use of mufflers, timing of construction activities, location of equipment, and minimizing the idling of machinery.

Work in the stream channels will be minimized and trees and other vegetation will be protected, where practicable, to preserve the riparian corridor. Wetlands, springs, and other sensitive features will be avoided where practicable. Pre-construction notification of the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act will be undertaken prior to construction, if necessary, as required by current Nationwide Permit (NWP) requirements. A Coast Guard permit may also be required for the proposed bridge crossing of the Colorado River.

Disturbance due to haul roads and construction traffic will be minimized. Disturbed areas will be reseeded with a grass seed mix containing native species. Large trees outside the safety zone, which are not affected by construction, will be preserved. Once completed, vegetation management on the

right-of-way will follow TxDOT standards and procedures for pesticide and herbicide application. If areas are identified as harboring oak wilt, infestation will be thoroughly cleared and all plant material will be disposed of as soon as possible. All working surfaces (blades, buckets, etc.) of equipment used in clearing and grading such areas will be cleaned with a strong bleach or chlorine (hypochlorite) solution prior to use in the other areas.

Prior to beginning construction, a storm water pollution prevention plan and a water pollution abatement plan will be developed according to Environmental Protection Agency and Texas Natural Resource Conservation Commission rules and guidelines, respectively. The plans will include procedures for installing, maintaining and removing the temporary storm water controls to be used during construction.

Storm water control measures on the construction site will be inspected at least once every 14 days or within 24 hours after a rainfall event of 0.5 inch or greater. Sediment will be removed from devices and damaged devices repaired as soon as practical. The contractor will remove silt accumulations and deposit the spoils in an area designated by the engineer. All damaged and/or ineffective temporary erosion control devices will be repaired at the earliest date possible, but no later than seven days after the defective controls have been noted in the inspection notes.

Disturbed areas will be seeded or otherwise stabilized within 14 days after the final grade has been attained. Temporary seeding and/or mulch will be utilized where or when it is not practical to establish permanent vegetation.

For the portion of the project over the Edwards Aquifer recharge zone, storm water runoff from the completed roadway will be directed to permanent storm water quality control structures that will be designed in accordance with TNRCC requirements. These control structures will include a combination of grassy swales and water quality ponds that are aimed at removing 80% of the incremental increase in the annual mass loading of total suspended solids from the site resulting from the new roadway.

Prior to initiation of construction within a given area, TTA will coordinate with the Texas Historical Commission (THC) regarding additional cultural resource investigations that may be necessary within that area. These investigations will be conducted by qualified archeologists. Survey methodologies will address the potential of the alluvial terraces along the major and minor streams for containing buried deposits, which may not be visible to surface investigations. Systematic mechanically assisted subsurface prospecting, combined with geomorphic evaluation, will provide a more complete site inventory, as well as aid in the assessment of the research potential and National Register eligibility of all sites encountered in alluvial settings.

The development of research issues for historic context, field surveys, testing and subsequent data recovery efforts, as necessary, will be coordinated with and in consultation with the THC under the terms and conditions of the Programmatic Agreement between TxDOT, THC, FHWA, and the Advisory Council on Historic Preservation (ACHP). The mitigation of cultural resource sites will be pursued, as necessary, in compliance with Section 106 of the National Historic Preservation Act and the Texas Antiquities Code. Mitigation for adverse effects will also be conducted pursuant to the "Protocol for Historic Property Identification, Evaluation, and Treatment for the SH 130 Project" (see Appendix F in the FEIS).

In order to enhance the operational efficiency and visual appeal of the proposed facility, the Texas Turnpike Authority intends to sponsor a SH 130 design charette. The charette, which is not an element of the traditional project development process, will serve as a forum for involving key members of the community and the public in the decision making process with regard to such design details as roadway aesthetics, landscaping, scenic easements and bicycle and pedestrian-related issues. The charette will be held during the design phase of project development, after the environmental process is complete and the route has been established. The THC will be invited to the charette as part of mitigation measures. The goal of the charette will be to mold SH 130, through active public participation, into a functional, aesthetically pleasing roadway that will enhance the regional roadway network as well as the communities it serves.

Monitoring or Enforcement Programs

Monitoring to ensure that all commitments made in the FEIS are carried-out will be performed in the design and construction phases of the project. This will include effective communication between FHWA, TTA, the engineering contractor(s), and the construction contractor(s). Plans will be developed and reviewed in coordination with environmental staff persons.

Prior to construction, significant environmental issues and commitments will be discussed with the construction contractor(s). The construction contractor(s) will be required to follow all environmental requirements shown in the plans. In addition, the TxDOT engineer (or TTA designated contractor) responsible for daily oversight of the construction of the project will also be made aware of these environmental issues and commitments.

The water pollution abatement plan developed for the project will be submitted to the Texas Natural Resource Conservation Commission for review and approval. Water quality management measures will be developed to meet Environmental Protection Agency and Texas Natural Resource Conservation Commission requirements. These agencies also have the authority to ensure compliance with their respective rules.

Responses to Comments on the Final EIS

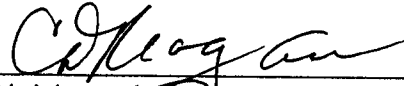
There were no substantive comments received and no request for information or response to comments.

Conclusion

Based on the analysis and evaluation contained in the SH 130 FEIS and after careful consideration of all the social, economic, and environmental factors and input from the public involvement process, Alternative 2 shall be the selected alternative for this project.

Date

6/5/01



Division Administrator
Federal Highway Administration