

**Texas Department of Transportation  
Technical Provisions**

**SH 183 Managed Lanes Project**

**Attachment 4-1  
Permits/Commitments/Mitigation**

**SH 183 Managed Lanes Project - Permits/Commitments/Mitigation**

Project Issue/ Resource	Phase	SH 183 Segment 2E: SH 183 from SH 121/SH 183 to SH 161 Transition	SH 183 from SH 161 to I-35E (excludes Carl Rd. to SH 114)	SH 114 from International Parkway to SH 183	Loop 12 from SH 183 to I-35E: toll lanes
		(Airport Freeway EA/2E Re-evaluation)	(SH 183 EA/Re-evaluation)	(SH 114 EA/Re-evaluation)	(Loop 12 EA/Re-evaluation)
Vegetation	Ultimate	1.68 acres of proposed compensatory mitigation	7.75 acres of non-regulatory mitigation proposed at LLELA	Mitigation for 30.06 acres of overstory/understory woodlands, 2.24 acres of riparian habitat, and one 20-inch dbh post oak proposed	TxDOT has provided mitigation for 2.5 acres of trees.
	Interim*	No compensatory mitigation is required for interim phase	7.75 acres of non-regulatory mitigation proposed at LLELA	No compensatory mitigation is required for interim phase	No compensatory mitigation is required for interim phase
Threatened & Endangered Species	Ultimate	No impacts anticipated	Mussel presence/absence survey to be completed prior to construction	No impacts anticipated	No impacts anticipated
	Interim*	Prior to construction, review current T&E species list for changes of list used in NEPA Approvals, if changes occur refer to Section 4.3.2.6 of Technical Provisions	Mussel surveys required prior to construction; Prior to construction, review current T&E species list for changes of list used in NEPA Approvals, if changes occur refer to Section 4.3.2.6 of Technical Provisions	Prior to construction, review current T&E species list for changes of list used in NEPA Approvals, if changes occur refer to Section 4.3.2.6 of Technical Provisions	Prior to construction, review current T&E species list for changes of list used in NEPA Approvals, if changes occur refer to Section 4.3.2.6 of Technical Provisions
Migratory Birds	Ultimate	Comply with the MBTA	Comply with the MBTA	Comply with the MBTA	Comply with the MBTA.
	Interim*	Comply with the MBTA	Comply with the MBTA	Comply with the MBTA	Comply with the MBTA
Waters of the U.S., including Wetlands/Section 404 Permits	Ultimate	Impacts authorized by NWP Non-PCN	**NWP 3/14 applicable for fill activities in Section 404 waters of the U.S. provided that NWP terms and conditions are met. This includes waters of the U.S. previously impacted during the interim improvements.	10 sites require NWP w/ PCN, 8 sites a NWP Non-PCN, and 3 sites an IP	NWP w/ PCN required.
	Interim	NWP 14 Non-PCN required	Section 404 impacts not associated with the Elm Fork Trinity River will be authorized under NWP 3/14 and 25 Non-PCNs (8 sites). Section 404 impacts at the Elm Fork Trinity River and	NWP 14 Non- PCN required (4 sites)	No Section 404 Permits.

\*Re-Evaluations for the interim phase are pending review and approval by FHWA; analyses provided in this table are subject to change.

\*\*Because the Nationwide Permits are renewed every five years (last renewal March 2012), it is incumbent upon the Developer to confirm that the indicated Nationwide Permits continue to be applicable for project activities that would occur during subsequent Nationwide Permit renewal periods.

**SH 183 Managed Lanes Project - Permits/Commitments/Mitigation**

<b>Project Issue/ Resource</b>	<b>Phase</b>	<b>SH 183 Segment 2E: SH 183 from SH 121/SH 183 to SH 161 Transition</b>	<b>SH 183 from SH 161 to I-35E (excludes Carl Rd. to SH 114)</b>	<b>SH 114 from International Parkway to SH 183</b>	<b>Loop 12 from SH 183 to I-35E: toll lanes</b>
			associated sump drainage channels will be assessed and authorized under the Section 408/RGP 12 approval process.		
<b>Traffic Noise</b>	Ultimate	Noise barriers proposed	Noise barriers proposed	No noise barriers proposed	No noise barriers proposed
	Interim*	Noise barriers proposed on both sides of SH 183 between Industrial Boulevard and Ector Drive, at a residential area on the south side of SH 183 immediately west of the Bear Creek Parkway crossing	Noise barrier proposed along the westbound mainlanes at the O'Connor Road overpass. A previously constructed barrier along the eastbound frontage road lanes between Wm. Brewster and West Park would be extended approximately 100 feet to match the approved length identified in the 2012 Reevaluation.	No noise barriers proposed	No noise barriers proposed
<b>Cultural Resources</b>	Ultimate	No impacts to historic or archeological resources	No impacts to historic or archeological resources	No impacts to historic resources  ~2.7 acres of of proposed ROW remains to be surveyed for archeological resources	No impacts to historic or archeological resources
	Interim*	No impacts to historic or archeological resources	No impacts to historic or archeological resources	No impacts to historic or archeological resources	No impacts to historic or archeological resources
<b>Hazardous Materials</b>	Ultimate	Numerous regulatory facilities with recognized environmental conditions identified	Further investigations during ROW acquisition	18 "high risk" sites were identified; Recommended that subsurface investigations be conducted prior to construction	3 "high risk" sites were identified; Further investigations during ROW acquisition
	Interim*	Ten (10) sites of potential concern identified within interim phase construction limits, all "low risk"	Draft 2013 Re-evaluation recommends that seven sites previously identified in the approved 2004 EA as "high risk" be downgraded to "low risk"; No additional sites identified	Comply with Phase 1 ESA	9 additional sites identified; 8 "high risk", 1 "moderate risk". HMMP to be developed by the Developer.

\*Re-Evaluations for the interim phase are pending review and approval by FHWA; analyses provided in this table are subject to change.

\*\*Because the Nationwide Permits are renewed every five years (last renewal March 2012), it is incumbent upon the Developer to confirm that the indicated Nationwide Permits continue to be applicable for project activities that would occur during subsequent Nationwide Permit renewal periods.

**SH 183 Managed Lanes Project - Permits/Commitments/Mitigation**

<b>Project Issue/Resource</b>	<b>Phase</b>	<b>SH 183 Segment 2E: SH 183 from SH 121/SH 183 to SH 161 Transition</b>	<b>SH 183 from SH 161 to I-35E (excludes Carl Rd. to SH 114)</b>	<b>SH 114 from International Parkway to SH 183</b>	<b>Loop 12 from SH 183 to I-35E: toll lanes</b>
<b>Section 408</b>	Ultimate	N/A	Section 408/RGP 12 required	N/A	N/A
	Interim*	N/A	Section 408/RGP 12 required	N/A	N/A
<b>Corridor Development Certificate (CDC)</b>	Ultimate	N/A	CDC required.	CDC required.	CDC required.
	Interim*	N/A	CDC required.	CDC required.	CDC required.

\*Re-Evaluations for the interim phase are pending review and approval by FHWA; analyses provided in this table are subject to change.

\*\*Because the Nationwide Permits are renewed every five years (last renewal March 2012), it is incumbent upon the Developer to confirm that the indicated Nationwide Permits continue to be applicable for project activities that would occur during subsequent Nationwide Permit renewal periods.