



Final Agency Coordination Plan

I-35 Capital Express Central Project I-35 from US 290 East to US 290 West/SH 71

Texas Department of Transportation, Austin District

CSJ Number(s): 0015-13-388

March 2021

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Purpose of the Coordination Plan

In accordance with 23 U.S. Code § 139(g), the Texas Department of Transportation (TxDOT) (as lead agency) has prepared this coordination plan for the proposed I-35 Capital Express Central Project in Austin, Texas. This plan is intended to establish a schedule and process for coordinating public and agency participation and comment during the environmental review process. The coordination plan is developed early in the environmental and planning process. It will be adjusted and updated as input is received from cooperating and participating agencies, and as the complexity of potential environmental issues is revealed.

Project Description

Project Location

The proposed project would construct two, non-tolled, managed lanes in each direction along I-35 from US 290 East to US 290 West/SH 71 for a total distance of approximately 8 miles, including additional flyovers at I-35/US 290 East, in Austin, Texas in Travis County.

Existing Roadway

Existing I-35 from US 290 East to US 290 West/SH 71 is located within an urban area with adjacent commercial, residential, institutional, governmental, and parks/open space properties. Within the proposed project limits, I-35 is an access-controlled interstate highway. Beginning at the southern limit, US 290 West/SH 71, the roadway typically has three to four, 12-foot-wide mainlanes (concrete barrier separated) with 4- to 12-foot-wide inside shoulders, 10- or 12-foot-wide outside shoulders, and two to three, 11- or 12-foot-wide frontage road lanes with curb and gutter in each direction. From Lady Bird Lake to 15th Street, I-35 generally includes three, 12-foot-wide mainlanes in each direction with auxiliary lanes between some of the ramps. North of 15th Street, the roadway has 4 mainlanes in each direction and includes the upper/lower deck split just north of MLK Jr. Boulevard with a continuation of the upper decks to north of Airport Boulevard. From Airport Boulevard to US 290 East, I-35 includes 4 barrier-separated mainlanes in each direction. The roadway in this section typically has 2- to 6-foot-wide inside shoulders, 10-foot-wide outside shoulders, and two to four, 11- or 12-foot-wide frontage road lanes with curb and gutter in each direction. Sidewalks exist in most, but not all, locations throughout the project area and shared-use paths are located within the project area in downtown Austin, defined as between MLK Jr. Boulevard and Holly Street. Drainage along the roadway (mainlanes and frontage roads) is provided by storm sewer networks and some open ditches. The existing right of way (ROW) width is typically 200 to 350 feet but is wider at the interchanges. Existing permanent drainage easements are located at creek crossings. The posted speed limit along I-35 in the proposed project area is 60 mph on the mainlanes and 35 to 50 mph on the frontage roads.

Purpose and Need

The proposed project is needed because I-35 between US 290 East and US 290 West/SH 71 does not adequately accommodate current and future travel demand and does not meet

current federal and state design standards, which has resulted in safety and operational deficiencies, which can impact crash rates and peak period travel times for all users, including emergency response vehicles and transit. The purpose of the proposed project is to improve this critical local, regional, national, and international thoroughfare by enhancing safety within the corridor; addressing demand by prioritizing the movement of people, goods and services through and across the corridor; improving operational efficiency; and creating a more dependable and consistent route for the traveling public including bicyclists and pedestrians, emergency responders, and transit.

Project History

Beginning as far back as the 1980s, the Texas Department of Transportation (TxDOT) recognized the need to upgrade I-35 through the region to provide improved mobility. Listed here are major events in the project's evolution illustrating how the project progressed to where it is today

2011: The I-35 Corridor Advisory Committee released the My35 Plan. The TxDOT Austin District, in coordination with the City of Austin and other partners, launched the Mobility35 program, also known as the I-35 Capital Area Improvement Program (CAIP), which focuses on improvements to I-35 in Williamson, Travis, and Hays counties.

2013: TxDOT released the I-35 CAIP Corridor Implementation Plan for Travis County, which identified various improvements for I-35, including adding lane capacity.

2013–2014: The Downtown Stakeholder Working Group, composed of local governmental entities and community stakeholders, convened for ten monthly meetings and two data digs to evaluate concepts for I-35 in downtown Austin between MLK Jr. Boulevard and Holly Street.

2014: TxDOT initiated the I-35 Future Transportation Corridor (FTC) Planning and Environmental Linkages Study (PEL). The PEL provided opportunities to bring together transportation planning and environmental considerations early in the planning process, which would be integrated into the National Environmental Policy Act (NEPA) process as the project was developed.

2014–2015: TxDOT hosted five Decks Neighborhood Workshops for the I-35 “decks area”, defined as from Airport Boulevard to MLK Jr. Boulevard. Representatives from multiple neighborhoods, the University of Texas (UT), and Catellus, the master developer for the Mueller neighborhood, participated in the workshops.

2016–2017: Following the recommendations presented in the PEL to move forward with adding managed lanes in each direction, TxDOT hosted open house meetings and virtual open houses for the three projects in the study area, which extended from FM 1431 to SH 45SE. The projects at that time were called North16 (from RM 1431 to US 183), Central7 (from US 183 to Riverside Drive), and South10 (from Lady Bird Lake to SH 45SE).

January 2020: TxDOT hosted the I-35 Capital Express Central Design Charrette to solicit input from stakeholders regarding previous concepts that were developed and to seek additional input to be considered during the development of further build alternatives. More than 30

concepts were proposed over the course of the charrette. Design charrette participants included TxDOT personnel, Mobility35 General Engineering Consultant staff, representatives from the City of Austin Transportation Department, Central Texas Regional Mobility Authority, CapMetro, CAMPO, FHWA, UT Austin, and Downtown Austin Alliance.

Building upon all the previous efforts to improve I-35, the Environmental Impact Statement (EIS) for the I-35 Capital Express Central Project will evaluate a range of alternatives, including “No-action” (the no-build alternative) and build alternatives. Possible build alternatives include lowered sections of managed and mainlanes. Each build alternative would include various operational and safety enhancements that optimize the roadway footprint, and would reconstruct ramps, bridges, and intersections; improve frontage roads; enhance bicycle and pedestrian accommodations; accommodate transit routes; and additional flyovers at I-35/US 290 East. The EIS will analyze potential direct, indirect, and cumulative impacts from construction and operation of proposed improvements including, but not limited to, the following transportation impacts: air quality and noise impacts; water quality impacts including storm water runoff; impacts to waters of the United States including wetlands; impacts to floodplains; impacts to historic and archeological resources; impacts to threatened and endangered species; socioeconomic impacts including environmental justice communities; impacts to and/or potential displacements of land use, vegetation, residents, and businesses; and impacts to aesthetic and visual resources.

Projected Cost of Project

In early 2020, the I-35 Capital Express Central Project was partially funded with a \$560 million allocation of the estimated \$4.9 billion construction cost. On April 30, 2020, the Texas Transportation Commission approved an amendment to the 2020 Unified Transportation Program (UTP), a 10-year plan to guide transportation project development, that allocated an additional \$3.4 billion of funding to the I-35 Capital Express Central Project. In April 2020, the CAMPO Transportation Policy Board approved reallocating \$633 million in funding to the I-35 Capital Express Central Project. The remaining \$307 million was allocated to the project in the 2021 UTP. This project is currently fully funded in the 2021 UTP (\$4.9 billion). Tolling is not currently a funding option and tolled lanes are not currently under consideration.

Agency Roles and Responsibility

Lead Agency

TxDOT will serve as the lead agency for the proposed project. 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 a Memorandum of Understanding (MOU) dated December 9, 2019, and executed by the Federal Highway Administration (FHWA) and TxDOT. TxDOT will develop the environmental documents in accordance with 23 CFR 771 and 40 CFR 1500-1508.

The lead agency will:

- Identify and involve cooperating and participating agencies in the environmental review process;
- Develop coordination plans;
- Solicit input from the public and agencies on the project's purpose and need;
- Finalize the purpose and need statement;
- Provide opportunities for the public and agencies to provide input on refined alternatives and methodologies and level of detail for analyzing alternatives;
- Ensure environmental commitments are completed; and
- Manage the environmental review process and assist in addressing/resolving any potential issues.

Cooperating Agencies

Cooperating agencies are federal agencies that have either jurisdiction by law regarding aspect(s) of the proposed project or special expertise pertaining to the proposed project. TxDOT, as the lead agency, invited potential cooperating agencies to participate. Cooperating agencies assist in the preparation, coordination, and review of the EIS. If a federal agency chooses to decline the invitation to become a cooperating agency, the agency's response letter (electronic or hard copy) must state that the agency has no jurisdiction or authority with respect to the project, has no expertise or information relevant to the project, or does not intend to submit comments on the project. If the federal agency's response does not state the agency's position in these terms, the agency should be treated as a participating agency. An agency invited to be a cooperating agency can also voluntarily elect to be a participating agency instead by stating their intent in the response. See Appendix A for copies of the cooperating agency invitation letters.

Participating Agencies

Federal, state, tribal, regional, and local government agencies that may have an interest in the project were invited to serve as participating agencies. Appendix A contains copies of the invitation letters to participating agencies.

The roles and responsibilities of participating agencies include, but are not limited to:

- Participating in the scoping process;
- Participating in the National Environmental Policy Act (NEPA) process with regard to development of the purpose and need statement, range of alternatives and methodologies and level of detail for analyzing alternatives; and
- Identifying and providing early input on issues of concern regarding the project's potential impacts to human or natural environment.

Accepting a role as a participating agency does not imply that an agency supports the project

or has jurisdiction or special expertise with respect to the evaluation of the project. Table 1 summarizes the roles and responsibilities of cooperating and participating agencies identified to date.

Table 1: Cooperating and Participating Agencies

Agency	Roles		Agency Response (as of Mar. 1, 2021)	Responsibility
	Cooperating (Invited)	Participating (Invited)		(need input from agencies about their roles and responsibilities)
Federal Transit Administration		X	Accept	Provide input and technical assistance on project impacts to transit.
U.S. Army Corps of Engineers	X		Accept	Ensure compliance with Section 404 of the Clean Water Act.
U.S. Department of Agriculture, Natural Resources Conservation Service	X			Ensure compliance with 7 CFR 658: Farmland Protection Policy Act, 7 CFR 657: Prime and Unique Farmlands.
U.S. Department of Housing and Urban Development	X		Decline	Ensure compliance with 24 CFR Part 50 – “Protection and Enhancement of Environmental Quality” and the Housing and Urban Development Amendment Act of 1974.
U.S. Environmental Protection Agency	X		Accept	Ensure compliance with Clean Air Act Amendments (CAAA) and with hazardous materials regulations.

Agency	Roles		Agency Response (as of Mar. 1, 2021)	Responsibility
	Cooperating (Invited)	Participating (Invited)		(need input from agencies about their roles and responsibilities)
U.S. Fish and Wildlife Service	X		Decline	Provide input on potential threatened and endangered species, designated critical habitat(s), and potential impacts to wildlife refuges within the study area. Ensure compliance with Section 7 of the Endangered Species Act, the Migratory Bird Treaty Act, the Bald and Golden Eagle Protection Act, and the U.S. Fish and Wildlife Coordination Act.
National Park Service	X		Accept	Provide input and technical assistance on Section 6(f) resources.
Caddo Nation of Oklahoma	X			Protection of Tribal rights, lands, and cultural materials. Consulting parties under Section 106 of the National Historic Preservation Act.
Mescalero Apache Tribe	X			
Apache Tribe of Oklahoma	X			
Tonkawa Tribe of Indians of Oklahoma	X			
Kiowa Indian Tribe of Oklahoma	X			
Comanche Nation of Oklahoma	X			
Alabama-Coushatta Tribe of Texas	X			
Seminole Nation of Oklahoma	X			

Agency	Roles		Agency Response (as of Mar. 1, 2021)	Responsibility
	Cooperating (Invited)	Participating (Invited)		(need input from agencies about their roles and responsibilities)
Wichita and Affiliated Tribes	X			
Texas Commission on Environmental Quality		X		Ensure compliance with Section 401 of the Clean Water Act and with state surface water quality standards. Evaluate Texas Pollutant Discharge Elimination System permits. Assist EPA to determine conformity of air quality plans. Provide input on hazardous material sites.
Texas Department of Housing and Community Affairs		X		Ensure compliance with 24 CFR Part 50 – “Protection and Enhancement of Environmental Quality” and the Housing and Urban Development Amendment Act of 1974.
State Historic Preservation Officer/Texas Historical Commission		X		Determine Section 106 of the National Historic Preservation Act compliance and eligibility, ensure compliance with the Texas Antiquities Code and with the TxDOT/THC/SHPO programmatic agreement, consult on the Section 4(f) of the Department of Transportation Act of 1966 process, and coordinate cultural resource consultations.

Agency	Roles		Agency Response (as of Mar. 1, 2021)	Responsibility
	Cooperating (Invited)	Participating (Invited)		(need input from agencies about their roles and responsibilities)
Texas Parks and Wildlife Department		X	Accept	Provide input on potential threatened and endangered species and habitat that could be impacted in the project area. Provide input on parks and other public properties that could be impacted in the project area.
Lower Colorado River Authority		X	Decline	Provide input on the potential to impact the Lower Colorado River.
Capital Area Metropolitan Planning Organization		X	Accept	Provide input on the potential to impact or benefit CAMPO area mobility.
Central Texas Regional Mobility Authority		X	Accept	Provide input on the project's potential to impact or benefit regional connectivity.
Travis County		X	Accept	Provide input on the potential to impact or benefit Travis County.
Williamson County		X		Provide input on the potential to impact or benefit Williamson County.
Hays County		X		Provide input on the potential to impact or benefit Hays County.
City of Austin		X	Accept	Provide input on City of Austin project preferences and preferred outcomes.
Capital Metropolitan Transportation Authority		X	Accept	Provide input on the potential to incorporate transit or other transportation modes in the proposed project.

Agency	Roles		Agency Response (as of Mar. 1, 2021)	Responsibility
	Cooperating (Invited)	Participating (Invited)		(need input from agencies about their roles and responsibilities)
The University of Texas at Austin		X	Accept	Provide input on the potential to impact the University of Texas campus.

Project Coordination

Agency Coordination

TxDOT will facilitate the agency coordination process by scheduling agency scoping meetings to ensure meaningful participation during the project development process. Table 2 identifies key agency coordination points throughout the project development and NEPA process. This list does not preclude additional coordination opportunities with these agencies during the EIS process.

Table 2: Agency Coordination

Agency Coordination Point	Timeframe
Publication of Notice of Intent (NOI)* in the Federal Register	Aug. 12, 2020
Publication of NOI in <i>Austin-American Statesman</i> (English) and <i>El Mundo</i> (Spanish)	Aug. 20, 2020
Agency Scoping Meeting #1: Cooperating and participating agencies are presented, and comments are solicited on the draft coordination plan and schedule, draft purpose and need, and draft range of alternatives.	Nov. 12, 2020
Agency Scoping Meeting #2: Cooperating and participating agencies are presented, and comments are solicited on the draft purpose and need, draft range of alternatives and draft methodologies and level of detail for analyzing alternatives.	Mar. 10, 2021
Notice of Availability and Draft EIS Circulation	Fall 2022
Combined Final EIS/Record of Decision	Summer 2023

NOTE: *A copy of the published NOI is included as Appendix B.

Public Involvement and Stakeholder Outreach

Given the local and regional importance of the proposed I-35 Capital Express Central project, the public involvement activities planned for the proposed project include a comprehensive public involvement program designed to proactively engage and encourage participation of all interested stakeholders. A Public Involvement Plan (PIP) is included in

this coordination plan as Appendix C. The PIP will be periodically updated to reflect ongoing public involvement and input. Additionally, issues specific to this project may require adjustments to the PIP to address communication needs identified during public outreach efforts.

Key public involvement and stakeholder outreach efforts that will be undertaken throughout the project development and NEPA process include:

- development of a project webpage;
- mailed and emailed notifications to stakeholders;
- public meetings, including scoping meetings, open houses, and workshops; and
- a public hearing.

Additional information about public involvement activities can be found in Appendix C: Public Involvement Plan.

Project Milestones

Project Milestones

Major milestones and general timeframes are identified in Table 3. It is the intent of the lead agency to develop a schedule reflective of these milestones.

Table 3: Major Project Milestones

Milestone	Timeframe
Publication of NOI in Federal Register	Aug. 12, 2020
Publication of NOI in <i>Austin-American Statesman</i> (English) and <i>El Mundo</i> (Spanish)	Aug. 20, 2020
Develop draft purpose and need	Summer/Fall 2020
Develop range of alternatives	Summer/Fall 2020
Agency and Public Scoping Meeting #1	Nov. 12, 2020
Refine purpose and need; refine range of alternatives and develop methodologies and level of detail for analyzing alternatives.	Winter 2021
Agency and Public Scoping Meeting #2	Mar. 10, 2021/Mar. 11, 2021
Refine purpose and need; alternatives and methodologies and level of detail for analyzing alternatives.	Winter 2021 – Summer 2021

Milestone	Timeframe
Public meeting to identify alternatives to be analyzed in Draft EIS.	Summer 2021
Draft EIS preparation and identification of preferred alternative and potential environmental impacts.	Summer 2021 – Summer 2022
Notice of Availability and Draft EIS circulation	Fall 2022
Public hearing presenting Draft EIS and preferred alternative	Fall 2022
Final EIS preparation	Fall 2022 – Summer 2023
Combined Final EIS and Record of Decision	Summer 2023

Revision History

Table 4. Revision History

Effective Date	Reason for and Description of Change
November 2020	Draft shared with agencies and the public with a request for comments.
March 2021	Added Federal Transit Agency and the Texas Department of Housing and Community Affairs as participating agencies; updated the purpose and need for the project.

Appendix A

Cooperating and Participating Agency Invitation Letters

TxDOT sent letters to all the agencies listed in Table 1 of this Coordination Plan, which invited them to be cooperating or participating agencies in the development of the I-35 Capital Express Central EIS. Two example letters are included in this appendix, one for cooperating agencies and one for participating agencies.



125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

Mr. Salvador Salinas
Regional Conservationist – Central
U.S. Department of Agriculture, Natural Resources Conservation Service
14th and Independence Ave., SW, Room 5204-S
Washington, DC 20250

CSJ: 0015-13-388

September 14, 2020

Re: Invitation to become a Cooperating Agency on the proposed Texas Department of Transportation project along Interstate Highway 35 (I-35) from US Highway 290 (US 290) East to US 290 West/State Highway 71 (SH 71) in Travis County, Texas

Dear Mr. Salvador Salinas:

The Texas Department of Transportation (TxDOT) is initiating an Environmental Impact Statement (EIS) for a proposed transportation project along I-35 from US 290 East to US 290 West/SH 71 including direct connectors at I-35/US 290 East, referred to as the I-35 Capital Express Central Project. The proposed project is located in the central region of the Austin metropolitan area, in Travis County, Texas, for a distance of approximately 8 miles along I-35. The objectives of the I-35 improvements, as currently defined, are to manage and reduce congestion and improve operational efficiency; provide more reliable travel times; enhance safety; and create a more dependable and consistent route for transit, emergency responders, and other motorists traveling this major interstate. Additional information regarding the proposed project can be found in the enclosed Notice of Intent (NOI).

Your agency has been identified as one that may have an interest in the proposed project due to the potential effects to the natural and/or human environment, and input from your agency may be required for the proposed project. TxDOT respectfully requests your agency's participation as a Cooperating Agency in the preparation of the Draft EIS and Final EIS, in accordance with 40 Code of Federal Regulations 1501.6 of the Council on Environmental Quality's Regulations for Implementing the Procedural Provision of NEPA. As a Cooperating Agency, your special expertise permits you, as requested by the Lead Agency, TxDOT, to develop information and prepare environmental analyses for the EIS.

Your agency may also choose to participate in the proposed project as a Participating Agency. Pursuant to Title 23 U.S. Code, Chapter 1, Section 139, Participating Agencies are similar to Cooperating Agencies, but have a lesser degree of authority, responsibility, and involvement in the environmental review process.

As a Cooperating Agency, responsibilities include identifying, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. We suggest that your agency's role in the development of the project include the following:

- Providing meaningful and early input on the coordination plan, the purpose and need, the range of alternatives, and the methodologies and level of detail for analyzing alternatives.
- Participating in coordination meetings and joint field reviews as appropriate.

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- Providing timely review and comment on environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

An agency and public scoping meeting are planned for later this year. Event details are still being determined.

Please respond to TxDOT in writing, by mail or e-mail, with an acceptance or declination of the invitation within 30 days of the date of this letter. If your agency declines, the response should state your reason for declining either invitation. If you choose to decline, please specifically state in your response that your agency:

- (a) Has no jurisdiction or authority with respect to the proposed project;
- (b) Has no expertise or information relevant to the proposed project; or
- (c) Does not intend to submit comments on the proposed project.

If you have any questions or would like to discuss the project in more detail or our agencies' respective roles and responsibilities during preparation of this EIS, please contact:

Tricia Bruck-Hoyt, PMP, AICP
Mobility35 Program/TxDOT Austin District
7901 North I-35
Austin, Texas 78753
(512) 832-7256
Tbruck-c@txdot.gov

Thank you for your cooperation and interest in this proposed project.

Sincerely,

Carlos Swonke
Carlos Swonke (Sep 15, 2020 14:24 CDT)

Carlos Swonke
Director of Environmental Affairs

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 a Memorandum of Understanding (MOU) dated December 9, 2019, and executed by the Federal Highway Administration (FHWA) and TxDOT. The MOU assigns to TxDOT FHWA responsibilities under the National Environmental Policy Act (NEPA) and other environmental laws. Therefore, TxDOT is initiating this EIS in TxDOT's role as the lead federal agency under the MOU between TxDOT and the FHWA.



125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

Mr. Ashby Johnson
Executive Director
Capital Area Metropolitan Planning Organization
3300 N. IH-35, Suite 630
Austin, TX 78705

CSJ: 0015-13-388

September 14, 2020

Re: Invitation to become a Participating Agency on the proposed Texas Department of Transportation project along Interstate Highway 35 (I-35) from US Highway 290 (US 290) East to US 290 West/State Highway 71 (SH 71) in Travis County, Texas

Dear Mr. Ashby Johnson:

The Texas Department of Transportation (TxDOT) is initiating an Environmental Impact Statement (EIS) for a proposed transportation project along I-35 from US 290 East to US 290 West/SH 71 including direct connectors at I-35/US 290 East, referred to as the I-35 Capital Express Central Project. The proposed project is located in the central region of the Austin metropolitan area, in Travis County, Texas, for a distance of approximately 8 miles along I-35. The objectives of the I-35 improvements, as currently defined, are to manage and reduce congestion and improve operational efficiency; provide more reliable travel times; enhance safety; and create a more dependable and consistent route for transit, emergency responders, and other motorists traveling this major interstate. Additional information regarding the proposed project can be found in the enclosed Notice of Intent (NOI).

With this letter, we extend your agency an invitation to become a Participating Agency with TxDOT in the development of the EIS for the I-35 Capital Express Central Project. This designation does not imply that your agency either supports the proposal or has any special expertise with respect to evaluation of the proposed project.

Pursuant to Title 23 U.S. Code, Chapter 1, Section 139, Participating Agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. We suggest that your agency's role in the development of the project include the following:

- Providing meaningful and early input on the coordination plan, the purpose and need, the range of alternatives, and the methodologies and level of detail for analyzing alternatives.
- Using this process to address any environmental issues of concern to your agency.

An agency and public scoping meeting are planned for later this year. Event details are still being determined.

Please respond to TxDOT in writing, by mail or e-mail, with an acceptance or declination of the invitation within 30 days of the date of this letter. If you have any questions or would like to discuss the project in more detail or our agencies' respective roles and responsibilities during preparation of this EIS, please contact:

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Tricia Bruck-Hoyt, PMP, AICP
Mobility35 Program/TxDOT Austin District
7901 North I-35
Austin, Texas 78753
(512) 832-7256
tbruck-c@txdot.gov

Thank you for your cooperation and interest in this proposed project.

Sincerely,



Carlos Swonke (Sep 15, 2020 14:24 CDT)

Carlos Swonke
Director of Environmental Affairs

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 a Memorandum of Understanding (MOU) dated December 9, 2019, and executed by Federal Highway Administration's (FHWA) and TxDOT. The MOU assigns to TxDOT the FHWA's responsibilities under the National Environmental Policy Act (NEPA) and other environmental laws. Therefore, TxDOT is initiating this EIS in TxDOT's role as the lead federal agency under the MOU between TxDOT and the FHWA.

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Appendix B
Notice of Intent

caution alerts that provide timely attention-getting cues to the flightcrew through at least two different senses by a combination of aural, visual, or tactile indications. Specifically, the petitioner is proposing to provide an amber indication for course deviation from a prescribed path, without a second sense or aural alert during Category II Instrument Approach Operations on its Model GVII-G500 and GVII-G600 airplanes.

[FR Doc. 2020-17583 Filed 8-11-20; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Travis County, Texas

AGENCY: Texas Department of Transportation (TxDOT), Federal Highway Administration (FHWA), Department of Transportation.

ACTION: Federal Notice of Intent to prepare an Environmental Impact Statement (EIS).

SUMMARY: The FHWA, on behalf of TxDOT, is issuing this notice to advise the public that an EIS will be prepared for a proposed transportation project to construct two non-tolled managed lanes in each direction along Interstate Highway 35 (I-35) from US Highway 290 (US 290) East to US 290 West/State Highway (SH) 71, and add direct connectors at I-35/US 290 East, in Austin, Travis County, Texas (referred to as the Capital Express Central Project).

FOR FURTHER INFORMATION CONTACT: Adam Kaliszewski, P.E., Transportation Engineer, TxDOT Austin District, 7901 N I-35, Austin, TX 78753; Phone: (512) 832-7183; Email: adam.kaliszewski@txdot.gov.

SUPPLEMENTARY INFORMATION: 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 a Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.

TxDOT will prepare an EIS for proposed improvements to I-35 through the city of Austin, Texas. The project is anticipated to be approximately 8 miles long on I-35, from US 290 East to US 290 West/SH 71.

The EIS will evaluate a range of build alternatives and a no-build alternative. Possible alternatives include lowered sections of managed and general

purpose lanes. Each build alternative would include various operational and safety enhancements that optimize the roadway footprint, and would reconstruct ramps, bridges, and intersections; improve frontage roads; enhance bicycle and pedestrian accommodations; accommodate transit routes; and add direct connectors at I-35/US 290 East.

TxDOT will issue a single Final Environmental Impact Statement and Record of Decision document pursuant to 23 U.S.C. 139(n)(2), unless TxDOT determines statutory criteria or practicability considerations preclude issuance of a combined document.

In accordance with 23 U.S.C. 139, cooperating agencies, participating agencies, and the public will be given an opportunity for continued input on project development. A public scoping meeting is planned for Fall/Winter 2020. Event details are still being determined. An agency scoping meeting will also be held with participating and cooperating agencies. The agency and public scoping meetings will provide an opportunity for the participating/cooperating agencies and public to review and comment on the draft coordination plan, the schedule, and the project purpose and need, as well as providing the opportunity to discuss the range of alternatives and methodologies and level of detail for analyzing alternatives. In addition to the agency and public scoping meetings, public meetings and comprehensive stakeholder engagement will take place and a public hearing will be held. Public notice will be given of the time and place of the meetings and hearing.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction.)

Michael T. Leary,

*Director, Planning and Program Development,
Federal Highway Administration.*

[FR Doc. 2020-17574 Filed 8-11-20; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-1999-6480; FMCSA-2006-24015; FMCSA-2006-24783; FMCSA-2008-0106; FMCSA-2010-0082; FMCSA-2010-0114; FMCSA-2011-0379; FMCSA-2012-0104; FMCSA-2012-0159; FMCSA-2014-0002; FMCSA-2014-0003; FMCSA-2014-0005; FMCSA-2014-0007; FMCSA-2015-0348; FMCSA-2016-0027; FMCSA-2016-0028; FMCSA-2016-0029; FMCSA-2016-0030; FMCSA-2018-0012; FMCSA-2018-0014]

Qualification of Drivers; Exemption Applications; Vision

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to renew exemptions for 32 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these individuals to continue to operate CMVs in interstate commerce without meeting the vision requirement in one eye.

DATES: Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates provided below.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366-4001, fmcamedical@dot.gov, FMCSA, Department of Transportation, 1200 New Jersey Avenue SE, Room W64-224, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m., ET, Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Operations, (202) 366-9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Viewing Documents and Comments

To view comments, as well as any documents mentioned in this notice as being available in the docket, go to <http://www.regulations.gov>. Insert the docket number, FMCSA-1999-6480; FMCSA-2006-24015; FMCSA-2006-24783; FMCSA-2008-0106; FMCSA-2010-0082; FMCSA-2010-0114; FMCSA-2011-0379; FMCSA-2012-0104; FMCSA-2012-0159; FMCSA-2014-0002; FMCSA-2014-0003; FMCSA-2014-0005; FMCSA-2014-0007; FMCSA-2015-0348; FMCSA-2016-0027; FMCSA-2016-0028;

Appendix C

Public Involvement Plan



Final Public Involvement Plan

I-35 Capital Express Central Project I-35 from US 290 East to US 290 West/SH 71

Texas Department of Transportation, Austin District

CSJ Number(s): 0015-13-388

March 2021

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1.1 Introduction

I-35 through the Austin region is home to four of the 100 most congested roadway segments, according to the Texas A&M Transportation Institute's "100 Most Congested Roadways in Texas Summary Report" published in 2020. Number 1 is I-35 from US 290E to SH 71, #12: I-35 from SH 71 to Slaughter Lane, #45: I-35 from Slaughter Lane to SH 45SE, and #70: I-35 from Parmer Lane to US 290E (available at <https://static.tti.tamu.edu/tti.tamu.edu/documents/TTI-2020-9.pdf>).

The I-35 Capital Express Program is part of the Mobility35 Program and comprises 28 miles of I-35 in Travis County. The I-35 Capital Express Program is made up of three, stand-alone projects – North, Central, and South. The I-35 Capital Express Central Project proposes to add two, non-tolled managed lanes in each direction along I-35 from US 290 East to SH 71/Ben White Boulevard and additional flyovers at I-35/US 290 East.

Development of this Public Involvement Plan (PIP) has been informed by Texas Department of Transportation (TxDOT) objectives and goals for public engagement, National Environmental Policy Act requirements, industry best practices and feedback from key stakeholders.

1.2 Vision and Objectives

The vision, objectives and goals for communication and community outreach for I-35 Capital Express Central Project mirror those of the Mobility35 Program. Informative, timely and concise communication is essential for building trust and relationships among the community's numerous and varied stakeholders. Below are the eight key objectives that are part of TxDOT's public involvement policy as well as its vision statement.

1.2.1 Vision

A trustworthy and proactive outreach approach that engages stakeholders and provides relevant and timely information.

1.2.2 Objectives

1. Ensure continued adherence to all regulatory guidelines and policies in compliance with federal and state law and sound public involvement practice;
2. Solicit and encourage proactive public involvement that can be fully integrated into the planning process and incorporated in the various planning activities;
3. Provide opportunities for accurate and timely information on which Texas residents can rely;
4. Establish and maintain TxDOT's reputation as a trusted source of information;
5. Proactively seek early and continuing public input and involvement and be responsive to inquiries and suggestions;

6. Listen to stakeholders when comments are provided and be responsive and accountable to all stakeholders;
7. Energetically adhere to or exceed all applicable TxDOT, state and federal public participation requirements for planning and project implementation; and
8. Use multiple methods to explain TxDOT's processes, priorities and procedures so that the public will have a solid foundation on which to make requests, inquires and suggestions.

1.3 Key Stakeholder Groups and Issues

TxDOT's vision is to be "a forward-thinking leader delivering mobility, enabling economic opportunity, and enhancing quality of life for all Texans." By virtue of its mission, TxDOT must understand the unique needs and concerns of the community affected by and interested in the I-35 Capital Express Central Project to effectively communicate, provide meaningful engagement opportunities and build trust.

The general stakeholder list developed for the I-35 Capital Express Central Project contains a broad cross-section of audiences with a variety of interests. The list reflects the one developed for the overall Mobility35 Program and adds to it based on the unique stakeholders of the I-35 Capital Express Central Project. The following are the key stakeholder groups and their potential issues or areas of concern. Identifying these groups and issues supports the use of the communication tools and tactics identified in Section 1.4 and ensures the engagement of each group in a way that is informed by their potential issues or areas of interest. It also supports the development of informational materials that are relevant to each group. Finally, the groups will be used to update and build out the stakeholder database.

Key Audience	Potential issues/areas of interest
Commuters/Traveling Public	<ul style="list-style-type: none"> ▪ Alternate route information ▪ Expectations for traffic reductions ▪ Impacts to travel lane widths ▪ Change in driving conditions ▪ Impacts to travel time and routes during and after construction ▪ Where and when construction impacts will occur and the ability to choose and utilize an alternate route
Consultants	<ul style="list-style-type: none"> ▪ Engineering/design opportunities
Contractors	<ul style="list-style-type: none"> ▪ MBE/WBE and DBE/HUB opportunities ▪ Opportunities to bid on work

Key Audience	Potential issues/areas of interest
Corridor Businesses/Industries	<ul style="list-style-type: none"> Construction-related impacts to business operations (e.g., noise, visual, lighting impacts) Driveway access Ease of access to businesses for patrons and employees Increased travel times for the delivery and shipping of goods Potential property acquisition
Corridor Property Owners	<ul style="list-style-type: none"> Driveway consolidations/access Impacts on future development potential Historic preservation/historic neighborhoods Permanent impacts to access, ROW, or easements Temporary and permanent construction-related impacts to businesses or residences, including the acquisition of necessary easements or rights of way
Elected Officials	<ul style="list-style-type: none"> Construction-related impacts to constituents Coordination with parallel programs and planning efforts Efficient use of public resources Expectation that work will be completed on time and on budget Funding Impacts and changes to agency practices, procedures and processes including changes related to development and implementation of construction contracts, oversight, and approval and authorization processes Responsiveness of project team to constituents Transparency and public involvement opportunities
Environmental	<ul style="list-style-type: none"> Air Emissions Bike/Ped Erosion control; dust Threatened and endangered species Archeological and historic properties Transit Water quality
Experts/Industry Analysts and Publications	<ul style="list-style-type: none"> Unique design and construction approaches Large-scale highway infrastructure projects Innovative program management approaches Alternative delivery of projects Impacts on the national highway network Measured success of program implementation

Key Audience	Potential issues/areas of interest
General Public	<ul style="list-style-type: none"> Construction delays and long-term construction Construction updates (real-time information from their preferred sources) Equity and inclusivity of the project development process and outcomes Expectation for traffic reductions Expectation that work will be completed on time and on budget Funding (taxpayer dollars) Project benefits Transparency and public involvement opportunities (and outreach fatigue)
Government Agencies (local, regional, state and federal)	<ul style="list-style-type: none"> Competing goals or priorities Construction-related impacts to emergency services and other public services within the agency's jurisdiction Coordination with other planning and construction initiatives Historic preservation Cross-agency coordination Community cohesion Funding opportunities Impacts on schools and school districts Observance of regulations and jurisdictions
Healthcare	<ul style="list-style-type: none"> Air quality Construction-related impacts, such as noise and dust People experiencing homelessness Improving active transportation Water quality
Internal TxDOT Employees	<ul style="list-style-type: none"> Funding Impacts and changes to agency practices, procedures and processes Updates on project and program progress
Land Use Advocacy	<ul style="list-style-type: none"> Affordable and mixed-use housing developments Connectivity Density Development potential Funding Placemaking
Media (as communication resource to the public)	<ul style="list-style-type: none"> Construction impacts Construction progress Deviations from scope, schedule, and budget Regular updates Timely and important program-related information Timely and accurate information Incident/crashes in the work zone

Key Audience	Potential issues/areas of interest
Neighbors & Neighborhoods	<ul style="list-style-type: none"> ▪ Air quality ▪ Access from their neighborhoods ▪ Changes to neighborhoods ▪ Historic neighborhoods/historic properties ▪ Neighborhood street traffic ▪ Noise ▪ Permanent impacts to access, ROW, or easements ▪ Safety
Pedestrians & Bicyclists	<ul style="list-style-type: none"> ▪ Accessibility for mobility and visually impaired individuals ▪ ADA compliant sidewalks and/or shared-use paths ▪ Bicycle Master Plan priorities as they relate to I-35 ▪ Bicycle network connections ▪ Connectivity across I-35 (quantity and quality) ▪ Placemaking ▪ Safe access to transit stops ▪ Separation of bicycle/pedestrian infrastructure from vehicular infrastructure ▪ Sidewalk Master Plan priorities as they relate to I-35 ▪ Sidewalk network connections ▪ Trees/shading ▪ Urban Trails Master Plan priorities as they relate to I-35
Schools & School Districts	<ul style="list-style-type: none"> ▪ Access to and from schools (all modes) during and after construction ▪ Air and noise pollution during construction and with enhanced capacity ▪ Impacts on access
Special Interest Groups	<ul style="list-style-type: none"> ▪ Impacts on/opportunities for their particular constituencies
Tourism & Leisure	<ul style="list-style-type: none"> ▪ Construction impacts including increased travel times, noise, air pollution, lane closures ▪ Impacts to special events, conventions, local tourist spots, etc. ▪ Inconveniences to tourists and visitors
Transit	<ul style="list-style-type: none"> ▪ Bike/Ped improvements ▪ Connectivity ▪ East-west connectivity ▪ Managed land use and access ▪ Park n Ride opportunities ▪ Transit-only infrastructure contingent upon local funding participation

Key Audience	Potential issues/areas of interest
Underserved/ Underrepresented Populations	<ul style="list-style-type: none"> ▪ Accessibility of public engagement and input opportunities ▪ Bicyclists/Pedestrians ▪ Connectivity ▪ Environmental Justice ▪ Economic opportunity/access to employment centers ▪ Health ▪ Availability of information in multiple languages and formats, including the use of interpreters ▪ See Neighbors & Neighborhoods ▪ Transit
Universities & Colleges	<ul style="list-style-type: none"> ▪ Construction-related impacts ▪ Event-related traffic ▪ Partnership opportunities ▪ Transit
Utilities	<ul style="list-style-type: none"> ▪ Drainage ▪ Leveraging funds ▪ Opportunities for initial installation of utility assets ▪ Relocation of assets (cables, lines, etc.) ▪ Service interruptions

1.4 Communication Tools and Tactics

The tools are the means and methods by which outreach (communications out) and engagement (communications in) efforts are made. The tactics are strategic approaches to conducting these efforts. The communication tools and tactics identified in this section should be viewed as a menu of options to communicate and engage with public stakeholders.

- **Project Website**

TxDOT has established a dynamic and engaging website for the I-35 Capital Express Central Project at www.My35CapEx.com. The website will provide accessible, up-to-date project information, meeting materials, environmental documents and contact information, among other elements. It may also support digital engagement mechanisms. All outreach materials will encourage stakeholders to visit the website for more information.

- **Notice of Intent**

TxDOT published a Notice of Intent (NOI) in the Federal Register on August 12, 2020, and in two local newspapers, the *Austin American-Statesman* and *El Mundo*, on August 20, 2020.

- **Scoping Meetings**

TxDOT will host scoping meetings for the public and agencies. Scoping is an open process, involving the public and other federal, state and local agencies, conducted to

identify the major and important issues for consideration during the development of an Environmental Impact Statement (EIS).

- **Public Meetings/Open Houses**

TxDOT will host public meetings/open houses. Public meetings include informative and interactive exhibits that are colorful and easy to understand. Date and times will be decided based in part on community and stakeholder feedback regarding availability. TxDOT will comply with the requirements in TxDOT's Environmental Compliance Toolkits and Section 106 of the National Historic Preservation Act consultation procedures for public meetings.

- **Targeted Outreach to Vulnerable Populations**

TxDOT will use a variety of notifications about public input opportunities and will provide presentations to neighborhood and civic organizations to ensure project information is relayed in a clear, accessible format and questions are answered. As part of the Community Impacts Assessment, TxDOT will engage organizations and direct representatives of the following populations:

- Minority populations
- Low-income populations
- People with limited English proficiency
- Elderly populations
- Children
- People with disabilities

- **Public Hearing**

TxDOT will host a public hearing. Public hearings provide the public with a venue and opportunity to hear and see information regarding a proposed project. Public hearings serve to encourage and solicit public comment on the location, design and environmental analyses of a project. The project team will comply with the guidance in TxDOT's Environmental Compliance Toolkits for hosting public hearings. The notice for a public hearing may be combined with the Notice of Availability of the Draft EIS.

- **Workshops**

TxDOT will host workshops to encourage community members, including underrepresented and culturally-specific groups, to provide substantive input regarding how they would want the future roadway to look and function within their communities and environmental surroundings. Workshops may be focused on specific topics as determined by public input, such as bicycle and pedestrian improvements, historic preservation, transit improvements or ramping. They may also be location-specific, such as a focus on the decks area, located along I-35 between approximately Airport Boulevard and MLK Jr. Boulevard.

- **Noise Workshops**

TxDOT may host a noise workshop. The FHWA's regulation on highway traffic noise requires that TxDOT conduct a noise study when building new highways or changing or expanding existing ones. Noise abatement measures will be considered based on the findings of the study. A workshop would provide owners of adjacent properties an opportunity to learn about the study and vote on any proposed adjacent noise abatement measures.

- **Working Groups**

TxDOT has established an I-35 Capital Express Central Project Cross-Agency Working Group (CAG). The intent of the CAG is to invite diverse perspectives to the evaluation of concepts, enhance transparency and enable shared agency understanding of design decisions. Membership includes TxDOT (including area offices), the City of Austin Transportation Department, Capital Metro, the Central Texas Regional Mobility Authority (CTRMA), the Capital Area Metropolitan Planning Organization (CAMPO), the Federal Highway Administration (FHWA) in a design-only capacity, the University of Texas and the Downtown Austin Alliance (DAA).

- **Agency and Organization Coordination**

In addition to developing and leading the CAG, TxDOT will provide updates to partnering transportation agencies and governments in the region and multiple cities throughout the corridor. Updates may be provided as a formal presentation during a public meeting, the interagency meeting of the region's five primary transportation agencies, or one-on-one meetings with the agencies and organizations.

- **Executive Leadership Updates**

TxDOT will evaluate a plan for providing updates and collecting feedback from agency executives.

- **Elected Official & Community Leader Briefings**

TxDOT will coordinate meetings with elected officials to provide program and project information and answer questions. TxDOT will maintain a list of elected public officials, individuals and affected interest groups that have expressed an interest in the project. TxDOT will provide a Notice of Availability as part of the EIS to these groups.

- **Meetings with Stakeholders**

TxDOT will coordinate meetings with stakeholders, including corridor neighbors, businesses and community organizations. Outreach will be inclusive of project proponents and opponents.

- **Interactive surveys and comment forms**

TxDOT may use digital surveys, developed using Metroquest or other software, to collect feedback on priorities, specific design alternatives or other issues where feedback can affect the project outcome. The team may also use online comment forms as part of open houses or to collect feedback.

- **Public meeting notifications**

TxDOT will follow the guidance and comply with the requirements for public meeting notifications described in TxDOT's Environmental Compliance Toolkits. Notifications will include, but not be limited to:

- Display ads (full-color and attractive to readers)
- Direct mail invitations
- Electronic and social media, including e-newsletters, website, Twitter, use of third-party communication devices, etc.
- Targeted media relations
- Portable Changeable Message Signs

- **Stakeholder Database**

TxDOT will maintain a database of stakeholders interested in receiving updates about the I-35 Capital Express Central project. The database will include residents, businesses, neighborhood groups, elected officials, professional membership organizations and other stakeholders. The project team will grow the database by offering meeting and event attendees the option to sign up for updates. Visitors to the www.My35CapEx.com website will also have the opportunity to sign up for email updates.

Email Updates

TxDOT will provide regular email updates to the full stakeholder database or segments of the database. TxDOT has created a unique email address for the program, My35CapEx@txdot.gov, and the account will be monitored by the project team. Inquiries will be responded to promptly. TxDOT has established a dedicated project email address to be used to gather official comments during public meetings. The email is CapExCentral@txdot.gov.

- **Notice of Availability**

TxDOT will provide a notice of availability (NOA) to inform the public and NOA recipient that the Draft EIS is available for review. The NOA will be published on TxDOT's website, and copies of the NOA will be provided to CAMPO; affected units of federal, state and local government; and other interested stakeholders. The NOA will also be published in the Federal Register and will be accompanied by a 45-day comment period for the Draft EIS. TxDOT will comply with all requirements for publication and dissemination of the NOA described in TxDOT's Environmental Compliance Toolkits.

- **Media**

TxDOT will promote the widespread dissemination of information by engaging reporters and soliciting media coverage, distributing news releases, coordinating news conferences and special events, and arranging meetings with editorial boards.

Information provided to the media will correspond with opportunities throughout the program.

- **Social Media**

The I-35 Capital Express Central Project will use the TxDOT Austin District's existing Facebook and Twitter accounts to provide up-to-date program and project information.

- **Program Hotline**

TxDOT maintains a 24-hour telephone hotline at (512) 366-3229 for the Mobility35 Program answered during business hours. Outside of business hours, stakeholders will have the ability to leave messages. The hotline makes it possible for program and project team members to respond promptly to comments and questions. Like the email hotline, communications will be documented. Messages may be recorded in English and Spanish, and a bilingual project team member will be available to return phone calls to Spanish-speaking stakeholders.

- **Project Phone Number**

TxDOT has established a dedicated project phone number where the public can reach a project team member to answer questions. The number is (512) 832-7357.

- **Information Distribution via Third Party Groups and Organizations**

TxDOT will conduct outreach to community leaders who can share information via their communication networks. The team may utilize third party groups and organizations to help distribute information via websites and email networks. These could include newsletters and email blasts distributed by the City of Austin (e.g. Mobility Newsletter) and other impacted municipalities, Capital Metro, chambers of commerce, neighborhood groups, religious institutions, etc. Specific opportunities can be identified when stakeholder meetings, briefings and other outreach activities take place.

- **Language Access**

Communication and community engagement materials should be provided in English and Spanish as often as possible. Additionally, TxDOT should have bilingual staff available at public open house events and seek partnership opportunities with local civic organizations that represent diverse stakeholder groups to assist with outreach efforts.

- **Demographic Data**

Whenever possible, TxDOT will ask meeting participants and survey-takers to voluntarily provide demographic data, including age, race/ethnicity, ZIP code, etc. This information will be used to assess public involvement compared with overall demographics for the city and county to ensure a wide cross-section of people are participating.

1.5 Public Engagement Timeline

Figure 1.5.1 depicts the estimated timeline for communication and community engagement activities for the I-35 Capital Express Central project. This timeline is subject to change.



Figure 1.5.1 Public Engagement Timeline