Appendix M: Protected Lands

Individual Section 4(f) Evaluation
Draft Individual Section 4(f) Evaluation

I-35 Capital Express Central Project
From US 290E to US 290W/SH 71
Texas Department of Transportation, Austin District

CSJ Number(s): 0015-13-388

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 12-9-2019, and executed by FHWA and TxDOT.
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1. Introduction with a Description of the Proposed Action

This document is the Draft Section 4(f) Evaluation for the I-35 Capital Express Central Project. This evaluation was prepared by the Texas Department of Transportation (TxDOT) to satisfy the requirements of Section 4(f) of the United States Department of Transportation (USDOT) Act of 1996. In 1983, Section 4(f) of the USDOT Act was codified as 49 United States Code [USC] 303, but this law is still commonly referred to as Section 4(f). This evaluation was also prepared in accordance with the Federal Highway Administration (FHWA) implementing regulations for Section 4(f) codified in 23 Code of Federal Regulations (CFR) Part 774, and the FHWA’s Section 4(f) Policy Paper (July 20, 2012). Properties may only be used if:

1. There is no prudent and feasible alternative to using that land; and
2. The program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

TxDOT is proposing improvements to I-35 from US 290E to US 290W/SH 71 in Travis County for a length of approximately 8 miles. The proposed project would use six parks and recreational areas and seven historic sites, and thus, TxDOT is performing this Individual Section 4(f) Evaluation to satisfy the requirements of Section 4(f).

In addition, this evaluation includes review of Chapter 26 and Section 6(f) resources. Chapter 26 of the Texas Parks and Wildlife Code was established to protect public parks, recreational and scientific areas, wildlife refuges, and historic sites from being used or taken by the state or local public agencies for public projects. Chapter 26 is similar to Section 4(f) of the USDOT Act of 1966 in its requirements, except that (1) a public hearing is required for any use or taking of protected land and (2) the governing body or officer for the property shall consider clearly enunciated local preferences, and the provisions of this evaluation do not constitute a mandatory prohibition against the use of the area if that authority’s findings are made that justify the approval of a program or project. Section 6(f) of the Land and Water Conservation Fund (LWCF) Act of 1965, as amended, (16 USC 4601-4 et seq.) protects recreational lands purchased or improved with LWCF program funds. The public hearing for Chapter 26 requirements will be held concurrently with the I-35 Capital Express Central Project Draft Environmental Impact Statement [DEIS] public hearing.

The proposed improvements include adding two non-tolled High Occupancy Vehicle (HOV) managed lanes in each direction, removing the existing I-35 decks from Airport Boulevard to MLK Jr. Boulevard, and lowering I-35 through downtown between MLK Jr. Boulevard and Holly Street. The project would also reconstruct east-west cross-street bridges, add shared-use paths (SUP), and make additional safety and mobility improvements within the project limits. Seven Section 4(f)-protected parks and recreational areas were evaluated for their potential use by the project. Six are impacted by the proposed project, including: Ann and Roy Butler Hike and Bike Trail, International Shores at Town Lake Metro Park, Waller Beach at Town Lake Metro Park, Edward Rendon Sr. Metro Park at Festival Beach, Norwood Tract at Town Lake Metro Park, and Lady Bird Lake. A seventh park, the Roy G. Guerrero Colorado River Metro Park, was also evaluated for impacts but it was concluded there is no use of this park. There are also seven historic properties that would be impacted, including the Haster House, the Elgin Butler Brick Company (EBBC) Main Office (Austin Chronicle), Dura Tune Service Station, Delwood II Historic District (two contributing resources), the Roberts House, and the Town Lake Park System—Waller Creek to Fiesta Gardens section. The proposed project is listed in the 2045 Capital Area Metropolitan Planning Organization.
In accordance with 23 CFR 774, the following Section 4(f) evaluation provides an explanation stating that there is no feasible and prudent alternative to the use of the Ann and Roy Butler Hike and Bike Trail, International Shores at Town Lake Metro Park_3, Waller Beach at Town Lake Metro Park, Edward Rendon Sr. Metro Park at Festival Beach, Norwood Tract at Town Lake Metro Park, Lady Bird Lake, the historic Town Lake Park System—Waller Creek to Fiesta Gardens section, Dura Tune Service Station, EBBC Main Office, the Haster House, two residences in the Delwood II Historic District, and the Roberts House. The proposed action includes all possible planning to minimize harm to the parks, recreational areas and historic sites listed above and described below resulting from such use. Based on the seven factors for identifying the alternative with the least overall harm, it was determined that Modified Build Alternative 3 would cause the least overall harm in light of Section 4(f)’s preservation purpose. Coordination with the Officials with Jurisdiction (OWJ) for the Section 4(f) properties—the State Historic Preservation Office (SHPO) for historic sites and the COA Parks and Recreation Department (PARD) and The Trail Foundation for parks and recreational areas—is in progress. A Programmatic Agreement (PA) with SHPO is in development to address adverse effects for historic resources, and revisions or updates to Municipal Use Agreement(s) (MUA) with COA are currently being drafted to mitigate park impacts.

The “use” of a protected Section 4(f) property can be classified as a direct use, a temporary occupancy, or a constructive use. In addition, a finding of de minimis impact can be made if the use of a Section 4(f) resource is determined to be minimal. These terms are defined below.

• Direct Use - A direct use of a Section 4(f) resource takes place when the land is permanently incorporated into a transportation facility.

• Temporary Occupancy - A temporary occupancy results in a use of a Section 4(f) property when there is a temporary impact to the Section 4(f) property that is considered adverse in terms of the preservationist purposes of the Section 4(f) statute. Temporary Occupancy refers to a use caused by a temporary incorporation of land for the purpose of project construction-related activities. In compliance with 23 CFR 774.17 and according the TxDOT Environmental Guidance and Toolkit, temporary occupancy must meet the following conditions:
  o The occupation must be for less time than that needed for construction of the project.
  o The ownership of the land must not change during the project.
  o The scope of the work must be minor.
  o There are no anticipated, permanent, physical, adverse impacts nor any temporary or permanent interference with the protected activities, features, or attributes of the property.
  o The Section 4(f) property being used must be fully restored [property must be returned to a condition at least as good as that which existed prior to the project].
  o There must be documented agreement among all OWJ over the Section 4(f) property regarding the above conditions.
• **Constructive Use** - Constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only when the protected activities, features, or attributes of the resource are substantially diminished.

• **De Minimis** - A finding of *de minimis* impact may be made for historic sites when no historic property is affected by the project or the project will have “no adverse effect” on the historic property in question. For parks, recreation areas, and wildlife and waterfowl refuges, a finding of *de minimis* impact may be made when impacts will not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f). A *de minimis* impact finding may be made without the evaluation of avoidance alternatives typically required in a Section 4(f) evaluation.

2. **Description of the Proposed Action**

2.1. **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 and 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 people who walk and bicycle, emergency responders, and transit.

2.2. **Project Location and Logical Termini**

The proposed project is located in Travis County in an urban setting. Land use in the vicinity of the project area is highly developed and comprised of a variety of property types including commercial (large shopping and office/retail centers, car dealerships, hotels/motels, restaurants, municipal buildings), churches, hospitals/healthcare providers, schools, parks, residential (single-family residential and multifamily apartment and condominium complexes), and a few undeveloped parcels.

Federal regulations require that federally funded transportation projects have logical termini [23 CFR §771.111(f)(1)]. The proposed project would begin at US 290E on the north, and end at US 290W/SH 71 on the south. The limits of the project meet the logical termini requirements per FHWA guidelines by demonstrating major traffic generation to and from I-35. Both of these interchanges are points of major traffic generation. The US 290E terminus represents a complex and critical hub for north Austin, as it is an east/west connecting segment for I-35 users who want to divert eastbound to US 290 to access parallel north/south regional alternative routes such as SH 130 and US 183. The US 290W/SH 71 terminus is a heavily travelled interchange which provides I-35 users an opportunity to travel east/west. This interchange connects I-35 users east to Austin-Bergstrom International Airport (ABIA) via SH 71. This eastbound route is a primary alternative route for
connecting to other parallel north/south regional routes including US 183 and SH 130 (around downtown Austin) as well as connecting users further east to Bastrop County. Additionally, this interchange connects I-35 users to US 290W and SH 71 westbound, which provides access for alternative routes connecting to other parallel north/south regional routes including MoPac and Loop 360 (around downtown Austin). This westbound regional route connects users to Burnet County, Hays County, Blanco County, and beyond. Transition zones for Build Alternative 2 and Modified Build Alternative 3 would be from US 290E to Camino La Costa on the north end, and from US 290W/SH 71 to Teri Road on the south end. These would be used for work within the right of way (ROW) to connect to the I-35 Capital Express North and South projects.

2.3. Proposed Action

The existing facility within the project limits is an access-controlled urban interstate. Beginning at the southern limit, US 290W/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. At Lady Bird Lake, the Ann and Roy Butler Hike and Bike Trail crosses underneath the I-35 corridor and connects to the northbound I-35 frontage road on the northeast quadrant of I-35 and Lady Bird Lake for users crossing the lake. 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 four 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 290E, I-35 includes four barrier-separated mainlanes in each direction. The roadway here 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 SUP cross the corridor at some locations within the downtown area of the project, defined as the area 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 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.

The proposed improvements include the removal of the existing I-35 decks from Airport Boulevard to MLK Jr. Boulevard, lowering the roadway, and adding two HOV managed lanes in each direction. The project would also reconstruct east-west cross-street bridges, add SUPs, and make additional safety and mobility improvements within the project limits. TxDOT, in coordination with the COA and the University of Texas (UT), is designing the project to accommodate future potential deck cap locations that would cover sections of the main and HOV lanes of I-35 and provide community enhancement opportunities in those areas. The COA is currently evaluating potential deck caps between Cesar Chavez Street and 8th Street. UT is evaluating potential deck cap areas between Dean Keeton Street and 15th Street. In addition, “stitches,” or enhancements and amenities located along east-west bridges, are being evaluated at several locations. Deck plazas and stitches would be designed, paid for, and constructed by others.

In addition, this project will make improvements to the drainage system including potential drainage tunnels and outfall sites. These major drainage systems generally consist of large box culverts and pipes with segments installed by a mixture of open cut, bore, and tunnel. The proposed roadway improvements for both build
alternatives will lower the roadway profile below existing grade for long segments north and south of Lady Bird Lake (for approximately 6.3 miles), which will sever multiple drainage systems connected to Harpers Branch, Lady Bird Lake, Colorado River, Waller Creek, and Boggy Creek. Thus, new storm drain systems are required to drain both on-site and off-site runoff that will have been severed from its existing outfall. The new major drainage systems can generally be described as: new storm drains along both frontage roads and mainlanes extending roughly 5,000 feet from the existing Harper’s Branch outfall near Lady Bird Lake to just north of Oltorf Street; new storm drain tunnel system extending roughly 9,000 feet along east I-35 ROW from Lady Bird Lake to near 15th Street; new storm drain tunnel systems extending roughly 14,500 feet along west I-35 ROW from multiple Waller Creek outfalls near 3rd, 9th, and 15th streets to near Hancock Center, north of 41st Street; new storm drain tunnel system extending roughly 9,000 feet along Cesar Chavez Street from the Colorado River downstream of Longhorn Dam to I-35; new storm drain/tunnel system extending roughly 4,000 feet from the Clarkson Branch of Boggy Creek to I-35 via 38th ½ Street and north to Hancock Center; and a new storm drain extending roughly 2,000 feet from Boggy Creek to the west side of I-35 via a crossing located just north of Airport Boulevard. Currently, a tunnel is proposed beginning at the Colorado River, downstream from Longhorn Dam, that would run west beneath Cesar Chavez Street below existing grade to I-35. These drainage features, except for the Cesar Chavez tunnel outfall, would be bored, beneath TxDOT and COA ROW rather than installed via cut-and-cover, to minimize surface impacts.

2.4. Description of Build and No Build Alternatives

2.4.1 Build Alternative 2

Build Alternative 2 is approximately 8 miles along I-35. The northern limit is 1,500 feet north of US 290E and the southern limit is 1,000 feet south of the US 290W/SH 71. Build Alternative 2 would provide two lowered HOV managed lanes and lowered mainlanes in each direction between Airport Boulevard and Cesar Chavez Street, and between Riverside Drive and Oltorf Street. Both HOV managed/transit lanes and mainlanes are lowered one level below frontage roads and cross streets (short, tunneled sections may be included at select locations to accommodate deck plazas and minimize ROW needs and displacement impacts). This alternative would also add direct connectors at I-35 and US 290E to enhance mobility at this high-volume interchange and to facilitate the transition to one HOV managed lane in each direction north of US 290E. The I-35 direct connectors would extend approximately 1,000 feet east of I-35 along US 290E where they would tie into the US 290E eastbound (EB) and westbound (WB) lanes. No additional ROW would be required along US 290E. Other improvements include a single point urban interchange (SPUI) at Airport Boulevard and elevated mainlanes and HOV managed lanes over Holly Street.

The typical section for Build Alternative 2 generally consists of four mainlanes, two managed, and three frontage road lanes in each direction. Excluding ramps, lane widths are typically 11 feet. Vertically, the mainlanes and HOV managed lanes are typically depressed while the frontage roads are held at grade. Ten-foot SUP are typically provided along the outside of the frontage roads in both the NB and SB directions.

Toll lanes were not considered because Texas is currently in a non-tolled environment under the 2023 UTP (TxDOT 2023). The current project incorporates HOV managed lanes. An HOV lane, sometimes called a carpool lane, is a type of managed lane reserved for the use of carpools, vanpools, and transit vehicles. HOV managed lanes save time for carpoolers and transit riders by enabling them to bypass traffic. For Build Alternative 2, the
HOV designation would allow carpools of two or more occupants to access the HOV managed lanes. TxDOT, in coordination with the COA and the UT, is designing the project to accommodate potential caps, or deck plazas, that would cover sections of the main and HOV managed lanes of I-35 and provide community enhancement opportunities in these areas. The COA is evaluating deck plazas between 4th Street and 8th Street, and UT is evaluating locations between Dean Keeton Street and MLK Jr. Boulevard on the west side of I-35 (no additional ROW is required for this location). The COA is also evaluating stitches, or areas where enhancements and amenities could be added along east-west bridges, at 11th Street, 12th Street, 15th Street, and 38th ½ Street.

For Build Alternative 2, 8 to 10-foot-wide SUP would parallel the I-35 frontage roads on both the NB and SB sides from US 290E to north of Woodward Street, with crossings provided at: US 290E, Airport Boulevard, 38th ½ Street, 32nd Street, Dean Keeton Street, Manor Road, MLK Jr. Boulevard, 15th Street, 12th Street, 11th Street, 8th Street, 7th Street, 6th Street, 5th Street, Cesar Chavez Street, Holly Street, Riverside Drive, Woodland Avenue and SH 71. Four pedestrian/bike-only bridges would be located north of 51st Street, south of Airport Boulevard (at the CapMetro Red Line crossing), 4th Street, and Lady Bird Lake.

Bypass lanes would allow travelers to bypass signalized intersections. Bypass lanes provided in the SB direction for Build Alternative 2 are:

- Under 51st Street
- Under Airport Boulevard
- Under MLK Jr. Boulevard
- Under 15th Street, 12th Street, and 11th Street from just south of 11th Street, a driver could access a bypass lane to travel under 8th, 7th, 6th, 5th, and Cesar Chavez Streets before reconnecting with the frontage road south of Cesar Chavez Street.
- From 3rd Street under Cesar Chavez Street
- Under Riverside Drive and under Woodland Avenue

Bypass lanes in the NB direction are:

- Under 51st Street
- Under Airport Boulevard
- Under MLK Jr. Boulevard
- Under 11th and 12th Streets
- Heading NB on the frontage roads, a driver could access the bypass lane just north of Lady Bird Lake and travel continuously over Holly Street and under Cesar Chavez Street
- Under Riverside Drive and Woodland Avenue

Entrances to the HOV managed lanes are located:

- From WB US 290 East to I-35 (SB);
• From SB frontage road at 40th Street (SB);
• From SB bypass lane at Woodland Avenue (SB);
• From NB bypass lane at MLK Jr. Boulevard (NB); and
• From NB frontage road at 32nd Street (NB).

Exit ramps from the HOV managed lanes are located:
• Airport Boulevard (NB);
• Woodland Avenue (NB);
• MLK Jr. Boulevard (SB); and
• 32nd Street (SB).

Build Alternative 2 requires approximately 45.1 acres of additional ROW resulting in 291 potential displacements. Temporary and permanent easements would be required in the amount of approximately 3 acres for construction staging, and approximately 25 acres of Lady Bird Lake open water and shoreline, which would be restricted from recreation during construction to allow for movement of equipment.

2.4.2 **Modified Build Alternative 3**

Modified Build Alternative 3 would also provide two lowered HOV managed lanes and lowered mainlanes in each direction between Airport Boulevard and Cesar Chavez Street, and between Riverside Drive and Oltorf Street. Both HOV managed/transit lanes and mainlanes are lowered one level below frontage road and cross streets (short, tunneled sections may be included at select locations in order to accommodate deck plaza caps and minimize ROW needs and displacement impacts). This alternative would differ from Build Alternative 2 in that mainlanes and HOV managed lanes would be lowered at Holly Street with only the NB bypass lanes elevated at this location. It would provide a SPUI at Airport Boulevard (like Build Alternative 2) and would provide an additional SPUI at East Riverside Drive, as well as a pedestrian/bicycle bridge at Woodland Avenue. For Modified Build Alternative 3, frontage road would be shifted to the east between Dean Keeton Street and 15th Street and then to the west between 15th Street and Cesar Chavez Street, to create boulevard sections. This alternative converts 8th Street from one-way WB to one-way EB and 7th Street from one-way EB to two-way.

The typical section for Modified Build Alternative 3 generally consists of four mainlanes, two managed, and three frontage road lanes in each direction. Excluding ramps, lane widths are typically 11 feet. Vertically, the mainlanes and HOV managed lanes are typically depressed, while the frontage roads are held at grade. Frontage roads are situated along the outside of the corridor except between Dean Keeton Street and Cesar Chavez Street where they combine to form a boulevard section above the mainlanes. Ten-foot SUP are typically provided along the outside of the frontage roads in both the NB and SB directions.

Modified Build Alternative 3 requires approximately 41.7 acres of additional ROW and 107 potential displacements. Temporary and permanent easements would be required in the amount of approximately 3 acres for construction staging, and approximately 25 acres of Lady Bird Lake open water and shoreline, which would be restricted from recreation during construction to allow for movement of equipment.
For Modified Build Alternative 3, the COA is evaluating deck plazas between Cesar Chavez Street and 8th Street, and UT is evaluating locations between Dean Keeton Street and MLK Jr. Boulevard on the west side of I-35 (no additional ROW is required for this location). Stitches are being evaluated at the CapMetro Red Line crossing south of Airport Boulevard, Wilshire Boulevard, 38th ½ Street, 32nd Street, 12th Street, 11th Street, Holly Street, and Woodland Avenue. Deck plazas and stitches would all be built and funded by others.

For Modified Build Alternative 3, eight- to ten-foot-wide SUP would parallel the I-35 frontage roads on both the NB and SB sides from US 290E to just north of Woodward Street, with crossings provided at: US 290E, Airport Boulevard, Wilshire/41st Street, 38th ½ Street, 32nd Street, Dean Keeton Street, Manor Road, MLK Jr. Boulevard, 12th Street, 11th Street, 7th Street, 5th Street, Cesar Chavez Street, Holly Street, Riverside Drive, and SH 71. Eight pedestrian/bicycle-only bridges would be located north of 55th Street, south of Airport Boulevard (at the CapMetro Red Line crossing), next to MLK Jr. Boulevard, north of 15th Street, 4th Street, 3rd Street, Lady Bird Lake, and Woodland Avenue.

Like Build Alternative 2, Modified Build Alternative 3 would also require improvements to the drainage system, including several new major drainage systems and outfall sites.

Bypass lanes would allow travelers to bypass signalized intersections. Bypass lanes provided in the SB direction for Modified Build Alternative 3 include:

- Under 51st Street;
- Under Airport Boulevard;
- Under Wilshire/41st Street;
- Under MLK Jr. Boulevard;
- Under 15th Street, 12th Street, and 11th Street;
- Under Cesar Chavez and Holly Streets; and
- Under Riverside Drive.

Bypass lanes NB direction:

- Under Airport Boulevard;
- Under Wilshire/41st Street;
- Under 11th Street and 12th Street;
- Over Holly Street and under Cesar Chavez Street; and
- Under Riverside Drive.

The entrances for the HOV managed lanes would be:

- North of Airport Boulevard (SB);
- Woodland Avenue (SB);
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2.4.3 No Build Alternative

The No Build Alternative is still an option on the table for approval and is being carried forward as a baseline for comparison. At the end of the DEIS, if the TxDOT Environmental Affairs Division decides that the No Build Alternative is the Preferred Alternative, I-35 would continue to exist as it does today and would continue to have standard, routine maintenance. By 2045, I-35 traffic within the project limits is expected to reach 303,700 vehicles per day (vpd), an increase of approximately 47 percent since 2019—according to traffic projections based on TxDOT-approved 2030 and 2050 Annual Average Daily Traffic (AADT) forecasts—and safety and mobility would continue to decline as population increases. In addition, the proposed bicycle/pedestrian facilities would not be constructed. While it is assumed other transportation improvement projects in the UTP, RTP, and TIP would be implemented with the No Build Alternative, none of these would address the purpose and need for this project; the need for the project would still exist with the No Build Alternative. Although it does not meet the need and purpose of the project, the No Build Alternative was carried through the environmental impact analysis to assess the impacts of no action as a comparison to the Build Alternatives, as required by NEPA.

3. Description of Section 4(f)/Section 6(f) Properties

3.1 Parks/Recreation Areas

This section provides a description of the seven Section 4(f) parks and recreational area properties including 2 Section 6(f) properties also being covered under this evaluation: the Ann and Roy Butler Hike and Bike Trail, International Shores at Town Lake Metro Park, Edward Rendon Sr. Metro Park at Festival Beach, Roy G. Guerrero Colorado River Metro Park, Norwood Tract at Town Lake Metro Park, and Lady Bird Lake.

Section 6(f) of the LWCF Act prohibits the conversion of property acquired or developed with grants under the LWCF Act, as allocated by the Texas Parks and Wildlife Department (TPWD), to a non-recreational site without the approval of the United States Department of the Interior (USDOI) National Park Service (NPS). Two parks in the project area, Edward Rendon Sr. Metro Park at Festival Beach and Waller Beach at Town Lake Metro Park, are Section 6(f)-protected resources. Section 6(f) directs USDOI to ensure that replacement lands of equal value, location, and usefulness are provided as conditions to such conversion.
3.1.1 Ann and Roy Butler Hike and Bike Trail (15 miles)

The Ann and Roy Butler Hike and Bike Trail is a 15-mile trail system that circles Lady Bird Lake. According to the COA PARD Interactive Map, the trail extends as far west as the MoPac Expressway and as far east as South Pleasant Valley Road. The trail is owned by the COA and managed by both the COA and Trail Foundation. The trail is used both recreationally and as an alternative transportation route for the urban core. The trail sees 4.9 million visitors per year and is Austin’s most popular recreational area. Users of the trail pass by neighborhoods, skyscrapers, cultural attractions, and parks all while being surrounded by beautiful scenery and a natural habitat. The trail has many access points throughout the COA and can be accessed by foot, bike, car, and transit.

The following five parks are connected to the Ann and Roy Butler Hike and Bike Trail system and are being reviewed under this Section 4(f) Evaluation:

- International Shores at Town Lake Metro Park
- Waller Beach at Town Lake Metro Park
- Edward Rendon Sr. Metro Park at Festival Beach
- Roy G. Guerrero Colorado River Metro Park
- Norwood Park at Town Lake Metro Park

Many park facilities exist along the Ann and Roy Butler Hike and Bike Trail. The following are listed in a clockwise direction on the trail starting at the I-35 bridge over the northern side of Lady Bird Lake, with the first being located in Edward Rendon Sr. Metro Park at Festival Beach. See the maps in Attachment A for the locations of the listed facilities.

1. ATX MetroBike station on S. Lakeshore Boulevard (2200 S. Lakeshore Blvd, Austin, TX 78741)
2. The Boardwalk at Lady Bird Lake
3. Pfluger Pedestrian Bridge
4. ATX Metrobike station on W Riverside Drive (1201 W Riverside Dr, Austin, TX 78704)
5. Barton Creek Pedestrian Bridge
6. Lou Neff Point
7. North Shore Overlook
8. Opossum Temple and Voodoo Pew
9. Odom Pavilion (100 Lance Armstrong Bikeway, Austin, TX 78701)
10. Waller Creek Boathouse (74 Trinity St, Austin, TX 78701)

According to The Trail Foundation (https://thetrailconservancy.org/) several improvements (not listed above) are planned, including boardwalk benches, Drake Bridge (1st Street Bridge) Commons, Rainey Street Trailhead, Butler Shores exercise equipment enhancements, and the Holly Project.

The COA and TxDOT have an MUA from 1977, which allows the COA to use the area under the I-35 bridges over the northern side of Lady Bird Lake. Currently, this area is being used primarily for parking and for access to Easts.
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Avenue. TxDOT also has an MUA from 2013 that allows the COA to use the area under the I-35 bridges over the southern bank of Lady Bird Lake. This south bank area of Lady Bird Lake within TxDOT ROW is currently used as a public hike and bike trail (Boardwalk Trail). The Ann and Roy Butler Hike and Bike Trail passes through the MUA area under the I-35 bridge.

The existing I-35 frontage road bridges over Lady Bird Lake each include a sidewalk that is separated from vehicular traffic with a barrier. These sidewalks are primarily used for transportation and are integral parts of the local transportation system; therefore, the requirements of Section 4(f) do not apply to them as they are not recreational areas. See FHWA Policy Paper at Question 15A (https://www.environment.fhwa.dot.gov/legislation/section4f/4fpolicy.aspx - fn23). However, in recognition of the fact that these sidewalks provide connectivity to the Ann and Roy Butler Hike and Bike Trail on both sides of the lake, the fact that the COA has included these sidewalks in its map of the Ann and Roy Butler Hike and Bike Trail (see https://www.austintexas.gov/sites/default/files/files/Parks/GIS/AnnRoyButlerTrailUpdate.pdf), the exceptional recreational importance and heavy public use of the Ann and Roy Butler Hike and Bike Trail (4.9 million visitors per year), and because TxDOT is already doing this individual Section 4(f) for other properties, TxDOT has conservatively elected to include these sidewalks in this Section 4(f) evaluation as if they were subject to Section 4(f).

3.1.2 International Shores at Town Lake Metropolitan Park_3 (approximately one acre)

Located at 1300 E Riverside Drive, Austin, Texas, International Shores at Town Lake Metropolitan Park_3 (International Shores_3) is an approximately one-acre easement located on the southeast side of the I-35 bridge over Lady Bird Lake on the Berkshire Riverview Apartments property (Travis Central Appraisal District [TCAD] ID: 799616). According to the COA’s PARD Interactive Map, this easement extends as far west as the I-35 bridge and as far east as the Berkshire Riverview Apartments. The principal purpose of this easement is to provide an access point to and from the Ann and Roy Butler Hike and Bike Trail loop along Lady Bird Lake from the portion of the trail along the I-35 northbound frontage road. See Photos 1–3 in Attachment B for a visual of this connectivity. No other facilities or amenities are located within the easement.

This easement is accessible via several transportation modes. Vehicle transportation to the area via East Riverside Drive and I-35 is possible but parking is not available. The closest parking available is located on the north side of the lake under the I-35 bridge. The main way to access the easement is via the Ann and Roy Butler Hike and Bike Trail. The park is also accessible via three CapMetro routes: 7, 20, and 483.

3.1.3 Waller Beach at Town Lake Metro Park (approximately 28 acres)

Located at 30 East Avenue, Austin, Texas, Waller Beach at Town Lake Metro Park (Waller Beach Park) is an approximately 28-acre park situated on the northwest side of the I-35 bridge over Lady Bird Lake, south of downtown Austin. Owned by the COA, Waller Beach Park follows along the north side of Lady Bird Lake and extends as far west as South Congress Avenue and as far east as I-35 ROW. The TCAD IDs for the park parcels are: 192810, 190751, 190772, 190791, 190772, 190788, 190753, 190764, 190763, 190762, 190761, 190760, 190759, 499203, 499201, and 188025. Waller Beach Park received LWCF funds and is a Section 6(f) resource. The park is well used by joggers, kayakers, cyclists, and wildlife watchers. The park is connected to several others through the Ann and Roy Butler Hike and Bike Trail. While the park boundaries end at the I-35
ROW, conveyance of the trail from one park to the other is permitted within the ROW beneath the I-35 bridge over Lady Bird Lake by a 1977 MUA between the COA and TxDOT.

Waller Beach Park is accessible via several transportation modes. Vehicle transportation to the park is possible via I-35 and East Avenue, Cummings Street, and West Cesar Chavez Street. Pedestrians and bicyclists are able to access the park via the Ann and Roy Butler Hike and Bike Trail, Congress Avenue, Trinity Street, Rainey Street, the Waller Creek Greenbelt Trail, Cummings Street, and East Avenue. The park is accessible via four CapMetro routes: 17, 322, 490, and 493.

A few amenities are located in the park near the project area around the I-35 bridge, including a boat ramp, a picnic table, on-street parking on East Avenue, and parking under the I-35 bridge. See Photos 4-7 in Attachment B for pictures of the amenities in the park. Several facilities exist in Waller Beach Park that are listed below. See the maps in Attachment A for the locations of the listed facilities.

1. Waller Creek Boathouse (74 Trinity St, Austin, TX 78701)
2. Emma S. Barrientos Mexican American Cultural Center (600 River St. Austin, Texas 78701)
3. East Avenue
4. Boat ramp under I-35 southbound mainlanes
5. Boat ramp located approximately 500 feet south of Holiday Inn located at 20 N I-35, Austin, Texas

East Avenue is a park road located within Waller Beach Park. Within the park, East Avenue extends from Cummings Street to the I-35 ROW at the bridge over Lady Bird Lake. As a park road, East Avenue provides public access to Waller Beach Park along this section of Lady Bird Lake’s north shore and is considered a park facility.

A planned project, the Rainey Street Trailhead, is slated to begin construction in the fall of 2023. The project, which is pending site development permits from the COA, would be located in Waller Beach Park on the corner of Cummings Street and East Avenue. This space will better connect the Rainey Street District and the Ann and Roy Butler Hike and Bike Trail. The planned area will include a seating area, open lawn space, a play area, native plantings, and paths to the Hike and Bike Trail (https://www.austintexas.gov/department/rainey-street-trailhead-park-improvements).

3.1.4 Edward Rendon Sr. Metro Park at Festival Beach (approximately 73 acres)

Edward Rendon Sr. Metro Park at Festival Beach (Edward Rendon Park) is an approximately 73-acre park located at 2101 Jesse E. Segovia Street, Austin, Texas on the northeast side of the I-35 bridge over Lady Bird Lake. According to the COA’s PARD Interactive Map, Edward Rendon Park follows along the north side of Lady Bird Lake from I-35 to the Holly Street Power Plant at 2401 Holly Street. TCAD IDs for park parcels are: 187327, 282816, 282817, 282818, 187453, 187454, 187455, 187460, 187459, 187451, 187452, 187485, 187488, 187487, 187486, 187497, and 283139. The park is owned by the COA and is used for events, picnics, fishing, and for its trails and is a Section 6(f) resource. The park is connected to several other parks along Lady Bird Lake through the Ann and Roy Butler Hike and Bike Trail. While the park boundaries end at the I-35 ROW, conveyance of the trail from one park to the other is permitted within the ROW beneath the I-35 bridge over Lady Bird Lake by a 1977 MUA between the COA and TxDOT.
Edward Rendon Park is accessible via several transportation modes. Vehicle transportation to the park is possible via I-35 and East Avenue, Nash Hernandez Senior Road, Comal Street, Chicon Street, Jesse E. Segovia Street, Robert T. Martinez Street, and Riverview Street. Pedestrians and bicyclists are able to access the park via the Ann and Roy Butler Hike and Bike Trail, Waller Street, Comal Street, Chicon Street, Jesse E. Segovia Street, Anthony Street, Robert T. Martinez Street, and Riverview Street. The park is accessible via three CapMetro bus routes: 322, 490, and 493.

A few amenities are located in the park near the project area around the I-35 bridge, including eight picnic tables and a bench. See Photo 8 in Attachment B for a picture of park amenities. Several facilities exist in Edward Rendon Park that are listed below. See the maps in Attachment A for the locations of the listed facilities.

1. East Avenue
2. Nash Hernandez Building (1621 Nash Hernandez Senior Rd, Austin, TX 78702)
3. Martin Neighborhood Pool
4. A playground directly adjacent to the Martin Neighborhood Pool
5. Picnic shelter area (10 Chicon St, Austin, TX 78702)
6. Fiesta Gardens Pavilion
7. Fiesta Gardens Building (2101 Jesse E. Segovia St, Austin, TX 78702)
8. The Expedition School, a COA-contracted facility that provides kayaking, paddling, canoeing, and other programs (Boat Ramp, Nash Hernandez Senior Rd, Austin, TX 78702)
9. Lorraine “Grandma” Camacho Activity Center (35 Robert T, Robert T Martinez Jr St, Austin, TX 78702)
10. Central Austin Youth League (2201 Riverview St, Austin, TX 78702)
11. Five baseball fields

East Avenue is a park road located within Edward Rendon Park. Within the park, East Avenue extends from I-35 ROW at the bridge over Lady Bird Lake to Nash Hernandez Senior Road. As a park road, East Avenue provides public access to Edward Rendon Park along this section of Lady Bird Lake’s north shore and is considered a park facility.

The Nash Hernandez Building, as well as other facilities, are included in the Holly Shores/Edward Rendon Sr. Metropolitan Park at Festival Beach Master Plan. The Nash Hernandez Building is planned to be used as a community facility; however, a specific use is not currently known. The Fiesta Gardens Building is slated for rehabilitation; however, a schedule has not been determined.

3.1.5 Roy G. Guerrero Colorado River Metro Park (approximately 400 acres)

Located at 400 Grove Boulevard, Austin, Texas, Roy G. Guerrero Colorado River Metro Park (Roy G. Guerrero Park) is an approximately 400-acre park located on the southern shores of the Colorado River and to the east of South Pleasant Valley Road. According to the COA’s PARD interactive map, the park extends as far west as South Pleasant Valley Road and as far east as US 183. The TCAD IDs for this park are: 187625, 283146, 283145, 287813, 283147, 283148, 287931, 287927, 283889, 283887, 283902, 285053, 363711, 285512, and...
The park is owned by the COA and is used for softball and baseball, volleyball, field sports, disc golf, and picnicking. Additionally, several playgrounds and trails are located in the park. The park is connected to several other parks along Lady Bird Lake through the Ann and Roy Butler Hike and Bike Trail.

Roy G. Guerrero Park is accessible via several transportation modes. Vehicle transportation to the park is possible via South Pleasant Valley Road or Grove Boulevard. Pedestrians and bicyclists are able to access the park via the Ann and Roy Butler Hike and Bike Trail, South Pleasant Valley Boulevard, and Grove Road. Roy G. Guerrero Park is accessible via the 300 CapMetro bus route.

Several amenities are located in the park. See the maps in Attachment A for the locations of the listed facilities.

1. Krieg Fields Softball Complex (515 S Pleasant Valley Rd, Austin, TX 78741)
2. Austin Public Safety Wellness Center (517 S Pleasant Valley Rd, Austin, TX 78741)
3. Mixed Use Field
4. Krieg Field Volleyball Courts
5. Top Secret Beach
6. Roy G. Guerrero Disc Golf Course
7. Batting Cage
8. Montopolis Youth Sports Complex (800 Grove Blvd, Austin, TX 78741)
9. Secret Beach
10. Roy Guerrero Metropolitan Park Plaza
11. Playground
12. Eastside Trails BMX Track
13. Montopolis Community Forest Reserve

A project to stabilize the Colorado River's channels along the park is underway and is expected to be complete in the summer of 2024 (https://www.austintexas.gov/department/roy-g-guerrero-park-channel-stabilization). 

3.1.6 Norwood Tract at Town Lake Metro Park (approximately 10 acres)

Located at 1012 Edgecliff Terrace, Austin, TX 78704, the Norwood Tract at Town Lake Metro Park (Norwood Park) is an approximately 10-acre park located on the southwest side of the I-35 bridge over Lady Bird Lake. The TCAD IDs for the park parcels are: 283007, 283008, 188021, 188020, 188019, 188018, 188017, 283016, 283015, 283014, 283025, 283024, 283023, 283022, 283019, 283021, 283020, and 283009. The park is owned by the COA and offers an off-leash dog park and is home to the Norwood House. The park has unique views over the Colorado River and of Austin's cityscape. See the maps in Attachment A for the locations of the two facilities and Photo 9 in Attachment B for a picture of the park.

The Norwood House is a COA Historic Landmark, but it is not listed in the National Register of Historic Places (NRHP). The Norwood House is planned to undergo renovations (pending additional funding) and will serve as a space for community gatherings and events. It is estimated that the event space will be booked up for a year in
advance. The dog park is the primary use of the park currently; however, it is anticipated that the park’s usage will increase once renovations to the Norwood House are complete. The property will be treated as a Section 4(f) resource and will be included in the PA with SHPO (in development) that will have a stipulation for buildings that are rehabbed/renovated and need to be reevaluated under Section 106 based on the changes.

Norwood Park is accessible via several transportation modes. Vehicle transportation to the park is available via East Riverside Drive and Edgecliff Terrace. Pedestrians and bicyclists are able to access the park through the Ann and Roy Butler Hike and Bike Trail, Alameda Drive, and Travis Heights Boulevard. The park is accessible via four CapMetro bus routes: 7, 20, 483, and 935.

3.1.7 **Lady Bird Lake (approximately 485 acres)**

Lady Bird Lake is an approximately 485-acre artificial lake on the Colorado River that stretches through the south side of Austin’s downtown. The lake is primarily used for flood control, stormwater management, industrial water supply, and restricted recreational purposes (no swimming and no motorboats are permitted on the lake). Therefore, the Lady Bird Lake is being treated as a recreational area protected by Section 4(f). The lake was formed after the construction of the Longhorn Dam, located at the South Pleasant Valley Road bridge over the lake. According to the PARD viewer, Lady Bird Lake spans as far west as the Tom Miller Dam and as far east as the Longhorn Dam (South Pleasant Valley Road). Two parcels exist on the lake: The TCAD ID’s are 190737 and 190731 and they are located on the south banks of the lake between South 1st Street and Congress Avenue. No other parcels are on the lake. Lady Bird Lake is owned by the COA and is used for its surrounding trail system, kayaking, canoeing, and stand up paddleboarding.

Access points for watercraft are located at a boat ramp to the southeast of Austin High School, the Waller Creek Boathouse (owned by the COA and operated by the Austin Rowing Club) at 74 Trinity Street, Austin, Texas, a boat ramp south of the Holiday Inn Hotel located west of the I-35 bridge over the lake, a boat ramp located under the I-35 bridge on the northern shores of Lady Bird Lake, and a boat ramp located at Festival Beach near The Expedition School on Nash Hernandez Senior Road. See the maps in Attachment A for the locations of these facilities. Several businesses on the lake have shoreline access and offer watercraft rentals. Shoreline access to the lake is available throughout the lake via the Ann and Roy Butler Hike and Bike Trail. The Ann and Roy Butler Hike and Bike Trail circles Lady Bird Lake and connects several parks, including all being reviewed under this evaluation. No amenities or facilities are located on Lady Bird Lake.

3.2. **Historic**

3.2.1 **Town Lake Park System - Waller Creek to Fiesta Gardens Section**

(Includes portions of Ann and Roy Butler Hike and Bike Trail, Waller Beach Park, and Edward Rendon Park.)

This property is a one-mile section of Austin’s Town Lake Park System along Lady Bird Lake between Waller Creek and Fiesta Gardens, which was evaluated for its NRHP eligibility. See the location maps in Attachment A. The Town Lake Park System includes a series of interconnected COA-owned parks surrounding Lady Bird Lake in central Austin, roughly between the MoPac Expressway in the west and the Longhorn Dam in the east. Early concepts for the park system were developed in the mid-1960s. The parks are unified by the Town Lake Hike and Bike Trail (later renamed the Ann and Roy Butler Hike and Bike Trail). The trail passes through multiple
lakefront landscapes called “beaches” and “shores,” which sometimes contain smaller parks and other recreation-related buildings, structures, or features. The 15-mile-long Butler Hike and Bike Trail is the primary unifying linear feature traversing the parks encircling the lake.

This section of the Town Lake Park System is contained within parcels owned by COA and maintained by PARD, including TCAD parcels 190772, 190753, 499203, 188025, 187327, 282816, and 282817. The segment of the trail within TxDOT ROW remains open for public use through the MUA with COA.

The one-mile section between Waller Creek and Fiesta Gardens comprises a fraction of the overall Town Lake Park System. Evaluated as a single portion of the larger interconnected system of parks, its potential for significance is largely tied to its role as a representative component of the overall resource. Therefore, the potential significance of the overall park system was evaluated, then the smaller section’s ability to convey such significance was assessed through character-defining features and integrity.

This section of the Town Lake Park System includes portions of two parks: Waller Beach Park and Edward Rendon Park. The full boundaries of both parks extend beyond the limits of this evaluation. Although Waller Beach Park extends west of Waller Creek to Congress Avenue, the section of Waller Beach west of Waller Creek was historically developed separately from the section east of Waller Creek. Similarly, the boundary of Edward Rendon Park extends eastward past Fiesta Gardens to Holly Shores at Town Lake Metro Park. However, Fiesta Gardens was developed separately and is already individually listed in the NRHP; therefore, its western NRHP boundary provided a logical terminus for the evaluated section. In total, the evaluated section contains eight component resources, as described below.

- **Resource A** is a one-mile segment of the Ann and Roy Butler Hike and Bike Trail. The trail segment has a standard width of 12 feet and is generally paved with crushed pink granite gravel. Occasional segments of concrete-paved trail occur at high erosion areas and generally measure between 10 and 30 yards in length. One long segment of concrete paved trail runs between the Emma S. Barrientos Mexican American Cultural Center and Waller Creek on the western end of the segment. In most areas the trail is screened on the lake side with a variety of trees, including bald cypress (*Taxodium disichum*), pecan (*Carya illinoinensis*), live oak (*Quercus virginiana*), and Mexican sycamore (*Platanus mexicana*). Occasional breaks in the tree line allow for lake access and fishing points. Public art installations, trash and recycling containers, interpretive panels, and trail signs are situated along the trail at various points.

- **Resource B** is a section of Waller Beach Park between Waller Creek and I-35. The park is a linear property that runs through Austin’s downtown area along the north shore of Lady Bird Lake between Congress Avenue to the west and I-35 to the east. The Ann and Roy Butler Hike and Bike Trail runs through the park generally hugging the lake shore, but occasionally drifts inland to connect with urban walkways and various city attractions. Other landscape features include public art installations; stone masonry water fountains and retaining walls; metal pedestrian bridges; gravel and concrete boat ramps (*Resources D and E*); and non-historic-age metal benches, plastic trash receptacles, concrete picnic tables, interpretive panels, trail signage, and native plant gardens. The Emma S. Barrientos Mexican American Cultural Center is located within the current boundary of Waller Beach Park. However, it was constructed in 2007 on the site of the COA’s former fleet maintenance facilities. Aerial imagery provided by the Texas Natural Resource Information System (TNRIS) shows the site was occupied by maintenance buildings, warehouses, and parking areas between 1965 and 1984. Based on aerial analysis and field survey, the site was not associated with Waller...
Beach Park during the historic period and was not included in the evaluation as a historic site. At the park’s eastern edge, the space underneath the I-35 bridge over Lady Bird Lake, within TxDOT ROW, is used for parking. Photos 19–22 in Attachment B show Waller Beach Park, the Ann and Roy Butler Hike and Bike Trail, boat ramps and their relationship to I-35.

- **Resource C** is a section of Edward Rendon Park between I-35 and Fiesta Gardens. The park is bounded by I-35 to the west and Fiesta Gardens to the east. The terrain generally slopes toward the lake and is defined by a pastoral landscape shaded with a variety of mature trees, including cypress, sycamore, live oak, and pecan. A denser screen of mature trees and smaller understory vegetation lines the lakefront and obscures views of the lake in many places. This screen is broken at irregularly spaced intervals to create lake access and fishing points. The Ann and Roy Butler Hike and Bike Trail is the primary landscape feature of the park. Additional park amenities include non-historic-age metal benches, bike racks, concrete picnic tables, metal water fountains, plastic trash receptacles, public art installations, information shelters, a non-historic-age storage building (Resource F) and a non-historic-age restroom building (Resource G). The Edward Rendon Park boundary also includes Martin Park, which contains athletic fields, picnic areas, a playground, swimming pool, and pool house. Although it is of historic age, Martin Park is a shared-use facility with Martin Middle School and its use as a public park appears to be secondary to its function as a school facility; it was not included in the evaluation as a historic site. At the park’s western edge, the land underneath the I-35 overpass, within TxDOT ROW, is used for parking by park visitors. A small asphalt parking lot sits at the center of the park near the western junction of Nash Hernandez Sr. Road and Chicon Street. Also included within the park boundary is the Nash Hernandez Building (Resource H), a one-story brick administrative building that was constructed in 1966 for the Austin Fire Department’s Arson Investigation Center. Photos 23–26 in Attachment B show Edward Rendon Park and Ann and Roy Butler Hike and Bike Trail and their relationship to I-35.

The Town Lake Park System provided an important recreational and community resource for Austin residents and tourists. The park system’s hike and bike trail and linear greenbelts linked natural, urban, and suburban environments, and connected many of Austin’s disparate neighborhoods. As an extensive and accessible public recreational resource, the parks and hike and bike trail functioned as a social and cultural hub shared by Austin’s diverse populations. The park system included large and small event spaces, performance venues, lake access, sports facilities, and many other recreation- and entertainment-related facilities. The natural beauty and activities it offered were enjoyed by Austin residents, but were also a significant draw for tourists, which made the park system an important asset for the local economy. For these reasons, the Town Lake Park System is significant under Criterion A in the area of Entertainment/Recreation at the local level of significance.

Formed in 1965, the COA PARD carried out Town Lake Development as one of its first large-scale projects. Town Lake Hike and Bike Trail was Austin’s first major trail system, but it represented a growing nationwide trend toward integrating recreational greenspaces and trail systems in urban areas. The Town Lake Park System represents mid-century urban planning principles and a heightened emphasis on environmental values in city development. Therefore, it is also significant under Criterion A for Community Planning and Development at the local level of significance for its association with “a historic trend that made a significant contribution to the development of a community.”
The Town Lake Park System is also significant under NRHP Criterion A in the area of Social History at the local level of significance. Throughout the 1970s, Festival Beach was primarily used as a neighborhood park by nearby residents and it was widely considered the Mexican-American section of the park system. However, during Aqua Fest the COA installed restricted access to Festival Beach and charged admission fees to a park that was otherwise free and open for public use. By the late 1960s residents and community activists began protesting against Aqua Fest. These complaints came during the rise of Austin’s Latino civil rights movement, when numerous community organizations formed to protect their neighborhoods from outside development, including the East Town Lake Citizens Neighborhood Association, the East Austin Chicano Economic Development Corporation, and the Austin Branch of the Brown Berets. By the 1970s the Aqua Fest issue became a rallying point for the Chicano movement in Austin. Following a particularly high-profile protest at Festival Beach, community advocates finally succeeded in forcing the cancellation of the boat races in 1978. As a contested space and site of a critical victory for Austin’s emerging Latino activist organizations, the evaluated section of the Town Lake Park System represents an important civil rights development in the history of Austin.

The trail system concept became an increasingly popular urban planning idea during the postwar period as evidenced by new federal programs to promote trails in American cities. Although some specific design ideas never materialized, by 1980 the park system reflected the overall design concept and spatial arrangements called for in the development and beautification plans of the late 1960s and 1970s. Therefore, the overall park system is also significant under Criterion C in the area of Landscape Architecture at the local level of significance as it possesses the distinctive design characteristics of a mid-century urban park system interconnected by a trail.

Although integrity of setting is diminished in some locations, the section of the Town Lake Park System between Waller Creek and Fiesta Gardens, and its component historic-age resources, is still able to convey its significance and is eligible for listing in the NRHP under Criterion A in the areas of Entertainment/Recreation, Community Planning and Development, and Social History, and under Criterion C in the area of Landscape Architecture. The period of significance as related to the areas noted above is from 1973, when development of these park and trail sections began, and ends in 1980 as the property’s importance in these areas continued past the survey cut-off date.

3.2.2  **Dura Tune Service Station**

The former Dura Tune service station (now vacant) at 3810 North I-35, originally constructed as a Conoco service station in 1964, is a one-story, rectangular-plan gas station and garage with dual canopies. See the location maps in Attachment A. It has a concrete slab foundation and flat roof. The walls are concrete block and stucco. Two single, metal-frame, glass doors with transom lights face the I-35 frontage road to the east and 38th ½ Street to the north. These facades have large, metal-framed, fixed windows. There are three metal multi-light overhead bay doors on the north facade. All windows and doors appear historic age. Two canopies on the north and east sides sit slightly above the station roofline. The canopies appear historic age, but the supports have been encapsulated with non-historic-age metal cladding. Photos 27–30 in Attachment B show the Dura Tune Service Station and its relationship to I-35.

The Interregional Highway was completed through the area by 1954, resulting in a boom of commercial development that continued with the highway’s expansion and designation as I-35 between 1959 and 1962.
Residential areas along the route were redeveloped as commercial, including numerous transportation-related businesses such as gas stations, service stations, motels, and drive-in restaurants. Registration requirements outlined in the Field Guide to Gas Stations in Texas state that a gas station may be eligible under Criterion A in the area of Transportation if it shows a “clear association with the development of a road or highway.” Given its completion within a few years of the Interstate Highway expansion, there is a clear connection between the development of I-35 and the construction of this service station. The former Dura Tune Service Station possesses significance under Criterion A in the area of Transportation.

The Field Guide to Gas Stations in Texas identifies two primary considerations for eligibility under Criterion C for Architecture. The first is that the building represents a recognizable example of the design adopted by a particular oil company. This property retains most of its original distinctive features, making it recognizable as a 1950-1970 Conoco station. The second requirement for eligibility is that the design includes stylistic features that set it apart from the simple “oblong box” typified by gas stations of the postwar period. While the Conoco design conforms with the typical postwar oblong box form, it displays several distinctive stylistic elements that set it apart from simpler gas stations of the period. These include the raised canopy, glazed garage doors, multi-level roof, projecting wall at the service bay, and metal banding around the eave line. For these reasons, the former Dura Tune Service Station possesses significance under Criterion C in the area of Architecture as an excellent example of a 1960s Conoco station.

The former Dura Tune service station is eligible for the NRHP under Criterion A in the area of Transportation and Criterion C in the area of Architecture, both at the local level of significance. The recommended NRHP boundary includes the entire legal parcel (TCAD parcel 211860), which contains the building, canopies, and associated parking areas.

3.2.3 Elgin Butler Brick Company (EBBC) Main Office (Austin Chronicle)

The EBBC Main Office at 4000 North I-35, constructed in 1957, is a one-story, rectangular plan, Contemporary-style building with a flat roof and overhanging eaves. See the location maps in Attachment A. It has a concrete foundation and brick walls of varying colors and patterns. Windows are fixed and sliding metal tucked below the eaves. Entries on the I-35 frontage road and East 40th Street have wood doors and glazed English tile stoops. A partial shed-roof addition on the rear has corrugated metal and acrylic cladding and a corrugated metal roof. The building has an interior courtyard constructed around a sycamore tree. Photos 31–34 in Attachment B show the EBBC Main Office building and its relationship to I-35.

The Butler Brick Company, later the EBBC, was a significant contributor to the development of both Austin and Elgin, Texas. The family-owned company was one of the largest brick manufacturers in the Southwest and was noted for implementing new glazing methods that allowed for greater resiliency and a variety of colors. The company’s leaders held positions in national brick and clay product trade associations. Almost all brick structures built in Austin in the late nineteenth and early twentieth centuries feature Butler/EBBC brick.

Identifying features of the Contemporary architectural style found on the EBBC Main Office include widely overhanging eaves, windows found just below the roofline, use of natural materials like wood and brick, a broad expanse of uninterrupted wall surface, integration of indoor/outdoor space, a lack of symmetry, the recessed front entrance, and the almost hidden side entrance.
The EBBC Main Office is eligible for the NRHP under Criterion A in the area of Commerce at the local level of significance as the main and only extant Austin office of the EBBC, a significant company in the history of Austin’s development. It is also eligible under NRHP Criterion C in the area of Architecture at the local level of significance as a locally rare example of a small office possessing the distinctive characteristics of the Contemporary style as applied and displaying the wide range of the EBBC’s distinctive brick and tile products of the 1950s.

### 3.2.4 Haster House

The Haster House at 3009 North I-35 was built in 1923 and designed in the Bungalow form with Classical Revival elements applied. See the location maps in Attachment A. It is a one-and-one-half-story, hip-on-gable residence with a T-plan and clapboard siding. The house rests on a pier and beam foundation and displays a low-pitch, hip-on-side-gable roof with eave overhangs, beadboard soffits, cornice returns, and a concrete chimney. Fenestration generally consists of original Craftsman-style, multi-light-over-one screens mounted over what appears to be original, one-over-one, double-hung sash; the windows and doors are set in beveled wood surrounds. Many of the windows have ornamental metal grates blocking the bottom openings. Additional decorative details consist of cornices and endboards. The house is situated on the western end of the large city block bordered by the North I-35 frontage road to the west, East 30th Street to the south, Dancy Street to the east, and East 31st Street to the north. It is located in the middle of three lots along the North I-35 frontage road with a 1960s office building to the north and another historic-age residence to the south. A wide sidewalk is located along the frontage road and a concrete path leads to the central entrance to the house. A small grassy lawn stretches between the sidewalk and the building face, and hedge bushes are planted on either side of the central entrance. A concrete driveway south of the house provides access to a paved parking area behind the house and extending to the rear of the adjacent property. A large antenna and billboard are both located just south of the Haster House, with the antenna base installed in the driveway. A small, prefabricated, modern metal shed stands at the rear, northeast corner of the house. A wood-fenced area at the rear of the parcel surrounds utility equipment.

Based on historic contexts, the Haster House possesses significance under Criterion A in the area of Community Planning and Development for its role as one of the only remaining residential properties along the former East Avenue corridor. The house was built as part of a wave of early construction of one-story, frame dwellings along the major thoroughfare of East Avenue in the 1920s, which heralded the beginning of residential development in this area of the East Austin Outlots, including what would become the Cherrywood neighborhood. Among the dozens of houses that represented this early development pattern, the Haster House is one of only three that remain; the vast majority of these properties were lost to I-35 and increasing commercial and multi-family development along the corridor. As previously discussed, of the three, the Haster House is the best example of early one-story frame dwellings along East Avenue with the highest degree of integrity. The period of significance dates to 1923, when the house was constructed.

Based on historic contexts, the Haster House is significant under Criterion C in the area of Architecture. According to the NRHP bulletin How to Apply the National Register Criteria for Evaluation, a property can be significant under Criterion C if it “embodies distinctive characteristics of a type, period, or method of construction; represents the work of a master; or possesses high artistic value.” The property displays several character-defining features of a bungalow, including its one-story height, low-pitch roof, overhanging eaves, and defined front porch. Classical Revival embellishments include its Doric column porch supports, cornice, and cornice...
returns. A recent evaluation of Austin’s Cherrywood neighborhood found that this property is the only bungalow identified as “High Preservation Priority,” and one of only two such properties with Classical Revival features. The period of significance aligns with the property’s date of construction of 1923.

The Haster House is eligible for the NRHP under Criterion A in the area of Community Planning and Development at the local level of significance for its role as one of the only remaining residential properties along the former East Avenue corridor. It is also eligible under NRHP Criterion C in the area of Architecture at the local level of significance as a locally rare example of Bungalow form with Classical Revival elements applied.

3.2.5 Delwood II Historic District

Delwood II is a residential subdivision, roughly bounded by I-35 to the west, Norwood Road to the north, Rowood Road to the east, and Airport Boulevard to the south. See the locations in Attachment A. Delwood II is designed with curvilinear streets and has a neighborhood character defined by regular setbacks and mature trees. Delwood II was developed by Texas land commissioner Bascom Giles, who began constructing homes in the neighborhood in 1946. Construction occurred primarily in the late 1940s with most lots developed by 1960. Through his Delwood Development Company, Giles constructed homes on half the parcels in his neighborhoods, permitting other developers to construct the rest.

The distinctive Ranch-style houses constructed by Giles in Delwood II are concrete block clad in stucco. They employ very low-pitched hip roofs with wide overhanging eaves, multi-light steel frame casement windows, massive central chimneys, and attached garages. Other residences in the neighborhood are Minimal Traditional or a more common Ranch design, usually clad in horizontal wood siding or brick or stone veneer. The homes closest to I-35 (then East Avenue) tend to have larger lots and are frame rather than concrete block construction. Several lots in the northwest corner of the Delwood II neighborhood, on the corner of Elwood and Norwood Roads, were not part of the original Delwood II subdivision. Plats show these lots under the name H.E. Rossy. However, the houses on these parcels were constructed in the late 1940s with designs and materials compatible with overall character of the neighborhood.

Delwood II is significant at the local level under NRHP Criterion A in the area of Community Planning and Development as representative of early post-World War II residential development patterns in Austin. Similar to the adjacent Giles-developed Delwood I subdivision, Delwood II played an important role in providing affordable housing for returning Gls and Austin’s working-class citizens during the postwar era. With its curvilinear street pattern, uniform lots, and modest residences, it continues to represent the city’s early postwar residential development trends. It is also significant under NRHP Criterion C in the area of Architecture as an intact collection of midcentury residential architecture designed for affordability in the early postwar era. While Delwood II contains both Ranch and Minimal Traditional-style houses, the Ranch-style, stucco-clad, concrete block homes with metal-frame casement windows represent a unique building type in Austin and help define the distinctive architectural character of the neighborhood.

The subdivision contains little non-historic-age infill, although some individual residences have a range of alterations such as vinyl windows, replacement siding, and enclosed porches and garages. Based on limited field examination and available historical documentation, Delwood II retains overall integrity sufficient to convey its significance. Delwood II is eligible for the NRHP at the local level under Criterion A for Community Planning and Development and Criterion C for Architecture. The NRHP-eligible district boundaries are those of the original
Delwood II plat in addition to two residences on plats filed by H.E. Rossy on the corner of Elwood and Norwood Roads. The district includes approximately 175 resources. Two contributing resources in the Delwood II Historic District are subject to Section 4(f) use under one or more build alternatives and are briefly described below.

### 3.2.6 Residence at 4505 North I-35

This building is a 1948 Ranch-style single-family dwelling. It is one story in height and is of wood-frame construction. The house has stone veneer exterior walls, a hip roof covered with asphalt shingles, four-part metal casement windows, and a fixed-pane picture window. A narrow, inset porch, supported on a single iron support, is at the house's southwest corner. A historic-age garage addition clad in horizontal wood siding was recently enclosed. A recently-installed privacy fence lines the property's boundary with I-35. The residence at 4505 North I-35 is a contributing resource to the NRHP-eligible Delwood II Historic District.

### 3.2.7 Residence at 4503 North I-35

This building is a 1948 single-family Transitional Ranch dwelling, converted for use as a preschool. It is one story in height and is of wood-frame construction. It has a rectangular exterior plan and a gable-on-hip roof covered with asphalt shingles. The house is clad in horizontal wood siding and has six-over-six-light vinyl sash windows. A partial-width shedroof porch with wooden supports covers two entry doors. A non-historic-age secondary structure adjacent to the rear of the house provides additional classroom space. A recently installed privacy fence lines the property's boundary with I-35. The residence at 4503 North I-35 is a contributing resource to the NRHP-eligible Delwood II Historic District.

### 3.2.8 Roberts House

The Roberts House at 3509 North I-35 was built c.1930. See the location maps in Attachment A. It is a one-and-one-half story, rectangular-plan, wood-frame residence with Tudor Revival influences, resting on a pier-and-beam foundation. Its cross-gable roof is covered with asphalt shingles. The house has textured stucco exterior cladding, with one-over-one-light sash windows with 12-light storms on the first story and replacement one-over-one-light sash windows on the half story. Vegetation obscures a recessed entrance under a Tudor-style gable on the front facade. A one-story, side-gable, two-car garage is located near the rear of the property. The garage is clad in stucco. It has metal horizontal sliding doors and a tripartite wood window.

The Roberts House and associated garage are eligible for NRHP listing under Criterion A in the area of Community Planning and Development at the local level of significance. The property is significant as one of the only remaining residential properties representing interwar-period development patterns along the former East Avenue corridor. It is one of only three extant pre-World War II houses facing former East Avenue in this area; the other two houses are the 1923 Haster House (eligible for NRHP listing) at 3009 North IH-35 and a c.1925 house with considerable alterations (not eligible for NRHP listing) at 3007 North I-35. The Roberts House represents the early development pattern of one-story frame houses constructed along East Avenue in the 1920s and early 1930s, which heralded the beginning of residential development in this area of the East Austin Outlots. The Roberts House and associated garage have minor alterations but retain all aspects of integrity sufficient to convey the property's significance. The property's period of significance dates to c.1930, when the Roberts House was constructed. The NRHP-eligible boundaries are those of Travis Central Appraisal District (TCAD) property parcel 209089, which contains both the house and garage.
4. Impacts to Section 4(f) Properties

This section describes whether and how Build Alternative 2 and Modified Build Alternative 3 will result in a direct or constructive use of the Section 4(f) resources. If it is determined that a build alternative will result in a direct or constructive use of the Section 4(f) resource, this section will describe any resulting environmental impacts. For the park/recreation resources, coordination with COA is in progress. Coordination with THC on effects to historic resources is underway. The THC concurrence and Section 106 PA will be included as an attachment when completed.

4.1. Parks/Recreation Areas

4.1.1 Ann and Roy Butler Hike and Bike Trail

Build Alternative 2

Build Alternative 2 would impact the Ann and Roy Butler Hike and Bike Trail as a result of permanent incorporation and temporary occupancy of the trail. Approximately 1,255 total feet of the trail (or 1.6% of the trail’s total length) would be temporarily impacted in Edward Rendon Park, Waller Beach Park, International Shores_3, and the boardwalk adjacent to Norwood Park. Also, approximately 603 total feet of the trail would be permanently impacted in Waller Beach Park and International Shores_3. The duration of impacts varies by location, as discussed in the proceeding paragraphs. See the maps in Attachment A for sections of trail that would be impacted by Build Alternative 2. Table 1 summarizes the temporary and permanent park impacts described below.

A temporary occupancy would occur to approximately 65 feet of the Ann and Roy Butler Hike and Bike Trail within the limits of the proposed construction staging area in Edward Rendon Park (TCAD ID: 187327). The trail would be redirected to run along East Avenue throughout the duration of construction in Edward Rendon Park, estimated to last less than six months. Additionally, the trail would periodically close for up to three days at a time throughout the duration of construction. The trail within Edward Rendon Park would be restored to pre-construction condition following construction.

A permanent incorporation would occur to approximately 580 feet of the Ann and Roy Butler Hike and Bike Trail within the limits of the proposed construction staging area in Waller Beach Park (TCAD ID: 188025). The trail would be redirected to run along East Avenue throughout the duration of construction in Waller Beach Park, estimated to last the entire 6-year duration of construction. Additionally, the trail would periodically close for up to three days at a time throughout the duration of construction. Impacts to the trail would be temporary; however, the estimated 6-year duration of construction in the park would require the conversion of the property, including the section of trail that runs through it, under Section 6(f) regulations. TxDOT would permanently retain ownership of the portion of the trail that runs through the construction staging area in Waller Beach Park. Details regarding the future use of the land, including the trail, would be dictated in a revised MUA between TxDOT and the COA, which would also cover future use of the section of trail that provides connectivity under the I-35 bridge in TxDOT ROW.

A temporary occupancy of approximately 603 feet of the Ann and Roy Butler Hike and Bike Trail would occur within the limits of the proposed construction staging area in International Shores_3. Build Alternative 2 would
also require a permanent incorporation of approximately 23 feet of trail as a result of additional ROW necessary to accommodate the proposed SUP that would be constructed along I-35. This section of trail serves as an access point to the Ann and Roy Butler Hike and Bike Trail boardwalk and would be closed throughout the duration of the proposed construction staging area, approximated between 1 and 1.5 years. The closest alternate access point to the boardwalk is located approximately 0.2 mile east of the closed access point. A second alternate access point exists approximately 0.5 mile to the west of the closed access point. The section of trail within the proposed construction staging area would be restored once the staging area is vacated. The section of trail within proposed ROW would be removed and rebuilt in a different configuration to provide access to the trail leading to the boardwalk.

A temporary occupancy of approximately 585 feet of the Ann and Roy Butler Hike and Bike Trail would occur along the boardwalk section between the limits of the trail in International Shores_3 to the west adjacent to Norwood Park. Impacts to the trail boardwalk would consist of temporary closures of up to three days at a time for between 1 and 1.5 years to provide for safety during construction activities along the lake. No modifications to the boardwalk would occur that would require restoring it to pre-construction conditions.

Although the sidewalk along either side of the I-35 frontage road bridges over Lady Bird Lake is not a Section 4(f) resource, it does provide connectivity to the Ann and Roy Butler Hike and Bike Trail on both sides of the lake. The requirements of Section 4(f) do not apply to the sidewalks on either side of the I-35 frontage road bridges as they are not recreational areas; however, for the various reasons stated earlier, TxDOT has elected to include them in this evaluation as if they were subject to Section 4(f). During construction, the sidewalk on the northbound side of the bridge would not be usable (approximately 758 feet); however, pedestrians would be rerouted to pedestrian walkways on the northbound frontage road bridge while a new pedestrian bridge is constructed. Two lanes on the northbound frontage road would be closed off and a barrier will be put up to create the temporary pedestrian walkway. Pedestrians would use this configuration for approximately 1.5 years. Pedestrian traffic on the northbound side of I-35 would transfer to the new pedestrian bridge upon its completion. The sidewalk on the southbound side of I-35 would be closed off (approximately 695 feet) later in the project’s development. No temporary pedestrian walkway would be provided on the southbound side; however, pedestrian traffic would be diverted to other parts of the COA trail network and to the newly constructed pedestrian bridge on the northbound side of the I-35 frontage road. Pedestrians would be rerouted and would use the new pedestrian bridge instead of the southbound bridge sidewalk for approximately one year while a new pedestrian crossing over Lady Bird Lake is constructed on the southbound side of I-35. Pedestrian traffic on the southbound side of I-35 would return to the pedestrian crossing upon its completion.

Land use in the vicinity of the Ann and Roy Butler Hike and Bike Trail includes park space, residential, commercial, and civic. On the northwest side of the I-35 bridge over the trail is Waller Beach Park and a Holiday Inn. On the northeast side is Edward Rendon Park, a retirement home, and a public health center. Norwood Park is on the southwest corner of the I-35 bridge over the trail. Lastly, International Shores_3 and an apartment complex is located on the southeast corner of the I-35 bridge over the trail. The proposed project would not induce development or change land use in the vicinity of the trail.

Noise levels that were assessed on the Ann and Roy Butler Hike and Bike Trail boardwalk did not exceed the FHWA noise impact criteria; therefore, no noise abatement is proposed specifically for the Ann and Roy Butler Hike and Bike Trail. Noise levels were assessed for the parks adjacent to the I-35 bridge over Lady Bird Lake.
(Waller Beach Park, Edward Rendon Park, Norwood Park, and International Shores_3), however. The noise analysis results show that noise barriers would be feasible and reasonable for Norwood Park and International Shores_3 and therefore they have been proposed for incorporation into the project. The noise barriers proposed along the I-35 frontage road and along park edges would serve as noise abatement for the parks and the trail. Noise barriers are not proposed along Waller Beach or Edward Rendon Park since they were determined to not be feasible and reasonable. With regard to water quality during construction, the project would implement stormwater pollution prevention structural controls and best management practices in compliance with the Clean Water Act and other applicable federal, state, and city stormwater regulations. As such, there would be no temporary or permanent impacts to water quality along the trail under Build Alternative 2.

In summary, the proposed construction staging areas and construction activities in the lake would result in approximately 1,255 feet (or 1.6% of the trail's total 15-mile length) of temporary occupancy. During construction, the northbound I-35 sidewalk, approximately 758 feet, and southbound I-35 sidewalk, approximately 695 feet, would be temporarily impacted. An additional approximately 603 feet (or 0.8% of the trail's total length) would require permanent incorporation as a result of proposed ROW in International Shores_3 and a Section 6(f) conversion in Waller Beach Park. Impacted trail sections would be restored to their original condition following construction. The project would not otherwise substantially impair the qualities or functions that qualify the Ann and Roy Butler Hike and Bike Trail for Section 4(f) protection. The main functionality of the overall trail would not be impaired, nor would the trail be completely unusable as a result of temporary closures and reroutes. Large deviations from the typical trail route would also not be experienced by trail users. In compliance with COA regulations, the trail on the north bank and the trail on the south bank would not be closed at the same time. Based on the impacts noted above, Build Alternative 2 would have a greater than de minimis impact.

22 Modified Build Alternative 3
The impacts to the Ann and Roy Butler Hike and Bike Trail under Modified Build Alternative 3 would be mostly identical to those under Build Alternative 2, except for the differences in International Shores_3. Under Modified Build Alternative 3, approximately 0.08 acre of ROW would be required adjacent to the I-35 northbound frontage road in order to accommodate 1) the proposed SUP that would be built along I-35, 2) an extension of the SUP into park property, and 3) the addition of a U-turn on the north side of East Riverside Drive. This would result in a permanent incorporation of approximately 61 feet of the trail (or 0.1% of the trail's total length). Additionally, approximately 557 feet of the trail (or 0.7% of the trail's total length) would require temporary occupancy within the proposed construction staging area, which is 0.59 acre in Modified Build Alternative 3. Therefore, in total Modified Build Alternative 3 would result in approximately 1,207 feet (or 1.5% of the trails total 15-mile length) of temporary occupancy and approximately 652 feet (or 0.8% of the trail's total length) of permanent incorporation. All other impacts under Modified Build Alternative 3 are identical to those described for Build Alternative 2. Based on the impacts noted above, Modified Build Alternative 3 would have a greater than de minimis impact. Table 1 summarizes the temporary and permanent park impacts.
4.1.2 International Shores_3

Build Alternative 2

Build Alternative 2 would require permanent incorporation of 0.01 acre of additional ROW from International Shores_3, which constitutes 0.75 percent of the easement’s total 1.33 acres. The additional ROW would be required from two separate sections - adjacent to the I-35 northbound frontage road (0.005 acre) and along the westbound side of East Riverside Drive (0.005 acre). The additional ROW is necessary to accommodate the proposed SUP that would be constructed along I-35. Additionally, a proposed construction staging area required under Alternative 2 would result in temporary occupancy impacts to International Shores_3. The proposed construction staging area would be 0.7 acre in size, or 53 percent of the easement’s total 1.33-acre size. The duration of the proposed staging area is estimated to last between one year and one and a half years. All impacts in the park would occur on TCAD parcel 799616. Table 1 summarizes the temporary and permanent easement impacts described below.

Build Alternative 2 would result in permanent and temporary impacts to International Shores_3. Permanent impacts would include a 0.01-acre reduction of total easement acreage as a result of additional ROW, as well as impacts to trees as a result of the additional ROW and construction staging area. The number of trees that would be impacted is currently unknown. During final design, a tree survey would be completed and impacted trees would be identified, documented, and presented in the final Section 4(f) Evaluation. The contractor will be advised to avoid or minimize permanent impacts (i.e., removal) to woody vegetation. In addition, all trees to be avoided within the work area will be trimmed by certified arborists to reduce impacts during construction prior to the beginning of construction. Permanent impacts to the portion of the Ann and Roy Butler Hike and Bike Trail within the park would also occur (refer to the Section 4.1.1 on the Ann and Roy Butler Hike and Bike Trail for more information). No permanent impacts to other easement facilities or amenities would occur as a result of the additional ROW or construction staging area.

Temporary impacts would occur to the Ann and Roy Butler Hike and Bike Trail and the 0.7 acre of property in International Shores_3, which serves as an access point to the Ann and Roy Butler Hike and Bike Trail boardwalk (refer to the Section 4.1.1 on the Ann and Roy Butler Hike and Bike Trail for more information). No other facilities would be temporarily impacted as a result of the proposed construction staging area required under Build Alternative 2. The trail in the park would be restored to pre-construction conditions following construction. See the maps in Attachment A for the location of the proposed ROW, construction staging area and impacted trail within International Shores_3.

Land use in the area’s vicinity include multifamily residential, park, and ROW. To the north of the area is Lady Bird Lake, used for recreational purposes. To the east of this area is the Berkshire Riverview Apartments. To the south and west are East Riverside Drive and I-35 respectively. The proposed project would not induce development or change land use in the easement’s vicinity. Noise levels were not specifically documented in International Shores_3; however, they were assessed at the adjacent Berkshire Riverview Apartments. The noise analysis results show that noise levels at the apartments would be impacted (i.e., they would exceed the FHWA impact criterion) as a result of Build Alternative 2. A noise barrier would be feasible and reasonable at abating noise levels for the apartments and has been proposed for incorporation into the project. The proposed noise barrier would be located along the I-35 frontage road and along East Riverside Drive, and would therefore, also
serve as noise abatement for International Shores_3. With regard to water quality during construction, the project would implement stormwater pollution prevention structural controls and best management practices in compliance with the Clean Water Act and other applicable federal, state, and city stormwater regulations. As such, there would be no temporary or permanent impacts to water quality at the park under Build Alternative 2.

In summary, the proposed ROW required under Build Alternative 2 would result in permanent incorporation of 0.01 acre of International Shores_3 (or 0.75% of the park’s total 1.33-acre size), and the construction staging area would result in a temporary occupancy of 0.7 acre (or 53% of the park). While the principal purpose of the easement of providing an access point to the Ann and Roy Butler Hike and Bike Trail boardwalk would not be met during the 1 to 1.5-year construction duration, these impacts would be temporary and would be restored to pre-construction conditions following construction. The permanent incorporation of land would not permanently restrict access or modify any easement facilities or amenities. The project would not otherwise substantially impair the qualities or functions that qualify International Shores_3 for Section 4(f) protection. Based on the impacts noted above, Build Alternative 2 would have a greater than de minimis impact.

Modified Build Alternative 3

Impacts under Modified Build Alternative 3 would be similar as those under Build Alternative 2, with minor differences. The first difference is that Modified Build Alternative 3 would require permanent incorporation of approximately 0.1 acre of ROW from International Shores_3, which constitutes 7.5 percent of the easement’s total 1.33-acre size. The additional ROW would be required adjacent to the I-35 northbound frontage road in order to accommodate 1) the proposed SUP that would be built along I-35, 2) an extension of the SUP into park property, and 3) the addition of a U-turn on the north side of East Riverside Drive. Additionally, Modified Build Alternative 3 would require temporarily occupancy of 0.6 acre of International Shores_3, or 45 percent of the easement’s total 1.33-acre size, for use of a proposed construction staging area. Table 1 summarizes the temporary and permanent easement impacts.

The noise analysis results show that noise levels at the adjacent Berkshire Riverview Apartments would be impacted (i.e., they would exceed the FHWA impact criterion) as a result of Modified Build Alternative 3. A noise barrier would be feasible and reasonable at abating noise levels for the apartments and has been proposed for incorporation into the project. The proposed noise barrier would be located along the I-35 frontage road and along East Riverside Drive, and would therefore, also serve as noise abatement for the International Shores_3. All other impacts under Modified Build Alternative 3 are identical to those described for Build Alternative 2.

4.1.3 Edward Rendon Park

Build Alternative 2

A proposed construction staging area required under Build Alternative 2 would result in temporary occupancy impacts to Edward Rendon Park. The proposed construction staging area would be 0.7 acre in size, or 1 percent of the park’s total 73-acre size. The duration of the proposed staging area is estimated to last less than six months. No additional ROW would be required from Edward Rendon Park as a result of the proposed project, so no permanent incorporation of park property would occur under Build Alternative 2. Table 1 summarizes the temporary and permanent park impacts described below.
The proposed construction staging area under Build Alternative 2 would result in permanent and temporary impacts to Edward Rendon Park, specifically TCAD parcel 187327. Permanent impacts would occur to six pecan trees over 23 to 32 inches in diameter that are anticipated to be removed. Additionally, permanent impacts would occur to trees smaller than 19 inches in diameter as they may be removed, as needed. The contractor will be advised to avoid or minimize permanent impacts (i.e., removal) to woody vegetation. In addition, all trees to be avoided within the work area will be trimmed by certified arborists to reduce impacts during construction prior to the beginning of construction. No permanent impacts to facilities or amenities would occur as a result of the staging area.

Temporary impacts would occur to the picnic tables, benches, parking, and East Avenue during the 6-month construction duration. Eight picnic tables located in this area are permanent fixtures and cannot be moved to another location outside the staging area; therefore, those picnic tables would need to be dismantled. East Avenue will remain open but the on-street parking will be temporarily closed. Additionally, Americans with Disabilities Act (ADA) parking located within the construction staging area will be temporarily relocated. The portion of the Ann and Roy Butler Hike and Bike Trail that crosses through the proposed construction staging area within the park would be detoured for the full duration of construction. All the temporarily impacted facilities and amenities would be restored to their pre-construction condition following the 6-month construction duration.

See the maps in Attachment A for the location of the facilities and amenities that would be temporarily impacted.

The area underneath the I-35 bridge (within TxDOT ROW) adjacent to Edward Rendon Park currently provides parking for users of the park. The parking area would be removed during the construction of the proposed project and would remain permanently removed following the completion of the project. Although the parking lot is currently being used by park users, because it exists within TxDOT ROW it would not be considered parkland that is provided protection under Section 4(f). Details regarding the future use of the land under the I-35 bridge would be provided in a revised MUA between TxDOT and COA.

Land use in the vicinity includes park space, open space, and ROW. To the north is the Festival Beach Community Garden. The east and south are used for recreational activities and are park land and Lady Bird Lake, respectively. To the west of the proposed construction staging area is the I-35 bridge and Waller Beach Park. The proposed project would not induce development or change land use in the park’s vicinity. The park would be impacted by roadway traffic noise as a result of Build Alternative 2; however, a noise barrier at this location was determined to not be feasible and reasonable; therefore, noise mitigation is not proposed. With regard to water quality during construction, the project would implement stormwater pollution prevention structural controls and best management practices in compliance with the Clean Water Act and other applicable federal, state, and city stormwater regulations. As such, there would be no temporary or permanent impacts to water quality in the park under Build Alternative 2.

In summary, the temporary construction staging would result in 0.7 acre (or 1% of the park’s total 73-acre size) of temporary occupancy, resulting in an adverse use of Edward Rendon Park. Permanent impacts would occur to six pecan trees over 23 to 32 inches in diameter that are anticipated to be removed. The project would not otherwise substantially impair the qualities or functions that qualify Edward Rendon Park for Section 4(f) protection. The main functionality of the overall park property would not be impaired, nor would the park be completely unusable as a result of the temporary loss of space. All impacts from the staging area would be temporary and would be restored to pre-construction conditions following the project’s approximate 6-month
construction duration in the park. Based on the impacts noted above, Build Alternative 2 would have a greater than de minimis impact.

**Modified Build Alternative 3**

The proposed construction staging area for Modified Build Alternative 3 is identical to the area in Build Alternative 2. Impacts to Edward Rendon Park under Modified Build Alternative 3 would be identical to those under Build Alternative 2. Table 1 summarizes the temporary and permanent park impacts.

### 4.1.4 Waller Beach Park

**Build Alternative 2**

A proposed construction staging area required under Build Alternative 2 would result in the use of 1.20 acres from Waller Beach Park, which constitutes 4.3 percent of the park’s total 28-acre size. The staging area would be in place for the entire 6-year duration of construction and therefore would constitute conversion of the property under Section 6(f) regulations. Additionally, it is necessary to permanently acquire the 1.20-acre section of Waller Beach Park for future maintenance operations on the I-35 bridge. This 1.2-acre area would then be used for TxDOT ROW to conduct maintenance operations for the I-35 bridge. Table 1 summarizes the temporary and permanent park impacts described below.

The proposed construction staging area under Build Alternative 2 would result in impacts to Waller Beach Park. Permanent impacts would occur to one tree over 29 inches in diameter at breast height (DBH) that is anticipated to be removed and the boat ramp located under the I-35 bridge would be permanently closed. Temporary impacts would occur to other trees that would be trimmed to avoid removal. In addition, all trees to be avoided within the work area will be trimmed by certified arborists to reduce impacts during construction prior to the beginning of construction.

Other temporary impacts within the park would occur to one boat ramp, a picnic table, two parking areas: on-street parking along East Avenue within the park boundary and a portion of the Ann and Roy Butler Trail (0.2 acre) in the park. Other permanent impacts would occur at the parking area within TxDOT ROW under the I-35 bridge. The East Avenue parking would be replaced following the construction phase.

The existing boat ramp located in the park to the west of the I-35 bridge over Lady Bird Lake would be reconstructed and improved for use as an access point for equipment and materials between land and water during construction. Upon completion of the proposed project, this boat ramp would remain, and the dock being used for construction would be converted to a permanent boat dock. One picnic table located in the construction staging area is a permanent fixture and cannot be moved to another location outside the staging area; therefore, the picnic table would need to be dismantled. East Avenue would remain open but the on-street parking would be removed within the park. Other impacted amenities include one trail sign, one wayfinding sign that identifies wheelchair-accessible locations, three recycle/trash bins, and a rainwater collection system. All the temporarily impacted facilities and amenities would be restored to their pre-construction condition following the 6-year construction duration (subject to future use of the property by TxDOT for maintenance of the I-35 bridge) and TxDOT would permanently retain ownership of the land within the 1.20-acre construction staging area, which would be used for maintenance for the I-35 bridge. Details regarding the future use of the land would be dictated
in a revised MUA between TxDOT and the COA, which would also cover future use of the area adjacent to Waller Beach Park under the I-35 bridge that is within TxDOT ROW. See the maps in Attachment A for the location of the facilities and amenities that would be temporarily impacted.

Land use in the vicinity includes park space, commercial, and ROW. To the north of the area is a hotel. To the east is the I-35 bridge and Edward Rendon Park. To the south is Lady Bird Lake and to the west is park land. The proposed project would not induce development or change land use in the park’s vicinity. The park would be impacted by roadway traffic noise as a result of Build Alternative 2; however, a noise barrier at this location was determined to not be feasible and reasonable; therefore, noise mitigation is not proposed. With regard to water quality during construction, the project would implement stormwater pollution prevention structural controls and best management practices in compliance with the Clean Water Act and other applicable federal, state, and city stormwater regulations. As such, there would be no temporary or permanent impacts to water quality in the park under Build Alternative 2.

In summary, there would be permanent impacts in the form of fee simple acquisition of 1.20 acres (or 4.3% of the park’s total 28-acre size) of permanent incorporation, resulting in an adverse use of Waller Beach Park. The project would not otherwise substantially impair the qualities or functions that qualify Waller Beach Park for Section 4(f) protection. The main functionality of the overall park property would not be impaired, nor would the park be completely unusable as a result of the temporary loss of space. All impacts from the staging area would be temporary and would be restored to pre-construction conditions following the project’s approximate 6-years construction duration in the park (subject to future use of the property by TxDOT for maintenance of the I-35 bridge). The permanent incorporation of the 1.20 acres would result in a use. Based on the impacts noted above, Build Alternative 2 would have a greater than de minimis impact.

**Modified Build Alternative 3**

The proposed construction staging area for Modified Build Alternative 3 is identical to the area in Build Alternative 2. The impacts to Waller Beach Park under Modified Build Alternative 3 would be identical to those under Build Alternative 2. Based on the impacts noted above, Modified Build Alternative 3 would have a greater than de minimis impact. **Table 1** summarizes the temporary and permanent park impacts described below.

**4.1.5 Roy G. Guerrero Park**

**Build Alternative 2**

Build Alternative 2 proposes an outfall on the northern shores of the Colorado River, across the river from Roy G. Guerrero Park (see Attachment A). The outfall is not within the park’s boundaries, so no direct impacts would occur to Roy G. Guerrero Park as a result of the proposed outfall. However, the proposed outfall would be visible by people using the park along the shores of the Colorado River. **Table 1** summarizes the temporary and permanent park impacts described below.

Land use in the park’s vicinity includes green space, residential, commercial and ROW. To the north of the park is the Colorado River and commercial land use. The park is bound to the east by US 183. The majority of the land use to the south is residential with one community college. The park is bound to the west by Lady Bird Lake and South Pleasant Valley Road. The proposed project would not induce development or change land use in the...
park's vicinity. With regard to water quality during construction, the project would implement stormwater pollution prevention structural controls and best management practices in compliance with the Clean Water Act and other applicable federal, state, and city stormwater regulations. As such, there would be no temporary or permanent impacts to water quality within the park under Build Alternative 2.

Since no ROW or temporary construction areas would be required from Roy G. Guerrero Park under Build Alternative 2, there would be no permanent incorporation or temporary occupancy impacts to the park. A constructive use analysis was conducted, and it was determined that the proposed outfall would not result in noise, vibration, or ecological impacts to the park, and would not restrict access to the park. Although the proposed outfall would permanently be visible by park users from the shoreline (an important contributing element to the value of the park), the size of the proposed outfall structure, coupled with its proximity from the park, would not substantially impair the aesthetic features or attributes of Roy G. Guerrero Park. Therefore, the proposed outfall structure would not constitute constructive use of the park of the park. As a result, Build Alternative 2 would not result in substantial impairment to the activities, features, or attributes that qualify Roy G. Guerrero Park for protection under Section 4(f).

Modified Build Alternative 3

The impacts to Roy G Guerrero Park under Modified Build Alternative 3 would be identical to those under Build Alternative 2.

4.1.6 Norwood Park

Build Alternative 2

A proposed construction staging area required under Build Alternative 2 would result in temporary occupancy impacts to Norwood Park. The proposed construction staging area would be 0.57 acre in size, or 5.7% of the park’s total 10-acre size. The duration of the proposed staging area is estimated to last six months to one year. No additional ROW would be required from Norwood Park as a result of the proposed project, so no permanent incorporation of park property would occur under Build Alternative 2. See Attachment A for the location of the proposed construction staging area in the park. Table 1 summarizes the temporary and permanent park impacts described below.

The proposed construction staging area under Build Alternative 2 would result in permanent and temporary impacts to Norwood Park, specifically to parcel 283008. Permanent impacts would occur to trees and other vegetation in the area. Four pecan trees over 18 inches in diameter would be removed. The contractor will be advised to avoid or minimize permanent impacts (i.e., removal) to woody vegetation. In addition, all trees to be avoided within the work area will be trimmed by certified arborists to reduce impacts during construction prior to the beginning of construction. No permanent impacts to facilities or amenities would occur as a result of the staging area. A portion of the dog park, including two Mutt Mitt stations and several moveable picnic tables, would not be usable during the construction duration as a result of the proposed staging area. All the temporarily impacted facilities and amenities would be restored to their pre-construction condition following construction.

Land use in the vicinity includes park space and ROW. To the north of this proposed construction staging area is Lady Bird Lake. To the east and south are I-35 and East Riverside Drive, respectively. To the west of the staging
The proposed project would not induce development or change land use in the park’s vicinity. Under Build Alternative 2, the park would be impacted by roadway traffic noise. A noise barrier would be feasible and reasonable at abating noise levels for the park and has been proposed for incorporation into the project. With regard to water quality during construction, the project would implement stormwater pollution prevention structural controls and best management practices in compliance with the Clean Water Act and other applicable federal, state, and city stormwater regulations. As such, there would be no temporary or permanent impacts to water quality in the park under Build Alternative 2. In summary, the temporary construction staging would result in 0.57 acre (or 5.7% of the park’s total 10-acre size) of temporary occupancy, resulting in an adverse use of Norwood Park. Permanent impacts would occur to four pecan trees over 18 inches in diameter and other vegetation in the area. The project would not otherwise substantially impair the qualities or functions that qualify Norwood Park for Section 4(f) protection. The main functionality of the overall park property would not be impaired, nor would the park be completely unusable as a result of the temporary loss of space. All impacts from the staging area would be temporary and would be restored to pre-construction conditions following the project’s approximate 6-month to one year construction duration in the park. Based on the impacts noted above, Build Alternative 2 would have a greater than de minimis impact.

**Modified Build Alternative 3**

The proposed construction staging area for Modified Build Alternative 3 is identical to the area in Build Alternative 2. The impacts to Norwood Park under Modified Build Alternative 3 would be identical to those under Build Alternative 2. Table 1 summarizes the temporary and permanent park impacts.

**4.1.7 Lady Bird Lake**

**Build Alternative 2**

The construction staging areas that are proposed in Waller Beach Park and Edward Rendon Park under Build Alternative 2 would result in temporary occupancy impacts to Lady Bird Lake for the full duration of construction. Construction of the proposed bridge structure’s drill shafts and columns over the lake would result in a permanent incorporation of the lake. The total area of impacts will be determined during further design and presented in the final Section 4(f) Evaluation. No TCAD ID is available for the locations where impacts would occur. Table 1 summarizes the temporary and permanent park impacts described below.

The portion of the northern shoreline that would be closed extends as far west as the temporary boat dock that would be constructed west of the I-35 bridge and as far east as TxDOT’s ROW at the I-35 bridge. This portion of the shoreline would be closed to the general public, including both boat ramps within the TxDOT ROW and Waller Beach Park, as a result of the construction staging areas. Impacts to the southern shoreline would occur within TxDOT ROW, as well as the limits of the proposed construction easements along the shoreline. With the exception of the boardwalk, which would experience periodic, temporary closures during construction (see Section 4.1.1 for Ann and Roy Butler Hike and Bike Trail discussion), no shore access exists along the southern shores of Lady Bird Lake in the project area; therefore, no loss of recreational function of those areas would occur. In total, approximately 25 acres of water and shoreline would be temporarily impacted by the project. See Attachment A for the location of the proposed temporary impacts along the shores of Lady Bird Lake.
Other temporary impacts to the lake include limiting the recreational use of sections of the open lake in the vicinity of construction activities. See Attachment A for the location of the proposed temporary impacts. East-west water traffic would be maintained but would be limited based on the location of construction work. Although motorized boats are not allowed on the lake, the construction of the project would require the use of motorized tugboats to transport equipment, material, and personnel. A temporary boat dock would be built on either side of Lady Bird Lake, with one dock located in Waller Beach Park and the other in International Shores_3; therefore, it is anticipated that motorized watercraft will move in a north-south and east-west direction across the lake.

Permanent impacts would include drill shafts and columns required for the proposed bridge structure. Locations and number of drill shafts and columns will be determined upon further design.

Land use in the vicinity of Lady Bird Lake includes park space, residential, commercial, and civic. On the northwest side of the I-35 bridge over Lady Bird Lake is Waller Beach Park and a Holiday Inn. On the northeast side is Edward Rendon Park, a retirement home, and a public health center. Norwood Park is on the southwest corner of the I-35 bridge over the lake. Lastly, International Shores_3 and an apartment complex is located on the southeast corner of the I-35 bridge over Lady Bird Lake. The proposed project would not induce development or change land use in the vicinity of Lady Bird Lake.

Noise impacts at Lady Bird Lake were not specifically documented; however, parks adjacent to the lake and I-35 were assessed for noise and determined to be impacted by predicted roadway traffic noise. A noise barrier was analyzed along the proposed I-35 bridge over Lady Bird Lake and determined to not be feasible and reasonable at abating noise levels at the adjacent parks; therefore, noise mitigation is not proposed. Water quality in the lake would be maintained through the use of Best Management Practices required under Section 401 of the Clean Water Act; therefore, there would be no temporary or permanent impacts to water quality under Build Alternative 2.

In summary, construction activities required for Build Alternative 2 would result in approximately 25 acres of temporary occupancy of Lady Bird Lake water and shoreline, as well as restricted recreational access to a portion of the open water adjacent to the construction area, resulting in an adverse use of Lake Bird Lake. Permanent incorporation of a portion of Lady Bird Lake would result from drill shafts and columns required for the proposed I-35 bridge structure. The project would not otherwise substantially impair the qualities or functions that qualify Lady Bird Lake for Section 4(f) protection. The main stormwater management, flood control, and recreational functions of the overall lake would not be impaired, nor would the lake be completely unusable as a result of the temporary use of space. With the exception of the drill shafts and columns, all impacts would be temporary and would be restored to pre-construction conditions following the project’s approximate 6-year construction duration. Based on the impacts noted above, Build Alternative 2 would have a greater than de minimis impact.

Modified Build Alternative 3

The impacts to Lady Bird Lake under Modified Build Alternative 3 would be identical to those under Build Alternative 2. Table 1 summarizes the temporary and permanent park impacts.

4.1.8 Summary of Impacts to Section 4(f) Park/Recreation Area Properties

Build Alternative 2 and Modified Build Alternative 3 would have similar impacts to Edward Rendon Park, Waller Beach Park, Norwood Park, and Lady Bird Lake. Both build alternatives avoid any use or impacts to the Roy G.
Guerrero Park. Under Modified Build Alternative 3, the Ann and Roy Butler Hike and Bike Trail would incur more permanent incorporation when compared to Build Alternative 2. For temporary impacts, Build Alternative 2 would incur more temporary occupancy when compared to Modified Build Alternative 3. In comparison to Build Alternative 2, Modified Build Alternative 3 would result in more acres of temporary use and permanent incorporation for International Shores_3. Table 1 displays a summary of impacts to the Section 4(f) park/recreation area properties discussed in this document.

### Table 1. Park Impacts Summary

<table>
<thead>
<tr>
<th>Park (total acreage)</th>
<th>Park Impacts</th>
<th>Modified Build Alternative 3</th>
<th>Impacts Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Build Alternative 2</strong></td>
<td>Permanent Incorporation 603 feet</td>
<td>Permanent Incorporation 652 feet</td>
<td>Permanent • Proposed ROW in International Shores_3 (23 linear feet for Build Alternative 2 and 72 linear feet for Modified Build Alternative 3) • Section 6(f) conversion in Waller Beach (580 linear feet for both alternatives)</td>
</tr>
<tr>
<td></td>
<td>Temporary Occupancy 1,255 feet</td>
<td>Temporary Occupancy 1,207 feet</td>
<td>Temporary (varies) • Construction staging areas in Edward Rendon Park would be 65 linear feet for both alternatives • Construction staging areas in International Shores_3 would be 603 linear feet for Build Alternative 2 and 557 linear feet for Modified Build Alternative 3 • Closures of trail boardwalk on south shoreline of Lady Bird Lake (585 linear feet for both alternatives) • Closures of northbound and southbound sidewalks (varies). Trail detours include 1,150 feet in Waller Beach, 436 feet within TxDOT ROW (north of the Colorado River), 104 feet in Edward Rendon Park, 4,389 feet along East Riverside Drive • Northbound and southbound I-35 sidewalks</td>
</tr>
<tr>
<td><strong>Northbound I-35 (758 feet) and southbound I-35 (695 feet) sidewalks</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Table 1. Park Impacts Summary

<table>
<thead>
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</thead>
<tbody>
<tr>
<td></td>
<td>Build Alternative 2</td>
<td>Modified Build Alternative 3</td>
</tr>
<tr>
<td>International Shores_3 (1.33 acres)</td>
<td>Temporary Occupancy 0.70 acre</td>
<td>Temporary Occupancy 0.60 acre</td>
</tr>
</tbody>
</table>
|                      | Permanent Incorporation 0.01 acre | Permanent Incorporation 0.1 acre | • Proposed ROW for I-35 improvements.  
  • Trees will be removed; exact count of impacted trees is not known at this time.  
  Temporary (1-1.5 years)  
  • Construction staging area – trail impacts |
| Edward Rendon Park (73 acres) | Temporary Occupancy 0.7 acre | Temporary Occupancy 0.7 acre | Permanent |
|                      | Permanent Incorporation 1.20 acres | Permanent Incorporation 1.20 acres | • Six pecan trees (23 to 32 inches DBH) would be removed  
  Temporary (6 months)  
  • Trail detour (0.02 acre or 90.3 linear feet entirely within the 0.68-acre easement)  
  • Construction staging area  
    o 8 picnic tables and 1 bench in park would be removed  
    o ADA parking spot would be relocated  
    o East Avenue and parking would be temporarily closed  
  • Trail impacts |
| Waller Beach Park (28 acres) | Permanent Incorporation 1.20 acres | Permanent Incorporation 1.20 acres | Permanent (through 6(f) conversion and Section 4(f) use) |
|                      | Temporary Occupancy 0.2 acre | Temporary Occupancy 0.2 acre | • New dock and restoration of boat ramp  
  • Construction staging area and for permanent acquisition for future maintenance operations on the I-35 bridge (1.20 acres in size)  
    o Boat ramp (located under TxDOT ROW underneath I-35) would be closed  
    o 1 picnic table would be removed  
    o Trail impacts (580 feet of the Ann and Roy Butler Hike and Bike Trail) |
Table 1. Park Impacts Summary

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<thead>
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<th>Park (total acreage)</th>
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<th>Impacts Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Build Alternative 2</td>
<td>Modified Build Alternative 3</td>
</tr>
<tr>
<td>Roy G. Guerrero Park</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>(400 Acres)</td>
<td></td>
<td>• Proposed permanent outfall on northern shores of the Colorado River across from the park. No permanent, temporary, or constructive use impacts to park.</td>
</tr>
<tr>
<td>Norwood Park (10 acres)</td>
<td>Temporary Occupancy</td>
<td>Temporary Occupancy</td>
</tr>
<tr>
<td></td>
<td>0.57 acre</td>
<td>0.57 acre</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Four pecan trees (over 18 inches DBH) would be removed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Temporary (6 months to 1 year)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Construction staging area</td>
</tr>
<tr>
<td></td>
<td></td>
<td>o Access to portion of the dog park located within the area would be closed during construction (1 year)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>o Two Mutt Mitt stations would be removed</td>
</tr>
</tbody>
</table>
Table 1. Park Impacts Summary

<table>
<thead>
<tr>
<th>Park (total acreage)</th>
<th>Park Impacts</th>
<th>Park Impacts</th>
<th></th>
<th>Impacts Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Build Alternative 2</td>
<td>Modified Build Alternative 3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lady Bird Lake (485 acres)</td>
<td>Permanent Incorporation 0.29 acre Temporary Occupancy 25 acres</td>
<td>Permanent Incorporation 0.29 acre Temporary Occupancy 25 acres</td>
<td></td>
<td>Permanent</td>
</tr>
<tr>
<td></td>
<td>• New dock • Bridge pilings – unknown number until design progresses</td>
<td></td>
<td>Temporary (6 years)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Access to lake shoreline restricted by construction staging areas • Sections of open lake restricted to recreation to allow for movement of construction equipment • Motorized watercraft would be used on the lake</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

As presented in Table 1, Build Alternative 2 and Modified Build Alternative 3 have similar impacts to Edward Rendon Park, Waller Beach Park, Norwood Park, and Lady Bird Lake. Both build alternatives avoid any use or impacts to the Roy G. Guerrero Park. Under Modified Build Alternative 3, the Ann and Roy Butler Hike and Bike Trail would incur approximately 49 more feet of permanent incorporation compared to Build Alternative 2. For temporary impacts, Build Alternative 2 would incur 48 more feet of temporary occupancy compared to Modified Build Alternative 3. In comparison to Build Alternative 2, Modified Build Alternative 3 would result in 0.09 more acre of permanent incorporation for International Shores. Build Alternative 2 would incur 0.1 more acre of temporary use compared to Modified Build Alternative 3.

4.2. Historic

In compliance with the PA among FHWA, TxDOT, the Texas SHPO and the Advisory Council on Historic Preservation (ACHP) Regarding the Implementation of Transportation Undertakings (PA-TU), historic resources surveys and focused public involvement activities were conducted for the project. TxDOT-qualified historians performed a historic resources reconnaissance survey of properties within the project’s Area of Potential Effect (APE) along the I-35 corridor, US 290 East between I-35 and Berkman Drive, and East Cesar Chavez Street drainage tunnel/outfall. TxDOT-qualified historians also completed intensive surveys for eight properties in the project’s APE. Survey findings, including NRHP eligibility recommendations and analysis of direct effects to historic properties, were compiled in a series of Historic Resource Survey Reports (HRSRs).

4.2.1 Town Lake Park System – Waller Creek to Fiesta Gardens Section

(Includes portions of Ann and Roy Butler Hike and Bike Trail, Waller Beach Park, and Edward Rendon Park.)
Build Alternative 2

A 1.20-acre portion of Waller Beach at Town Lake Metro Park, on the west side of I-35, would be acquired as ROW by TxDOT. This area would be used for staging equipment for a 6-year period during construction and would remain as TxDOT ROW after construction to be used for I-35 bridge maintenance. However, TxDOT would allow the area to be used by COA for the park and trail following the completion of the project under the revised MUA. A total of 0.57 acre of the proposed ROW acquisition at Waller Beach Park is within the NRHP-eligible boundary.

A temporary construction and staging easement would be required from Edward Rendon Park on the east side of the I-35 ROW. As previously explained in Section 1, a temporary occupancy results in a use of a Section 4(f) property when there is a temporary impact to the Section 4(f) property that is considered adverse in terms of the preservationist purposes of the Section 4(f) statute. Temporary Occupancy refers to a use caused by a temporary incorporation of land for the purpose of project construction-related activities. The easement would include 0.7 acre from Edward Rendon Park, of which 0.34 acre is within the NRHP-eligible boundary. See the maps in Attachment A for the NRHP-eligible boundary. The duration of the easement at Edward Rendon Park is estimated to be six months or less. Approximately 1,139 feet of the NRHP-eligible Butler Hike and Bike Trail would be temporarily impacted.

Approximately 1,139 feet of the trail would be temporarily impacted along the northern banks of Lady Bird Lake within the limits of the proposed construction staging areas in Waller Beach Park and Edward Rendon Park. Refer to the maps in Attachment A to see the extent of the impacted trail along the northern banks of Lady Bird Lake. Throughout the construction duration in those parks (6 years for Waller Beach Park and 6 months for Edward Rendon Park), the trail would be redirected to run along East Avenue. Additionally, the trail would periodically close for up to three days at a time throughout the duration of construction. The trail would be restored to pre-construction condition following construction.

Temporary impacts would occur to the two boat ramps, one within TxDOT ROW, in Waller Beach Park (Resources D and E). The boat ramp located to the west of the I-35 bridge over Lady Bird Lake (Resource D) will be used as a transition point between land and water during construction. The boat ramp under the I-35 bridge (Resource E) would be closed permanently. The boat ramp on the west side of Waller Beach would be restored to the pre-construction condition following construction. Other direct impacts to the NRHP-eligible property include permanent impacts to one tree in Waller Beach Park and temporary impacts to 9 picnic tables in Edward Rendon Park, some of which are of historic age. See the maps in Attachment A for the locations of these impacts.

Land uses in the vicinity of the NRHP-eligible property include park space, commercial, multi-family residential, civic buildings, and ROW for I-35 and COA streets. A hotel and multifamily residential towers are north of Waller Beach Park. The Festival Beach Community Garden, the RBJ senior living center and public health center, and multifamily apartments are north of Edward Rendon Park. Lady Bird Lake is to the south and the Town Lake Park System continues immediately east and west of the NRHP-eligible property. Large-scale development, along with increased traffic on I-35 and city streets, are existing developmental trends already present in the immediate vicinity of this portion of the Town Lake Park System; these trends are not likely to be substantially changed by this project. The project is not anticipated to induce additional development in the vicinity of this section of the Town Lake Park System.
Noise levels were not specifically documented for the Ann and Roy Butler Hike and Bike Trail; however, they were assessed for the parks adjacent to the I-35 bridge over Lady Bird Lake (Waller Beach Park, Edward Rendon Park, Norwood Park, and International Shores). The noise analysis results show that noise barriers would be feasible and reasonable for the adjacent parks and therefore they have been proposed for incorporation into the project. The noise barriers are proposed along the I-35 frontage road and along park edges and would serve as noise abatement for the parks and the trail. Noise barriers are not proposed along Waller Beach or Edward Rendon Park.

With regard to water quality during construction, the project would implement stormwater pollution prevention structural controls and best management practices in compliance with the applicable federal, state, and city stormwater regulations. As such, there would be no temporary or permanent impacts to water quality along the trail under Build Alternative 2.

The portion of the Ann and Roy Butler Hike and Bike Trail (Resource A) subject to temporary use is a small section in relation to both the overall trail system encircling Lady Bird Lake and the one-mile segment within the evaluated NRHP-eligible boundary. Similarly, the acreage required for use from Waller Beach Park and Edward Rendon Park is minor in comparison to the size of each individual park. Pedestrians and bicyclists utilizing the Ann and Roy Butler Hike and Bike Trail in the park area would likely experience an impact to their visual environment during project construction due to the construction staging area. However, the temporary construction activities would occur in a transitional area between the two parks and the I-35 ROW, and they are not expected to have an impact on park areas or resources that are central to the property’s overall significance. According to current project plans, the resources will be returned to their park and recreational uses following construction.

Modified Build Alternative 3

The impacts to the NRHP-eligible evaluated section of the Town Lake Park System or its component resources under Modified Build Alternative 3 would be identical to those under Build Alternative 2.

4.2.2 Dura Tune Service Station

Build Alternative 2

At this location, I-35 would be expanded on both sides of the existing ROW. An SUP, the southbound frontage road, and a small portion of the depressed southbound mainlanes would be constructed on the former Dura Tune Service Station property. Shifting the I-35 ROW farther to the east to minimize or avoid ROW acquisition from the former Dura Tune Service Station property would result in direct impacts to Fiesta Mart and Delwood Shopping Center, environmental justice community resources, and possible displacements of up to 10 residences on the east side of Robinson Avenue.

Build Alternative 2 would displace and remove the former Dura Tune Service Station building and would require acquisition of about 0.19 acres, or approximately 64 percent, of the property parcel. Build Alternative 2 would have an adverse effect to the former Dura Tune Service Station property and therefore would result in a Section 4(f) use of the property.
1  **Modified Build Alternative 3**

2  At this location, the I-35 ROW would be expanded on both sides of the existing ROW. A SUP, a southbound
3  frontage road, and a small portion of the depressed southbound mainlanes would be constructed on the former
4  Dura Tune Service Station property. Shifting the I-35 ROW farther to the east to minimize or avoid ROW
5  acquisition from the former Dura Tune Service Station property would result in direct impacts to Fiesta Mart and
6  Delwood Shopping Center, environmental justice community resources, and possible displacements of up to 10
7  residences on the east side of Robinson Avenue.

8  Modified Build Alternative 3 would displace and remove the former Dura Tune Service Station building and would
9  require acquisition of about 0.20 acre, or approximately 65 percent, of the property parcel. Modified Build
10 Alternative 3 would have an adverse effect to the former Dura Tune Service Station property and therefore would
11 result in a Section 4(f) use of the property.

12  **4.2.3  EBBC Main Office**

13  **Build Alternative 2**

14  At this location, the I-35 ROW would be expanded on the west side of the existing ROW. An SUP, the southbound
15  frontage road, and the depressed southbound mainlanes would be constructed on what is now the EBBC Main
16  Office property. Shifting the I-35 ROW to the east to minimize or avoid ROW acquisition from the EBBC Main
17  Office property would result in direct impacts to the Fiesta supermarket and Delwood Shopping Center (both are
18  Environmental Justice community resources), and the new Abali affordable housing development, as well as
19  other businesses on the east side of I-35. Additional narrowing of the I-35 ROW in this location is not feasible
20  due to the need for ramps between the frontage roads and managed lanes just north of the EBBC Main Office
21  location. The ramps cannot be shifted farther north due to geometric constraints with the Capital Metro Red Line
22  and the I-35/Airport Boulevard intersection.

23  Build Alternative 2 would displace and remove the EBBC Main Office building and would require acquisition of
24  0.26 acres, or approximately 85 percent, of the property parcel. Build Alternative 2 would have an adverse effect
25  to the EBBC Main Office property and therefore would result in a Section 4(f) use of the property.

26  **Modified Build Alternative 3**

27  Modified Build Alternative 3 would also displace and remove the EBBC Main Office building. A small strip of land
28  at the west edge of the property would remain beyond the proposed roadway and SUP construction. However,
29  TxDOT would acquire the entire 0.33-acre EBBC Main Office property parcel. Modified Build Alternative 3 would
30  have an adverse effect to the EBBC Main Office property and therefore would result in a Section 4(f) use of the
31  property.

32  **4.2.4  Haster House**

33  **Build Alternative 2**

34  At this location, the I-35 ROW would be expanded, with the SUP, northbound frontage road, and depressed
35  northbound mainlanes constructed at the current Haster House location. Build Alternative 2 would displace the
Haster House and a small shed to the east of the house. The east portion of the property, now occupied by a small, paved parking area and a fenced area, would remain beyond the proposed roadway and SUP. However, TxDOT would acquire the full 0.18-acre Haster House property parcel to provide a buffer for residential properties to the east of the Haster House. In addition, the remaining portion of the Haster House property would likely be considered an uneconomic remainder, meaning it could not be adequately accessed and/or redeveloped. Build Alternative 2 would result in an adverse effect to the Haster House property at 3009 North I-35.

Modified Build Alternative 3

Impacts to the Haster House under Modified Build Alternative 3 would be identical to those under Build Alternative 2. The I-35 ROW would be expanded, with the SUP, northbound frontage road, and depressed northbound mainlanes constructed at the current Haster House location. Modified Build Alternative 3 would displace the Haster House and a small shed to the east of the house. The east portion of the property, now occupied by a small, paved parking area and a fenced area, would remain beyond the proposed roadway and SUP. However, TxDOT would acquire the full 0.18-acre Haster House property parcel to provide a buffer for residential properties to the east of the Haster House. In addition, the remaining portion of the Haster House property would likely be considered an uneconomic remainder, meaning it could not be adequately accessed and/or redeveloped. Build Alternative 2 would result in an adverse effect to the Haster House property at 3009 North I-35.

4.2.5 Delwood II Historic District

Build Alternative 2

The Delwood II Historic District is located just north of the I-35/Airport Boulevard intersection. At this location, I-35 mainlanes, HOV managed lanes, and bypass lanes would slope downward to pass under at-grade Airport Boulevard. Frontage roads and SUP would be constructed at grade. Build Alternative 2 would require about 0.13 acre of additional ROW, or about 0.29 percent of the total area of the historic district. Build Alternative 2 would remove two contributing resources and one noncontributing resource from the Delwood II Historic District. Information regarding impacts to contributing resources is described below. Build Alternative 2 would have an adverse effect to the Delwood II Historic District and therefore would result in a Section 4(f) use of the property.

4.2.6 Residence at 4505 North I-35

At this location, I-35 would be expanded on both sides of the existing ROW. A strip of additional ROW, approximately 25 feet wide, would be acquired from the property. Build Alternative 2 would displace and remove the former residence at 4505 North I-35 and would require acquisition of about 0.04 acre, or approximately 20 percent, of the property parcel. Build Alternative 2 would have an adverse effect to 4505 North I-35 and therefore would result in a Section 4(f) use of the property.

4.2.7 Residence at 4503 North I-35

At this location, I-35 would be expanded on both sides of the existing ROW. A strip of additional ROW, approximately 25 feet wide, would be acquired from the property. Build Alternative 2 would displace and remove the former residence at 4503 North I-35 and would require acquisition of about 0.04 acre, or approximately 12
percent, of the property parcel. A non-historic-age building behind the former residence would not be acquired for additional ROW. Build Alternative 2 would have an adverse effect to 4503 North I-35 and therefore would result in a Section 4(f) use of the property.

**Modified Build Alternative 3**

Modified Build Alternative 3 would not acquire additional ROW from the Delwood II Historic District. Based on current project schematics, Modified Build Alternative 3 would have no adverse effect to, and no Section 4(f) use of, the Delwood II Historic District.

### 4.2.8 Roberts House

**Build Alternative 2**

At this location, the I-35 ROW would be expanded, with the SUP, northbound frontage road, and depressed northbound mainlanes constructed at the current Roberts House location. Build Alternative 2 would displace the Roberts House and an associated garage. TxDOT would acquire the full 0.25-acre Roberts House property parcel, with removal of the house and garage. Build Alternative 2 would result in an adverse effect to the Roberts House property at 3509 North I-35 and therefore would result in a Section 4(f) use of the property.

**Modified Build Alternative 3**

Build Alternative 2 and Modified Build Alternative 3 have essentially identical configurations and effects to the Roberts House property. For Modified Build Alternative 3, the I-35 ROW would be expanded, with the SUP, northbound frontage road, and depressed northbound mainlanes constructed at the current Roberts House location. Modified Build Alternative 3 would displace the Roberts House and an associated garage. TxDOT would acquire the full 0.25-acre Roberts House property parcel. Modified Build Alternative 3 would result in an adverse effect to the Roberts House property at 3509 North I-35 and therefore would result in a Section 4(f) use of the property.

### 4.2.9 Summary of Impacts to Section 4(f) Historic Properties

Table 2 displays a summary of impacts to the seven Section 4(f) historic properties discussed in this document.

<table>
<thead>
<tr>
<th>Historic Property (total acreage)</th>
<th>Historic Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Build Alternative 2</strong></td>
<td><strong>Modified Build Alternative 3</strong></td>
</tr>
<tr>
<td>Town Lake Park System</td>
<td>Town Lake Park System includes portions of Ann and Roy Butler Hike and Bike Trail, Waller Beach Park, and Edward Rendon Park. See Section 4.1.8 on park impacts for this property.</td>
</tr>
</tbody>
</table>
Table 2. Historic Properties Impacts Summary

<table>
<thead>
<tr>
<th>Historic Property (total acreage)</th>
<th>Historic Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dura Tune Service Station (0.29 acre)</td>
<td>The former Dura Tune Service Station building would be displaced. Require acquisition of about 0.19 acre (approximately 64% of the property parcel).</td>
</tr>
<tr>
<td>EBBC Main Office (0.33 acre)</td>
<td>The EBBC Main Office would be displaced and require acquisition of 0.26 acres (approximately 85 percent of the property parcel). The EBBC Main Office would be displaced. TxDOT would acquire the entire 0.33-acre EBBC property parcel.</td>
</tr>
<tr>
<td>Haster House (0.18 acre)</td>
<td>The Haster House and a small shed to the east of the house would be displaced. The east portion of the property, now occupied by a small, paved parking area and a fenced area, would remain beyond the proposed roadway and SUP. TxDOT would acquire the full 0.18-acre Haster House property parcel to provide a buffer for residential properties to the east of the Haster House. The Haster House and a small shed to the east of the house would be displaced. The east portion of the property, now occupied by a small, paved parking area and a fenced area, would remain beyond the proposed roadway and SUP. TxDOT would acquire the full 0.18-acre Haster House property parcel to provide a buffer for residential properties to the east of the Haster House.</td>
</tr>
</tbody>
</table>
| Delwood II Historic District (44.29 acres) | Two contributing resources (4505 and 4503 North I-35) and one noncontributing resource (1101 Bentwood Road) from the Delwood II Historic District would be displaced, which is 0.29 percent of the total area of the historic district.  
  - Residence at 4505 North I-35: A strip of additional ROW, approximately 25 feet wide, would be acquired from the property. The former residence would be displaced and would require acquisition of about 0.04 acre, or approximately 20 percent of the property parcel.  
  - Residence at 4503 North I-35: A strip of additional ROW, approximately 25 feet wide, would be acquired from the property. The former residence would be displaced and would require acquisition of about 0.04 acre, or approximately 20 percent of the property parcel. No impacts would occur to the Delwood II Historic district. |
Table 2. Historic Properties Impacts Summary

<table>
<thead>
<tr>
<th>Historic Property (total acreage)</th>
<th>Historic Impacts</th>
<th>Build Alternative 2</th>
<th>Modified Build Alternative 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roberts House (0.25 acre)</td>
<td>require acquisition of about 0.04 acre, or approximately 12 percent of the property parcel.</td>
<td>The Roberts House and an associated garage would be displaced (0.25 acre).</td>
<td>The Roberts House and an associated garage would be displaced (0.25 acre).</td>
</tr>
</tbody>
</table>

4.3. Summary of Impacts

Impacts to Section 4(f) parks, recreation areas, and historic properties are similar under both design alternatives; however, the Delwood II Historic District would not be impacted by Modified Build Alternative 3.

For impacts to parks, under Modified Build Alternative 3, the Ann and Roy Butler Hike and Bike Trail would incur approximately 49 more feet of permanent incorporation when compared to Build Alternative 2. For temporary impacts, Build Alternative 2 would incur 48 more feet of temporary occupancy when compared to Modified Build Alternative 3. In comparison to Build Alternative 2, Modified Build Alternative 3 would result in 0.09 more acre of permanent incorporation for International Shores_3. Build Alternative 2 would incur 0.1 more acre of temporary use compared to Modified Build Alternative 3.

Impacts to Section 4(f) historic properties are similar under both alternatives except for two resources. Two resources in the Delwood II Historic District would be displaced by Build Alternative 2. Modified Build Alternative 3 would not acquire additional ROW from the Delwood II Historic District. There is a minor difference affecting the Dura Tune Service Station: 0.193 acre of ROW would be acquired from the Dura Tune Service Station property parcel under Build Alternative 2, whereas 0.197 acre would be required under Modified Build Alternative 3, which is a difference of 0.004 acre between the two alternatives. All other impacts to parks and historic properties are similar between the two build alternatives.

5. Avoidance Alternatives

TxDOT used a comprehensive, multi-phase process to develop and evaluate a full range of project alternatives for highway improvements in the project corridor. Detailed information regarding the alternative analysis process is in Section 2 of the DEIS. TxDOT also employed a phased approach to identify and evaluate potential historic properties and the effect of the CapEx I-35 Project on historic properties and cultural resources. TxDOT examined alternatives that would avoid use of any Section 4(f) property. These alternatives were removed from further consideration following the secondary screening process due to a combination of constructability issues, lack of functionality, and/or undesirable operations and maintenance requirements. None of the avoidance alternatives were determined to be feasible and prudent. TxDOT examined alternatives and design concepts that would avoid use of some or all Section 4(f) properties. These alternatives, except for the No Build Alternative, are no longer
being considered for further study but are included to provide an indication of the range of alternatives examined in earlier stages of project development and their potential impacts to properties subject to Section 4(f) evaluation. Detailed information regarding the alternative analysis process is in Chapter 2 of the DEIS.

5.1.  No Build Alternative

Under this Alternative, the project would not be constructed. The existing highway alignments would remain in the same configuration and no work would occur. The No Build Alternative would avoid use of Section 4(f) properties. However, it does not provide improvements that reduce/eliminate traffic deaths and does not align with TxDOT’s Road to Zero Initiative and/or the COA’s Vision Zero Initiative. Also, the No Build Alternative would result in longer emergency response times due to congestion, unreliable travel times, and narrow shoulder widths, which hinder the ability of emergency vehicles to maneuver along the facility. The No Build Alternative is feasible from an engineering standpoint and would avoid use of Section 4(f) properties; however, it is not a “prudent avoidance alternative” under 23 CFR 774.17 because it results in unacceptable safety and operational problems.

5.2.  Alternative 1

Alternative 1 includes two tunneled managed lanes in each direction, depressed mainlanes in each direction, and direct connectors at the I-35/US 290E interchange. Tunneled lanes are defined as being two levels below frontage roads and cross streets and one level below mainlanes. Alternative 1 would likely avoid use of several Section 4(f) properties but would likely still have required the use of 0.54 combined acres of parks, including Norwood Tract at Town Lake Metro Park and Sir Swante Palm Neighborhood Park. Alternative 1 was included in the 2021 Alternatives Evaluation Report (see Appendix I of the DEIS) for the project and an early schematic design was presented to the public in August 2021. Alternative 1 would meet the project purpose and need and is feasible from an engineering standpoint. However, it was removed from further study in the DEIS and associated technical studies because of substantial constructability and safety issues, and cost. The estimated design and construction costs for Alternative 1 were $8.08 billion and estimated operating and maintenance costs were $14.4 million/year, which were approximately 55 percent higher than the estimated costs for either Build Alternative 2 or Modified Build Alternative 3. With its tunneled managed lanes, Alternative 1 has more emergency egress requirements, provides limited access to cross streets and fewer egress options, has more complex drainage and utility requirements, and requires more complex construction phasing. The other build alternatives more fully meet the project purpose and need in terms of emergency response times and egress options for central Austin. Alternative 1 is not a “prudent avoidance alternative” under 23 CFR 774.17 because it results in unacceptable safety and operational problems, as well as additional construction, maintenance, and operational costs of an extraordinary magnitude.

5.3.  Redesignation of SH 130

Public input in earlier studies identified redesignation of SH 130 as I-35 as a potential option. SH 130 is a limited-access tollway that runs north-south in eastern Williamson, eastern Travis, and Caldwell Counties. SH 45N and SH 45SE, also limited-access tollways, provide connectors between existing I-35 and SH 130 to bypass the most heavily urbanized areas of the Austin metropolitan area. TxDOT commissioned a study in 2019 to better understand passenger and freight activity through the I-35 corridor, including the interaction of SH 130 and I-35
redesignations on truck traffic. The 2019 study found that redesignation of SH 130 or other incentives, such as removing tolls on SH 130, would have little impact on truck traffic as only 7 percent of freight truck traffic on I-35 in central Austin is through traffic without local stops, and most of the light-duty trucks are also making short-haul local trips along I-35. In addition, TxDOT is prohibited by law from banning trucks from using a transportation facility or requiring trucks to use an alternate facility (Texas Transportation Code, Chapter 201, Subchapter K, Section 201.901, “Prohibiting Use of Highway Road”). Removal of tolls would also cost $3 billion in lost toll funding for debt payment and maintenance of the Central Texas Turnpike System. As a general concept, the SH 130 redesignation alternative would remove or substantially reduce the need for additional travel lanes or other major improvements to I-35, and therefore would be expected to avoid use of Section 4(f) properties. While the SH 130 redesignation was never fully developed as a project alternative, the information presented indicates that it would not meet the project purpose and need. The alternative is not a “prudent avoidance alternative” under 23 CFR 774.17 because it results in additional construction, maintenance, and operational costs of an extraordinary magnitude.

5.4. **Transit-Only**

TxDOT has examined transit opportunities for the I-35 corridor that would optimize transit operations by including direct transit access and designating one of the managed lanes for transit only. TxDOT is collaborating with CapMetro to study feasibility of direct transit access provided funding is identified by others. Transit would have access to the managed lanes in the proposed build alternatives, which could improve transit operations. A transit-only alternative is not a “prudent avoidance alternative” under 23 CFR 774.17 because increased use of transit on its own would not meet the mobility demands of the region, nor would it provide improved safety and operations for the corridor. The Purpose and Need for this project are of a magnitude that could not be satisfied merely with increased transit ridership.

5.5. **Transportation Demand Management/Intelligent Transportation Systems**

TxDOT is evaluating transportation demand management and intelligent transportation systems (TDM/ITS) as part of project development. One of the purposes of the project is to address demand by prioritizing the movement of people, goods, and services through and across the corridor. Managed lanes efficiently use the available roadway to improve reliable operations for transit, carpools, and vanpools, and serves as a transportation demand management strategy that increases the traffic-carrying capability of the I-35 corridor. These lanes also provide the potential opportunity for future connected and automated vehicle use. However, because this TDM/ITS alternative would still require construction of one or more managed lanes in each direction, the impacts would likely be relatively similar to Build Alternative 2 and Modified Build Alternative 3 and other construction alternatives. The TDM/ITS alternative is not a “prudent avoidance alternative” under 23 CFR 774.17 because it results in unacceptable safety or operational problems and it compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need.

5.6. **Alignment Shifts/Design Changes**

As explained in Table 3, use/adverse effects cannot be avoided for any of the 13 properties as a result of alignment shifts, design changes, or other project modifications. Design changes allowed the avoidance of Mt. Cavalry Cemetery and Palm Park.
Table 3. Alignment Shifts/Design Changes Summary

<table>
<thead>
<tr>
<th>Section 4(f) Properties</th>
<th>Build Alternative 2</th>
<th>Modified Build Alternative 3</th>
</tr>
</thead>
</table>
| Ann and Roy Butler Hike and Bike Trail | • The construction easements would be needed along the trail for large equipment storage and staging along I-35. This provides adequate room for construction activities.  
• The location of the easements would be along each side of the Lady Bird Lake for bridge construction.  
• Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the trail. | • The construction easements would be needed along the trail for large equipment storage and staging along I-35. This provides adequate room for construction activities.  
• The location of the easements would be along each side of the Lady Bird Lake for bridge construction.  
• Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the trail. |
| International Shores_3 | • The alignment is situated west to the Modified Build Alternative 3.  
• Proposed ROW would be needed for a frontage road.  
• The construction easements would be needed within the park for large equipment storage and staging along I-35. This provides adequate room for construction activities.  
• The location of the proposed ROW and easements would be for Lady Bird Lake bridge construction.  
• Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the park. | • The alignment is situated east to the Build Alternative 2.  
• More proposed ROW would be needed for a frontage road.  
• The construction easements would be needed within the park for large equipment storage and staging along I-35. This provides adequate room for construction activities.  
• The location of the proposed ROW and easements would be for Lady Bird Lake bridge construction.  
• Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the park. |
| Edward Rendon Park | • The construction easement would be needed within the park for large equipment storage and staging along I-35. This provides adequate room for construction activities.  
• The location of the proposed easement would be for Lady Bird Lake bridge construction. | • The construction easements are needed along the trail for large equipment to be stored along I-35. This provides adequate room for construction activities.  
• The location of the proposed easement would be for Lady Bird Lake bridge construction. |
<table>
<thead>
<tr>
<th>Section 4(f) Properties</th>
<th>Alignment Shifts/Design Changes</th>
<th>Build Alternative 2</th>
<th>Modified Build Alternative 3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the park.</td>
<td>• Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the park.</td>
<td>• Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the park.</td>
</tr>
</tbody>
</table>
| Waller Beach Park       | • The construction easement would be needed within the park for large equipment storage and staging along I-35. This provides adequate room for construction activities.  
                          • The location of the proposed easement would be for Lady Bird Lake bridge construction.  
                          • Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the park. | • The construction easements are needed along the trail for large equipment to be stored along I-35. This provides adequate room for construction activities.  
                          • The location of the proposed easement would be for Lady Bird Lake bridge construction.  
                          • Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the park. | • The construction easements are needed along the trail for large equipment to be stored along I-35. This provides adequate room for construction activities.  
                          • The location of the proposed easement would be for Lady Bird Lake bridge construction.  
                          • Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the park. |
| Norwood Park            | • The construction easement would be needed within the park for large equipment storage and staging along I-35. A shift of this construction easement to the south within current ROW (vacant area north of E Riverside Drive) would not create adequate space for the equipment and staging. Selecting this designated area as the construction easement avoids impacts to non-Section 4(f) resources, such as residences and commercial buildings.  
                          • The location of the proposed easement would be for Lady Bird Lake bridge construction.  
                          • Due to the proximity of I-35 and the designated location of the construction easement, a different shift of the alignment (either east or west) would incur impacts to the park. | • The construction easement would be needed within the park for large equipment storage and staging along I-35. A shift of this construction easement to the south within current ROW (vacant area north of E Riverside Drive) would not create adequate space for the equipment and staging. Selecting this designated area as the construction easement avoids impacts to non-Section 4(f) resources, such as residences and commercial buildings.  
                          • The location of the proposed easement would be for Lady Bird Lake bridge construction.  
                          • Due to the proximity of I-35 and the designated location of the construction easement, a different shift of the alignment (either east or west) would incur impacts to the park. | • The construction easement would be needed within the park for large equipment storage and staging along I-35. A shift of this construction easement to the south within current ROW (vacant area north of E Riverside Drive) would not create adequate space for the equipment and staging. Selecting this designated area as the construction easement avoids impacts to non-Section 4(f) resources, such as residences and commercial buildings.  
                          • The location of the proposed easement would be for Lady Bird Lake bridge construction.  
                          • Due to the proximity of I-35 and the designated location of the construction easement, a different shift of the alignment (either east or west) would incur impacts to the park. |
Table 3. Alignment Shifts/Design Changes Summary

<table>
<thead>
<tr>
<th>Section 4(f) Properties</th>
<th>Alignment Shifts/Design Changes</th>
<th>Build Alternative 2</th>
<th>Modified Build Alternative 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lady Bird Lake</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• I-35 crosses Lady Bird Lake. Newly impacted areas would occur to the North and South Shores.</td>
<td></td>
<td>• I-35 crosses Lady Bird Lake. Newly impacted areas would occur to the North and South Shores.</td>
</tr>
<tr>
<td></td>
<td>• The construction easements are needed within the lake for large equipment to be stored along I-35. This provides adequate room for construction activities.</td>
<td></td>
<td>• The construction easements are needed within the lake for large equipment to be stored along I-35. This provides adequate room for construction activities.</td>
</tr>
<tr>
<td></td>
<td>• The location of the proposed easement would be for Lady Bird Lake bridge construction.</td>
<td></td>
<td>• The location of the proposed easement would be for Lady Bird Lake bridge construction.</td>
</tr>
<tr>
<td></td>
<td>• Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the lake.</td>
<td></td>
<td>• Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the lake.</td>
</tr>
<tr>
<td>Town Lake Park System</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• The construction easement would be needed within the park system for large equipment storage and staging along I-35. This provides adequate room for construction activities.</td>
<td></td>
<td>• The construction easement would be needed within the park system for large equipment storage and staging along I-35. This provides adequate room for construction activities.</td>
</tr>
<tr>
<td></td>
<td>• The location of the proposed easement would be for Lady Bird Lake bridge construction.</td>
<td></td>
<td>• The location of the proposed easement would be for Lady Bird Lake bridge construction.</td>
</tr>
<tr>
<td></td>
<td>• Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the park system.</td>
<td></td>
<td>• Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the park system.</td>
</tr>
<tr>
<td>Dura Tune Service Station</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• ROW would be acquired for the Build Alternative 2 alignment.</td>
<td></td>
<td>• ROW would be acquired for the Modified Build Alternative 3 alignment.</td>
</tr>
<tr>
<td></td>
<td>• Shifting the I-35 ROW farther to the east to minimize or avoid ROW acquisition from the former Dura Tune Service Station property would result in direct impacts to and possible displacements of numerous</td>
<td></td>
<td>• Shifting the I-35 ROW farther to the east to minimize or avoid ROW acquisition from the former Dura Tune Service Station property would result in direct impacts to and possible displacements of numerous</td>
</tr>
</tbody>
</table>
Table 3. Alignment Shifts/Design Changes Summary

<table>
<thead>
<tr>
<th>Section 4(f) Properties</th>
<th>Build Alternative 2</th>
<th>Modified Build Alternative 3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>residences on the east side of Robinson Avenue.</td>
<td>residences on the east side of Robinson Avenue.</td>
</tr>
</tbody>
</table>
| Haster House            | • ROW would be acquired to provide a buffer for residential properties east of the Haster House.  
                          | • Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the property. | • ROW would be acquired to provide a buffer for residential properties east of the Haster House.  
                          | • Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the property. |
| Delwood II Historic district  | • ROW would be acquired for the Build Alternative 2 alignment.  
                          | • No ROW acquisition required.  
                          | • An alignment shift to the east would avoid both residences under Modified Build Alternative 3. |
Table 3. Alignment Shifts/Design Changes Summary

<table>
<thead>
<tr>
<th>Section 4(f) Properties</th>
<th>Alignment Shifts/Design Changes</th>
<th>Modified Build Alternative 3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Build Alternative 2</td>
<td>ROW would be acquired for</td>
</tr>
<tr>
<td></td>
<td></td>
<td>the Modified Build</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Alternative 3 alignment.</td>
</tr>
<tr>
<td></td>
<td>• ROW would be acquired for the Build</td>
<td>• Due to the proximity of</td>
</tr>
<tr>
<td></td>
<td>Alternative 2 alignment.</td>
<td>I-35, a different shift of</td>
</tr>
<tr>
<td></td>
<td>• Due to the proximity of I-35, a different</td>
<td>the alignment (either east</td>
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<tr>
<td></td>
<td>shift of the alignment (either east or</td>
<td>or west) would incur</td>
</tr>
<tr>
<td></td>
<td>west) would incur impacts to the</td>
<td>impacts to the property.</td>
</tr>
<tr>
<td></td>
<td>property.</td>
<td></td>
</tr>
</tbody>
</table>

Roberts House
• ROW would be acquired for the Build Alternative 2 alignment.
• Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the property.

1. There are no feasible and prudent avoidance alternatives to the use of land from 13 Section 4(f) properties for Build Alternative 2 and 11 Section 4(f) properties for Modified Build Alternative 3.

2. Least Overall Harm Analysis

As discussed in Section 5 (Avoidance Alternatives), there are no feasible and prudent avoidance alternatives. Because both Build Alternative 2 and Modified Build Alternative 3 have a Section 4(f) use of resources that results in greater than a de minimis impact, a least overall harm analysis is required to determine which alternative causes the least overall harm in light of the statute’s preservation purpose. FHWA’s rules at 23 CFR 774.3(c) provide that if there is no feasible and prudent avoidance alternative, the agency may approve, from among the remaining alternatives that use Section 4(f) property, only the alternative that causes the least overall harm. According to the regulations (23 CFR § 774.3), the “least overall harm” is determined by balancing the following factors:

1) The ability to mitigate adverse impacts to the Section 4(f) property, including any measures resulting in benefits to the property;
2) The relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features qualifying the Section 4(f) property for protection;
3) The relative significance of the Section 4(f) property;
4) The views of the official(s) with jurisdiction over the Section 4(f) property;
5) The degree to which each alternative meets the purpose and need of the project;
6) After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section 4(f); and
7) Substantial differences in costs among the alternatives.

FHWA’s Section 4(f) Policy Paper explains that the first four factors relate to the net harm that each alternative would cause to Section 4(f) property, and that the remaining three factors enable the lead federal agency to take into account any substantial problem with any of the alternatives remaining under consideration on issues beyond Section 4(f). The seven criteria should be balanced to allow for consideration of all relevant concerns in

I-35 Capital Express Central Section 4(f) Individual Evaluation 51
order to determine which alternative would cause the least overall harm in light of the statute’s preservation purpose. In balancing the factors, it may be determined that a serious problem identified in these factors might outweigh relatively minor net harm to a Section 4(f) resource. An evaluation of the potential “least harm” alternatives outlined in this section was conducted with respect to the seven factors, as summarized in Table 4.

Table 4. Least Overall Harm Evaluation Factors

<table>
<thead>
<tr>
<th>Evaluation Factors</th>
<th>Build Alternative 2</th>
<th>Modified Build Alternative 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Section 4(f) properties that would have a Section 4(f) use</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>13</td>
<td>11</td>
</tr>
<tr>
<td>Section 4(f) properties that would be subject to a “use”</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Ann and Roy Butler Hike and Bike Trail (Park)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• International Shores_3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Waller Beach Park</td>
<td></td>
<td></td>
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<tr>
<td>• Edward Rendon Park</td>
<td></td>
<td></td>
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<tr>
<td>• Norwood Park</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Lady Bird Lake</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Town Lake Park System (Historic)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Dura Tune Service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• EBBC Main Office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Haster House</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Delwood II Historic District Residence at 4505 North I-35</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Delwood II Historic District Residence at 4503 North I-35</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Roberts House</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section 6(f) properties that would be subject to a “use”</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Waller Beach Park</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Edward Rendon Park</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) Ability to mitigate</td>
<td>Due to minimization during design, the main functionality of the Ann and Roy</td>
<td>Due to minimization during design, the main functionality of the Ann and Roy</td>
</tr>
</tbody>
</table>
Table 4. Least Overall Harm Evaluation Factors

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</table>
| adverse impacts    | Butler Hike and Bike (Park), Waller Beach Park, Edward Rendon Park, Norwood Park, and Lady Bird Lake properties would not be impaired, nor would the parks be entirely unusable because of the temporary loss of space. Examples of the minimization during design include the Lady Bird Lake Bridge construction sequencing and the use of construction easements rather than acquiring ROW.  
• For International Shores_3, a temporary construction easement will be utilized to minimize the amount of proposed ROW (0.01 acre).  
• The project has been designed to minimize harm to historic properties (Design changes allowed the avoidance of Mt. Cavalry Cemetery and Palm Park). TxDOT has incorporated numerous design modifications to narrow the ROW section and reduce ROW acquisition. | Butler Hike and Bike (Park), Waller Beach Park, Edward Rendon Park, Norwood Park, and Lady Bird Lake properties would not be impaired, nor would the parks be entirely unusable because of the temporary loss of space. Examples of the minimization during design include the Lady Bird Lake Bridge construction sequencing and the use of construction easements rather than acquiring ROW.  
• For International Shores_3, a temporary construction easement will be utilized to minimize the amount of proposed ROW (0.10 acre).  
• The project has been designed to minimize harm to historic properties (Design changes allowed the avoidance of Mt. Cavalry Cemetery and Palm Park). TxDOT has incorporated numerous design modifications to narrow the ROW section and reduce ROW acquisition. |
| 2) Relative severity of harm, after mitigation | • Ann and Roy Butler Hike and Bike Trail (Park), Waller Beach Park, Edward Rendon Park, Norwood Park, and Lady Bird Lake would be temporarily used for construction staging areas.  
• Waller Beach Park (1.20 acres) will become a permanent impact once construction is completed. This area will be used for maintenance of the I-35 bridge over Lady Bird Lake. | • Ann and Roy Butler Hike and Bike Trail (Park), Waller Beach Park, Edward Rendon Park, Norwood Park, and Lady Bird Lake would be temporarily used for construction staging areas.  
• Waller Beach Park (1.20 acres) will become a permanent impact once construction is completed. This area will be used for maintenance of the I-35 bridge over Lady Bird Lake. |
### Table 4. Least Overall Harm Evaluation Factors

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</thead>
<tbody>
<tr>
<td>• The Ann and Roy Butler Hike and Bike Trail would have 603.3 feet of permanent incorporation.</td>
<td>• The Ann and Roy Butler Hike and Bike Trail would have 651.5 feet of permanent incorporation.</td>
<td></td>
</tr>
<tr>
<td>• The NB I-35 sidewalk is 758 feet and the SB I-35 sidewalk is 695 feet. They will be temporarily impacted during construction.</td>
<td>• The NB I-35 sidewalk is 758 feet and the SB I-35 sidewalk is 695 feet. They will be temporarily impacted during construction.</td>
<td></td>
</tr>
<tr>
<td>• International Shores_3 would contain a construction area (0.70 acre) within the property. Also, additional ROW (0.01 acre) would be acquired.</td>
<td>• International Shores_3 would contain a construction area (0.60 acre) within the property. Also, additional ROW (0.10 acre) would be acquired.</td>
<td></td>
</tr>
<tr>
<td>• Six historic resources would be displaced: Dura Tune Service (0.19 acre), EBBC Building (0.26 acre), the Haster House (the full 0.18-acre parcel), 4505 North I-35 (0.04 acre), 4503 North I-35 (0.04 acre), and the Roberts House (the full 0.25-acre parcel) would require acquisition.</td>
<td>• Four historic resources would be displaced: Dura Tune Service (0.20 acre), EBBC Building (the entire 0.33 acre), the Haster House (the full 0.18-acre parcel) and the Roberts House (the full 0.25-acre parcel) would require acquisition.</td>
<td></td>
</tr>
<tr>
<td>• Analysis is ongoing and coordination with OWJ and SHPO is in progress. Mitigation plans have not been determined and will be coordinated in an MUA or PA.</td>
<td>• Analysis is ongoing and coordination with OWJ and SHPO is in progress. Mitigation plans have not been determined and will be coordinated in an MUA or PA.</td>
<td></td>
</tr>
</tbody>
</table>

3) Relative significance of each Section 4(f) property

After consultation, all historic properties and parks are anticipated to have equal significance. All historic properties with Section 4(f) use are eligible for the NRHP at the local level of significance. While this region is known for outdoor recreation, historic sites and districts have been avoided through design. In coordination with the officials with jurisdiction, additional minimization would be used for both historic and park properties.
### Table 4. Least Overall Harm Evaluation Factors

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<tr>
<td>4) Views of officials with jurisdiction</td>
<td>Coordination would occur with SHPO for historic properties and with the COA PARD and the Trail Foundation for park properties. As of current, TxDOT and the COA PARD have started the coordination process for parks and TPWD for the two Section 6(f) resources. TxDOT began the Section 106 process in October 2021 and has initiated consultation with SHPO regarding NRHP eligibility and project effects to historic properties. Resolution of NRHP eligibility determinations and direct effects to historic properties is expected to be complete in December 2022. Resolution of indirect effects to historic properties will be completed prior to the FEIS.</td>
<td>Coordination would occur with SHPO for historic properties and with the COA PARD and the Trail Foundation for park properties. As of current, TxDOT and the COA PARD have started the coordination process for parks and TPWD for the two Section 6(f) resources. TxDOT began the Section 106 process in October 2021 and has initiated consultation with SHPO regarding NRHP eligibility and project effects to historic properties. SHPO has concurred with TxDOT’s NRHP eligibility determinations and preliminary findings of direct effects to historic properties. Resolution of indirect effects to historic properties will be completed prior to the FEIS.</td>
</tr>
<tr>
<td>5) Degree to which each Alternative meets the purpose and need for the project</td>
<td>Build Alternative 2 meets the purpose and need of the project by proposing to provide a highway that meets current design standards, relieves congestion during peak period times, enhances safety, improving operational efficiency, and creates a more dependable and consistent route for the traveling public, including people who walk and bicycle, emergency responders, and transit.</td>
<td>Modified Build Alternative 3 is expected to meet the project purpose and need by proposing to provide a highway that meets current design standards, relieves congestion during peak period times, enhances safety, improves operational efficiency, and creates a more dependable and consistent route for the traveling public, including people who walk and bicycle, emergency responders, and transit. Modified Build Alternative 3 was refined to reflect elements of the community concepts but was derived from Build Alternative 3 and also meets the purpose and need of the project while performing well under several evaluation criteria. Modified Build Alternative 3 better improves east-west connectivity by providing more vehicular, bicycle and...</td>
</tr>
</tbody>
</table>
Table 4. Least Overall Harm Evaluation Factors

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</table>

- **Community Facilities/Services:** Displaced community facilities would include: two federally-qualified health care centers, CommUnity Care – David Powell Health Center and CommUnity Care – Hancock Walk-In Care; The Austin Veteran Affairs (VA) Center; Pathways Youth and Family Services, Texas State Independent Living Council, Green Doors, and three early childhood centers. Several basic needs service locations currently provided by the COA for those experiencing homelessness would be displaced (not permanent facilities) including under existing bridges of I-35 at Airport Blvd. and 7th Street. Minor right-of-way acquisition would be required from other community facilities that would not be expected to change the function of the facilities. This alternative rates high for improving facilities for disabled populations.

- **Displacements:** It would be expected to displace 131 commercial properties and 145 residences (including multi-family units), and 15 vacant buildings.

- **Environmental Justice:** Of the 291 total displacements, 172 would be in Environmental Justice Census geographies.

- **Noise Impacts:** Of the 90 receivers modeled for Modified Build Alternative 3, 51 would be impacted, and nine pedestrian crossings (not including local enhancements) with 26 total over 23 for Build Alternative 2. Modified Build Alternative 3 would accommodate the CapMetro Blue Line at Riverside Drive.

- **Magnitude of adverse impacts to non-Section 4(f) properties after mitigation**

6) Magnitude of adverse impacts to non-Section 4(f) properties after mitigation.
Table 4. Least Overall Harm Evaluation Factors

<table>
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<tr>
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<th>Modified Build Alternative 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>7) Substantial differences in costs</td>
<td>• Noise Impacts: 95 receivers modeled for Build Alternative 2, 53 would be impacted, and eight noise barriers would be feasible and reasonable.</td>
<td>noise barriers would be feasible and reasonable</td>
</tr>
<tr>
<td></td>
<td>$4.45 Billion</td>
<td>$4.50 Billion</td>
</tr>
</tbody>
</table>

1. Both alternatives have similar abilities to mitigate adverse impacts to the Section 4(f) properties.
2. TxDOT is coordinating with THC and COA regarding impacts to the resources to reach agreement with the mitigation process. With regard to relative severity of harm after mitigation, Modified Build Alternative 3 would avoid two historic resources in the Delwood II Historic District and therefore fewer permanent impacts to the Section 4(f) resources than Build Alternative 2; however, taken in context, the two alternatives are similar in terms of the assessment of overall harm.
3. Significance: All of the historic properties and parks evaluated in this report are significant and are equal in their degree of significance.
4. Views of officials with jurisdiction: For both build alternatives, coordination with COA PARD began in December 2020. Twenty-six (26) meetings have been conducted to date to inform and coordinate with COA PARD. Discussions have included information on parks and trails impacts, potential staging areas, construction duration, and mitigation measures that have been determined thus far. Consultation with the Trails Foundation would occur after the Draft Section 4(f) is approved. Through the Section 106 process, TxDOT has consulted with the SHPO and with other Section 106 consulting parties. TxDOT held a virtual Section 106 consulting parties meeting on October 6, 2021, and a second Section 106-focused public involvement meeting for consulting parties and interested stakeholders on June 10, 2022, to provide an update on project activities related to historic resources, present findings from historic resources surveys, and solicit input and discussion on the findings. A third Section 106 consulting party meeting was held with Section 106 consulting parties on October 13, 2022, to discuss effects of the project to historic properties and potential mitigation activities. TxDOT received Section 106 concurrence from THC on November 30, 2022.
5. Both build alternatives meet the purpose and need.
6. Both build alternatives would have adverse effects to non-Section 4(f) properties that TxDOT would not be able to fully offset or mitigate. Build Alternative 2 has a greater number of displacements, including more displacements within Environmental Justice Census geographies, and more noise impacts. TxDOT
would investigate mitigation measures for the impacts of the displacement of facilities and services, and impacts to other non-Section 4(f) properties.

7. While the costs are similar, Modified Build Alternative 3 is slightly higher at $4.50 billion.

Build Alternative 2 would use 13 Section 4(f) properties while Modified Build Alternative 3 would use 11 Section 4(f) properties. For Build Alternative 2, there would be temporary occupancy of five Section 4(f) properties and permanent impacts to eight Section 4(f) properties. Under Build Alternative 2, the eight Section 4(f) properties that would be used due to ROW acquisition are (1) Dura Tune Service Station building, (2) EBBC Main Office, (3) Haster House and a small shed, (4) 4505 North I-35 in the Delwood II Historic District, (5) 4503 North I-35 in the Delwood II Historic District, (6) the Roberts House, (7) Waller Beach Park, and (8) International Shores_3. In contrast, Modified Build Alternative 3 would have temporary occupancy of five Section 4(f) properties and permanent impacts to only six Section 4(f) properties. Under Modified Build Alternative 3, the six Section 4(f) properties that would be used due to ROW acquisition are (1) Dura Tune Service Station building, (2) EBBC Main Office, (3) Haster House and a small shed, (4) the Roberts House, (5) Waller Beach Park, and (6) International Shores_3.

Mitigation development and coordination efforts are ongoing. A PA with THC is in development to address and mitigate adverse effects to historic resources; revisions or updates to MUAs with COA (PARD, OWJ, and Trail Foundation) are currently being drafted to mitigate park impacts. Because Modified Alternative 3 would use two fewer historic properties than Build Alternative 2 and because it is preferable under Evaluation Factor 6 (magnitude of adverse impacts to non-Section 4(f) properties after mitigation), above, Modified Build Alternative 3 is identified as the least overall harm alternative.

7. All Possible Planning to Minimize Harm or Mitigate Adverse Impacts

Throughout the design process, TxDOT has limited ROW acquired from the Section 4(f) properties (including the two Section 6(f) resources). As discussed in the Section 5 (Avoidance Alternatives), there are no feasible and prudent avoidance alternatives. Build Alternative 2 and Modified Build Alternative 3 have a Section 4(f) use of the properties that results in greater than a de minimis impact. The evaluation explains how each alternative incorporates all possible planning to minimize harm or mitigate adverse impacts or effects to the Section 4(f) property. Specific minimization/mitigation strategies are discussed above in the context of describing the proposed use of each of the 13 properties for Build Alternative 2 and 11 properties for Modified Alternative 3. See Table 5.

<table>
<thead>
<tr>
<th>Section 4(f) Properties</th>
<th>Minimizing Harm/Mitigation of Adverse Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Build Alternative 2</td>
</tr>
<tr>
<td></td>
<td>Modified Build Alternative 3</td>
</tr>
<tr>
<td>Ann and Roy Butler Hike and Bike Trail</td>
<td>Vegetation: Ground disturbance: The disturbed area will be regraded and revegetated in accordance with TxDOT standard</td>
</tr>
</tbody>
</table>
Table 5. Minimizing Harm/Mitigation of Adverse Impacts

<table>
<thead>
<tr>
<th>Section 4(f) Properties</th>
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<tbody>
<tr>
<td></td>
<td>Minimizing Harm/Mitigation of Adverse Impacts</td>
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<tr>
<td></td>
<td>specication and will comply with federal Executive Order (EO) 13112 on Invasive Species.</td>
<td></td>
</tr>
<tr>
<td>Trails:</td>
<td>Detours will be provided for portions of the trail located within the construction access areas where closures would be required for more than a few hours at a time. List of locations and anticipated durations is provided below, detours are shown in Attachment A:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Waller Beach at Town Lake Metro Park: 6 years</td>
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<tr>
<td></td>
<td>• Edward Rendon Sr. Park at Festival Beach: 6 months</td>
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<tr>
<td></td>
<td>• International Shores_3: 1.5 years</td>
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<tr>
<td></td>
<td>• Trail along I-35 at Lady Bird Lake: 1.5 years</td>
<td></td>
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<tr>
<td></td>
<td>• Northbound and southbound I-35 sidewalks: 6 years</td>
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<tr>
<td></td>
<td>Portable Changeable Message Signs (PCMS) and temporary wayfinding signs will be placed in appropriate locations to warn trail users of the detours during construction.</td>
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<tr>
<td></td>
<td>Any damage caused by construction equipment during construction to the existing trails will be repaired and all trails will be returned to their original conditions after the full duration of construction. All detour routes will be removed and grounds will be returned to their original conditions unless COA requests that the detour trail routes remain in place.</td>
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<tr>
<td></td>
<td>TxDOT will construct an open trail boardwalk on the eastside of the I-35 bridge after construction is completed. The design of this structure has been and will continue to be coordinated with COA PARD.</td>
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</tr>
<tr>
<td>International Shores_3</td>
<td>Temporary Easement:</td>
<td>Same as Build Alternative 2</td>
</tr>
<tr>
<td></td>
<td>Financial compensation for the 1.5-year temporary use of the 0.6 acre will be paid to COA PARD. Compensation will be based on appraisal.</td>
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<td>Vegetable:</td>
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</table>
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<td></td>
<td>Build Alternative 2</td>
</tr>
<tr>
<td></td>
<td>Modified Build Alternative 3</td>
</tr>
<tr>
<td>Trees:</td>
<td>Tree mitigation will be paid in fee to COA rather than new tree plantings. Prior to construction, a tree survey consistent with the COA <a href="#">Section 3 of the COA Environmental Criteria Manual</a> for tree and natural area protection will be performed to gauge the health and quality of the trees proposed to be impacted. This will inform discussions on the total monies paid in fee to PARD for tree mitigation.</td>
</tr>
<tr>
<td>Ground disturbance:</td>
<td>The disturbed area will be regraded and revegetated in accordance with TxDOT standard specification and will comply with federal EO 13112 on Invasive Species.</td>
</tr>
<tr>
<td>Contractor:</td>
<td>Contractor will be required to create a Tree Protection program consistent with <a href="#">Section 3 of the COA Environmental Criteria Manual</a> for tree and natural area protection. Additionally, the contractor will be required to provide additional restoration if they impact more trees than designated for removal as a part of this temporary use agreement.</td>
</tr>
<tr>
<td>Trails:</td>
<td>See anticipated mitigation for Ann and Roy Butler Hike and Bike Trail for more information on detours proposed for temporary trail impacts. Proposed detours will provide access to Riverside Drive.</td>
</tr>
</tbody>
</table>

**Edward Rendon Park**

**Temporary Easement:**
Financial compensation for the 6-month temporary use of the 0.7 acre will be paid to COA PARD. Compensation will be based on appraisal.

TxDOT is not proposing mitigation in the form of waterfront improvements.

**Vegetation:**
Trees: Tree mitigation will be paid in fee to COA rather than new tree plantings. Prior to construction, a tree survey consistent with the COA [Section 3 of the COA](#)
### Table 5. Minimizing Harm/Mitigation of Adverse Impacts

<table>
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<tbody>
<tr>
<td></td>
<td><strong>Build Alternative 2</strong></td>
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<tr>
<td></td>
<td><strong>Modified Build Alternative 3</strong></td>
<td></td>
</tr>
<tr>
<td>Environmental Criteria Manual for tree and natural area protection will be performed to gauge the health and quality of the trees proposed to be impacted. This will inform discussions on the total monies paid in fee to PARD for tree mitigation.</td>
<td></td>
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</tr>
<tr>
<td>Ground disturbance: The disturbed area will be regraded and revegetated in accordance with TxDOT standard specification and will comply with federal EO 13112 on Invasive Species.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contractor will be required to create a Tree Protection program consistent with Section 3 of the COA Environmental Criteria Manual for tree and natural area protection. Additionally, the contractor will be required to provide additional restoration if they impact more trees (over 18&quot;) than what TxDOT has designated for removal as a part of this temporary use agreement.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trails: See anticipated mitigation for Ann and Roy Butler Hike and Bike Trail for more information on detours proposed for temporary trail impacts.</td>
<td></td>
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</tr>
<tr>
<td>Parking: Notice will be given to the public in coordination with COA prior to the closing of parking. Any damage caused by construction equipment to East Avenue or parking along East Avenue will be repaired and returned to its original condition.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The ADA parking spot at Ann and Roy Butler Hike and Bike Trail at East Ave (COA Access Trail 22) located within Edward Rendon Sr. Metro Park at Festival Beach will be returned to its original location and any damage caused by construction equipment during construction will be repaired. The temporary ADA parking spot location on Nash Hernandez Sr. Road will be returned to its original condition (i.e., a traditional parking spot), unless the COA requests that it remain as an ADA I-35 parking spot.</td>
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<tbody>
<tr>
<td></td>
<td><strong>Build Alternative 2</strong></td>
</tr>
<tr>
<td>Waller Beach</td>
<td>- Temporary signage will be provided to direct the public to the relocated ADA parking.</td>
</tr>
<tr>
<td>Park</td>
<td><strong>Other Amenities:</strong></td>
</tr>
<tr>
<td></td>
<td>Mitigation will be paid in fee to COA for the following items:</td>
</tr>
<tr>
<td></td>
<td>• Eight picnic tables will be replaced in-kind or returned to their original locations.</td>
</tr>
<tr>
<td></td>
<td>• Two recycle/trash bins will be replaced or returned to their original locations.</td>
</tr>
<tr>
<td>Vegetation:</td>
<td>Same as Build Alternative 2</td>
</tr>
<tr>
<td>Trees:</td>
<td>- Tree mitigation will be paid in fee to COA rather than new tree plantings. Prior to construction, a tree survey consistent with the COA Section 3 of the COA Environmental Criteria Manual for tree and natural area protection will be performed to gauge the health and quality of the trees proposed to be impacted. This will inform discussions on the total monies paid in fee to PARD for tree mitigation.</td>
</tr>
<tr>
<td>Ground disturbance:</td>
<td>- The disturbed area will be regraded and revegetated in accordance with TxDOT standard specification and will comply with federal EO 13112 on Invasive Species.</td>
</tr>
<tr>
<td>Contractor:</td>
<td>- Contractor will be required to create a Tree Protection program consistent with Section 3 of the COA Environmental Criteria Manual for tree and natural area protection. Additionally, the contractor will be required to provide additional restoration if they impact more trees (over 18&quot;) than designated for removal as a part of this temporary use agreement.</td>
</tr>
<tr>
<td>Trails:</td>
<td>- Trails: See Impacts to Ann and Roy Butler Hike and Bike Trail for more information on detours proposed for temporary trail impacts.</td>
</tr>
<tr>
<td>Parking:</td>
<td>- Parking: Same as Build Alternative 2</td>
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<th>Section 4(f) Properties</th>
<th>Minimizing Harm/Mitigation of Adverse Impacts</th>
<th>Modified Build Alternative 3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Build Alternative 2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Notice will be given to the public in coordination with COA prior to the periodic closing of parking. Any damage caused by construction equipment to East Avenue or parking along East Avenue will be repaired and returned to its original condition.</td>
<td></td>
</tr>
<tr>
<td>Boating Amenities:</td>
<td>A new temporary boat dock will be built to aid in the construction of the proposed new I-35 bridge over Lady Bird Lake. At the completion of construction, this boat dock will be converted and enhanced for recreational use by COA PARD. TxDOT will maintain ownership of the dock for future use. Design of the permanent boat dock will be done in coordination with COA. Additionally, improvements (deeper/wider structure) required to the boat ramp as part of the proposed construction use will also remain in place for future public recreational use.</td>
<td></td>
</tr>
<tr>
<td>Other Amenities:</td>
<td>Mitigation will be paid in fee to COA for the following items.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• One picnic table will be replaced in-kind or returned to its original location.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Three recycle/trash bins will be replaced or returned to their original locations.</td>
<td></td>
</tr>
<tr>
<td>Impacted signage will be temporarily relocated outside of construction access area during construction and returned to original location once construction is complete.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rainwater collection system:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TxDOT will reinstall/restore the impacted rainwater collection system. It will be designed to appropriately convey water and not create drainage or erosion issues.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Norwood Park</td>
<td>Temporary Easement:</td>
<td>Same as Build Alternative 2</td>
</tr>
</tbody>
</table>
Table 5. Minimizing Harm/Mitigation of Adverse Impacts

<table>
<thead>
<tr>
<th>Section 4(f) Properties</th>
<th>Minimizing Harm/Mitigation of Adverse Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Build Alternative 2</td>
</tr>
<tr>
<td></td>
<td>Financial compensation for the 1.5-year temporary use of the 0.57 acre will be paid to COA PARD. Compensation will be based on appraisal.</td>
</tr>
<tr>
<td></td>
<td>The area required for construction access must be located near the bridge as proposed for construction of the new bridge. Therefore, TxDOT does not propose to utilize the area that COA has identified for future parking.</td>
</tr>
<tr>
<td></td>
<td><strong>Vegetation:</strong></td>
</tr>
<tr>
<td></td>
<td>Trees: Tree mitigation will be paid in fee to COA rather than new tree plantings. Prior to construction, a tree survey consistent with the COA Section 3 of the COA Environmental Criteria Manual for tree and natural area protection will be performed to gauge the health and quality of the trees proposed to be impacted. This will inform discussions on the total monies paid in fee to PARD for tree mitigation.</td>
</tr>
<tr>
<td></td>
<td>Ground disturbance: The disturbed area will be regraded and revegetated in accordance with TxDOT standard specification and will comply with federal EO 13112 on Invasive Species.</td>
</tr>
<tr>
<td></td>
<td>Contractor will be required to create a Tree Protection program consistent with Section 3 of the COA Environmental Criteria Manual for tree and natural area protection. Additionally, the contractor will be required to provide additional restoration if they impact more trees (over 18&quot;) than what TxDOT has designated for removal as a part of this temporary use agreement.</td>
</tr>
<tr>
<td></td>
<td><strong>Dog Park:</strong></td>
</tr>
<tr>
<td></td>
<td>Temporary high chain-link fencing will be installed at the at the dog park to ensure separation from construction equipment and park patrons and their pets. The temporary fence will be removed once construction is completed (1 year) and the park will be returned to its original size and shape.</td>
</tr>
</tbody>
</table>
Table 5. Minimizing Harm/Mitigation of Adverse Impacts

<table>
<thead>
<tr>
<th>Section 4(f) Properties</th>
<th>Minimizing Harm/Mitigation of Adverse Impacts</th>
<th>Modified Build Alternative 3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Build Alternative 2</td>
<td></td>
</tr>
<tr>
<td>Other Amenities:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mitigation will be paid in fee to COA for the following items.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• One picnic table will be replaced in-kind or returned to its original location.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Two Mutt Mitt stations will be replaced or returned to their original locations.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lady Bird Lake</td>
<td><strong>Lake Access:</strong> Notice will be given to the public in coordination with COA prior to the need to restrict access to open water or east/west access under the existing bridge. Full access will be restored when construction is complete (6 years). TxDOT will continue to work to identify options to maintain east/west access during construction, there may be times when access must be restricted for the safety of both the public and the contractors working in the area. In these cases, COA will provide advance notice and the lake will be appropriately signed up and down stream of the proposed work area, as well as areas of ingress/egress for the lake (i.e., open boat ramps). TxDOT is not proposing mitigation in the form of waterfront improvements or the creation of a plaza under the I-35 bridge. Mitigation for wetland impacts is not required as Section 404 regulated wetlands were not identified within the impact area. Any ground/vegetation disturbance will be regraded and revegetated in accordance with TxDOT standard specification and will comply with federal EO 13112 on Invasive Species. <strong>Boating Amenities:</strong> • See proposed mitigation for boating amenities under Waller Beach Impacts.</td>
<td>Same as Build Alternative 2</td>
</tr>
</tbody>
</table>
This analysis is conducted to determine which of the potential feasible and prudent alternatives that use a Section 4(f) property has the net impact that results in the “least overall harm” in accordance with the factors listed in 23 CFR 774.3(c)(1) and “includes all possible planning to minimize harm to Section 4(f) property” (23 CFR 774.3(c)(2)). Not all uses of Section 4(f) property have the same magnitude of impact, and not all Section 4(f) properties have the same quality; therefore, the least overall harm analysis is a qualitative analysis. TxDOT is responsible for selecting the alternative that does the least overall harm to a Section 4(f) property. Because Modified Alternative 3 would use two fewer historic properties than Build Alternative 2 and because it is preferable under Evaluation Factor 6 (magnitude of adverse impacts to non-Section 4(f) properties after mitigation), above, Modified Build Alternative 3 is identified as the least overall harm alternative.

8. Draft Coordination

TxDOT has initiated coordination with COA PARD for park and trail impacts. Over 25 meetings have been held since December 2020. TxDOT and COA PARD have coordinated and reviewed the proposed mitigation measures and will continue to coordinate throughout the project construction completion. Once the Draft Section 4(f) has been approved by TxDOT, the document will be submitted to COA PARD and the Trail Foundation.
Through the Section 106 process, TxDOT has consulted with the Texas Historical Commission (THC) in its role as Texas SHPO and with other Section 106 consulting parties. TxDOT held a virtual Section 106 consulting parties meeting on October 6, 2021, to provide an overview of the project, cultural resources management as part of TxDOT’s project development process, consulting party opportunities and roles in the Section 106 process, and historic resources survey tasks and schedule. TxDOT provided reconnaissance-level and intensive-level HRSRs to consulting parties and other stakeholders for review and comment. The HRSRs were posted to the project website for public review. TxDOT held a second Section 106-focused public involvement meeting for consulting parties and interested stakeholders on June 10, 2022, to provide an update on project activities related to historic resources, present findings from historic resources surveys, and solicit input and discussion on the findings. A third Section 106 consulting party meeting was held with Section 106 consulting parties on October 13, 2022, to discuss effects of the project to historic properties and potential mitigation activities.

On November 10, 2022, TxDOT formally transmitted the final reconnaissance and intensive HRSRs to the SHPO requesting concurrence with TxDOT’s determinations of NRHP eligibility and preliminary findings of project effects to historic properties. The SHPO responded on November 30, 2022, providing concurrence on NRHP eligibility determinations of individual properties and districts in the project’s Area of Potential Effects (APE). The SHPO also concurred with TxDOT’s evaluation of contributing/non-contributing resources to historic districts. The SHPO agreed with TxDOT’s preliminary findings of effect summarized in the November 10, 2022, TxDOT letter, with further consultation expected regarding finalization of effect findings as design plans are refined, technical studies are prepared, and the project-level PA is developed.

On November 18, 2022, TxDOT notified the Advisory Council on Historic Preservation (ACHP) of the project’s potential to adversely affect historic properties and invited the ACHP to participate in the Section 106 consultation. The ACHP responded on November 28, 2022, declining to participate in Section 106 consultation for the project.

TxDOT will enter into a PA with the Texas SHPO and other consulting parties. The PA will specify procedures for:

- Consultation and coordination with consulting parties for design changes that expand the project’s APE or otherwise have the potential to adversely affect historic properties.
- Consultation and coordination with consulting parties regarding noise abatement measures, streetscape features, and aesthetic treatments as these elements are finalized during the project development process.
- Monitoring of activities with the potential to adversely affect historic properties during construction.
- Best practices to protect historic resources during construction activities.
- Mitigation and other commitments that apply to historic properties.

TxDOT will provide the Section 4(f) Evaluation to the Texas SHPO for courtesy review. TxDOT will also provide the Section 4(f) Evaluation to the US DOI for review and comment.
1 Attachment A – Maps of Impacts
Ann and Roy Butler Hike and Bike Trail - Modified Alternative 3

I-35 Capital Express Central
From US 290 East to US 290 West/SH 71
Travis County, TX
CSJ: 0015-13-388

- Existing ROW
- Proposed ROW
- Temporary Construction Easement
- Detour Trail
- Proposed Dock
- Proposed Pavement
- Proposed Shared-Use Path
- Park/Open Space
- Area Under MUA
- Park Facility
- Impacted Park Amenity/Facility
- Amenities and Facilities within TxDOT ROW
- Bicycle/Pedestrian Facility in TxDOT ROW
- Impacted Portion of Ann and Roy Butler Hike and Bike Trail
- Creek/Stream

Sources: Nearmap, City of Austin, 2020

1. ATX Metrobike Station
2. The Boardwalk at Lady Bird Lake
3. Pfluger Pedestrian Bridge
4. ATX Metrobike Station
5. Barton Creek Pedestrian Bridge
6. Lou Neff Point
7. North Shore Overlook
8. Opossum Temple and Voodoo Pew
9. Odom Pavilion
10. Waller Creek Boathouse
Waller Beach at Town Lake Metro Park Impacts - Alternative 2

1. Waller Creek Boathouse
2. Emma S. Barrientos Mexican American Cultural Center
3. Rain Garden
4. East Avenue
5. Boat Ramp
6. Boat Ramp

Sources: Nearmap 2020

- Park impact ac.: 0.29
- Water impact ac.: 0.2
- Park impact ac.: 0.01
- 1.20 ac.

- Waller Beach at Town Lake Metro Park
- Picnic Table
- Boat Ramp
- Boat ramp
- Parking Lot
- Trash Cans
- Trail Wayfinder
- Trash Can/Recycling Bin
- Parking Lot
- 5
- 6
- 4
- E
- A
- S
- T
- A
- V
- E

- I-35 Capital Express Central
  - From US 290 East to US 290 West/SH 71
  - Travis County, TX
  - CSJ: 0015-13-388

- Proposed Shared-Use Path
- Park Facility
- Construction Easement in Park
- (Permanent Acquisition Area)
- Detour Trail
- Proposed Dock
- Proposed Pavement
- Proposed ROW
- Amenities and Facilities within TxDOT ROW
- Creek/Stream
- Impacted Portion of Ann and Roy Butler Hike and Bike Trail
- Bicycle/Pedestrian Facility in TxDOT ROW
- Construction Easement in Park
- Existing ROW
- Proposed ROW
- Proposed Dock
- Proposed Pavement
- Area Under MUA
- Proposed ROW
- Existing ROW

- Miles

- Sources: Nearmap 2020
Edward Rendon Sr. Metro Park at Festival Beach

Impacts - Alternative 2

Existing ROW

Proposed ROW

Construction Easement in Park

Detour Trail

Proposed Pavement

Proposed Shared-Use Path

Park/Open Space

Area Under MUA

Park Facility

Impacted Park Amenity/Facility

Creek/Stream

Amenities and Facilities within TxDOT ROW

Ann and Roy Butler Hike and Bike Trail

Bicycle/Pedestrian Facility in TxDOT ROW

Impacted Portion of Ann and Roy Butler Hike and Bike Trail

Sources: Nearmap 2020

Edward Rendon Sr. Metro Park at Festival Beach Impacts - Alternative 2

I-35 Capital Express Central
From US 290 East to US 290 West/SH 71
Travis County, TX
CSJ: 0015-13-388
Norwood Tract at Town Lake Metro Park Impacts - Alternative 2

1-35 Capital Express Central
From US 290 East to US 290 West/SH 71
Travis County, TX
CSJ: 0015-13-388
Dock Impact Ac: 0.29
Construction Access Impact Ac: 25

Lady Bird Lake - Alternative 2
I-35 Capital Express Central
From US 290 East to US 290 West/SH 71
Travis County, TX
CSJ: 0015-13-388

1. Tom Miller Dam
2. Boat Ramp
3. Waller Creek Boathouse
4. Boat Ramp
5. Boat Ramp
6. Boat Ramp
7. Longhorn Dam

Sources: Nearmap, City of Austin, 2020
<table>
<thead>
<tr>
<th>ID</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Krieg Fields Softball Complex</td>
</tr>
<tr>
<td>2</td>
<td>Austin Public Safety Wellness Center</td>
</tr>
<tr>
<td>3</td>
<td>Mixed Use Field</td>
</tr>
<tr>
<td>4</td>
<td>Krieg Field Volleyball Courts</td>
</tr>
<tr>
<td>5</td>
<td>Top Secret Beach</td>
</tr>
<tr>
<td>6</td>
<td>Roy G. Guerrero Disc Golf Course</td>
</tr>
<tr>
<td>7</td>
<td>Batting Cage</td>
</tr>
<tr>
<td>8</td>
<td>Montopolis Youth Sports Complex</td>
</tr>
<tr>
<td>9</td>
<td>Secret Beach</td>
</tr>
<tr>
<td>10</td>
<td>Roy Guerrero Metropolitan Park Plaza</td>
</tr>
<tr>
<td>11</td>
<td>Playground</td>
</tr>
<tr>
<td>12</td>
<td>Eastside Trails BMX Track</td>
</tr>
<tr>
<td>13</td>
<td>Montopolis Community Forest Reserve</td>
</tr>
</tbody>
</table>

**Roy G. Guerrero Colorado River Metro Park - Alternative 2/Modified Alternative 3**

I-35 Capital Express Central
From US 290 East to US 290 West/SH 71
Travis County, TX
CSj: 0015-13-388

Sources: Nearmap, City of Austin, 2020
Town Lake Park System, Waller Creek to Fiesta Gardens - Modified Alternative 3

Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388

- Existing ROW
- Proposed ROW (Modified Alt 3)
- Temporary Construction Easement
- Proposed Shared-Use Path
- Parks/Open Spaces
- Proposed Pavement
- NRHP-Eligible Boundary
- Contributing
- Noncontributing

0 250 500 Feet
Dura Tune Service Station - Alternative 2

Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388

- Existing ROW
- Proposed ROW (Alt 2)
- Proposed I-35 Roadway (Alt 2)
- Proposed Shared-Use Path (Alt 2)
- NRHP-Eligible Boundary
- Parcel Boundary (Travis CAD)
Dura Tune Service Station - Modified Alternative 3

Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388

- Existing ROW
- Proposed ROW (Modified Alt 3)
- Proposed I-35 Roadway (Modified Alt 3)
- Proposed Shared-Use Path (Modified Alt 3)
- NRHP-Eligible Boundary
- Parcel Boundary (Travis CAD)
Elgin Butler Brick Company Main Office - Alternative 2

Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388

- Existing ROW
- Proposed ROW (Alt 2)
- Proposed I-35 Roadway (Alt 2)
- Proposed Shared-Use Path (Alt 2)
- NRHP-Eligible Boundary
- Parcel Boundary (Travis CAD)
Elgin Butler Brick Company Main Office - Modified Alternative 3

Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388

- Existing ROW
- Proposed ROW (Modified Alt 3)
- Proposed I-35 Roadway (Modified Alt 3)
- Proposed Shared-Use Path (Modified Alt 3)
- NRHP-Eligible Boundary
- Parcel Boundary (Travis CAD)

Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388

Haster House - Alternative 2

Haster House

Existing ROW
Proposed ROW (Alt 2)
Proposed I-35 Roadway (Alt 2)
Proposed Shared-Use Path (Alt 2)
NRHP-Eligible Boundary
Parcel Boundary (Travis CAD)
Haster House - Modified Alternative 3

Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388

- Existing ROW
- Proposed ROW (Modified Alt 3)
- Proposed I-35 Roadway (Modified Alt 3)
- Proposed Shared-Use Path (Modified Alt 3)
- NRHP-Eligible Boundary
- Parcel Boundary (Travis CAD)

Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388

Delwood II Historic District - Alternative 2

- Existing ROW
- Proposed ROW (Alt 2)
- Proposed I-35 Roadway (Alt 2)
- Proposed Shared-Use Path (Alt 2)

Delwood II Historic District
- NRHP-Eligible Boundary
- Contributing
- Noncontributing
Delwood II Historic District - Modified Alternative 3

Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388

Legend:
- Existing ROW
- Proposed ROW (Modified Alt 3)
- Proposed I-35 Roadway (Modified Alt 3)
- Proposed Shared-Use Path (Modified Alt 3)
- NRHP-Eligible Boundary
- Contributing
- Noncontributing

*No New Modified Alt 3 ROW is Proposed in this location
Roberts House - Alternative 2

Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388

- Existing ROW
- Proposed ROW (Alt 2)
- Proposed I-35 Roadway (Alt 2)
- Proposed Shared-Use Path (Alt 2)
- NRHP-Eligible Boundary
- Parcel Boundary (Travis CAD)

Roberts House - Modified Alternative 3

Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388

- Existing ROW
- Proposed ROW (Modified Alt 3)
- Proposed I-35 Roadway (Modified Alt 3)
- Proposed Shared-Use Path (Modified Alt 3)
- NRHP-Eligible Boundary
- Parcel Boundary (Travis CAD)
1 Attachment B – Property Photographs
Photo 1: A view of the Ann and Roy Butler Hike and Bike Trail adjacent to the northbound I-35 frontage road bridge over Lady Bird Lake. International Shores Park and the Ann and Roy Butler Hike and Bike Trail in the park are seen on the right. This photo faces north. Photo by Google Street View 2021.

Photo 2: A view of the Ann and Roy Butler Hike and Bike Trail looking east towards I-35 from Waller Beach Park. Photo by Google Street View 2021.
Photo 3: A view of the Ann and Roy Butler Hike and Bike Trail facing west in Waller Beach Park.

Photo 4: The Ann and Roy Butler Hike and Bike Trail crosses over Lady Bird Lake from this ramp located in Edward Rendon Park. The opposite end of this section of trail over the lake is seen in Photo 1 and Photo 8. This picture faces southeast.
Photo 5: A view of the Ann and Roy Butler Hike and Bike Trail looking west from Edward Rendon Park. The trail ramps up and adjacent to the northbound I-35 frontage road. The ramp can also be seen in Photo 4.

Photo 6: A view of the Ann and Roy Butler Hike and Bike Trail Boardwalk located to the north of Norwood Park. The boardwalk extends into International Shores Park, as seen in Photo 7 and Photo 9. This photo faces east towards I-35. Photo by Google Street View 2015.
Photo 7: A view of the Ann and Roy Butler Hike and Bike Trail Boardwalk in International Shores Park. This photo faces west towards I-35. Seen to the left is the portion of trail from East Riverside Drive leading to the boardwalk. Photo by Google Street View 2015.

Photo 8: A view of International Shores Park as observed from the I-35 northbound frontage road (facing northeast). The trail crossing over Lady Bird Lake at I-35 is observed in the forefront. The weaving trail leads to the main Ann and Roy Butler Hike and Bike Trail which is a boardwalk throughout this area. Photo by Google Earth 2021.
Photo 9: The access point from Photo 8 connects with the Ann and Roy Butler Hike and Bike Trail. The Ann and Roy Butler Hike and Bike Trail is on a boardwalk in this area. Photo by Google Street View 2015.

Photo 10: A picnic table in Waller Beach Park that would be impacted by both alternatives. This picture was taken facing north.
Photo 11: Facing east onto East Avenue from Waller Beach Park.

Photo 12: A view of Waller Beach Park from the I-35 southbound frontage road facing west. The Ann and Roy Butler Hike and Bike Trail will be redirected onto East Avenue in Waller Beach Park during construction. Photo by Google Street View 2022.
Photo 13: Parking under the I-35 bridges on the north side of Lady Bird Lake. This photo faces south. This area is covered under the 1977 Multiple Use Agreement between the City of Austin and TxDOT.

Photo 14: A view of Edward Rendon Park looking south from East Avenue. All picnic tables would be removed under both alternatives.
Photo 15: A view from the easternmost side of Top Secret Beach in Roy G. Guerrero Park looking north towards the northern shores of the Colorado River. The approximate general area of the proposed outfall location is shown. Photo by Google Street View 2022.

Photo 16: A view of the Norwood Dog Park. This photo faces south.
Photo 17: A view of Lady Bird Lake under the I-35 bridges. This photo was taken looking south. Photo by Google Street View 2017.

Photo 18: A view of Lady Bird Lake and the I-35 bridges. This photo was taken looking west. Photo by Google Street View 2017.