



1 Draft Environmental Impact Statement

2 I-35 Capital Express Central Project  
3 From US 290 East to US 290 West/SH 71

4  
5 Travis County, Texas  
6 CSJ: 0015-13-388  
7 December 2022

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9 Texas Department of Transportation, Austin District

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Draft Environmental Impact Statement  
I-35 Capital Express Central Project  
From US 290 East to US 290 West/SH 71  
Travis County, Texas  
CSJ: 0015-13-388  
December 2022

Texas Department of Transportation (Lead Agency)

Cooperating Agencies:

U.S. Army Corps of Engineers (USACE)  
U.S. Department of Agriculture, Natural Resources Conservation Service  
U.S. Environmental Protection Agency (EPA)  
National Park Service  
Caddo Nation of Oklahoma  
Mescalero Apache Tribe  
Apache Tribe of Oklahoma  
Tonkawa Tribe of Indians of Oklahoma  
Kiowa Indian Tribe of Oklahoma  
Comanche Nation of Oklahoma  
Alabama-Coushatta Tribe of Texas  
Seminole Nation of Oklahoma  
Wichita and Affiliated Tribes

This Draft EIS presents the purpose and need for this project and evaluates the potential environmental consequences of multiple reasonable alternatives for this project. The reasonable alternatives evaluated are Build Alternative 2, Modified Build Alternative 3, and the No Build Alternative. Potential environmental impacts of the alternatives are evaluated across multiple resource areas, including community impacts, visual/aesthetic impacts, cultural resources, protected lands, water resources, biological resources, air quality, hazardous materials, traffic noise, and induced growth. This Draft EIS identifies Modified Build Alternative 3 as the Preferred Alternative.

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1 Comments must be received within the 60-day window from the e-NEPA publication of the notice of  
2 availability in the Federal Register.

3 After circulation of the Draft EIS and consideration of comments received, TxDOT will issue a single  
4 Final Environmental Impact Statement and Record of Decision document pursuant to 23 USC  
5 §139(n)(2) unless TxDOT determines statutory criteria or practicability considerations preclude  
6 issuance of the combined document.

7 *The environmental review, consultation, and other actions required by applicable federal environmental*  
8 *laws for this project are being, or have been, carried out by TxDOT pursuant to 23 USC 327 and a*  
9 *Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.*

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Director, Environmental Affairs Division, Texas Department of Transportation



A handwritten date "20 December 2022" is written in black ink over a horizontal line.

Date of Approval, Texas Department of Transportation

# 1 **Summary**

2 This summary is meant to provide a brief overview of some of the information contained in this Draft  
3 Environmental Impact Statement (DEIS). It is not meant to replace or supersede any of the analysis, information,  
4 or conclusions stated within the body of the DEIS.

5 The Texas Department of Transportation (TxDOT) proposes to construct improvements to Interstate Highway 35  
6 (I-35) from United States Highway 290 (US 290) East to US 290 West/State Highway (SH) 71, in Austin, Travis  
7 County, Texas (referred to herein as the I-35 Capital Express Central Project). The proposed project is  
8 approximately 8 miles in length and includes removing the existing I-35 decks, lowering the roadway, and adding  
9 two non-tolled high-occupancy vehicle (HOV) managed lanes in each direction. The project would also reconstruct  
10 east-west cross-street bridges, add pedestrian and bicycle paths, and make additional safety and mobility  
11 improvements within the project limits. The environmental review, consultation, and other actions required by  
12 applicable federal environmental laws for this project are being, or have been, carried out by TxDOT pursuant to  
13 23 U.S. Code (USC) 327 and a Memorandum of Understanding (MOU) dated December 9, 2019, and executed  
14 by the Federal Highway Administration (FHWA) and TxDOT. This section briefly summarizes information contained  
15 in the DEIS for the I-35 Capital Express Central Project. Specifically, this **Summary Section** provides an overview  
16 of the proposed project, a summary of the alternatives considered, and a summary of social and environmental  
17 impacts associated with the I-35 Capital Express Central Project.

18 I-35 within Travis County is located in a heavily urbanized area that is currently ranked the #3 most congested  
19 roadway in Texas, as measured by Texas Transportation Institute (TTI). Between 2013 and 2022, it has ranked  
20 either #1 or #2 as the most congested roadway in Texas. It has ranked #1 in truck delay since 2014 and also  
21 tops the chart in highest annual congestion costs, at more than \$200 million (TTI 2021). The current proposed  
22 alternatives are the result of decades of feedback received from the public. Beginning as far back as the 1980s,  
23 TxDOT recognized the need to upgrade I-35 through the region to provide improved mobility. Previous evaluations  
24 and studies to improve I-35 through COA have included the *1989 TxDOT Austin Major Investment Study* (TxDOT,  
25 1998), the *2011 I-35 Corridor Advisory Committee Plan* (TxDOT, 2011a), the *2014 I-35 Capital Area*  
26 *Improvement Program Corridor Implementation Plan* (TxDOT, 2013), and the *Planning and Environmental*  
27 *Linkages Study* from 2014 (TxDOT, 2014). During this time, groups were formed that focused on particular  
28 problem areas along I-35 such as the Downtown Stakeholder Working Group and the Decks Neighborhood  
29 Workshops, which focused on I-35 through central COA including the upper decks that were seen to separate  
30 east and west Austin. More recently, in the mid-2000s, TxDOT held a series of open houses and design charrettes  
31 to further develop and refine concepts to improve I-35 while evaluating potential impacts.

32 The results of these previous efforts have informed and shaped the reasonable alternatives that were carried  
33 forward for further study in this DEIS. To facilitate the design and analysis of alternatives, in addition to the No  
34 Build Alternative, two build alternatives were identified for detailed evaluations, which are included in this DEIS.  
35 Both build alternatives would require the acquisition of new right-of-way (ROW) to accommodate the proposed  
36 project, and both would upgrade I-35 to current design standards resulting in enhanced safety throughout the  
37 corridor. **Chapter 2** further describes the project background and includes history on prior studies.

## 1 *S 1 Project Purpose and Need*

2 The proposed project is needed because I-35, between US 290 East and US 290 West/SH 71, does not  
3 adequately accommodate current and future travel demand and does not meet current federal and state design  
4 standards, which has resulted in safety and operational deficiencies and can impact crash rates and peak period  
5 travel times for all users, including emergency response vehicles and transit (see **Appendix H** for crash data and  
6 traffic projections).

7 The purpose of the proposed project is to improve this critical local, regional, national, and international  
8 thoroughfare by enhancing safety within the corridor; addressing demand by prioritizing the movement of people,  
9 goods, and services through and across the corridor; improving operational efficiency; and creating a more  
10 dependable and consistent route for the traveling public, including people who walk and bicycle, emergency  
11 responders, and transit. **Chapter 1** provides more information about the purpose and need of the proposed  
12 project.

## 13 *S 2 Public and Agency Engagement*

14 The scoping process was initiated in August 2020 with a federal Notice of Intent (NOI) to publish an EIS for the  
15 proposed project, with limits from US 290 East to SH 71/Ben White Boulevard. TxDOT invited cooperating and  
16 participating agencies and the public to two agency and public scoping meetings, one public meeting, and several  
17 community engagement meetings. In these meetings, the public and agencies were afforded the opportunity to  
18 help define the purpose and need for the project, the range of alternatives to be considered, and the  
19 methodology and level of detail for analyzing alternatives, including the selection of planning, engineering, and  
20 environmental criteria. TxDOT also provided the opportunity to comment on the Agency Coordination Plan and  
21 Public Involvement Plan. See **Section 4.1.3** for a summary of the scoping meetings.

22 The first Agency/Public Scoping Meeting was held in November 2020. Comments and feedback from  
23 stakeholders included changing the purpose and need to include reducing vehicle miles traveled (VMT),  
24 improving safety, prioritizing community needs, including crash, bicycle, and pedestrian data; ensuring deck  
25 plazas are included in both reasonable alternatives; using alternate traffic demand model data; adding  
26 multimodal and people-carrying capacity; assessing climate change, equity, health issues, homelessness and  
27 community impacts; analyzing differences among alternatives in amount of ROW required, construction impacts,  
28 ramping scenarios, bicycle and pedestrian facilities, direct transit connections, grade separations, and context-  
29 sensitive design; rerouting trucks or all through traffic to SH 130; and burying or tunneling I-35. **Appendix E**  
30 contains a summary of comments from each scoping meeting.

31 TxDOT hosted a second Agency/Public Scoping meeting in March 2021 and presented the revised purpose and  
32 need and range of alternatives, as well as draft methodologies and level of detail for analyzing alternatives.  
33 Comments received included: analyzing additional alternatives such as the Reconnect Austin, Rethink35, and  
34 Downtown Austin Alliance (DAA) Urban Land Institute (ULI) proposals; support for the No Build; support for Build  
35 Alternatives 1, 2 and 3; measuring impact criteria specifically related to pedestrian and bicycle safety at  
36 intersections and crossings; and adding criteria to measure transit station/stop access to future Project Connect  
37 system and measure added east-west crossings. Based on stakeholder comments, the need for the project was

1 changed to include an expanded emphasis on crash and safety data. The purpose of the project was changed  
2 to include addressing demand by prioritizing the movement of persons, goods, and services through and across  
3 the corridor, and to include *all modes of transportation* to create a more dependable and consistent route. The  
4 alternatives evaluation criteria were also revised to include air quality impacts; person-carrying capacity along  
5 mainlanes; annual cost of travel; and accommodation of the Capital Metropolitan Transportation Authority  
6 (CapMetro) service plan at east-west crossings.

7 TxDOT initiated meetings with the public and targeted outreach to residents of neighborhoods surrounding the  
8 project. The public involvement process is ongoing and includes focused National Historic Preservation Act  
9 (NHPA) Section 106 public outreach. In addition to the scoping and public meetings, TxDOT also continues to  
10 host Volunteer Opportunity in Community Engagement (VOICE) meetings and pop-up events to discuss the  
11 project with community members; these also act as a sounding board on issues that are important to the  
12 community. TxDOT has also offered a self-guided virtual open house (VOH) to provide an opportunity for the  
13 public to review meeting materials and submit comments. TxDOT established a website for the I-35 Capital  
14 Express Central Project at [www.My35CapEx.com](http://www.My35CapEx.com). The website provides up-to-date program and project  
15 information, meeting materials, environmental documents, and contact information, among other elements.  
16 Visitors to the [www.My35CapEx.com](http://www.My35CapEx.com) website also can sign up for email updates as well as the quarterly  
17 Mobility35 E-Newsletter.

18 The public involvement process included extensive efforts to engage with and reach out to underserved  
19 populations, including elderly, minority, geographically dispersed/transient populations, Limited English  
20 Proficiency (LEP), and physically and visually impaired. Specific efforts to engage with Environmental Justice (EJ)  
21 communities include providing public involvement notices and select vital project information in English and  
22 Spanish, and Spanish speakers have been available at all public fora. Public meeting notices will continue to be  
23 published in English and Spanish, and Spanish speakers will be available to engage with and interact with the  
24 community. TxDOT will continue to encourage the participation of minority, low-income, and underserved  
25 populations in the project decision-making process through various strategies. These efforts at public  
26 involvement are documented to demonstrate compliance with Title VI, EJ and LEP requirements and guidance  
27 to ensure full and fair participation by all potentially affected communities. TxDOT will continue to host public  
28 involvement activities to solicit public feedback, discuss findings, and provide project updates in accordance  
29 with Executive Order (EO) 13166 to ensure full and fair participation. See **Chapter 4** and **Appendix E** of the DEIS  
30 for a summary of public involvement to date.

### 31 *S 3 Summary of Alternatives Considered*

32 The alternatives analysis developed for the DEIS allowed for a full comparison and evaluation of alternatives  
33 through an iterative process and collaboration with the public. The process began with three build alternatives  
34 developed by TxDOT after decades of study and feedback received from the public. These were presented at  
35 scoping meetings held in November 2020 and March 2021, featuring differing elevations of I-35 at key locations  
36 throughout the project. Following the preliminary alternatives analysis, which used screening criteria that  
37 incorporated public feedback, Build Alternatives 2 and 3 and the No Build Alternative were carried forward for

1 further analysis, while Build Alternative 1 was screened out. Further detail on the alternatives evaluation can be  
 2 found in **Chapter 2** and **Appendix I**.

3 In addition to TxDOT-provided alternatives, three separate concepts for the project were submitted by community  
 4 groups Rethink35, Reconnect Austin, and DAA/ULI. In August 2021, TxDOT held a Public Meeting showing the  
 5 two TxDOT Build Alternatives (2 and 3) as well as a study conducted by TTI that considered the feasibility of the  
 6 three community concepts. The study concluded none of the community concepts would be feasible as stand-  
 7 alone build alternatives, but that elements of the concepts could be incorporated into TxDOT build alternatives.  
 8 At TTI's recommendation, further study for incorporating features from these community concepts was  
 9 performed only on Build Alternative 3, as it was the alternative that most closely captured community feedback  
 10 due to its lowered lanes at Airport Boulevard and Riverside Drive, which aligned with the community request that  
 11 the project be built no higher than the current grade. Additionally, shifted frontage roads from Dean Keeton  
 12 Street to Holly Street, to create a boulevard section, were found to be feasible as well as operational  
 13 improvements at Riverside Drive to accommodate Project Connect, both features that further differentiated the  
 14 alternatives. In order to preserve the intent of TTI suggestions and to showcase two fully constructible, but  
 15 different alternatives, Build Alternative 3 was redesigned (and renamed *Modified Build Alternative 3*) to  
 16 incorporate the more innovative concepts from the community, and minimal changes were made to Build  
 17 Alternative 2.

18 This process led to the detailed evaluation of two build alternatives and the No Build Alternative and  
 19 recommendations for a single, Preferred Alternative that would best meet the purpose and need of the proposed  
 20 project and would avoid or minimize the most environmental impacts. The alternatives considered and the  
 21 evaluation process is documented in detail in **Chapter 2. Section 2-1** discusses alternatives not carried forward,  
 22 including Build Alternative 3, before modification. The reasonable alternatives carried forward for further  
 23 evaluation include Build Alternative 2, Modified Build Alternative 3, and the No Build Alternative. Build Alternative  
 24 2 meets the purpose and need of the project while also performing well under several evaluation criteria.  
 25 Modified Build Alternative 3 was refined to reflect elements of the community concepts but was derived from  
 26 Build Alternative 3 and also meets the purpose and need of the project while performing well under several  
 27 evaluation criteria. The No Build Alternative, or "Do Nothing Alternative," is also carried forward and serves as a  
 28 baseline for analysis. Table S 3-1 is a summary of the reasonable alternatives that were considered and carried  
 29 forward for analysis in the DEIS.

30 **Table S 3-1: Reasonable Alternatives Analyzed in the DEIS**

Alternatives Carried Forward for Analysis in DEIS	Meets Purpose and Need (Y/N)	Required ROW (acres)	Total Number of Potential Displacements*	Estimated Construction Cost
No Build Alternative	N	0	0	0
Build Alternative 2	Y	45.2 acres	291	\$4.45 Billion
Modified Build Alternative 3	Y	41.7 acres	107	\$4.50 Billion

\*This number includes the total for commercial, residential, and displacements that were vacant as of 9/1/2022.

## 1 S 3.1 Build Alternatives

### 2 *Build Alternative 2*

3 Build Alternative 2 is approximately 8 miles in length along I-35. The northern limit is 1,500 feet north of US 290  
4 East and the southern limit is 1,000 feet south of US 290 West/SH 71. Build Alternative 2 would provide two  
5 lowered HOV managed lanes and lowered mainlanes in each direction between Airport Boulevard and Cesar  
6 Chavez Street, and between Riverside Drive and Oltorf Street. Both HOV managed/transit lanes and mainlanes  
7 are lowered one level below frontage roads and cross streets (short, tunneled sections would be included at  
8 select locations to accommodate potential deck plazas and minimize ROW needs and displacement impacts).  
9 This alternative would also add direct connectors at I-35 and US 290 East to enhance mobility at this high-volume  
10 interchange and to facilitate the transition to one HOV managed lane in each direction north of US 290 East. No  
11 additional ROW would be required along US 290 East. Other improvements include elevated mainlanes and HOV  
12 managed lanes over Holly Street and drainage improvements. Build Alternative 2 requires approximately 45.2  
13 acres of additional ROW resulting in 291 potential displacements. Temporary and permanent easements would  
14 be required in the amount of approximately 3 acres for construction staging, and approximately 25 acres of Lady  
15 Bird Lake and shoreline, which would be restricted from recreation during construction to allow for movement of  
16 construction equipment. **Chapter 2** includes a detailed description of Build Alternative 2.

### 17 *Modified Build Alternative 3*

18 Modified Build Alternative 3 would also provide two lowered HOV managed lanes and lowered mainlanes in each  
19 direction between Airport Boulevard and Cesar Chavez Street, and between Riverside Drive and Oltorf Street.  
20 Both HOV managed/transit lanes and mainlanes are lowered one level below frontage roads and cross streets  
21 (short, tunneled sections would be included at select locations to accommodate potential deck plazas and  
22 minimize ROW needs and displacement impacts). This alternative would differ from Build Alternative 2 in that  
23 mainlanes and HOV managed lanes would be lowered at Holly Street with only the northbound (NB) bypass lanes  
24 elevated at this location. It would provide a single point urban interchange (SPUI) at Airport Boulevard (like Build  
25 Alternative 2) and would provide an additional SPUI at East Riverside Drive, as well as an additional pedestrian/  
26 bicycle-only bridge at Woodland Avenue, and would accommodate the CapMetro Blue Line at East Riverside  
27 Drive. For this alternative, frontage roads would be shifted to the east, between Dean Keeton Street and 15th  
28 Street, and then to the west, between 15th Street and Cesar Chavez Street, to create boulevard sections.  
29 Additionally, Modified Build Alternative 3 would provide drainage improvements. There would be no additional  
30 direct connectors at US 290 East/I-35. Modified Build Alternative 3 requires approximately 41.7 acres of  
31 additional ROW resulting in 107 potential displacements. Temporary and permanent easements would be  
32 required in the amount of approximately 3 acres for construction staging, and approximately 25 acres of Lady  
33 Bird Lake and shoreline, which would be restricted from recreation during construction to allow for movement of  
34 construction equipment. **Chapter 2** includes a detailed description of Modified Build Alternative 3.

### 35 *No Build Alternative*

36 The No Build Alternative represents the proposed project not being constructed. No roadway improvements  
37 would be constructed to provide additional capacity to reduce congestion and improve mobility, improve east-

1 west connectivity in downtown Austin, and the current design deficiencies, including drainage issues in some  
2 areas, would not be corrected. Although the No Build Alternative does not meet the purpose and need, this  
3 alternative was carried forward through the environmental impact analysis as a basis for assessing the impacts  
4 of no action as a comparison to the build alternatives, as required by the National Environmental Policy Act  
5 (NEPA).

6 The No Build Alternative would not result in the acquisition of new ROW, and no existing land uses would be  
7 converted to transportation uses. There would be no direct impacts to the human environment including  
8 neighborhoods, community resources, minority and low-income populations, existing transportation facilities,  
9 archeological or historic resources, and Section 4(f) or 6(f) properties. The No Build Alternative would not change  
10 the existing visual environment. There would be no direct impacts to hazardous materials sites. The No Build  
11 Alternative would not impact current property or sales tax revenues and would not have the positive regional and  
12 statewide economic impact of creating additional jobs and income during construction. The community would  
13 also not experience the benefits of improved safety conditions resulting from the proposed project. Decreasing  
14 mobility due to traffic congestion may adversely impact existing and future businesses. Increased congestion on  
15 existing I-35 and other roadways in and near the proposed project area may result in additional air pollutant  
16 emissions. No short-term noise would be generated from construction-related activities; however, noise levels  
17 would be expected to increase with an associated increase in future traffic volumes.

18 The No Build Alternative would not result in direct impact on the natural environment, including water resources,  
19 floodplains, wetlands, and Waters of the U.S. (WOTUS), wildlife, vegetation, and threatened and endangered  
20 species. There would be no anticipated impacts to topography, soils, or geological resources, and no direct  
21 impacts to prime or unique farmland soils. Additional information on the impacts of the No Build Alternative is  
22 provided by resource throughout **Chapter 3**.

### 23 *Preferred Alternative*

24 Modified Build Alternative 3 is the Preferred Alternative as it meets the need of the proposed project to  
25 accommodate current and future travel demand, brings the highway to current federal and state design  
26 standards, and improves safety and operational deficiencies and reduces crash rates in comparison to the No  
27 Build Alternative. Modified Build Alternative 3 also meets the need to lower peak period travel times for all users,  
28 including emergency response vehicles and transit along I-35 within the project limits. Modified Build Alternative  
29 3 meets the purpose of the proposed project to improve I-35 by enhancing safety; prioritizing the movement of  
30 people, goods, and services through and across the corridor; improving operational efficiency; and creating a  
31 more dependable and consistent route for the traveling public including people who walk and bicycle, emergency  
32 responders, and transit. Modified Build Alternative 3 would accommodate the CapMetro Blue Line at Riverside  
33 Drive. In addition to meeting the purpose and need, Modified Build Alternative 3 also has fewer social, economic,  
34 and environmental impacts than Build Alternative 2 when taking into consideration design and engineering,  
35 environmental resources, local enhancements, and project costs. **Section 2.4** has more detail on Modified Build  
36 Alternative 3 and project impacts.

## 1 S 4 Summary of Environmental Impacts

2 This DEIS addresses the environmental impacts associated with each of the identified reasonable alternatives  
3 and the No Build Alternative, including the following areas: ROW/displacements, land use, farmlands, utility  
4 relocation, bicycle and pedestrian facilities, community impacts, visual/aesthetic impacts, cultural resources,  
5 protected lands, water resources, biological resources, air quality, hazardous materials, traffic noise, induced  
6 growth, cumulative effects, construction phase impacts, and greenhouse gas (GHG) and climate change. This  
7 summary includes an overview of the major conclusions from the DEIS with respect to environmental impacts.  
8 Detailed information about the analysis of existing conditions; direct, indirect, and cumulative effects of the  
9 proposed project; and environmental permits, issues, and commitments is included in **Chapters 2** through **5** and  
10 in the appended technical reports.

### 11 S 4.1 ROW/Displacements

12 Build Alternative 2 would require the acquisition of approximately 45.2 acres of additional ROW, resulting in 291  
13 displacements to 131 businesses, 145 residences, 15 vacant properties, and 172 displacements located in EJ  
14 Census geographies. Build Alternative 2 would displace ten community facilities: the David Powell Health Center,  
15 Hancock Walk-In Care, Escuelita del Alma, Pathways Youth and Family Services, Texas State Independent Living  
16 Council, Austin VA Vets Center, Green Doors, Copernicus STEM Academy Delwood Campus, and Extend-A-Care.

17 Modified Build Alternative 3 would require the acquisition of approximately 41.7 acres of additional ROW,  
18 resulting in 107 displacements to 69 commercial properties, 26 residential properties, 12 vacant properties,  
19 and 90 displacements located in EJ Census geographies. Modified Build Alternative 3 would displace 3  
20 community facilities: the CommUnityCare David Powell Health Center, CommUnityCare Hancock Walk-In Care,  
21 and Escuelita del Alma. ROW and displacements are discussed in **Section 3.1**, and **Section 3.6** includes further  
22 details on the displacements associated with the reasonable alternatives.

#### 23 S 4.1.2 Land Use

24 The proposed project crosses through urban and developing areas including residential, commercial, industrial,  
25 public use/institutional, parks/open space, vacant, and undevelopable land uses. New ROW would be required  
26 for both build alternatives. All land uses that would be directly impacted by the project (except those areas that  
27 would be subject to temporary construction staging easements) would be permanently converted to  
28 transportation use. **Section 3.2** discusses existing conditions and direct impacts to land use. **Section 3.9**  
29 discusses land use associated with temporary construction staging easements, and **Section 3.15** is an analysis  
30 of potential project-related induced development.

#### 31 S 4.1.3 Utility Relocation

32 It is reasonably foreseeable that utilities would have to be relocated as a result of Build Alternative 2 or Modified  
33 Build Alternative 3. For each of these alternatives, the impacts resulting from removal of any utilities from within  
34 existing highway ROW (e.g., construction noise, potential disturbance to archeological resources, and potential

1 impacts to species habitat) have been considered as part of the overall project footprint impacts within this DEIS.  
2 Utilities are discussed in **Section 3.4**.

### 3 *S 4.1.4 Bicycle and Pedestrian Facilities*

4 Both build alternatives propose the construction of additional shared use paths (SUP) and sidewalks, which  
5 would improve current pedestrian and bicycle access along and across the I-35 corridor (east/west). The  
6 proposed project would improve bicycle and pedestrian safety and would be designed to meet Americans with  
7 Disabilities Act (ADA) accessibility standards. The proposed project would expand connectivity within the project  
8 corridor and provide additional connectivity to current transit options across the project corridor. Additionally,  
9 TxDOT would accommodate or replace existing trails that are impacted by the proposed project, as well as allow  
10 for planned future trails as shown on the City of Austin (COA) Bike Plan.

### 11 *S 4.1.5 Community Resources*

12 Assessment of potential impacts to community resources included the evaluation of impacts related to  
13 displacement of residences, businesses, and community facilities, changes in community cohesion, changes in  
14 access and travel patterns, and impacts to EJ populations. I-35 was constructed in the 1950s and has created a  
15 physical, as well as visual barrier, separating east and west Austin for several decades. Both reasonable alternatives  
16 would improve community cohesion and connectivity, reduce the visual and physical barrier created by the original  
17 construction of I-35 and help reconnect east and west Austin by lowering the mainlanes in some areas and  
18 improving bridges and vehicular and bicycle and pedestrian connection. By reducing congestion and improving the  
19 I-35 corridor through central Austin, the proposed project may further increase the desirability of the central  
20 downtown area. Both Build Alternatives would impact neighborhoods and community facilities and would require  
21 new ROW, which would displace businesses, community facilities, and residences. Modified Build Alternative 3 has  
22 been refined to minimize displacements, particularly in minority and low-income Census geographies. As shown in  
23 Table S-2, Build Alternative 2 would displace ten community facilities, 131 businesses, 16 of which serve a specific  
24 community, two single-family residences, and 143 multifamily units. Modified Build Alternative 3 would displace  
25 three community facilities, 69 businesses, eight of which serve a specific community, two single-family residences,  
26 and 24 multifamily units. **Section 3.6** includes a displacements analysis.

27 Access and travel patterns would be expected to change with both Build Alternatives. The proposed project would  
28 reduce traffic congestion and add SUP connection both along and across I-35. Several enhanced bridges would  
29 be constructed and would allow pedestrians and bicyclists to feel safer when using SUP facilities. Enhanced  
30 bridges would include a 20-foot buffer space and a 10-foot SUP on the outside of the travel lanes. Both Build  
31 Alternatives would include bypass lanes and other traffic improvements to keep traffic flowing. The proposed  
32 project would maintain access to all modes of transit.

1 Table S-2: Summary of Displacements Associated with the Reasonable  
 2 Alternatives

Additional ROW	Community Facilities Displacements*	Commercial Displacements **	Facilities Serving a Specific Community	Single-Family Displacements	Multifamily Displacements (Units)	EJ*** Displacements
<b>No Build</b>						
0 acres	0	0	0	0	0	0
<b>Build Alternative 2</b>						
45.2 acres	8	131	16	2	143	172
<b>Modified Build Alternative 3</b>						
41.7 acres	3	69	8	2	24	90
* Build Alternative 2 displaced community facilities: David Powell Health Center, Hancock Walk-In Care, Escuelita del Alma, Austin VA Vets Center, Pathway Youth and Family Services, Texas State Independent Living Council, Copernicus STEM Academy, and Extend-A-Care. * Modified Build Alternative 3 displaced community facilities: David Powell Health Center, Hancock Walk-In Care, and Escuelita del Alma. **Commercial parcel displacements would also include community facility displacements. Community facilities may be located within buildings or complexes which would be displaced, but also include other businesses. ***EJ displacements conservatively include those within a Census block with 50% or greater minority population, a Census block group where the median household income (MHI) is below the U.S. Department of Health and Human Services (HHS) poverty level, or a Census tract where the percentage of those in poverty is significantly greater than the poverty level within Travis County, with the understanding that not all such displaced persons or businesses may actually be EJ persons or businesses.						

3 EO 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income*  
 4 *Populations*, requires each federal agency to “make achieving environmental justice part of its mission by  
 5 identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental  
 6 effects of its programs, policies, and activities on minority populations and low-income populations” (59 Fed.  
 7 Reg. 7,629 (Feb. 11, 1994)). EO 12898 also directs agencies to develop a strategy for implementing EJ. Census  
 8 blocks where the percentage of minority persons was 50 percent or greater, Census block groups where the  
 9 median household income (MHI) is below the 2022 poverty guideline, or Census tracts where the percentage of  
 10 people in poverty was meaningfully greater than the percentage of people in poverty for Travis County overall  
 11 were all considered to contain an EJ population. This conservatively assumes that all persons or businesses  
 12 within EJ Census geographies would be minority or low-income. Under U.S. Department of Transportation  
 13 (USDOT) guidance, a “disproportionately high and adverse effect” on EJ populations exists if there is an “adverse  
 14 effect that is predominantly borne by a minority population and/or a low-income population,” (USDOT Order No.  
 15 5610.2C [May 16, 2021] at Section 1.g. of the Appendix). Because a majority of the displacements for this  
 16 project would necessarily occur in census blocks that meet EJ thresholds, and applying a conservative  
 17 assumption that all displacees would in fact be low-income or minority persons, TxDOT conservatively assumes  
 18 that the displacements would be “predominantly borne by a minority population and/or a low-income  
 19 population,” and according to USDOT guidance, there would therefore be a “disproportionately high and adverse  
 20 effect” on EJ populations for both Build Alternative 2 and Modified Build Alternative 3. However, through design  
 21 modifications to reduce ROW acquisitions and displacements of single-family, multifamily, and businesses  
 22 serving EJ populations, Modified Build Alternative 3 would substantially reduce displacement to EJ populations  
 23 and displacements overall. For both Build Alternatives, TxDOT is looking at potential advanced relocation

1 assistance to address community facility displacements and would work with providers, where appropriate, to  
2 ensure a continuation of services for healthcare, daycare, or basic needs (BN) for those experiencing  
3 homelessness. Additionally, the proposed project would include many benefits, including reducing the visual  
4 barrier of I-35, reconnecting east and west Austin, and providing wider and safer enhanced bridges and SUP  
5 connections.

6 Impacts to EJ populations from other project-related impacts including community cohesion, air quality, noise,  
7 or hazardous materials would not be expected to be disproportionate or high. Construction phase impacts (i.e.,  
8 noise and light) and other potential impacts to the human environment are continually being analyzed as part of  
9 the NEPA process, including those with the potential to affect EJ populations. Construction phase impacts are  
10 largely dictated by design, schedule, and project sequencing; therefore, both EJ and non-EJ communities would  
11 experience temporary construction impacts similarly. EJ communities would not be expected to experience  
12 construction impacts more severely than non-EJ populations for general construction-related impacts. Methods  
13 to minimize construction related impacts would be employed, such as construction phasing and public  
14 involvement activities, including maintaining a project construction website, performing business outreach, and  
15 providing detour notifications where appropriate. Impacts to EJ populations are discussed further in **Chapter 3**.

#### 16 *S 4.1.6 Visual and Aesthetic Resources*

17 I-35 is a well-established interstate highway, and the project corridor is located within a developed/urban area  
18 of Austin. Aerial imagery and virtual field visits were used to assess visual and aesthetics impacts within the  
19 project area. The general landscape can be characterized as urban land uses consisting of mixed small, medium,  
20 and large retail, commercial, office, hotel, residential, highway ROW, and other transportation facilities. The  
21 proposed project would generally follow the alignment of the existing I-35 highway. The existing viewshed  
22 includes the I-35 upper decks and elevated mainlanes through downtown, which also dominate the existing  
23 visual and aesthetic environment, acting as a physical, visual, and psychological barrier that inhibits the east-  
24 west connection of Austin across the I-35 corridor. Because of their elevation, the upper decks provide viewpoints  
25 of the historic Texas State Capitol Building as well as downtown east and west Austin. The primary changes to  
26 the visual environment in the project corridor consist of the removal of the upper decks, addition of HOV managed  
27 lanes, modified frontage roads, bicycle and pedestrian facilities, and bypass lanes. Both Build Alternative 2 and  
28 Modified Build Alternative 3 would remove Capitol View Corridor (CVC) vantage points that are located on the  
29 upper decks and elevated sections of the existing I-35 facility. The removal of the upper decks and the elevated  
30 sections of I-35 through downtown Austin would remove a physical, visual, audio, and psychological barrier  
31 represented by the existing structure and help make the overall views across Austin more accessible to all.  
32 **Section 3.7** provides a detailed discussion on impacts to visual and aesthetic resources.

33 TxDOT initiated a series of meetings with the public and targeted outreach to residents of neighborhoods  
34 surrounding the proposed project and members of the public who have taken part in public involvement events.  
35 In these meetings TxDOT discussed the potential to incorporate aesthetic concepts, such as textured form liners,  
36 retaining wall art, and other options proposed by the public and neighborhood stakeholders.

1 S 4.1.7 Cultural Resources

2 Archeological Resources and Cemeteries

3 The proposed project includes state and federal funds managed through TxDOT; therefore, the proposed project  
4 is subject to regulations defined in Section 106 of the NHPA of 1966, as amended. Project archeologists  
5 evaluated the potential for the build alternatives to effect archeological resources within the area of potential  
6 effect (APE). Neither build alternative would impact archaeological resources due to the extent of disturbances  
7 from previous development. **Section 3.8.1** discusses archeological resources.

8 Historic Properties

9 In compliance with Section 106 of the NHPA, project historians surveyed the APE for historic resources that are  
10 eligible for the National Register of Historic Places (NRHP). Both build alternatives would displace four historic  
11 properties, including the Elgin Butler Brick Company (EBBC) Main Office (*Austin Chronicle*) at 4001 North I-35,  
12 the Dura Tune Service Station at 3810 North I-35, the Haster House at 3009 North I-35, and the Roberts House  
13 at 3509 North I-35. Build Alternative 2 would displace two additional historic resources: residence at 4505 North  
14 I-35 and residence at 4503 North I-35 in the Delwood II Historic District. The project would also impact portions  
15 of the Ann and Roy Butler (Butler) Hike and Bike Trail, Edward Rendon Sr. Metro Park at Festival Beach (Edward  
16 Rendon), and Waller Beach at Town Lake Metro Park (Waller Beach), all part of the Town Lake Park System,  
17 eligible for listing in the NRHP. TxDOT is coordinating the determination of adverse impacts to historic resources  
18 and all required mitigation with the Texas Historical Commission (THC) and other consulting parties. **Section**  
19 **3.8.2** is a summary of historic resources in the APE, and **Appendix L** contains all historic resources reports  
20 produced for the project.

21 S 4.1.8 Protected Lands

22 Section 4(f)

23 Section 4(f) of the USDOT Act of 1966 prohibits the Secretary of Transportation from approving any program or  
24 project that requires the use of any publicly owned land from a public park, recreation area, or wildlife and  
25 waterfowl refuge of national, state, or local significance as determined by federal, state, or local officials having  
26 jurisdiction thereof, or any land from an historic site of national, state, or local significance as so determined by  
27 such officials unless there is no feasible and prudent alternative to the use of such land, and the project includes  
28 all possible planning to minimize harm to the resource. An Individual Section 4(f) Evaluation has been prepared  
29 documenting potential impacts to resources protected under Section 4(f) of the Department of Transportation  
30 Act of 1966 for each reasonable alternative identified in **Section 2.2**. This evaluation will be coordinated with  
31 COA, the Trail Foundation, the THC, and the U.S. Department of the Interior (USDOI) (officials with jurisdiction)  
32 for a final determination of adverse impacts to, and mitigation for, Section 4(f) properties (**Appendix M**). *De*  
33 *minimis* determinations, programmatic evaluations, and exceptions are authorized under FHWA's rules  
34 implementing Section 4(f).

1 The project would impact six public parks and four to six historic sites. Impacts to Section 4(f) parks, recreation  
2 areas, and historic properties are similar under both design alternatives. Both build alternatives would  
3 implement temporary construction staging areas at all six parks and require ROW from three of the six parks.  
4 Build Alternative 2 would displace six historic resources—Dura Tune Service Station, EBBC Main Office, the  
5 Haster House, two residences in the Delwood II Historic District, and the Roberts House—and would implement  
6 a temporary construction staging area within the historic Town Lake Park System, which would not be an adverse  
7 effect. Modified Build Alternative 3 would displace four historic resources, since the two residences in the  
8 Delwood II Historic District would not be impacted. For the No Build Alternative, there would be no impacts to  
9 Section 4(f) resources. Following the public hearing and comment period, final mitigation measures for Section  
10 4(f) resources will be reported in the Final Environmental Impact Statement (FEIS) and individual Section 4(f)  
11 evaluation. **Section 3.9** details the identified Section 4(f) properties and the analysis of potential project impacts.

## 12 **Section 6(f) Resources**

13 Section 6(f) of the Land and Water Conservation Fund (LWCF) Act prohibits the conversion of property acquired  
14 or developed with grants under the LWCF Act, as allocated by the Texas Parks and Wildlife Department (TPWD),  
15 to a non-recreational site without the approval of the USDO National Park Service (NPS).

16 Two parks in the project area are Section 6(f)-protected resources and would be similarly impacted by both build  
17 alternatives: Edward Rendon Park and Waller Beach Park. At Edward Rendon Park, the project would require  
18 approximately 0.70 acre for construction access for a duration less than six months. TxDOT is requesting TPWD  
19 and NPS approval that the temporary use of Edward Rendon Park for less than six months would qualify as a  
20 temporary non-conforming use that does not rise to the level of a conversion under Section 4(f).

21 At Waller Beach, TxDOT is proposing a conversion of approximately 1.20 acres of land needed for construction  
22 staging and water access for the duration of construction, or approximately six years. The approximately six-year  
23 use of Waller Beach would qualify as a conversion for which TxDOT and COA would have to obtain a replacement  
24 property to be approved by TPWD and NPS. Section 6(f) directs USDO to ensure that replacement lands of equal  
25 value, location, and usefulness are provided as conditions to such conversion. Coordination is ongoing with  
26 TPWD for Edward Rendon Park and Waller Beach Park. **Section 3.9** discusses Section 6(f) properties and the  
27 analysis of potential project impacts.

## 28 **Chapter 26 Resources**

29 In addition to Section 4(f), the use of public land designated and used as a park, recreation area, scientific area,  
30 wildlife refuge, or historic site, requires compliance with Chapter 26 of the Texas Parks and Wildlife Code. As  
31 with Section 4(f), Chapter 26 requires a finding that there is no feasible and prudent alternative to the use or  
32 taking of the protected land, and the project includes all reasonable planning to minimize harm. The analysis  
33 done for potential impacts to protected lands complies with both Section 4(f) and Chapter 26 rules. Chapter 26  
34 requires that a public hearing be held prior to the approval of the use of land from these publicly-owned park or  
35 historic site properties. Public input would be considered prior to any approval of the use of land. The six parks  
36 and recreational areas and one publicly-owned historic property protected by Section 4(f) and 6(f) within the  
37 proposed project are also subject to Chapter 26. These are described in **Section 3.9**. TxDOT will conduct a public

1 hearing for the DEIS, which will follow the requirements of Chapter 26 for the properties impacted by the  
2 Preferred Alternative.

### 3 **Least Overall Harm Analysis**

4 Build Alternative 2 and Modified Build Alternative 3 would use Section 4(f) properties and there is no feasible  
5 and prudent alternative that would avoid use of the Section 4(f) properties. FHWA's rules at 23 Code of Federal  
6 Regulations [CFR] §774.3(c) provide that if there is no feasible and prudent avoidance alternative, the agency  
7 may approve, from among the alternatives that use Section 4(f) property, only the alternative that causes the  
8 least overall harm in light of the statute's preservation purpose, which is determined by balancing different  
9 factors, including the ability to mitigate adverse impacts to the Section 4(f) property. The analysis in **Section 3.9**  
10 and **Appendix M** compares least overall harm evaluation factors between Build Alternative 2 and Modified Build  
11 Alternative 3.

12 Because Modified Alternative 3 would use two fewer historic properties than Build Alternative 2, and because it  
13 is preferable due to lower overall project costs as well as minimized impacts to resources not protected by  
14 Section 4(f) after reasonable mitigation, Modified Build Alternative 3 is identified as the least overall harm  
15 alternative.

#### 16 *S 4.1.9 Noise*

17 A traffic noise analysis was conducted in accordance with TxDOT's (FHWA-approved) Procedures for Analysis and  
18 Abatement of Roadway Traffic Noise and Construction Noise (TxDOT, 2019d). The proposed project would result  
19 in traffic noise impacts for both build alternatives. Some receivers would experience reduced predicted noise  
20 levels due to proposed changes in horizontal and/or vertical alignment of the alternatives. An evaluation of the  
21 potential for feasible and reasonable traffic noise barriers, and the most commonly used abatement measure,  
22 was conducted. **Section 3.14** contains a summary of the noise analysis.

23 Existing and predicted traffic noise levels were modeled at receiver locations that represent the land use activity  
24 areas adjacent to the proposed project that might be impacted by traffic noise and that could potentially benefit  
25 from feasible and reasonable noise abatement. Build Alternative 2 would impact 53 out of the 95 representative  
26 receivers analyzed and Modified Build Alternative 3 would impact 51 out of the 90 representative receivers  
27 analyzed. A barrier analysis determined that eight noise barriers would benefit 168 noise receivers for Build  
28 Alternative 2, and nine noise barriers would benefit 204 noise receivers for Modified Build Alternative 3. TxDOT  
29 would conduct meetings with the property owners and residents associated with a proposed noise barrier to  
30 determine whether they want traffic noise barriers. The final decision to construct the proposed traffic noise  
31 barrier would not be made until completion of the preliminary designs, utility evaluation, and polling of property  
32 owners and residents associated with a proposed noise barrier.

#### 33 *S 4.1.10 Water Resources*

34 Both reasonable alternatives would involve regulated activity in jurisdictional and navigable waters and therefore  
35 would require authorization under Section 404 of the Clean Water Act (CWA) and a permit from U.S. Army Corps

1 of Engineers (USACE) under Section 10 of the Rivers and Harbors Act (RHA). A pre-construction notification (PCN)  
2 for Nationwide Permit (NWP) 58 for Utility Line Activities for Water and Other Substances would be submitted to  
3 the USACE for the proposed drainage outfall structures at the Colorado River. Compensatory mitigation for the  
4 loss of streambed in the Colorado River is anticipated to be required for the proposed build alternatives.  
5 Compensatory mitigation would be completed in accordance with the Section 404 permitting process with the  
6 USACE.

7 Drainage outfall structures would be constructed at Harpers Branch and at the north and south ends of the I-35  
8 bridge structure at Lady Bird Lake. These structures would meet the terms and conditions of an NWP 58 for  
9 Utility Line Activities for Water and Other Substances. The permittee must submit a PCN to the USACE prior to  
10 commencing the activity if (1) a Section 10 permit is required or (2) the discharge would result in the loss of  
11 greater than 1/10-acre of WOTUS. The loss of WOTUS at the drainage outfall structures would not exceed 1/10-  
12 acre and no Section 10 permit is required. Therefore, it is unlikely that notification of the USACE would be  
13 required as long as the NWP 58 General Conditions and Regional Conditions for the State of Texas are met,  
14 including restoration of any temporary impacts below the ordinary high water mark (OHWM).

15 A Regional General Permit (RGP) 8 for Minor Structures would be submitted to the USACE for the construction of  
16 a proposed boat dock and ramp at Lady Bird Lake. A permanent boat dock and ramp would be considered a  
17 separate action from the proposed I-35 bridge structure by the USACE, and therefore, would be permitted using  
18 the RGP 8.

19 Activities required for crossings of WOTUS associated with the construction, expansion, modification, or  
20 improvement of linear transportation projects (e.g., roads, highways, railways, trails, airport runways, and  
21 taxiways) in WOTUS may be permitted under NWP 14 for Linear Transportation Projects. It is anticipated that the  
22 Preferred Alternative would meet the terms and conditions of NWP 14 for crossings at Tannehill Branch and Lady  
23 Bird Lake. The permittee must submit a PCN to the district engineer prior to commencing the activity if: the loss  
24 of WOTUS exceeds 1/10-acre; or there is a discharge in a special aquatic site, including wetlands. The loss of  
25 WOTUS at each crossing would not exceed 1/10-acre, and no fill would occur in a special aquatic site, including  
26 wetlands. Therefore, it is unlikely that notification of the USACE would be required if the NWP 14 General  
27 Conditions and Regional Conditions for the State of Texas are met, including restoration of any temporary  
28 impacts below the OHWM. **Section 3.10** discusses water resources in the project area.

#### 29 *S 4.1.11 Floodplains*

30 This project is federally-funded and therefore is subject to EO 11988, Floodplain Management. Portions of the  
31 project would occur within the floodplain; however, the project would not involve a significant encroachment in  
32 the floodplain. COA Watershed Protection Department is the Community Representative to the Federal  
33 Emergency Management Agency (FEMA) for the National Flood Insurance Program (NFIP). Both COA and FEMA,  
34 through its NFIP, have review and approval authority for floodplain mapping within COA's jurisdiction. The  
35 Watershed Protection Department must review and concur with the engineering analysis prior to acceptance for  
36 review by FEMA. COA requires a Conditional Letter of Map Revision if changes to the post-development floodplain  
37 are required. The proposed project would propose changes to the post-development floodplain with changes to

1 the vehicular and pedestrian bridge improvements located within the Lady Bird Lake floodplain. **Section 3.10**  
2 has additional information on existing conditions and potential impacts to floodplains.

### 3 *S 4.1.12 Wetlands and Other Waters Of The United States*

4 The project area is an urbanized area within the Colorado River watershed. The project area gradually slopes  
5 towards Lady Bird Lake, an impoundment of the Colorado River that creates a long narrow lake. The watershed  
6 in the project area has been modified from its natural condition, with most of the drainage features and streams  
7 being re-routed into ditches and stormwater drainage systems.

8 The Colorado River is a traditional navigable water (TNW). Lady Bird Lake is an impoundment of the Colorado  
9 River and is therefore also a TNW. Tannehill Branch is a relatively permanent water (RPW) that has a continuous  
10 surface connection to the Colorado River. Harpers Branch is a short segment of stream that has a continuous  
11 surface connection to Lady Bird Lake. Waller Creek is an RPW that has a continuous surface connection to Lady  
12 Bird Lake. Boggy Creek is an RPW that has a continuous surface connection to the Colorado River. USACE will  
13 likely assert jurisdiction over these features.

14 Project construction activities, involving discharges of dredged or fill material into navigable waters, would  
15 require a permit from USACE under Section 10 of the RHA. The areal extent of aquatic resources within the  
16 proposed project area was estimated based on interpretation of remotely sensed data and limited field  
17 observations. The majority of the water bodies are streams or drainages, as opposed to wetlands. The design of  
18 the proposed project is currently in the schematic phase; therefore, the details of structures and facilities that  
19 may affect the identified water bodies in the project area are not certain. USACE makes the final determination  
20 on the location of waterbody and wetland boundaries and their jurisdictional status. During preliminary and final  
21 design, impacts to jurisdictional WOTUS, including wetlands, would be avoided or minimized to the extent  
22 practicable. Coordination with USACE is being conducted for Section 404 of the CWA and Section 10 of the RHA  
23 permit authorization for unavoidable impacts to jurisdictional waters. **Section 3.10** discusses existing conditions  
24 and potential impacts to surface water resources, including wetlands and other WOTUS.

### 25 *S 4.1.13 Vegetation and Wildlife*

26 The proposed project is located in a highly urbanized area of COA. Review of TPWD's Ecological Mapping Systems  
27 of Texas (EMST) revealed that over 99 percent of the proposed project area is mapped as urban. Limited field  
28 investigations determined that the majority of the project areas are accurately mapped as urban, with only a  
29 small portion of riparian areas occurring along the Hike and Bike Trail at Lady Bird Lake and the proposed outfall  
30 structure location downstream of Longhorn Dam. Construction of either of the proposed project build alternatives  
31 would impact herbaceous, shrub, tree, and other plantings throughout the project area through site preparation  
32 activities. Clearing and grading would remove the existing vegetative cover and replace it with mostly impervious  
33 cover associated with travel lanes, entrance and exit ramps, and frontage roads.

34 A small portion of wooded areas associated with the parks would likely require some tree removal to allow for  
35 construction equipment and utility work within a drainage easement along the I-35 bridge over Lady Bird Lake.  
36 **Section 3.11** discusses existing conditions and potential impacts to vegetation and wildlife.

1 *S 4.1.14 Threatened, Endangered, and Rare Species*

2 There is potential habitat for one proposed threatened, three proposed endangered, and one candidate species  
3 within the project area: the Texas fawnsfoot (*Truncilla macrodon*), false spike (*Fusconaia mitchelli*), Texas  
4 fatmucket (*Lampsilis bracteata*), Texas pimpleback (*Cyclonaias petrina*), and monarch butterfly (*Danaus*  
5 *plexippus*), respectively. A due diligence presence/absence survey was performed in August 2022 for the  
6 freshwater mussels proposed for listing. No live native fresh water mussels of any kind were found during these  
7 surveys. Since the false spike, Texas fatmucket, Texas pimpleback and Texas fawnsfoot do not occur within the  
8 project area, no further action regarding these species is required. **Section 3.11** discusses existing conditions  
9 and potential impacts to threatened and endangered species.

10 *S 4.1.15 Construction Phasing Impacts*

11 Construction of the proposed project would be anticipated to cause temporary impacts to traffic and  
12 transportation facilities, noise and vibration, air quality, biological resources, hazardous materials, water  
13 resources and lighting. Construction would be phased and would last for approximately six years. **Section 3.17**  
14 discusses the proposed phasing of the construction and potential impacts during construction activities.

15 *S 4.1.16 Hazardous Materials*

16 An evaluation of hazardous materials issues for the proposed project was based on a review of environmental  
17 regulatory records and observations made during field investigations. A total of 1,207 federally- and state-listed  
18 sites were identified with potential hazardous materials issues for the proposed project. For any of the proposed  
19 project build alternatives, impacts associated with hazardous materials would most likely occur during  
20 construction and would be related to activities on or near existing hazardous materials sites in the vicinity of the  
21 proposed project. Based on an assessment conducted by the project study team, many of the sites were  
22 assigned a moderate or high estimated level of risk related to the likelihood for encountering hazardous  
23 materials issues during construction. Construction of the proposed project could include the demolition of  
24 building structures, some of which may contain asbestos materials. See **Section 3.13** in the DEIS for discussions  
25 of existing conditions and potential of hazardous materials.

26 *S 4.1.17 Air Quality*

27 The proposed project is located in an area designated by the U.S. Environmental Protection Agency (EPA) in  
28 attainment or unclassifiable for all national ambient air quality standards (NAAQS); therefore, transportation  
29 conformity rules do not apply.

30 A carbon monoxide traffic air quality analysis (CO TAQA) analysis was completed to assess whether the proposed  
31 project would adversely affect local air quality by contributing to CO levels that exceed the 1-hour or 8-hour CO  
32 NAAQS. The analysis results for each alternative indicate that CO concentrations would not be expected to exceed  
33 the national standard, even assuming worst-case conditions. CO levels would likely be lower than present levels  
34 in the design year due to updated technology and increased use of electric vehicles. The CO TAQA will be updated  
35 in the FEIS.

1 Although there is incomplete or unavailable information to evaluate project-specific Mobile Source Air Toxics  
2 (MSAT) health impacts, regardless of the build alternative chosen, emissions would likely be lower than present  
3 levels in the design year as a result of EPA regulations for vehicle engines and fuels. Based on regulations now  
4 in effect, overall MSAT emissions will decline significantly over the next several decades. FHWA estimates that  
5 even if VMT increases by 45 percent from 2010 to 2050 as forecast, a combined reduction of 91 percent in the  
6 total annual emissions for the priority MSAT is projected for the same time period. A quantitative MSAT analysis  
7 will be conducted for the Preferred Alternative and will be included in the FEIS. **Section 3.12** contains the air  
8 quality analysis.

#### 9 *S 4.1.18 Greenhouse Gases and Climate Change*

10 TxDOT's *Statewide On-Road Greenhouse Gas Emissions Analysis and Climate Change Assessment Technical*  
11 *Report* (TxDOT, 2018a) is the State's guide for on-road and fuel cycle GHG emissions and strategies for reducing  
12 emissions; climate change projections; and strategies for addressing the changing climate. For the proposed  
13 project, TxDOT also conducted a project-level GHG Analysis and Climate Change Assessment Technical Report  
14 (**Appendix V**). This technical report includes 1) an overview of GHG and climate change, 2) a project-level GHG  
15 analysis, 3) a project-level assessment of climate change, 4) a project-level resiliency risk assessment, 5)  
16 incomplete or unavailable information for specific climate change impacts, and 6) results and conclusions. A  
17 summary of key project-level or TxDOT program-level strategies for addressing the impacts of a changing climate  
18 is also disclosed. **Section 3.24** discusses GHG and climate change.

#### 19 *S 4.1.19 Induced Growth*

20 An induced growth analysis was developed using TxDOT's January 2019 *Indirect Impacts Analysis Guidance*.  
21 Vacant land and developable areas were identified to determine where induced growth could occur within the  
22 38,162-acre Area of Influence (AOI) and where development would be limited because of little to no vacant or  
23 developable land remaining in this heavily urbanized corridor. Approximately 5.0 percent of the AOI is  
24 characterized as developable and redevelopable. According to COA's database of emerging projects and planned  
25 developments, the developable and redevelopable areas of the AOI are experiencing rapid change, largely due  
26 to increased demand driven by the existing population and employment growth trends in Austin and Travis  
27 County.

28 To better understand if the proposed project would induce growth or lead to changes in the land use, TxDOT  
29 assembled a Delphi panel<sup>1</sup> comprising professionals in urban planning, real estate, urban development,  
30 academia, the private sector, and non-governmental organizations. The Delphi panel evaluated if and how the  
31 proposed project would influence land use changes within the AOI. According to the panel, development and  
32 redevelopment within the AOI are directly influenced by the existing population and employment growth trends;  
33 future development within the AOI would be primarily driven by projected rapid population and employment  
34 growth trends and not the proposed I-35 Capital Express Central improvements. The Delphi panel noted that  
35 existing land-use and zoning regulations would have the greatest influence on both development and

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<sup>1</sup> The Delphi method is a systematic and qualitative method of forecasting by collecting opinions from a group of experts through several rounds of questions.

1 redevelopment. The panel also acknowledged that proposed improvements would improve connectivity and  
2 mobility between east and west Austin for all modes of travel, which could contribute to the desirability of areas  
3 available for redevelopment; however, these areas are already considered highly attractive for redevelopment in  
4 the absence of the proposed improvements. Additionally, the panel stated that if the deck plazas are constructed  
5 by others, they would improve connectivity and access to parcels and further support COA's existing development  
6 and redevelopment trends.

7 Although the project would enhance connectivity, access, and mobility across I-35, the improvements would not  
8 introduce changes substantial enough to alter long-established growth trends within the AOI, particularly in  
9 consideration of other factors—such as economic drivers, zoning, and housing market volatility—that more  
10 strongly influence development in Austin. Growth trends established over the last several decades indicate these  
11 areas will redevelop regardless of the proposed project. The project would not materially influence land-use  
12 changes or affect the trajectory of redevelopment within the vacant (5.0 percent) areas of the AOI. Improvements  
13 associated with the proposed project would not likely create new opportunities for growth within the AOI. COA is  
14 already experiencing rapid population growth, largely due to migration, population growth, and increased  
15 employment opportunities, the proposed project is not the key driving factor for development or redevelopment  
16 within the AOI. As such, the proposed I-35 Capital Express Central Project would not likely induce development  
17 or increase the rate or intensity of development in the AOI. For both build alternatives, no effects related to  
18 induced growth are expected to occur. **Section 3.15** discusses the analysis of induced growth impacts, and a  
19 summary of the Delphi panel results. In summary, the proposed project would not likely result in induced growth  
20 within the AOI based on (1) historic and projected population, employment, and development trends, (2) future  
21 development predictions in local planning documents, (3) and feedback received from the Delphi panel.

#### 22 *S 4.1.20 Cumulative Effects*

23 The Council on Environmental Quality (CEQ) defines cumulative effects as effects “on the environment which  
24 result from the incremental effects of the action when added to the effects of other past, present, and reasonably  
25 foreseeable actions regardless of what agency (federal or non-federal) or person undertakes such other actions.  
26 Cumulative effects can result from individually minor, but collectively significant, actions taking place over a  
27 period of time” (40 CFR §1508.7 1508.1(g)(3)). **Section 3.16** discusses the project's potential cumulative  
28 effects.

29 Based on the results of the cumulative effects risk assessment, supported by the information included in **Section**  
30 **3.16** and associated technical reports, it was determined that the resources for which the proposed project may  
31 potentially have cumulative effects include: threatened and endangered species, historic and cultural resources,  
32 hazardous materials, and Section 4(f) resources. These resources were carried forward to assess cumulative  
33 effects. **Section 3.9** contains a summary of impacts to protected lands, including Section 4(f) resources. The  
34 cumulative effects analysis for community resources (specifically neighborhoods/public facilities and EJ  
35 populations) reviewed the health of these resources and relevant trends and identified a Resource Study Area  
36 (RSA) boundary and appropriate temporal boundary for each resource in the analysis.

37 Considering past, present, and reasonably foreseeable future actions, the construction of the proposed project  
38 was considered in conjunction with these other actions to consider the incremental cumulative effects. The

1 proposed project follows urban development trends from large infrastructure projects that result in both  
2 beneficial and adverse impacts to community resources. Mitigation of direct adverse impacts from the proposed  
3 project substantially reduces the project's incremental contribution to adverse cumulative effects to community  
4 resources. Urban development trends of population growth, development projects, and gentrification are not  
5 likely to be changed substantially by this project, as these changes have been occurring and would continue  
6 regardless of construction of the proposed improvements. However, the project would change the community  
7 due to the large number of displacements and the outward migration of residents when compared to other  
8 actions. The incremental impacts of the proposed project, when added to other actions, and after mitigation,  
9 would not play a substantial role in cumulative effects to overall traffic noise, air quality, historic resources, or  
10 ecological resources. TxDOT is coordinating with agencies for final determination of adverse impacts and  
11 potential mitigation for Section 4(f) protected historic resources and park and recreational properties. While both  
12 build alternatives would have a disproportionately high and adverse impact to EJ populations, Modified Build  
13 Alternative 3 would have significantly fewer overall impacts to the community compared to Build Alternative 2. If  
14 any potential mitigation measures for significant cumulative effects are identified during further analysis of the  
15 Preferred Alternative, they would be discussed in the FEIS.

## 16 *S 5 Issues Raised by Agencies and the Public*

17 The public and agencies have also made suggestions throughout the scoping process including that TxDOT  
18 consider past, present and potential future equity impacts through an equity impact assessment. In response,  
19 TxDOT is conducting additional studies on equity that go above and beyond the normal scope of a traditional  
20 Community Impacts Assessment (CIA). The additional studies focus on transportation equity and access and are  
21 included in **Section 3.6.12** and **Appendix K** of the DEIS. Further discussion on additional public and agency  
22 comments and concerns is included in **Chapter 4**.

## 23 *S 6 Further Surveys and Permits Required*

### 24 *S 6.1 Biological Resources*

25 Should additional habitat be identified during subsequent field surveys of biological resources for the Preferred  
26 Alternative prior to construction, this discussion would be updated and revised as needed. **Section 3.11**  
27 discusses vegetation, habitat, and species.

### 28 *S 6.2 Waters Resources*

29 The Preferred Alternative would involve regulated activity in jurisdictional waters and therefore would require  
30 authorization under Section 404 of the CWA. A PCN for NWP 58 for Utility Line Activities for Water and Other  
31 Substances would be submitted to the USACE for the proposed drainage outfall structure at the Colorado River.  
32 Compensatory mitigation for the loss of streambed in the Colorado River is anticipated to be required for the  
33 Preferred Alternative. Compensatory mitigation would be completed in accordance with the Section 404  
34 permitting process with the USACE.

1 An RGP 8 for Minor Structures would be submitted to the USACE for the construction of a proposed boat dock  
2 and ramp at Lady Bird Lake. A permanent boat dock and ramp would be considered a separate action from the  
3 proposed I-35 bridge structure by the USACE and therefore would be permitted using the same RGP 8.

4 It is anticipated that the Preferred Alternative would meet the terms and conditions of NWP 14 for crossings at  
5 Tannehill Branch and Lady Bird Lake. The permittee must submit a PCN to the district engineer prior to  
6 commencing the activity if (1) the loss of WOTUS exceeds 0.1 acre; or (2) there is a discharge in a special aquatic  
7 site, including wetlands; or (3) a PCN is otherwise triggered under the NWP General Conditions. **Section 3.10**  
8 discusses water resources and proposed impacts.

### 9 *S 6.3 Protected Lands*

10 TxDOT is coordinating with COA Parks and Recreation Department (PARD) and TPWD (officials with jurisdiction)  
11 for a final determination of adverse impacts to and mitigation for Section 4(f)-protected parks and recreational  
12 properties. TxDOT is coordinating with the THC and consulting parties for a final determination of adverse impacts  
13 and potential mitigation for Section 4(f)-protected historic properties. The development of mitigation  
14 requirements is ongoing and will be finalized after the agency coordination and public outreach have been  
15 conducted. Following the public hearing and comment period, final mitigation measures for Section 4(f)  
16 resources will be reported in the FEIS and individual Section 4(f) evaluation. **Section 3.9** discusses protected  
17 lands.

18 TxDOT is coordinating with TPWD and NPS for the two Section 6(f)-protected resources that the Preferred  
19 Alternative would impact. TxDOT is requesting TPWD and NPS approval that the less than six months temporary  
20 use of Edward Rendon Park would qualify as a temporary non-conforming use that does not rise to the level of a  
21 conversion under Section 4(f). The approximately six-year use of Waller Beach would qualify as a conversion for  
22 which TxDOT and COA would have to obtain a replacement property to be approved by TPWD and NPS.  
23 Development of mitigation requirements is ongoing, once determined and agreed upon during agency  
24 coordination and public comments, the mitigation requirements **Section 3.9** discusses protected lands.

25 TxDOT will consider any public comment on this DEIS prior to preparing a combined FEIS and Record of Decision  
26 (ROD). This DEIS indicates a Preferred Alternative, but TxDOT's selection of an alternative will be made in the  
27 ROD.

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# 1 List of Acronyms and Abbreviations

2 A list of acronyms and abbreviations used in this document is provided below.

Acronym/Abbreviation	Full Definition
AADT	Annual Average Daily Traffic
AASHTO	American Association of State Highway and Transportation Officials
ACHP	Advisory Council on Historic Preservation
ACS	American Community Survey
ACT	Antiquities Code of Texas
ADA	Americans with Disabilities Act
AFD	Austin Fire Department
AHFC	Austin Housing Finance Corporation
AISD	Austin Independent School District
AOI	Area of Influence
APE	Area of Potential Effect
ASTM	American Society for Testing and Materials
Atlas	Texas Historical Commission Historic Sites Atlas
AUS	Austin-Bergstrom International Airport
BMPs	Best Management Practices
BN	Basic Needs
CAA	Federal Clean Air Act
CAC	Corridor Advisory Committee
CAIP	I-35 Capital Area Improvement Program
CAMPO	Capital Area Metropolitan Planning Organization
CapMetro	Capital Metropolitan Transportation Authority
CDC	Centers for Disease Control
CEQ	Council on Environmental Quality
CGP	Construction General Permit
CFR	Code of Federal Regulations
CH <sub>4</sub>	Methane
CIA	Community Impacts Assessment
CO	Carbon Monoxide
CO TAQA	Carbon Monoxide Traffic Air Quality Analysis
CO <sub>2</sub>	Carbon Dioxide
CO <sub>2</sub> E	Carbon Dioxide Equivalent
COA	City of Austin
CSC	Corridor Segment Committee
CTRMA	Central Texas Regional Mobility Authority

Acronym/Abbreviation	Full Definition
CVC	Capitol View Corridor
CWA	Clean Water Act
DAA	Downtown Austin Alliance
dB	Decibels
dB(A)	A-weighted decibels
DEIS	Draft Environmental Impact Statement
DPM	Diesel Particulate Matter
EB	Eastbound
EBBC	Elgin Butler Brick Company
EIS	Environmental Impact Statement
EJ	Environmental justice
EMST	Ecological Mapping Systems of Texas
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
ETC	Estimated Time of Completion
FEIS	Final Environmental Impact Statement
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FM	Farm-to-Market Road
FPPA	Farmland Protection Policy Act
FQHC	Federally-Qualified Health Center
FTA	Federal Transit Administration
FTC	I-35 Future Transportation Corridor
GHG	Greenhouse Gas
GIS	Geographic Information System
GNDC	Guadalupe Neighborhood Development Corporation
GWP	Global Warming Potential
HCT	High-Capacity Transit
HHS	U.S. Department of Health and Human Services
HIA	Health Impact Assessment
HLC	Historic Landmark Commission
HOLC	Housing and Loan Corporation
HOV	High-Occupancy Vehicle
HRSR	Historic Resources Survey Report
HUD	U.S. Department of Housing and Urban Development
I-35	Interstate Highway 35
IAH	Initiative to Address Homelessness

Acronym/Abbreviation	Full Definition
IBWC	International Boundary and Water Commission
IPaC	Information for Planning and Consultation
IRIS	Integrated Risk Information System
ISA	Initial Site Assessment
ITS	Intelligent Transportation Systems
LBS	Location-Based Services
LCRA	Lower Colorado River Authority
LEP	Limited English Proficiency
Leq	Average or equivalent sound level
Live35	Locally Influenced Visual Enhancements
Loop 1	State Loop 1, referred to as MoPac
Loop 360	North Capital of Texas Highway
LOS	Level of Service
LPST	Leaking Petroleum Storage Tank
LWCF	Land and Water Conservation Fund
MHI	Median Household Income
MIS	Major Investment Study
MLK Jr. Blvd	Martin Luther King Jr. Boulevard
MOU	Memorandum of Understanding
mph	Miles per Hour
MS4	Municipal Separate Storm Sewer System
MSA	Metropolitan Statistical Area
MSAT	Mobile Source Air Toxics
N <sub>2</sub> O	Nitrous Oxide
NAACP	National Association for the Advancement of Colored People
NAAQS	National Ambient Air Quality Standards
NAC	Noise Abatement Criteria
NACTO	National Association of City Transportation Officials
NB	Northbound
NCHRP	National Cooperative Highway Research Program
NDD	Natural Diversity Database
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NOI	Notice of Intent
NPA	Neighborhood Planning Area
NPS	National Park Service
NRHP	National Register of Historic Places

Acronym/Abbreviation	Full Definition
NWP	Nationwide Permit
O-D	Origin-Destination
OHWM	Ordinary High Water Mark
PA	Programmatic Agreement
PA-TU	Programmatic Agreement for Transportation Undertakings
PARD	Austin Parks and Recreation Department
PCN	Pre-Construction Notification
PEL	Planning and Environmental Linkages Study
PM	Particulate Matter
PODER	People Organizing to Demand Environmental and Economic Justice
ppm	parts per million
PS&E	Plans, specifications, and estimates
PST	Petroleum Storage Tank
PUD	Planned Unit Development
RBJ	Rebekah Baines Johnson Center
RGP	Regional General Permit
RHA	Rivers and Harbors Act
RMMA	Robert Mueller Municipal Airport/RMMA neighborhood
ROD	Record of Decision
ROW	Right-of-Way
RPW	Relatively Permanent Water
RSA	Resource Study Area
RTHL	Recorded Texas Historic Landmark
RTP	Regional Transportation Plan
SAL	State Antiquities Landmark
SB	Southbound
SF <sub>6</sub>	Sulfur Hexafluoride
SGCN	Species of Greatest Conservation Need
SH	State Highway
SHPO	State Historic Preservation Office
SIU	Segment of Independent Utility
SNAP	Supplemental Nutrition Assistance Program
SPUI	Single Point Urban Interchange
SUP	Shared Use Path
SW3P	Stormwater Pollution Prevention Plan
TAC	Texas Administrative Code
TBM	Tunnel Boring Machine
TCEQ	Texas Commission on Environmental Quality

Acronym/Abbreviation	Full Definition
TDHCA	Texas Department of Housing and Community Affairs
TDM	Transportation Demand Management
TERP	Texas Emissions Reduction Plan
THC	Texas Historical Commission
TIP	Transportation Improvement Program
TNM	Traffic Noise Modeling
TNW	Traditional Navigable Water
TOD	Transit-Oriented Development
TOOF	The Other Ones Foundation
TPDES	Texas Pollutant Discharge Elimination System
TPWD	Texas Parks and Wildlife Department
TSM	Transportation System Management
TTI	Texas Transportation Institute
TxDOT	Texas Department of Transportation
TxDOT ENV	Texas Department of Transportation Environmental Affairs Division
ULI	Urban Land Institute
Uniform Act	Uniform Relocation Assistance and Real Property Acquisition Policies Act
USC	United States Code
US 290	United States Highway 290
USACE	United States Army Corps of Engineers
USCB	United States Census Bureau
USDOJ	United States Department of the Interior
USDOT	United States Department of Transportation
USFWS	United States Fish and Wildlife Service
UT	University of Texas at Austin
UTP	Unified Transportation Plan
VCP	Voluntary Cleanup Program
VMT	Vehicle Miles Traveled
VOH	Virtual Open House
VOICE	Volunteer Opportunities in Community Engagement
vpd	Vehicles per Day
WB	Westbound
WOTUS	Waters of the United States

## 1 **1.0 Purpose of and Need for Action**

2 Interstate Highway 35 (I-35) has been the north-south transportation backbone of personal, business, and freight  
3 transportation in Texas since 1962. It connects Central Texas to the rest of the United States, Mexico, and  
4 Canada, serving as a major thoroughfare for inter- and intrastate traffic. I-35 is critical to local, state, and national  
5 security, economic vitality, and overall mobility. Many Texans are familiar with I-35 as a local route for their work  
6 commutes and other personal travel.

7 TxDOT proposes to construct improvements to I-35 from United States Highway 290 (US 290) East to US 290  
8 West/SH 71, in Austin, Travis County, Texas (referred to as the I-35 Capital Express Central Project). The  
9 proposed project measures approximately 8 miles. The purpose and need for the I-35 Capital Express Central  
10 Project along with the Coordination Plan and Public Involvement Plan were presented to cooperating and  
11 participating agencies and the public at two scoping meetings. The environmental review, consultation, and other  
12 actions required by applicable federal environmental laws for this project are being, or have been, carried out by  
13 TxDOT pursuant to 23 U.S.C. §327 and a Memorandum of Understanding (MOU) dated December 9, 2019, and  
14 executed by the Federal Highway Administration (FHWA) and TxDOT.

15 As lead agency, TxDOT prepared the Coordination Plan for the project, which established a schedule and process  
16 for coordinating public and agency participation and comment during the environmental review process.  
17 Cooperating agencies are federal agencies that have either jurisdiction by law regarding aspect(s) of the  
18 proposed project or special expertise pertaining to the proposed project. Cooperating agencies participate in the  
19 scoping process, and on request of the lead agency, develop information and prepare environmental analyses  
20 including portions of the Environmental Impact Statement (EIS), make staff available to enhance the lead  
21 agency's interdisciplinary capability, comment on Draft Environmental Impact Statement (DEIS), and serve other  
22 roles described in rules promulgated by the Council on Environmental Quality (CEQ) at 40 Code of Federal  
23 Regulations [CFR] §1501.8. TxDOT invited the following agencies and Native American tribes to be cooperating  
24 agencies:

- 25 • U.S. Army Corps of Engineers (USACE)
- 26 • U.S. Department of Agriculture, Natural Resources Conservation Service
- 27 • U.S. Department of Housing and Urban Development (HUD)
- 28 • U.S. Environmental Protection Agency (EPA)
- 29 • U.S. Fish and Wildlife Service (USFWS)
- 30 • National Park Service
- 31 • Caddo Nation of Oklahoma
- 32 • Mescalero Apache Tribe
- 33 • Apache Tribe of Oklahoma
- 34 • Tonkawa Tribe of Indians of Oklahoma

- 1 • Kiowa Indian Tribe of Oklahoma
- 2 • Comanche Nation of Oklahoma
- 3 • Alabama-Coushatta Tribe of Texas (federally-recognized tribe)
- 4 • Seminole Nation of Oklahoma
- 5 • Wichita and Affiliated Tribes

6 Participating agencies are federal, state, tribal, regional, and local government agencies that may have an  
7 interest in the project. The roles and responsibilities of participating agencies include but are not limited to:  
8 Participating in the scoping process and identifying and providing early input on issues of concern regarding the  
9 project's potential impacts to human or natural environment. The Agency Coordination Plan is available in  
10 **Appendix I.** TxDOT invited the following agencies to be participating agencies:

- 11 • Federal Transit Administration (FTA)<sup>2</sup>
- 12 • Texas Commission on Environmental Quality (TCEQ)
- 13 • Texas Department of Housing and Community Affairs (TDHCA)
- 14 • State Historic Preservation Officer (SHPO)/Texas Historical Commission (THC)
- 15 • Texas Parks and Wildlife Department (TPWD)
- 16 • Lower Colorado River Authority (LCRA)
- 17 • Capital Area Metropolitan Planning Organization (CAMPO)
- 18 • Central Texas Regional Mobility Authority (CTRMA)
- 19 • Travis County
- 20 • Williamson County
- 21 • Hays County
- 22 • City of Austin (COA)
- 23 • Capital Metropolitan Transportation Authority (CapMetro)
- 24 • University of Texas at Austin (UT)

25 The following agencies formally declined the invitation to be a cooperating or participating agency:

- 26 • HUD
- 27 • USFWS
- 28 • LCRA

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<sup>2</sup> Federal Transit Administration was invited to be a cooperating agency for the project but elected to be a participating agency.

1 Agency/Public Scoping Meeting #1 was held in November 2020. This meeting was an opportunity for cooperating  
2 and participating agencies and the public to review and provide feedback on the draft Coordination Plan and  
3 schedule, the draft purpose and need, and the draft range of alternatives for the project (see all scoping  
4 documents in **Appendix I**). Comments received included changing the purpose and need to include reducing  
5 vehicle miles traveled (VMT), improving safety, prioritizing community needs, including crash data, and including  
6 bicycle and pedestrian data; ensuring deck plazas or caps are included in both reasonable alternatives; using  
7 alternate traffic demand model data; adding multimodal and people-carrying capacity; assessing climate change,  
8 equity, health issues, homelessness and community impacts; analyzing differences among alternatives in  
9 amount of right-of-way (ROW) required, construction impacts, ramping scenarios, bicycle and pedestrian  
10 facilities, direct transit connections, grade separations, and context-sensitive design; rerouting trucks or all  
11 through traffic to State Highway (SH) 130; and burying or tunneling I-35.

12 Based on comments received from cooperating and participating agencies and the public in Scoping Meeting  
13 #1, the need for the project was changed to include an expanded emphasis on crash and safety data by adding  
14 that safety and operational deficiencies of I-35 within the project limits can impact crash rates and including  
15 supporting data in **Section 1.2** of this DEIS. The purpose of the project was changed to include addressing  
16 demand by prioritizing the movement of persons, goods, and services *through and across the corridor*, and to  
17 include *all modes of transportation* to create a more dependable and consistent route.

18 In March 2021, Agency/Public Scoping Meeting #2 was held to present the revised purpose and need for the  
19 project, range of alternatives, and draft methodologies and level of detail for analyzing alternatives. Comments  
20 received included: analyzing additional alternatives such as the Reconnect Austin, Rethink35 and DAA  
21 (Downtown Austin Alliance) Urban Land Institute (ULI) proposals; support for the No Build; support for Build  
22 Alternatives 1, 2, and 3; measuring impact criteria specifically related to pedestrian and bicycle safety at  
23 intersections and crossings; and adding criteria to measure transit station/stop access to the future Project  
24 Connect system and measure added east-west crossings. Based on feedback from Scoping Meeting #2, the  
25 following measurements were added to the alternatives evaluation criteria: air quality impacts; person-carrying  
26 capacity along mainlanes; annual cost of travel; and accommodation of CapMetro's service plan at east-west  
27 crossings.

## 28 **1.1 Need**

29 The proposed project is needed because I-35 between US 290 East and US 290 West/SH 71 does not  
30 adequately accommodate current and future travel demand and does not meet current federal and state design  
31 standards, which has resulted in safety and operational deficiencies and can impact crash rates and peak period  
32 travel times for all users, including emergency response vehicles and transit.

## 33 **1.2 Supporting Facts and Data**

### 34 **1.2.1 Design Standards**

35 Because I-35 within the project limits was designed under standards that are now outdated and has been  
36 retrofitted over time, it does not meet all current roadway design standards based on TxDOT's *Roadway Design*

1 *Manual* (TxDOT, 2020b), TxDOT's *Hydraulic Design Manual* (TxDOT, 2019c), American Association of State  
2 Highway and Transportation Officials' (AASHTO) *A Policy on Geometric Design of Highways and Streets* (AASHTO  
3 2018), and the *Texas Manual of Uniform Traffic Control Devices* (TxDOT 2011). There is a need to correct design  
4 deficiencies along I-35 within the project limits, including narrow lane widths, nonexistent or narrow shoulders,  
5 low vertical clearances, substandard horizontal and vertical geometry, and outdated drainage systems.

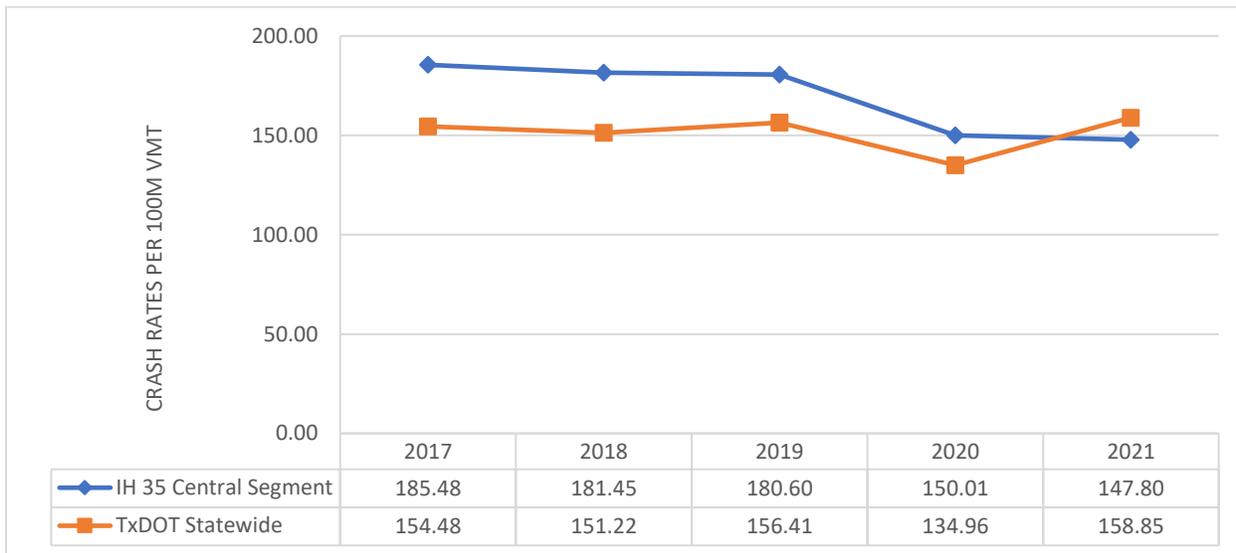
6 Existing ingress and egress along I-35 is hindered by closely spaced ramps, narrow lane widths, and narrow or  
7 nonexistent shoulders. When collisions occur at locations with narrow or non-existent shoulders, travelers may  
8 be delayed without the opportunity to bypass the collision, resulting in reduced traffic flow. There is a need to  
9 add auxiliary lanes, widen shoulders, and revise ramp geometry and spacing according to current design  
10 standards to improve traffic operations along the corridor.

11 Multiple bridges within the project limits do not meet the current standard height requirements: the mainlane  
12 underpasses through the upper deck area, between Airport Boulevard and Martin Luther King Jr. (MLK Jr.)  
13 Boulevard, have vertical clearances that vary from 13.25 to 15.25 feet; the underpasses through the downtown  
14 area have vertical clearances of less than 15 feet; the southbound (SB) mainlane underpass beneath Cesar  
15 Chavez Street has a vertical clearance of 14 feet, and the bridge has evidence of vehicle strikes. There is a need  
16 to increase the minimum vertical clearance to 16.5 feet for underpasses to improve overall safety and operations  
17 for this heavily traveled area.

18 Existing substandard horizontal and vertical geometry along the project limits does not meet TxDOT-  
19 recommended design speeds. Additionally, there is a need to upgrade the storm drainage system and evaluate  
20 the existing systems with respect to new rainfall data contained in the *National Oceanic and Atmospheric*  
21 *Administration Atlas 14* (Perica et al. 2018), which will reduce areas of flooding and improve overall driver safety.

## 22 *1.2.2 Crash Data/Safety*

23 To analyze safety within the project limits, crash data from years 2017 through 2021 were obtained from TxDOT  
24 Design Division. A total of 5,190 crashes were reported during the five-year period, with 57 percent of the crashes  
25 occurring on the mainlanes, 38 percent on the frontage roads, and the remaining 5 percent on the ramps and  
26 connectors of the system. **Figure 1.2-1** shows the crash rates within the project limits compared to the statewide  
27 average for urban interstate facilities in Texas. Over this five-year period, the project limits had an average crash  
28 rate of 169.07 crashes per 100 million VMT, and, for every year, crash rates were higher than the statewide  
29 average except in 2021. There is a need to prevent potential crashes along the corridor involving pedestrians  
30 and bicyclists (**Appendix H** contains historical crash data).



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Sources TxDOT Statewide Traffic Crash Rates 2017, 2018, 2019, 2020, and 2021

Figure 1.2-1. Capital Express Central Crash Rates per 100M VMT

Table 1.2-1 shows the total number of crashes along with crash severity data within the project limits using the KABCO injury scale (FHWA 2012), which categorizes injuries by level of severity. Years 2020 and 2021 had significantly fewer crashes compared to the previous three (3) years as the project limits, like the rest of the state, had significantly less traffic volume due to the COVID-19 pandemic. Of the 5,190 total crashes, there were 37 (0.7 percent) fatal crashes (K), 142 (2.7 percent) incapacitating injury crashes (A), 1,058 (20.4 percent) non-incapacitating injury crashes (B), 1,162 (22.4 percent) possible injury crashes (C), and 2,703 (52.1 percent) property damage only crashes (O). An additional 88 (1.7 percent) of the crashes were reported with no severity.

Table 1.2-1. Capital Express Central Crash Severity Summary

Year	Fatal Crashes (K*)	Severe Incapacitating Crashes (A*)	Moderate Non-Incapacitating Crashes (B*)	Minor Possible Injury Crashes (C*)	Property Damage Only Crashes (O*)	Unknown Severity Crashes	Total Crashes
2017	3	29	217	245	657	18	1,169
2018	9	36	208	266	618	11	1,148
2019	10	23	250	276	561	14	1,134
2020	2	24	195	156	415	17	809
2021	13	30	188	219	452	28	930

Table 1.2-1. Capital Express Central Crash Severity Summary

Year	Fatal Crashes (K*)	Severe Incapacitating Crashes (A*)	Moderate Non-Incapacitating Crashes (B*)	Minor Possible Injury Crashes (C*)	Property Damage Only Crashes (O*)	Unknown Severity Crashes	Total Crashes
Avg/Yr	7	28	212	232	541	18	1,038
Totals	37	142	1,058	1,162	2,703	88	5,190
%	0.7%	2.7%	20.4%	22.4%	52.1%	1.7%	

Source: TxDOT 2022, FHWA 2012

\*KABCO Injury Scale = “K” – Fatal injuries including deaths that occur within 30 days following an injury in a motor vehicle crash. “A” – Severe injuries including skull fractures, internal injuries, broken or distorted limbs, unconsciousness, severe lacerations, severe burns, and unable to leave the scene without assistance. “B” – Moderate injuries including viable injuries such as a “lump” on the head, abrasions, and minor lacerations. “C” – Minor injuries including hysteria, nausea, momentary unconsciousness, and complaint of pain without visible signs of injury. “O” – Property damage only.

- 1 **Table 1.2-2** shows crash type, including bicycle and pedestrian accidents. The data indicate that of the 5,190
- 2 total recorded crashes within the project limits, there were:
- 3
  - 1,674 (32.2 percent) rear-end crashes
  - 4 • 1,291 (24.9 percent) same direction crashes other (not sideswipes or rear ends)
  - 5 • 785 (15.1 percent) angle/other crashes
  - 6 • 653 (12.6 percent) single-vehicle fixed-object/overtake/turning
  - 7 • 599 (11.5 percent) sideswipe crashes
  - 8 • 97 (1.9 percent) single vehicle pedestrian/bicycle crashes
  - 9 • 91 (1.8 percent) opposite direction crashes
- 10 Of the 97 crashes involving a pedestrian or cyclist, 38 (39 percent) of them occurred between 8th Street and
- 11 Cesar Chavez Street. Twenty-five of these 38 crashes within this section of the project limits occurred at
- 12 intersections.

1 Table 1.2-2. Capital Express Central Crash Type Summary

Single Vehicle (Fixed Object/ Overturn/ Turning)	Single Vehicle (Pedestrian/ Bicycle)	2+ Same Direction (Sideswipe)	2+ Same Direction (Rear End)	2+ Same Direction (Other)	2+ Opposite Direction	2+ Angle/ Other	Total
<b>2017</b>							
124	12	133	374	341	17	168	1,169
<b>2018</b>							
142	19	116	387	315	25	144	1,148
<b>2019</b>							
113	36	127	413	269	23	153	1,134
<b>2020</b>							
120	11	109	235	166	13	155	809
<b>2021</b>							
154	19	114	265	200	13	165	930
<b>Average per Year</b>							
131	19	120	335	258	18	157	1,038
<b>Totals</b>							
653	97	599	1,674	1,291	91	785	5,190
<b>%</b>							
12.6%	1.9%	11.5%	32.2%	24.9%	1.8%	15.1%	
Source: TxDOT 2022a							

2 Additionally, two fatal crashes in which the contributing factor was “pedestrian failed to yield right-of-way to  
3 vehicle” occurred on the 4th Street Lance Armstrong Bikeway—both between 4:00 a.m. and 6:00 a.m. Five injury  
4 crashes with the same contributing factor (three Injury B and two Injury C), occurred within 350 feet of the 7th  
5 Street interchange. All of these five crashes occurred during the morning and afternoon peak hours. Even though  
6 there are crosswalks at the intersections of the I-35 frontage roads and 6th, 7th, and 8th Streets, these crashes  
7 resulted because pedestrians crossed the frontage roads/side streets midblock. See **Appendix H** for crash data  
8 and traffic and safety analysis and **Section 3.5** for details on Bicycle and Pedestrian Facilities.

9 **1.2.3 Travel Demand**

10 **1.2.3.1 Traffic Congestion and Operational Deficiencies**

11 I-35 within Travis County is currently ranked the #1 most congested roadway in Texas, as measured by Texas  
12 Transportation Institute (TTI), and is among the roadways with the highest annual congestion costs (wasted time

1 and fuel), at more than \$200M (TTI 2020). Due to existing north-south travel demand and the limited number of  
 2 alternative parallel controlled-access routes through Austin, I-35 is presently subject to severe traffic congestion  
 3 for substantial periods of time each day. As population and employment growth continue, current congestion  
 4 levels along I-35 are anticipated to worsen. The annual average daily traffic (AADT) for the portion of I-35 between  
 5 US 290 East and US 290 West/SH 71 was 207,215 vehicles per day (vpd) in 2019 (TxDOT 2019a). By 2045,  
 6 traffic is expected to reach 303,700 vpd, an increase of approximately 47 percent over 2019, according to traffic  
 7 projections based on TxDOT-approved 2030 and 2050 AADT forecasts.

8 Population increases have occurred over the last several decades within COA, Austin-Round Rock Metropolitan  
 9 Statistical Area (Austin-Round Rock MSA), and Travis County, with all three areas more than doubling in  
 10 population between 1980 and 2020 (Table 1.2-3). Moreover, 10-year growth rates for COA and Travis County  
 11 were significantly higher than 10-year growth rates at the state level, except for COA's 2000–2010 growth rate,  
 12 which was slightly less than the state average. Population forecasts for the regions surrounding the study area  
 13 (Table 1.2-4) predict continued substantial growth for COA and Travis County through 2045.

14 Table 1.2-3. Population Growth 1980–2020

Jurisdiction	1980	1990	2000	2010	2020
State of Texas	14,229,191	16,986,510	20,851,820	25,145,561	29,145,505
Austin-Round Rock MSA*	536,688	781,572	1,249,763	1,716,289	2,283,317
Travis County	419,573	576,407	812,280	1,024,266	1,290,188
City of Austin	345,890	465,622	656,562	790,390	961,855

Sources: Texas Demographic Center 2020; USCB 2000, 2010 and 2020 (Tables SF1, DP1, P1)  
 \*Austin – Round Rock MSA includes Bastrop, Caldwell, Hays, Travis and Williamson Counties.

15 Table 1.2-4. Population Forecasts

Jurisdiction	2020	Projected 2045	Projected Percent Change
State of Texas	29,145,505	43,866,965	50.5%
Travis County	1,290,188	1,884,155	46.0%
City of Austin	961,855	1,367,879	42.2%

Sources: Texas Demographic Center 2020, USCB 2020 (Tables SF1, DP1)

16 Table 1.2-5 illustrates the forecast for employment in the CAMPO counties from 2015 to 2045. The Austin  
 17 metropolitan area added 22,700 net new jobs, or 2.1 percent, in the 12 months ending in March 2019,  
 18 according to releases of preliminary payroll jobs numbers by the Texas Workforce Commission and the U.S.  
 19 Bureau of Labor Statistics (Kerr, 2019). Austin's 2.1 percent growth makes it the 16th highest growth rate  
 20 nationally among the 50 largest metro areas during the March 2018–2019 year. According to the CAMPO  
 21 Baseline 2045 Demographic Forecast (CAMPO, 2020a), the CAMPO region anticipates an additional 1.3 million  
 22 in population and over one million new jobs by 2045 (over the baseline year of 2015). Employment in the Austin-

1 Round Rock MSA increased nearly 31 percent between 2007 and 2017. The region’s most highly concentrated  
 2 industries primarily include technology and administration (Texas Comptroller, 2018). All population and  
 3 employment resources analyzed identified the continued growth of the Austin metropolitan area now and in the  
 4 future.

5 **Table 1.2-5. CAMPO Employment Forecast**

Region/Year	2015	2045	Projected Percent Change
Travis County	600,322	1,199,239	99.7%
CAMPO* Region	995,216	2,367,070	137.8%

Source: CAMPO 2020a

\*The CAMPO Region includes Bastrop, Burnet, Caldwell, Hays, Travis and Williamson Counties.

6 There is a need to improve the project corridor based on the projected population growth, employment, and  
 7 travel demand increases. In addition, the projected population increases in the region will further the need for  
 8 improvements to the bicycle and pedestrian accommodations throughout the corridor.

9 **1.2.3.2 Travel Time**

10 I-35 is the only interstate highway connecting Mexico, the United States, and Canada through the central part of  
 11 the United States and is one of two north-south interstate highways traversing Texas. According to the American  
 12 Highway Users Alliance 2015 study “Unclogging America’s Arteries 2015: Prescriptions for Healthier Highways”  
 13 (American Highway Users Alliance 2015), the portion of I-35 in downtown Austin ranks number 10 on the list of  
 14 top bottleneck highways in the country. The study estimates that the “[a]nnual total delays from this bottleneck  
 15 amount to 3 million hours at a lost value of time of about \$73 million a year.”

16 Travel times were collected for the project limits for the year 2019 using INRIX data provided by TxDOT and  
 17 projected for the years 2025 and 2045 based on traffic microsimulation models for the corridor. **Table 1.2-6**  
 18 shows the existing (2019) a.m. and p.m. peak hour travel times, and 2025 and 2045 forecasts along I-35,  
 19 between US 290 East and US 290 West/SH 71. Peak hours are defined as 7:30 a.m. to 8:30 a.m., and 4:30  
 20 p.m. to 5:30 p.m. (Peak hours are defined as the most congested hours within a given peak period.) As **Table**  
 21 **1.2-6** shows, based on the current projections (2025 and 2045), PM peak travel times will significantly increase  
 22 in the near future. **Figure 1.2-2** provides a comparison of project corridor travel time for the No Build Alternative  
 23 at the posted speed limit with actual (2019) travel times throughout a typical weekday.

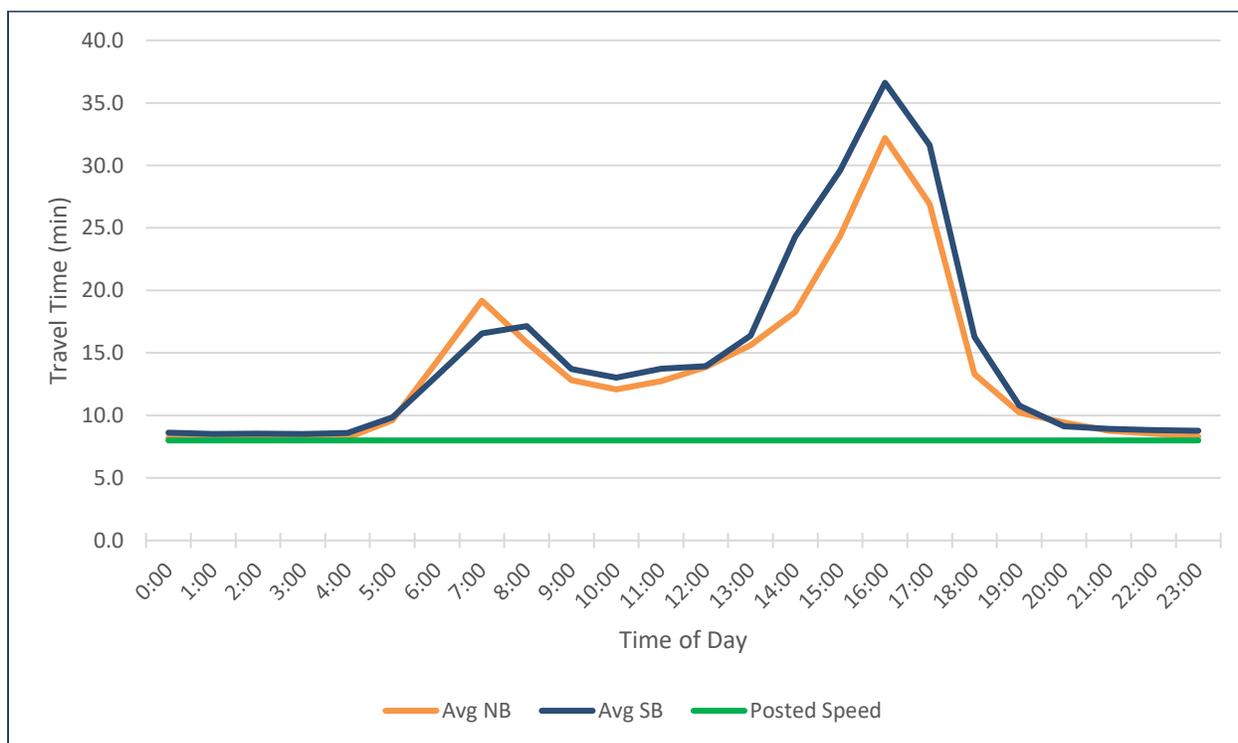
1 Table 1.2-6. Current and Projected Travel Times on I-35 from US 290 East to  
 2 US 290 West/SH 71

Direction	2019		2025		2045	
	AM Peak Hour (7:30 to 8:30) (mins)	PM Peak Hour (4:30 to 5:30) (mins)	AM Peak Hour (7:30 to 8:30) (mins)	PM Peak Hour (4:30 to 5:30) (mins)	AM Peak Hour (7:30 to 8:30) (mins)	PM Peak Hour (4:30 to 5:30) (mins)
NB	19.2	32.2	19.8	131.6	33.6	223.2
SB	16.6	36.6	16.4	78.3	19.5	208.6

Source: INRIX 2019

2025 and 2045 - I-35 Capital Express Central Project Team Projections

3



4

5 Note: Travel time data for 2019 were obtained from TxDOT/INRIX

6 Figure 1.2-2. Capital Express Central Existing (2019) Travel Times During a Typical Weekday

7 According to **Figure 1.2-2**, a one-way trip traversing the project area should take approximately 8 minutes,  
 8 northbound (NB) or SB. Currently, travel within the project limits on a typical weekday takes between  
 9 approximately 20 minutes in the morning peak period (approximately 6 to 9 a.m.) traveling NB and about 17  
 10 minutes traveling SB. In the evening peak period (approximately 1 to 6 p.m.), the average trip rises to 32 minutes  
 11 traveling NB and over 36 minutes traveling SB. Based on these current estimates, the average commuter's daily  
 12 round-trip within the project limits can take nearly an hour of time in traffic, more with crashes. The measured

1 current travel times show that the facility has reduced mobility during a majority of the day—not just during the  
2 peak hours of 7:30 to 8:30 a.m. and 4:30 to 5:30 p.m.—demonstrating the need to address congestion.

### 3 *1.2.3.3 Bicycle and Pedestrian Plans*

4 According to COA's Bicycle Master Plan (COA, 2014), updated in 2019, approximately three-quarters of the  
5 streets that cross this corridor have been identified as being in the Bicycle Priority Network. Per the Bicycle Plan,  
6 COA will use guidance from the National Association of City Transportation Officials (NACTO) *Urban Bikeway*  
7 *Design Guideline* for the selection of bicycle accommodations that meet an all ages and abilities level of comfort  
8 (NACTO 2014). The existing bicycle paths for most cross-streets is either a shared lane or a wide curb lane. There  
9 is a need to provide safer and more continuous accommodations for people who walk and bicycle. In addition to  
10 complying with TxDOT's *Bicycle Accommodation Design Guidance*, TxDOT will also comply with federal  
11 guidelines, including AASHTO's *Guide for the Development of Bicycle Facilities* (AASHTO 2012); *Guide for the*  
12 *Planning, Design, and Operation of Pedestrian Facilities* (AASHTO, 2021); and the United States Access Board's  
13 *Public Rights-of-Way Accessibility Guidelines* (United States Access Board 2011).

## 14 *1.3 Purpose*

15 The purpose of the proposed project is to improve this critical local, regional, national, and international  
16 thoroughfare by enhancing safety within the corridor; addressing demand by prioritizing the movement of people,  
17 goods, and services through and across the corridor; improving operational efficiency; and creating a more  
18 dependable and consistent route for the traveling public, including bicyclists, pedestrians, emergency  
19 responders, and transit.

20

## 1 **2.0 Alternatives Including the Proposed Action**

2 This chapter describes the full range of alternatives that were considered for the I-35 Capital Express Central  
3 Project, how they were evaluated, which were considered reasonable, and how the Preferred Alternative was  
4 identified. The alternatives considered in this DEIS and decisions based on this DEIS will achieve the  
5 requirements of Sections 101 and 102(1) of the National Environmental Policy Act (NEPA), as interpreted by the  
6 CEQ's regulations, and other environmental laws and policies, by ensuring that decisions regarding this project  
7 will be based on a robust evaluation of reasonable alternatives and the potential environmental impacts of those  
8 alternatives.

9 The current proposed alternatives are the result of decades of work, studies, design refinements, community  
10 involvement, and feedback from the public that has been incorporated into current plans. Beginning as far back  
11 as the late 1980s, TxDOT recognized the need to upgrade I-35 through the region to provide improved mobility.  
12 Listed here are major events in the project's evolution over the past decade illustrating how the project has  
13 progressed to where it is today.

### 14 ○ **TxDOT Austin Major Investment Study**

15 In 1989, TxDOT began a feasibility study to determine a way to upgrade I-35 from US 183 to Ben White  
16 Boulevard (SH 71/US 290) (TxDOT, 1998). The study was then expanded to include the five-county area  
17 including Williamson, Travis, Hays, Caldwell, and Bastrop. It developed 11 concepts and recommended three  
18 for further study. Along with the study, TxDOT produced a set of renderings and traffic volumes for I-35  
19 through downtown Austin titled *I-35 Design Concepts Through Austin* (TxDOT, 1994). The renderings  
20 included an elevated section with a collector-distributor system between 11th and 4th Streets; a three-level  
21 section with upper- and lower-levels and high-occupancy vehicle (HOV) lanes from Airport Boulevard to  
22 Manor Road; and an at-grade section with HOV lanes between Airport Boulevard and 4th Street (see  
23 **Appendix U**). The Austin Transportation Study (now known as CAMPO) Plan adopted the MIS in 1994.  
24 Funding issues and a lack of political and public support prevented further advancement of these concepts  
25 at the time; however, portions of these concepts have been incorporated into later studies.

### 26 ○ **The I-35 Corridor Advisory Committee My35 Plan**

27 The Texas Transportation Commission established the I-35 Corridor Advisory Committee (CAC) in 2009 to  
28 engage Texans and develop a plan to address transportation challenges along the I-35 corridor from the  
29 Oklahoma/Texas border to the Texas/Mexico border. CAC members included business professionals,  
30 environmental planners, rail advocates, professors, local officials, and residents that lived and did business  
31 in the I-35 corridor. To engage and better understand the needs of the public, the Texas Transportation  
32 Commission enlisted assistance from four I-35 Corridor Segment Committees (CSCs) located along the I-35  
33 corridor to develop recommendations to improve mobility on I-35. In 2011, the CAC considered the  
34 recommendations of the CSCs and developed the I-35 Corridor Advisory Committee Plan (My35 Plan)  
35 (TxDOT, 2011a) to address mobility challenges along I-35. The plan identified and prioritized projects and  
36 made general recommendations for the I-35 corridor in Texas. including:

- 37 ○ Freight and passenger rail projects to alleviate freight demands on roadways;

- 1           ○ Roadway design to separate cars and trucks to increase safety;
- 2           ○ Managed lanes to ease congestion; and
- 3           ○ Integrated, real-time traffic information systems that alert drivers to delays and provide alternate
- 4           routes.

5           In the Capital Area, the plan recommended redesignating and renaming parts of I-35 to divert interstate  
6           traffic away from metropolitan areas and onto SH 130 (discussed further in **Section 2.2**).

7           The CAC planning effort was a needs-based planning effort and was financially unconstrained.  
8           Recommendations also did not include any dedicated funding sources for improvements. Thus,  
9           recommendations made by the CAC could only be pursued by specific agencies: TxDOT, Regional Mobility  
10          Authorities (RMAs), cities, and counties. My35 Plan recommendations have been considered as part of this  
11          current effort.

12          ○ **Mobility35 Program/2014 I-35 Capital Area Improvement Program Corridor Implementation Plan**

13          TxDOT, in coordination with COA, FHWA, CAMPO, and other local stakeholders, initiated the ongoing  
14          Mobility35 program (also known as the I-35 Capital Area Improvement Program [CAIP] for Hays, Travis, and  
15          Williamson Counties) in 2011 (TxDOT, 2013). Mobility35 focused on feasible and effective short- and mid-  
16          term strategies that can be implemented to improve mobility and connectivity along and across the I-35  
17          corridor. The program attempted to maintain consideration of long-term corridor needs while developing the  
18          short- and mid-term potential strategies. Using past I-35 studies as background, partner agencies (including  
19          CTRMA and CapMetro) and stakeholders worked together to develop mobility solutions with the goal of being  
20          implementable and cost-effective while seeking to not require wholesale reconstruction of the corridor or  
21          substantial additional ROW. Efforts for the Mobility35 program were separated into five phases: Phase 1-  
22          Conceptual Planning; Phase 2-Implementation Plan; Phase 3-Schematic and Environmental Coordination;  
23          Phase 4-Construction Plans, ROW, and Utility Coordination; and Phase 5-Letting and Construction. The I-35  
24          CAIP Corridor Implementation Plan for Travis County, which identified various improvements for I-35  
25          identified as a Future Transportation Corridor (FTC), was originally released in 2013 and updated in 2014.  
26          Because the Implementation Plan is a living document, several iterations were developed. The I-35 FTC  
27          Planning and Environmental Linkages Study (PEL) (TxDOT, 2014) was conducted under the Mobility35  
28          program and fell between Phase 2 and Phase 3 of the program.

29          The I-35 CAIP divided the I-35 corridor through Travis County into eight segments. It suggests separate  
30          improvements for each segment. Each improvement, including the FTC, was developed to help improve  
31          mobility and relieve congestion. General guiding considerations for the Mobility35 Program include:

- 32               ○ Increase capacity;
- 33               ○ Better manage traffic;
- 34               ○ Enhance safety;
- 35               ○ Optimize existing facility;
- 36               ○ Minimize need for additional ROW;
- 37               ○ Improve east/west connectivity;

- 1           ○ Improve compatibility with neighborhoods; and
- 2           ○ Enhance bicycle, pedestrian, and transit options.

3           Adding mainlane capacity was a primary goal of this Mobility35 effort in the form of a proposed additional  
4           freeway lane in each direction of I-35. Although this lane would require widening the footprint of the  
5           interstate mainlanes, it would not require substantial additional ROW, which was a guiding consideration for  
6           Mobility35 and a primary goal of any improvements that were recommended as part of the I-35 PEL Study.  
7           Based on previous community input on the desire to minimize the acquisition of substantial amounts of  
8           ROW, The PEL investigations were initiated with the limitation of the addition of only one lane in each  
9           direction.

10          ○ **Planning and Environmental Linkages Study**

11           In addition to developing and studying potential lane type alternatives on I-35, the goal of the PEL, published  
12           in 2014, was to develop a purpose and need and determine segments of independent utility (SIUs) for future  
13           NEPA studies within Williamson, Travis, and Hays Counties. The study was conducted in accordance with the  
14           regulations provided in 23 CFR §450 and the FHWA developed PEL Questionnaire. The questionnaire is  
15           consistent with FHWA policies on the PEL process to help maximize the utility of the results from subarea or  
16           corridor plans to inform NEPA. Agency and stakeholder meetings were held throughout the study, where  
17           representatives from TxDOT, FHWA, COA, and CAMPO collaborated on the PEL effort. TxDOT also coordinated  
18           with CapMetro to discuss its interests in the I-35 corridor and to get input on potential transit access points.  
19           Three rounds of public meetings were held to provide information to the public about the study's progress  
20           and to solicit input about the proposed purpose and need, the potential range of alternatives, recommended  
21           lane type alternatives, and SIUs utility for I-35.

22           Based on agency, stakeholder, and public comment, the PEL identified the need for improvements to the I-  
23           35 corridor to address current congestion levels that cause inefficient operations; increased travel times as  
24           population and employment grew; and congestion-related delays that prevent efficient use of I-35 by transit,  
25           emergency responders, and other motorists. Because of this need, the PEL recommended the purpose of  
26           the future project be to improve operational efficiency and manage congestion; provide more reliable travel  
27           times; and create a more dependable and consistent route for transit, emergency responders, and other  
28           motorists. The PEL studied several alternatives, including a rail lane, general purpose lanes, freight-only  
29           lanes, managed express toll lanes, managed transit-only lanes, non-tolled HOV managed lanes, and tolled  
30           managed through lanes. Because of the limitation of one lane in each direction, the PEL determined that a  
31           single general-purpose lane would not meet the identified purpose and need because of the level of existing  
32           traffic. Additionally, the PEL determined that managed lane options (which included an HOV + Transit option)  
33           would increase average speeds through the corridor while providing an improved level of service (LOS)  
34           compared to the other alternatives. Ultimately, the PEL recommended that the managed express/toll lane  
35           and managed express/toll lane with transit alternatives should be included in the CAMPO 2040 Regional  
36           Transportation Plan (RTP) and were the best alternatives to move forward for further NEPA analysis, along  
37           with the No Build.

38           Lastly, the I-35 PEL Study identified three preliminary SIUs that represent a planning-level assessment of  
39           where the limits (logical termini) of independent transportation projects could be located to address specific

1 transportation issues (TxDOT, 2014). The SIUs were established consistent with the FHWA regulations at 23  
2 CFR §771.111(f) and are based upon operational and traffic analyses conducted during the PEL Study which  
3 showed that transportation improvements within the limits of each segment could operate independently  
4 and address relevant transportation issues even if the other segments were not built and operate as a  
5 system if they were all built. The preliminary SIUs include generalized transition areas at the logical termini  
6 that would be defined further in subsequent, project-specific NEPA studies (TxDOT, 2014). The termini were  
7 selected to separate traffic streams and mitigate merge/weave conflicts when allowing for access to/from  
8 the I-35 mainlanes to the managed lanes and vice-versa. In addition, the termini were selected such that  
9 each SIU, performing as a standalone project, attracted meaningful amounts of traffic and in at least one  
10 direction for one or both peak periods, such that active traffic management would be necessary to maintain  
11 adequate LOS. This behavior was interpreted as indicating that each of the segments provided utility to a  
12 significant proportion of at least some of the travel markets in the corridor. Based on updated traffic, data,  
13 and design refinements, the current Capital Express projects refined the SIUs to the those brought forward  
14 into NEPA.

15 ○ **Downtown Stakeholder Working Group**

16 In 2014, as part of public and agency involvement for the Mobility35 Program, the Downtown Stakeholder  
17 Working Group was formed. The group was composed of local governmental entities and community  
18 stakeholders, and was formed to evaluate concepts for I-35 in downtown Austin between MLK Jr. Boulevard  
19 and Holly Street that added one managed lane in each direction of I-35, and considered both elevating and  
20 lowering mainlanes through the downtown area (TxDOT 2014). Representatives from multiple  
21 neighborhoods, UT, and Catellus (the master developer for the Mueller neighborhood) participated in the  
22 workshops. The workshops focused on the desire to remove the decks, concern about super streets  
23 concepts, neighborhood cut-through traffic, access to local businesses and neighborhoods, traffic noise, and  
24 exit configuration.

25 The group considered two concepts for downtown: one that would add one managed lane in each direction  
26 of I-35 and elevate the SB mainlanes over Cesar Chavez Street, while retaining the current elevated  
27 configuration through downtown; and another that would also add one managed lane in each direction of I-  
28 35 while lowering the mainlanes of the roadway below ground from approximately 12th Street to south of  
29 Cesar Chavez Street. Both reasonable alternatives studied in this DEIS incorporate elements of these  
30 concepts such as lowering the mainlanes below ground through downtown. The concepts, as a whole, were  
31 not carried forward for further study; however, concepts and design improvements stemming from this  
32 process were carried forward into later studies for additional evaluation.

33 ○ **Decks Neighborhood Workshops**

34 Between May 2014 and May 2015, TxDOT hosted five Decks Neighborhood Workshops to discuss the I-35  
35 “decks area,” defined as the area from Airport Boulevard to MLK Jr. Boulevard, and to discuss the addition  
36 of one managed lane in each direction. Representatives from multiple neighborhoods, UT, and Catellus  
37 participated in the workshops, which focused on a desire to remove the decks, concern about super streets  
38 concepts, neighborhood cut-through traffic, access to local businesses and neighborhoods, traffic noise, and  
39 exit configuration.

1 ○ **2016–2017 Open Houses**

2 Following the recommendations presented in the PEL to move forward with adding tolled managed lanes in  
3 each direction, TxDOT hosted open house meetings and virtual open houses (VOHs) for the three projects in  
4 the study area, which extended from Farm-to-Market (FM) 1431 to SH 45SE. The projects at that time were  
5 called North16 (from FM 1431 to US 183), Central7 (from US 183 to Riverside Drive), and South10 (from  
6 Lady Bird Lake to SH 45SE). These alternatives centered around adding one tolled lane in each direction  
7 along I-35. A public open house for the I-35 Central7 Project proposed two design options within downtown  
8 Austin: (1) elevate the SB mainlanes and managed lanes over Cesar Chavez Street, while retaining the  
9 current elevated configuration through downtown, and (2) lower the mainlanes and managed lanes below  
10 ground from approximately 12th Street to south of Cesar Chavez Street. TxDOT received more than 2,500  
11 comments in person and online about the Central7 Project. Comment themes included connectivity and  
12 ease of movement along and across I-35, preference for the lowered option, concern about traffic noise,  
13 support for managed tolled lanes, and support for integrating the CapMetro rail/transit line into project  
14 design.

15 ○ **2020 Design Charrette**

16 In January 2020, prior to initiation of this DEIS, TxDOT hosted the I-35 Capital Express Central Design  
17 Charrette to solicit input from stakeholders regarding previous concepts that were developed and to seek  
18 additional input to be considered during the development of further build alternatives, including the addition  
19 of two managed lanes in each direction. More than 30 concepts were proposed over the course of the  
20 charrette. Design charrette participants included TxDOT, Mobility35 General Engineering Consultant staff,  
21 representatives from COA Transportation Department, CTRMA, CapMetro, CAMPO, FHWA, UT Austin, and the  
22 DAA. Elements of the charrette, including the access-controlled frontage road system, resulted from this  
23 collaboration were incorporated into all Build Alternative designs.

24 As work progressed, TxDOT identified a need for more than one managed lane in each direction along I-35  
25 between US 290 East and US 290 West/SH 71. Two lanes in each direction would allow for better  
26 operational performance, reliability, and safety. The additional capacity would provide for better incident  
27 management capabilities resulting from the second lane that could be used to maneuver around incidents  
28 and/or obstacles and provide better emergency response access. The additional lanes would also improve  
29 operations at ingress and egress locations. For these reasons, two managed lanes in each direction are  
30 currently being considered in the EIS process.

31 The results of these previous efforts have informed the reasonable alternatives that were carried forward for  
32 further study in this DEIS. The current scoping process was initiated in August 2020 with a federal Notice of  
33 Intent (NOI) to publish an EIS for the proposed project, with limits from US 290 East to SH 71/Ben White  
34 Boulevard. Once the EIS was initiated, TxDOT invited cooperating and participating agencies and the public,  
35 through the formal scoping process, to two agency and public scoping meetings, one public meeting, and several  
36 community engagement meetings, where they were afforded the opportunity to help define the purpose and  
37 need for the project, the range of alternatives to be considered, and the methodology and level of detail for  
38 analyzing alternatives, including the selection of planning, engineering, and environmental criteria. TxDOT also  
39 provided the opportunity to comment on the Agency Coordination Plan and Public Involvement Plan. Scoping and

1 public meeting materials, as well as all documents shared at each meeting, can be reviewed online at  
 2 <https://my35capex.com/resources/environmental-study/>. Scoping documents are also included in **Appendix I**.  
 3 A list of cooperating and participating agencies is included in **Chapter 1** of this DEIS. Following the scoping  
 4 meetings, TxDOT produced the Range of Alternatives Report, which analyzed the three reasonable alternatives  
 5 that were developed from previous studies and concepts (**Appendix I**). This process is further described in  
 6 **Sections 2.1** and **2.2**.

## 7 *2.1 Alternatives Eliminated from Detailed Study in the EIS*

8 Alternatives considered and eliminated from further study in the DEIS are described in this section. Here, we  
 9 discuss the full range of alternatives in more detail and why these were eliminated. **Table 2.1-1** shows the  
 10 alternatives that were eliminated from further study and the reason why each was eliminated (alternatives are  
 11 described in detail after Table 2.1-1). Of the concepts and alternatives that were eliminated, Build Alternatives  
 12 1 and 3 (described below), which were proposed by TxDOT, as well as certain elements of the Community  
 13 Concepts (also described below) were carried forward into the Alternatives Evaluation Report (**Appendix I**) and  
 14 shared with the public and agencies at the public meeting in August 2021. However, these were eliminated from  
 15 being carried forward for further study in the DEIS, as further described.

Table 2.1-1. Alternatives Eliminated from Further Study in DEIS

Study or Concept	Evaluated in Preliminary Alternatives Analysis?	Reason Eliminated for Further Study in DEIS
Redesignation of SH 130	N	This option is not economically feasible and not within TxDOT's authority to restrict trucks from highways.
Reconnect Austin	Y (elements of alternative were included – see Section 2.2.2)	Redeveloping land is outside TxDOT's authority and outside of the purpose and need for this project. In addition, the concept's model of reduced entrance/exit ramps through downtown pushes traffic onto city streets, significantly increasing traffic volume in east Austin and south of Lady Bird Lake, which would not meet the purpose and need for the project. However, some of the concept's features were integrated into the project.
Rethink35	Y (elements of alternative were included – see Section 2.2.2)	Replacing the highway with a boulevard would have negative traffic impacts to surrounding streets and would not meet the transportation needs of an interstate highway, nor the purpose and need for the project. However, some of the concept's features were integrated into the project.
DAA/ULI	Y (elements of alternative were included – see Section 2.2.2)	Elements of this concept were carried forward into the build alternatives being evaluated; however, a lack of funding prevented it from moving forward as a stand-alone alternative.

Table 2.1-1. Alternatives Eliminated from Further Study in DEIS

Study or Concept	Evaluated in Preliminary Alternatives Analysis?	Reason Eliminated for Further Study in DEIS
Build Alternative 1	Y	Constructability, safety, and cost.
Build Alternative 3	Y	This alternative was considered too similar to Build Alternative 2.
Transit-Only Alternative	N	Does not meet the project's purpose and need.
Transportation System Management (TSM)	N	Does not meet the project's purpose and need.
Transportation Demand Management (TDM)	N	Does not meet the project's purpose and need.

1 **2.1.1 Redesignation of SH 130**

2 Rerouting traffic, including trucks, from I-35 to SH 130, tolling I-35, eliminating tolls on SH 130, and  
 3 redesignating SH 130 as I-35, were concepts heard from the public but were not further developed by any entity.  
 4 Research on these concepts has found that redesignating SH 130 as I-35 would not significantly reduce  
 5 congestion on I-35 and would add substantial costs to the project to remove the tolls off SH 130. Of the traffic  
 6 on I-35 in Central Austin, 82 percent is local (local traffic refers to vehicles that originate and/or end within the  
 7 project area). Since major developments (origins/destinations) are located along I-35 corridor, traffic would  
 8 continue to use the current I-35 corridor to access its origins/destinations regardless of its designation as I-35  
 9 or SH 130. TxDOT Austin District conducted the *Interstate 35 (I-35) Through-Trip Study* using 2019 traffic data  
 10 to better understand the movement of passenger vehicles and freight along the I-35 corridor.

- 11 ○ Based on the data collected, freight trucks traveling through Austin (without stopping locally) comprise only  
 12 7 percent of all traffic on I-35 through Central Austin. According to TTI, rerouting these trucks would have  
 13 limited impact on I-35 congestion.
- 14 ○ Local truck traffic serves freight-related industries along the I-35 corridor. These industries constitute one-  
 15 third of employment and gross domestic product in Travis, Williamson and Hays Counties combined.
- 16 ○ The majority of light duty trucks (<10,000 lbs.) are making short-distance local trips along I-35.
- 17 ○ SH 130 provides a less congested alternative to I-35 with 19 to 26 percent of trucks on I-35 diverting to use  
 18 this route.

1 In summary, incentives for trucks to use SH 130 would have little impact on those that make deliveries along I-  
2 35 or use the east-west network within the project area. While TxDOT can restrict trucks from using certain lanes  
3 on a highway, it cannot ban trucks entirely, nor can it require trucks to use SH 130 (Texas Transportation Code  
4 Sections 545.0651 and 545.0653<sup>3</sup>). Moreover, removing the tolls on SH 130 would cost an additional \$3 billion,  
5 including additional funds for maintenance in the future. Funding for the I-35 Capital Express Central Project  
6 cannot be used for outstanding debt. SH 130 is part of the Central Texas Turnpike System, which is made up of  
7 SH 130 segments: SH 45 North, Loop 1 (MoPac), and SH 45SE. The outstanding debt of \$3 billion is assigned  
8 to the whole system (TxDOT n.d.). This concept was never a fully developed alternative and was eliminated from  
9 further study.

## 10 *2.1.2 Community Concepts*

11 Over the last decade, the Capital Express Central Project has been a topic of discussion between TxDOT, COA,  
12 state leaders, and various stakeholder interests and neighborhood groups. Some of these interest groups formed  
13 nonprofit entities that have put forth concepts for how I-35 can be reconstructed to address community goals  
14 and objectives. Collectively, these have been referred to as community concepts. Most recently, discussion has  
15 centered on concepts proffered by three organizations: Reconnect Austin, Rethink35, and the DAA who  
16 commissioned the ULI to study the issues. Each group is unique in structure and origin, and their visions span a  
17 range from recommendations to goals to plans. These are summarized below.

### 18 *2.1.2.1 TTI Evaluation of Community Concepts*

19 In 2021, TxDOT Austin District requested that TTI conduct an independent evaluation of the concepts proposed  
20 by Reconnect Austin, Rethink35, and DAA/ULI for the reconstruction and redevelopment of I-35 (**Appendix T**) (TTI  
21 2021). Specifically, TTI was tasked with analyzing each of the proposed community concepts and TxDOT-  
22 proposed build alternatives that have been developed as part of the environmental review process. The purpose  
23 of the analysis was to provide an objective evaluation of the following:

- 24 ○ Feasibility of community concepts as stand-alone alternatives.
- 25 ○ Elements of the community concepts that are currently incorporated or could be reasonably incorporated  
26 into TxDOT-proposed build alternatives.
- 27 ○ Elements of the community concepts that require further study and analysis.

28 First, TTI considered the Reconnect Austin concept, which proposes to depress the highway and cover it with a  
29 six-lane boulevard throughout the entire section from MLK Jr. Boulevard to Holly Street. The goal of the concept  
30 is for the urban boulevard to replace the highway, reconnecting downtown with east Austin, and moving the  
31 boulevard into the middle of the ROW to provide reclaimed land on the edge of the existing TxDOT ROW. The  
32 proposal envisions that reclaimed land could allow construction of offices, shops, and housing, which, as taxable

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<sup>3</sup> Pursuant to Texas Transportation Code Section 545.0653(b), TxDOT may restrict the types of vehicle use in certain lanes on a highway but does not have the authority to restrict certain types of vehicles (such as trucks) from utilizing a highway in its entirety. Additionally, TxDOT has no legal authority to require certain types of vehicles to use a tolled facility, such as SH 130, at their own expense.

1 land, would generate revenue. Removing high-speed roads from the surface, the proposal aims to decrease the  
2 number of roadway injuries and fatalities, making walkable new districts safer for pedestrians and other  
3 vulnerable road users.

4 The Reconnect Austin Alternative was eliminated for further study as a stand-alone alternative because the  
5 funding contribution and redevelopment of the land between the boulevard and the existing ROW is premised  
6 on the idea that the roadway ROW is narrower than the existing facility, and the land between the boulevard and  
7 the existing ROW line would be sold by TxDOT. However, this goal of redeveloped land is outside TxDOT's authority  
8 as a transportation agency and outside of the purpose and need for this project. In addition, Reconnect Austin's  
9 model of reduced entrance/exit ramps through downtown pushes traffic onto city streets, significantly increasing  
10 traffic volume in east Austin and south of Lady Bird Lake.

11 The second concept, Rethink35, proposes a conversion of the central section of I-35 to an urban boulevard. The  
12 proposal is very conceptual with few details. There is no plan to lower high-speed roads underground, as in  
13 Reconnect Austin. Rather, the idea is that traffic would slow as it approaches the boulevard section and speed  
14 up again as it leaves to the north and south of downtown. Cross streets connecting east Austin to the downtown  
15 area would provide east-west connectivity options. Rethink35 seeks to dramatically reshape not only the I-35  
16 corridor, but travel patterns and modes across the region. Eliminating the high-capacity corridor through the  
17 spine of central Austin and replacing it with a six-lane boulevard would provide new development space and  
18 reduce north-south traffic volume and noise levels in the existing I-35 corridor. The purchase of access rights  
19 and available land for development would be similar to those from Reconnect Austin.

20 This alternative was eliminated for further study as a stand-alone alternative due to the negative traffic impacts  
21 to surrounding streets and the delays that would be caused by replacing the highway with a boulevard. The  
22 concept would not meet the transportation needs of an interstate highway. The travel demand model results  
23 show that the Rethink35 concept would likely reduce traffic on I-35 and improve the environment directly around  
24 the envisioned project but congestion problems would be pushed to city streets. Further, this conceptual design  
25 would not adequately accommodate the needs of commuters from the suburbs to the major regional  
26 employment centers.

27 The third and final community concept TTI studied is the DAA/ULI concept, which is a vision for revamping I-35  
28 that does not include a detailed plan or technical designs but does propose a number of foundational design  
29 elements including a narrower ROW than what TxDOT proposes; depressed mainlanes; three caps and eight  
30 stitches (pedestrian bridges) along the entire project length; and frontage roads overhanging the mainlanes that  
31 are designed as low speed urban boulevards with both travel and parking lanes, and traffic calming devices like  
32 speed cushions. The DAA/ULI concept employs design concepts known as caps and stitches that are possible  
33 because of the design's lowered mainlanes. In the case of I-35, a cap would be a large structural cover that runs  
34 north to south over the I-35 ROW but is not continuous as proposed in the Reconnect Austin concept; instead,  
35 caps are considered at multiple locations. The caps are connected by stitches, which are wide bridges that would  
36 cross the I-35 highway ROW and connect east Austin to downtown. Stitches over I-35 would include travel lanes,  
37 widened sidewalks, bicycle lanes, and other open space. The DAA/ULI concept is not as dramatically different

- 1 from TxDOT build alternatives as are Rethink35 and Reconnect Austin. It envisions a narrower I-35 corridor than
- 2 TxDOT build alternatives, one with frontage roads that cantilever over the freeway mainlanes.

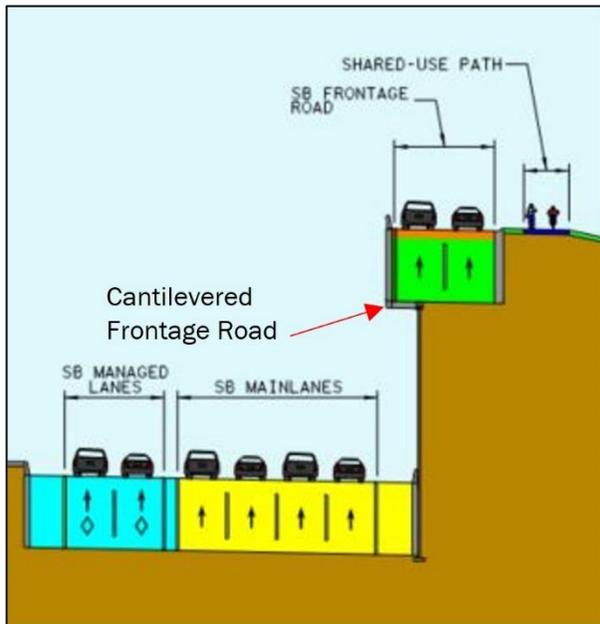


Figure 2.1.1. Example of frontage roads cantilevered over mainlanes. This configuration is used in some areas, but extended sections can make entrances and exits from the main and managed lanes difficult.

This could allow space for non-TxDOT agencies to fund and build caps over the I-35 ROW space spanning the mainlanes. The cantilevered frontage roads would have 30 mile per hour (mph) speed limits to reduce negative traffic effects of vehicles and could provide space for wide sidewalks, shade trees, and other pedestrian-scale amenities. With this collaboration from other funding partners, the DAA/ULI concept could be achieved. However, as **Figure 2.1.1** shows, the cantilevered frontage roads over the mainlanes concept does not allow for entry and exit ramps to move traffic between downtown and the freeway mainlanes. About two city blocks of space are required to construct a ramp from the lowered freeway to the at-grade FR, and the cap development could not exist on top of these ramps. The DAA/ULI concept is feasible for short distances where entry and exit ramps are not needed but a continuous cap would not be possible if the design intention is to move traffic from at-grade streets to the lowered freeway mainlanes.

23 This alternative was eliminated for further study as a stand-alone alternative mainly due to the significant funding  
 24 gaps, along with possible funding sources. The DAA/ULI report calculates operations and maintenance costs at  
 25 \$313 million over 30 years. The DAA/ULI report suggests that \$171 million of this funding can be realized  
 26 through a tax increment finance district with additional funding from federal sources. Additionally, the DAA/ULI  
 27 concept for caps or stitches conflicts with the need for access ramps between the lowered mainlanes and the  
 28 surface streets.

29 Despite the three community concepts being unfeasible as stand-alone alternatives, some of the proposed goals  
 30 have been accommodated within TxDOT build alternatives through partnerships with the appropriate agencies.  
 31 **Section 2.2.2** discusses all modifications made to Build Alternatives based on public input, including the  
 32 community concepts. Moreover, the TTI report recommended studying relocation of frontage roads, or frontage  
 33 road shifts, to create a boulevard-like section within the project limits, which TxDOT has designed in Modified  
 34 Build Alternative 3.

### 35 2.1.3 Build Alternative 1

36 TxDOT also considered proposed Build Alternative 1, as presented at the August 2021 Public Meeting  
 37 (<https://my35capex.com/events/683/>), which includes two tunneled HOV managed lanes in each direction,  
 38 lowered mainlanes in each direction, and direct connectors at I-35 and US 290 East. Tunneled lanes are defined

1 as being two levels below the frontage roads and cross streets, and one level below mainlanes; and lowered  
2 lanes are defined as one level below frontage roads and cross streets and the same level as mainlanes.

3 Build Alternative 1 was included in the Alternatives Evaluation Report since it was considered a feasible, stand-  
4 alone alternative; however, it is not being taken forward for further study in the DEIS because of its  
5 constructability, safety, and cost. Tunneled sections have more emergency egress requirements, provide limited  
6 access to cross-streets and fewer egress options, have more complex drainage and utility requirements, more  
7 complex construction phasing, and are more expensive to construct, operate and maintain than non-tunneled  
8 options. These are discussed in detail in the Alternatives Evaluation Report (**Appendix I**).

#### 9 *2.1.4 Build Alternative 3*

10 Build Alternative 3 would provide two lowered mainlanes in each direction between Airport Boulevard and Cesar  
11 Chavez Street, and between Riverside Drive and Oltorf Street, and additional flyovers at I-35 and US 290 East.  
12 The HOV managed lanes would be elevated over the Airport Boulevard and Woodland intersections. Schematics  
13 were presented at the August 2021 Public Meeting (<https://my35capex.com/events/683/>). Both managed/  
14 transit lanes and mainlanes are lowered one level below frontage roads and cross-streets (short, tunneled  
15 sections may be included at select locations to accommodate potential deck plazas that would be funded by  
16 others, and to minimize ROW needs and displacement impacts). Build Alternative 3 was included in the  
17 Alternatives Evaluation Report (**Appendix I**) since it was considered a feasible, standalone alternative; however,  
18 it is not being taken forward for further study in the DEIS because it was significantly modified based on public  
19 input received from the public meeting. Modified Build Alternative 3, described below in **Section 2.2.4**, retains  
20 many aspects of the original alternative, but has been renamed to reflect the extensive design modifications that  
21 were made.

#### 22 *2.1.5 Transit-Only Alternative*

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

#### 31 *2.1.6 Transportation System Management*

32 Transportation System Management (TSM) is the inclusion of operational improvements that maintain and  
33 restore the performance of the existing transportation system before extra capacity is needed. Examples of TSM  
34 are work zone management, special event management, road weather management, Intelligent Transportation  
35 Systems (ITS) architecture, and traffic signal coordination, among others. TSM is being evaluated as part of  
36 project development for both build alternatives identified for further study in this DEIS. However, implementation  
37 of TSM as a stand-alone alternative would not meet the purpose and need of the project because it would not

1 bring the existing facility up to current design and safety standards, improve mobility for people and goods  
2 throughout and across the corridor, or allow for the accommodation of current and future travel demand.

### 3 *2.1.7 Transportation Demand Management*

4 Transportation Demand Management (TDM) is the inclusion of transportation elements that promote faster and  
5 more efficient ways of travel, such as ridesharing, off-peak travel, public transit, walking and biking, and  
6 multimodal transportation options. TDM is being evaluated as part of project development for both build  
7 alternatives identified for further study in this DEIS. However, implementation of TDM as a stand-alone  
8 alternative would not meet the purpose and need of the project because this would not bring the existing facility  
9 up to current design and safety standards, improve mobility for people and goods throughout and across the  
10 corridor, or allow for the accommodation of current and future travel demand.

## 11 *2.2 Descriptions of Reasonable Alternatives and the No Build Alternative*

12 The reasonable alternatives carried forward for further evaluation include Build Alternative 2 and Modified Build  
13 Alternative 3. Build Alternative 2 meets the purpose and need of the project while also performing well under  
14 several evaluation criteria. Modified Build Alternative 3 was altered to reflect community concepts, but was  
15 derived from Build Alternative 3, and also meets the purpose and need of the project while performing well under  
16 several evaluation criteria. Incorporating certain features from the community concepts was performed only on  
17 Modified Build Alternative 3, as it was the alternative that most closely captured community feedback due to its  
18 lowered lanes at Airport Boulevard and Riverside Drive, which aligned with the community request that the  
19 project be built no higher than the current grade. Additionally, shifted frontage roads from Dean Keeton Street  
20 to Holly Street were found to be feasible as well as operational improvements at Riverside Drive to accommodate  
21 Project Connect.

22 Both build alternatives would add two HOV managed lanes in each direction, remove the upper decks on I-35  
23 between Airport Boulevard and MLK Jr. Boulevard, and lower I-35 through downtown between MLK Jr. Boulevard  
24 and Holly Street. Because Texas is currently in a non-tolled environment under the 2023 Unified Transportation  
25 Plan (UTP) (TxDOT, 2022a), the current project is considering HOV/two or more (2+) occupants for the managed  
26 lanes, which meets the eligibility requirement for this project. HOV lanes provide a more equitable transportation  
27 option than managed express/toll lanes, which require dynamic pricing to be effective. For managed express/toll  
28 lanes to provide mobility during congested time periods, high prices are usually required. These increased  
29 transportation costs impact low-income households more significantly than households at higher income levels.

30 Both build alternatives would also include reconstructing the bridge across Lady Bird Lake; improving bicycle  
31 and pedestrian paths; accommodating current and future CapMetro routes; and on-site and off-site drainage  
32 facilities. TxDOT is including several elements of the community concepts described in **Section 2.1** in both build  
33 alternatives. Additionally, both build alternatives are being evaluated for their ability to accommodate locally-  
34 funded enhancements, which could include deck plazas (also referred to as caps). Locally-funded enhancements  
35 are being developed and steered by the *Our Future 35: Cap and Stitch Program* (Our Future 35), an independent  
36 project to be funded by others. Our Future 35 leverages the opportunity presented by the Capital Express Central  
37 Project to provide benefits to the Austin community through a series of public spaces (deck plazas) and widened

1 crossings (stitches) using TxDOT's highway lanes through downtown Austin (proposed to be below street level).  
2 See schematics in **Appendix B** for potential locations of deck plazas and stitches. Funding for deck plazas and  
3 stitches is outside of the jurisdiction of TxDOT. TxDOT's allocated construction funding does not include the  
4 additional cost for civil and structural support, and fire life safety elements required for deck plazas and stitches  
5 over live traffic. Structural support includes wider and deeper foundations to support the increased loading. Civil  
6 support includes irrigation, utility conduits, and other infrastructure governed by the sponsor's decision on what  
7 to include on the deck plazas. Fire-life safety elements include jet fans, emergency egress, hazardous material  
8 disposal, and fire suppression, among other tunnel requirements. TxDOT is providing the opportunity for public  
9 and private entities to fund these improvements, but if funding is not secured by the time of construction contract  
10 award, construction of these elements would not be included in the project.

11 In May 2022, Our Future 35's multi-disciplinary design and engineering team kicked off Phase 1 of design by  
12 developing a community-supported design and programming concept for deck plazas and stitches over I-35. In  
13 July 2022, the team completed the Engineering Feasibility Study, which evaluated whether the program was  
14 structurally feasible within the interstate's infrastructure. The results concluded that many open spaces and park  
15 features are possible on new freeway caps, and one- or two-story buildings are feasible under particular  
16 circumstances. The Technical Advisory Committee (TAC), comprised of representatives from several city  
17 departments, convened for a kickoff meeting in August 2022. The TAC will engage on an as-needed basis to  
18 provide technical guidance on various program elements.

19 Development includes partnership with the Austin Economic Development Corporation (AEDC). The Equitable  
20 Development Strategy will ensure that new freeway deck plazas and stitches benefit the surrounding  
21 neighborhoods and do not aggravate neighborhood pressures. Anticipated to be completed in 2023, the  
22 strategy's focus areas include affordable housing, anti-displacement, community development needs, small  
23 business support and incubation, and workforce development. Our Future 35, the TAC, and the Community  
24 Steering Committee will co-develop the public engagement process.

25 In March 2022, through sponsorship from Congressman Lloyd Doggett, the City was awarded \$1.5 million in  
26 community project funding as part of the FY22 Omnibus Appropriations Act to support Our Future 35 project  
27 planning and development activities. Our Future 35 is also developing a funding strategy for constructing the  
28 new deck plazas and stitches and ongoing maintenance and operational needs. Coordination with private, local,  
29 state, and federal partners continues to be a key focus area for identifying potential funding strategies. Draft  
30 funding scenarios and recommendations are anticipated to be ready by spring 2023.

31 In October 2022, Our Future 35 submitted a grant application for \$1.12 million from the U.S. Department of  
32 Transportation (USDOT) Reconnecting Communities Planning Grant funds. If awarded, the funds will be used for  
33 the Connecting Austin Equitably Mobility Study to identify equitable multimodal transportation improvements  
34 and community connections. USDOT will announce the grant awards in early 2023. Following the grant  
35 application submittal, COA leadership conducted an advocacy trip to Washington, DC, to discuss funding  
36 opportunities for Our Future 35 with legislators, the USDOT, and the Build America Bureau.

37 A community-selected concept is anticipated to be confirmed in 2023. The program will complete engineering  
38 and design plans by 2025 to align with TxDOT's I-35 Capital Express Central project timeline. In summary, the

1 structural, civil and fire life safety elements necessary for deck plazas and stitches would not be possible for  
2 inclusion in the proposed I-35 Capital Express Central project unless funding is provided by public/private entities  
3 by the time of construction contract award.

#### 4 *2.2.1 Description of Existing I-35*

5 The existing facility within the project limits is an access-controlled urban interstate. Beginning at the southern  
6 limit, US 290 West/SH 71, the roadway typically has three to four, 12-foot-wide mainlanes (concrete barrier-  
7 separated) with 4- to 12-foot-wide inside shoulders, 10- or 12-foot-wide outside shoulders, and two to three, 11-  
8 or 12-foot-wide frontage road lanes with curb and gutter in each direction. At Lady Bird Lake, the Ann and Roy  
9 Butler (Butler) Hike and Bike Trail crosses underneath the I-35 corridor and connects to the NB I-35 frontage  
10 road on the northeast quadrant of I-35 and Lady Bird Lake for users crossing the lake. From Lady Bird Lake to  
11 15th Street, I-35 generally includes three 12-foot-wide mainlanes in each direction with auxiliary lanes between  
12 some of the ramps. North of 15th Street, the roadway has four mainlanes in each direction and includes the  
13 upper/lower deck split just north of MLK Jr. Boulevard with a continuation of the upper decks to north of Airport  
14 Boulevard. From Airport Boulevard to US 290 East, I-35 includes four barrier-separated mainlanes in each  
15 direction. The roadway here typically has 2- to 6-foot-wide inside shoulders, 10-foot-wide outside shoulders, and  
16 two to four 11- or 12-foot-wide frontage road lanes with curb and gutter in each direction. Sidewalks exist in  
17 most, but not all, locations throughout the project area and shared use paths (SUP) cross the corridor at some  
18 locations within the downtown area of the project, defined as the area between MLK Jr. Boulevard and Holly  
19 Street. Drainage along the roadway (mainlanes and frontage roads) is provided by storm sewer networks and  
20 some open ditches. The existing ROW width is typically 200 to 350 feet but is wider at the interchanges. Existing  
21 permanent drainage easements are located at creek crossings. The posted speed limit along I-35 in the  
22 proposed project area is 60 mph on the mainlanes and 35 to 50 mph on the frontage roads.

#### 23 *2.2.2 Modifications Made from Public Input*

24 After the EIS was initiated for the project, TxDOT held two virtual agency and public scoping meetings followed  
25 by an in-person (with a virtual option) public meeting. The first scoping meeting held in November 2020 (Scoping  
26 Meeting 1) presented the project to invited agencies and notified members of the public. Scoping meeting  
27 materials can be reviewed at <https://my35capex.com/resources/past-public-events/>. Comment themes for  
28 each scoping meeting and the public meeting are also attached in **Appendix E**.

29 The project proposed adding two HOV managed lanes in each direction with additional flyovers at I-35 and US  
30 290 East, and additional improvements including reconstructing ramps, bridges, and intersections; improving  
31 frontage roads; enhancing bicycle and pedestrian paths; and accommodating transit routes. The overall  
32 environmental process was described, and feedback was solicited. Comments included:

- 33 ○ Additional design alternatives with deck plazas, cross-street amenities, and/or urban boulevard concept;
- 34 ○ Alignment with local plans;
- 35 ○ Prioritization of safety, including safety for people who walk and bicycle, as well as vehicles;
- 36 ○ Exploration of financing options including fee-managed lanes;

- 1 ○ Evaluation of impacts to community health and equity;
- 2 ○ Analysis of climate change and greenhouse gases (GHG);
- 3 ○ Support for and facilitation of enhanced transit operations and connections; and
- 4 ○ Diverting trucks to SH 130 or other corridors.

5 Based on the feedback and comments received, the need for the project was changed to include expanded  
6 emphasis on crash and safety data; east-west travel and connectivity across the facility (and not just north-  
7 south); and transit access. The purpose of the project was changed to include addressing demand by prioritizing  
8 the movement of persons, goods, and services through and across the corridor, and to include all modes of  
9 transportation in relation to creating a more dependable and consistent route.

10 Scoping Meeting 2, held in March 2021, presented three TxDOT-proposed build alternatives that were developed  
11 after consideration of a wide range of alternatives, as described above, for the past several decades. These three  
12 build alternatives were identified by TXDOT to best meet the purpose and need for the proposed project, while  
13 also considering engineering, traffic, environmental and constructability criteria. Build Alternative 1 would  
14 construct lowered mainlanes and tunneled HOV managed lanes; Build Alternative 2 would construct lowered  
15 mainlanes and lowered HOV managed lanes (no tunnel section); and Build Alternative 3 would be the same as  
16 Build Alternative 2, but would also include HOV managed lanes elevated over Airport Boulevard and Woodland  
17 Avenue. The methodology and level of detail for analyzing alternatives were also presented at Scoping Meeting  
18 2, and feedback solicited again. Comments from this scoping meeting included:

- 19 ○ Analyzing additional alternatives such as the Reconnect Austin, Rethink35, and DAA/ULI proposals;
- 20 ○ Measuring impact criteria specifically related to pedestrian bicycle safety at intersections and crossings;
- 21 ○ Adding criteria to measure transit station/stop access to future Project Connect system; and
- 22 ○ Measuring additional east-west crossings.

23 Based on this feedback, the following were added to the alternatives evaluation criteria: air quality impacts;  
24 person-carrying capacity along mainlanes; annual cost of travel; and accommodation of CapMetro's service plan  
25 at east-west crossings. Based on additional comments, designs were further refined where each proposed east-  
26 west crossing within the project was enhanced to include wider bridge structures including a 20-foot buffer  
27 between people who walk and bicycle and traffic to make biking and walking across the corridor a safer and  
28 more user-friendly experience. In addition, multiple deck plaza areas to be designed as green spaces within the  
29 urban core of Austin are being considered, in coordination among COA, UT, and TxDOT, between Cesar Chavez  
30 Street and 12th Street, as well as an enhanced cap area south of Dean Keeton Street near UT.



2 Figure 2.2-1. City of Austin developed map of proposed enhanced bridge “stitches” and deck plaza  
3 areas being evaluated

4 In August 2021, a virtual and in-person public meeting was held for the project presenting the results of the  
5 alternatives analysis, findings from the independent study on the community concepts, and layouts of the  
6 proposed build alternatives. The alternatives presented at the public meeting included refinements based on  
7 feedback received from agencies and the public from the November 2020 and March 2021 scoping meetings  
8 as well as enhancements from the community concepts. These included:

- 9 ○ Adding more than 15 widened east-west crossings, including a new connection at 5th Street for all users,  
10 and new pedestrian crossings at the CapMetro Red Line/Future Gold Line south of Airport Boulevard, and  
11 between 51st Street and US 290 East;
- 12 ○ Using low-speed frontage roads;
- 13 ○ Lowered mainlane and HOV managed lanes; and
- 14 ○ Enhanced person-carrying capacity along the corridor by providing a reliable route for transit in HOV  
15 managed lanes.

16 Feedback received from the August 2021 Public Meeting included many of the same sentiments shared at the  
17 scoping meetings, but also included concerns about aesthetics, that Alternatives 2 and 3 were too similar,  
18 displacements, racial injustice, induced demand, and desires to bury the highway. Based on this feedback,  
19 Alternatives 2 and 3 were further modified to reflect community desires. Build Alternative 2 now reflects the  
20 following changes:

- 1 ○ Accommodation of a deeper profile for potential deck plazas between 4th and 8th Streets; and
- 2 ○ Removal of cap opportunities between Cesar Chavez Street and 4th Street to avoid displacements.
- 3 Build Alternative 3 was redesigned as follows and is now referred to as Modified Build Alternative 3:
- 4 ○ Proposed flyovers at US 290 East were removed;
- 5 ○ All elevated HOV managed lanes were lowered at Airport Boulevard;
- 6 ○ HOV managed lane entrance/exit ramps were moved from south of Airport Boulevard to north of Airport
- 7 Boulevard;
- 8 ○ Added new bicycle-pedestrian-only crossings at 3rd Street, 15th Street, and MLK Jr. Boulevard, and a bicycle-
- 9 pedestrian and vehicular crossing at 41st Street;
- 10 ○ Mainlanes and HOV managed lanes were lowered at Holly Street with NB bypass lanes elevated;
- 11 ○ An innovative intersection—single-point urban intersection (SPUI)—was designed at East Riverside Drive;
- 12 ○ The Woodland Avenue crossing was redesigned to accommodate bicycle-pedestrian traffic only;
- 13 ○ Frontage roads were shifted through downtown to create a boulevard section between Cesar Chavez Street
- 14 and Dean Keeton Street;
- 15 ○ A connection was provided at Palm Park to the east side of I-35.

16 For both Build Alternative 2 and Modified Build Alternative 3, the following design changes were made:

- 17 ○ Alley access was provided to the Crestwood neighborhood;
- 18 ○ A U-turn was added on the north side of Lady Bird Lake; and
- 19 ○ Ardenwood Road connection to frontage road was removed to accommodate the Red Line Bridge.

20 On January 25, 2022, these modifications were presented to the public at an in-person Volunteer Opportunities  
21 in Community Engagement (VOICE) meeting held at the Austin Public Library and at a virtual meeting held  
22 concurrently. The revised plans for Build Alternative 2 and Modified Build Alternative 3 were shared. The following  
23 sections describe the build alternatives that are analyzed in this DEIS.

### 24 *2.2.3 Description of Build Alternative 2*

25 Build Alternative 2 is approximately 8 miles along I-35. The northern limit is 1,500 feet north of US 290 East,  
26 and the southern limit is 1,000 feet south of US 290 West/SH 71. Build Alternative 2 would provide two lowered  
27 HOV managed lanes and lowered mainlanes in each direction between Airport Boulevard and Cesar Chavez  
28 Street, and between Riverside Drive and Oltorf Street. Both HOV managed/transit lanes and mainlanes are  
29 lowered one level below frontage roads and cross-streets (short, tunneled sections may be included at select  
30 locations to accommodate potential deck plazas). This alternative would also add direct connectors at I-35 and  
31 US 290 East to enhance mobility at this high-volume interchange and to facilitate the transition to one HOV  
32 managed lane in each direction north of US 290 East. The I-35 direct connectors would extend approximately

1 1,000 feet east of I-35 along US 290 East where they would tie into the US 290 East eastbound (EB) and  
2 westbound (WB) lanes. No additional ROW would be required along US 290 East. Other improvements include  
3 an SPUI at Airport Boulevard and elevated mainlanes and HOV managed lanes over Holly Street.

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

9 Toll lanes were not considered because Texas is currently in a non-tolled environment under the 2023 UTP  
10 (TxDOT, 2022a). The current project incorporates HOV managed lanes. An HOV lane, sometimes called a carpool  
11 lane, is a type of managed lane reserved for the use of carpools, vanpools, and transit vehicles. HOV managed  
12 lanes save time for carpools and transit riders by enabling them to bypass traffic. For Build Alternative 2, the  
13 HOV designation would allow carpools of two or more occupants to access the HOV managed lanes.

14 TxDOT, in coordination with COA and UT, is designing the project to accommodate potential deck plazas, that  
15 would cover sections of the main and HOV managed lanes of I-35 and provide community enhancement  
16 opportunities in these areas. COA is evaluating deck plazas between 4th Street and 8th Street, and UT is  
17 evaluating locations between Dean Keeton Street and MLK Jr. Boulevard on the west side of I-35 (no additional  
18 ROW is required for this location). COA is also evaluating stitches, or areas where enhancements and amenities  
19 could be added along east-west bridges, at 11th Street, 12th Street, 15th Street, and 38th ½ Street. Potential  
20 deck plazas and/or stitches are not being proposed for construction by this project and would be funded by  
21 others.

22 For Build Alternative 2, 8- to 10-foot-wide SUPs would parallel the I-35 frontage roads on both the NB and SB  
23 sides from US 290 East to north of Woodward Street, with at-grade improved crossings provided at US 290 East,  
24 Airport Boulevard, 38th ½ Street, 32nd Street, Dean Keeton Street, Manor Road, MLK Jr. Boulevard, 15th Street,  
25 12th Street, 11th Street, 8th Street, 7th Street, 6th Street, 5th Street, Cesar Chavez Street, Holly Street,  
26 Riverside Drive, Woodland Avenue, and SH 71. Four pedestrian/bicycle-only bridges would be located at 56th ½  
27 Street, south of Airport Boulevard (at the CapMetro Red Line crossing), 4th Street, and Lady Bird Lake.

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

- 30 ○ Under 51st Street.
- 31 ○ Under Airport Boulevard.
- 32 ○ Under MLK Jr. Boulevard.
- 33 ○ Under 15th Street, 12th Street, and 11th Street. From just south of 11th Street, a driver could access a  
34 bypass lane to travel under 8th, 7th, 6th, 5th, and Cesar Chavez Streets before reconnecting with the  
35 frontage road south of Cesar Chavez Street.

- 1 ○ From 3rd Street under Cesar Chavez Street
- 2 ○ Under Riverside Drive and under Woodland Avenue
- 3 Bypass lanes in the NB direction are:
- 4 ○ Under 51st Street.
- 5 ○ Under Airport Boulevard.
- 6 ○ Under MLK Jr. Boulevard.
- 7 ○ Under 11th and 12th Streets.
- 8 ○ Heading NB on the frontage roads, a driver could access the bypass lane just north of Lady Bird Lake and
- 9 travel continuously over Holly Street and under Cesar Chavez Street.
- 10 ○ Under Riverside Drive and Woodland Avenue.
- 11 Entrances to the HOV managed lanes are located:
- 12 ○ From WB US 290 East to I-35 (SB);
- 13 ○ From SB frontage road at 40th Street (SB);
- 14 ○ From SB bypass lane at Woodland Avenue (SB);
- 15 ○ From NB bypass lane at MLK Jr. Boulevard (NB); and
- 16 ○ From NB frontage road at 32nd Street (NB).
- 17 Exit ramps from the HOV managed lanes are located:
- 18 ○ Airport Boulevard (NB);
- 19 ○ Woodland Avenue (NB);
- 20 ○ MLK Jr. Boulevard (SB); and
- 21 ○ 32nd Street (SB).
- 22 Build Alternative 2 would require improvements to the drainage system, including several new major drainage
- 23 systems and outfall sites. These major drainage systems generally consist of large box culverts and pipes with
- 24 segments installed by a mixture of open cut, bore, and tunnel. The proposed roadway improvements for both
- 25 build alternatives would lower the roadway profile below existing grade for long segments north and south of
- 26 Lady Bird Lake (for approximately 6.3 miles), which would sever multiple drainage systems connected to Harpers
- 27 Branch, Lady Bird Lake, Colorado River, Waller Creek, and Boggy Creek. Thus, new storm drain systems would
- 28 be required to drain both on-site and off-site runoff that would have been severed from its existing outfall. The
- 29 new major drainage systems can generally be described as:
- 30 ○ New storm drains along both frontage roads and mainlanes extending roughly 5,000 feet from just north of
- 31 Oltorf Street to tie into the existing Harpers Branch outfall near Lady Bird Lake. A new 14-foot diameter north-

- 1 south-east (NSE) tunnel would run along the east side of the I-35 ROW and would outfall into the north bank  
2 of Lady Bird Lake at I-35. It would drain a large portion of I-35 from around 11th Street up to MLK Jr.  
3 Boulevard and would drain much of east Austin.
- 4 ○ New storm drain tunnel system extending roughly 9,000 feet along east I-35 ROW from Lady Bird Lake to  
5 near 15th Street.
  - 6 ○ New storm drain tunnel systems extending roughly 14,500 feet along west I-35 ROW from multiple Waller  
7 Creek outfalls near 3rd, 9th, and 15th Streets to near Hancock Center, north of 41st Street.
  - 8 ○ New 10-foot diameter storm drain tunnel system extending roughly 9,000 feet along Cesar Chavez Street  
9 from I-35 to downstream of Longhorn Dam where it would outfall into the Colorado River.
  - 10 ○ New storm drain/tunnel system extending roughly 4,000 feet from the Clarkson Branch of Boggy Creek to I-  
11 35 via 38th ½ Street and north to Hancock Center.
  - 12 ○ A new storm drain extending roughly 2,000 feet from Boggy Creek to the west side of I-35 via a crossing  
13 located just north of Airport Boulevard.

14 Schematics of Build Alternative 2 are included in **Appendix B**.

15 This alternative requires approximately 45.2 acres of additional ROW resulting in 291 potential displacements.  
16 Temporary and permanent easements would be required in the amount of approximately 3 acres for construction  
17 staging, and approximately 25 acres of Lady Bird Lake and shoreline, which would be restricted from recreation  
18 during construction to allow for movement of construction equipment.

### 19 *2.2.3.1 Potential Mitigation*

20 Mitigation measures for the build alternatives are included in **Section 3.25**.

### 21 *2.2.3.2 Purpose and Need*

22 Build Alternative 2 is expected to meet the project purpose and need by providing a highway that meets current  
23 design standards, relieving congestion during peak periods, enhancing safety, improving operational efficiency,  
24 and creating a more dependable and consistent route for the traveling public including bicyclists, pedestrians,  
25 emergency responders, and transit. The evaluation of Build Alternative 2 by criterion is included below in **Table**  
26 **2.2-1**.

### 27 *2.2.3.3 Logical Termini*

28 Federal regulations require that federally-funded transportation projects have logical termini. [23 CFR  
29 §771.111(f)(1).] Simply stated, this means that a project must have rational beginning and end points. Those  
30 end points may not be created simply to avoid proper analysis of environmental impacts. The results of the I-35  
31 PEL approved by FHWA identified three SUIs that allowed for further refinement in subsequent, project-specific  
32 NEPA studies (TxDOT, 2014). Based on updated traffic and data, the proposed Build Alternative 2 would begin  
33 at US 290 East on the north, and end at US 290 West/SH 71 on the south. Transition zones for Build Alternative  
34 2 would be from US 290 East to Camino La Costa on the north end, and from US 290 West/SH 71 to Teri Road

1 on the south end. These would be used for work within the ROW to connect to the I-35 Capital Express North and  
2 South Projects (see **Section 2.2.3.4** for discussion of independent utility).

3 The limits of the project meet the logical termini requirements per FHWA guidelines by demonstrating major  
4 traffic generation to and from I-35. Both interchanges are points of major traffic generation. The US 290 East  
5 terminus represents a complex and critical hub north of Austin, as it is an east-west connecting segment for I-35  
6 users who want to divert EB to US 290 to access parallel north-south regional alternative routes such as SH 130  
7 and US 183. US 290 East carries a 2018 AADT of 76,999 vpd (TxDOT 2019.) I-35 users can also use this  
8 interchange to travel west on SH 69 (2018 AADT of 48,309 vpd) and farther west to Ranch-to-Market (RM) 2222  
9 (2018 AADT of 34,181 vpd) (TxDOT 2019).

10 The US 290 West/SH 71 terminus is a heavily traveled interchange that provides I-35 users an opportunity to  
11 travel east-west. This interchange connects I-35 users east to Austin-Bergstrom International Airport (AUS) via  
12 SH 71. This EB route is a primary alternative route for connecting to other parallel north-south regional routes  
13 including US 183 and SH 130 (around downtown Austin) as well as connecting users farther east to Bastrop  
14 County. SH 71 EB carries a 2018 AADT of 138,279 vpd. Additionally, this interchange connects I-35 users to US  
15 290 West and SH 71 WB, which provides access for alternative routes connecting to other parallel north-south  
16 regional routes including MoPac and North Capital of Texas Highway (Loop 360) (around downtown Austin). US  
17 290 West/SH 71 WB carries a 2018 AADT of 190,514 vpd. This WB regional route connects users to Burnet  
18 County, Hays County, Blanco County and beyond.

#### 19 *2.2.3.4 Independent Utility*

20 Federal regulations require that a project have independent utility and be a reasonable expenditure even if no  
21 other transportation improvements are made in the area [23 CFR §771.111(f)(2)]. This means a project must  
22 be able to provide benefit by itself, and that the project not compel further expenditures to make the project  
23 useful. Stated another way, a project must be able to satisfy its purpose and need with no other projects being  
24 built. Build Alternative 2 could be constructed without the implementation of other traffic improvements because  
25 the project provides congestion relief between two major traffic generation points, as described above, by adding  
26 two managed HOV lanes in each direction, which satisfies the project's purpose and need, and this would be  
27 true even if no other roads were built nearby. Because the project stands alone, it cannot and does not  
28 irretrievably commit federal funds for other future transportation projects.

29 The SIUs were established consistent with the FHWA regulations at 23 CFR §771.111(f)(3) and are based upon  
30 operational and traffic analyses conducted during the PEL Study, which showed that transportation  
31 improvements within the limits of each of the segments could both operate independently as standalone projects  
32 and address relevant transportation issues even if the other segments were not built and operate as a system if  
33 they were all built. The preliminary SIUs include generalized transition areas at the logical termini that would be  
34 defined further in subsequent, project-specific NEPA studies (TxDOT, 2014). The termini were selected to  
35 separate traffic streams and mitigate merge/weave conflicts when allowing for access to/from the I-35  
36 mainlanes to the managed lanes and vice-versa. In addition, the termini were selected such that each SIU,  
37 performing as a standalone project, attracted meaningful amounts of traffic and in at least one direction for one  
38 or both peak periods, such that active traffic management would be necessary to maintain adequate LOS. This

1 behavior was interpreted as indicating that each of the segments provided utility to a significant proportion of at  
2 least some of the travel markets in the corridor. Based on updated traffic, data, and design refinements, the  
3 current Capital Express projects refined the SIUs to the those brought forward into NEPA.

#### 4 *2.2.3.5 Other Reasonably Foreseeable Transportation Improvements*

5 Federal law prohibits a project from restricting consideration of alternatives for other reasonably foreseeable  
6 transportation improvements [23 CFR § 771.111(f)(3)]. This means that a project must not dictate or restrict any  
7 future roadway alternatives. The proposed project would not restrict the consideration of alternatives for these  
8 or any other foreseeable transportation improvements as it is designed to function with or without any other  
9 roadway projects.

#### 10 *2.2.3.6 Planning Consistency*

11 The project is listed in the 2023 UTP (TxDOT, 2022a), CAMPO 2045 RTP (CAMPO, 2020b), and CAMPO's  
12 Transportation Improvement Program (TIP) 2021–2024 (CAMPO, 2020c). The CAMPO 2045 RTP shows planned  
13 road projects within its six-county boundary. Multiple projects, shown as committed, design, local, and preferred,  
14 are adjacent to the project limits. The goal for these projects is to enhance connectivity between I-35 and  
15 residential population centers. Additionally, the planned road projects would enhance alternative routes  
16 throughout the region. In the UTP, the project is described as “managed lanes and operational improvements  
17 through downtown Austin,” with limits from US 290 East to US 290 West/SH 71, for FY 2022–2025. In the RTP  
18 and TIP, the project is described as “add NB and SB non-tolled managed lanes, reconstruct ramps, improve FR,  
19 freight movements, and add auxiliary lanes” from US 290 East to US 290 West/SH 71. The project described  
20 herein is consistent with these documents. The Capital Express Central Project would not restrict or dictate any  
21 road projects within the 2023 UTP, CAMPO 2045 RTP, nor would it restrict or dictate other reasonably  
22 foreseeable transportation improvements related to the Mobility35 program, such as intersection improvements,  
23 turn-lane additions, road widenings, or increased bus/rail services. Future potential improvement projects could  
24 generally be accommodated within the I-35 Capital Express Central Project and would not be precluded by the  
25 proposed project.

#### 26 *2.2.4 Description of Modified Build Alternative 3*

27 Modified Build Alternative 3 would also provide two lowered HOV managed lanes and lowered mainlanes in each  
28 direction between Airport Boulevard and Cesar Chavez Street, and between Riverside Drive and Oltorf Street.  
29 Both HOV managed/transit lanes and mainlanes are lowered one level below frontage roads and cross streets  
30 (short, tunneled sections may be included at select locations in order to accommodate potential deck plazas).  
31 This alternative would differ from Build Alternative 2 in that mainlanes and HOV managed lanes would be lowered  
32 at Holly Street with only the NB bypass lanes elevated at this location. It would provide an SPUI at Airport  
33 Boulevard (like Build Alternative 2) and would provide an additional SPUI at East Riverside Drive, as well as a  
34 pedestrian/bicycle-only bridge at Woodland Avenue. For this alternative, frontage roads would be shifted to the  
35 east between Dean Keeton Street and 15th Street, and then to the west between 15th Street and Cesar Chavez  
36 Street, to create boulevard sections. There would be no additional direct connectors at US 290 East/I-35. This

1 alternative would convert 8th Street from one-way WB to one-way EB, and 7th Street from one-way EB to two-  
2 way.

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

9 Modified Build Alternative 3 requires approximately 41.7 acres of additional ROW resulting in 107 potential  
10 displacements. Temporary and permanent easements would be required in the amount of approximately 3 acres  
11 for construction staging, and approximately 25 acres of Lady Bird Lake and shoreline, which would be restricted  
12 from recreation during construction to allow for movement of construction equipment.

13 For Modified Build Alternative 3, COA is evaluating deck plazas between Cesar Chavez Street and 8th Street, and  
14 UT is evaluating locations between Dean Keeton Street and 15th Street on the west side of I-35 (no additional  
15 ROW is required for this location). Stitches are being evaluated at the CapMetro Red Line crossing south of  
16 Airport Boulevard, Wilshire Boulevard, 38th ½ Street, 32nd Street, 12th Street, 11th Street, Holly Street, and  
17 Woodland Avenue. Potential deck plazas and/or stitches are not being proposed for construction by this project,  
18 and would be funded by others.

19 For Modified Build Alternative 3, 8- to 10-foot-wide SUPs would parallel the I-35 frontage roads on both the NB  
20 and SB sides from US 290 East to just north of Woodward Street, with at-grade improved crossings provided at:  
21 US 290 East, Airport Boulevard, Wilshire/41st Street, 38th ½ Street, 32nd Street, Dean Keeton Street, Manor  
22 Road, MLK Jr. Boulevard, 12th Street, 11th Street, 7th Street, 6th Street, 5th Street, Cesar Chavez Street, Holly  
23 Street, Riverside Drive, and SH 71. Eight pedestrian/bicycle-only bridges would be located north of 55th Street,  
24 south of Airport Boulevard (at the CapMetro Red Line crossing), next to MLK Jr. Boulevard, north of 15th Street,  
25 4th Street, 3rd Street, Lady Bird Lake, and Woodland Avenue.

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

- 28 ○ Under 51st Street;
- 29 ○ Under Airport Boulevard;
- 30 ○ Under Wilshire/41st Street;
- 31 ○ Under MLK Jr. Boulevard;
- 32 ○ Under 15th Street, 12th Street, and 11th Street;
- 33 ○ Under Cesar Chavez and Holly Streets; and
- 34 ○ Under Riverside Drive.

- 1 Bypass lanes NB direction:
- 2 ○ Under Airport Boulevard;
- 3 ○ Under Wilshire/41st Street;
- 4 ○ Under 11th Street and 12th Street;
- 5 ○ Over Holly Street and under Cesar Chavez Street; and
- 6 ○ Under Riverside Drive.

7 The entrances for the HOV managed lanes would be:

- 8 ○ North of Airport Boulevard (SB);
- 9 ○ Woodland Avenue (SB);
- 10 ○ Near Sunnyvale Street (NB);
- 11 ○ MLK Jr. Boulevard (NB); and
- 12 ○ 32nd Street (NB).

13 The HOV managed lane exits would be:

- 14 ○ North of Airport Boulevard (NB);
- 15 ○ Woodland Avenue (NB);
- 16 ○ Near Sunnyvale Street (NB);
- 17 ○ MLK Jr. Boulevard (SB); and
- 18 ○ 32nd Street (SB).

19 Modified Build Alternative 3 would require improvements to the drainage system, like Build Alternative 2,  
20 including several new major drainage systems and outfall sites. These major drainage systems generally consist  
21 of large box culverts and pipes with segments installed by a mixture of open cut, bore, and tunnel. The proposed  
22 roadway improvements for both build alternatives would lower the roadway profile below existing grade for long  
23 segments (approximately 6.5 miles) north and south of Lady Bird Lake, which would sever multiple drainage  
24 systems connected to Harpers Branch, Lady Bird Lake, Colorado River, Waller Creek, and Boggy Creek. Thus,  
25 new storm drain systems would be required to drain both on-site and off-site runoff that would have been severed  
26 from its existing outfall. The new major drainage systems can generally be described as:

- 27 ○ New storm drains along both frontage roads and mainlanes extending roughly 5,000 feet from just north of  
28 Oltorf Street to tie into the existing Harpers Branch outfall near Lady Bird Lake.
- 29 ○ A new 14-foot diameter north-south-east (NSE) tunnel runs along the east side of the I-35 ROW and outfalls  
30 into the north bank of Lady Bird Lake at I-35. It drains a large portion of I-35 from around 11th Street up to  
31 MLK Jr. Boulevard and drains much of east Austin.

- 1 ○ New 10-foot diameter storm drain tunnel system extending roughly 9,000 feet along Cesar Chavez Street
- 2 from I-35 to downstream of Longhorn Dam where it would outfall into the Colorado River.
- 3 ○ New storm drain tunnel systems extending roughly 14,500 feet along west I-35 ROW from multiple Waller
- 4 Creek outfalls near 3rd, 9th, and 15th Streets to near Hancock Center, north of 41st Street.
- 5 ○ New storm drain tunnel system extending roughly 4,000 feet, from the Clarkson Branch of Bogy Creek to I-
- 6 35 via 38th ½ Street and north to Hancock Center.
- 7 ○ A new storm drain extending roughly 2,000 feet, from Bogy Creek to the west side of I-35 via a crossing
- 8 located just north of Airport Boulevard.

9 Schematics of Modified Build Alternative 3 are included in **Appendix B**.

#### 10 *2.2.4.1 Potential Mitigation*

11 Mitigation measures for the build alternatives are included in **Section 3.25**.

#### 12 *2.2.4.2 Purpose and Need*

13 Modified Build Alternative 3 is expected to meet the project purpose and need by providing a highway that meets  
14 current design standards, relieving congestion during peak periods, enhancing safety, improving operational  
15 efficiency, and creating a more dependable and consistent route for the traveling public including bicyclists,  
16 pedestrians, emergency responders, and transit. The evaluation of Modified Build Alternative 3 by criterion is  
17 included in **Table 2.2-1**.

#### 18 *2.2.4.3 Logical Termini*

19 Federal regulations require that federally-funded transportation projects have logical termini [23 CFR  
20 §771.111(f)(1)]. Simply stated, this means that a project must have rational beginning and end points. Those  
21 end points may not be created simply to avoid proper analysis of environmental impacts. The results of the I-35  
22 PEL approved by FHWA identified three SUIs that allowed for further refinement in subsequent, project-specific  
23 NEPA studies (TxDOT, 2014). Based on updated traffic and data, the proposed Modified Build Alternative 3 would  
24 begin at US 290 East on the north, and end at US 290 West/SH 71 on the south. Transition zones for Modified  
25 Build Alternative 3 would be from US 290 East to Camino La Costa on the north end, and from US 290 West/SH  
26 71 to Teri Road on the south end. These would be used for work within the ROW to connect to the I-35 Capital  
27 Express North and South Projects.

28 The limits of the project meet the logical termini requirements per FHWA guidelines by demonstrating major  
29 traffic generation to and from I-35. Both interchanges are points of major traffic generation. The US 290 East  
30 terminus represents a complex and critical hub for north Austin, as it is an east-west connecting segment for I-  
31 35 users who want to divert EB to US 290 to access parallel north-south regional alternative routes such as SH  
32 130 and US 183. US 290 East carries a 2018 AADT of 76,999 vpd. I-35 users can also use this interchange to  
33 travel west on SH 69 (2018 AADT of 48,309 vpd) and farther west to RM 2222 (2018 AADT of 34,181 vpd).

1 The US 290 West/SH 71 terminus is a heavily traveled interchange that provides I-35 users an opportunity to  
2 travel east-west. This interchange connects I-35 users east to AUS via SH 71. This EB route is a primary  
3 alternative route for connecting to other parallel north-south regional routes including US 183 and SH 130  
4 (around downtown Austin) as well as connecting users farther east to Bastrop County. SH 71 EB carries a 2018  
5 AADT of 138,279 vpd. Additionally, this interchange connects I-35 users to US 290 West and SH 71 WB, which  
6 provides access for alternative routes connecting to other parallel north-south regional routes including MoPac  
7 and Loop 360 (around downtown Austin). US 290 West/SH71 WB carries a 2018 AADT of 190,514 vpd. This  
8 WB regional route connects users to Burnet County, Hays County, and beyond Blanco County.

#### 9 *2.2.4.4 Independent Utility*

10 Federal regulations require that a project have independent utility and be a reasonable expenditure even if no  
11 other transportation improvements are made in the area [23 CFR §771.111(f)(2)]. This means a project must  
12 be able to provide benefit by itself, and that the project does not compel further expenditures to make the project  
13 useful. Stated another way, a project must be able to satisfy its purpose and need with no other projects being  
14 built. Modified Build Alternative 3 could be constructed without the implementation of other traffic improvements  
15 because the project provides congestion relief between two major traffic generation points, as described above,  
16 by adding two HOV managed lanes in each direction, which satisfies the project's purpose and need, and this  
17 would be true even if no other roads were built nearby. Because the project stands alone, it cannot and does not  
18 irretrievably commit federal funds for other future transportation projects.

19 The SIUs were established consistent with the FHWA regulations at 23 CFR §771.111(f) and are based upon  
20 operational and traffic analyses conducted during the PEL Study, which showed that transportation  
21 improvements within the limits of each of the segments could both operate independently as standalone projects  
22 and address relevant transportation issues even if the other segments were not built and operate as a system if  
23 they were all built. The preliminary SIUs include generalized transition areas at the logical termini that would be  
24 defined further in subsequent, project-specific NEPA studies (TxDOT, 2014). The termini were selected to  
25 separate traffic streams and mitigate merge/weave conflicts when allowing for access to/from the I-35  
26 mainlanes to the managed lanes and vice-versa. In addition, the termini were selected such that each SIU,  
27 performing as a standalone project, attracted meaningful amounts of traffic and in at least one direction for one  
28 or both peak periods, such that active traffic management would be necessary to maintain adequate LOS. This  
29 behavior was interpreted as indicating that each of the segments provided utility to a significant proportion of at  
30 least some of the travel markets in the corridor. Based on updated traffic, data, and design refinements, the  
31 current Capital Express projects refined the SIUs to those brought forward into NEPA analysis.

#### 32 *2.2.4.5 Other Reasonably Foreseeable Transportation Improvements*

33 Federal law prohibits a project from restricting consideration of alternatives for other reasonably foreseeable  
34 transportation improvements [23 CFR §771.111(f)(3)]. This means that a project must not dictate or restrict any  
35 future roadway alternatives. The proposed project would not restrict the consideration of alternatives for any  
36 other foreseeable transportation improvements as it is designed to function with or without any other roadway  
37 projects.

#### 1 2.2.4.6 Planning Consistency

2 The project is listed in the 2023 UTP (TxDOT, 2022a), CAMPO 2045 RTP (CAMPO, 2020b), and CAMPO's TIP  
3 2021–2024 (CAMPO, 2020c). The CAMPO 2045 RTP shows planned road projects within its six-county  
4 boundary. Multiple projects, shown as committed, design, local, and preferred, are adjacent to the project limits.  
5 The goal for these projects is to enhance connectivity between I-35 and residential population centers.  
6 Additionally, the planned road projects would enhance alternative routes throughout the region. In the UTP, the  
7 project is described as “managed lanes and operational improvements through downtown Austin,” with limits  
8 from US 290 East to US 290 West/SH 71, for FY 2022–2025. In the RTP and TIP, the project is described as  
9 “add NB and SB non-tolled managed lanes, reconstruct ramps, improve FR, freight movements, and add auxiliary  
10 lanes” from US 290 East to US 290 West/SH 71. The project described herein is consistent with these  
11 documents. The Capital Express Central Project would not restrict or dictate any road projects within the 2023  
12 UTP, CAMPO 2045 RTP, nor would it restrict or dictate other reasonably foreseeable transportation  
13 improvements related to the Mobility35 program, such as intersection improvements, turn-lane additions, road  
14 widenings, or increased bus/rail services. Future potential improvement projects could generally be  
15 accommodated within the I-35 Capital Express Central Project and would not be precluded by the proposed  
16 project.

#### 17 2.2.5 Description of No Build Alternative

18 The No Build Alternative is still an option and is being carried forward as a baseline for comparison. At the end  
19 of this EIS process, if TxDOT Environmental Affairs Division (TxDOT ENV) decides that the No Build Alternative is  
20 the Preferred Alternative, I-35 would continue to exist as it does today and would continue to have standard,  
21 routine maintenance (existing I-35 is described above in **Section 2.2.1**). By 2045, I-35 traffic within the project  
22 limits is expected to reach 303,700 vpd, an increase of approximately 47 percent since 2019—according to  
23 traffic projections based on TxDOT-approved 2030 and 2050 AADT forecasts—and safety and mobility would  
24 continue to decline as population increases. In addition, the proposed bicycle/pedestrian facilities would not be  
25 constructed and east-west connectivity in the downtown area would not be improved. While it is assumed other  
26 transportation improvement projects in the UTP, RTP, and TIP would be implemented with the No Build  
27 Alternative, none of these would address the purpose and need for this project; the need for the project would  
28 still exist with the No Build Alternative. Although it does not meet the purpose and need of the project, the No  
29 Build Alternative was carried through the environmental impact analysis to assess the impacts of no action as a  
30 comparison to the build alternatives, as required by NEPA. The evaluation of the No Build Alternative by criterion  
31 is included in **Table 2.2-1** below.

### 32 2.3 Comparison of Reasonable Alternatives and the No Build Alternative

33 This section describes the methodologies and level of detail for analyzing alternatives that were presented to  
34 cooperating and participating agencies and the public and how the process led to the reasonable alternatives to  
35 be carried forward in the DEIS. At the March 2021 scoping meeting (Scoping Meeting Number 2), TxDOT  
36 presented the methodologies and level of detail for analyzing alternatives. Evaluation criteria were presented  
37 including measurements of an alternative's ability to meet the project purpose and need; high-level engineering  
38 criteria such as constructability, ROW needs, complexity of utility relocation and preliminary project costs; and

1 an evaluation of environmental resource impacts. The criteria evaluated quantifiable impacts such as the acres  
2 of ROW required, travel times, number of potential displacements, number of historic resources affected, and  
3 acres of park impacts for each alternative. Feedback on the criteria was solicited.

4 Based on comments received from participating and cooperating agencies and the public, four additional  
5 evaluation criteria were added to the alternatives evaluation process: measuring air quality impacts; measuring  
6 person-carrying capacity along mainlanes and HOV managed lanes, including vehicles and transit; measuring  
7 annual cost of travel; and accommodation of CapMetro's service plan at east-west crossings. The travel demand  
8 study was also increased to a 2-mile radius to accommodate public/agency comments and a health and equity  
9 study was requested.

10 The first alternative screening (Alternatives Evaluation Report, **Appendix I**) included TxDOT-proposed Build  
11 Alternatives 1, 2, and 3 and the No Build Alternative. As a result of the evaluation, TxDOT determined that  
12 Alternative 1 would not be carried forward through the DEIS process. The 8.25-mile continuous proposed tunnel  
13 for Alternative 1 would limit access, provide fewer egress options, and delay emergency response times.  
14 Alternative 1 had high constructability risks, utility conflicts, and drainage infrastructure complexities due to the  
15 continuous tunnel, which would require multi-level and complex construction phasing as well as an additional  
16 1.5 years of construction time. During construction for Alternative 1, the NB mainlanes would be reduced to just  
17 two lanes for multiple years. Finally, at an estimated \$8.02 billion, Alternative 1 was approximately twice the  
18 cost of Alternatives 2 and 3, and at an estimated \$14.4 million/year, almost seven times the annual cost to  
19 operate and maintain.

20 Build Alternative 2 and Modified Build Alternative 3 were proposed to be carried forward for further study in this  
21 DEIS, based on:

- 22 ○ Faster response times for EMS, police, and fire departments;
- 23 ○ Shorter construction duration by 1.5 years;
- 24 ○ Improved traffic operations during construction, with fewer lane closures;
- 25 ○ Fewer utility conflicts and lower relocation costs;
- 26 ○ Fewer drainage conflicts;
- 27 ○ Lower design-build costs; and
- 28 ○ Lower annual and lifetime maintenance requirements and costs.

29 The Alternatives Evaluation Report and the Alternatives Evaluation Criteria Comparison Table were presented at  
30 the public meeting. Afterward, further comment and feedback were used to inform design refinements to the  
31 build alternatives to minimize adverse effects to environmental resources, improve east-west connections, and  
32 improve traffic and safety, as discussed above in **Section 2.2.2**. Ultimately, Build Alternative 2 and Modified Build  
33 Alternative 3 (and the No Build) were identified to be carried forward in the DEIS and further analyzed, as detailed  
34 in **Chapter 3. Table 2.2-1** lists the parameters and criteria used to measure these alternatives and to identify the  
35 Preferred Alternative. These criteria are based on those presented at the scoping meeting, with data derived

1 from further design and a more in-depth analysis of each alternative's impacts to the community, traffic and  
2 safety, construction, drainage and utilities, environmental resources, and costs. The Decisional Criterion column  
3 shows where one Build Alternative performed substantially better than the other and are described below **Table**  
4 **2.2-1**.

5 The Build Alternatives propose the construction of additional SUPs and sidewalks, which would improve current  
6 pedestrian and bicycle access across the I-35 corridor (east-west). The proposed I-35 Capital Express Central  
7 Project would improve bicycle and pedestrian safety and would be designed to meet Americans with Disabilities  
8 Act (ADA) accessibility standards. The SUPs would be constructed with curbs between the SUP and the FR. The  
9 proposed project would improve pedestrian and bicycle connectivity to the existing transit options and  
10 accessibility would be increased for those traveling on foot or by bicycle. Additionally, the proposed project will  
11 comply with TxDOT's *Bicycle Accommodation Design Guidance*. TxDOT's *Bicycle Accommodation Design*  
12 *Guidance* implements both the USDOT and FHWA policy regarding bicycle and pedestrian accommodations. The  
13 proposed SUPs would intersect with COA's existing and planned bicycle and pedestrian routes. The proposed  
14 project would provide further connections to this infrastructure, expanding connectivity within the project  
15 corridor. The SUPs would also provide additional connectivity to current transit options within the project corridor.  
16 COA is a stakeholder agency and TxDOT will continue to coordinate with them to reach shared objectives within  
17 the project corridor. TxDOT will also coordinate with the Independent School Districts and CapMetro during  
18 project design to minimize the temporary and permanent impacts to bicycle and pedestrian facilities.  
19 Additionally, TxDOT would accommodate or replace existing trails that are permanently impacted by the proposed  
20 project, as well as allow for planned future trails as shown on COA Bike Plan.

Table 2.2-1. Comparison of Reasonable Alternatives

Criteria Description	Evaluation Parameters	Metrics/Units*	No Build Alternative	Build Alternative 2	Modified Build Alternative 3	Decisional Criterion** Yes/No
<b>Purpose and Need: Enhancing safety within the corridor</b>						
Aligned with TxDOT's Road to Zero Initiative and COA's Vision Zero Initiative.	Supports TxDOT's mission to cut traffic fatalities in half by 2035 and then entirely by 2050. Supports COA's mission to eliminate traffic deaths and serious injuries on Austin streets.	Yes/No	No	Yes	Yes	No
Aligned with additional local plans	Aligns or is consistent with the following local plans: <b>COA:</b> Strategic Mobility Plan, Vision Zero, Downtown Austin Plan, Parks Department Long-Range Master Plan, Imagine Austin Comprehensive Plan, Sidewalk Master Plan and ADA Transition Plan Update, Bicycle Master Plan, and <b>CAMPO</b> RTP.	Yes/No	No	Yes	Yes	No

Table 2.2-1. Comparison of Reasonable Alternatives

Criteria Description	Evaluation Parameters	Metrics/Units*	No Build Alternative	Build Alternative 2	Modified Build Alternative 3	Decisional Criterion** Yes/No
Improve emergency response time for EMS, police, fire, and hospitals	Adequate ramps, detour routes for emergency vehicles	High/Medium/Low (High = more reliable response time Low = delayed response time)	Low	High	High	No
Emergency egress requirements	Ability to provide emergency egress requirements.	High/Medium/Low (High = fewer requirements Low = more requirements)	Low	High	High	No
Reduction in total crashes	Reduction in total crashes (all severities)	% change compared to No Build in 2030	N/A	-24%	-24%	No
Reduction in fatalities and injury crashes	Reduction in fatalities and injury crashes	% change compared to No Build in 2030	N/A	-34%	-29%	Yes - Build Alt 2
<b>Purpose and Need: Addressing demand by prioritizing the movement of people, goods, and services through and across the corridor; improving operational efficiency</b>						
Mainlanes travel time	Average 2030 p.m. peak hour NB/SB travel time along mainlanes between US 290 East and US 290 West/SH 71	% change from No Build	N/A	-57%	-57%	No

Table 2.2-1. Comparison of Reasonable Alternatives

Criteria Description	Evaluation Parameters	Metrics/Units*	No Build Alternative	Build Alternative 2	Modified Build Alternative 3	Decisional Criterion** Yes/No
HOV Managed lanes travel time	Average 2030 p.m. peak NB/SB travel time along HOV managed lanes between US 290 East and US 290 West/SH 71	Travel time (min.)	N/A (No HOV managed lanes provided)	9 min.	9 min.	No
Person-carrying capacity along mainlanes and HOV managed lanes, including vehicles and transit	Mainlane lane and HOV managed lane person capacity at given point along corridor	Person-carrying capacity (people per hour) (% change from No Build)	13,500 people/hour	33,600 people/hour (+149%)	33,600 people/hour (+149%)	No
Travel demand along adjacent transportation roadway network	Daily travel demand patterns/traffic volumes along major (MoPac, US 183) and minor (e.g., downtown arterials) parallel facilities to I-35 in 2045	Network distance traveled (daily vehicle-miles) (% change from No Build)	14,600,820 daily VMT	14,388,636 daily VMT (-1.5%)	14,342,150 daily VMT (-1.8%)	No
Annual cost of travel	Cost of travel based on daily vehicle-hours of travel along I-35 mainlanes and HOV managed lanes in 2045	Travel cost -Y2022 dollars (% change from No Build)	\$606M	\$534M (-12.0%)	\$559M (-7.9%)	Yes – Build Alt 2

Table 2.2-1. Comparison of Reasonable Alternatives

Criteria Description	Evaluation Parameters	Metrics/Units*	No Build Alternative	Build Alternative 2	Modified Build Alternative 3	Decisional Criterion** Yes/No
<b>Purpose and Need: Purpose and Need: Creating a more dependable and consistent route for the traveling public including bicyclists, pedestrians, emergency responders, and transit</b>						
Improves east-west connectivity	Number of enhanced vehicular and bicycle crossings, bicycle- and pedestrian-only crossings, and pedestrian bridges (does not include local enhancements)	Number of improved/enhanced east-west crossings	0	23	26	Yes - Mod Build Alt 3
Accommodates CapMetro's service plan at east-west crossings	Ability to accommodate Project Connect's proposed light-rail system at east-west crossings	Yes/No	No	Yes	Yes	No
Bicycle and Pedestrian accommodations	Maximum distance between crossings	Miles	0.85 mile	0.57 mile	0.57 mile	No
Improves facilities for disabled populations	Conforms with ADA and Texas Accessibility Standards.	High/Medium/Low (High = enhanced improvements Low = no improvements)	Low	High	High	No

Table 2.2-1. Comparison of Reasonable Alternatives

Criteria Description	Evaluation Parameters	Metrics/Units*	No Build Alternative	Build Alternative 2	Modified Build Alternative 3	Decisional Criterion** Yes/No
<b>Feasibility, Design and Engineering</b>						
Complexity of Construction	Estimated construction complexity and duration	High/Medium/Low (High = more complexity Low = less complexity)	N/A	Medium-High	High	Yes - Build Alt 2
CapMetro Blue Line accommodation	Accommodates CapMetro Blue Line metro rail at Riverside Drive intersection	High/Medium/Low (High = greater mobility through Riverside Drive Low = lower mobility through Riverside Drive)	Low	Medium	High	Yes - Mod Build Alt 3
Utility conflicts	Anticipated utility relocation effort	High/Medium/Low (High = more conflicts Low = fewer conflicts)	N/A	High	High	No
Drainage infrastructure complexity	Construction and maintenance of drainage infrastructure	High/Medium/Low (High = more complexity Low = less complexity)	N/A	High	High	No

Table 2.2-1. Comparison of Reasonable Alternatives

Criteria Description	Evaluation Parameters	Metrics/Units*	No Build Alternative	Build Alternative 2	Modified Build Alternative 3	Decisional Criterion** Yes/No
Number of affected parcels	Number of parcels with ROW impacts out of total number of adjacent parcels	Number	0 parcel impacts	218 impacted parcels of 952 adjacent parcels	190 impacted parcels of 933 adjacent parcels	Yes - Mod Build Alt 3
Amount of new ROW required	Acres of ROW (Environmental Study Area)	Acres	0 acres	45.2 acres	41.7 acres	Yes - Mod Build Alt 3
Total Displacements	Travis Central Appraisal District property data	Number of residential and commercial displacements	N/A	291 displacements (97 parcels)	107 displacements (72 parcels)	Yes - Mod Build Alt 3
Minimize residential displacements	Travis Central Appraisal District property data	Number of residential displacements	N/A	145 displacements (2 single-family; 5 multifamily structures with 143 multifamily units) (7 parcels)	26 displacements (2 single-family; 1 multifamily structure with 24 multifamily units) (3 parcels)	Yes - Mod Build Alt 3
Minimize commercial displacements	Travis Central Appraisal District property data	Number of commercial displacements	N/A	131 displacements (75 parcels)	69 displacements (57 parcels)	Yes - Mod Build Alt 3
Minimize minority and low-income displacements***	Travis Central Appraisal District property data and American Community Survey (ACS) Data	Number of potential minority and low-income displacements based	N/A	172 displacements (73 parcels)	90 displacements (58 parcels)	Yes - Mod Build Alt 3

Table 2.2-1. Comparison of Reasonable Alternatives

Criteria Description	Evaluation Parameters	Metrics/Units*	No Build Alternative	Build Alternative 2	Modified Build Alternative 3	Decisional Criterion** Yes/No
		on Census data (including multifamily building units)				
Minimize impacts to Affordable Housing units	Travis Central Appraisal District property data and ACS Data	Number of affordable housing unit displacements (apartments and condo units) below market value	N/A	61 displacements (1 parcel)	0 displacements	Yes - Mod Build Alt 3
Vacant Building Displacements	Travis Central Appraisal District property data	Number of displaced vacant buildings (at time of study 9/1/2022)	N/A	15 displacements (15 parcels)	12 displacements (12 parcels)	No
Minimize visual impacts	Quality of views from frontage roads and cross streets	High/Medium/Low (High = greater visual impact Low = lesser visual impact)	High	Low	Low	No
<b>Environmental Resources</b>						
Archeological sites and cemeteries	Risk and probability of encountering or disturbing sites	Number of Archeological Sites and Cemeteries	N/A	4 archaeological sites and 1 cemetery near	4 archaeological sites and 1 cemetery near project limits - No	No

Table 2.2-1. Comparison of Reasonable Alternatives

Criteria Description	Evaluation Parameters	Metrics/Units*	No Build Alternative	Build Alternative 2	Modified Build Alternative 3	Decisional Criterion** Yes/No
	containing intact cultural resources			project limits – No anticipated impacts.	anticipated impacts.	
Historic properties	Direct Impacts to historic properties/districts	Number of Historic Properties Directly Impacted	N/A	6 historic properties directly impacted (displaced) by ROW acquisition 1 historic property impacted by temporary construction easement – no adverse effect.	4 historic properties directly impacted (displaced) by ROW acquisition 1 historic property impacted by temporary construction easement – no adverse effect.	No
Hazardous materials	Number of potential regulated materials sites within 200 feet of the proposed footprint that may be disturbed.	Number of Hazardous Materials Sites	N/A	185	177	No
Traffic noise	Number of receptors impacted	Number	N/A	53	51	No
Traffic noise	Number of proposed noise barriers	Number	N/A	8	9	No

Table 2.2-1. Comparison of Reasonable Alternatives

Criteria Description	Evaluation Parameters	Metrics/Units*	No Build Alternative	Build Alternative 2	Modified Build Alternative 3	Decisional Criterion** Yes/No
Air Quality	Verify no Carbon Monoxide (CO) exceedances of the National Ambient Air Quality Standards (NAAQS) and overall Mobile Source Air Toxics (MSATs) reduction in the future	High/Medium/Low (High = more Air Quality impacts Low = fewer Air Quality impacts)	N/A	Low for 2030 and 2050; Low for both years at the intersections	Low for both 2030 and 2050; Low for both years at the intersections	No
GHG	Construction, maintenance and operational GHG emitted	Annual amount of GHG (by metric ton)	N/A	410,448 Metric Tons	420,561 Metric Tons	No
Parks purchased with Land and Water Conservation Funds impacts	Acres of Section 6(f) park impacts	Acres	N/A	1.90 total (1.20 Waller Beach; 0.70 Edward Rendon Park)	1.90 total (1.20 Waller Beach; 0.70 Edward Rendon Park)	No
Park impacts	Acres of Section 4(f) park impacts	Acres	N/A	0.71 International Shores_3 1.20 Waller Beach 0.70 Edward Rendon Park 0.57 Norwood Park 3.18 ACRES TOTAL	0.70 International Shores_3 1.20 Waller Beach 0.70 Edward Rendon Park 0.57 Norwood Park 3.17 ACRES TOTAL	No

Table 2.2-1. Comparison of Reasonable Alternatives

Criteria Description	Evaluation Parameters	Metrics/Units*	No Build Alternative	Build Alternative 2	Modified Build Alternative 3	Decisional Criterion** Yes/No
				25 acres LBL waters and shoreline (recreation area) 1,255 feet Ann & Roy Butler Trail	25 acres LBL waters and shoreline (recreation area) 1,207 feet Ann & Roy Butler Trail	
Local Enhancements						
Potential Deck Plaza Local Enhancements	Number of potential deck plaza enhancements accommodated	Number	0	6	8	Yes - Mod Build Alt 3
Potential Deck Plaza Local Enhancements	Acres of potential deck plaza enhancements accommodated	Acres	0	14.6	33.9	Yes - Mod Build Alt 3
Incorporates community alternatives	Includes boulevard section, bicycle and pedestrian facilities, shade structures, wide buffers between vehicle and non-vehicular traffic	High/Medium/Low (High = more aligned with community alternatives Low = less aligned with community alternatives)	Low	Medium	High	Yes - Mod Build Alt 3
Access to Potential Deck Plazas	Would provide direct access to potential deck plazas	High/Medium/Low (High = greater access to potential deck	N/A	Medium	High	Yes - Mod Build Alt 3

Table 2.2-1. Comparison of Reasonable Alternatives

Criteria Description	Evaluation Parameters	Metrics/Units*	No Build Alternative	Build Alternative 2	Modified Build Alternative 3	Decisional Criterion** Yes/No
		plazas Low = lesser access to potential deck plazas)				
Preliminary Project Costs						
Minimize construction cost	Preliminary construction cost estimate	Dollars	N/A	\$4.45B	\$4.50B	No
Minimize operation and maintenance cost	Preliminary operation and maintenance cost estimate	Dollars	\$1.7M	\$4.6M	\$4.8M	No
* High/Medium/Low metrics were used for measuring criteria where exact values/quantities were unavailable. The subjective terms represent professional experience and judgment. These decisions are discussed in more depth in the text descriptions of the evaluation criterion below. **Decisional Criterion – Where one Build Alternative performed substantially better than another. *** EJ displacements conservatively include those within a Census block with 50% or greater minority population, a Census block group where the median household income (MHI) is below the U.S. Department of Health and Human Services (HHS) poverty level, or a Census tract where the percentage of those in poverty is significantly greater than the poverty level within Travis County, with the understanding that not all such displaced persons or businesses may actually be EJ persons or businesses.						

1

## 1 2.4 Identification of the Preferred Alternative

2 Build Alternative 2, Modified Build Alternative 3, and the No Build Alternative were evaluated throughout the  
3 DEIS process to determine their effects on the natural and human environments, as well as their ability to meet  
4 the proposed project's purpose and need. As shown in **Table 2.2-1**, both build alternatives performed well against  
5 the No Build Alternative in several important criteria within the Purpose and Need performance measure,  
6 including:

- 7 ○ Alignment with TxDOT's Road to Zero and COA's Vision Zero (COA, 2016) safety initiatives through improved  
8 safety, compliance with current design standards, better ramp and weave distances, and lowered design  
9 speeds. The build alternatives would also improve pedestrian safety by providing new SUP and improving  
10 pedestrian visibility at crossing locations.
- 11 ○ Alignment with other local plans such as Austin Strategic Mobility Plan (COA, 2019a), Downtown Austin Plan,  
12 Parks Development Long-Range Master Plan, Imagine Austin Comprehensive Plan (COA, 2018b), Sidewalk  
13 Master Plan and ADA Transition Plan Update, Bicycle Master Plan, and CAMPO RTP. For example, the  
14 addition of HOV managed /transit lanes addresses Austin Strategic Direction 2023's goal of discouraging  
15 driving alone.
- 16 ○ Improved emergency response times for EMS, police, fire, and hospitals through decreased travel time and  
17 access to HOV managed lanes. The build alternatives would provide direct access from the HOV managed  
18 lanes to the frontage roads near major regional health care facilities, and wider shoulder widths would  
19 improve emergency vehicles' maneuverability.
- 20 ○ Improved travel time along the main and HOV managed lanes, with a 57 percent decrease in the mainlane  
21 travel time and a 9-minute decrease in the HOV managed lane travel time.
- 22 ○ Improved person-carrying capacity by 149 percent compared to the current facilities.
- 23 ○ Decreased travel demand along adjacent roadway network by 1.5 percent for Build Alternative 2 and 1.8  
24 percent for Modified Build Alternative 3.
- 25 ○ Accommodation of CapMetro's service plan at east-west crossings. Both build alternatives accommodate  
26 the proposed Blue Line crossing at Riverside Drive and provide grade separation (with mainlanes, ramps,  
27 and frontage roads) of the Red Line at Airport Boulevard and 4th Street.
- 28 ○ Decreased distance between bicycle and pedestrian crossings compared to the No Build.
- 29 ○ Improved facilities, such as sidewalks and SUPs, for disabled populations through compliance with current  
30 ADA regulations.

31 Within the Feasibility, Design, and Engineering performance measure, both build alternatives have similar utility  
32 conflicts and drainage infrastructure complexity when compared to the No Build. Under the Environmental  
33 Resources performance measure, both build alternatives have similar visual impacts, similar impacts to cultural  
34 resources, similar impacts to air quality, to parks, and from traffic noise. Impacts from GHG emissions, while  
35 higher for Modified Build Alternative 3, were found to be a non-decisional criterion due to the fact that traffic  
36 forecasts are not able to accurately predict mode shifts from non-single occupant vehicle travel to transit, bicycle,

1 and/or pedestrian transport modes, and such mode shifts are not reflected in the GHG emission estimates. Both  
2 build alternatives offer similar improvements for transit, bicycle, and pedestrian facilities when compared to the  
3 No Build Alternative and therefore, are not differentiated.

4 The alternatives evaluation also pointed out differences that were used to inform the decisional criteria in the  
5 screening process, where one alternative performed better than the other. Under the purpose and need  
6 performance measure, the alternatives were compared for their “Reduction in fatalities and injury crashes.”  
7 FHWA’s Interactive Highway Safety Design Model (IHSDM) software was used to assess safety impacts of each  
8 build alternative. IHSDM uses *Highway Safety Manual* safety performance functions along with roadway design  
9 elements (e.g., lateral clearance to concrete traffic barriers) of no build and proposed alternative conditions to  
10 determine relative differences in anticipated fatal and injury crashes along mainlanes (managed and general  
11 purpose) and ramps, and at interchanges (e.g., diamond intersections). Future year (2030) conditions were  
12 analyzed, based on approved daily traffic forecasts for each link within the study area. **Appendix H** contains crash  
13 data, traffic projections, and a traffic safety analysis.

14 IHSDM results showed fatal and injury crash reductions of 34 percent under Build Alternative 2 compared to the  
15 No Build Alternative. Under Modified Build Alternative 3, that reduction is 29 percent compared to the No Build.  
16 While the safety benefits of both build alternatives are evident, Build Alternative 2 does provide for a slightly  
17 greater decrease in predicted fatal and injury crashes, due in part to:

- 18 ○ Fewer conflict points, especially crossing conflicts that tend to lead to more severe crashes, at frontage road  
19 diamond intersections compared to boulevard standard four-way intersections. For instance, a standard  
20 intersection has 16 crossing conflict points (those not between vehicles traveling in the same direction),  
21 while a diamond intersection has 10 (5 at each of the two intersections composing the diamond), due in  
22 part to removal of many left-turn conflicts at the frontage road approaches.
- 23 ○ Lower frontage road traffic volumes, and thus potential conflicts, at spot locations (e.g., Woodland Avenue).
- 24 ○ No ingress/egress allowed between managed and mainlanes (one location in each direction, near Riverside  
25 Drive, is provided under Modified Build Alternative 3).

26 IHSDM, however, does not account for safety impacts of individual driveways; the lower numbers of driveways  
27 and access points in the downtown boulevard section under Modified Build Alternative 3 reduces the number of  
28 conflict points along the corridor, benefitting safety. Under the Feasibility, Design and Engineering performance  
29 measure, each alternative was evaluated for its complexity of construction; its accommodation of the CapMetro  
30 Blue Line; utility conflicts; drainage infrastructure complexity; number of affected parcels; and the amount of  
31 new ROW required. Within this criteria grouping, the following were identified as decisional criteria, where one  
32 build alternative performed better than the other and helped inform the Preferred Alternative.

- 33 • Build Alternative 2 performs better under Complexity of Construction. This criterion evaluated the  
34 estimated difficulty and duration of construction as a high/medium/low measurement where high  
35 signifies more complex and longer construction time. Build Alternative 2 scored as “medium-high” since  
36 it does not include frontage road shifts in the downtown area to create a boulevard section that Modified

- 1 Build Alternative 3 does. Modified Build Alternative 3 scored “high” as it does accommodate the  
2 boulevard section.
- 3 • Under the Improves East-West Crossings criterion, the number of enhanced vehicular, bicycle and  
4 pedestrian crossings (not including local enhancements) was measured for each alternative. Modified  
5 Build Alternative 3 would provide 26 total east-west crossings, three more than Build Alternative 2,  
6 which would provide 23. Additional east-west crossings, including SUP, vehicular, bicycle and pedestrian  
7 crossings for Modified Build Alternative 3 include 3rd Street, 15th Street, and 41st Street.
  - 8 • Under CapMetro Blue Line Accommodation criterion, alternatives were measured by a  
9 high/medium/low ranking for their ability to accommodate the Blue Line metro rail at the Riverside Drive  
10 intersection. Here, Modified Build Alternative 3 scored “high” as it would provide greater mobility  
11 through Riverside Drive at the Blue Line due to the proposed construction of a SPUI at this location,  
12 which would allow for north-south movement through the intersection without stopping during train  
13 crossings. Build Alternative 2 scored “medium,” as without the SPUI at Riverside Drive, it would not  
14 accommodate the Blue Line and there would be lower mobility.
  - 15 • Under Number of Affected Parcels and Amount of New ROW required, Modified Build Alternative 3  
16 outperformed Build Alternative 2 as it would impact 193 parcels and would require 41.7 acres of new  
17 ROW, while Build Alternative 2 would impact 220 parcels and require 45.2 acres of new ROW.

18 The next criteria group represents Environmental Resources. Criteria within this group measured total  
19 displacements; ability to minimize displacements including residential, commercial, minority, and low-income,  
20 and affordable housing units; impacts to cultural resources; impacts from hazardous materials and traffic noise;  
21 impacts related to air quality and GHGs; and impacts to parks [Sections 4(f) and 6(f)]. Decisional criteria are:

- 22 ○ Under the displacement criteria, Modified Build Alternative 3 would displace fewer residences and  
23 businesses than Build Alternative 2, including:
  - 24 ○ 26 residential displacements (2 single-family structures and 1 multifamily structure with 24 units) for  
25 Modified Build Alternative 3 versus 145 (2 single-family and 5 multifamily structures with 143 units) for  
26 Build Alternative 2;
  - 27 ○ 69 commercial displacements for Modified Build Alternative 3 versus 131 for Build Alternative 2;
  - 28 ○ 90 minority and low-income displacements for Modified Build Alternative 3 (residential and commercial)  
29 versus 172 for Build Alternative 2 (it should be noted that the number of displacements identified is  
30 conservatively based on the demographics of the Census block or block group on which the  
31 displacement occurs and not all such displaced persons or businesses located in Environmental Justice  
32 (EJ) blocks or block groups may actually be minority or low-income persons or businesses);
  - 33 ○ Zero affordable housing units for Modified Build Alternative 3 versus 61 for Build Alternative 2.

34 Under the Local Enhancements criteria, each alternative was measured for its ability to accommodate potential  
35 deck plaza and local enhancements proposed and paid for by others; its ability to incorporate community  
36 alternatives, and its ability to provide access to deck plazas. All three criteria under this grouping were considered  
37 decisional:

- 1   ○ The Deck Plaza Local Enhancements criterion were divided into two measurements: one for the number of  
2       potential deck plazas accommodated by each alternative and one for the acres of deck plaza enhancements.  
3       Modified Build Alternative 3 performed better for both, with eight separate deck plazas equaling 33.9 acres  
4       as compared to Build Alternative 2, which allows for six separate deck plazas equaling 14.6 acres.
- 5   ○ Modified Build Alternative 3 also better incorporates the community-provided alternatives when measured  
6       as a high/medium/low ranking, which included an evaluation of the following features: frontage road  
7       boulevard sections, bicycle and pedestrian facilities, shade structures, and wide buffers between vehicle  
8       and non-vehicular traffic including enhanced bicycle and pedestrian facilities and enhanced stitch bridge  
9       crossings. Modified Build Alternative 3 would provide frontage road boulevard sections while Build  
10      Alternative 2 would not. Modified Build Alternative 3 would also provide more enhanced bridges.
- 11   ○ Modified Build Alternative 3 would provide greater access to potential deck plaza areas by providing easier  
12      access to deck plazas whereas Build Alternative 2 would require crossing a frontage road at some locations  
13      in order to access the deck plazas. Specifically at Palm Park, between 3rd and 4th Streets, Modified Build  
14      Alternative 3 would lower frontage roads under proposed deck plazas, thereby providing direct bicycle/  
15      pedestrian access over I-35 without having to cross traffic.

16   Modified Build Alternative 3 is the Preferred Alternative as it meets the need of the proposed project to  
17   accommodate current and future travel demand, bring the highway to current federal and state design  
18   standards, and improve safety and operational deficiencies and reduce crash rates in comparison to the No  
19   Build. Modified Build Alternative 3 also meets the need to lower peak period travel times for all users, including  
20   emergency response vehicles and transit along I-35 within the project limits. Modified Build Alternative 3 meets  
21   the purpose of the proposed project to improve I-35 by enhancing safety; prioritizing the movement of people,  
22   goods, and services through and across the corridor; improving operational efficiency; and creating a more  
23   dependable and consistent route for the traveling public, including bicyclists, pedestrians, emergency  
24   responders, and transit. In addition to meeting the purpose and need, Modified Build Alternative 3 also has fewer  
25   impacts than Build Alternative 2 when taking into consideration design and engineering, environmental  
26   resources, and local enhancements.

27   After identifying Modified Build Alternative 3 as the Preferred Alternative, it was developed to a higher level of  
28   detail than other reasonable alternatives to facilitate the development of mitigation measures and concurrent  
29   compliance with other applicable laws, as provided for by 23 USC §139(f)(4)(D). Development of such a higher  
30   level of detail will not prevent TxDOT from making an impartial decision as to whether to accept another  
31   alternative.

## 1 **3.0 Affected Environment and Environmental Consequences**

2 In support of this EIS, the following technical documentation was prepared:

- 3 ○ Transportation Equity and Access Studies (**Appendix K**)
- 4 ○ Archeological Background Study
- 5 ○ Reconnaissance-Level Historic Resources Survey Report (HRSR) and East Cesar Chavez HRSR Addendum,
- 6 Emmanuel United Methodist Church Intensive-level HRSR, Palm Park Intensive-level HRSR, Alfred and
- 7 Jacqueline Haster House Intensive-level HRSR, Robinson Brothers Warehouse Intensive-level HRSR, Elgin
- 8 Butler Brick Company (EBBC) Main Office Intensive-level HRSR, Mount Calvary Cemetery Intensive-level
- 9 HRSR, Walker Brothers Warehouse Intensive-level HRSR, Town Lake Park System: Waller Creek to Fiesta
- 10 Gardens Intensive-level HRSR (**Appendix L**)
- 11 ○ Individual Section 4(f) Evaluation (**Appendix M**)
- 12 ○ Section 6(f) Evaluation
- 13 ○ Park Non-conforming Use Application, Waller Beach at Town Lake Metro Park (Waller Beach) Conversion
- 14 (**Appendix M**)
- 15 ○ Surface Water Analysis Form and Section 404 Impacts Table, Waters of the U.S. (WOTUS) and Wetlands
- 16 Delineation Report (**Appendix N**)
- 17 ○ Species Analysis Form, Species Analysis Spreadsheet, TPWD Rare, Threatened, and Endangered Species of
- 18 Texas, USFWS Information for Planning and Consultation (IPaC) (**Appendix O**)
- 19 ○ Carbon Monoxide Traffic Air Quality Analysis (CO TAQA) (**Appendix P**)
- 20 ○ Hazardous Materials Initial Site Assessment (ISA) Form (**Appendix Q**)
- 21 ○ Traffic Noise Analysis Report (**Appendix R**)
- 22 ○ Delphi Panel Summary Report (**Appendix S**)
- 23 ○ GHG Analysis Climate Change Assessment (**Appendix V**)

### 24 **3.1 Right-of-Way/Displacements**

25 The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (Uniform Act)

26 contains specific requirements that determine the manner in which a government entity acquires private

27 property for public use when federal funds are used for a project. The purpose of this act is to provide a uniform

28 policy for fair and equitable treatment of persons and businesses displaced as a result of federal and federally-

29 assisted programs in accordance with the following objectives:

- 30 ○ To ensure that owners of real property to be acquired for federal and federally-assisted projects are treated
- 31 fairly and consistently, to encourage and expedite acquisition by agreements with such owners, to minimize

1 litigation and relieve congestion in the courts, and to promote public confidence in federal and federally-  
2 assisted land acquisition programs.

- 3 ○ To ensure that persons displaced as a direct result of federal and federally-assisted projects are treated  
4 fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as result of  
5 projects designed for the benefit of the public.
- 6 ○ To ensure that agencies implement these regulations in a manner that is efficient and cost effective.

7 The potential for displacements and relocations resulting from the I-35 Capital Express Central Project were  
8 identified using schematics dated April 8, 2022, and based on information provided by project engineers as a  
9 result of design changes implemented to reduce ROW needs and avoid and minimize displacements. HDR  
10 conducted a Geographic Information System (GIS) desktop review to identify potentially affected parcels.  
11 Displacements could change as design progresses. ROW acquisition would generally occur in small strips along  
12 the existing I-35 facility, and most of the displacements would be properties abutting the I-35 corridor.

### 13 *3.1.1 Environmental Consequences*

#### 14 *3.1.1.1 Build Alternative 2*

15 Build Alternative 2 would require the acquisition of approximately 45.2 acres of additional ROW. Temporary and  
16 permanent easements would be required in the amount of approximately 3 acres for construction staging, and  
17 approximately 25 acres of Lady Bird Lake and shoreline, which would be restricted from recreation during  
18 construction to allow for movement of construction equipment

19 The ROW acquisition would result in 291 displacements: 131 commercial properties, 145 residential properties,  
20 and 15 properties that were currently vacant. Displacements were calculated based on design drawings from  
21 April 8, 2022. Figures showing the locations of proposed displacements are included in as **Figure 3.6-6** in **Section**  
22 **3.6**. Tables showing the displacements for each alternative are included in **Appendix J**.

23 Of the 131 commercial displacements, 16 businesses serve a specific population, including minority or Spanish  
24 speaking, low-income, or children. The proposed displacements for Build Alternative 2 would include eight  
25 community facility displacements (these are included as commercial in the counts above): CommUnityCare –  
26 David Powell Health Center, CommUnityCare – Hancock Walk-In Care, Austin VA Veteran’s Center, Pathways  
27 Youth and Family Services, Texas State Independent Living Council, Escuelita del Alma, Copernicus STEM  
28 Academy Delwood Campus, and Extend-A-Care. At this time, it is unknown whether or not these facilities would  
29 be able to relocate within the community. Losing daycare and healthcare facilities within the Community Study  
30 Area is of concern for residents who may have difficulty finding replacement resources within the nearby area.  
31 The public involvement team is currently in the process of contacting community facilities that may potentially  
32 be displaced. TxDOT will continue to work with these facilities throughout the acquisition process, and TxDOT is  
33 committed to working with these critical facilities to find alternate locations near their current locations, when  
34 possible. TxDOT is currently looking at providing advanced relocation assistance for selected properties to  
35 minimize impacts to underserved communities. Federal regulations allow rental assistance supplement to  
36 residential tenants, but not for business tenants. As mitigation to the eight businesses within EJ areas who are

1 tenants, TxDOT is offering rental assistance supplement to these businesses that serve a specific  
2 community. Rental assistance supplement includes finding a comparable business location and opportunity for  
3 additional rental price differential over what they are currently paying, within limits, for 42 months. At this point,  
4 communication with the two CommUnityCare facilities and Escuelita del Alma, has been initiated. Please see  
5 **Section 3.6.10** for a discussion on EJ.

6 Displacements, relocation, and property acquisition would be handled according to the Uniform Act of 1970, as  
7 amended.

### 8 *3.1.1.2 Modified Build Alternative 3*

9 Modified Build Alternative 3 would require the acquisition of approximately 41.7 acres of additional ROW.  
10 Temporary and permanent easements would be required in the amount of approximately 3 acres for construction  
11 staging, and approximately 25 acres of Lady Bird Lake and shoreline, which would be restricted from recreation  
12 during construction to allow for movement of construction equipment.

13 The ROW acquisition would result in 107 displacements: 69 commercial properties, 26 residential properties,  
14 and 12 properties that were currently vacant. Displacements were calculated based on design drawings from  
15 April 8, 2022. Figures showing the locations of proposed displacements are included as **Figure 3.6-6** in **Section**  
16 **3.6**. Tables showing the displacements for each alternative are included in **Appendix J**.

17 Of the 69 commercial displacements, eight businesses serve a specific population, including minority or Spanish  
18 speaking, low-income, or children. The proposed displacements for Modified Build Alternative 3 would include  
19 three community facility displacements (these are included as commercial in the counts above): CommUnityCare  
20 – David Powell Health Center, CommUnityCare – Hancock Walk-In Care, and Escuelita del Alma. At this time, it  
21 is unknown whether or not these facilities would be able to relocate within the community. Losing daycare and  
22 healthcare facilities within the Community Study Area is of concern for residents who may have difficulty finding  
23 replacement resources within the nearby area. The public involvement team is currently in the process of  
24 contacting community facilities that may potentially be displaced. TxDOT will continue to work with these facilities  
25 throughout the acquisition process and TxDOT is committed to working with these critical facilities to find  
26 alternate locations near their current locations, when possible. TxDOT is currently looking at providing advanced  
27 relocation assistance for selected properties to minimize impacts to underserved communities. Federal  
28 regulations allow rental assistance supplement to residential tenants, but not for business tenants. As mitigation  
29 to the eight businesses within EJ areas who are tenants, TxDOT is offering rental assistance supplement to these  
30 businesses that serve a specific community. Rental assistance supplement includes finding a comparable  
31 business location and opportunity for additional rental price differential over what they are currently paying,  
32 within limits, for 42 months. At this point, communication with the two CommUnityCare facilities and Escuelita  
33 del Alma, has been initiated. Please see **Section 3.6.10** for a discussion on EJ.

34 Displacements, relocation and property acquisition would be handled according to the Uniform Act of 1970, as  
35 amended.

1 **3.1.1.3 Alternative Comparison**

2 **Table 3.1-1** includes a comparison of ROW requirements between Build Alternative 2 and Modified Build Alternative  
 3 3, and **Table 3.1-2** is a comparison of displacements between the two build alternatives. To mitigate impacts and  
 4 in response to stakeholder input, Modified Build Alternative 3 was redesigned to reduce the required ROW overall  
 5 and minimize the number of residential and commercial displacements as is shown by the large reduction in  
 6 displacements between Build Alternative 2 and Modified Build Alternative 3. TxDOT is making an effort to assist  
 7 community facilities that are being potentially displaced to find alternate locations near their current locations. No  
 8 advanced acquisition of ROW has occurred, but TxDOT is looking at advanced relocation assistance for selected  
 9 properties to minimize impacts to underserved communities and mitigate impacts. For more information about  
 10 displacements including the location of proposed ROW acquisition and displacements, see **Section 3.6**.

**Table 3.1-1. Alternative Comparison for ROW**

Proposed Build Alternative	ROW Required (no Displacement) (Acres)	ROW Required (Resulting in Displacement) (Acres)	Total
Build Alternative 2	16.1	28.9	45.0*
Modified Build Alternative 3	17.1	24.4	41.5*

\*Calculations are based on varying use of significant digits, which account for discrepancies of the totals.

**Table 3.1-2. Alternative Comparison for Displacements**

Proposed Build Alternative	# Community Facility*	# Commercial **	# Serve a Specific Community	# Single-Family	# Multi-Family (Units)	EJ***
Build Alternative 2	8	131	16	2	143	172
Modified Build Alternative 3	3	69	8	2	24	90

\* Build Alternative 2 displaced community facilities: David Powell Health Center, Hancock Walk-In Care, Escuelita del Alma, Pathways Youth and Family Services, Texas State Independent Living Council, Copernicus STEM Academy Delwood Campus, Austin VA Vets Center, and Extend-A-Care.

\* Modified Build Alternative 3 displaced community facilities: David Powell Health Center, Hancock Walk-In Care, and Escuelita del Alma.

\*\*Commercial parcel displacements would also include community facility displacements. Community facilities may be located within buildings or complexes that would be displaced, but also include other businesses.

\*\*\*EJ displacements conservatively include those within a Census block with 50% or greater minority population, a Census block group where the median household income (MHI) is below the U.S. Department of Health and Human Services (HHS) poverty level, or a Census tract where the percentage of those in poverty is significantly greater than the poverty level within Travis County, with the understanding that not all such displaced persons or businesses may actually be EJ persons or businesses.

1    3.1.1.4 *No Build Alternative*

2    No new ROW would be acquired for the No Build Alternative; therefore, no displacements or relocations would  
3    occur.

4    3.2 *Land Use*

5    Existing land use surrounding the I-35 corridor is highly developed and consists of commercial, residential,  
6    institutional, governmental, and parks/open space properties. Higher density urban land uses are located in the  
7    vicinity of downtown, specifically from MLK Jr. Boulevard to Lady Bird Lake. Three cemeteries are located  
8    adjacent to the project corridor. Residential land uses primarily consist of apartments/condominiums, duplexes,  
9    and single-family residences. Industrial land uses are located primarily on the east side of I-35, north of Lady  
10   Bird Lake, and adjacent to the proposed Cesar Chavez drainage outfall. Parks and open spaces are scattered  
11   throughout the corridor with the majority located in the vicinity of Lady Bird Lake.

12   Planned actions in the area include a variety of transportation and development projects. See **Section 3.15**,  
13   **Table 3.15-4** for a list of planned transportation and transit projects listed in the RTP and **Table 3.15-2** for a list  
14   of planned developments. Induced growth impacts are addressed in **Section 3.15**.

15   To mitigate land use impacts and in response to stakeholder input, Modified Build Alternative 3 was redesigned  
16   to reduce the required ROW overall and minimize the impacts of residential and commercial displacements as  
17   is shown by the large reduction in displacements between Build Alternative 2 and Modified Build Alternative 3.

18   3.2.1 *Environmental Consequences*

19   3.2.1.1 *Build Alternative 2*

20   Build Alternative 2 would convert approximately 48 acres of existing urban land use to transportation use,  
21   including approximately 3 acres of temporary and permanent construction staging easements. In addition,  
22   approximately 25 acres of Lady Bird Lake and shoreline would be restricted from recreation during construction  
23   to allow for movement of construction equipment. Approximately 40 acres of existing commercial land use, 2  
24   acres of existing residential land use, and 2 acres of vacant land use would be converted to transportation use.  
25   Calculations are based on varying use of significant digits, which account for the discrepancy of one acre of  
26   impacted land uses. All impacts from the construction staging areas would be temporary and would be restored  
27   to pre-construction conditions before or following the project's approximately 8-year construction duration.  
28   **Section 3.9** discusses Protected Lands, including parkland.

29   3.2.1.2 *Modified Build Alternative 3*

30   Modified Build Alternative 3 would convert 45 acres of existing urban land use to transportation use including  
31   approximately 3 acres of temporary and permanent construction staging easements. In addition, approximately  
32   25 acres of Lady Bird Lake and shoreline would be restricted from recreation during construction to allow for  
33   movement of construction equipment. Approximately 38 acres of existing commercial land use, 1 acres of  
34   existing residential land use and 2 acres of existing vacant land use would be converted to transportation use.

1 Calculations are based on varying use of significant digits, which account for the discrepancy of one acre of  
2 impacted land uses. All impacts from the construction staging areas would be temporary and would be restored  
3 to pre-construction conditions before or following the project's approximately 8-year construction duration.  
4 **Section 3.9** discusses Protected Lands, including parkland.

### 5 *3.2.1.3 No Build Alternative*

6 Under the No Build Alternative, there would be no impact on existing or planned land uses within the project area.  
7 See **Section 3.16.4.3** for a complete discussion on reasonably foreseeable actions.

## 8 *3.3 Farmlands*

9 The Farmland Protection Policy Act (FPPA) was intended to minimize the contribution of federal programs to the  
10 unnecessary conversion of prime and important farmlands to nonagricultural uses.

### 11 *3.3.1 Environmental Consequences*

#### 12 *3.3.1.1 Build Alternatives*

13 There are no prime farmland units within the project area. Additionally, the project area is located within a  
14 Census-designated urbanized area; therefore, the project is not subject to the conditions of the FPPA, and no  
15 regulatory protection of prime farmlands is afforded.

#### 16 *3.3.1.2 No Build Alternative*

17 Under the No Build alternative, no ROW would be acquired and, therefore, no farmland would be converted to  
18 non-agricultural uses.

## 19 *3.4 Utility Relocation*

### 20 *3.4.1 Build Alternatives*

21 It is reasonably foreseeable that utilities would have to be relocated as a result of Build Alternative 2 or Modified  
22 Build Alternative 3. For each of these alternatives, the impacts resulting from removal of any utilities from within  
23 existing highway ROW (e.g., construction noise, potential disturbance to archeological resources, and potential  
24 impacts to species habitat) have been considered as part of the overall project footprint impacts within this DEIS.

25 It has not yet been determined whether the dislocated utilities would be reinstalled within the highway ROW, or  
26 to a location outside the highway ROW for Build Alternative 2 or Modified Build Alternative 3. However, the  
27 potential impacts resulting from reinstallation of the displaced utilities within the highway ROW have been  
28 considered as part of the overall project footprint impacts (e.g., construction noise, potential disturbance to  
29 archeological resources, and potential impacts to species habitat) within this EIS. To the extent that the owner  
30 of any displaced utility determines to reinstall the displaced utility at a location outside of highway ROW, such  
31 location would be determined by the owner of the utility subject to the rules and policies governing the utility  
32 relocation process. Additionally, the owner of the utility would be responsible for acquiring any easements

1 outside the highway ROW and ensuring that the design and construction meet all regulatory and environmental  
2 compliance requirements. See 43 Texas Administrative Code (TAC) 21.37(a)(9), (g)(1)), and (g)(4); 43 TAC  
3 21.38(e)(2).

#### 4 *3.4.2 No Build Alternative*

5 Under the No Build alternative, there would be no relocation of utilities.

### 6 *3.5 Bicycle and Pedestrian Facilities*

7 Bicycle and pedestrian facilities comprising sidewalks, trails, bicycle lanes, and crossings are located along and  
8 intersect the I-35 Capital Express Central Project corridor. The bicycle and pedestrian facilities are limited in the  
9 north and south extents of the project corridor; as the corridor reaches central Austin, the presence of facilities  
10 increases. COA, through its Bicycle and Pedestrian Program is working to make walking and biking, safe,  
11 connected, and appealing to people of all ages and abilities. COA is also working to complete its bicycle network  
12 guided by the *2014 Austin Bicycle Plan* and to address inadequacies in the sidewalk system.

13 Sidewalks along the corridor and SUP in downtown Austin, between MLK Jr. Boulevard and Holly Street, are used  
14 by residents to access businesses and community facilities within the project area. The pedestrian facilities within  
15 the study area include off-street urban trails, sidewalks along roadways, pedestrian signals, curb ramps, and  
16 crosswalks. Urban trails are wide paved trails which are often separated from on-street traffic and are built to  
17 connect with the existing sidewalk and bicycle facilities. Several existing and proposed urban trails are located  
18 within or partially within the project area, including the Mueller Trail, the Red Line Trail, 183 Tollway SUP, the  
19 Southern Walnut Creek Trail, the Lance Armstrong Bikeway, the proposed Colorado River Trail, Boardwalk Trail,  
20 Butler Hike and Bike Trail, Country Club Creek Trail, and the proposed East Ben White Boulevard Corridor. While  
21 used by the public to support recreational activities, bikeways and SUPs are not protected by Section 4(f) because  
22 these properties are used for transportation facilities and not officially designated for recreational use. As discussed  
23 in the Section 4(f) Evaluation (**Appendix M**) and according to 23 CFR Section 774.14 a Section 4(f) property as  
24 “publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local  
25 significance, or land of an historic site of national, State, or local significance.” FHWA interprets this definition as  
26 follows: “Publicly owned land is considered to be a park, recreation area or wildlife and waterfowl refuge when the  
27 land has been officially designated as such by a Federal, State, or local agency, and the officials with jurisdiction  
28 over the land determine that its primary purpose is as a park, recreation area, or refuge.” According to the FHWA  
29 Policy Paper at Question 15A bikeways and SUPs are integral parts of the local transportation system; therefore,  
30 the requirements of Section 4(f) do not apply to them as they are not recreational areas. However, in recognition of  
31 the fact that these bikeways and SUPs provide connectivity to the Butler Hike and Bike Trail on both sides of the  
32 lake, TxDOT included these bikeways and SUPs in the Section 4(f) evaluation (**Appendix M**).

33 Existing bicycle and pedestrian facilities also serve micromobility, which incorporates electric bicycles and  
34 scooters that are available for rent and are not required to be returned to a central location. Examples include  
35 Lime and Bird scooters and the CapMetro MetroBike. Austin began collecting data on micromobility use in 2019.  
36 Over the past four years, 10 million trips have been recorded, at an average of approximately 9,000 trips per  
37 day; these trips are usually less than 10 minutes long and between a half-mile and a mile. CapMetro and TxDOT

1 are both working on programs to acknowledge this form of mobility as a component of the solution for last-mile  
 2 challenges, referring to the “last mile” of travel between transit stations and home or places of work.

3 A quantitative analysis from the EPA National Walkability Index (Index) to evaluate walkability within each  
 4 neighborhood in the study area was completed in April 2022 (**Table 3.5-1** and **Appendix K**). The Index dataset  
 5 assigns a score to each U.S. Census Bureau (USCB) Block Group in the United States; the score is based on three  
 6 variables: (1) intersection density, (2) proximity to transit stops, and (3) diversity of land uses (employment mix  
 7 and employment and household mix). The Index places block groups in 20 quantiles for each variable, 1 being  
 8 the lowest and 20 being the highest. Block groups that are less walkable have lower scores (closer to 1), and  
 9 block groups that are more walkable have higher scores (closer to 20). Thirty neighborhoods within the project  
 10 area were evaluated and scored based on the three variables.

**Table 3.5-1. EPA Walkability Index for I-35 Capital Express Central  
 Neighborhoods in the Study Area**

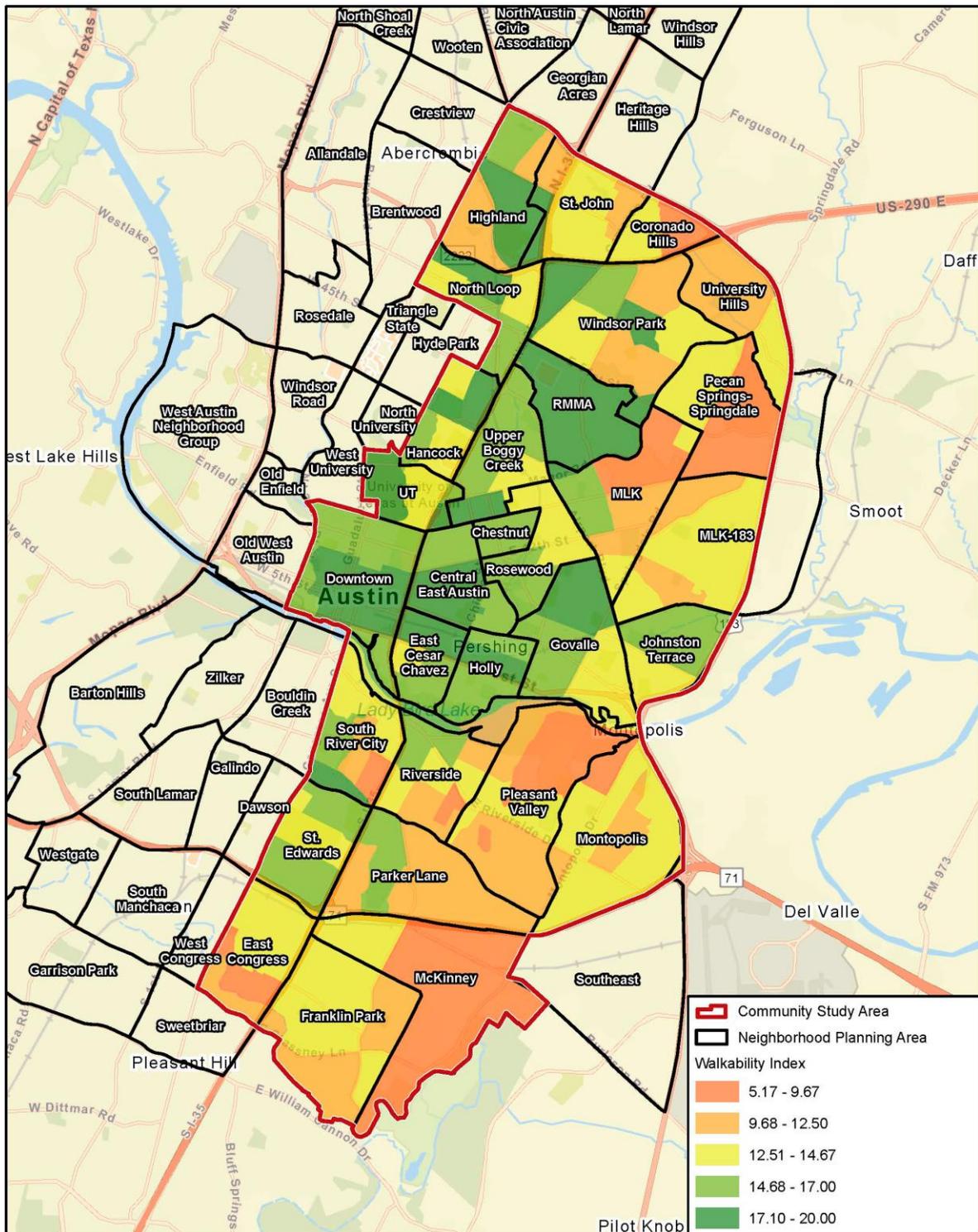
<b>Geography/Neighborhood in Study Area</b>	<b>National Walkability Index Score or Score Range</b>
Highland	11.8 to 18.7
St. John	11.6 to 14.6
Coronado Hills	9.1 to 13.1
University Hills	10.5 to 14
Windsor Park	11.6 to 18.5
Pecan Springs-Springdale	9.1 to 13.5
MLK-183	10.5 to 14
North Loop	13.5 to 17.1
Mueller	19
Upper Boggy Creek	13.6 to 18
MLK	9.5 to 17
Hancock	13.6 to 18.8
UT	18.8
Chestnut	15.6 to 16.6

Table 3.5-1. EPA Walkability Index for I-35 Capital Express Central Neighborhoods in the Study Area

Geography/Neighborhood in Study Area	National Walkability Index Score or Score Range
Bouldin Creek (Rosewood)	13.5 to 15.3
Central East Austin	15.5 to 18
Govalle	14.1 to 17.6
Downtown Austin	16.3 to 18.8
East Cesar Chavez	14.5 to 19.3
Holly	15 to 17.5
Johnston Terrace	15.1
South River City	9.6 to 18.8
Riverside	8 to 15.6
Pleasant Valley	6.6 to 13.8
Montopolis	12.3 to 13.8
St. Edwards	13.8 to 16.5
Parker Lane	10.3 to 15.8
East Congress	7.5 to 13.6
McKinney	8.3
Franklin Park	10.1 to 13.6

Source: I-35 Capital Express Community Impacts Assessment: Supplemental Documentation, Task 5 (April 2022)

- 1 Generally, walkability decreases as one moves away from downtown. Neighborhoods and block groups closer to
- 2 I-35 have better walk scores than block groups closer to US 183 (see **Figure 3.5-1**). This is a reflection only of
- 3 the factors that contribute to the Index. Areas close to I-35 have more transit stops and a more balanced mixture
- 4 of land uses than those areas along I-35 and west of US 183, often referred to as the “eastern crescent.” It is
- 5 important to note that the Index does not measure safety or pedestrian infrastructure like sidewalks and
- 6 crosswalks.



1  
2  
3

Figure 3.5-1. Map of EPA Walkability Index within Project Study Area.

## 1 3.5.1 Environmental Consequences

### 2 3.5.1.1 Build Alternative 2

3 For Build Alternative 2, 8- to 10-foot-wide SUPs would parallel the I-35 frontage roads on both the NB and SB  
4 sides from US 290 East to north of Woodward Street. Build Alternative 2 also includes deck plaza locations (to  
5 be funded by others) between 4th Street and 8th Street on the east side of the I-35 ROW, and between Dean  
6 Keeton Street and MLK Jr. Boulevard on the west side of the I-35 ROW. Build Alternative 2 would comply with  
7 TxDOT's Bicycle Accommodation Design Guidance. TxDOT's Bicycle Accommodation Design Guidance  
8 implements USDOT and FHWA policy regarding bicycle and pedestrian accommodations. SUP crossings for Build  
9 Alternative 2 would include (see map of SUP crossings in **Chapter 3.6**):

- 10 • Under US 290 East.
- 11 • Bicycle-/pedestrian-only bridge near East 56th ½ Street.
- 12 • Crosswalks at Airport Boulevard.
- 13 • Bicycle-/pedestrian-only bridge adjacent to the CapMetro Red Line (and future Gold Line) tracks, south of  
14 Airport Boulevard.
- 15 • Enhanced bridges with buffers between people who walk and bike and traffic at 38th ½ Street, 32nd Street,  
16 MLK Jr. Boulevard, 15th Street, 12th Street, 11th Street, 8th Street, 7th Street, 6th Street, 5th Street, Cesar  
17 Chavez Street, Riverside Drive, and Woodland Avenue.
- 18 • Crosswalks at Dean Keeton Street.
- 19 • Crosswalks at Clyde Littlefield Drive/Manor Road.
- 20 • Bicycle-/pedestrian-only bridge adjacent to the Red Line corridor at 4th Street.
- 21 • Underpass at Holly Street.
- 22 • Bicycle-/pedestrian-only bridge providing access to the Butler Hike and Bike Trail north and south of Lady  
23 Bird Lake.
- 24 • Underpass at SH 71.

### 25 3.5.1.2 Modified Build Alternative 3

26 For Modified Build Alternative 3, 8- to 10-foot-wide SUP would parallel the I-35 frontage roads on both the NB  
27 and SB sides from US 290 East to just north of Woodward Street. Modified Build Alternative 3 includes deck  
28 plaza locations (to be funded by others) between Cesar Chavez Street and 8th Street on the east side of the I-  
29 35 ROW, and by UT between Dean Keeton Street and 15th Street on the west side of the I-35 ROW. Modified  
30 Build Alternative 3 would comply with TxDOT's Bicycle Accommodation Design Guidance. SUP crossings for  
31 Modified Build Alternative 3 would include (see map of SUP crossings in **Chapter 3.6**):

- 32 • Under US 290 East.
- 33 • Bicycle-/pedestrian-only bridge near 55th Street.

- 1 • Crosswalks at Airport Boulevard.
- 2 • Bicycle-/pedestrian-only bridge adjacent to the CapMetro Red Line (and future Gold Line) tracks, south of
- 3 Airport Boulevard.
- 4 • Enhanced bridges with buffers between people who walk and bike and traffic at 41st Street, 38th ½ Street,
- 5 32nd Street, MLK Jr. Boulevard, 12th Street, 11th Street, 7th Street, 6th Street, 5th Street, and Cesar
- 6 Chavez Street.
- 7 • Crosswalks at Dean Keeton Street.
- 8 • Crosswalks at Clyde Littlefield Drive/Manor Road.
- 9 • Bicycle-/pedestrian-only bridge north of MLK Jr. Boulevard.
- 10 • Bicycle-/pedestrian-only bridge at 15th Street.
- 11 • Bicycle-/pedestrian-only bridge adjacent to the Red Line corridor at 4th Street.
- 12 • Bicycle-/pedestrian-only bridge at 3rd Street.
- 13 • A bridge at Holly Street.
- 14 • Bicycle-/pedestrian-only bridge providing access to the Butler Hike and Bike Trail north and south of Lady
- 15 Bird Lake.
- 16 • A SUP crossing at Riverside Drive.
- 17 • Bicycle-/pedestrian-only bridge at Woodland Avenue.
- 18 • Underpass at SH 71.

### 19 3.5.1.3 Comparison of Alternatives

20 As a whole, mobility for people walking, biking, and using micromobility devices (MetroBike, e-scooters, etc.)  
21 would improve within and across the study area with both build alternatives (**Table 3.5-2**). On-street bicycle  
22 facilities that currently or are planned to intersect the study area would not be impacted. The enhanced bridges  
23 would include 30 feet of buffer and SUP facilities, which are separated from roadway traffic to encourage the  
24 use of active transportation. The facility would be designed so that in the future, COA could provide deck plazas  
25 and/or stitches to further unite east and west Austin and foster a sense of community cohesion. The SUP along  
26 the entire length of the facility would serve to encourage the use of active transportation and provide connectivity  
27 within the Study Area. This connectivity would improve access to community facilities within the project area. The  
28 SUP, in the future, could be connected to other bikeway and trail projects within the greater Austin area providing  
29 access to/from the I-35 corridor. In addition to COA, CapMetro has also been involved with the project and will  
30 help to ensure the project would accommodate all modes of transit in the Study Area.

Table 3.5-2. Summary of Bicycle and Pedestrian Facilities for each Alternative

Project Alternative	Number of SUP Facilities	Number of Pedestrian/Bicycle Only Bridges	Distance between SUP bicycle and pedestrian facilities (miles)	Increase in Transit Connection Opportunities
Build Alternative 2	23	4	0.57 miles	Yes
Modified Build Alternative 3	25	8	0.57 miles	Yes

Source: Appendix B, Design Schematics

1 Design factors and best practices have been developed to uphold and improve walkability while integrating  
 2 existing and future developments. Urban design features such as pedestrian-scale lighting, landscaping with  
 3 traffic-calming characteristics, signage, pavement markings, bicycle racks, and track filler to address narrow  
 4 bicycle tires would be considered during the design process. Both Build Alternative 2 and Modified Build  
 5 Alternative 3 would be designed and constructed in compliance with TxDOT’s Bicycle Accommodation Design  
 6 Guidance and USDOT and FHWA policy regarding bicycle and pedestrian accommodations. If modifications to  
 7 existing facilities are deemed necessary during final design, TxDOT will coordinate with COA, so as to maintain  
 8 the same level connectivity as the existing facilities. TxDOT will also coordinate with local government programs  
 9 and bicycle/pedestrian groups to circulate information about construction activities. To keep the communities  
 10 and affected populations informed, TxDOT will use a variety of proven public engagement techniques such as  
 11 dynamic signage, maintaining a project web page, email newsletters, traditional and social media, and broadly  
 12 distributed flyers.

### 13 3.5.1.4 No Build Alternative

14 The No Build alternative would not construct any bicycle or pedestrian facilities. There would be no impact on  
 15 existing bicycle and pedestrian facilities. Furthermore, there would be no increase in the number of SUPs and  
 16 no increase in bicycle and pedestrian safety and accessibility within the project area.

## 17 3.6 Community Impacts Assessment

### 18 3.6.1 Background Information

19 I-35 in Austin was built along East Avenue, which was seen effectively as a racial divide in Austin's early history,  
 20 and later evolved as a regional highway corridor throughout the 1930s, 40s and 50s. By 1955 (one year before  
 21 the Interstate Highway Act was signed into law), the East Avenue corridor had progressed on this path and carried  
 22 the designation as the 'Interregional Highway' and 'Blue Star Memorial Highway' along with US Highways 79, 81  
 23 and 290.

1 TxDOT understands the significance of I-35 to the local community and the present chance to address local  
2 concerns with development and implementation of the Capital Express Central Project. This project offers the  
3 option to remove the visual separation and provide opportunities to reconnect the communities and spaces east  
4 and west of I-35. The reconnection would involve removing the upper decks and elevated lanes, lowering of I-35  
5 through the downtown core, and rebuilding the east/west bridges for wider and safer bicycle and pedestrian  
6 crossings. TxDOT is working closely with COA, CapMetro, and the community to allow for deck plazas and stitches  
7 (funded by others), or widened bridges, to be developed and to rebuild I-35 in a way that encourages transit and  
8 meets the needs of commuters and people who walk and bicycle.

9 The purpose of this DEIS section is to describe the population, demographics, community facilities, community  
10 characteristics, and access and travel patterns that currently exist within the study area and to describe potential  
11 impacts that would occur with the proposed No Build and Build Alternatives. This is done to comply with  
12 regulatory requirements as described in **Section 3.6.1.1**, and TxDOT policies. Additionally, this section will  
13 address the issues of equity, EJ, and health.

#### 14 *3.6.1.1 Regulatory Background*

15 TxDOT projects are required to consider potential for impacts to community resources, as well as potential EJ  
16 and Title VI (Title VI of the Civil Rights Act) issues. A Community Impacts Assessment (CIA) is “a process to  
17 evaluate the effects of a transportation action on a community and its quality of life” (TxDOT 2020). This report  
18 documents the assessment of potential social and economic effects of the proposed Build Alternatives, as  
19 required by NEPA. This section was prepared using TxDOT’s Community Impacts, Environmental Justice, Limited  
20 English Proficiency, and Title VI Compliance Environmental Handbook (TxDOT, 2020a). The following regulations  
21 drive TxDOT’s policy and procedures related to CIAs:

- 22 • NEPA 42 USC [U.S. Code] Chapter 55 §4321 et seq. and CEQ rules to implement NEPA 40 CFR §1500 to  
23 1508
- 24 • Title VI of the Civil Rights Act codified at 42 USC 2000(d)(1-7)
- 25 • USDOT Order 5610.2(a): Actions to Address EJ in Minority Populations and Low-Income Populations
- 26 • EO 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income  
27 Populations
- 28 • FHWA Order 6640.23: Actions to Address EJ in Minority Population and Low-Income Populations, which  
29 defines quantitative techniques to readily identify groups of minority persons
- 30 • FHWA Technical Advisory 6640.8A: Guidance for Preparing and Processing Environmental and Section 4(f)  
31 Documents
- 32 • FHWA Memorandum: Guidance on Addressing EJ and NEPA
- 33 • EO 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP)
- 34 • ADA/Section 504 of the Rehabilitation Act of 1973

### 1 3.6.1.2 Historical Background

2 In 1810, Mexico declared independence from Spain and Texas became the property of Mexico. The population  
3 of Texas included Mexicans, Americans, Native Americans, and enslaved people. Texas became part of the  
4 United States in 1845 and at the end of the Mexican-American War in 1848, Hispanics and Latinos who were  
5 living in this area were given the opportunity to stay and obtain United States citizenship.

6 Austin was settled during the Texas Republic period, and rapid growth occurred after it was designated the  
7 Capital of the Republic of Texas. In 1840, during the first census, the community had 865 residents, 145 of  
8 whom were enslaved. The community continued to grow until the time of the Civil War, and with it the number of  
9 enslaved people. After the war, “freedman’s communities,” also known as “Freedom Colonies,” emerged as  
10 newly emancipated African Americans moved to the area for safety and work during the Reconstruction era. One  
11 of the first freedman’s communities in the area was located in what is now east Austin. COA’s African American  
12 population increased over 100 percent, to more than 3,400 in 1874. Attempts by African Americans to change  
13 the status quo were often met with violent retribution during this period of growth. Segregation and separation  
14 of the races became law with the enactment of Jim Crow era laws (TxDOT, 2017a).

15 In addition to African Americans, east Austin was also settled by several immigrant groups including Swedes and  
16 Germans through the 1890s and many Mexicans immigrated to Texas during this period for work. By 1900, the  
17 area between East 8th and East 12th Streets had a high level of development and included important African  
18 American institutions, such as the Ebenezer Baptist Church and the Robertson Hill School (TxDOT, 2017a). COA’s  
19 population continued to grow after the turn of the century and was at 34,000 by 1920, leading to expansion and  
20 development of new areas for residential and commercial construction.

21 In 1917, after the U.S. Supreme Court addressed civil government-instituted racially biased zoning in residential  
22 areas, COA responded by recommending in its 1928 Master Plan the creation of a district specifically for Black  
23 people, just east of East Avenue (currently I-35) and south of COA cemetery. The schools, parks, and other  
24 facilities were to cater specifically to the Black community to encourage growth of the Black community in that  
25 area of COA (and discourage it in other areas). African American parks and schools were relocated to the east  
26 side and city utilities were denied to Black enclaves in other parts of COA (TxDOT, 2017a). Additionally, deed  
27 restrictions, and “red-lining,” a policy in which the Federal Housing Administration refused to insure mortgages  
28 in and near African American neighborhoods, led to east Austin becoming an almost entirely Black community  
29 prior to World War II (TxDOT, 2017a).

30 After World War II, COA’s segregationist policies continued and the highest concentrations of African Americans  
31 were found east of East Avenue (currently I-35) and between Manor Road and 7th Street (TxDOT, 2017a). This  
32 area included residences, businesses, schools, and churches to serve the local African American population.  
33 COA’s Hispanic population at this time also mainly resided east of East Avenue and south of 4th Street (TxDOT,  
34 2017a). Prior to the 1928 Master Plan, most Mexican Americans in Austin lived between Waller Creek to the  
35 west and to the south by the Colorado River, including the area that is currently the Rainey Street Entertainment  
36 District (KXAN, 2019). The 1928 Master Plan also limited where Hispanic and Mexican American people could  
37 access services, pushing them east of East Avenue and south of areas occupied primarily by the Black and  
38 African American communities.

1 These ongoing racist and segregationist policies contributed to the eventual siting of I-35 along the East Avenue  
2 divide, and construction began in the 1950s amidst protests from residents that the project was “racially  
3 motivated” and intended to create “a physical barrier” between east Austin and downtown (TxDOT, 2017a).  
4 Today, I-35 still functions as a barrier to movement and reduces community cohesion between the east and west  
5 sides of the facility.

6 Increased reliance on automobiles in the 1950s led to suburban development and the removal of commercial  
7 and retail services from the downtown areas both in Austin and elsewhere throughout the country. Local leaders  
8 began the movement to desegregate COA’s schools and services in the 1950s (TxDOT, 2017a). This suburban  
9 migration and lack of facilities led to years of central east Austin remaining an affordable place for the  
10 communities that settled the area, particularly minorities. Currently there is a desire to move back into downtown  
11 areas, which has caused increased housing prices, gentrification, and loss of minority and low-income  
12 communities along the I-35 corridor in Austin. I-35 is a critical corridor through Austin for those who live along  
13 the corridor, as well as those who commute for work or leisure. There is a need and desire to preserve the  
14 character, community, and facilities in east Austin and to ensure the historically low-income and minority  
15 community residents remain.

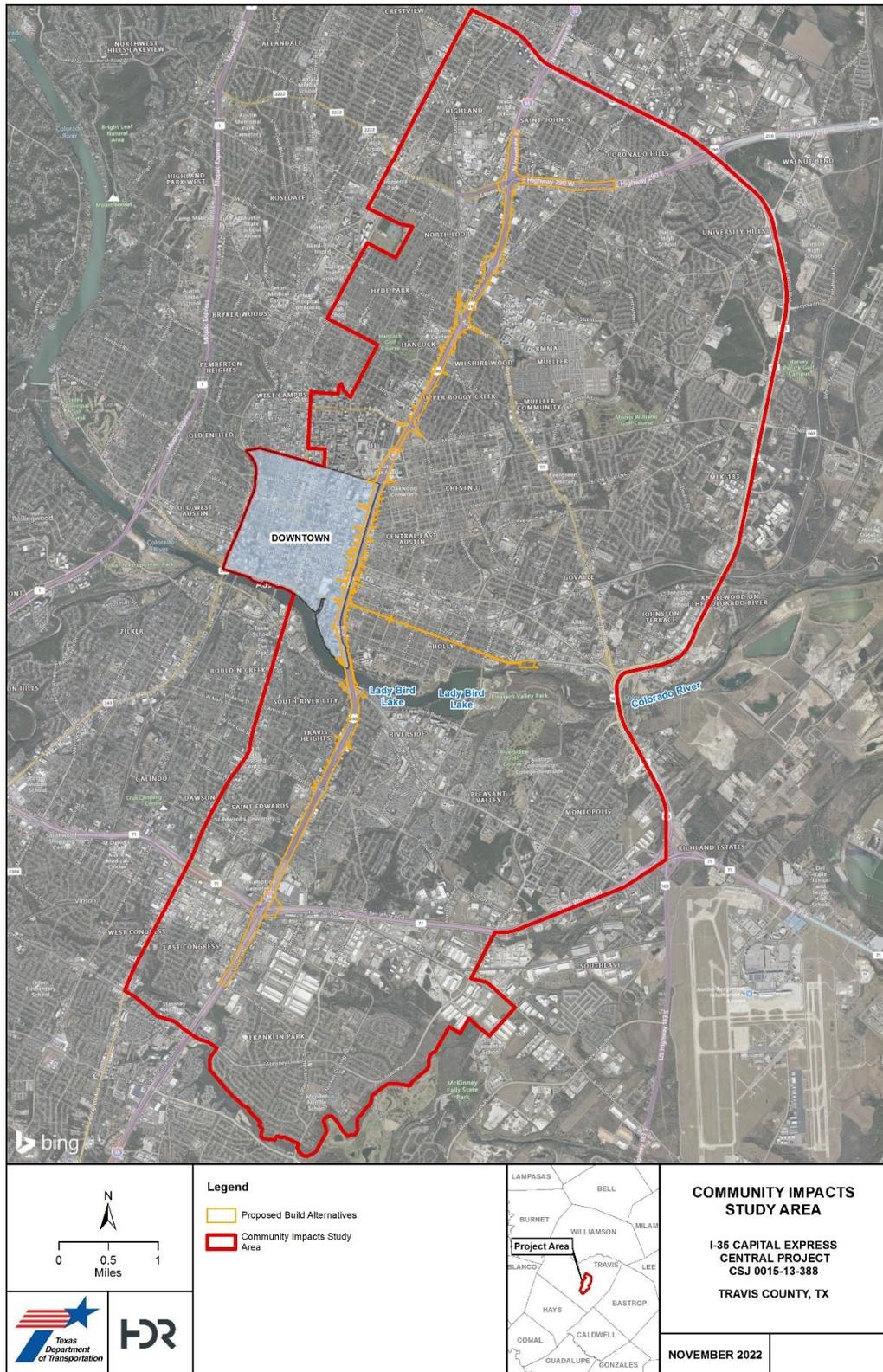
## 16 *3.6.2 General Character of the Community*

### 17 *3.6.2.1 Study Area*

18 The Community Study Area for the proposed project is irregularly shaped, extending along I-35 from just north of  
19 US 290 to south of SH 71 (Ben White Boulevard) and encompasses approximately 40 square miles. To the west  
20 of I-35, the Community Study Area includes the Neighborhood Planning Areas (NPAs) adjacent to the corridor. To  
21 the east, the study area extends to US 183 between US 290 and Ben White Boulevard to capture “the eastern  
22 crescent” where demographic shifts have occurred in the past, and involuntary displacement from gentrification  
23 pressures has been most intense. **Figure 3.6-1** shows the Community Study Area.

24 The boundaries of the Community Study Area were chosen to accurately assess the populations that would be  
25 directly and indirectly impacted by the proposed project, as residents of these areas would be likely to use the I-  
26 35 facility and be affected by construction and changes to access and travel patterns. The populations residing  
27 within the eastern crescent face the greatest challenges to accessing opportunities downtown, which is why the  
28 study area was extended farther east than the adjacent NPAs.

29 The Community Study Area is largely urban, with the central portion of the project being within the  
30 downtown/urban core of Austin. The remainder of the Community Study Area includes a mosaic of commercial,  
31 residential, industrial, and institutional land uses. There are mostly commercial properties located in the northern  
32 portion of the Community Study Area, adjacent to the existing I-35 facility. The downtown/urban center is located  
33 along the central portion of the project corridor, and the southern portion, south of the Colorado River (Lady Bird  
34 Lake), is a mosaic of residential and commercial land uses adjacent to I-35. I-35 connects to multiple major  
35 roadways including US 183, US 290, Airport Boulevard, and SH 71, and many smaller roadways providing east-  
36 west access across I-35 and to commercial and residential properties throughout COA.



1

2

Figure 3.6-1. Community Study Area

### 1 3.6.2.2 Study Area Demographics

2 Socioeconomic information was collected from the USCB 2020 decennial census, the 2014–2019 American  
3 Community Survey (ACS), and TxDOT’s Community Impacts Data Tool. Information was captured for Census  
4 geographies including tracts, block groups and blocks which were entirely or partially within the Community Study  
5 Area as described above.

#### 6 3.6.2.2.1 Race and Ethnicity

7 As shown in Table 1 included in **Appendix J**, overall, the white alone (not Hispanic or Latino) comprises the largest  
8 racial and ethnic group (42.2 percent) in the Community Study Area, followed by Hispanic or Latino individuals of  
9 any race (38.2 percent). The remaining study area population is comprised of racial minorities including Black or  
10 African American alone (9.7 percent), American Indian or Alaska Native alone (0.3 percent), Asian alone (5.5  
11 percent), Native Hawaiian or Other Pacific Islander (0.1 percent), some other race alone (0.5 percent), or two or  
12 more races (3.5 percent). Over half of the Census blocks within the study area comprise a minority population of  
13 equal to or greater than 50 percent (1,114 blocks of 2,130 total populated blocks within the study area). Similarly,  
14 the largest racial and ethnic groups in Travis County were white alone (47.5 percent) and Hispanic or Latino of any  
15 race (32.6 percent). Travis County contained a minority population of approximately 52.5 percent. Census blocks  
16 with 50 percent or greater minority populations are considered to comprise an EJ population (**Figure 3.6-16**).

#### 17 3.6.2.2.2 Household Income

18 Household income data are used to understand the economic characteristics of a project area and to identify the  
19 presence of low-income populations. According to the U.S. Department of Health and Human Services (HHS) 2022  
20 poverty guidelines, a household is considered low-income if they earn less than \$27,750 for a four-person  
21 family/household (HHS 2022). 2019 ACS income data was used to determine median household income (MHI) at  
22 the block group level, the lowest level for which income information is collected. The 2019 MHI in the demographic  
23 Study Area ranged between \$2,500 and \$163,675. Seven of the block groups within the study area had a MHI that  
24 was below the 2022 poverty guideline of \$27,750 (seven of 134 total block groups or approximately five percent).  
25 Income data for all Community Study Area block groups are included on Table 2 in **Appendix J**. Census block groups  
26 where the MHI is below the 2022 poverty guideline are considered to contain an EJ population. Additionally, census  
27 tracts where the percentage of people in poverty was meaningfully greater than the percentage of people in poverty  
28 for Travis County overall were also considered to contain an EJ population. This included approximately 36 percent  
29 of the census tracts within the Community Study Area (19 of 53 total census tracts). Low-income census block  
30 groups and tracts were spread out throughout the Community Study Area (**Figures 3.6-17 and 3.6-18**).

#### 31 3.6.2.2.3 Disability Status

32 The ACS collects data on disability status at the census tract level. Table 2 in **Appendix J** summarizes the disability  
33 status of the civilian, non-institutionalized population within the Community Study Area census tracts. Overall,  
34 the percentage of people with a disability within the overall Community Study Area (9.2 percent) is just above  
35 the percentage of people with a disability found in Travis County (8.8 percent). Census tracts within the  
36 Community Study Area had percentages of disabled people that ranged from 3.7 percent to 15.3 percent.

#### 1 3.6.2.2.4 Age

2 Table 3 in **Appendix J** includes information on children (under 18) and elderly (65 and over) populations within  
3 the Community Study Area. Overall, the census tracts within the Community Study Area had a smaller percentage  
4 of children and elderly than the surrounding county. Approximately 17.6 percent of the population within the  
5 Community Study Area consisted of children under the age of 18, and approximately 7.2 percent of the  
6 population was over 65 years of age. Approximately 22 percent of the population of Travis County was under 18,  
7 and approximately 9.5 percent of the population was over 65.

#### 8 3.6.2.2.5 Zero Car Households

9 Data on zero car households is collected at the census block group levels. Table 3 in **Appendix J** summarizes the  
10 percentage of households with no access to a vehicle within the Community Study Area census block groups.  
11 Overall, approximately 10.6 percent of the population within the Community Study Area does not have access to  
12 a car. This is greater than the Travis County estimated percentage of households without access to a vehicle  
13 (approximately 6.0 percent). Renter occupied households were more likely to not have access to a vehicle (9.6  
14 percent of renter occupied households within the Community Study Area versus 1.2 percent of the owner-  
15 occupied households). The percentage of households without access to a vehicle ranged from zero percent to  
16 almost 55 percent in the Community Study Area's census block groups.

#### 17 3.6.2.2.6 Food Assistance

18 The ACS includes estimates on the number of households who have received public assistance or food stamps/  
19 Supplemental Nutrition Assistance Program (SNAP) benefits. Table 3 in **Appendix J** summarizes the percentage  
20 of households within each census block group in the Community Study Area. Approximately 13 percent of  
21 households within the Community Study Area were estimated to have received public assistance or SNAP  
22 benefits within the past 12 months, compared with approximately 7.6 percent of the households in Travis County.  
23 The census block groups ranged between zero to approximately 65.5 percent of households within the  
24 Community Study Area receiving public assistance or food stamps.

#### 25 3.6.2.2.7 Internet Availability

26 Information on internet availability was available at the census block group level. Table 3 in **Appendix J** includes  
27 data on the percentage of people in each block group within the Community Study Area that have a computer,  
28 but no access to the internet, or those that do not own a computer at all. Overall, approximately 12 percent of  
29 the Community Study Area has a computer, but no access to the internet and approximately eight percent do  
30 not have a computer. These are greater than the percentage found within Travis County as a whole with  
31 approximately 5.3 percent with a computer and no internet access and approximately 4.6 percent with no  
32 computer. The percentage of those with a computer but no internet access ranged from zero to almost 56  
33 percent within the block groups comprising the Community Study Area. The percentage of those with no  
34 computers available ranged from zero to 31.9 percent within the Community Study Area block groups.

1 **3.6.2.2.8 Homelessness**

2 Austin has communities of people experiencing homelessness; the most recent point in time count indicated  
 3 there were over 2,500 people who were in shelters, transitional housing, or unsheltered (outside, tents, cars,  
 4 etc.) but others have put the population of those experiencing homelessness in the Austin area at about 10,000  
 5 (COA, 2020). Since 2011, it is estimated that the number of people experiencing homelessness has tracked with  
 6 the population, but changes to COA’s policies in 2019 allowed public camping and made this homelessness  
 7 more visible to the wider community. In 2021, Austin voters passed Proposition B which made public camping  
 8 illegal again. COA has recently (summer/fall 2021) begun to enforce this law and has removed people  
 9 experiencing homelessness from many public areas. There is more detailed information on homelessness within  
 10 the Community Study Area included in **Section 3.6.4.1**.

11 **3.6.3 Population Growth**

12 The Austin area has experienced substantial and sustained growth since 1990, as summarized in **Table 3.6-1**.  
 13 **Table 3.6-1** shows the historic population growth of COA, as well as encompassing Travis County and the five-  
 14 county Austin-Round Rock MSA. Also included are population forecasts for these geographies through 2050. The  
 15 Austin-Round Rock MSA is expected to grow over 260 percent from 2000 to 2050, with smaller population gains  
 16 of almost 110 percent and 190 percent for COA and Travis County, respectively. Continued growth within COA,  
 17 county, and MSA would be expected to increase the demand for area roadways including I-35, as well as the  
 18 need for housing and other services. Demographic estimates from COA for 2020 indicate that Austin grew faster  
 19 than any other large metropolitan area for the 10th year in a row (COA, 2021d).

**Table 3.6-1. Population Growth 1990–2050 (Projected)**

Year	Population		
	Travis County	COA	Five County MSA**
1990	576,407	465,622	846,227
2000	812,280	656,562	1,249,763
2010	1,024,266	790,390	1,716,289
2020*	1,339,103	1,006,727	2,298,740
2030*	1,659,936	1,153,409	2,936,954
2040*	2,023,453	1,289,928	3,668,853
2050*	2,348,300	1,372,843	4,527,389
<b>Percent Change Forecast 2000–2050</b>	<b>189.1%</b>	<b>109.1%</b>	<b>262.3%</b>

Source: Jeff Engstrom, Senior Planner, Housing & Planning Department, COA. December 2020. Based on data from Ryan Robinson, City Demographer, Department of Planning, COA, December 2019. Accessed online [austin\\_forecast\\_2021\\_pubfix.pdf \(austintexas.gov\)](#) July 15, 2021.

\*Forecast data

\*\*The Five County Austin – Round Rock MSA wholly includes these counties: Bastrop, Caldwell, Hays, Travis, and Williamson.

1 The makeup of Travis County’s racial and ethnic populations has also changed between 1990 and 2021. In both  
2 1990 and 2021, the largest racial and ethnic group in Travis County was the white (non-Hispanic) comprising  
3 over 65 percent of the county’s population in 1990 and over 48 percent of the population in 2021. The percent  
4 of the population identifying as Hispanic/Latino increased from about 21 percent in 1990 to over 33 percent in  
5 2021 and the Asian and Pacific Islander (non-Hispanic) racial group increased from about 2.8 percent to 7.7  
6 percent over the timeframe. Additionally, the percent of the population identifying as two or more races (non-  
7 Hispanic) had increased to about 2.1 percent in 2021. One racial group that decreased in percent of the  
8 population was Black (non-Hispanic) going from approximately 10.6 percent in 1990 to about 7.7 percent in  
9 2021 (USAFacts, 2022).

## 10 *3.6.4 Affected Environment and Environmental Consequences*

### 11 *3.6.4.1 Affordability*

12 In addition to population growth over the past few decades, which is expected to continue in the future (as  
13 discussed in **Section 3.6.3**), the MSA has also seen a dramatic rise in housing costs growing from an average  
14 housing price of approximately \$72,000 in 1990 to almost \$440,000 in 2021 (US Federal Housing Finance  
15 Agency 2021). This increase in housing prices is a major issue facing Austinites. Imagine Austin, COA’s  
16 comprehensive plan, includes several priorities, one of which is to develop and maintain household affordability  
17 throughout Austin. COA has worked toward this goal since the adoption of Imagine Austin and has analyzed  
18 Austin’s affordability challenges, developed policies and strategies to address affordability issues, and has  
19 adopted the Austin Strategic Housing Blueprint which includes housing goals (COA, 2021b). Other Austin  
20 programs aimed to maintain the affordability of COA include the Affordability Unlocked Development Bonus  
21 Program which, in exchange for providing low- and moderate-income housing, waives or modifies some  
22 development restrictions, and the Austin Housing Finance Corporation (AHFC) which partners with affordable  
23 housing developers to develop AHFC-owned properties with rental and owner-occupied housing reserved for low-  
24 income households (COA, 2021a).

### 25 *3.6.4.2 Gentrification*

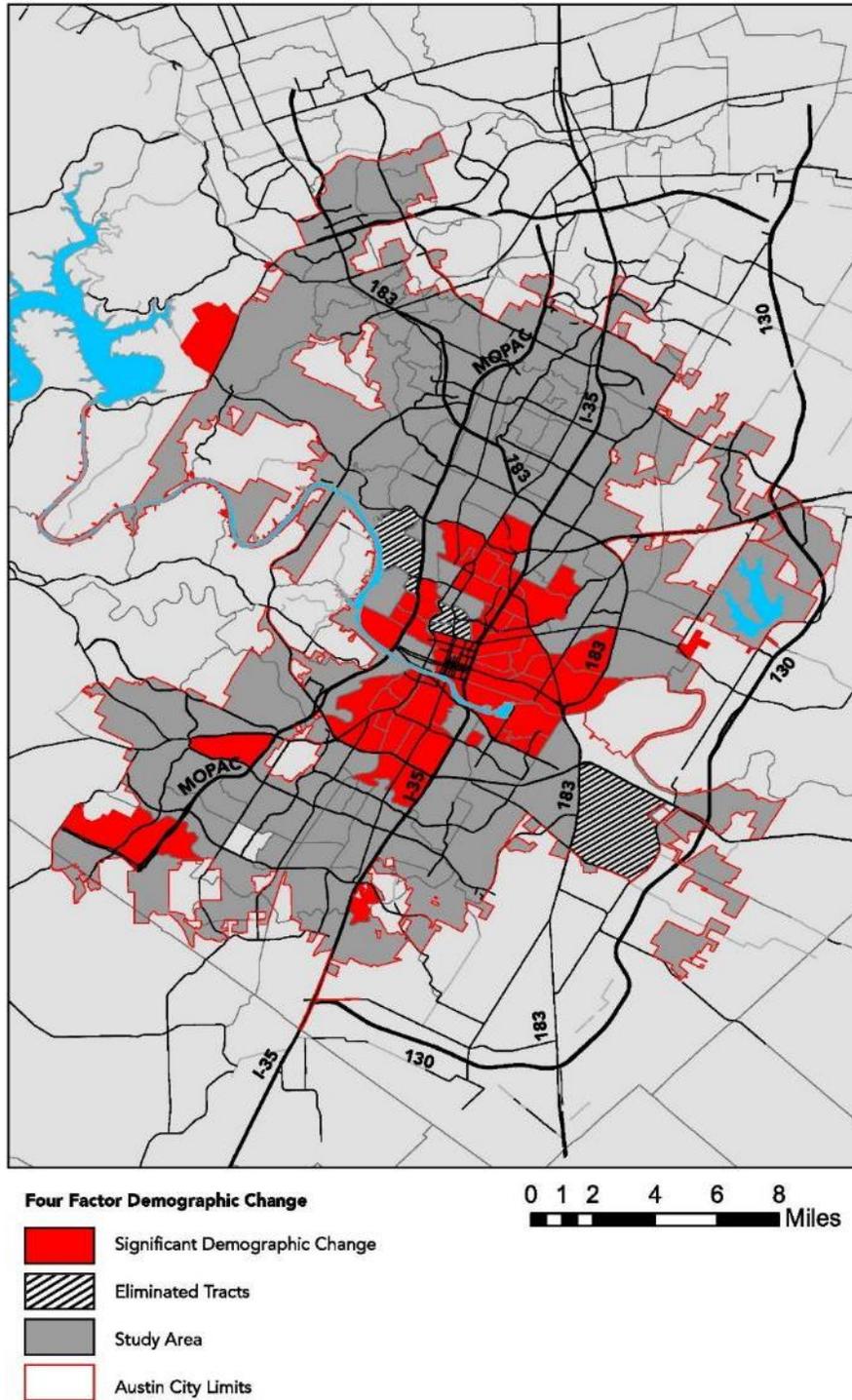
26 Increasing housing costs in Austin, coupled with the desire of more affluent residents to move into central  
27 neighborhoods, has impacted low-income residents. Austin residents and officials became concerned with the  
28 ongoing displacement of low- and moderate-income residents, loss of diversity, and destabilization of existing  
29 communities, which led to UT being tasked with studying gentrification and displacement in Austin (UT 2018).  
30 According to the Austin Uprooted report (UT 2018), “The impacts of Austin’s rising housing costs have been  
31 particularly dramatic in COA’s “eastern crescent,” where historically low housing costs, produced in part through  
32 COA’s history of publicly-supported racial and ethnic segregation, now combine with broader social and economic  
33 trends to make these neighborhoods more desirable to higher-income households.”

34 Gentrification occurs when a low-income household is displaced by a higher-income household, resulting in  
35 higher housing costs, increased property taxes, transformation of the neighborhood, and cultural change to the  
36 neighborhood (UT 2018). Evidence of gentrification was observed during a visit to the project study area on  
37 August 3 and 4, 2021. Large, newly constructed homes were replacing smaller homes in areas throughout the

1 study area. The Uprooted report provided maps of Austin depicting where there had been a significant  
2 demographic change, where a neighborhood was vulnerable to gentrification, and the type of gentrification  
3 occurring in an area. The demographic factors the Uprooted report used to determine a significant increase in  
4 non-vulnerable residents included home ownership, racial change, educational attainment, and income since  
5 the year 2000. The Demographic Map (**Figure 3.6-2**) shows there was a significant increase in non-vulnerable  
6 populations between 2000 and 2016 within much of the Community Study Area. Most of the populations  
7 adjacent to I-35 along the SB side, as well as east-central Austin to US 183, underwent a significant change in  
8 demographics.

9 **Figure 3.6-3** shows that the areas vulnerable to gentrification within the study area occur mostly east of I-35.  
10 The most vulnerable areas are located east of I-35 south of SH 71, along US 183 from south of the Colorado  
11 River north to US 290, along Airport Boulevard, and both east and west of I-35 between US 290 and US 183. As  
12 shown in **Figure 3.6-4**, most of the Community Study Area ranges from being susceptible to gentrification to  
13 being already gentrified with continued loss of residents and changes to the culture of the community.

## Demographic Change Tracts (2000 - 2016)



1

2

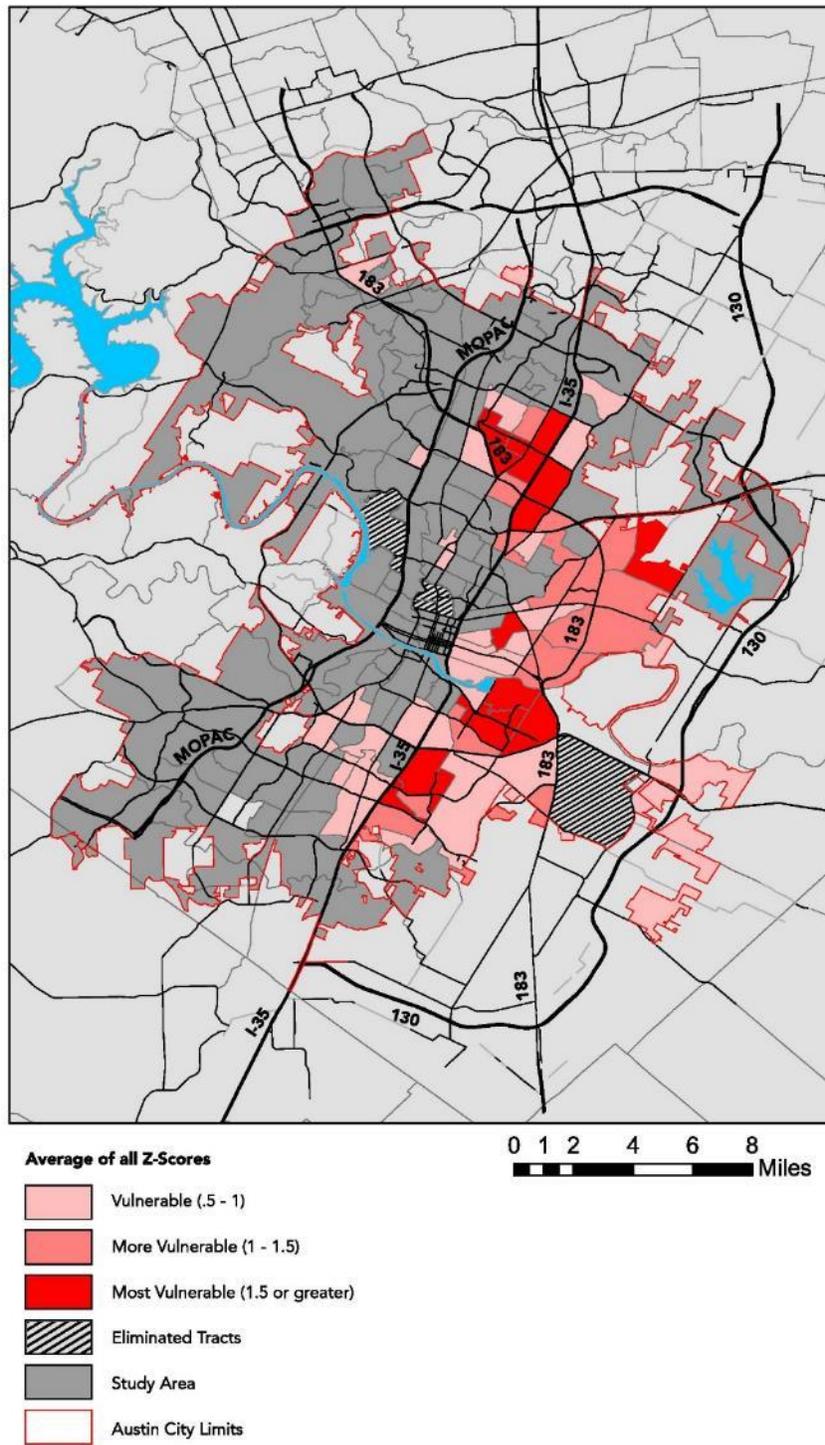
Figure 3.6-2. Significant Demographic Changes from 2000–2016 (Source: UT 2018).

3

\*It should be noted the significant change in demographics is from a more vulnerable population to a non-vulnerable population.

4

## Most Vulnerable Census Tracts (2016)

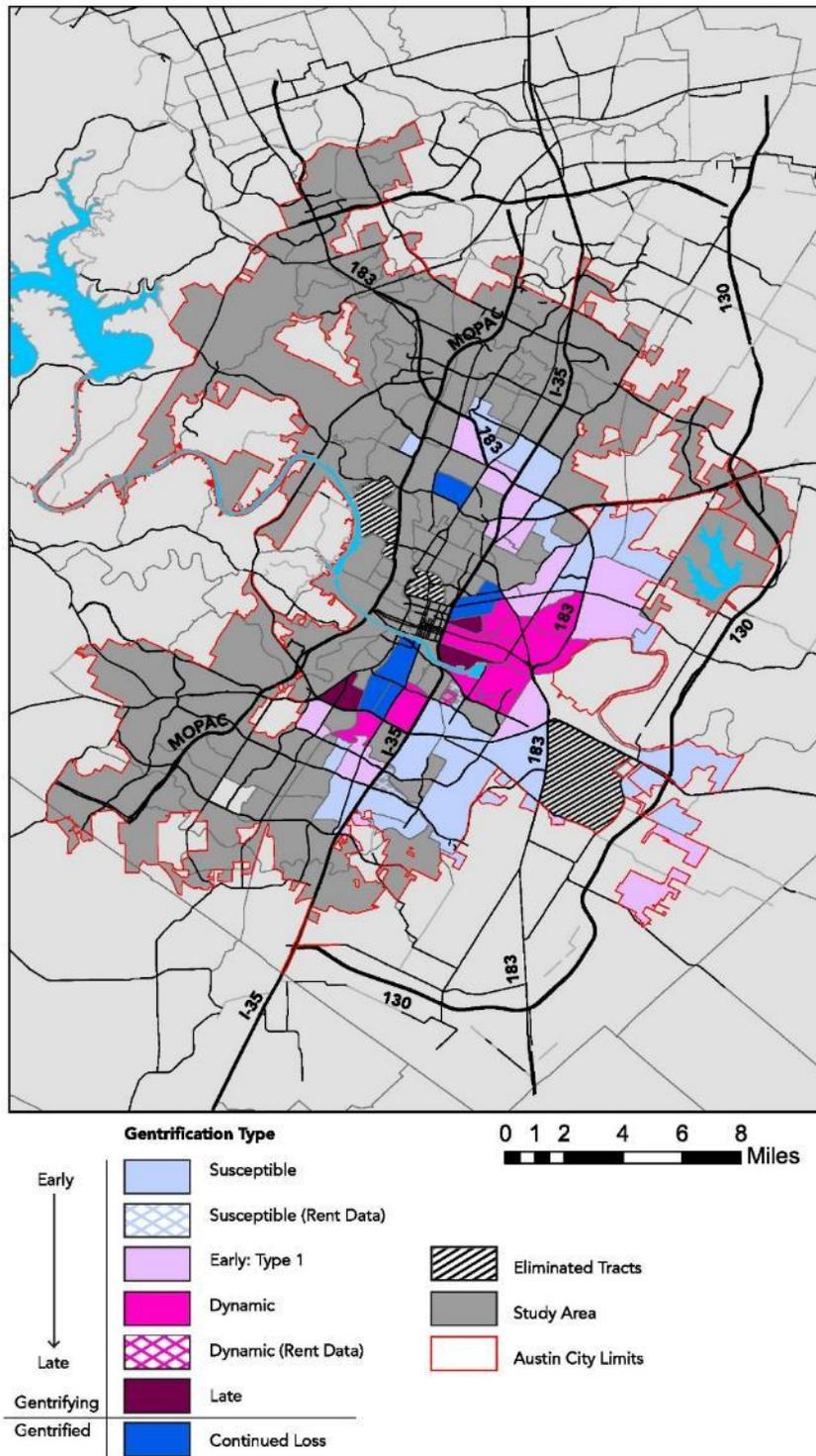


1

2

Figure 3.6-3. Census Tracts Vulnerable to Gentrification (Source: UT 2018)

# Neighborhood Typology (2016)



1  
2  
3

Figure 3.6-4. Neighborhood Gentrification (Source: UT 2018)

### 1 3.6.4.3 Homelessness

2 The Community Study Area included several visible encampments of people experiencing homelessness during  
3 the field visit in August 2021, most notably under I-35 near Hancock, under I-35 between 7th and 4th Streets,  
4 Festival Beach along Lady Bird Lake, and east of I-35 along Riverside Drive. As noted previously, the most recent  
5 count in January 2020 indicated there were over 2,500 people experiencing homelessness in Austin. With the  
6 COVID-19 pandemic a more recent count has not been completed. The pandemic may have also increased the  
7 number of people in unstable situations due to job loss, loss of childcare, and other pandemic-related issues.  
8 Some areas with visible encampments included services such as public restrooms or port-a-potties, hand  
9 washing stations, and trashcans. In May 2021, Austin voters approved Prop B to reinstate a camping ban within  
10 the city limits. Recently (as of October 2021), COA has worked to remove residents from homeless encampments  
11 throughout COA. According to the Texas Tribune, Austin officials have cleared out many of the visible camps and  
12 people experiencing homelessness have been forced to move to areas where they are less visible to avoid being  
13 ticketed or arrested (*Texas Tribune* 2021).

14 In an effort to find more suitable living conditions for those experiencing homelessness, TxDOT's Austin District  
15 began the Mobility35 Initiative to Address Homelessness (IAH).

16 The goal of Mobility35 IAH is to develop public-private-philanthropic partnerships that will proactively address  
17 the future displacement of individuals in a humane and safe manner. The group is a coalition of local and state  
18 government agencies, nonprofits, and faith-based organizations. These subject-matter experts and local  
19 partners have helped convey information on upcoming construction projects, evaluated individuals for  
20 assistance, and transitioned them to more permanent housing.

21 In February 2017, Mobility35 IAH initiated a series of workshops to address immediate pedestrian safety issues  
22 and long-term displacements associated with upcoming construction projects. The IAH group reviewed and  
23 modified Austin District guidelines on how to conduct construction and maintenance operations in areas with  
24 individuals experiencing homelessness. Assessment teams were used to provide advanced notification of  
25 construction operations and perform assessments on service needs and eligibility for housing. These teams also  
26 distributed reflective "Be Safe Be Seen" bags that provided contact information for local services and safe  
27 pedestrian routes in upcoming work zones.

#### 28 3.6.4.3.1 Esperanza (Hope) Community– Transitional Housing Facility

29 In October 2019, Governor Abbott tasked TxDOT along with the Department of Public Safety and Texas  
30 Department Emergency Management to establish a state-sanctioned camp for individuals living under Austin  
31 state highways. Working together, the state agencies provided a campsite with basic needs (BN) including food,  
32 water, and 24-hour security. The IAH assisted in the provision of resources, mental/medical services,  
33 coordinated assessments, and more. The campsite was later named "Camp Esperanza."

34 In June 2021, the Texas Transportation Commission approved a 10-year lease agreement between TxDOT and  
35 The Other Ones Foundation (TOOF) effectively transferring operations of the Esperanza Community to TOOF.  
36 TxDOT, in partnership with TOOF, helped develop a master planned community that operates as a supportive

1 transitional facility with safe and dignified living spaces. As the community service coordinator, TOOF works  
2 closely with several IAH service providers (Integral Care, CommUnity Care, Mobile Loaves & Fishes, etc.) to  
3 provide the necessary resources to properly support Camp Esperanza residents.

#### 4 *3.6.5 Environmental Consequences*

##### 5 *3.6.5.1 Build Alternative 2*

6 The proposed project would address safety and congestion along the I-35 facility, as well as improve bridges and  
7 minimize the barrier effect of I-35, as discussed in **Section 3.6.8.2.1**. East-west access across I-35 would  
8 improve. As discussed above, the Austin-Round Rock MSA is experiencing a large and continued population  
9 growth, as well as unprecedented increases in housing costs. According to Redfin (2021), in September 2021  
10 Austin home prices were up 27.9 percent over last year, and the market was described as very competitive.

11 As shown in the figures above, much of the Community Study Area adjacent to I-35 along the SB side, as well as  
12 in east-central Austin to US 183 experienced a significant shift from vulnerable to non-vulnerable population  
13 demographics, while the area east of I-35 (south of SH 71, along US 183, along Airport Boulevard, and east and  
14 west of I-35 between US 290 and US 183) is now vulnerable to gentrification; however, impacts from  
15 gentrification are likely to continue to occur whether or not the proposed project is built. By reducing congestion  
16 and improving the I-35 corridor through central Austin, the proposed project may further increase the desirability  
17 of the central downtown area; however, as development trends have shown, these areas are already considered  
18 highly attractive for redevelopment in the absence of the proposed improvements.

19 Recently, COA entered a contract to develop a city-owned parcel (the former Home Depot on the northeast corner  
20 of the I-35 intersection with St. John Avenue, in north Austin) located in the St. John neighborhood. In July 2021,  
21 the Austin City Council authorized an exclusive negotiation agreement with Greystar Development Central LLC  
22 (Greystar), a developer, to redevelop this site. It is expected that 560 rental units would be included and half of  
23 those homes would be reserved for people and families making less than 70 percent of the MHI, or no more  
24 than \$69,250 per year for a family of four (KUT 2021). This affordable housing would be situated just north of  
25 the I-35 Capital Express Central corridor and would have access to the facility and proposed SUPs. This  
26 development is located in an area that is most vulnerable to gentrification according to the Uprooted report. In  
27 April 2022, an Exclusive Negotiating Agreement was executed between COA and Greystar. Under this agreement,  
28 meetings will be held to negotiate proposed terms of a Master Development Agreement governing the  
29 redevelopment of this site.

30 Also within the project area, the Rebekah Baines Johnson Center (RBJ) located east of I-35 and north of the  
31 Colorado River, provides affordable housing for seniors. The RBJ tower can currently house 250 seniors, and a  
32 new apartment community is under construction which will provide affordable housing for another 250 elderly  
33 residents (RBJ 2021).

34 As discussed in the paragraphs above, a high degree of gentrification has already occurred within the Community  
35 Study Area, and many residents who historically lived in areas east of I-35 and elsewhere in Austin have already  
36 been displaced to places east of US 183 or to other more affordable areas. Even with increases in affordable

1 housing within the Community Study Area, as described above, the movement of minority and low-income  
2 individuals and families further east and elsewhere would be expected to continue.

3 Build Alternative 2 would move mainlanes below grade through central Austin. Prop B (COA's camping ban  
4 approved in May 2021) in large part has already forced people experiencing homelessness to move from visible  
5 camps under the existing I-35 facility. The Build Alternatives would be depressed and as designed would no  
6 longer provide shelter under the I-35 facility through downtown.

7 As part of the Be Safe Be Seen program, TxDOT has been convening service providers, agencies, and elected  
8 leaders for four years through the agency's IAH. The goals of the initiative are to share information on upcoming  
9 construction activities and community resources, to assess specific needs for assisting individuals experiencing  
10 homelessness, and to identify potential opportunities for temporary and permanent shelter or housing  
11 alternatives.

12 TxDOT's IAH is a two-pronged approach to managing homelessness. As part of the Mobility35 IAH, TxDOT  
13 provides outreach to connect people experiencing homelessness with necessary services and also provides  
14 opportunity for donation drives benefiting homeless communities. As described above, Camp Esperanza was  
15 established as a state-sanctioned mitigation measure for the Mobility 35 Program, including the proposed  
16 project, to assist those experiencing homelessness, communicate upcoming construction project impacts,  
17 assess individuals for needed services, and transition them to more permanent housing.

18 Second, TxDOT engages agencies and nonprofit providers supporting people experiencing homelessness as part  
19 of their public involvement activities and community outreach. Some of TxDOT's outreach to homeless  
20 communities stopped during the COVID-19 pandemic in 2020 through the present.

21 By reducing congestion, improving pedestrian and bicycle facilities, and connecting east and west Austin in the  
22 downtown core, Build Alternative 2 could further increase the desirability of the central downtown area and  
23 thereby raise housing prices; thus, gentrification would be expected to continue. With the lowering of mainlanes,  
24 there would be less covered space to serve as campsites for those experiencing homelessness; however, efforts  
25 to remove these encampments have already begun by COA. It is expected that gentrification and affordability  
26 would continue to be issues for the residents of the Community Study Area, as well as COA overall, regardless of  
27 whether Build Alternative 2 is implemented or not.

### 28 *3.6.5.2 Modified Build Alternative 3*

29 In response to public comments, Modified Build Alternative 3 incorporated many changes since the public  
30 meeting in August 2021. These included changes to project design to reduce the number of displacements by  
31 approximately 20 properties, and several design changes to add bicycle and pedestrian crossings of I-35,  
32 improve traffic flow, and reduce the visual impacts of the elevated facility. Modified Build Alternative 3 would  
33 improve safety and congestion, enhance bridges and pedestrian and bicycle facilities, and depress the  
34 mainlanes. frontage roads would be at grade or elevated over the depressed mainlanes between Luther Lane  
35 and approximately 11th Street. Modified Build Alternative 3 would reduce the barrier effect of I-35 (as discussed  
36 in **Section 3.6.8.2.2**) over the No Build condition and improve east-west access across I-35. Much of the

1 Community Study Area adjacent to I-35 along the SB side, as well as in east-central Austin to US 183 experienced  
2 a significant shift from vulnerable to non-vulnerable population demographics, while the area east of I-35 (south  
3 of SH 71, along US 183, along Airport Boulevard, and east and west of I-35 between US 290 and US 183) is now  
4 vulnerable to gentrification. By reducing congestion and improving the I-35 corridor through central Austin, the  
5 proposed project may further increase the desirability of the central downtown area. As development trends have  
6 shown, these areas are already considered highly attractive for redevelopment in the absence of the proposed  
7 improvements and a high degree of gentrification has already occurred within the community study area with  
8 many low-income and minority residents being forced east of US 183 and other more affordable areas. Even  
9 with increases in affordable housing within the Community Study Area, such as the proposed development of  
10 the Home Depot site in the St. John neighborhood and the additional affordable housing for seniors at the RBJ  
11 Center (described in 3.1.1.2), the movement of minority and low-income individuals and families from areas east  
12 of I-35 and elsewhere would be expected to continue.

13 Modified Build Alternative 3 would move mainlanes below grade through central Austin and no longer provide  
14 shelter for those experiencing homelessness. Prop B (COA's camping ban approved in May 2021) in large part has  
15 already forced people experiencing homelessness to move from visible camps under the existing I-35 facility  
16 through downtown. As discussed above in **Section 3.6.4.1**, TxDOT's IAH provides outreach to people experiencing  
17 homelessness and strives to connect people with necessary services and benefits. Additionally, the IAH also  
18 engages agencies and nonprofit providers supporting people experiencing homelessness as part of their public  
19 involvement activities and community outreach.

20 By reducing congestion, improving pedestrian and bicycle facilities, and connecting east and west Austin in the  
21 downtown core, Modified Build Alternative 3 may help to further increase the desirability of the central downtown  
22 area and thereby raise housing prices and gentrification would continue to occur. With the lowering of mainlanes,  
23 there would be less covered space to provide campsites for those experiencing homelessness; however, efforts  
24 to remove these encampments have already been initiated by COA. It is expected that gentrification and  
25 affordability would continue to be issues for the residents of the Community Study Area, as well as COA overall,  
26 regardless of whether Modified Build Alternative 3 is implemented or not.

### 27 *3.6.5.3 No Build Alternative*

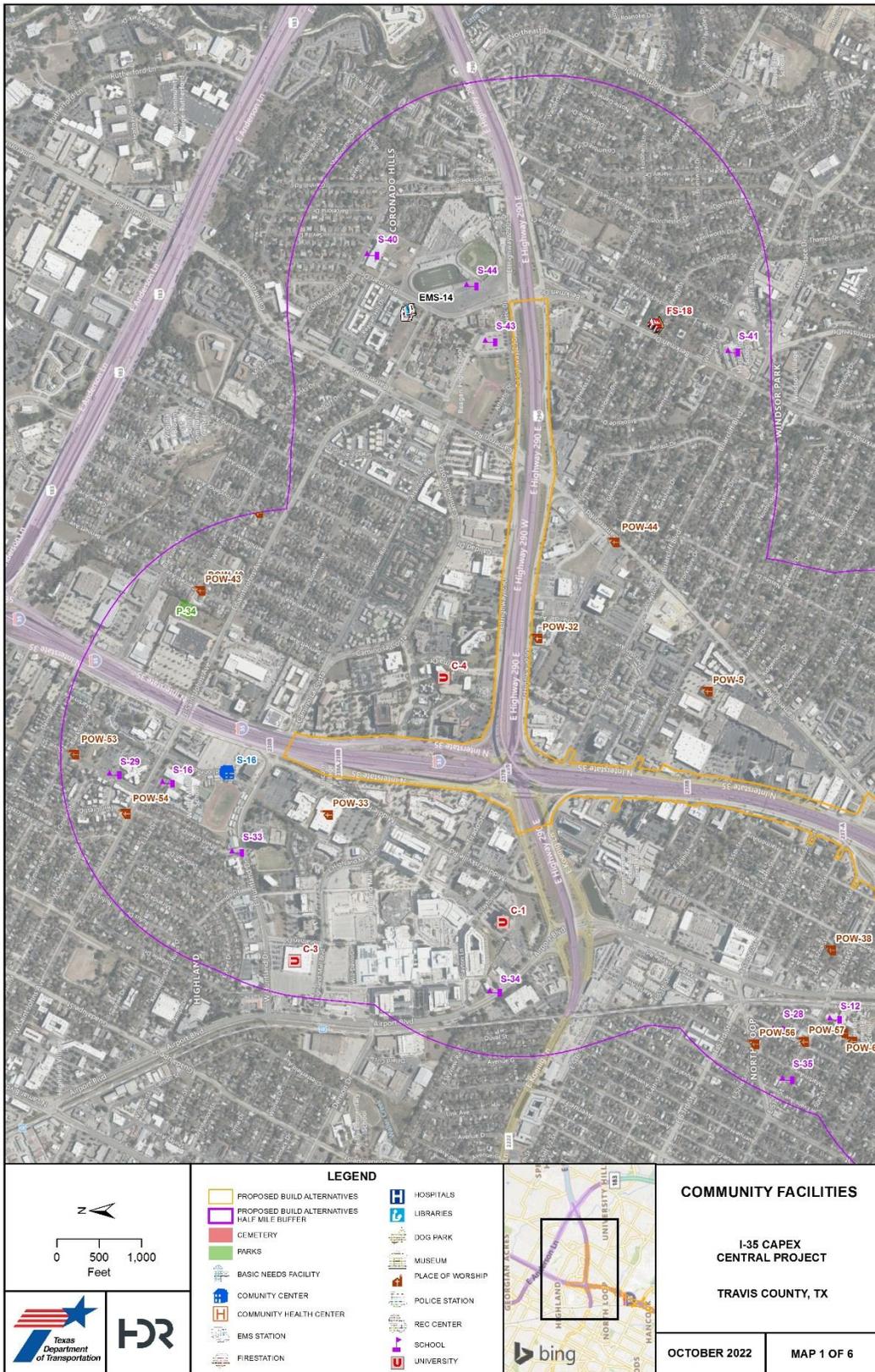
28 Under the No Build Alternative, there would be no changes to the I-35 facility, and the issues surrounding  
29 affordability, gentrification and homelessness would likely continue at their current rate.

### 30 *3.6.6 Community Facilities*

#### 31 *3.6.6.1 Affected Environment*

32 The Community Study Area is large, encompassing an approximately 40 square-mile area. For community  
33 facilities, the study area was reduced to within 0.5 mile of the proposed ROW. The study area was intended to  
34 capture community facilities with proximity access to I-35 and that may experience direct community impacts  
35 from either access/travel patterns or displacement. The 0.5 mile buffer provided a list of potentially impacted  
36 facilities for further analysis and was not a boundary for researching replacement properties or comparable

- 1 services. Information on community facilities was gathered using a combination of desktop review using publicly-  
2 available GIS datasets, and a field visit conducted on August 3 and 4, 2021. **Figure 3.6-5** (Maps 1 through 6)  
3 shows the locations of these community facilities and **Appendix J** includes a listing of community facilities within  
4 a 0.5-mile buffer of the proposed ROW listed below.
- 5 • Four Austin Fire Department (AFD) fire stations and the AFD Medical Operations facility
  - 6 • Austin Police Department Headquarters Station
  - 7 • Six Austin-Travis County Emergency Medical Services stations or demand medic stations
  - 8 • Six hospitals, six federally-qualified health centers (FQHC), a disability advocate, foster and adoption  
9 services, and a veteran's service center
  - 10 • Six colleges or universities
  - 11 • Nineteen Austin Independent School District (AISD) elementary, middle, or high school campuses or other  
12 AISD facilities including the headquarters, performing arts center, and sports stadiums
  - 13 • Nine private or faith-based schools or early childhood centers
  - 14 • Fifty-eight places of worship
  - 15 • Numerous parks including metropolitan parks, smaller neighborhood and pocket parks, nature preserves  
16 and greenbelts, school parks, special use sites, a cemetery, and a golf course
  - 17 • Three Austin Public Libraries
  - 18 • Numerous BN locations where people, including those experiencing homelessness, may have access to  
19 restrooms, showers and handwashing, food, and technology charging



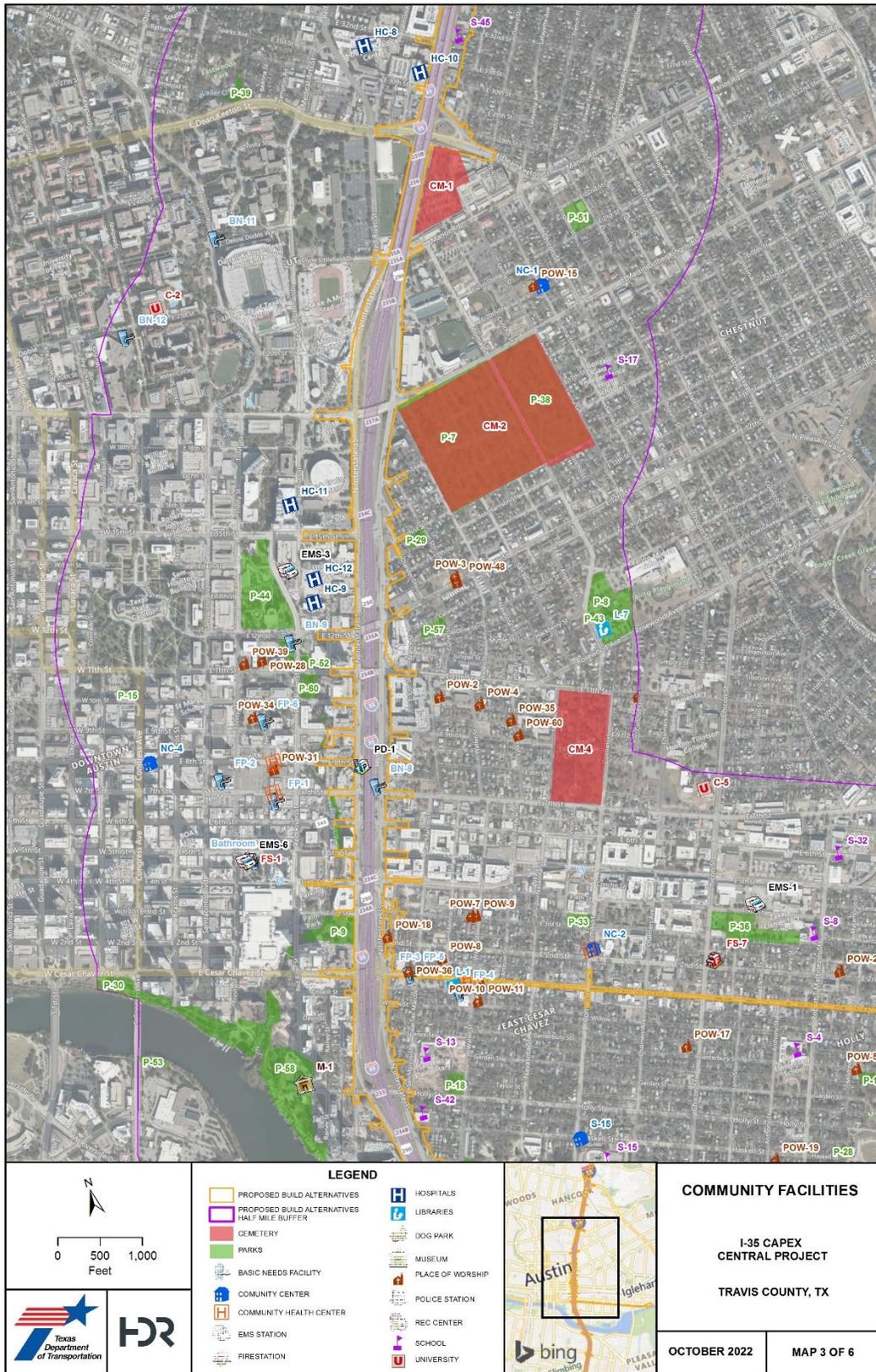
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Figure 3.6-5. Community Facilities (Map 1 of 6)



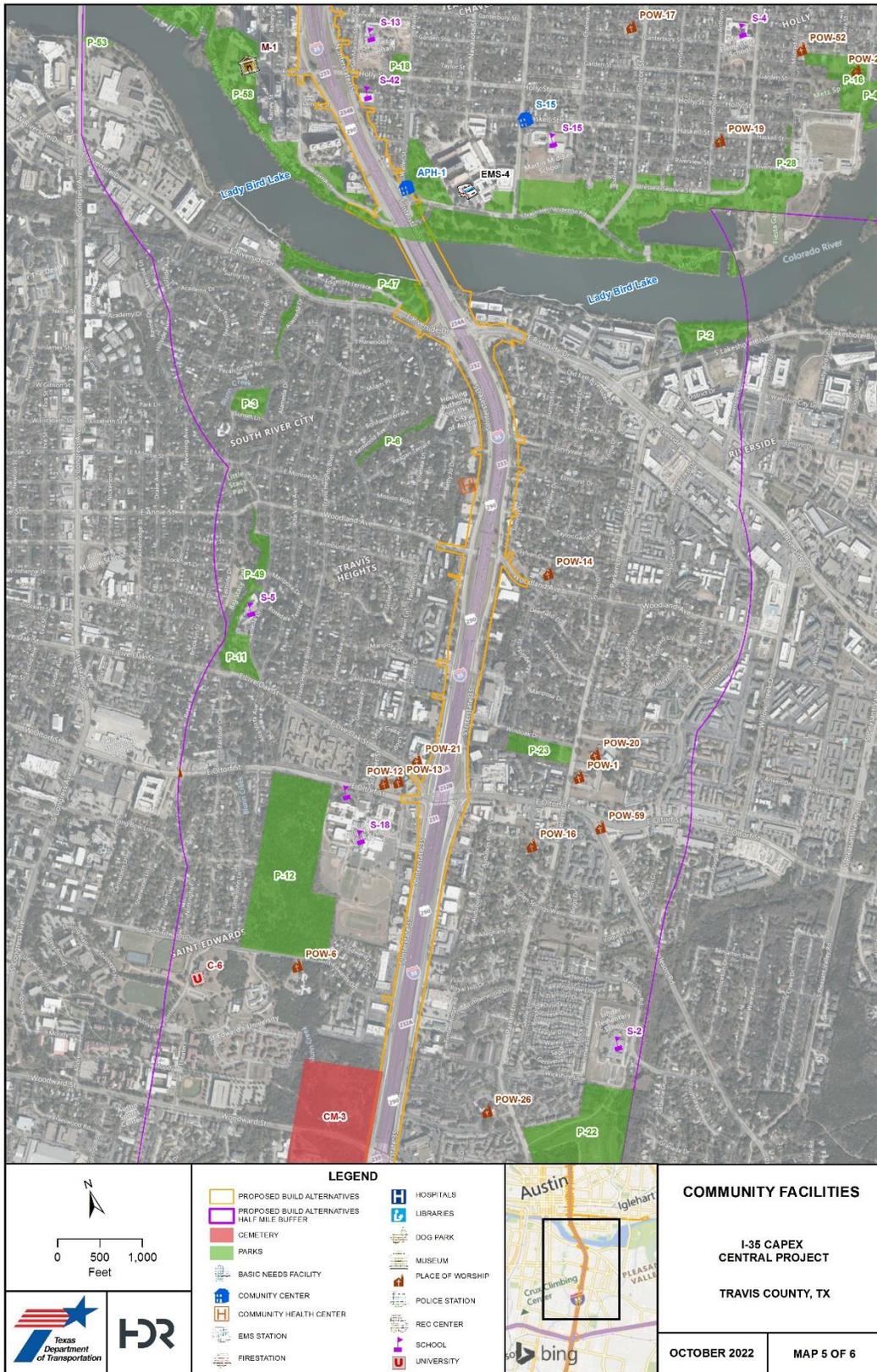


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Figure 3.6-5. Community Facilities (Map 3 of 6)

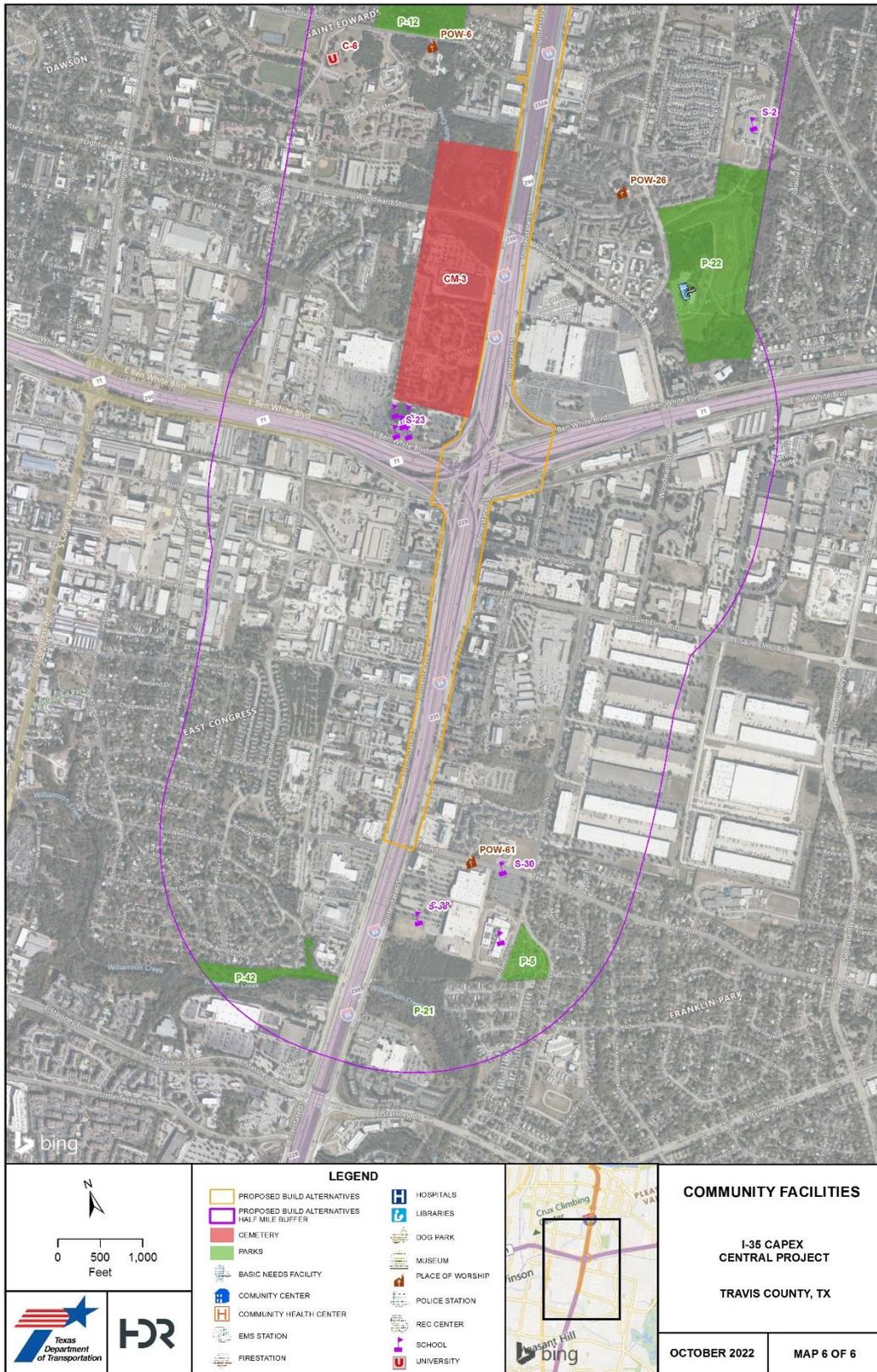




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Figure 3.6-5. Community Facilities (Map 5 of 6)



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Figure 3.6-5. Community Facilities (Map 6 of 6)

## 1 3.6.6.2 Community Facilities Environmental Consequences

### 2 3.6.6.2.1 Build Alternative 2

3 Based on the design dated April 8, 2022, with Build Alternative 2, there would be direct impacts resulting in 10  
4 displacements of community facilities including two FQHCs (CommUnityCare – David Powell Health Center [Map  
5 ID HC-2] and CommUnityCare – Hancock Walk-In Care [Map ID HC-1]), an Austin VA Veteran’s Center, Special  
6 Kid’s Care, Pathways Youth and Family Services, and Texas State Independent Living Council (all inside the  
7 Petroleum Building Map ID HC-13), Green Doors (Map ID BN-13), and three early childhood centers (Escuelita  
8 del Alma [Map ID S-45], Extend-A-Care [Map ID S-42], and Copernicus STEM Academy Delwood Campus [Map  
9 ID S-46]). These displacements are discussed in more detail in **Section 3.6.7**. There would be acquisition of small  
10 amounts of ROW, which would not result in displacements, to additional community facilities as discussed below.

### 11 Non-Displacement Impacts to Community Facilities

12 Minor ROW acquisition not resulting in displacement would also occur at the following community facilities based  
13 on the design dated April 8, 2022:

- 14 • UT (Map ID C-2) – Mike Myers Stadium (approximately 0.04 acre of ROW would be acquired from this parcel).  
15 This acquisition would be a small area of construction laydown area next to the Moody Center (construction  
16 of the Moody Center was completed first quarter of 2022). This acquisition would not affect access to this  
17 property or any of its facilities.
- 18 • UT (Map ID C-2) – Frank Erwin Center (approximately 0.01 acre of ROW would be required from this parcel).  
19 The ROW acquisition would be a sliver along the corner of I-35 and 15th Street on the perimeter of the  
20 parking area. The acquisition would not affect the facility or parking. The Frank Erwin Center closed in May  
21 2022 and events have moved to the Moody Center which opened in April 2022.
- 22 • University Medical Center at Brackenridge (Map ID HC-12) (approximately 0.10 acre of ROW would be  
23 acquired from this parcel). The ROW acquisition would be a sliver along the I-35 FR. At this time, it appears  
24 the ROW acquisition could affect the walk-in-entrance along the FR, and two parking garages. As design  
25 progresses, potential impacts and access points to this parcel would be finalized.
- 26 • COA Norwood House Parkland (Map ID P-47) (approximately 0.57 acre of construction staging easement  
27 would be required from this parcel). The construction easement would be a sliver along the I-35 frontage  
28 road and would be used for construction at Lady Bird Lake for the duration of the project. This could affect  
29 the fencing and eastern perimeter of the Norwood Estate Dog Park. TxDOT would coordinate with COA Parks  
30 and Recreation Department (PARD) to minimize any disruption to this facility during construction.
- 31 • COA Waller Beach (P-58) – (approximately 1.20 acres of construction staging easement would be required  
32 from this parcel). This would be used for construction at Lady Bird Lake for the duration of the project and  
33 would be permanently converted to TxDOT ROW under Section 6(f).
- 34 • COA Edward Rendon Sr. Metro Park at Festival Beach (Edward Rendon Park) (P-62) (approximately 0.70  
35 acre of construction staging easement would be required from this parcel along the frontage of I-35). This  
36 would be used for construction at Lady Bird Lake for the duration of the project and would be expected to

- 1 only cause minor disruption during construction and would be returned to existing condition following  
2 construction.
- 3 • COA International Shores at Town Lake Metro Park\_3 (International Shores\_3) (P-2) (approximately 0.71  
4 acre of construction staging easement would be required from this parcel along the frontage road of I-35).  
5 This would be used for construction at Lady Bird Lake for the duration of the project and would be expected  
6 to only cause minor disruption during construction and would be returned to existing condition following  
7 construction.

8 Additionally, it would be expected that several BN services that are currently provided under existing bridges of  
9 I-35, including at I-35 at Airport Boulevard (BN-4) and 7th Street at I-35 (BN-8), would also be required to relocate  
10 to a new location. These BN services include handwashing, port-a-potties, food, and mobile showers. These  
11 services are mobile and would have the ability to be moved if new locations are provided in an area of need.

12 Since the SB frontage road between 32nd Street and MLK Jr. Boulevard would be bridged and moved to the  
13 east, no driveways to adjacent businesses or community facilities would be provided in this section. However,  
14 access to adjacent community facilities in this area including St. David's Hospital (HC-10), Mt. Calvary Cemetery  
15 (CM-1), and Oakwood Cemetery (CM-2) from the SB frontage road would be similar to existing condition with  
16 access provided at major cross streets.

17 Under Build Alternative 2, temporary changes in traffic patterns would be expected during construction.  
18 Emergency service providers would receive notification from TxDOT prior to construction and/or temporary  
19 roadway closures or detours. TxDOT will continue to coordinate with emergency responders to develop detour  
20 route plans and ensure emergency response times remain consistent during construction of the proposed  
21 project. Emergency response times would be anticipated to decrease after construction of the project due to  
22 increased access, mobility, and reduced congestion.

23 During construction, temporary changes in traffic patterns would occur which would cause changes to bus routes  
24 or commutes to schools, places of worship, parks, libraries, and other community facilities. TxDOT would work to  
25 maintain access to community facilities during construction. Reduced congestion, facility improvements  
26 (increased connection between east and west Austin across I-35, bypass lanes, HOV managed lanes, etc.) and  
27 improved bicycle and pedestrian facilities with Build Alternative 2 would be expected to improve access to  
28 community facilities once construction is completed. See **Section 3.17** for a complete discussion of construction  
29 phase impacts.

### 30 **3.6.6.2.2 Modified Build Alternative 3**

31 In April 2022, design refinements aimed at reducing impacts were implemented in response to stakeholder  
32 engagement. Based on the design dated April 8, 2022, with Modified Build Alternative 3 there would be direct  
33 impacts resulting in three displacements of community facilities including two FQHCs (CommUnityCare – David  
34 Powell Health Center [Map ID HC-2] and CommUnityCare – Hancock Walk-In Care [Map ID HC-1]), and an early  
35 childhood center (Escuelita del Alma [Map ID S-45]). These displacements are discussed in more detail in **Section**  
36 **3.6.7**. There would be acquisition of small amounts of ROW, which would not result in displacements, to  
37 additional community facilities as discussed below.

## 1 Non-Displacement Impacts to Community Facilities

2 Minor ROW acquisition not resulting in displacement would occur at the following community facilities, based on  
3 the design dated April 8, 2022:

- 4 • COA Norwood House Parkland (Map ID P-47) (approximately 0.57 acre of construction staging easement).  
5 The construction staging easement would be a sliver along I-35 frontage road and would be used for  
6 construction at Lady Bird Lake for the duration of the project. This could affect the fencing and eastern  
7 perimeter of the Norwood Estate Dog Park. It would be anticipated that TxDOT would coordinate with COA  
8 PARD to minimize any disruption to this facility during construction.
- 9 • COA Waller Beach (P-58) (approximately 1.20 acres of construction staging easement would be required  
10 from this parcel). This would be used for construction at Lady Bird Lake for the duration of the project and  
11 would be expected to only cause minor disruption during construction and would be permanently converted  
12 to TxDOT ROW under Section 6(f).
- 13 • COA Edward Rendon Park (P-62) (approximately 0.70 acre of construction staging easement would be  
14 required from this parcel along the frontage of I-35). This would be used for construction at Lady Bird Lake  
15 for the duration of the project and would be expected to only cause minor disruption during construction and  
16 would be returned to existing condition following construction.
- 17 • COA International Shores\_3 (P-2) (approximately 0.70 acre of construction staging easement would be  
18 required from this parcel along the frontage road of I-35). This would be used for construction at Lady Bird  
19 Lake for the duration of the project and would be expected to only cause minor disruption during construction  
20 and would be returned to existing condition following construction.

21 Similar to Build Alternative 2, BN services which are currently provided under existing bridges of I-35, including  
22 at I-35 at Airport Blvd. (BN-4) and 7th Street at I-35 (BN-8) would be required to relocate to a new location. These  
23 BN services include handwashing, port-a-potties, food, and mobile showers. These services are mobile and would  
24 have the ability to be moved if new locations are provided in an area of need.

25 Since the frontage roads between 32nd Street and 11th street would be bridged and meander across the facility,  
26 there would be areas where driveways to adjacent businesses or community facilities would not be provided in  
27 this section. However, access to adjacent community facilities in this area including St. David's Hospital (HC-10),  
28 Mt. Calvary Cemetery (CM-1), Oakwood Cemetery (CM-2), and the UT (Mike Myers Stadium and athletic fields,  
29 Moody Center) from the frontage road would have access provided at major cross streets.

30 Under Modified Build Alternative 3, temporary changes in traffic patterns would be expected during construction.  
31 Emergency service providers would receive notification from TxDOT prior to construction and/or temporary  
32 roadway closures or detours. TxDOT will continue to coordinate with emergency responders to develop detour  
33 route plans and ensure emergency response times remain consistent during construction of the proposed  
34 project. Emergency response times would be anticipated to decrease after construction of the project due to  
35 increased access, mobility, and reduced congestion.

1 During construction, temporary changes in traffic patterns would occur which would cause minor changes to bus  
2 routes or commutes to schools, places of worship, parks, libraries, and other community facilities. TxDOT would  
3 work to maintain access to community facilities during construction. Reduced congestion, facility improvements  
4 (increased connection between east and west Austin across I-35, bypass lanes, HOV managed lanes, etc.) and  
5 improved bicycle and pedestrian facilities with Modified Build Alternative 3 would be expected to improve access  
6 to community facilities once construction is completed. See **Section 3.17** for a complete discussion of  
7 construction phase impacts.

### 8 *3.6.6.2.3 No Build Alternative*

9 No ROW would be required for the No Build Alternative and no community facilities would be directly affected.  
10 However, increased congestion and reduced mobility throughout the corridor would be expected with this  
11 alternative. Bicycle and pedestrian improvements as proposed with the Build Alternatives would not occur. In the  
12 long-term, the No Build Alternative could result in longer travel times and more congestion throughout the  
13 Community Study Area.

### 14 *3.6.7 Displacements*

#### 15 *3.6.7.1 Legal and Regulatory Background*

16 The Uniform Act contains specific requirements that determine the manner in which a government entity  
17 acquires private property for public use when federal funds are used for a project. The purpose of this act is to  
18 provide a uniform policy for fair and equitable treatment of persons and businesses displaced as a result of  
19 federal and federally-assisted programs in accordance with the following objectives:

- 20 • To ensure that owners of real property to be acquired for federal and federally assisted projects are treated  
21 fairly and consistently, to encourage and expedite acquisition by agreements with such owners, to minimize  
22 litigation and relieve congestion in the courts, and to promote public confidence in federal and federally  
23 assisted land acquisition programs.
- 24 • To ensure that persons displaced as a direct result of federal and federally assisted projects are treated  
25 fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as result of  
26 projects designed for the benefit of the public.
- 27 • To ensure that agencies implement these regulations in a manner that is efficient and cost effective.

#### 28 *3.6.7.2 Methodology*

29 The potential for displacements and relocations resulting from the Capital Express Central Project were identified  
30 utilizing schematics dated April 8, 2022, and based on information provided by project engineers and as a result  
31 of design changes implemented to avoid and minimize displacements. A GIS desktop review was conducted to  
32 identify potentially affected parcels. Displacements could change as design progresses. ROW acquisition would  
33 generally occur in small strips along the existing I-35 facility, and most of the displacements would be properties  
34 immediately abutting the I-35 corridor.

### 1 3.6.7.3 Environmental Consequences Related to Displacements

#### 2 3.6.7.3.1 Build Alternative 2

3 Build Alternative 2 displacements were calculated based on design drawings from April 8, 2022. **Figure 3.6-6**  
4 shows the locations of the Build Alternative 2 displacements and the Displacements Table included in **Appendix**  
5 **J** lists all of the anticipated displacements. **Table 3.6-2** at the end of this section includes a comparison of the  
6 types and numbers of displacements for both Build Alternative 2 and Modified Build Alternative 3.

#### 7 Community Facilities

8 Escuelita del Alma (Map ID D-62) a Spanish-immersion early childhood center, Extend-A-Care (Map ID D-71), and  
9 Copernicus STEM Academy (D-27 and D-28) are early childhood center community facility displacements. At this  
10 time, it is unknown whether or not these facilities would be able to relocate within the community. Losing daycare  
11 facilities within the Community Study Area is of concern for area residents who may have difficulty finding  
12 replacement resources within the nearby area. The public involvement team is currently in the process of  
13 contacting community facilities that may potentially be displaced. TxDOT will continue to work with these facilities  
14 throughout the acquisition process and is committed to assisting these critical facilities find alternate locations  
15 near their current location, when possible. TxDOT is currently considering advanced relocation assistance for  
16 selected properties in order to minimize impacts to underserved communities. At the time of this analysis,  
17 communication with Escuelita del Alma has been initiated.

18 Pathways Youth and Family Services offers foster care and adoption services, including residential in-home care  
19 and behavioral health. Special Kids Care is a pediatric specialty home health agency; the office appears to be  
20 administrative but services may also be provided out of this office. The Texas State Independent Living Council  
21 is a nonprofit with the goal of helping Texans with disabilities to live as independently as they choose. This  
22 organization also advocates on issues relating to people with disabilities. The administrative offices of these  
23 community facilities are currently located at the Petroleum Building (D-83), which would be displaced with Build  
24 Alternative 2. Green Doors (D-85) is a mission-based organization whose goal is to prevent and help end  
25 homelessness and poverty housing for those working to achieve independent living in central Texas. Currently  
26 located along I-35, Green Doors would be displaced with Build Alternative 2.

#### 27 Healthcare Displacements

28 This section includes community facility and general healthcare facility displacements that would occur with  
29 Build Alternative 2. The two FQHCs, and the Austin VA Veteran's Center include the community facility healthcare  
30 displacements. The two FQHCs that would be displaced are CommUnityCare – David Powell Health Center (Map  
31 ID D-22) and CommUnityCare – Hancock Walk-In Care (Map ID D-31). FQHCs include a specific scope that  
32 includes care for those without health insurance.

33 The David Powell Health Center includes primary care, walk-in care, women's healthcare, psychiatry, and HIV  
34 prevention, testing, and treatment. Apart from the David Powell clinic, HIV treatment is available at the South  
35 Austin Health Center (currently not accepting new patients), the Southeast Health and Wellness Center, and the

1 North Central CommUnityCare locations approximately 7 miles south, 9 miles southeast, and 7 miles north of  
2 the David Powell Health Center, respectively. If the David Powell Health Center is displaced and not relocated  
3 near its current location, the nearest HIV care provider listed on COA's Austin HIV resources page  
4 (<https://www.austintexas.gov/department/service-providers>) includes the Vivent Health Main Campus/Moody  
5 Medical located at 7215 Cameron Road approximately 2.5 miles northeast of the existing clinic. HIV testing  
6 services, but not treatment, are offered at Ashwell Sexual Health and Wellness located at 3100 Red River Street,  
7 approximately 3 miles to the southwest of the David Powell Health Center, and the Sexual Health Center located  
8 at 15 Waller Street, approximately 5.5 miles south of the David Powell Health Center. If this facility was not  
9 displaced, then in order to accommodate the design, ROW would be required from the eastern side of I-35, which  
10 would result in the displacement of 56 below-market rate housing units at the Abali.

11 The Hancock Walk-In Care is a walk-in clinic with no scheduled services that also provides after-hours care.  
12 CommUnityCare offers same day acute care services at one other location apart from Hancock, the Southeast  
13 Health & Wellness Center 9 miles away in the Montopolis neighborhood. These walk-in facilities also provide  
14 immediate care services in support of home clinics by accepting overflow patients.

15 The Austin VA Veteran's Center (Map ID HC-13) is located within the Petroleum Building. The Austin VA is a  
16 veteran's center that provides confidential help for veterans, service members, and their families at no cost in a  
17 non-medical setting. Services include counseling for needs such as depression, post-traumatic stress disorder,  
18 and the psychological effects of military sexual trauma. If the Austin VA Veteran's Center is displaced, satellite  
19 locations are located in Bastrop, San Marcos, Cedar Park, and Georgetown all of which are more than 20 miles  
20 from the current location.

21 The general healthcare displacements that would occur with Build Alternative 2 are:

- 22 • Austin Medical Building (D-35) – This facility includes Austin Eye Clinic Association, Dr. Wong et al,  
23 Optometry, pediatric healthcare, and Dr. Michael Gutierrez, family medicine.
- 24 • Dr. Emilio Torrez – Obstetrics and Gynecology (D-60).
- 25 • Dell Children's Medical Group - Specially for Children – Pediatrics (D-10).
- 26 • The Petroleum Building (D-83) – Inside the Petroleum Building, the following healthcare facilities would be  
27 displaced: Roots Behavioral Health – psychiatric mental health services; Airrosti Rehab Center, and Jason  
28 Long M.D.
- 29 • Brookside Women's Medical Center (D-92) – Gynecology and primary care.

30 At this time, it is unknown whether or not these healthcare facilities would be able to relocate within the  
31 community. Losing healthcare facilities within the Community Study Area is of concern for area residents who  
32 may have difficulty finding replacement resources within the nearby area. The public involvement team is  
33 currently in the process of contacting healthcare facilities that may potentially be displaced. TxDOT is currently  
34 considering advanced relocation assistance for selected properties in order to minimize impacts to underserved  
35 communities and to minimize disruption of services. At the time of this analysis, communication with the two  
36 CommUnityCare facilities has been initiated.

## 1 Commercial

2 The Community Study Area includes a wide variety of businesses, including commercial, retail, and restaurants  
3 primarily accessed by car. Based on the design dated April 8, 2022, there would potentially be 131 commercial  
4 displacements with Build Alternative 2 (this includes the community facility and healthcare displacements which  
5 may be located on parcels with other businesses such as in the Hancock Center or the Petroleum Building). Field  
6 verification of the number and types of businesses potentially displaced is ongoing and will be updated to gather  
7 the most recent and accurate information for the Community Study Area. **Figure 3.6-6** shows the locations of  
8 these displacements, and **Appendix J** includes a table of businesses which may be affected. This table also  
9 includes the distance a traveler would need to go to access a similar service. The number of displacements may  
10 change based on further design. It should be noted that commercial parcels that would potentially be impacted  
11 may not be entirely displaced pending final design. **Table 3.6-2** shows the types of businesses, as of October 1,  
12 2022, which may be lost with Build Alternative 2. This may change as businesses turnover in the Community  
13 Study Area.

14 Of the 131 potential commercial displacements, 16 businesses serve a specific population including minority or  
15 Spanish-speaking, low-income, and children. These include:

- 16 • Specially for Children (listed in the displacements table [**Appendix J**] as Carousel Pediatrics) serves children.
- 17 • CommUnityCare – David Powell Heath Center (FQHC run by the Travis County Healthcare District) specializes  
18 in the treatment of HIV and AIDS and providing services to low-income or those without medical insurance.
- 19 • CommUnityCare – Hancock Walk-In Care (Hancock Center), FQHC that provides medical services to the  
20 general public as well as low-income or those without medical insurance.
- 21 • Pediatric Healthcare (located in the Austin Medical Building) serves children.
- 22 • Dr. Emilio Torres, an obstetrician/gynecologist, serves women and children.
- 23 • Daycare (Escuelita del Alma), Spanish immersion preschool (occupies two commercial parcels that would  
24 be displaced).
- 25 • Extend-A-Care (Northshore Plaza), YMCA afterschool program.
- 26 • Copernicus STEM Academy, Delwood Campus, serves children.
- 27 • Pathways Youth and Family Services Behavioral Health (located in the Petroleum Building) serves children.
- 28 • Special Kids Care (located in the Petroleum Building) serves children.
- 29 • Texas State Independent Living Council (located in the Petroleum Building) serves individuals with  
30 disabilities.
- 31 • Brookside Women’s Medical Center serves women.
- 32 • Jimmy’s Barbershop – provides barber services for the Black/African American community.
- 33 • Hector’s Barbershop – Spanish-speaking barbershop.
- 34 • The BL Barbershop – provides barber services for the Black/African American community.

- 1 • Green Doors – provides homelessness prevention services and serves the low-income community.

2 The appraised value of the commercial properties that would be displaced ranged from \$264,700 to  
3 \$85,000,000 according to 2021 Travis County Appraisal Rolls. The commercial property valued at \$85,000,000  
4 (Hancock Center) was an outlier and the entire parcel would not be affected by the proposed project. All other  
5 commercial property displacements valued below \$16,600,000. The average of the commercial property values  
6 was about \$3,077,100 and the median was \$960,800. According to LoopNet, there were five commercial  
7 properties for sale within the Community Study Area which were between \$250,000 and \$1,000,000 and 41  
8 commercial properties for sale between \$1,000,000 and \$16,600,000 (LoopNet 2021).

9 As shown on TxDOT economics form in **Appendix J**, these displacements could result in the loss of approximately  
10 1,125 jobs. The public involvement team is currently in the process of contacting businesses which may  
11 potentially be displaced. TxDOT will continue to work with these businesses throughout the acquisition process.  
12 The unemployment rate in Austin was 6.1 percent in 2020, up from 2.5 percent in 2019, which reflected the  
13 impact of the COVID-19 pandemic (COA, 2021c). Locally, regionally, and nationally, businesses have been  
14 affected by the labor shortage, rising cost of wages, supply chain issues, and rising cost of supplies (CNBC 2021).  
15 These issues may affect businesses wishing to relocate within the project area. Some of the jobs lost due to  
16 displacement could be replaced near the project area; however, if all 1,125 jobs were lost and not replaced, it  
17 would comprise less than 0.18 percent of the labor force in Travis County. Prior to the pandemic (2018–2019),  
18 employment grew at a rate of 3.38 percent in Travis County. It would be anticipated that jobs would be available  
19 near the project area for employees whose jobs were lost due to commercial displacement.

## 20 Residential

21 Based on the design dated April 8, 2022, there are 145 residential displacements for Build Alternative 2. These  
22 are listed on the Displacements Table in **Appendix J**. The number of residential displacements could change  
23 based on further design changes. The displacements include two single-family residences and five multifamily  
24 complexes. The multifamily complexes include the Aria Grand Apartments (70 units), Avalon Apartments (24  
25 units), Gardens Apartments (40 units), 1500 Summit Condos (7 displacements), and two units at 1048 East  
26 43rd Street.

27 In 2021, the appraised value for these homes ranged from approximately \$368,000 to \$916,000 for single-  
28 family parcels and from approximately \$2,824,000 to \$3,561,000 for multifamily units (1500 Summit Condos  
29 did not have an appraised value listed). Appraised value accounts for an objective account of a property including  
30 things like location, size, and market trends, while market values are more subjective and include what an  
31 average buyer would be willing to pay for a property at a particular time. According to Zillow, on March 18, 2022,  
32 there were over 51 single-family homes listed below \$950,000 in the four ZIP codes encompassing the single-  
33 family residential displacements (78702, 78722, 78723, and 78751). Only two of those listings were listed  
34 below \$400,000. According to RedFin, in February 2022 housing prices in Austin were up 14.1 percent  
35 compared to last year and selling for a median price of \$576,000 (RedFin, 2022a). The RedFin data showed  
36 that over 62 percent of houses in Austin sold for over listing price in February 2022. The dramatic rise in housing  
37 costs (from an average housing price of approximately \$72,000 in 1990 to almost \$440,000 in 2021) has  
38 created a highly competitive housing market indicating those residents displaced by the proposed project,

1 especially with homes valued under \$576,000 (the median home sales price), would enter into a highly  
2 competitive housing market. Additional GIS data were reviewed to estimate the number of property owners  
3 versus renters. It appears that all of the proposed residential displacements were renters. Renters generally  
4 have less access to the level of financial security that property ownership entails. Those with low incomes could  
5 experience challenges in finding replacement rental or purchased housing within or near the Community Study  
6 Area. TxDOT will provide relocation assistance in accordance with the Uniform Act for those displaced by the  
7 proposed project.

8 Zillow included eight listings for multifamily buildings between \$800,000 and \$2,400,000 within the three ZIP  
9 codes encompassing the apartment building displacements (78704, 78705, and 78741) on May 5, 2022. While  
10 these were listed as multifamily housing, they included duplexes, triplexes, cottages, and townhomes and none  
11 of the listings included buildings with large complexes of 20 to 70 units such as would be displaced with Build  
12 Alternative 2. A search on Loop Net for commercial properties included several listings in Austin for apartment  
13 complexes (6 units to 40 units) or multifamily redevelopment between \$2,200,000 and \$12,000,000.

14 Fifteen displacements were considered “vacant” as of October 1, 2022. The vacant displacements included  
15 unoccupied office spaces (including the former First Worker COA Day Labor Center), residential parcels (including  
16 the former Acacia apartments and one parcel owned by the Guadalupe Neighborhood Development Corporation  
17 [GNDC] who has plans to develop the tract into two below-market rate single-family rental homes), unoccupied  
18 warehouse spaces, a vacant auto repair garage, and vacant lots.

## 19 Tax Value

20 Several properties would be displaced under Build Alternative 2, and the sum of the appraised value for these  
21 potential displacements would be approximately \$266,111,139 (2021 appraised values). As mentioned in the  
22 Economic Analysis in **Appendix J**, the proposed project design is still being refined and parcels with  
23 displacements may not be entirely impacted (e.g., Hancock Center has an appraised value of \$85,000,000 but  
24 the entire center would not be affected). Once design progresses the local tax revenue lost can be more  
25 accurately calculated. Based on the Travis County Tax Office, the 2021 Travis County tax rate was 0.36 percent.  
26 The annual tax revenue lost as a result of the proposed project (conversion of taxable property to public ROW)  
27 would be approximately \$1 Million to Travis County, which would amount to a tax revenue loss of less than one  
28 percent of the tax base for Travis County. Taxes are also assessed for several taxing units, and revenue would  
29 be lost in the following amounts based on the Travis County Property Tax Estimator: Travis Central Health  
30 (approximately \$300,000), Austin Community College (approximately \$280,000), COA (approximately \$1.4  
31 million), and AISD (approximately \$2.8 million).

Table 3.6-2. Types of Businesses that may be Lost with Build Alternative 2

Type of Displacement	Total	Number that Serve a Specific Population*
Healthcare	12	6
Auto Sales/Service	11	0
Gas Station/Convenience Store/Liquor Store	10	0
Daycare	3	3
Motel	3	0
Barbershop/Salon	4	3
Entertainment–Arcade, Gym, Adult Entertainment	3	0
News/Media/Printing Company	3	0
Storage Facilities	3	0
Restaurant	9	0
Office	38	4
Retail	13	0
Parking Services	1	0
Various (Tattoo shop, Bank, Bail Bonds, and Other)	18	0

\*Specific populations may include minorities, low-income individuals, children, the elderly, the disabled or any other specific group.

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Figure 3.6-6. Displacements – Build Alternative 2 (Map 1 of 22)



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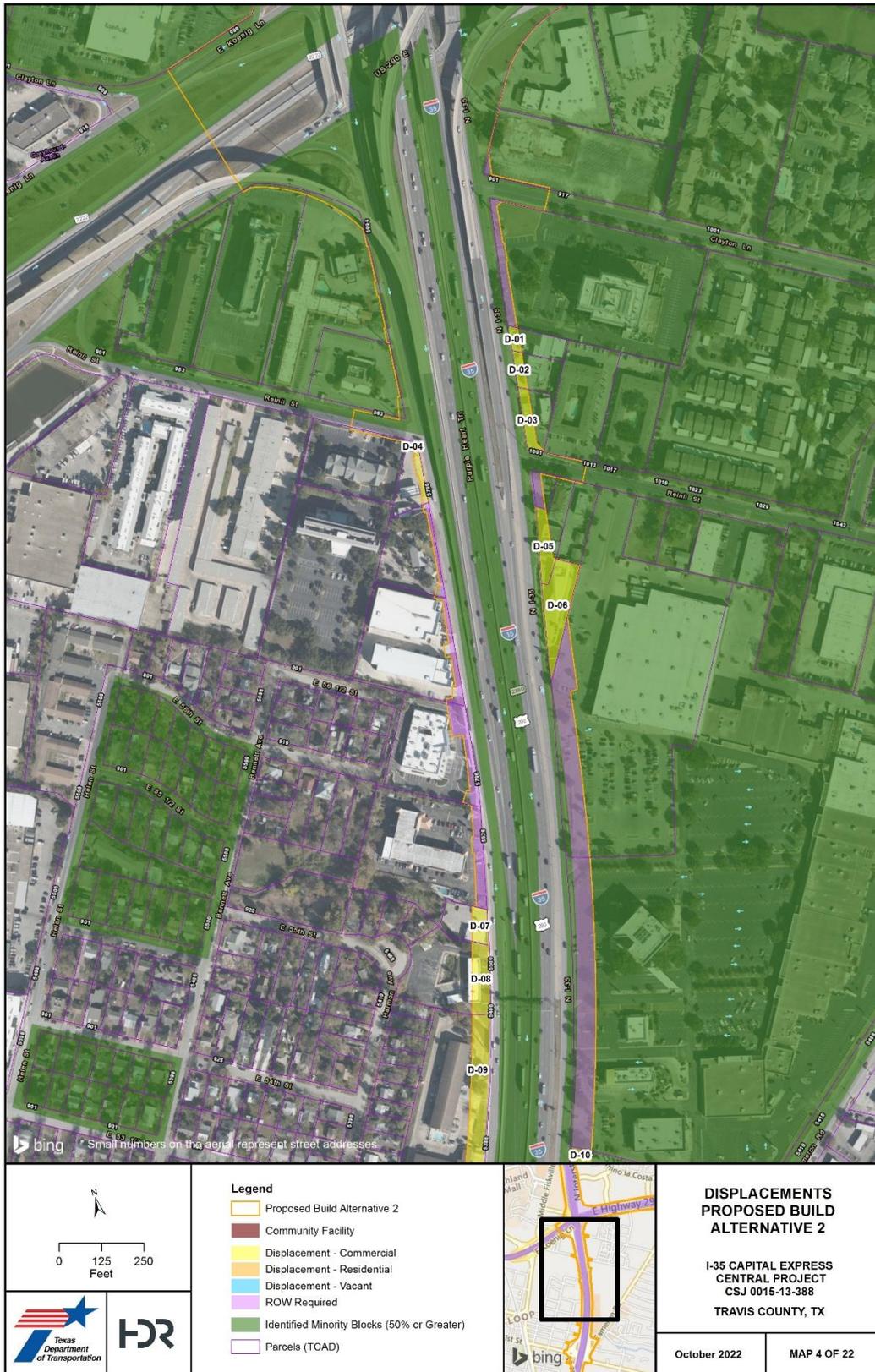
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Figure 3.6-6. Displacements – Build Alternative 2 (Map 3 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 4 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 5 of 22)



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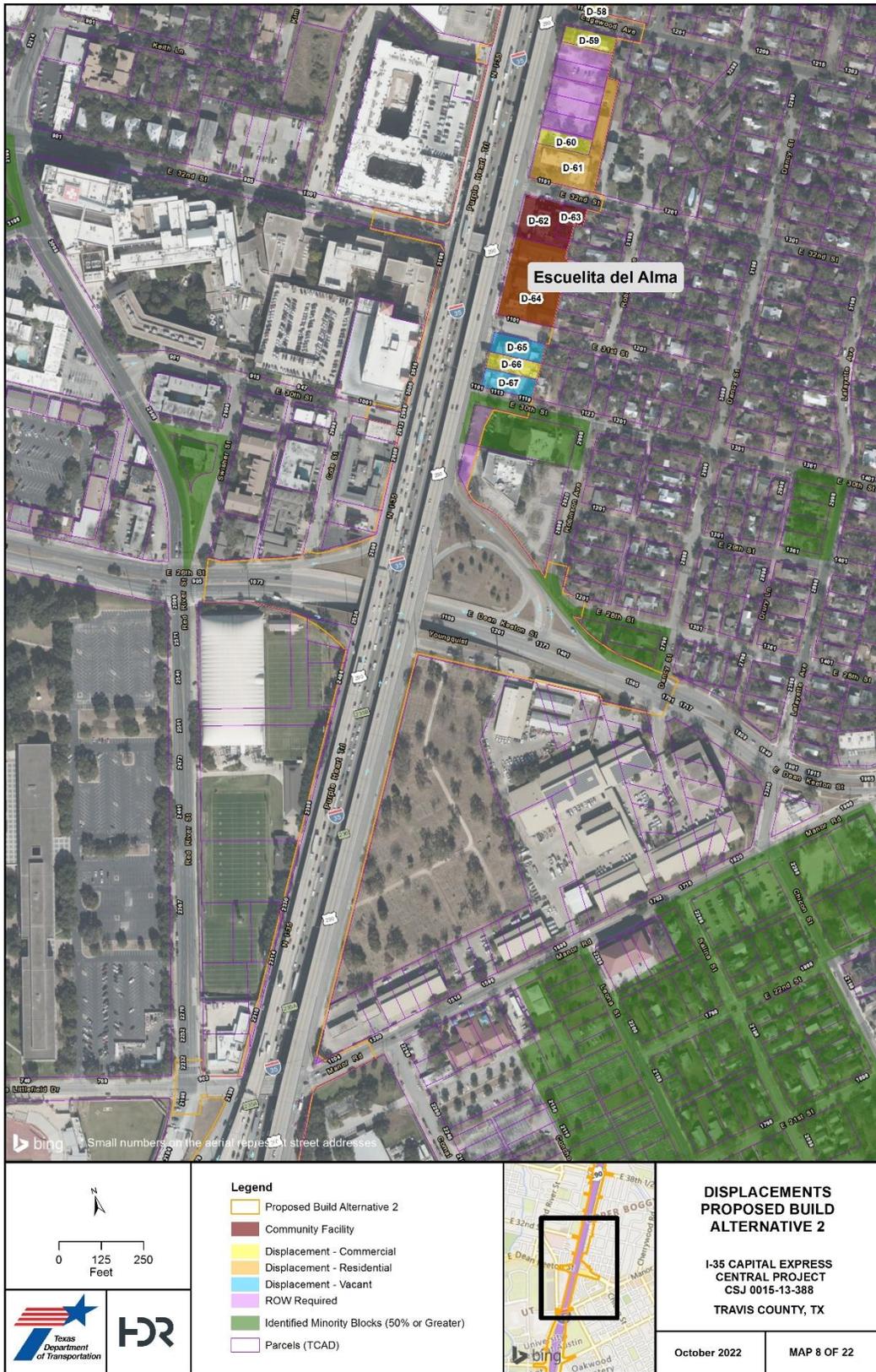
Figure 3.6-6. Displacements – Build Alternative 2 (Map 6 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 7 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 8 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 9 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 10 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 11 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 12 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 13 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 14 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 15 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 16 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 17 of 22)





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Figure 3.6-6. Displacements – Build Alternative 2 (Map 19 of 22)



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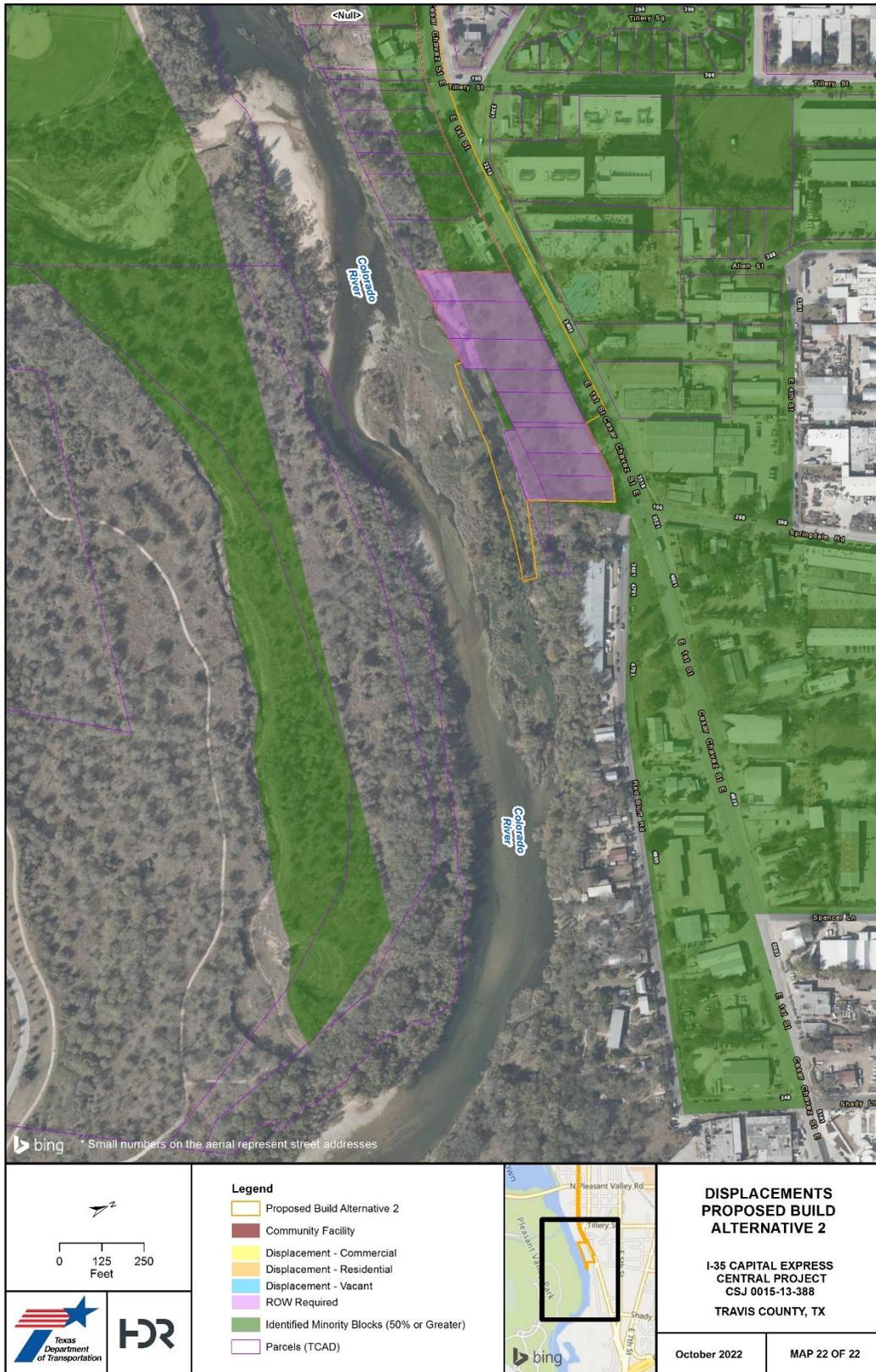
Figure 3.6-6. Displacements – Build Alternative 2 (Map 20 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 21 of 22)



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Figure 3.6-6. Displacements – Build Alternative 2 (Map 22 of 22)

### 1 3.6.7.3.2 Modified Build Alternative 3

2 In March 2022, design refinements aimed at reducing impacts and minimizing displacements were implemented  
3 in response to stakeholder engagement. Modified Build Alternative 3 displacements were calculated based on  
4 design drawings from April 8, 2022. **Figure 3.6-7** shows the locations of the Modified Build Alternative 3  
5 displacements and the Displacements Table included in **Appendix J** lists all of the anticipated displacements.  
6 **Table 3.6-4** at the end of this section includes a comparison of the types and numbers of displacements for both  
7 Build Alternative 2 and Modified Build Alternative 3.

8 ***Important note regarding ongoing design modifications and late-identified changes to displacement data***  
9 ***reported in this and other sections of the DEIS:** TxDOT is continuously evaluating ROW requirements. Shortly*  
10 *before printing this DEIS, changes to the schematic design for this alternative resulted in refinements to the*  
11 *displacements reported in this section: TxDOT has evaluated the ROW requirements north of E. Oltorf Street,*  
12 *which has resulted in access being maintained as to not displace the Whip In. Additionally, based on roadway*  
13 *construction requirements near the CapMetro Redline at Airport Boulevard, it is reasonably foreseeable that*  
14 *displacement of the Nature's Treasures business located at 4103 N I-35 will be necessary. Following the Public*  
15 *Hearing comment period, additional changes to the design may be implemented based on the continuation of*  
16 *the design process and in response to public and agency comment. In the publication of the combined Final*  
17 *Environmental Impact Statement (FEIS) and Record of Decision (ROD), we will adjust and finalize the*  
18 *displacements data and maps in this and other sections of the EIS to reflect these changes regarding Whip In*  
19 *and Nature's Treasures, which could not be made in time for the DEIS publication, and any other changes to*  
20 *displacements that are identified following the public hearing comment period.*

### 21 Early Childhood Centers

22 Escuelita del Alma (Map ID D-62) is a Spanish-immersion early childhood center and is listed as a community  
23 facility displacement for Modified Build Alternative 3. At this time, it is unknown whether or not this facility would  
24 be able to relocate within the community. Losing a daycare facility within the Community Study Area is of concern  
25 for area residents who may have difficulty finding replacement resources within the nearby area. The public  
26 involvement team is currently in the process of contacting community facilities that may potentially be displaced.  
27 TxDOT will continue to work with these facilities throughout the acquisition process and is committed to assisting  
28 these critical facilities find alternate locations near their current location, when possible. TxDOT is currently  
29 considering advanced relocation assistance for selected properties in order to minimize impacts to underserved  
30 communities. At the time of this analysis, communication with Escuelita del Alma has been initiated.

### 31 Healthcare Displacements

32 This section includes community facility and general healthcare facility displacements that would occur with  
33 Modified Build Alternative 3. The two FQHCs that would be displaced are CommUnityCare – David Powell Health  
34 Center (Map ID D-22) and CommUnityCare – Hancock Walk-In Care (Map ID D-31). FQHCs include a specific  
35 scope that includes care for those without health insurance.

1 The David Powell Health Center includes primary care, walk-in care, women’s healthcare, psychiatry, and HIV  
2 prevention, testing, and treatment. Apart from the David Powell clinic, HIV treatment is available at the South  
3 Austin Health Center (currently not accepting new patients), the Southeast Health and Wellness Center, and the  
4 North Central CommUnityCare locations approximately 7 miles south, 9 miles southeast, and 7 miles north of  
5 the David Powell Health Center, respectively. If the David Powell Health Center is displaced and not relocated  
6 near its current location, the nearest HIV care provider listed on COA’s Austin HIV resources page  
7 (<https://www.austintexas.gov/department/service-providers>) includes the Vivent Health Main Campus/Moody  
8 Medical located at 7215 Cameron Road approximately 2.5 miles northeast of the existing clinic. HIV testing  
9 services, but not treatment, are offered at Ashwell Sexual Health and Wellness located at 3100 Red River Street,  
10 approximately 3 miles to the southwest of the David Powell Health Center and the Sexual Health Center located  
11 at 15 Waller Street, approximately 5.5 miles south of the David Powell Health Center. If this facility was not  
12 displaced, in order to accommodate the design, ROW would be required from the eastern side of I-35 and would  
13 result in the displacement of 56 below-market rate housing units at the Abali.

14 The Hancock Walk-In Care is a walk-in clinic with no scheduled services, that also provides after hours care.  
15 CommUnityCare offers same day acute care services at one other location apart from Hancock, the Southeast  
16 Health & Wellness Center 9 miles away in the Montopolis neighborhood. These walk-in facilities also provide  
17 immediate care services in support of home clinics by accepting overflow patients.

18 The general healthcare displacements that would occur with Modified Build Alternative 3 are:

- 19 • Austin Medical Building (D-35) – This facility includes Austin Eye Clinic Association, Dr. Wong et al,  
20 Optometry, pediatric healthcare, and Dr. Michael Gutierrez, family medicine.
- 21 • Dr. Emilio Torrez – Obstetrics and Gynecology (D-60).

22 The public involvement team is currently in the process of contacting community and healthcare facilities that  
23 may potentially be displaced. TxDOT will continue to work with these facilities throughout the acquisition process  
24 and is committed to assisting these critical facilities find alternate locations near their current location, when  
25 possible. TxDOT is currently considering advanced relocation assistance for selected properties in order to  
26 minimize impacts to underserved communities. At the time of this analysis, communication with the two  
27 CommUnityCare facilities has been initiated.

## 28 Commercial

29 The Community Study Area includes a wide variety of businesses, including commercial, retail, and restaurants  
30 which are primarily accessed by car. Based on the design dated April 8, 2022, there would potentially be 69  
31 commercial displacements with Modified Build Alternative 3 (this includes the community facility and healthcare  
32 displacements that may also be on parcels with other businesses such as in Hancock Center). Field verification  
33 of the number and types of businesses potentially displaced is ongoing and will be updated to gather the most  
34 recent and accurate information for the Community Study Area. **Figure 3.6-7** shows the locations of these  
35 displacements and **Appendix J** includes a table of businesses that may be affected. This table also includes the  
36 distance a traveler would need to go to access a similar service. The number of displacements may change  
37 based on further design. Commercial parcels that would potentially be impacted may not be entirely displaced.

- 1 Of the 69 potential commercial displacements, eight businesses serve a specific population including minority  
2 or Spanish-speaking, low-income, and children. These include:
- 3 • CommUnityCare – David Powell Heath Center (FQHC run by the Travis County Healthcare District) specializes  
4 in the treatment of HIV and AIDS and providing services to low-income or those without medical insurance.
  - 5 • CommUnityCare – Hancock Walk-In Care (Hancock Center), FQHC that provides medical services to the  
6 general public as well as low-income or those without medical insurance.
  - 7 • Pediatric Healthcare (located in the Austin Medical Building) serves children.
  - 8 • Dr. Emilio Torres, an obstetrician/gynecologist, serves women and children.
  - 9 • Daycare (Escuelita del Alma) Spanish immersion preschool (occupies two commercial parcels that would be  
10 displaced).
  - 11 • Jimmy’s Barbershop provides barber services for the Black/African American community.
  - 12 • Hector’s Barbershop – Spanish-speaking barbershop.
  - 13 • The BL Barbershop – provides barber services for the Black/African American community.

14 The appraised value of the commercial properties that would be displaced ranged from about \$319,000 to  
15 \$85,000,000 according to 2021 Travis County Appraisal Rolls. The commercial property valued at \$85,000,000  
16 (Hancock Center) was an outlier and the entire parcel would not be affected by the proposed project. All other  
17 commercial property displacements valued below \$16,600,000. The average of the commercial property values  
18 was about \$2,800,000 and the median was \$890,000. According to LoopNet, there were six commercial  
19 properties for sale within the Community Study Area, which were between \$250,000 and \$1,000,000 and more  
20 than 25 commercial properties for sale between \$1,000,000 and \$16,600,000 (LoopNet, 2022).

21 As shown in **Table 3.6-3** and on TxDOT economics form in **Appendix J**, these displacements could result in the  
22 loss of over approximately 625 jobs. The public involvement team is currently in the process of contacting  
23 businesses that may potentially be displaced. TxDOT will continue to work with these businesses throughout the  
24 acquisition process. The unemployment rate in Austin was 6.1 percent in 2020, up from 2.5 percent in 2019,  
25 which reflected the impact of the COVID-19 pandemic (COA, 2021c). Locally, regionally, and nationally  
26 businesses have been affected by the labor shortage, rising cost of wages, supply chain issues, and rising cost  
27 of supplies (CNBC 2021). These issues may affect businesses wishing to relocate within the project area. Some  
28 of the jobs lost due to displacement could be replaced near the project area; however, if all 625 jobs were lost  
29 and not replaced, it would comprise less than 0.1 percent of the labor force in Travis County. Prior to the  
30 pandemic (2018–2019), employment grew at a rate of 3.38 percent in Travis County. It would be anticipated  
31 that jobs would be available near the project area for employees whose jobs were lost due to commercial  
32 displacement.

### 33 Residential

34 Based on the design dated April 8, 2022, there are 26 residential displacements for Modified Build Alternative  
35 3. These are listed on the Displacements Table in **Appendix J**. The number of residential displacements could

1 change based on further design changes. The displacements include two single-family residences and one  
2 multifamily complex. The multifamily complex is the Avalon Apartments (24 units).

3 The appraised value for these homes ranged from approximately \$368,000 to \$873,000 for single-family  
4 parcels, and the multifamily units ranged in appraised value from approximately \$1,200,000 to \$2,823,000.  
5 According to Zillow, on March 18, 2022, there were over 22 single-family homes listed below \$950,000 in the  
6 three ZIP codes encompassing the single-family residential displacements (78702, 78722, and 78751). Only  
7 one of those listings were listed below \$400,000. According to RedFin, in February 2022 housing prices in Austin  
8 were up 14.1 percent compared to last year and selling for a median price of \$576,000 (RedFin, 2022a). The  
9 RedFin data showed that over 62 percent of houses in Austin sold for over listing price in February 2022. The  
10 dramatic rise in housing costs (from an average housing price of approximately \$72,000 in 1990 to almost  
11 \$440,000 in 2021) has created a highly competitive housing market indicating those residents displaced by the  
12 proposed project, especially with homes valued under \$576,000 (the median home sales price), would enter  
13 into a highly competitive housing market. Additional GIS data were reviewed to estimate the number of property  
14 owners versus renters. It appears that all of the proposed residential displacements were renters. Renters  
15 generally have less access to the level of financial security that property ownership entails. Those with low  
16 incomes could experience challenges in finding replacement rental or purchased housing within or near the  
17 Community Study Area. TxDOT will provide relocation assistance to those displaced by the project in accordance  
18 with the Uniform Act.

19 Zillow included five listings for multifamily buildings between \$625,000 and \$1,100,000 within the two ZIP  
20 codes encompassing the apartment building displacements (78705 and 78751) on March 18, 2022. While  
21 these were listed as multifamily housing, they included duplexes, triplexes, cottages, and townhomes and none  
22 of the listings included buildings with large complexes of 20 to 70 units such as would be displaced with Modified  
23 Build Alternative 3.

24 Twelve displacements were considered “vacant” as of September 1, 2022. The vacant displacements included  
25 two unoccupied office spaces (including the former First Worker COA Day Labor Center), six residential parcels  
26 (including the former Acacia apartments and one parcel owned by the GNDC who has plans to develop the tract  
27 into two below-market rate single-family rental homes), three unoccupied warehouse spaces, and a vacant auto  
28 repair garage.

## 29 Tax Value

30 Modified Build Alternative 3 would displace several properties, and the sum of the appraised value for these  
31 potential displacements would be approximately \$201,202,000 (2021). As noted in the Economic Analysis in  
32 **Appendix J**, the proposed project design is still being refined and parcels with displacements may not be entirely  
33 impacted (e.g., Hancock Center has an appraised value of \$85,000,000 but the entire center would not be  
34 affected). Once design progresses, the local tax revenue lost can be more accurately calculated. Based on the  
35 Travis County Tax Office, the 2021 Travis County tax rate was 0.36 percent. The annual tax revenue lost as a  
36 result of the proposed project (conversion of taxable property to public ROW) would be approximately \$720,000  
37 to Travis County, which would amount to a tax revenue loss of less than one percent of the tax base for Travis  
38 County. Taxes are also assessed for several taxing units and revenue would be lost in the following amounts

- 1 based on the Travis County Property Tax Estimator: Travis Central Health (approximately \$225,000), Austin
- 2 Community College (approximately \$211,000), COA (approximately \$1.08 million), and AISD (approximately \$2.1
- 3 million).

**Table 3.6-3. Types of Businesses that may be Lost with Modified Build Alternative 3**

Type of Displacement	Total	Number that Serve a Specific Population*
Healthcare	6	4
Auto Sales/Service	9	0
Gas Station/Convenience Store/Liquor Store	10	0
Daycare	1	1
Motel	2	0
Barbershop/Salon	4	3
Entertainment-Arcade, Gym, Adult Entertainment	4	0
News/Media/Printing Company	2	0
Storage Facilities	2	0
Restaurant	9	0
Office	3	0
Retail	9	0
Parking Services	1	0
Various (Tattoo Shop, Bank, Bail Bonds, and Other)	7	0

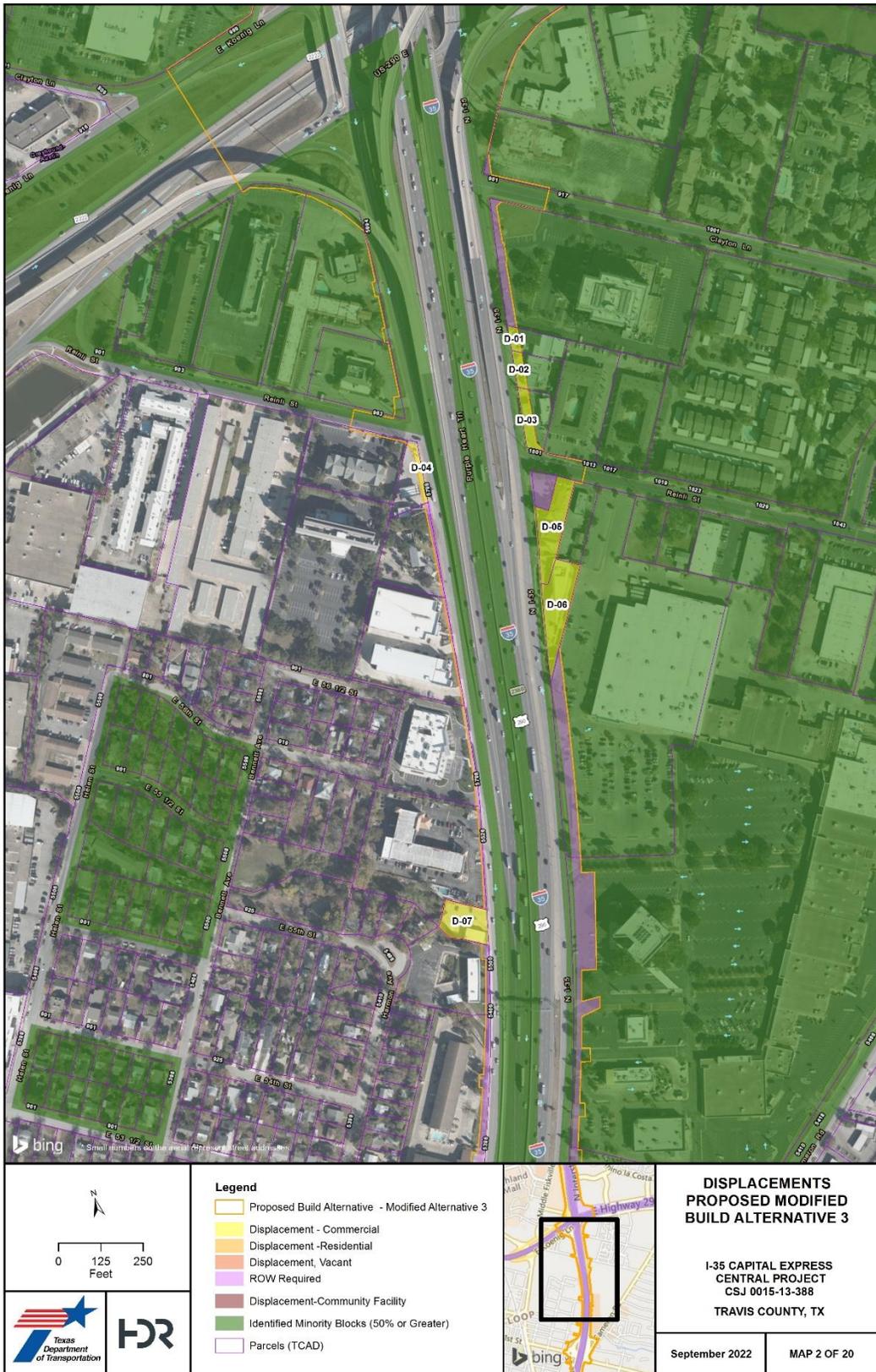
\*Specific populations may include minorities, low-income individuals, children, the elderly, the disabled or any other specific group.



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 1 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 2 of 20)





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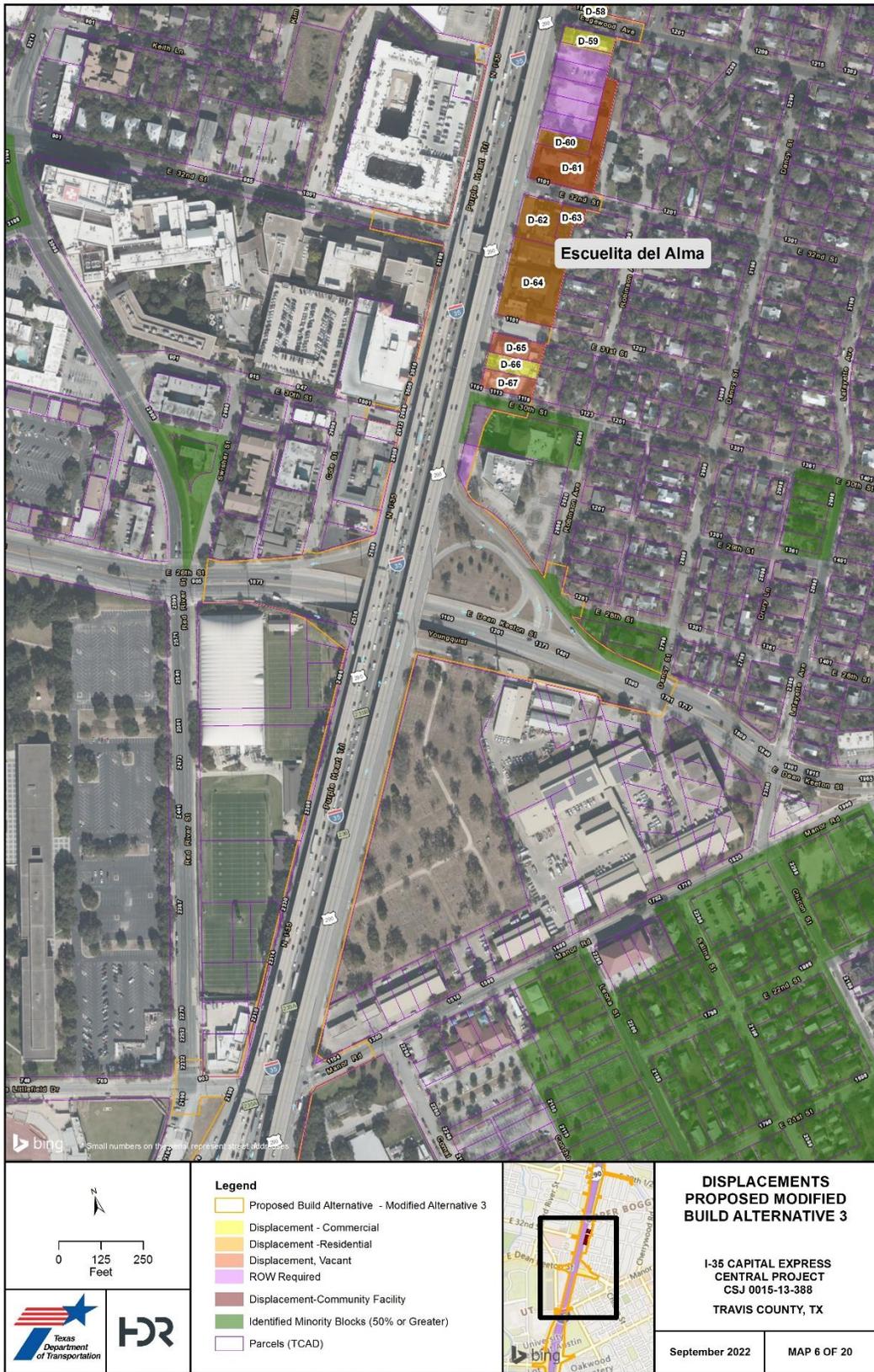
Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 4 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 5 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 6 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 7 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 8 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 9 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 10 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 11 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 12 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 13 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 14 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 15 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 16 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 17 of 20)



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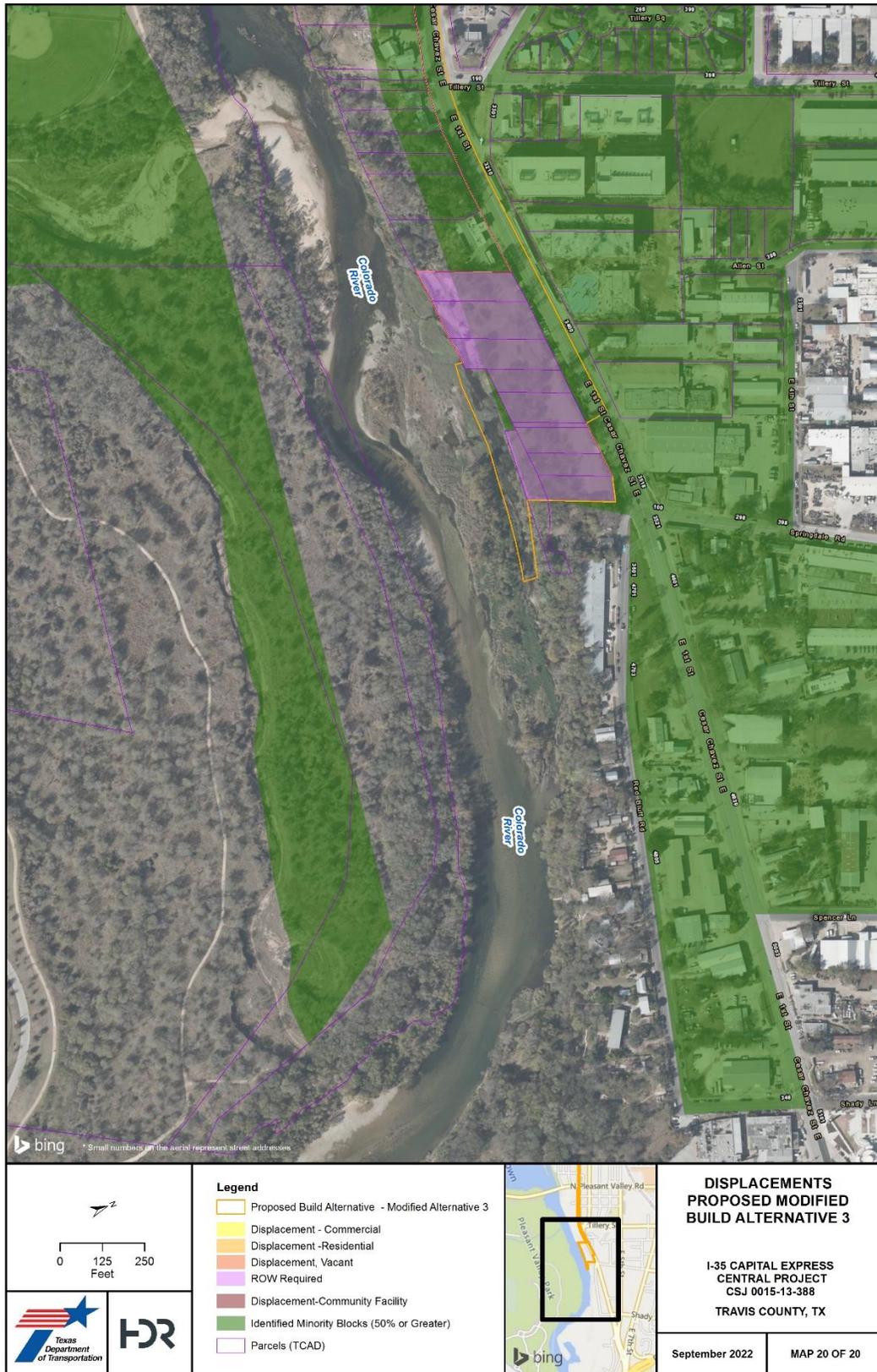
Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 18 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 19 of 20)



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Figure 3.6-7. Displacements – Modified Build Alternative 3 (Map 20 of 20)

1 **3.6.7.3.3 Alternative Comparison**

2 Modified Build Alternative 3 was redesigned to reduce the number of residential and commercial displacements  
 3 as is shown by the large reduction in displacements between Build Alternative 2 and Modified Build Alternative  
 4 3. These design changes were implemented in response to community involvement and provided a drastic  
 5 reduction in displacements between the alternatives.

**Table 3.6-4. Alternative Comparison for Displacements**

Proposed Build Alternative	# Community Facility*	# Commercial **	# Serve a Specific Community	# Single-Family	# Multifamily (Units)	EJ***
<b>Build Alternative 2</b>	10	131	16	2	143	172
<b>Modified Build Alternative 3</b>	3	69	8	2	24	90

\* Build Alternative 2 displaced community facilities: David Powell Health Center, Hancock Walk-In Care, Escuelita del Alma, Pathways Youth and Family Services, Texas State Living Council, Austin VA Vets Center, Green Doors, Copernicus STEM Academy Delwood Campus, and Extend-A-Care.  
 \* Modified Build Alternative 3 displaced community facilities: David Powell Health Center, Hancock Walk-In Care, and Escuelita del Alma.  
 \*\*Commercial displacements would also include community facility displacements. Community facilities may be located within buildings or complexes which would be displaced, but also include other businesses.  
 \*\*\*EJ displacements conservatively include those within a Census block with 50% or greater minority population, a Census block group where the MHI is below the HHS poverty level, or a Census tract where the percentage of those in poverty is significantly greater than the poverty level within Travis County, with the understanding that no all such displaced persons or businesses may actually be EJ persons or businesses.

6 **3.6.7.3.4 No Build Alternative**

7 No new ROW would be acquired for the No Build Alternative; therefore, no displacements or relocations would  
 8 occur.

9 **3.6.8 Neighborhoods and Community Cohesion**

10 As described previously, the Community Study Area was historically divided along racial and ethnic backgrounds,  
 11 and I-35 was placed between east and west Austin, which solidified this physical barrier. The people residing in  
 12 the eastern crescent, east of I-35, have the largest barriers to travel to access downtown’s amenities. This  
 13 section will briefly describe the neighborhoods within the Community Study Area and the project’s impacts.

14 **3.6.8.1 Affected Environment**

15 Neighborhood planning is a way for the public to have input on the planning and direction of their neighborhood.  
 16 The NPAs included in the Community Study Area are described below and are shown in **Figure 3.6-8. Table 3.6-**  
 17 **5** includes a summary of demographic characteristics taken from the census tracts, blocks, or block groups

1 within each of the NPA boundaries. The rates of different groups within the NPAs can be compared to the larger  
2 overall Travis County area. Travis County overall had approximately 52.5 percent minority population, a MHI of  
3 \$80,726, approximately 8.8 percent disabled population, approximately 22 percent children under 18, and  
4 approximately 9.5 percent persons over 65. Approximately 6.0 percent of households within Travis County had  
5 no access to a car, and approximately 5.3 percent of households had either no computer or no internet available.  
6 The percentage of households which had received public assistance or food stamps/SNAP in Travis County was  
7 approximately 7.6 percent and approximately 11.5 percent of the population over 5 years old spoke English less  
8 than “very well.”

9 • West of I-35 from north to south:

10 ○ Highland. The Highland neighborhood is bounded by Anderson Lane on the north, Twin Crest and Middle  
11 Fiskville Road to the east, Koenig Lane to the south, and Lamar Boulevard on the west. Its neighborhood  
12 plan is combined with Brentwood and was adopted May 13, 2004. Highland neighborhood  
13 transportation recommendations included improving pedestrian and bicycle accommodations and  
14 improving the accessibility of public transit. Overall, the Highland neighborhood is approximately 48  
15 percent minority with an average MHI of \$59,220. This neighborhood had a slightly higher percentage  
16 of disabled persons (10.5 percent), and a smaller percentage of children (16.7 percent) and those over  
17 65 (6.5 percent), than Travis County. Within this neighborhood, there was a similar percentage of no car  
18 households (5.8 percent), a lesser percentage of LEP (10.4) percent, and a greater percentage of  
19 households receiving public assistance or food stamps/SNAP (12.9) compared to the county.

20 ○ North Loop. The North Loop Neighborhood Plan was adopted in May 2002. The North Loop  
21 neighborhood is located between Koenig Lane to the north, I-35 to the east, 51st Street on the south,  
22 and Lamar Boulevard to the west. The neighborhood plan discusses increased property values and a  
23 subsequent increase in property taxes following the closure of Robert Mueller Airport in 1999. The North  
24 Loop Neighborhood Plan envisioned a pedestrian-friendly, mixed-use neighborhood. Overall, the North  
25 Loop neighborhood is approximately 36 percent minority with an average MHI of \$71,614. This  
26 neighborhood had a slightly higher percentage of disabled persons (9.8 percent), and a smaller  
27 percentage of children (13.7 percent) and those over 65 (6.2 percent), than Travis County. Within this  
28 neighborhood, there was a similar percentage of no car households (6.3 percent), a lesser percentage  
29 of LEP residents (3.4 percent), a lesser percentage of households receiving public assistance or food  
30 stamps (2.9 percent), and a greater percentage of households with no internet or no computer (9.1  
31 percent) compared to the county.

32 ○ Hancock. The Hancock neighborhood is located between 45th Street to the north, I-35 to the east, Dean  
33 Keeton Street to the south, and Duval on the west. This neighborhood is included in the Central Austin  
34 Combined Neighborhood Plan adopted in August 2004. Goals in this plan included preserving the  
35 integrity and character of the single-family neighborhoods, preserving historic character, allowing mixed  
36 use development and pedestrian oriented travel, and providing a safe environment and opportunities  
37 for all modes of transport. Overall, the Hancock neighborhood is approximately 35.9 percent minority  
38 with an average MHI of \$72,565. Hancock NPA had the smallest percentage of people with a disability  
39 of all the Community Study Area (5.1 percent). The Hancock neighborhood had a much smaller  
40 percentage of children (7.2 percent) and those over 65 (5.8 percent) than Travis County. Within this

- 1 neighborhood, there was a greater percentage of no car households (10.8 percent) and households with  
2 no access to a computer or the internet (11.0 percent), and a much lower percentage of LEP (3.0)  
3 percent. Out of all the NPAs in the Community Study Area, the Hancock NPA had the smallest percentage  
4 of households receiving public assistance or food stamps/SNAP (2.0 percent).
- 5 ○ UT (Non-NPA). The UT area includes the main campus of the UT at Austin. This area comprises  
6 approximately 64 percent minority with an average MHI of \$65,549. The UT area had a very low  
7 percentage of people with disabilities (approximately 6.1 percent) and had a much smaller percentage  
8 of children (5.1 percent) and those over 65 (3.7 percent) than Travis County. Within the UT area, there  
9 was a higher percentage of no car households (9.3 percent) and households with no computer or  
10 internet access (8.4 percent), a lower percentage of LEP individuals (2.3 percent), and a much lower  
11 percentage of households receiving public assistance or food stamps/SNAP (2.6 percent) compared to  
12 the county.
  - 13 ○ Downtown (Non-NPA). The Downtown area is composed of the Medical Innovation, Capitol, Red River,  
14 6th Street, Congress Ave, Convention Area, and Rainey Street Districts. It was composed of  
15 approximately 40.0 percent minority populations with the highest MHI in the Community Study Area at  
16 \$113,991. Downtown had the smallest percentage of children (3.2 percent) of any neighborhood within  
17 the Community Study Area. Approximately 11.5 percent of the population was over 65, which is slightly  
18 higher than the rate for Travis County. Downtown was the only area within the community study area to  
19 have a smaller percentage of households with no computer or internet access than the county as a  
20 whole (4.6 percent). This area also had a low percentage of those receiving public assistance or food  
21 stamps (2.6 percent). Approximately 6.6 percent of the population had a disability and only  
22 approximately 1.9 percent of the population 5 and older spoke English less than very well (LEP).
  - 23 ○ South River City. The South River City neighborhood is located south of Lady Bird Lake, west of I-35,  
24 north of Oltorf, and east of South Congress Avenue. The Greater South River City Combined  
25 Neighborhood Plan includes the South River City and St. Edwards neighborhoods and was adopted  
26 September 29, 2005. This NPA had the smallest minority percentage of any NPA within the Community  
27 Study Area (27.2 percent), which was much lower than the minority percentage within Travis County and  
28 had the second highest MHI at \$99,310. South River City had a larger percentage of zero car households  
29 (9.4 percent) and households with no computer or internet access (12.7 percent) compared with the  
30 county. This neighborhood had a lower percentage of children (11.8 percent), those over 65 (8.6  
31 percent), as well as a lower percentage of LEP individuals (5.0 percent), and those receiving public  
32 assistance or food stamps (5.7 percent), when compared with Travis County.
  - 33 ○ St. Edwards. The St. Edwards neighborhood is included in the South River City district, and it is located  
34 south of Oltorf, west of I-35, north of Ben White Boulevard, and east of South Congress Avenue. This  
35 neighborhood includes the campus of St. Edwards University. The Greater South River City Combined  
36 Neighborhood Plan includes the South River City and St. Edwards neighborhoods and was adopted  
37 September 29, 2005. Approximately 54.3 percent of the population within the St. Edwards  
38 neighborhood is minority and the average MHI was on the lower end of the NPAs within the Community  
39 Study Area at \$45,396. This NPA contained a similar percentage of people with disabilities (8.2 percent)  
40 compared to Travis County but had lower percentages of children (12.7 percent) and those over 65 (7.5

- 1 percent). There were approximately 17.3 percent of zero car households and 17.8 percent of  
2 households with no computer or internet access; these percentages are almost three times and just  
3 over three times greater than the county percentages overall. Approximately 9.9 percent of households  
4 had received public assistance or food stamps within the past year which is slightly greater than the  
5 percentage within the county, and approximately 4.3 percent were LEP.
- 6 ○ East Congress. The East Congress neighborhood is included in the South River City District and the  
7 South Congress Combined Neighborhood Plan, which was adopted August 18, 2005. The East Congress  
8 neighborhood is bounded to the north by Ben White Boulevard, to the east by I-35, to the south by  
9 Stassney Lane, and to the west by South Congress Avenue. Approximately 54.3 percent of the  
10 population in the East Congress neighborhood comprises minorities and the average MHI within the  
11 NPA was \$66,935. Persons with disabilities accounted for approximately 6.6 percent of the population.  
12 Children composed approximately 14.8 percent of the neighborhood's population and those over 65  
13 accounted for approximately 9.1 percent. The East Congress neighborhood had the lowest percentage  
14 of zero car households of all neighborhoods within the Community Study Area (3.8 percent). This  
15 neighborhood had about three times more households with no computer or no internet access, when  
16 compared to the county (16.2 percent). A smaller percentage of households within this NPA had  
17 received public assistance or food stamps (4.3 percent) compared with the county. Approximately 12.7  
18 percent of the population within the East Congress neighborhood was LEP.
  - 19 ● East of I-35 generally from north to south:
    - 20 ○ Coronado Hills. The Coronado Hills Neighborhood is located where US 183 and US 290 meet. The St.  
21 John/Coronado Hills Combined Neighborhood Plan was adopted in April 2012. The Coronado Hills  
22 neighborhood had the highest minority population (90.1 percent) and also had the lowest average MHI  
23 (\$38,176) of all the NPAs within the Community Study Area. This neighborhood had a similar percentage  
24 of children (23.4 percent) and a slightly greater percentage of those over 65 (12.6 percent) compared  
25 to Travis County. Coronado Hills NPA had the highest percentage of LEP (28.9 percent) within the  
26 Community Study Area and also had a much higher percentage of households with no computer or  
27 internet access (22.7 percent), households who had received public assistance or food stamps within  
28 the past year (21.6 percent), and zero car households (19.3 percent), compared to the county.
    - 29 ○ St. John. The St. John neighborhood is primarily located east of I-35 but crosses over to Middle Fiskville  
30 Road and Twin Crest Drive to the west. The neighborhood is bounded by US 183 to the north, Cameron  
31 Road to the east, and US 290 to the south. The St. John/Coronado Hills Combined Neighborhood Plan  
32 was adopted April 26, 2012. The St. John neighborhood comprises approximately 78.7 percent minority  
33 population and had an average MHI of \$46,103. This neighborhood had a slightly larger population of  
34 persons with disabilities than Travis County at 11.1 percent. Children (19.6 percent) and those over 65  
35 (6.7 percent) comprised a smaller percentage of the population within this neighborhood than the  
36 county. St. John had a much higher portion of households with no access to a car (14.6 percent), no  
37 computer or internet access (26.2 percent), and households who had received public assistance or food  
38 stamps (18.7 percent) compared to the county. Approximately 28.6 percent of the population was LEP,  
39 the second highest percentage of LEP population within the Community Study Area.

- 1           ○ University Hills. The University Hills neighborhood is located in the Windsor Park district. It is bounded  
2           by US 290 on the north, Ed Bluestein Drive (US 183) on the east, the Little Walnut Creek Greenbelt to  
3           the south, and Northeast Drive to the west. The University Hills/Windsor Park Neighborhood Plan was  
4           adopted in August 2007. The population of this neighborhood comprises approximately 65.5 percent  
5           minority and had an average MHI of \$70,481. There was a slightly higher percentage of persons with  
6           disabilities (9.9 percent) than Travis County. Approximately 21.9 percent of the population was children,  
7           similar to Travis County, and the portion of people over 65 was slightly higher in the neighborhood (11.8  
8           percent) than in the county. Approximately 6.4 percent of households had no access to a car and just  
9           over 20 percent of the households had no computer or no access to the internet. Approximately 12.9  
10          percent of the population within University Hills had received public assistance or food stamps within  
11          the past year, and approximately 7.6 percent of the population identified as LEP.
- 12          ○ Windsor Park. Windsor Park is located south of US 290, west of Northeast Drive and Manor Road, north  
13          of 51st Street and east of I-35. As noted above, the combined neighborhood plan for University Hills and  
14          Windsor Park was adopted in August 2007. The population of Windsor Park comprises approximately  
15          60.2 percent minority and the average MHI in the NPA was \$65,302. Windsor Park had a slightly higher  
16          portion of persons with disabilities (11.2 percent), a slightly higher percentage of children 24.5 percent,  
17          and a slightly lower percentage of people over 65 (8.1 percent) than Travis County. This NPA had a  
18          greater portion of households with no access to a car (10.4 percent), and a much greater portion of  
19          households with no access to a computer or the internet (25.2 percent), or households who had received  
20          public assistance or food stamps (20.7 percent) than the county. Approximately 20.1 percent of the  
21          population identified as LEP speaking English less than very well.
- 22          ○ Pecan Springs–Springdale. The Pecan Springs–Springdale neighborhood is bounded by Manor Road  
23          and Springdale Road to the west, Walnut Creek to the northeast, US 183 to the east, and MLK Jr.  
24          Boulevard to the south. This neighborhood is included in The East MLK Combined Neighborhood Plan,  
25          adopted November 7, 2002. The population of the Pecan Springs – Springdale NPA is composed of  
26          approximately 67 percent minority and the average MHI was \$59,006. Pecan Springs had a slightly  
27          higher percentage of persons with disabilities (10.8 percent), children (23.9 percent), and persons over  
28          65 (10.3 percent) than Travis County. This neighborhood had a slightly higher percentage of households  
29          with no access to a car (8 percent), and a much higher percentage of households with no computer or  
30          internet access (26.3 percent) or who had received public assistance or food stamps within the past  
31          year (21.9 percent) compared with the county. Approximately 14.3 percent of the population within the  
32          Pecan Springs-Springdale neighborhood was LEP.
- 33          ○ Robert Mueller Municipal Airport (RMMA) (Non-NPA). The population of the RMMA neighborhood  
34          comprises approximately 44.7 percent minority, less than the percentage within the county, and had an  
35          average MHI of \$93,750, which was higher than the county average and one of the highest within the  
36          Community Study Area. RMMA had a slightly lower percentage of persons with disabilities (6.5 percent),  
37          children (17.6 percent) and people over 65 (8.4 percent) than Travis County. The NPA had a similar  
38          portion of households with no access to a car (7.1 percent), but almost three times as many households  
39          with no computer or no internet access (15.3 percent) compared with the county. A slightly lesser

- 1 percentage of households received public assistance or food stamps (5.3 percent) compared to the  
2 county. Approximately 6.3 percent of the population within this neighborhood were LEP.
- 3 ○ MLK. The MLK neighborhood is located in east Austin and is bounded by Manor Road to the northwest,  
4 East 51st Street to the north, Springdale Road to the east, and Airport Boulevard to the southwest. This  
5 neighborhood is included in the East MLK Combined Neighborhood Plan, adopted November 7, 2002.  
6 The population of the MLK neighborhood was approximately 65 percent minority and the average MHI  
7 was \$61,177. The population of persons with disabilities (10.6 percent) was slightly higher than the  
8 county overall. The percentage of children in the NPA 18.8 percent was slightly lower compared to the  
9 county and the portion of those 65 and older (10.9 percent) was similar to the percentage within the  
10 county. The MLK neighborhood had a similar percentage of no car households (5.9 percent) compared  
11 to Travis County, but a much greater percentage of households with no computer or no internet access  
12 (approximately 20 percent) compared with Travis County. Approximately 12.4 percent of households  
13 within the NPA had received public assistance or food stamps within the past year, slightly higher than  
14 the whole of the county. Approximately 9.4 percent of the population within the MLK neighborhood were  
15 LEP.
- 16 ○ Upper Boggy Creek (Cherrywood). The Upper Boggy Creek neighborhood is bounded by Wilshire  
17 Boulevard to the north, Airport Boulevard to the east, Manor Road and East Dean Keeton Street to the  
18 south, and I-35 to the west. This area is locally known as Cherrywood. The Upper Boggy Creek  
19 Neighborhood Plan was adopted on August 1, 2002. The population within this neighborhood was  
20 composed of approximately 41.7 percent minority, which is much lower than the county, and the  
21 average MHI was \$79,346. Persons with disabilities accounted for 6.3 percent of the population, slightly  
22 less than Travis County as a whole and the percentage of children (approximately 11 percent) and those  
23 over 65 (8.8 percent) were also less than the percentages for the county. Within this neighborhood,  
24 approximately 7.1 percent of households had no access to a car and about 9.3 percent of households  
25 had no computer or no access to the internet, which were greater than that for the county, while  
26 approximately 5.2 percent of the households had received public assistance or food stamps within the  
27 past year, which is a smaller percentage than Travis County. Upper Boggy Creek had the smallest  
28 percentage of LEP speakers within the Community Study Area at 1.4 percent.
- 29 ○ MLK-183. This neighborhood is irregularly shaped and bounded by Springdale Road to the southwest,  
30 US 183 to the northwest, MLK Jr. Boulevard and Loyola Lane on the north, Johnny Morris Road on the  
31 east, and roughly follows Walnut Creek to approximately Dessau Road on the southeast. This  
32 neighborhood is included in the East MLK Combined Neighborhood Plan, adopted November 7, 2002.  
33 The population of the MLK-183 neighborhood was composed of approximately 74.1 percent minorities  
34 and the average MHI was one of the lowest in the Community Study Area at \$42,418. This neighborhood  
35 had the highest percentage of persons with disabilities (13.5 percent) within the Community Study Area.  
36 There was a slightly lower percentage of children (17.9 percent) and slightly higher percentage of those  
37 over 65 (12.3 percent) than Travis County. This neighborhood had higher portions of households with  
38 zero car access (11.9 percent), zero computer or internet access (23.6 percent), and households who  
39 had received public assistance or food stamps (24.9 percent) than Travis County. Approximately 15.1  
40 percent of the population within the MLK-183 NPA was LEP.

- 1           ○ Rosewood. Rosewood is an irregularly shaped neighborhood with many boundaries including Airport  
2 Boulevard, Oak Springs, Webberville Road, Northwestern Avenue, Chicon Avenue, and Manor Road. The  
3 Rosewood Neighborhood Plan was adopted November 29, 2001. Approximately 58.5 percent of the  
4 population within Rosewood was minority and the average MHI was \$50,294. This neighborhood had  
5 similar portions of persons with disabilities (10.2 percent), children (21.1 percent), and those over 65  
6 (9.4 percent) compared to Travis County. The percentage of zero car households (23.5 percent),  
7 households without access to a computer or the internet (27.8 percent), and households who had  
8 received public assistance or food stamps (29.9 percent) were much higher than Travis County and  
9 were amongst the highest in the Community Study Area as well. Approximately 4.1 percent of the  
10 population within Rosewood was LEP.
- 11           ○ Chestnut. The Chestnut neighborhood is bordered by MLK Jr. Boulevard to the north, Miriam Avenue to  
12 the railroad tracks to the east, 12th Street to the south, and Chicon Avenue to the west. Its neighborhood  
13 plan was adopted in July 1999. The population in the Chestnut neighborhood was composed of  
14 approximately 48.7 percent minorities and the average MHI was near the highest in the Community  
15 Study Area at \$94,244. Persons with disabilities accounted for approximately 7.5 percent of the  
16 population, and the portion of children (8.3 percent) and those over 65 (2.7 percent) were amongst the  
17 lowest within the Community Study Area. This neighborhood had a slightly higher percentage of  
18 households with no access to a car (7.1 percent) or no computer or internet access (10.1 percent)  
19 compared to Travis County. Chestnut had the lowest percentage of households who had received public  
20 assistance or food stamps within the past year (2.4 percent) of all the NPAs within the Community Study  
21 Area. Approximately 2.7 percent of the population in the Chestnut neighborhood was LEP.
- 22           ○ Central East Austin. This Central East Austin neighborhood is located south of MLK Jr. Boulevard, west  
23 of Chicon Avenue and Northwestern Avenue, generally north of 6th Street, and east of I-35. The Central  
24 East Neighborhood Plan was adopted December 13, 2001. The population in the Central East Austin  
25 neighborhood was composed of approximately 52.5 percent minorities and had an average MHI of  
26 \$79,145. The percentage of persons with disabilities was similar to Travis County (8.9 percent), but the  
27 percentage of children (12.5 percent) and those over 65 (5.2 percent) were lower than the county  
28 overall. Zero car households (12.0 percent), households with no computer or internet access (24.9  
29 percent), and households who had received public assistance or food stamps within the past year (16.9  
30 percent) were all a greater proportion of the population than was found in Travis County. Approximately  
31 5.3 percent of the population was LEP.
- 32           ○ Govalle. The Govalle neighborhood is bounded by Oak Springs to the north, Airport Boulevard to the  
33 east, Lady Bird Lake to the south, and Pleasant Valley and Webberville Road to the west. The  
34 Govalle/Johnson Terrace Combined Neighborhood Plan was adopted March 27, 2003. Approximately  
35 65.8 percent of the population within the Govalle neighborhood was composed of minorities and the  
36 average MHI was \$50,764. The percentage of persons with disabilities (13.1 percent) was larger than  
37 for Travis County. There was a smaller percentage of children (18.4 percent) and a slightly larger  
38 percentage of people over 65 (11.7 percent) than the surrounding county. The portion of households  
39 with no access to a car (12.7 percent), no computer or internet access (22.2 percent), and those

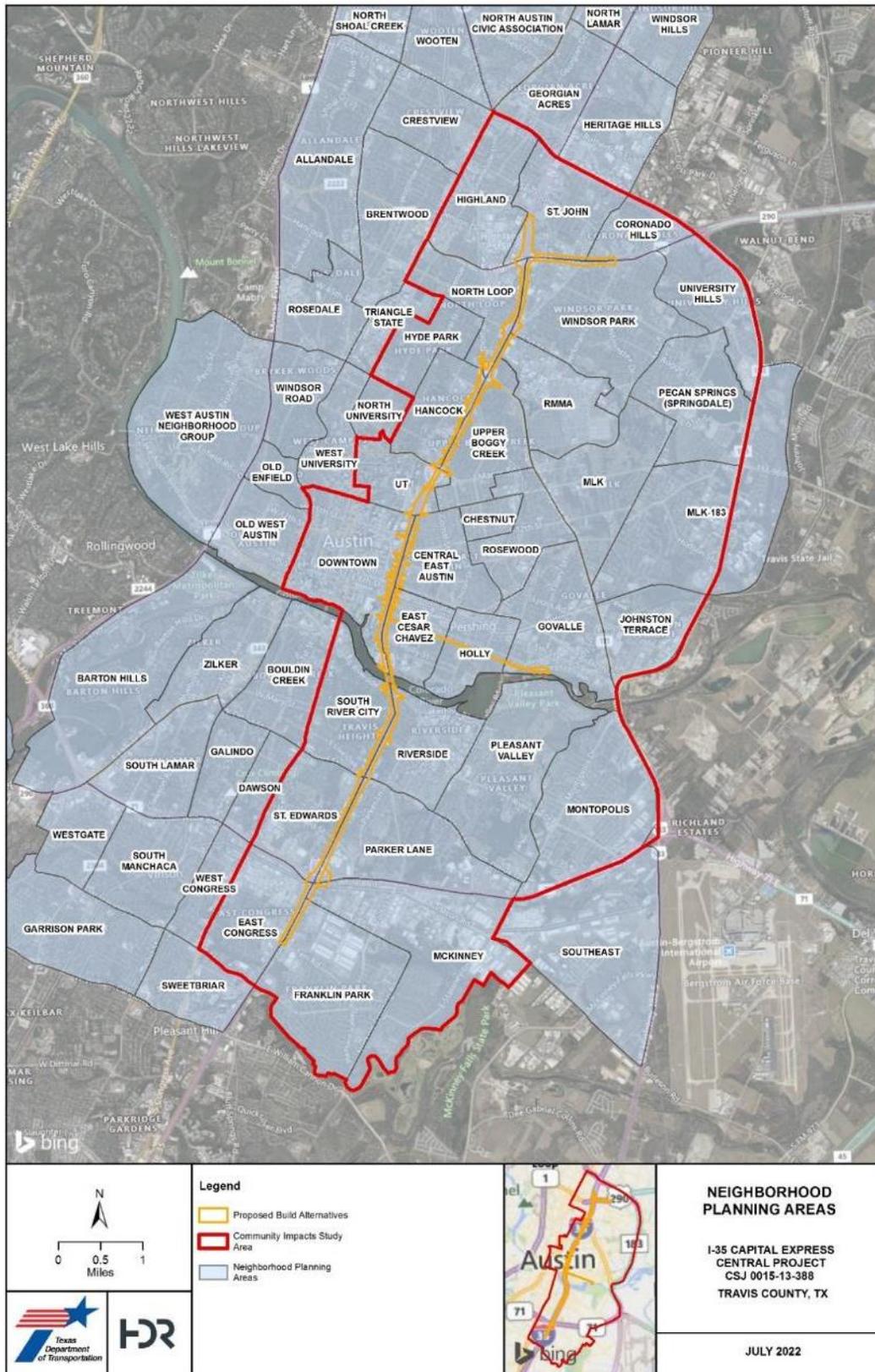
- 1 receiving public assistance or food stamps (15.4 percent) were much greater than the portion in the  
2 county as a whole. Approximately 13.4 percent of the population was LEP.
- 3 ○ Johnston Terrace. Johnston Terrace is located on the far eastern portion of the project area and is  
4 bounded by Austin NW Railroad to the north, US 183 to the east, and Airport Boulevard to the southwest.  
5 The Govalle/Johnson Terrace Combined Neighborhood Plan was adopted March 27, 2003. The  
6 population within Johnston Terrace was composed of approximately 70.5 percent minorities and the  
7 average MHI was \$54,547. The percentage of persons with disabilities (13.2 percent) was larger than  
8 for Travis County overall. There was a similar percentage of children (22.3 percent) and a slightly larger  
9 percentage of people over 65 (10.6 percent) than the surrounding county. The portion of households  
10 with no access to a car (7.9 percent), no computer or internet access (15.5 percent), and those receiving  
11 public assistance or food stamps (15.5 percent) were much greater than the portion in the county as a  
12 whole. Approximately 13.9 percent of the population was LEP.
- 13 ○ East Cesar Chavez. The planning area boundaries include the alley between 6th and 7th Streets to the  
14 north, Chicon to the east, the Colorado River (Lady Bird Lake) to the south, and I-35 to the west. The  
15 East Cesar Chavez Neighborhood Plan was adopted May 13, 1999. Approximately 47.9 percent of the  
16 population within the East Cesar Chavez neighborhood was composed of minorities and the average  
17 MHI was \$65,567. There was a higher percentage of persons with disabilities (13.2 percent) than the  
18 surrounding county. The percentage of children (13.8 percent) was lower than the percentage within  
19 Travis County and the percentage of people over 65 (13.5 percent) was greater than for the county  
20 overall. Zero car households (22.9 percent), households with no computer or internet access (24.6  
21 percent), and households who had received public assistance or food stamps (22.1 percent) were at  
22 much greater proportion than for Travis County. Within the East Cesar Chavez neighborhood,  
23 approximately 10.6 percent of the population was LEP.
- 24 ○ Holly. The Holly neighborhood is bounded by 7th Street to the north, Pleasant Valley Road to the east,  
25 Lady Bird Lake to the south, and Chicon Avenue to the west. The Holly Neighborhood Plan was adopted  
26 December 13, 2001. The Holly neighborhood was composed of approximately 52.5 percent minorities  
27 and had an average MHI of \$67,191. There was a higher percentage of persons with disabilities (13.2  
28 percent) than the surrounding county. The percentage of children (13.8 percent) was lower than the  
29 percentage within Travis County and the percentage of people over 65 (13.5 percent) was greater than  
30 for the county overall. Zero car households (14.2 percent), households with no computer or internet  
31 access (20.3 percent), and households who had received public assistance or food stamps (18.2  
32 percent) were at much greater proportion than for Travis County. Approximately 13.2 percent of the  
33 population within this NPA was LEP.
- 34 ○ Pleasant Valley. The Pleasant Valley neighborhood is bounded by the Colorado River to the north, Grove  
35 Boulevard and Montopolis Drive to the east, Oltorf Road to the south, and Pleasant Valley Road to the  
36 west. The East Riverside/Oltorf Combined Neighborhood Plan includes this neighborhood. The plan was  
37 adopted November 2006. The population within this neighborhood comprises approximately 43 percent  
38 minorities and had an average MHI of \$45,307. There was a slightly lower percentage of persons with  
39 disabilities within the neighborhood (7.2 percent) versus Travis County. Both children (10.0 percent)  
40 and those over 65 (3.2 percent) comprised a much smaller percentage of the population than in Travis

- 1 County. Zero car households (11.9 percent) and households with no computer or internet access (29.2  
2 percent) comprised a larger portion of the households than within Travis County as a whole. Pleasant  
3 Valley had the largest percentage of households with no computer or internet access of any NPA within  
4 the Community Study Area. A slightly higher percentage of households had received public assistance  
5 or food stamps (9 percent) than the surrounding county. Approximately 14.1 percent of the population  
6 within the Pleasant Valley neighborhood were LEP.
- 7 ○ Montopolis. The Montopolis neighborhood boundaries are Grove Boulevard on the northwest,  
8 Montopolis Boulevard on the southwest, US 183 on the northeast, and SH 71/Ben White Boulevard on  
9 the southeast. The Montopolis Neighborhood Plan was adopted September 27, 2001. The population  
10 within the Montopolis NPA was comprised of approximately 82.6 percent minorities and had an average  
11 MHI of \$49,769. Persons with disabilities comprised approximately 10.3 percent of the population,  
12 slightly higher than the county overall. The percentage of children (19.3 percent) and those over 65 (4.2  
13 percent) were both below the percentages of those demographics within Travis County. Montopolis had  
14 the largest percentage of houses with no computer or access to the internet (30.0 percent) of any NPA  
15 within the Community Study Area. This neighborhood also had a larger percentage of zero car  
16 households (9.6 percent) and households which had received public assistance or food stamps within  
17 the past year (16.1 percent) than the county. Approximately 22.9 percent of the population within the  
18 Montopolis neighborhood was LEP.
  - 19 ○ Riverside. The Riverside neighborhood is located south of the Colorado River (Lady Bird Lake), west of  
20 Pleasant Valley Road, north of Oltorf Road and east of I-35. The East Riverside/Oltorf Combined  
21 Neighborhood Plan includes this neighborhood. The plan was adopted November 2006. The Riverside  
22 neighborhood was composed of approximately 59.6 percent minorities and had an average MHI of  
23 \$50,490. The percentage of persons with disabilities (6.4 percent) and those receiving public  
24 assistance or food stamps in the past year (5.7 percent) were slightly lower than for all of Travis County.  
25 The percentage of children (11.6 percent) and people over 65 (3.4 percent) were also lower than the  
26 surrounding county. Zero car households (10.5 percent) and households with no computer or internet  
27 access (19.6 percent) were higher than the percentages for Travis County. Approximately 20.9 percent  
28 of the population within this neighborhood was LEP.
  - 29 ○ Parker Lane. The Parker Lane neighborhood is bounded by Oltorf Road to the north, Montopolis on the  
30 east, Ben White Boulevard to the south, and I-35 to the west. The East Riverside/Oltorf Combined  
31 Neighborhood Plan includes this neighborhood. The plan was adopted November 2006. The population  
32 within the Parker Lane NPA was composed of approximately 64.4 percent minorities and had an average  
33 MHI of \$54,138. The percentage of persons with a disability (13.1 percent) was greater than for the  
34 surrounding county, but the percentage of children (18.5 percent) and those over 65 (6.2 percent) were  
35 slightly less than the percentage in the county overall. The percentage of zero car households (13.3  
36 percent), zero computer or internet access households (20.6 percent) and households who had received  
37 public assistance or food stamps within the past year (16.3 percent) were all greater than the  
38 percentages of households in each of those categories for Travis County as a whole. Approximately 14.4  
39 percent of the population in the Parker Lane neighborhood was LEP.

- 1       ○ McKinney. The McKinney neighborhood is irregularly shaped, bounded by Ben White Boulevard,  
2       Stassney Lane, Williamson Creek, Nuckols Crossing, St. Elmo, and I-35. The Southeast Combined  
3       Neighborhood Plan, adopted October 10, 2002, includes the McKinney neighborhood. The McKinney  
4       neighborhood was composed of a very high percentage of minority residents (82.1 percent) and had an  
5       average MHI of \$61,686. The percentage of persons with disabilities (8.8 percent) was the same as  
6       that observed for Travis County. Within the McKinney neighborhood, children composed 31.0 percent  
7       of the population, which was the highest of any NPA and greater than the surrounding county  
8       percentage. People over 65 composed approximately 6.0 percent of the population, slightly lower than  
9       the county. Zero car households (9.6 percent), households with no computer or internet access (11.4  
10      percent), and households that had received public assistance or food stamps within the past year (18.6  
11      percent) were a greater proportion of the households than the overall values observed for Travis County.  
12      Approximately 25 percent of the population of this NPA was LEP.
- 13      ○ Franklin Park. Franklin Park is bounded by St. Elmo to the north, Nuckols Crossing to the east,  
14      Williamson Creek to the south, and I-35 to the west. The Southeast Combined Neighborhood Plan,  
15      adopted October 10, 2002, includes this neighborhood. The Franklin Park neighborhood is composed  
16      of 89.6 percent minorities, this was the second highest percentage of minorities within the NPAs in the  
17      Community Study Area. The average MHI was \$46,527. The percentage of people with disabilities within  
18      this NPA (10.5 percent) was slightly greater than for the county overall. This neighborhood had the  
19      second highest percentage of children (30.1 percent) of all the NPAs within the Community Study Area,  
20      but the percentage of those over 65 was 6.1 percent and slightly lower than for Travis County. The  
21      percentage of zero car households (11.3 percent), households with no computer or internet access  
22      (27.0 percent) and households that had received public assistance or food stamps within the past year  
23      (24.7 percent) were all greater than the values observed within Travis County as a whole. Approximately  
24      27.6 percent of the population within Franklin Park was LEP.

25      In addition to residential areas, the NPAs also include a variety of commercial, retail, offices, institutional and  
26      industrial type land uses. Parks, schools and universities, hospitals and community health centers, places of  
27      worship, BN stations (food pantries, restroom facilities, handwashing stations, etc.), libraries and other  
28      community facilities near the existing I-35 facility are included in **Appendix J**. Community facilities that may be  
29      impacted by the proposed project are discussed in **Section 3.6.7.3**.

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Figure 3.6-8. Neighborhood Planning Areas

Table 3.6-5. Select Demographic Characteristics of Community Study Area NPAs

NPA/ Geography	Percent of Minority in Census Blocks within NPA	Average Median HH Income	Percent Disability	Percent Renter- Occupied	Percent Owner- Occupied	Percent Under 18	Percent 65+	Percent Zero Car	Percent Received Public Assistance or Food Stamps	Percent No Internet Available or No Computer Available	Percent LEP
Travis County	52.5	\$80,726	8.8	47.7	52.4	22.0	9.5	6.0	7.6	5.3	11.5
Highland	48.3	\$59,220	10.5	58.9	41.1	16.7	6.5	5.8	12.9	15.1	10.4
North Loop	36.4	\$71,615	9.8	64.9	35.1	13.7	6.2	6.3	2.9	9.1	3.4
Hancock	35.9	\$72,565	5.1	73.0	27.0	7.2	5.8	10.8	2.0	11.0	3.0
UT	63.6	\$65,549	6.1	69.9	30.1	5.1	3.7	9.3	2.4	8.4	2.3
South River City	27.2	\$99,310	6.9	57.1	42.9	11.8	8.6	9.4	5.7	12.7	5.0
Downtown	40.0	\$113,991	6.6	68.9	31.1	3.2	11.5	9.8	2.6	4.6	1.9
St. Edwards	54.3	\$45,396	8.2	87.5	12.5	12.7	7.5	17.3	9.9	17.8	4.3
East Congress	54.3	\$66,935	6.6	74.5	25.5	14.8	9.1	3.8	4.3	16.2	12.7
Coronado Hills	<b>90.1</b>	<b>\$38,176</b>	—	66.6	33.4	23.4	12.6	19.3	21.6	22.7	<b>28.9</b>
St. John	78.7	\$46,103	11.1	83.0	17.0	19.6	6.7	14.6	18.7	26.2	<b>28.6</b>
University Hills	65.5	\$70,481	9.9	47.2	52.8	21.9	11.8	6.4	12.9	20.4	7.6
Windsor Park	60.2	\$65,302	11.2	59.6	40.4	24.5	8.1	10.4	20.7	25.2	20.1
Pecan Springs - Springdale	67.0	\$59,006	10.8	48.2	51.8	23.9	10.3	8.0	21.9	26.3	14.3
RMMA	44.7	\$93,750	6.5	51.7	48.3	17.6	8.4	7.1	5.3	15.3	6.3
MLK	64.6	\$61,177	10.6	49.8	50.2	18.8	10.9	5.9	12.4	20.0	9.4

Table 3.6-5. Select Demographic Characteristics of Community Study Area NPAs

NPA/ Geography	Percent of Minority in Census Blocks within NPA	Average Median HH Income	Percent Disability	Percent Renter- Occupied	Percent Owner- Occupied	Percent Under 18	Percent 65+	Percent Zero Car	Percent Received Public Assistance or Food Stamps	Percent No Internet Available or No Computer Available	Percent LEP
Upper Boggy Creek	41.7	\$79,346	6.3	56.8	43.2	11.0	8.8	7.1	5.2	9.3	1.4
MLK-183	74.1	<b>\$42,418</b>	<b>13.5</b>	53.9	46.1	17.9	12.3	11.9	<b>24.9</b>	23.6	15.1
Rosewood	58.5	\$50,294	10.2	59.2	40.8	21.1	9.4	<b>23.5</b>	<b>29.9</b>	27.8	4.1
Chestnut	48.7	\$94,244	7.5	49.4	50.6	8.3	2.7	7.1	2.4	10.1	2.7
Central East Austin	52.5	\$79,145	8.9	61.0	39.0	12.5	5.2	12.0	16.9	24.9	5.3
Govalle	65.8	\$50,764	13.1	47.9	52.1	18.4	11.7	12.7	15.4	22.2	13.4
Johnston Terrace	70.5	\$54,547	<b>13.2</b>	25.7	74.3	22.3	10.6	7.9	15.5	15.1	13.9
East Cesar Chavez	47.9	\$65,567	<b>13.2</b>	64.8	35.2	13.8	<b>13.5</b>	<b>22.9</b>	22.1	24.6	10.6
Holly	52.5	\$67,191	<b>13.2</b>	62.3	37.7	13.8	<b>13.5</b>	14.2	18.2	20.3	13.2
Pleasant Valley	43.0	\$45,307	7.2	<b>92.4</b>	<b>7.7</b>	10.0	3.2	11.9	9.0	<b>29.2</b>	14.1
Montopolis	82.6	\$49,769	10.3	71.7	28.3	19.3	4.2	9.6	16.1	<b>30.0</b>	22.9
Riverside	59.6	\$50,490	6.4	<b>91.3</b>	<b>8.7</b>	11.6	3.4	10.5	5.7	19.6	20.9
Parker Lane	64.4	\$54,138	13.1	84.3	15.7	18.5	6.2	13.3	16.3	20.6	14.4
McKinney	82.1	\$61,686	8.8	51.5	48.5	<b>31.0</b>	6.0	9.6	18.6	11.4	25.0
Franklin Park	<b>89.6</b>	\$46,527	10.5	64.0	36.0	<b>30.1</b>	6.1	11.3	24.7	27.0	27.6

Source: ACS 5-year estimates 2014–2019

Text bolded to show the two percentages (except where tied) for each column that illustrate either the highest or lowest

## 1 3.6.8.2 Environmental Consequences Related to Neighborhoods and Community Cohesion

### 2 3.6.8.2.1 Build Alternative 2

#### 3 Barrier Effect

4 I-35 was constructed in in the 1950s and created a barrier to movement between east and west Austin for the  
5 past six decades. The current facility's elevated "upper decks" also create a visual barrier. The speed of traffic,  
6 vehicular congestion, and lack of continuous pedestrian and bicycle facilities, along with the visual barrier  
7 reduces community cohesion between the east and west sides of Austin. The project's history has included years  
8 of data gathering from the public on how to reduce the barrier effect of I-35. TxDOT listened to the public when  
9 it rejected proposals for more elevated structures through the corridor. Build Alternative 2 would serve to  
10 minimize the existing barrier effect of I-35. Build Alternative 2 would be constructed below existing grade in some  
11 locations with at-grade bridges, which would reduce the visual intrusion and open the vista between the east  
12 and west sides of the facility. Enhanced bridges with SUPs would be constructed to increase vehicular, as well  
13 as bicycle and pedestrian accessibility across I-35. A buffer would be placed between the SUP and vehicular  
14 traffic to increase safety by separating vehicular traffic from bicyclists and pedestrians. The buffer space also  
15 allows people who walk and bicycle to feel safer when using the SUP. For the proposed project, the enhanced  
16 bridges would include a 20-foot buffer and a 10-foot SUP lane. Along the I-35 corridor within the project area,  
17 intersections, frontage roads, and SUPs would be improved with the proposed project and all modes of transit  
18 would be accommodated in the design. Build Alternative 2 would increase the number of travel lanes, but not  
19 necessarily widen pavement. Engineers have worked diligently to design the facility to move people not just  
20 north-south, but also east-west across the facility and with multiple modes of transport.

21 Additionally, in coordination between COA and TxDOT, multiple deck plaza locations to be designed as green  
22 spaces (funded by others) within the urban core of Austin are being considered between 4th Street and 8th  
23 Street, and UT is evaluating locations between Dean Keeton Street and MLK Jr. Boulevard on the west side of I-  
24 35 near UT which could be incorporated with the proposed alternative in the future. COA is also considering  
25 stitches, or areas where enhancements and amenities could be added along east-west bridges, at 11th, 12th,  
26 and 15th, and 38th ½ Streets. These future deck plazas and stitches would be constructed by others following  
27 construction of the proposed project and would further reduce the division caused by construction of the original  
28 freeway facility. The NPAs which would benefit most from construction of enhanced bridges or SUP connections,  
29 by number of crossings, would be: Downtown (11 enhanced bridges or SUP connections); Central East Austin  
30 (eight enhanced bridges or SUP connections); Hancock and Upper Boggy Creek (six and seven enhanced bridges  
31 or SUP connections, respectively), East Cesar Chavez, North Loop, and UT (each with three enhanced bridges);  
32 and South River City, Riverside, Windsor Park and RMMA (each with one enhanced bridge). **Figures 3.6-9** through  
33 **3.6-11** depict renderings of enhanced bridges and SUP connections.



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2

Figure 3.6-9. Rendering of proposed enhanced bridge at 32nd Street for both Build Alternatives.

This rendering is a concept only. Further analysis and coordination are required. All features are subject to change. Final posted speed limit to be established upon further study. The rendering includes walls that may be aesthetic landscape elements or walls constructed for the abatement of traffic noise. The final decision to construct any proposed noise walls would not be made until completion of the traffic noise analysis in the EIS, the project design, utility evaluation, and polling of all benefited and adjacent property owners and residents, in accordance with TxDOT's Traffic Noise Policy, which has been written in accordance with 23 CFR 772 (September 2021).



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Figure 3.6-10. Rendering of proposed SUP at Upper Boggy Creek neighborhood for both Build Alternatives.



1  
2 Figure 3.6-11. Rendering of proposed SUP at Lady Bird Lake for both Build Alternatives.

3 The NPAs adjacent to the existing facility would incur the most direct impacts. As ROW would be acquired mostly  
4 in areas adjacent to the existing I-35 facility, businesses and residences along the frontage roads are more likely  
5 to be impacted by ROW acquisition and displacement. The number of displacements in each NPA is shown in  
6 **Table 3.6-6**. See **Section 3.6.7.3** above for more information about project-related displacements.

**Table 3.6-6. Build Alternative 2 Displacements per NPA\***

Neighborhood Planning Area	Number of Commercial Displacements	Number of Residential Displacements
Windsor Park	12	0
North Loop	16	0
Hancock	10	3
Upper Boggy Creek	24	24
Downtown	2	0
East Cesar Chavez	7	1
Riverside	24	47
South River City	36	70
<b>Total</b>	<b>131</b>	<b>145</b>

\*Utilizing the schematic dated April 8, 2022. No potential displacements were identified in any other NPAs within the Community Study Area.

1 The North Loop, Windsor Park, Hancock, and Upper Boggy Creek NPAs, north of the river and the Riverside and  
2 South River City NPAs south of Lady Bird Lake would experience the majority of the displacements. The bullets  
3 below discuss displacements with potential to affect community cohesion within each NPA (displacements in  
4 general are covered in the previous section):

- 5 • Windsor Park: The displacements in this NPA include Specially for Children (a pediatrician), a gas station,  
6 two casual restaurants, auto sales and service, and a small retail center including a thrift store and the BL  
7 Barbershop, which caters to Black/African American customers.
- 8 • North Loop: Family Health Center (CommUnityCare - David Powell Clinic, a family healthcare center that  
9 specializes in the treatment of HIV and AIDS). If this facility was not displaced, then in order to accommodate  
10 the design, ROW would be required from the eastern side of I-35, which would result in the displacement of  
11 56 below-market rate housing units at the Abali. Other displacements include a gas station, auto sales and  
12 service, a restaurant, and commercial and retail businesses.
- 13 • Hancock: Austin Chronicle and Hancock Center, which includes CommUnityCare Hancock Walk-In Care.  
14 Three other healthcare clinics include an optometrist, pediatrician, and family medicine. Offices, storage  
15 facilities, and restaurants comprise other displacements within this NPA.
- 16 • Upper Boggy Creek: Escuelita del Alma is a Spanish immersion preschool located in Cherrywood, which has  
17 been discussed with TxDOT during public involvement activities. An obstetrician/gynecologist and Hector's  
18 Barbershop, a Spanish-speaking barbershop. The 24-unit Avalon Apartments as well as three single-family  
19 residential parcels would be displaced. Other displacements within this NPA include a gas station, video  
20 store, attorney's office, and a few retail shops.
- 21 • Downtown: The Downtown non-NPA area would lose a gas station and a car rental business.
- 22 • East Cesar Chavez: Extend-A-Care is a YMCA afterschool program located at Northshore Plaza. Additionally,  
23 one single-family residence would be displaced. Other displacements within the NPA include a gas station  
24 and offices and would not be expected to affect the neighborhood or community cohesion.
- 25 • Riverside: This NPA would lose several office buildings as well as two multifamily complexes, Garden  
26 Apartments and 1500 Summit.
- 27 • South River City: This NPA would lose several office buildings as well as the 70-unit Aria Grand Apartments.  
28 The Aria Grand includes a majority of lower-income housing units and is considered an EJ displacement.

29 With the exception of the non-NPAs (UT, Downtown and RMMA), each of the NPAs has an adopted neighborhood  
30 plan that creates a vision and goals for the community. Removing businesses, community facilities, healthcare  
31 centers, daycare facilities, and residences with these NPAs may disrupt the identity of the area. Due to the issues  
32 affecting Austin's housing and real estate prices, it may be difficult for those who are displaced to relocate within  
33 the same area. This could force businesses and residents out of the area and leave a gap in services, especially  
34 for those unique businesses or those that serve a particular or underserved population. TxDOT is committed to  
35 assisting critical facilities find alternate locations near their current locations, when possible. TxDOT is currently  
36 looking at providing advanced relocation assistance for selected properties to minimize impacts to underserved

1 communities. At this point, communication with the two CommUnityCare facilities and Escuelita del Alma has  
2 been initiated.

3 The Community Study Area includes transit-oriented development (TOD) in portions of the Mueller Development  
4 (RMMA), the MLK Jr. Station TOD (within the MLK, Upper Boggy Creek, Rosewood, and Chestnut NPAs) and Plaza  
5 Saltillo Station TOD (within East Central Austin, East Cesar Chavez, and Holly Street NPAs). TOD is an intentional  
6 mixing of land use and transit, creating mixed-use communities within walking distance of a transit stop or  
7 station. The proximity of these TOD developments to the I-35 corridor and the proposed bicycle and pedestrian  
8 improvements would allow more access to these planned communities for shopping or access to transit.

9 The proposed project would be constructed below existing grade and with multiple enhanced bridges (discussed  
10 in **Section 3.5**). The enhanced bridges would include 30 feet of buffer and SUP facilities which are separated  
11 from roadway traffic to encourage the use of active transportation. The facility would be designed so that in the  
12 future, COA could provide a deck plazas and/or stitches to further unite east and west Austin and foster a sense  
13 of community cohesion. The SUP along the entire length of the facility would serve to encourage the use of active  
14 transportation and provide connectivity within the Community Study Area. This connectivity would improve  
15 access to community facilities within the project area. In the future, the SUP could be connected to other bikeway  
16 and trail projects within the greater Austin area, providing access to/from the I-35 corridor. In addition to COA,  
17 CapMetro has also been involved with the project and will help to ensure the project will accommodate all modes  
18 of transit in the Community Study Area. Specifically, TxDOT is allocating up to \$9.4 million to CapMetro as  
19 mitigation to maintain bus service during the Red Line construction. Additionally, the CapMetro Red Line  
20 crossings at Airport Boulevard and 4th Street, and the MLK Jr. Boulevard pedestrian crossing would be  
21 constructed before construction of the mainlanes so that east-west crossings are maintained during construction  
22 of I-35.

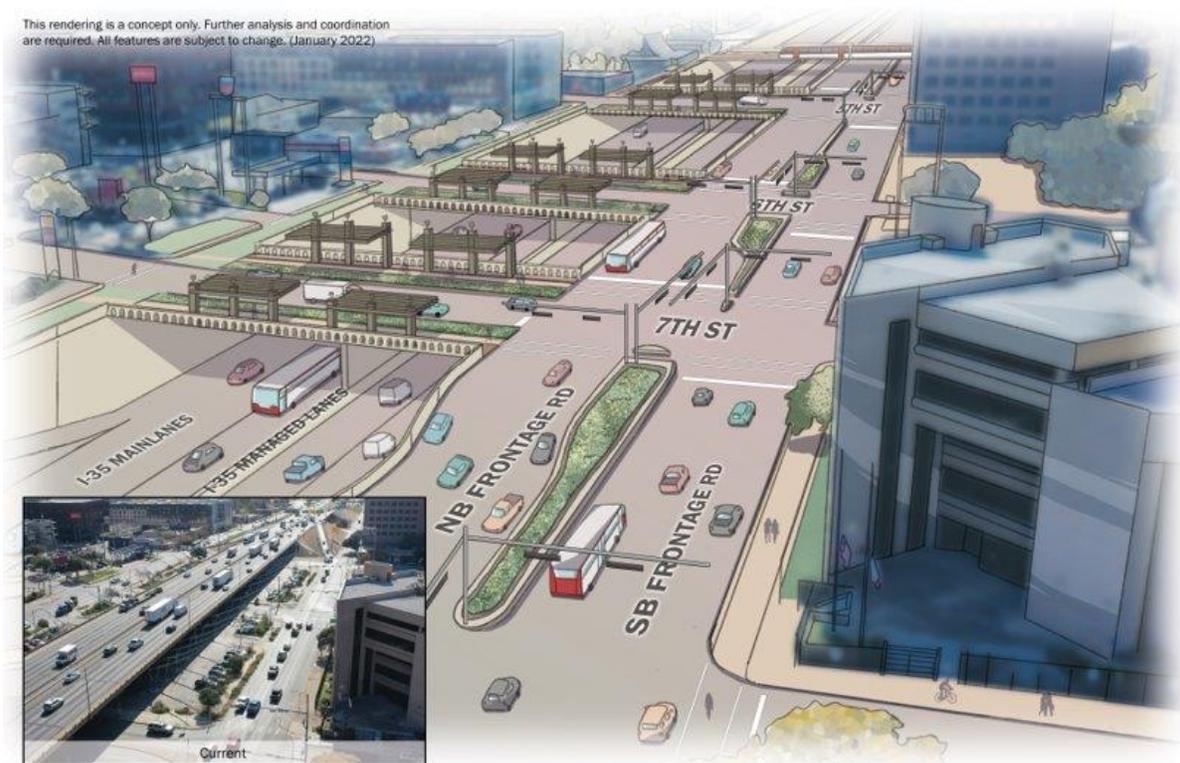
### 23 *3.6.8.2.2 Modified Build Alternative 3*

#### 24 Barrier Effect

25 I-35 was constructed in the 1950s and created a barrier to movement between east and west Austin for the past  
26 six decades. The current facility's elevated "upper decks" also create a visual barrier. The speed of traffic,  
27 vehicular congestion, and lack of continuous pedestrian and bicycle facilities, along with the visual barrier  
28 reduces the level of community cohesion between the east and west sides of Austin. The project's history has  
29 included years of data gathering from the public on how to reduce the barrier effect of I-35. TxDOT listened to  
30 the public when it rejected proposals for more elevated structures through the corridor. Modified Build Alternative  
31 3 would serve to minimize the existing barrier effect of I-35. The mainlanes of Modified Build Alternative 3 would  
32 be constructed below existing grade at some locations with at-grade bridges, which would reduce the visual  
33 intrusion and open the vista between the east and west sides of the facility. Enhanced bridges with SUPs and  
34 buffers would be constructed to increase accessibility across I-35. A buffer would be placed between the SUP  
35 and vehicular traffic to increase safety by separating vehicular traffic from bicyclists and pedestrians. The buffer  
36 space also would allow people who walk and bicycle to feel safer when using the SUP. For the proposed project,  
37 the enhanced bridges would include a 20-foot buffer and a 10-foot SUP lane. Along the I-35 corridor within the  
38 project area, intersections, frontage roads, and SUPs would be improved with the proposed project and all modes

1 of transit would be accommodated in the design. Modified Build Alternative 3 would increase the number of  
2 travel lanes, but not necessarily widen pavement. Engineers have worked diligently to design the facility to move  
3 people not just north-south, but also east-west across the facility and with multiple modes of transport.

4 Additionally, in coordination between COA and TxDOT, potential deck plaza locations to be designed as green  
5 spaces (funded by others) within the urban core of Austin are being proposed for some areas downtown between  
6 Cesar Chavez and 8th Streets. UT is evaluating caps between Dean Keeton Street and 15th Street on the west  
7 side of I-35. Stitches are also being evaluated at the CapMetro Red Line crossing south of Airport Boulevard,  
8 Wilshire Boulevard, 38th ½ Street, 32nd Street, 12th Street, 11th Street, Holly Street, and Woodland Avenue.  
9 These future deck plazas and stitches would be constructed by others following construction of the proposed  
10 project and would further reduce the division caused by construction of the original freeway facility. The NPAs or  
11 areas which would benefit most from construction of enhanced bridges, by number of crossings, would be  
12 Downtown (non-NPA) (10 enhanced bridges or SUP crossings); Central East Austin (seven enhanced bridges or  
13 SUP crossings); Hancock and Upper Boggy Creek (each with six enhanced bridges or SUP crossings), East Cesar  
14 Chavez, UT, and North Loop (each with three enhanced bridges or SUP crossings); South River City, Riverside,  
15 Windsor Park, North Loop, and UT (each with one or two enhanced bridges or SUP connections). Each bridge or  
16 SUP would affect two or more NPAs depending on its origin and destination NPA. **Figures 3.6-12 and 3.6-13**  
17 depict renderings of enhanced bridges and SUP connections.



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Figure 3.6-12. Rendering of enhanced bridges with 10-foot SUP and 20-foot buffers for Modified Build Alternative 3.

This rendering is a concept only. Further analysis and coordination are required. All features are subject to change. (January 2022)



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2 Figure 3.6-13. Rendering of proposed pedestrian crossing at 3rd Street for Modified Build  
3 Alternative 3.

4 The NPAs adjacent to the existing facility would incur the most direct impacts. As ROW would be acquired mostly  
5 in areas adjacent to the existing I-35 facility, businesses and residences along the frontage roads are more likely  
6 to be impacted by ROW acquisition and displacement. **Table 3.6-7** shows the number of displacements in each  
7 NPA. See **Section 3.6.7.3** above for more information about project-related displacements.

Table 3.6-7. Modified Build Alternative 3 Displacements per NPA\*

Neighborhood Planning Area	Number of Commercial Displacements	Number of Residential Displacements
Windsor Park	11	0
North Loop	13	0
Hancock	10	1
Upper Boggy Creek	23	24
Downtown	2	0
East Cesar Chavez	4	1
South River City	6	0

Table 3.6-7. Modified Build Alternative 3 Displacements per NPA\*

Neighborhood Planning Area	Number of Commercial Displacements	Number of Residential Displacements
<b>Total</b>	69	26
*Utilizing the schematic dated April 8, 2022. No potential displacements were identified in any other NPAs within the Community Study Area.		

1 The Upper Boggy Creek, North Loop, Windsor Park, and Hancock NPAs, north of the river would experience the  
 2 majority of the displacements. The bullets below discuss displacements with potential to affect community  
 3 cohesion within each NPA or non-NPA area (displacements in general are covered in the previous section):

- 4 • Windsor Park: The displacements in this NPA include a gas station, auto sales and service, two casual  
 5 restaurants, and a small retail center including a thrift store and the BL Barbershop, which specializes in  
 6 serving Black/African American customers.
- 7 • North Loop: Family Health Center (CommUnityCare - David Powell Clinic, a family healthcare center that  
 8 specializes in the treatment of HIV and AIDS). If this facility was not displaced, then in order to accommodate  
 9 the design, ROW would be required from the eastern side of I-35, which would result in the displacement of  
 10 56 below-market rate housing units at the Abali. Other displacements include a gas station, a restaurant,  
 11 and commercial and retail businesses.
- 12 • Hancock: Austin Chronicle and Hancock Center, which includes CommUnityCare Hancock Walk-In Care and  
 13 three other healthcare clinics including an optometrist, pediatrician, and family medicine. Offices, storage  
 14 facilities, and restaurants comprise other displacements within this NPA.
- 15 • Upper Boggy Creek: Escuelita del Alma is a Spanish immersion preschool located in Cherrywood, which has  
 16 been discussed with TxDOT during public involvement activities. An obstetrician/gynecologist and Hector's  
 17 Barbershop, a Spanish-speaking barbershop. The 24-unit Avalon Apartments would be displaced. Other  
 18 displacements within this NPA include a gas station, restaurants, and a few retail shops.
- 19 • Downtown (non-NPA): The Downtown non-NPA area would lose a gas station and a car rental business.
- 20 • East Cesar Chavez: Displacements within the NPA include auto sales and gas stations and would not be  
 21 expected to affect the neighborhood or community cohesion.
- 22 • South River City: This NPA would lose Jimmy's Barbershop, which serves the Black/African American  
 23 community and several convenience stores and office buildings.

24 With the exception of the non-NPAs (UT, Downtown and RMMA), each of the NPAs has an adopted neighborhood  
 25 plan that creates a vision and goals for the community. Removing businesses, community facilities, healthcare  
 26 centers, daycare facilities, and residences with these NPAs may serve to disrupt the identity of the area. Due to  
 27 the issues affecting Austin's housing and real estate prices, it may be difficult for those who are displaced to  
 28 relocate within the same area. This could force businesses and residents out of the area and leave a gap in  
 29 services, especially for those unique businesses or those that serve a particular or underserved population.

1 TxDOT is committed to assisting critical facilities find alternate locations near their current locations, when  
2 possible. TxDOT is currently looking at providing advanced relocation assistance for selected properties to  
3 minimize impacts to underserved communities. At this point, communication with the two CommUnityCare  
4 facilities and Escuelita del Alma has been initiated.

5 The Community Study Area includes TOD in portions of the RMMA, the MLK Jr. Station TOD (within the MLK,  
6 Upper Boggy Creek, Rosewood, and Chestnut NPAs) and Plaza Saltillo Station TOD (within East Central Austin,  
7 East Cesar Chavez, and Holly Street NPAs). TOD is an intentional mixing of land use and transit, creating mixed-  
8 use communities within walking distance of a transit stop or station. The proximity of these TOD developments  
9 to the I-35 corridor and the proposed bicycle and pedestrian improvements would allow more access to these  
10 planned communities for shopping or access to transit.

11 The proposed project would be constructed below existing grade and with multiple enhanced bridges (discussed  
12 in **Section 3.5**). The enhanced bridges would include 30 feet of buffer and SUP facilities separated from roadway  
13 traffic to encourage the use of active transportation. The facility would be designed so that in the future, COA  
14 and/or UT could provide deck plazas and/or stitches to further unite east and west Austin and foster a sense of  
15 community cohesion. The SUP along the east west frontage of the facility would serve to encourage the use of  
16 active transportation and provide connectivity within the Community Study Area. This connectivity would improve  
17 access to community facilities within the project area. In the future, the SUP could be connected to other bikeway  
18 and trail projects within the greater Austin area providing access to/from the I-35 corridor. In addition to COA,  
19 CapMetro has also been involved with the project and will help to ensure the project will accommodate all modes  
20 of transit in the Community Study Area. Specifically, TxDOT is allocating \$10 million to CapMetro to maintain bus  
21 service during the project construction phase. Additionally, the CapMetro Red Line crossings at Airport Boulevard  
22 and 4th Street, and the MLK Jr. Boulevard pedestrian crossing would be constructed before project construction  
23 is planned to begin so that east-west crossings are maintained during construction of I-35.

#### 24 *3.6.8.2.3 No Build Alternative*

25 Under the No Build Alternative, neighborhoods and community cohesion within the Community Study Area could  
26 be negatively affected over time. As the region continues to grow, increased congestion and reduced mobility  
27 would be expected for those who live and work near the project corridor, as well as those commuting through it.  
28 Increased congestion on I-35 may encourage travelers to find alternate routes on local streets and through  
29 neighborhoods, thereby increasing congestion on local streets.

#### 30 *3.6.9 Access and Travel Patterns*

##### 31 *3.6.9.1 Affected Environment*

32 Within the Community Study Area people use cars, walking, cycling, and mass transit to access destinations.  
33 Several CapMetro routes are located within the Community Study Area and bicycle lanes and sidewalks are  
34 present in various locations throughout the Community Study Area.

### 1 3.6.9.1.1 Active Transportation

2 Bicycle and pedestrian facilities comprising sidewalks, trails, bicycle lanes, and crossings are located along and  
3 intersect the project corridor. In the north and south extents of the corridor, facilities generally become more  
4 limited, and, as the corridor reaches central Austin, the presence of facilities increases. COA, through its  
5 Pedestrian Program and its Bicycle Program, is working to make walking and biking safe, connected, and  
6 appealing to people of all ages and abilities. COA is working to complete its bicycle network guided by the 2014  
7 Austin Bicycle Plan and to address inadequacies in the sidewalk system.

8 Urban trails are wide paved trails that are often separated from on-street traffic and are built to connect with the  
9 existing sidewalk and bicycle facilities. Several existing and proposed urban trails are located within or partially  
10 within the Community Study Area, including the Mueller Trail, the Red Line Trail, 183 Tollway SUP, the Southern  
11 Walnut Creek Trail, the Lance Armstrong Bikeway, the proposed Colorado River Trail, Boardwalk Trail, Butler Hike  
12 and Bike Trail, Country Club Creek Trail, and the proposed East Ben White Corridor.

13 TxDOT is preparing supplemental studies to better understand active transportation and health in the Community  
14 Study Area. Streetlight data modeling and focused travel pattern analyses are underway to understand how non-  
15 drivers are currently using existing facilities and the surrounding network (**Section 3.6.12**).

### 16 3.6.9.1.2 Health

17 TxDOT is preparing supplemental studies to better understand health characteristics within the Community Study  
18 Area (**Section 3.6.12**).

### 19 3.6.9.1.3 Transit

20 The I-35 Capital Express corridor currently has traditional fixed-route bus service and one commuter rail line  
21 (MetroRail Red Line) along and intersecting the Community Study Area. Bus routes operate at different service  
22 levels including high frequency/MetroRapid, MetroBus Local (high frequency as well as regular routes), UT Shuttle,  
23 and the MetroRail Shuttle. There are 895 bus stops, seventeen MetroRapid stations, and three rail stations  
24 (Highland, Plaza Saltillo, and Downtown) served by these routes located throughout the Community Study Area.

25 Project Connect is CapMetro's system plan for regional high-capacity transit (HCT) for the Central Texas region.  
26 Adopted in 2020, the Project Connect System Plan includes a variety of improvements to different aspects of the  
27 CapMetro system. The plan includes new light rail with service throughout Austin and direct service to the airport;  
28 a downtown transit tunnel to separate rail from traffic; expanded bus service with new connections; new regional  
29 rail service connecting downtown to Manor and Elgin; and nine new regional park and ride locations. According to  
30 its website, the project "will expand transit capacity and offer more options, linking people, neighborhoods and  
31 employers" (<https://www.capmetro.org/project-connect>). Funded portions of the system plan include the Blue Line,  
32 with limits from Republic Square (downtown) to AUS, and the Orange Line which has limits from Tech Ridge Park  
33 and Ride to Slaughter Lane Park and Ride. The proposed Blue Line will cross the I-35 Capital Express Central Project  
34 at Riverside Drive and cross Lady Bird Lake via a new river crossing parallel to I-35, into downtown. The Orange

1 Line does not cross the I-35 corridor, but it would run parallel to the majority of the western Community Study Area  
2 boundary along North Lamar Boulevard, Guadalupe Street, and South Congress Avenue.

### 3 *3.6.9.1.4 Vehicular Travel*

4 I-35 provides the major north-south thoroughfare through the east side of Austin and to destinations north and  
5 south of COA, including commuter cities such as Kyle, Buda, Pflugerville, Round Rock, and Georgetown to those  
6 further afield including San Antonio, Waco, and Dallas. Frontage roads provide vehicular access to businesses  
7 and residences adjacent to the facility, and connection to local roads. East-west travel across I-35 within the  
8 Community Study Area is provided by (from north to south):

- |                                 |                                       |
|---------------------------------|---------------------------------------|
| 9 • Anderson Lane (US 183)      | 22 • 11th Street                      |
| 10 • St. Johns Avenue           | 23 • 8th Street                       |
| 11 • US 290                     | 24 • 7th Street                       |
| 12 • 51st Street                | 25 • 6th Street                       |
| 13 • Airport Boulevard          | 26 • Cesar Chavez Street              |
| 14 • Entrance to Hancock Center | 27 • Holly Street                     |
| 15 • 38th ½ Street              | 28 • Art Dilly Drive                  |
| 16 • 32nd Street                | 29 • Riverside Drive                  |
| 17 • Dean Keaton Street         | 30 • Woodland Avenue                  |
| 18 • Manor Road                 | 31 • Oltorf Street                    |
| 19 • MLK Jr. Boulevard          | 32 • Woodward Street                  |
| 20 • 15th Street                | 33 • Ben White Boulevard (SH 71), and |
| 21 • 12th Street                | 34 • Stassney Lane.                   |

35 Additionally, U-turns are provided at US 183, US 290, 51st Street, Airport Boulevard, at Hancock Center, 15th  
36 Street, 4th Street, at the north shore of Lady Bird Lake, Oltorf Street, Ben White Boulevard, and Stassney Lane.

### 37 *3.6.9.2 Environmental Consequences related to Access and Travel Patterns*

#### 38 *3.6.9.2.1 Build Alternative 2*

39 Based on the design dated April 8, 2022, the proposed project would add two non-tolled HOV managed lanes in  
40 each direction along I-35 from US 290 East to SH 71/Ben White Boulevard, with additional flyovers at I-35 and  
41 US 290 East. The proposed project also includes various operational and safety enhancements, including  
42 reconstructing ramps, bridges and intersections; improving frontage roads; enhancing bicycle and pedestrian  
43 paths; and accommodating transit routes. These changes would be expected to decrease travel times along the  
44 facility and within the Community Study Area post construction. Methods to minimize construction related  
45 impacts would include construction phasing, public involvement activities such as maintaining a project

1 construction website, performing business outreach, and providing detour notifications where appropriate. More  
2 information can be found in the Construction Phase Impacts section of the DEIS (**Section 3.17**).

3 With Build Alternative 2, bicycle and pedestrian SUPs would begin just north of US 290 with connections under  
4 the direct connectors at this location. The SUPs would parallel the I-35 frontage roads on both the NB and SB  
5 sides to north of Oltorf Street and south of St. Edwards Drive, respectively. SUP crossings of I-35 within the  
6 Community Study Area would be provided at the following locations:

- 7 • A bicycle and pedestrian bridge near 56th ½ Street (provides access to and from Capital Plaza) connecting  
8 the North Loop NPA to the Windsor Park NPA
- 9 • Crosswalks at Airport Boulevard connecting the North Loop NPA and the Hancock NPA to the Upper Boggy  
10 Creek NPA
- 11 • Adjacent to the CapMetro Red Line (and future Gold Line) tracks, south of Airport Boulevard connecting  
12 Hancock NPA to the Upper Boggy Creek NPA
- 13 • Enhanced bridges include buffers between people who walk and bicycle and traffic to make active transport  
14 safer and more comfortable. Enhanced bridges at 38th ½ Street and 32nd Street (connecting the Hancock  
15 NPA to the Upper Boggy Creek NPA), MLK Jr. Boulevard (connecting UT and Downtown to the northern part  
16 of the Central East Austin NPA), 15th Street, 12th Street, 11th Street, 8th Street, 7th Street (bridges between  
17 15th and 7th Streets would connect Downtown to the Central East Austin NPA), 6th Street, 5th Street, Cesar  
18 Chavez Street (6th Street through Cesar Chavez Street would connect Downtown to the Cesar Chavez NPA),  
19 and Riverside and Woodland Avenue (bridges at Riverside and Woodland would connect the South River City  
20 NPA to the Riverside NPA).
- 21 • Crosswalks at Dean Keeton Street connecting Hancock NPA and UT to the Upper Boggy Creek NPA
- 22 • Crosswalks at Clyde Littlefield Drive/Manor Road connecting the UT area to the Upper Boggy Creek NPA
- 23 • Bridge adjacent to the Red Line corridor at 4th Street connecting Downtown to the Central East Austin NPA
- 24 • Underpass at Holly Street connecting Downtown to the Central East Austin NPA
- 25 • Providing access to the Butler Hike and Bike Trail north and south of Lady Bird Lake
- 26 • SUP connections would also be provided under direct connectors at Ben White Boulevard, even though the  
27 SUPs parallel to the facility would not extend to the southern project extent (as stated above, NB SUP lanes  
28 would begin north of Oltorf Street and SB SUP lanes would extend to south of St. Edwards Drive). This would  
29 allow bicycle and pedestrian connection between St. Edwards NPA and the Parker Lane NPA and between  
30 the Congress and McKinney NPAs.

31 The Community Study Area would be expected to benefit from the increased SUP connections along the facility.  
32 The enhanced bridge design includes 20-foot buffers in addition to the 10-foot SUP lanes, in each direction. This  
33 design supports people who walk and bicycle by providing a safe, comfortable and seamless connection which  
34 encourages walking and biking. Businesses, facilities, and residents along I-35 would be expected to benefit  
35 from the increased mobility. Providing safe alternatives to single occupancy vehicle use within the corridor could  
36 increase accessibility to businesses and facilities for underserved or vulnerable populations, reduce congestion,

1 improve community cohesion, and would include health benefits to the user. Additionally, by depressing the  
2 facility through downtown, the proposed project would reduce the barrier and visual intrusion of I-35.

3 TxDOT is coordinating with CapMetro, a participating agency with the I-35 Capital Express Central Project, to  
4 incorporate existing and proposed transit routes in the corridor, and to provide a reliable route for transit in HOV  
5 managed lanes of the project. The design for both build alternatives would maintain direct access to transit in  
6 the corridor and incorporate existing and proposed transit routes. As a participating agency, CapMetro will  
7 continue to be involved with the project. Changes to the locations of bus stops due to Build Alternative 2 may be  
8 required, either temporarily during construction or permanently. Initial conversations with CapMetro in October  
9 2022 regarding bus stop locations indicated the following concerns: alternate bus stop locations must provide  
10 for safe crossings and access to work or neighborhood destinations (sidewalks, crosswalks), the stops need bus  
11 landings and appropriate shelter, and it takes considerable time to plan for rerouting buses, moving stops, and  
12 providing proper signage for temporary bus stop closures. Of 895 bus stops within the Community Study Area,  
13 the following 14 bus stops were identified as potentially affected by Build Alternative 2:

- 14 • **6444:** Ben White and SB I-35 with access to the new AISD headquarters. This bus stop would be expected  
15 to be temporarily relocated during construction. A new bus stop location would potentially be established if  
16 safe crossing can be established.
- 17 • **1467:** Oltorf at Schrieber/Travis High School. This stop would be relocated to the far side of the intersection  
18 to avoid impacts during construction.
- 19 • **1188:** Riverside/Kenwood. This stop would likely be permanently consolidated with stop 1187, which is  
20 approximately 600 feet west of this stop at Riverside Drive at Travis Heights. Due to proximity of the two  
21 stops, this would be expected to cause minor inconvenience.
- 22 • **4175:** 700 Cesar Chavez/Red River would be consolidated with stop 1038, which is located approximately  
23 1,000 feet west at Cesar Chavez and Trinity.
- 24 • **5209:** 705 11th and Sabine services the Sheraton Austin. Customers would be relocated to stop 657 at  
25 12th Street and Branch.
- 26 • **1109:** 12th Street/I-35 is located in a congested area. This stop would be relocated to 12th Street and  
27 Oleander; the next stop would be at 11th Street at San Jacinto.
- 28 • **1113:** 12th Street at Branch (EB) would be relocated to the far side of the light.
- 29 • **2012:** 1101 38th ½/Robinson. CapMetro is in talks with COA to move this stop closer to I-35, but more  
30 planning would be required since this area would be impacted by Build Alternative 2. This stop would need  
31 to be relocated.
- 32 • **4737:** 38th ½/Hollywood. This stop has high ridership and would need to be relocated. The new location for  
33 this stop is to be determined.
- 34 • **2312:** 4120 I-35/Clarkson would be permanently closed by the proposed project and would require  
35 relocation. The location of the new stop would hinge on access to East 41st Street and access to the HEB  
36 at Hancock Center would be maintained.

- 1 • **3272:** 4613 Airport/46th would need to be relocated; however, there are non-continuous sidewalks in this  
2 area and access to adjacent neighborhoods needs to be maintained. It is anticipated this site would be  
3 relocated to the entrance of the shopping plaza.
- 4 • **3290:** 4600 Airport/46th would need to be relocated; however, there are non-continuous sidewalks in this  
5 area and access to adjacent neighborhoods needs to be maintained. This stop would be relocated  
6 approximately 100 feet north of its existing location.
- 7 • **3271:** 4335 Airport/Parkwood. This bus stop would be relocated approximately 250 feet west of Rowood  
8 Road and would require the construction of a new bus pad.
- 9 • **2388:** Cameron/52nd (NB). This stop would be closed for the duration of construction and customers would  
10 be pushed to Cameron Road at Broadmoor. Due to the topography at the existing stop, there is no alternative  
11 location for a relocated bus stop.

12 TxDOT will continue to coordinate with CapMetro to find the best locations for any bus stops that require  
13 relocation to ensure transit users will continue to have access to their stops within a reasonable distance, and  
14 will work with CapMetro on rerouting bus stops during construction as necessary. Expected bus stop closures  
15 could change as design progresses.

16 Emergency response times would be anticipated to decrease after construction of the project due to increased  
17 access, mobility, and reduced congestion. TxDOT will continue to coordinate with emergency responders to  
18 develop detour route plans and ensure emergency response times remain consistent during construction of the  
19 proposed project. The HOV managed lanes would be reserved for carpools, transit, and emergency responders.

20 With Build Alternative 2, access and travel patterns would change. The bullets below provide a brief description  
21 of travel pattern changes as reviewed on the project schematic dated April 8, 2022:

- 22 • Bypass lanes would allow the traveler to bypass signalized intersections. Bypass lanes provided on frontage  
23 roads in the SB direction for Build Alternative 2 include:
  - 24 ◦ Under 51st Street
  - 25 ◦ Under Airport Boulevard
  - 26 ◦ Under MLK Jr. Boulevard
  - 27 ◦ Under 15th Street, 12th Street, and 11th Street before reconnecting with the frontage roads in SB  
28 direction at 8th Street
  - 29 ◦ From just south of 11th Street a driver could access a bypass lane to travel under 8th, 7th, 6th, 5th,  
30 and Cesar Chavez Streets before reconnecting with the frontage road south of Cesar Chavez Street
  - 31 ◦ From 3rd Street under Cesar Chavez Street
  - 32 ◦ Under Riverside Drive and under Woodland Avenue before reconnecting with the frontage road or  
33 mainlanes
- 34 • Bypass lanes NB direction:

- 1      ◦ Under 51st Street
- 2      ◦ Under Airport Boulevard
- 3      ◦ Under 38th ½ Street
- 4      ◦ Under MLK Jr. Boulevard
- 5      ◦ Under 11th Street and 12th Street
- 6      ◦ Heading NB on the frontage roads, a driver could access the bypass lane from just north of Lady Bird
- 7      Lake (the Colorado River) and travel continuously over Holly Street and under Cesar Chavez Street
- 8      ◦ Under Riverside Drive and Woodland Avenue

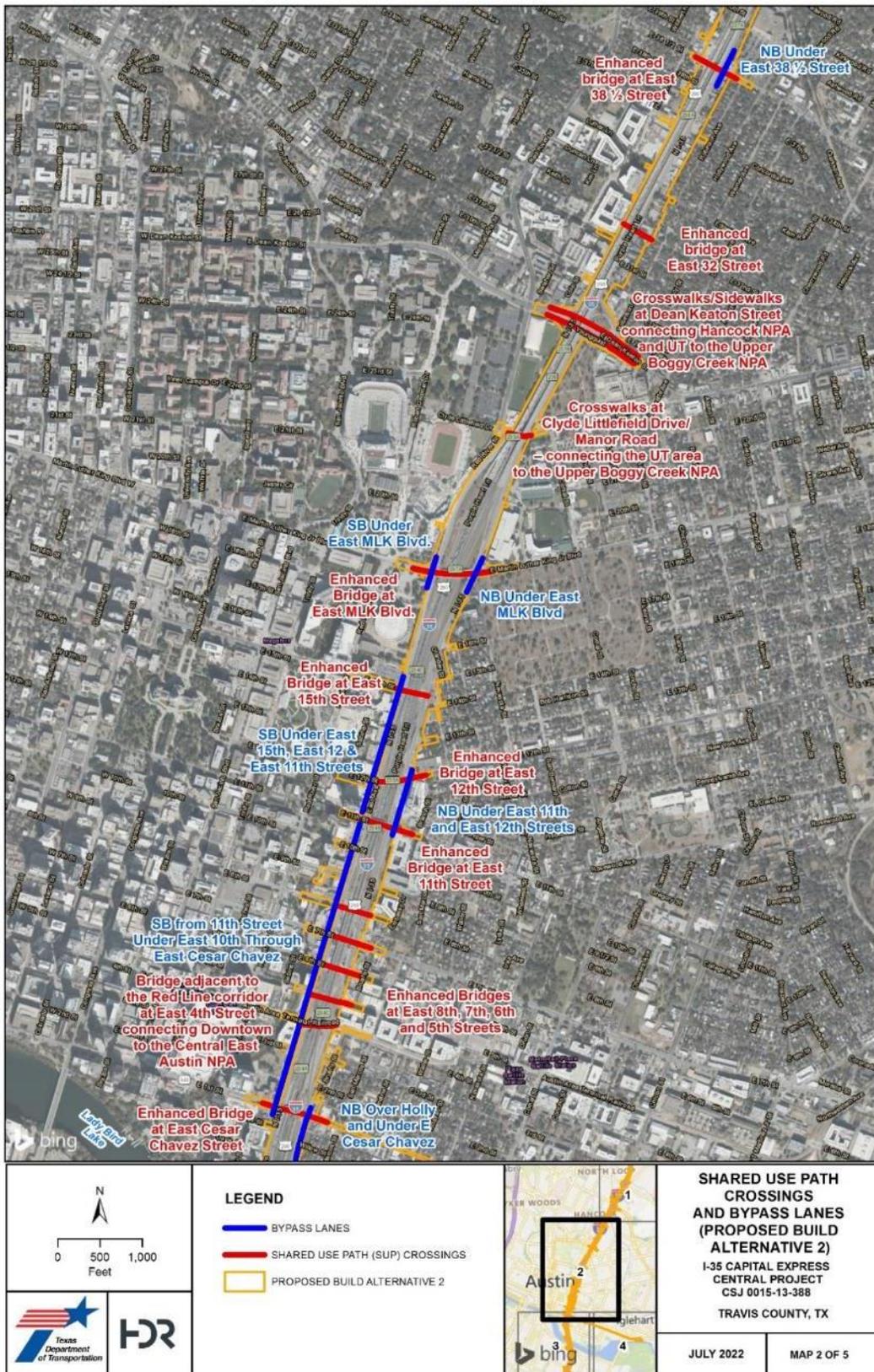
9      The entrance ramps for the HOV managed lanes would be:

- 10     • From WB US 290 to I-35 (SB direction)
- 11       ◦ At 40th Street (SB direction)
- 12       ◦ At Woodland Avenue (SB direction)
- 13       ◦ At MLK Jr. Boulevard (NB direction)
- 14       ◦ At 32nd Street (NB direction)
- 15     • The HOV managed lane exit ramps would be at:
- 16       ◦ Airport Boulevard (NB direction)
- 17       ◦ Woodland Avenue (NB direction)
- 18       ◦ MLK Jr. Boulevard (SB direction)
- 19       ◦ 32nd Street (SB direction)

20     **Figure 3.6-14** shows bypass lanes and SUP crossings of I-35.



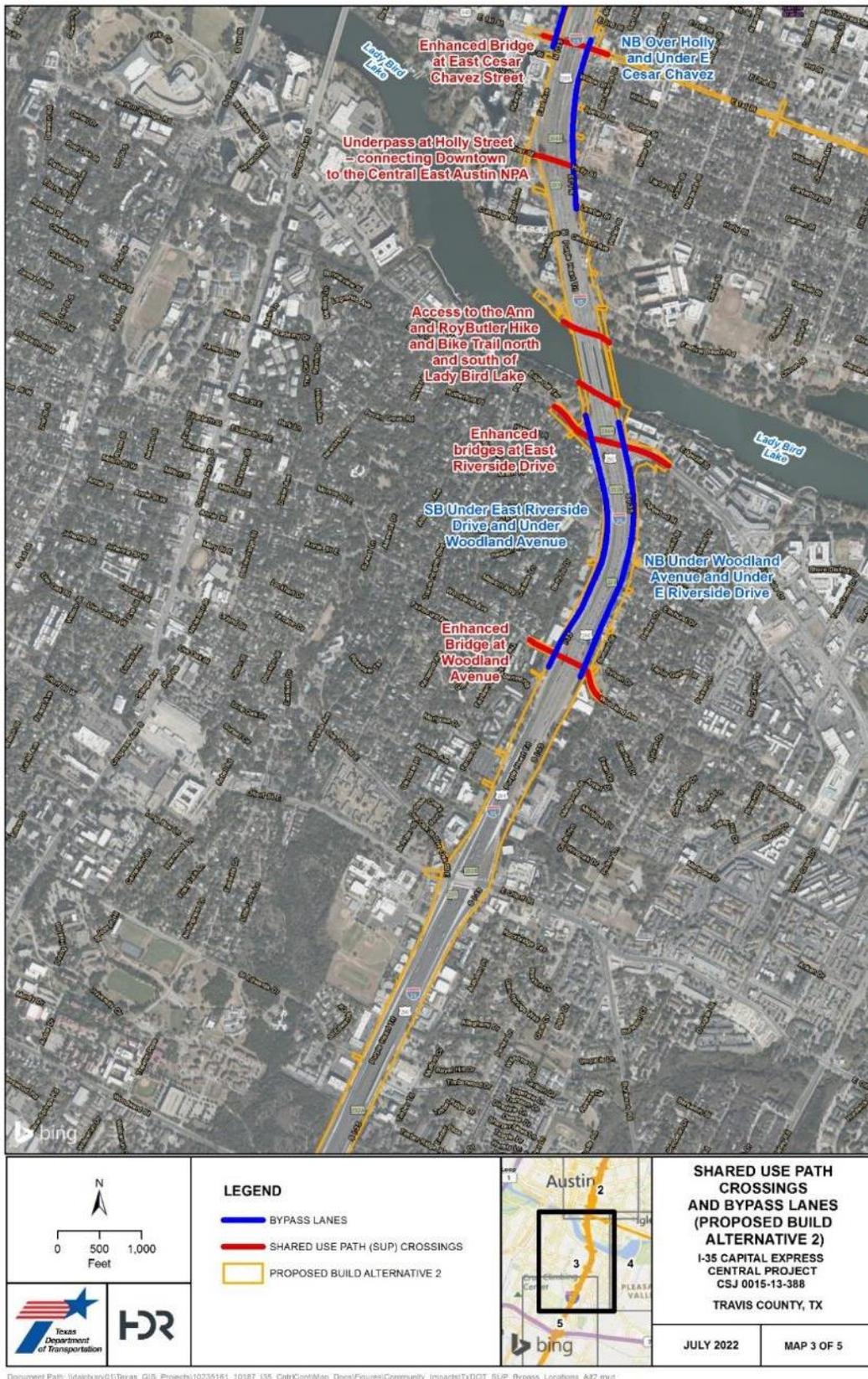
1  
 2      Figure 3.6-14. Shared Use Path Crossings and Bypass Lanes – Build Alternative 2 (Map 1 of 5)



1

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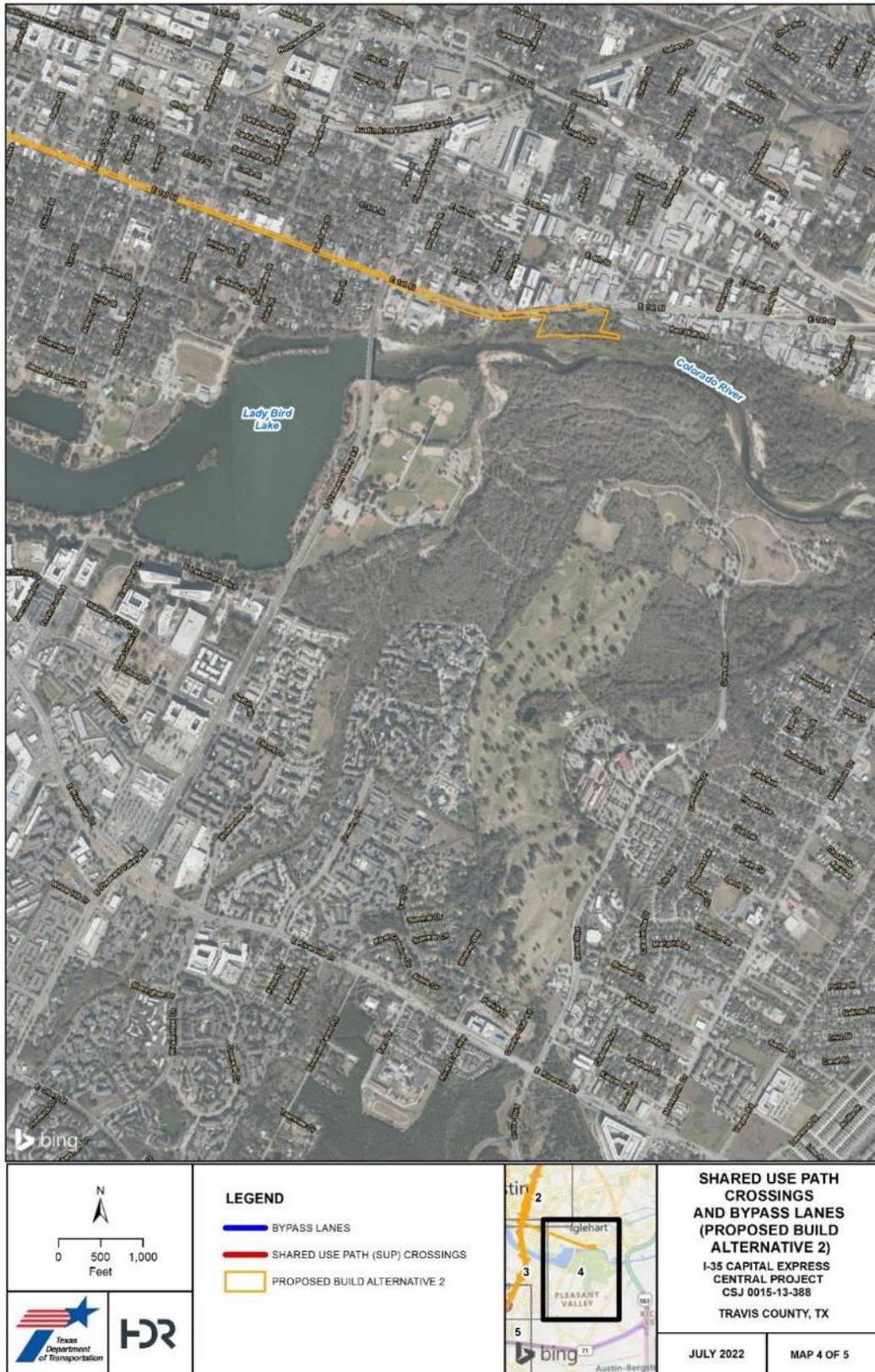
Figure 3.6-14. Shared Use Path Crossings and Bypass Lanes – Build Alternative 2 (Map 2 of 5)



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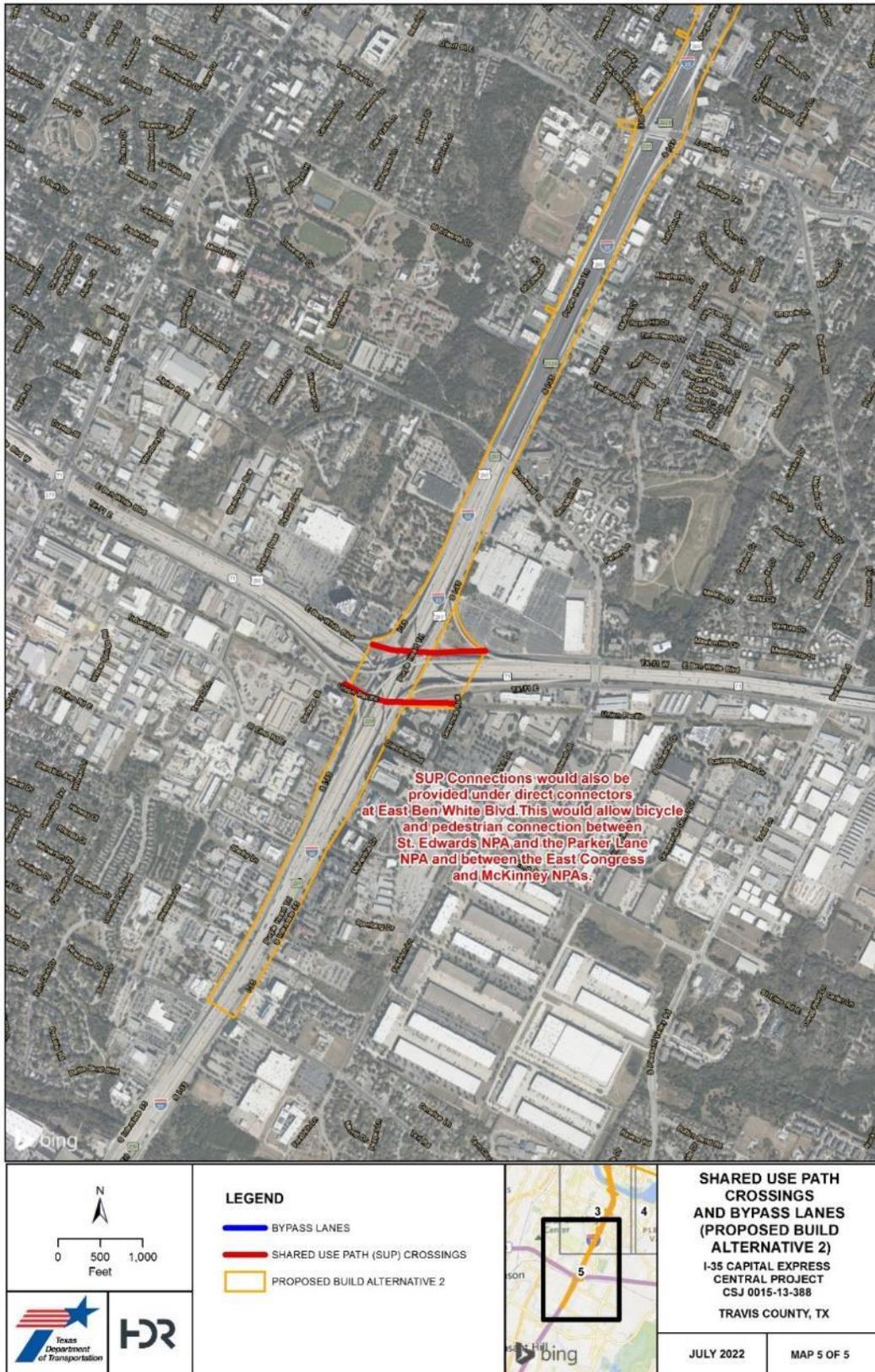
2 Figure 3.6-14. Shared Use Path Crossings and Bypass Lanes – Build Alternative 2 (Map 3 of 5)



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1

2 Figure 3.6-14. Shared Use Path Crossings and Bypass Lanes – Build Alternative 2 (Map 4 of 5)



1

2

Figure 3.6-14. Shared Use Path Crossings and Bypass Lanes – Build Alternative 2 (Map 5 of 5)

1 Once complete, Build Alternative 2 would continue to provide frontage roads along the length to access local  
2 roads, businesses, and residents. However, the SB frontage road between 32nd Street to just south of MLK Jr.  
3 Boulevard would be moved toward the east of the facility and would not be located in the typical SB frontage  
4 road location (see schematics and renderings on the project website I-35 Capital Express Central – Capital  
5 Express ([my35capex.com](http://my35capex.com))). This area generally includes the UT area on the west side of I-35 including athletics  
6 fields, the “bubble” indoor practice facility, and the Mike Myers Stadium. Access to these facilities from the  
7 frontage roads would be provided at cross streets similar to how these facilities are currently accessed.

8 Two HOV managed lanes in each direction would be provided. The HOV managed lanes would have limited  
9 access and egress through the project corridor. Four to five mainlanes would continue to service the project area  
10 with SB mainlane exits at 51st Street, Airport Boulevard, MLK Jr. Boulevard, 12th Street, Cesar Chavez Street,  
11 and Woodland Avenue and NB mainlane exits at Woodland Avenue, 5th Street, 15th Street, Manor Road, 38th  
12 ½ Street, and US 290. Travelers would be able to use bypass lanes to avoid many signalized intersections  
13 through the corridor which is included to reduce travel times and reduce congestion at intersections. With this  
14 alternative, the enhanced bridges would be additional crossings of I-35 in the downtown area for vehicles as well  
15 as people who walk and bicycle.

#### 16 3.6.9.2.2 Modified Build Alternative 3

17 Based on the design dated April 8, 2022, the proposed project would add non-tolled HOV managed lanes in each  
18 direction along I-35 from US 290 East to just south of Oltorf Street. The HOV managed lanes would be one lane  
19 in each direction between just north of US 290 East to just south of 51st Street. There would be two HOV  
20 managed lanes in each direction from just south of 51st Street to just south of Oltorf Street. At Oltorf Street  
21 Modified Build Alternative 3 would tie into HOV managed lanes proposed by the CapEx-South Project. The  
22 proposed project also includes various operational and safety enhancements, including reconstructing ramps,  
23 bridges, and intersections; improving frontage roads; enhancing bicycle and pedestrian paths; and  
24 accommodating transit routes. These changes would be expected to decrease travel times along the facility and  
25 within the Community Study Area post construction. Methods to minimize construction related impacts would  
26 include construction phasing, public involvement activities such as maintaining a project construction website,  
27 performing business outreach, and providing detour notifications where appropriate. More information can be  
28 found in the Construction Phase Impacts section of the DEIS (**Section 3.17**). Modified Build Alternative 3  
29 incorporated many changes in response to public meetings held in August 2021. These included minimizing  
30 rights-of-way to reduce the number of displacements, removing proposed flyovers at US 290 East, lowering all  
31 lanes at Airport Boulevard instead of elevated HOV managed lanes, new bicycle-pedestrian crossings at 3rd,  
32 15th, and 41st Streets, lowering mainlanes and HOV managed lanes at Holly Street with elevated bypass lanes,  
33 innovative intersection at Riverside Drive, and moving frontage roads to create a boulevard from Cesar Chavez  
34 Street to Dean Keeton Street.

35 Modified Build Alternative 3 has non-traditional frontage road positioning along a portion of the project length  
36 (see schematics in **Appendix B**). From just south of US 290, frontage roads would consist of two to three lanes  
37 in each direction positioned typically outside the freeway lanes on the NB and SB sides to near 32nd Street.  
38 From near East 32nd Street to Holly Street the frontage road lanes both move between the east side of the

1 facility and the west side of the facility. From about 30th Street to 15th Street the SB frontage road would be  
2 moved toward the east. This area generally includes the UT area on the west side of I-35 including athletics  
3 fields, the “bubble” indoor practice facility, Mike Myers Stadium, and the Frank Erwin Center. Access to these  
4 facilities from the frontage roads would be provided at cross streets. No driveways into these facilities would be  
5 provided from the frontage roads similar to the current condition. The NB frontage road would be moved toward  
6 the west with Modified Build Alternative 3 from just south of Cesar Chavez Street to 15th Street. Driveways would  
7 be eliminated in this area along the NB frontage road and vehicular access to businesses on the east side of I-  
8 35 in this area would be provided on cross streets. The SUP would be adjacent to these businesses. Connection  
9 across I-35 would be maintained at most existing crossings of the facility except at East 8th Street and East 13th  
10 Street along this stretch of roadway. South of Holly Street the frontage roads would be located outside the facility  
11 on either the NB or SB side to tie into existing frontage roads. The shifted frontage roads would be unique in the  
12 area and, initially, this configuration may be confusing to drivers since the expectation for the frontage road  
13 would be to parallel the highway. Car travelers wishing to access businesses in the area of shifted frontage road  
14 would have to travel longer by car to access these facilities and would not be able to enter/exit directly from the  
15 frontage road. Affected businesses would lose driveway access from the frontage road, but access to the parcel  
16 would still be provided. Proper signage would be installed and maintained to help drivers manage the alternate  
17 frontage road configuration. Vehicular access to residences south of East Cesar Chavez Street would be similar  
18 to what is currently provided.

19 With Modified Build Alternative 3, bicycle and pedestrian SUPs would begin just north of US 290 East with  
20 connections under the direct connectors at this location. For most of its length, the SUPs would generally parallel  
21 the outer lanes of the facility on both the NB and SB sides to north of Oltorf Street and south of St. Edwards  
22 Drive, respectively. SUP crossings of I-35 within the Community Study Area would be provided at the following  
23 locations (shown on **Figure 3.6-15**):

- 24 • A bicycle and pedestrian bridge near 55th Street (provides access to and from Capital Plaza) connecting the  
25 North Loop NPA to the Windsor Park NPA.
- 26 • Crossing at Airport Boulevard connecting the North Loop NPA and the Hancock NPA to the Upper Boggy  
27 Creek NPA.
- 28 • Adjacent to the CapMetro Red Line (and future Gold Line) tracks, south of Airport Boulevard connecting  
29 Hancock NPA to the Upper Boggy Creek NPA.
- 30 • Enhanced bridges include buffers between traffic and people who walk and bicycle to enhance the walking  
31 or riding experience and increase safety. Enhanced bridges at 41st Street, 38 ½ Street, and 32nd Street  
32 (connecting the Hancock NPA to the Upper Boggy Creek NPA), MLK Jr. Boulevard (connecting UT and  
33 Downtown to the northern part of the Central East Austin NPA), 12th Street, 11th Street, 7th Street (bridges  
34 between 12th and 7th Streets would connect Downtown to the Central East Austin NPA), 6th Street, 5th  
35 Street, Cesar Chavez Street (6th through Cesar Chavez Street would connect Downtown to the Cesar Chavez  
36 NPA).
- 37 • Crosswalks at Dean Keeton Street connecting Hancock NPA and UT to the Upper Boggy Creek NPA.
- 38 • Crosswalks at Clyde Littlefield Drive/Manor Road connecting the UT area to the Upper Boggy Creek NPA.

- 1 • A SUP crossing just north of MLK Jr. Boulevard connecting UT and Downtown to the northern part of the  
2 Central East Austin NPA.
- 3 • A SUP crossing at 15th Street connecting Downtown to the Central East Austin NPA.
- 4 • A bicycle and pedestrian bridge located adjacent to the Red Line corridor at 4th Street connecting Downtown  
5 to the Central East Austin NPA.
- 6 • A SUP crossing at 3rd Street connecting Downtown to the Central East Austin NPA.
- 7 • A bridge at Holly Street connecting Downtown to the Central East Austin NPA.
- 8 • Providing access to the Butler Hike and Bike Trail north and south of Lady Bird Lake.
- 9 • A SUP crossing at Riverside Drive and Woodland Avenue (connecting the South River City NPA to the  
10 Riverside NPA). With Modified Build Alternative 3, access for vehicular traffic would be removed at Woodland  
11 Avenue.
- 12 • SUP connections would also be provided under direct connectors at Ben White Boulevard, even though the  
13 SUPs parallel to the facility would not extend to the southern project extent. This would allow bicycle and  
14 pedestrian connection between St. Edwards NPA and the Parker Lane NPA and between the East Congress  
15 and McKinney NPAs.

16 The Community Study Area would be expected to benefit from the increased SUP connections along the facility.  
17 The enhanced bridge design would provide a safe, comfortable, and seamless connection which encourages  
18 walking and biking. Businesses, facilities, and residents along I-35 would benefit from increased mobility and  
19 safety. Providing safe alternatives to single-occupancy vehicle use within the corridor would be expected to  
20 increase access to businesses and facilities for underserved or vulnerable populations, reduce congestion,  
21 improve community cohesion, and would include health benefits to the user. Additionally, by depressing the  
22 facility through downtown, the proposed project would reduce the barrier and visual intrusion of I-35.

23 TxDOT is coordinating with CapMetro, a participating agency with the I-35 Capital Express Central Project, to  
24 incorporate existing and proposed transit routes in the corridor, and to provide a reliable route for transit in HOV  
25 managed lanes of the project. The design for both build alternatives would maintain direct access to transit in  
26 the corridor and incorporate existing and proposed transit routes. As a participating agency, CapMetro will  
27 continue to be involved with the project. Changes to the locations of bus stops due to Modified Build Alternative  
28 3 either temporarily during construction or permanently. Initial conversations with CapMetro in October 2022  
29 regarding bus stop locations indicated the following concerns: alternate bus stop locations must provide for safe  
30 crossings and access to work or neighborhood destinations (sidewalks, crosswalks), the stops need bus landings  
31 and appropriate shelter, and it takes considerable time to plan for rerouting buses, moving stops, and providing  
32 proper signage for temporary bus stop closures. Of 895 bus stops located within the Community Study Area, the  
33 following 15 bus stops were identified as potentially being affected by Modified Build Alternative 3:

- 34 • **6444:** Ben White and SB I-35 with access to the new AISD headquarters. This bus stop would be expected  
35 to be temporarily relocated during construction. A new bus stop location would potentially be established if  
36 safe crossing can be established.

- 1 • **1467:** Oltorf at Schrieber/Travis High School. This stop would be relocated to the far side of the intersection  
2 to avoid impacts during construction.
- 3 • **1188:** Riverside/Kenwood. This stop would likely be permanently consolidated with stop 1187, which is  
4 approximately 600 feet west of this stop at Riverside Drive at Travis Heights. Due to proximity of the two  
5 stops, this would be expected to cause minor inconvenience.
- 6 • **4175:** 700 Cesar Chavez/Red River would be consolidated with stop 1038, which is located approximately  
7 1,000 feet west at Cesar Chavez and Trinity.
- 8 • **5209:** 705 11th and Sabine services the Sheraton Austin. Customers would be relocated to stop 657 at  
9 12th Street and Branch.
- 10 • **1109:** 12th/I-35 is located in a congested area. This stop would be relocated to 12th Street and Oleander;  
11 next stop would be at 11th Street at San Jacinto.
- 12 • **1113:** 12th at Branch (EB) would be relocated to the far side of the light.
- 13 • **2012:** 1101 38th ½/Robinson. CapMetro is in talks with COA to move this stop closer to I-35, but more  
14 planning would be required since this area would be impacted by Modified Build Alternative 3. This stop  
15 would need to be relocated.
- 16 • **4737:** 38th ½/Hollywood. This stop has high ridership and would need to be relocated. The new location for  
17 this stop is to be determined.
- 18 • **2312:** 4120 I-35/Clarkson would be permanently closed by the proposed project and would require  
19 relocation. The location of the new stop would hinge on access to East 41st Street and access to the HEB  
20 at Hancock Center would be maintained.
- 21 • **3272:** 4613 Airport/46th would need to be relocated; however, there are non-continuous sidewalks in this  
22 area and access to adjacent neighborhoods needs to be maintained. It is anticipated this site would be  
23 relocated to the entrance of the shopping plaza.
- 24 • **3290:** 4600 Airport/46th would need to be relocated; however, there are non-continuous sidewalks in this  
25 area and access to adjacent neighborhoods needs to be maintained. This stop would be relocated  
26 approximately 100 feet north of its existing location.
- 27 • **3271:** 4335 Airport/Parkwood. This bus stop would be relocated approximately 250 feet west of Rowood  
28 Road and would require the construction of a new bus pad.
- 29 • **2388:** Cameron/52nd (NB). This stop would be closed for the duration of construction and customers would  
30 be pushed to Cameron Road at Broadmoor. Due to the topography at the existing stop, there is no alternative  
31 location for a relocated bus stop.
- 32 • **6404:** Waller/Flores is the end of the line for Route 322. Relocating this stop is complicated because of  
33 neighborhood complaints from the community garden about diesel fumes and the 3 AM start time of this  
34 bus route precludes moving the stop to the north near an apartment complex that may be impacted by  
35 engine noise. This location is pending, but CapMetro would like to keep this stop at its current location during  
36 construction, if possible.

1 TxDOT will continue to coordinate with CapMetro to find the best locations for any bus stops that require  
2 relocation to ensure transit users will continue to have access to their stops within a reasonable distance, and  
3 will work with CapMetro on rerouting bus stops during construction as necessary. Expected bus stop closures  
4 could change as design progresses.

5 may be required, TxDOT will coordinate with CapMetro to find the best locations for any bus stops that require  
6 relocation and to ensure transit users will continue to have access to their stops within a reasonable distance.

7 Emergency response times would be anticipated to decrease after construction of the project due to increased  
8 access, mobility, and reduced congestion. TxDOT will continue to coordinate with emergency responders to  
9 develop detour route plans and ensure emergency response times remain consistent during construction of the  
10 proposed project. The HOV managed lanes would be reserved for carpools, transit, and emergency responders.

11 With Modified Build Alternative 3, access and travel patterns would change. The bullets below provide a brief  
12 description of travel pattern changes as reviewed on the project schematic dated April 8, 2022:

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

15 ◦ Under 51st Street.

16 ◦ Under Airport Boulevard.

17 ◦ Under Wilshire/41st Street.

18 ◦ Under MLK Jr. Boulevard.

19 ◦ Under 15th Street, 12th Street, and 11th Street before reconnecting with the frontage roads in SB  
20 direction.

21 ◦ Under Cesar Chavez and Holly Streets.

22 ◦ Under Riverside Drive before reconnecting with the frontage road or mainlanes.

23 • Bypass lanes NB direction:

24 ◦ Under Airport Boulevard.

25 ◦ Under Wilshire/41st Street.

26 ◦ Under 11th Street and 12th Street.

27 ◦ Over Holly and under Cesar Chavez Street.

28 ◦ Under Riverside Drive.

29 • The entrance ramps for the HOV managed lanes would be:

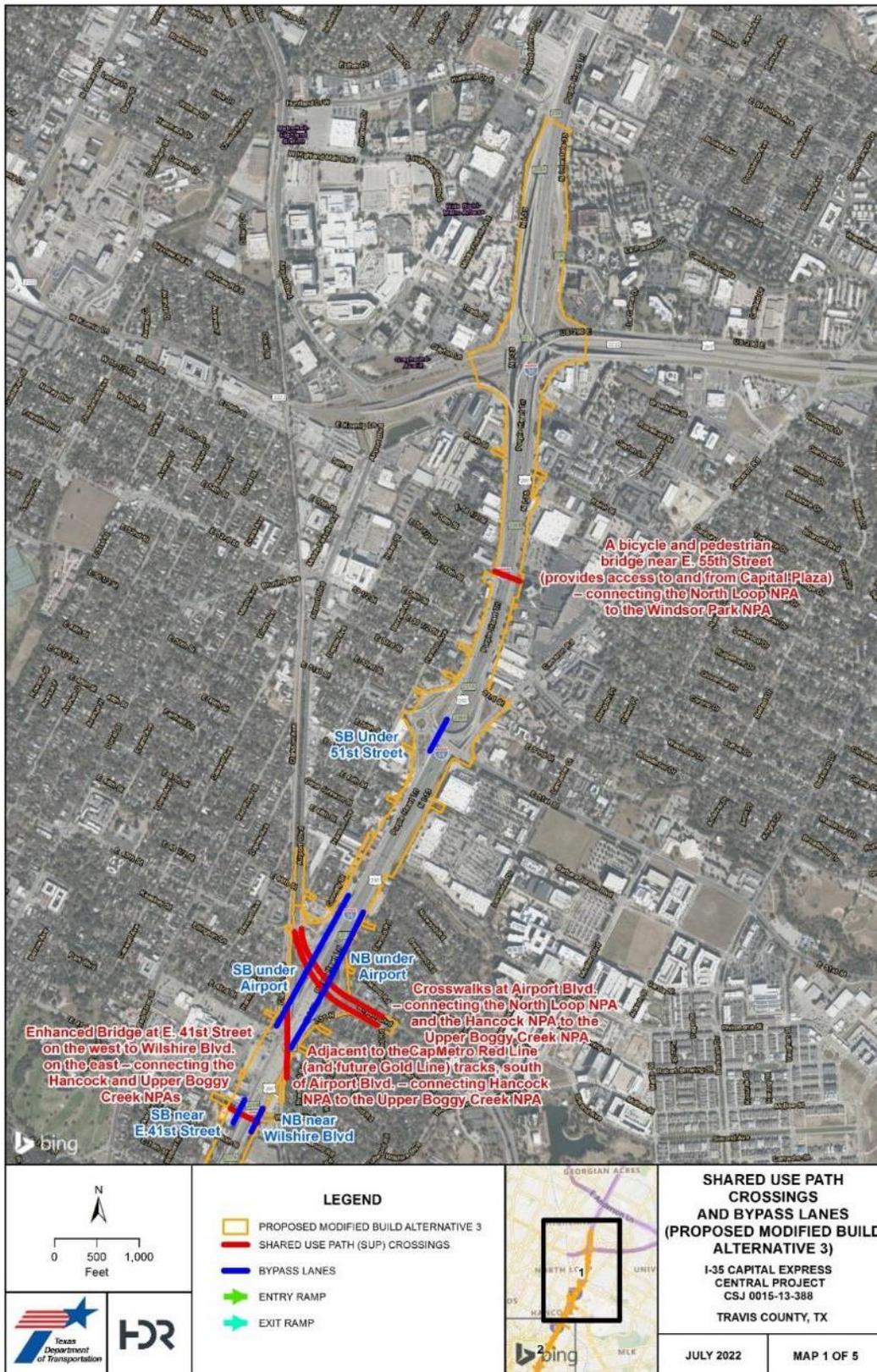
30 ◦ North of Airport Boulevard (SB direction).

31 ◦ At Woodland Avenue (SB direction).

32 ◦ Near Sunnyvale Street (NB direction).

- 1       ◦ At MLK Jr. Boulevard (NB direction).
- 2       ◦ At 32nd Street (NB direction).
- 3       • The HOV managed lane exit ramps would be at:
  - 4       ◦ North of Airport Boulevard (NB direction).
  - 5       ◦ Woodland Avenue (NB direction).
  - 6       ◦ Near Sunnyvale Street (NB direction).
  - 7       ◦ MLK Jr. Boulevard (SB direction).
  - 8       ◦ 32nd Street (SB direction).
  - 9       ◦ Remove vehicular crossing of I-35 at 8th Street and Woodland Avenue.

10       **Figure 3.6-15** shows bypass lanes and SUP crossings of I-35. Removing the vehicular crossings of I-35 at 8th  
11       Street and Woodland Avenue would force drivers to divert onto neighborhood streets or utilize frontage roads to  
12       access the nearest cross streets (11th Street or 7th Street for the 8th Street closure or Riverside to the north or  
13       Oltorf Street to the south for Woodland Avenue). A traveler in a car would have to drive approximately 0.5 mile  
14       or less to access the next crossing of I-35.



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Figure 3.6-15. Shared Use Path Crossings and Bypass Lanes – Modified Build Alternative 3 (Map 1 of 5)



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 2 Figure 3.6-15. Shared Use Path Crossings and Bypass Lanes – Modified Build Alternative 3 (Map 2  
 3 of 5)



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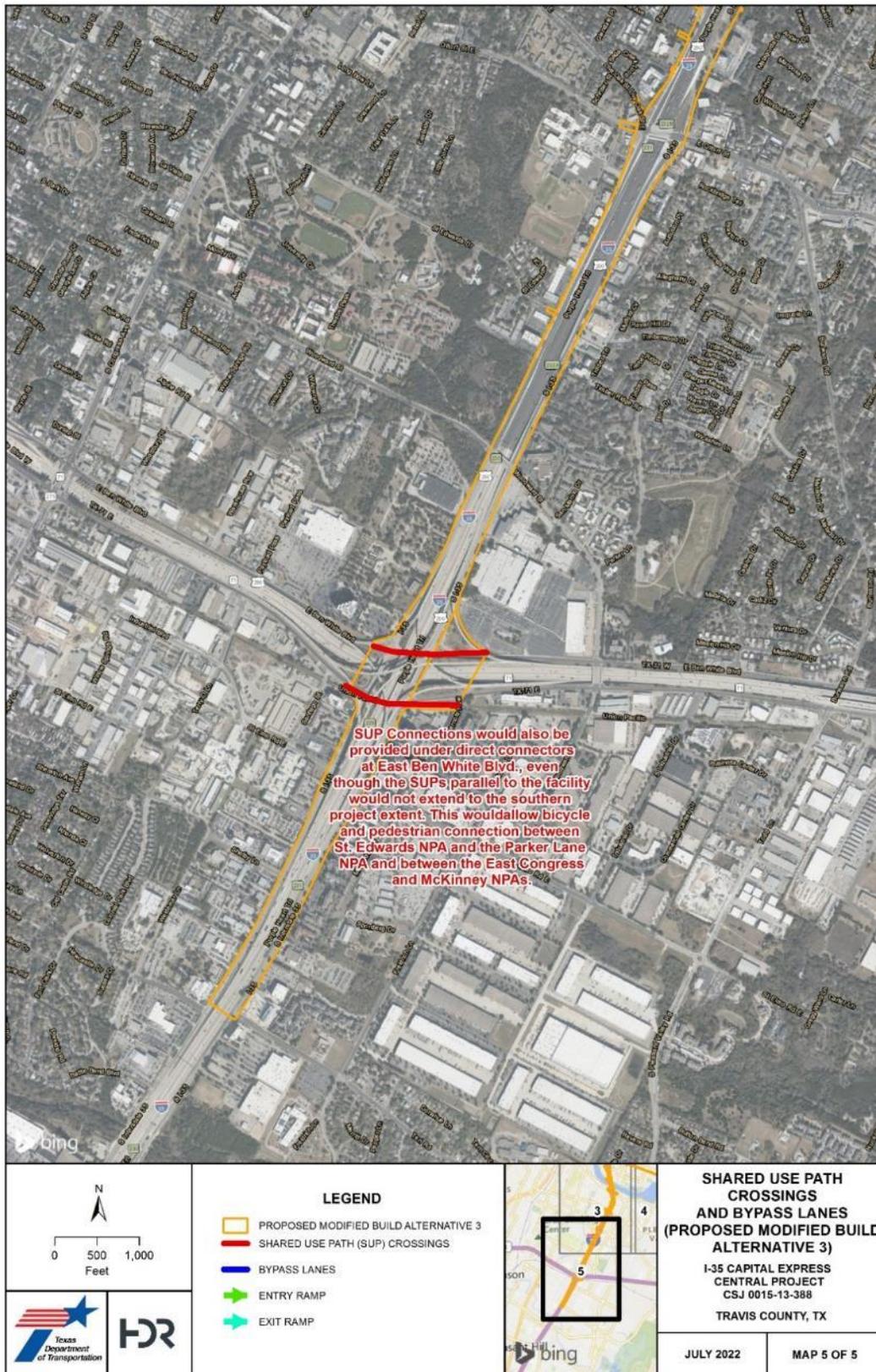
Figure 3.6-15. Shared Use Path Crossings and Bypass Lanes – Modified Build Alternative 3 (Map 3 of 5)



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Figure 3.6-15. Shared Use Path Crossings and Bypass Lanes – Modified Build Alternative 3 (Map 4 of 5)



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Figure 3.6-15. Shared Use Path Crossings and Bypass Lanes – Modified Build Alternative 3 (Map 5 of 5)

### 1 3.6.9.2.3 No Build Alternative

2 Under the No Build Alternative, there would be no changes to I-35 between US 290 and SH 71/Ben White  
3 Boulevard. The No Build Alternative would consist of the existing transportation system as well as any committed  
4 highway and transit improvements defined in the 2045 CAMPO Long Range Transportation Plan (CAMPO, 2020),  
5 except for the proposed project. Changes to bicycle and pedestrian facilities, transit facilities, and access and  
6 travel patterns as a result of the other committed improvements would be determined for each individual project.

### 7 3.6.10 Environmental Justice

#### 8 3.6.10.1 Regulatory Requirements and Methodology

9 EO 12898, “Federal Action to Address Environmental Justice in Minority Populations and Low-Income  
10 Populations,” requires each federal agency to “make achieving environmental justice part of its mission by  
11 identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental  
12 effects of its programs, policies, and activities on minority populations and low-income populations.” The USDOT  
13 has issued DOT 5610.2C (May 2021) to update their strategy for promoting the principles of EJ in all DOT  
14 programs, policies, and activities. FHWA has identified three fundamental principles of EJ (FHWA 2015).

15 The three fundamental principles of EJ are:

- 16 • To avoid, minimize, or mitigate disproportionately high and adverse human health or environmental effects,  
17 including social and economic effects, on minority populations and low-income populations;
- 18 • To ensure the full and fair participation by all potentially affected communities in the transportation decision-  
19 making process; and
- 20 • To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority populations  
21 and low-income populations.

22 Disproportionately high and adverse human health or environmental effects are defined as adverse effects that:

- 23 • Are predominantly borne by a minority population and/or a low-income population; or
- 24 • Will be suffered by the minority population and/or low-income population and are appreciably more severe  
25 or greater in magnitude than the adverse effects that will be suffered by the nonminority population and/or  
26 non-low-income populations.

27 EO 12898 and the DOT and FHWA Orders on EJ address people belonging to any of the following groups (FHWA  
28 2012):

- 29 • Black: a person having origins in any of the black racial groups of Africa;
- 30 • Hispanic or Latino: a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish  
31 culture or origin, regardless of race;

- 1 • Asian American: a person having origins in any of the original peoples of the Far East, Southeast Asian, or  
2 the Indian subcontinent;
- 3 • American Indian and Alaskan Native: a person having origins in any of the original people of North America,  
4 South America (including Central America), and who maintains culture identification through tribal affiliation  
5 or community recognition; or
- 6 • Native Hawaiian and Other Pacific Islander: a person having origins in any of the original peoples of Hawaii,  
7 Guam, Samoa, or other Pacific Islands.
- 8 • Low-Income: a person whose MHI is at or below the HHS poverty guideline for a family of four, which is  
9 \$27,750 for 2022 (HHS, 2022).

10 A Minority Population means any readily identifiable group of minority persons who live in geographic proximity,  
11 and if circumstances warrant, a geographically dispersed/transient persons (such as migrant workers or Native  
12 Americans) who would be similarly affected by a proposed program, policy or activity. Minority populations were  
13 identified based on the federal CEQ's guidance document *Environmental Justice: Guidance Under the National*  
14 *Environmental Policy Act* (CEQ 1997a). Based on this guidance:

15 "Minority populations should be identified where either: (a) the minority population of the affected area  
16 exceeds 50 percent or (b) the minority population percentage of the affected area is meaningfully  
17 greater than the minority population percentage in the general population or other appropriate unit of  
18 geographic analysis ... "

19 A Low-Income Population is any readily identifiable group of low-income persons who live in geographic proximity,  
20 and if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native  
21 Americans) who would be similarly affected by a proposed program, policy, or activity. Unlike the CEQ guidance  
22 (1997) on minority populations, no guidance document contains a quantitative definition of how many low-  
23 income individuals constitute a low-income population. For this analysis, a block group would be determined to  
24 have a high concentration of low-income individuals (a low-income population) if: 1) the MHI of a census block  
25 group is below the HHS poverty guidelines, and/or 2) there is a meaningfully greater percentage of people in  
26 poverty within a census tract (poverty rate data was not available at the block group level) than within the  
27 surrounding county area. This more inclusive standard is appropriate for this analysis because the Community  
28 Study Area, as well as COA at large, has experienced rapid population growth over the past few decades. This  
29 coupled with other factors described more fully in **Section 3.6.4.1** have led to a dramatic rise in housing costs,  
30 which has also created affordability issues for many Austin households with low to moderate incomes.

31 Statistical data sources used in the assessment included the USCB 2020 Decennial census, the USCB ACS 2019  
32 5-year estimates (USCB, 2019), and TxDOT's Census Screen Report tool. In addition to statistical data, this  
33 assessment uses information about the Community Study Area that TxDOT and the project team received during  
34 public outreach activities for the project (as described in **Section 4.0**). Public outreach activities for the project  
35 helped inform TxDOT about the distribution of EJ and non-EJ populations, about EJ population-specific concerns,  
36 and community concerns.

1 3.6.10.2 Affected Environment

2 3.6.10.2.1 Race and Ethnicity

3 Approximately 58 percent of the population within the Community Study Area identifies as a racial or ethnic  
4 minority, compared with just under 53 percent for both Travis County and COA, as shown in **Table 3.6-8**.

Table 3.6-8. Minority Population

Geography	Total Population	Minority Population	Percent Minority
Travis County	1,290,188	677,364	52.5%
COA	961,855	508,861	52.9%
Overall Census Blocks in Community Study Area	230,541	133,200	57.8%

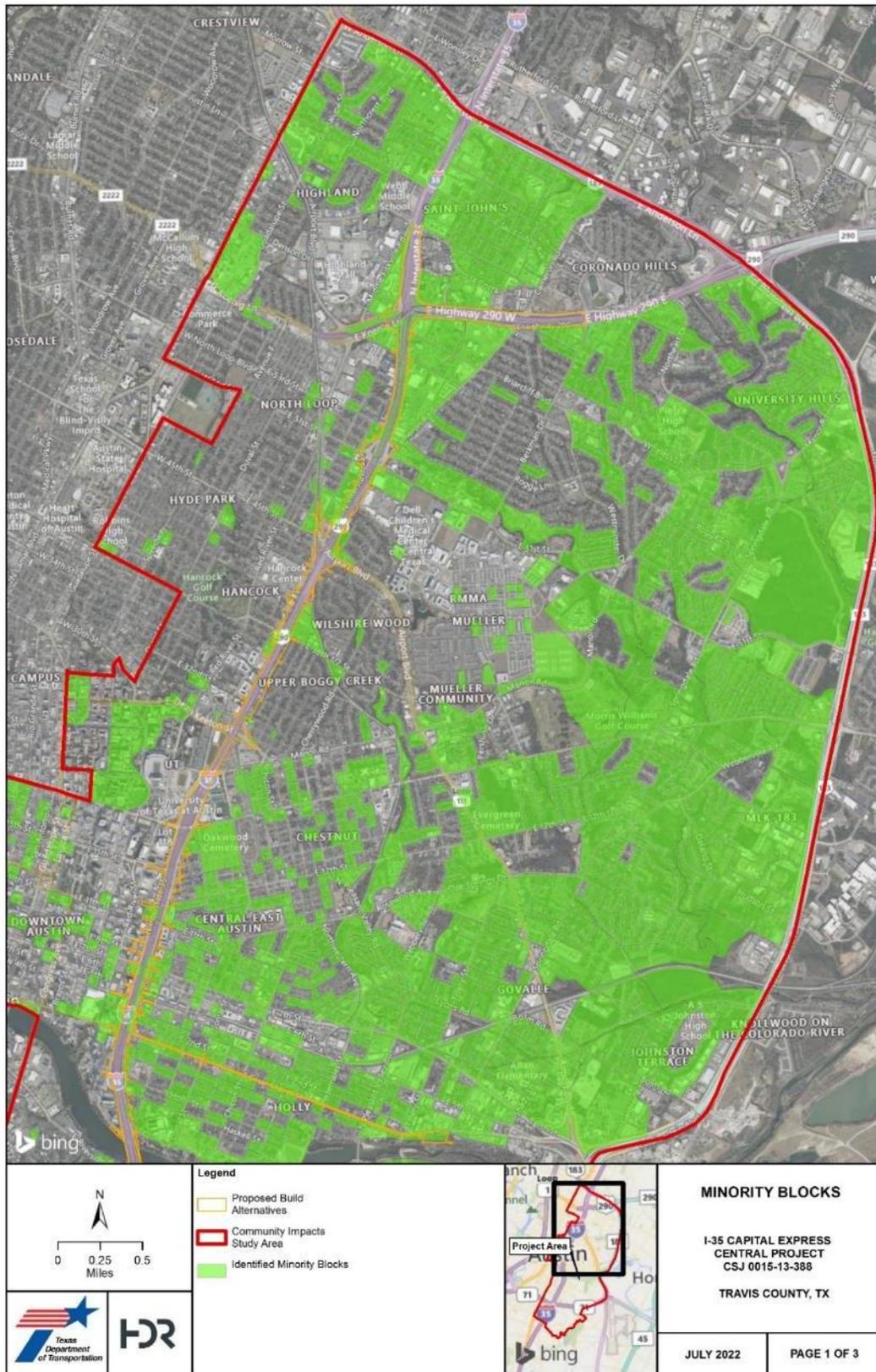
Source: USCB, 2021. 2020 Decennial Census Table P2.

5 The Community Study Area included a total of 2,130 populated Census blocks, of which 1,114 included a  
6 minority population of 50 percent or greater (Table 1 in **Appendix J**). **Figure 3.6-16** shows the distribution of  
7 blocks with a minority population. These blocks are spread out throughout the Community Study Area but are  
8 most prevalent near the I-35 and US 290 intersection, along US 183 throughout the project area, east of I-35  
9 east of the downtown area, and south of Lady Bird Lake, especially east of I-35.

10 3.6.10.2.2 Income

11 According to the HHS 2022 poverty guidelines, a household is considered low-income if they earn less than  
12 \$27,750 for a four-person family/household (HHS 2022). The 2019 MHI income in the Community Study Area  
13 ranged between \$5,500 and \$143,650. Seven of the block groups within the study area had a MHI that was  
14 below the 2022 poverty guideline of \$27,750 (Table 2, **Appendix J**). Low-income populations were also identified  
15 where the poverty rate was meaningfully greater than the poverty rate of Travis County as a whole (10.9 percent).  
16 For this analysis, meaningfully greater equaled 21.8 percent which was twice the poverty rate of Travis County.  
17 However, this data was only available at the census tract level, a large geographic unit, and was not broken down  
18 into lower census block group level. Of 53 Census tracts within the Community Study Area, 19 census tracts had  
19 at or greater than 21.8 percent poverty rate as shown on Table 2, **Appendix J**. **Figures 3.6-17** and **3.6-18** show  
20 the locations of low-income census block groups and census tracts within the Community Study Area. The census  
21 block group and tract identified as low income near UT, west of I-35 and just north of downtown, is likely the  
22 result of a high concentration of college students.

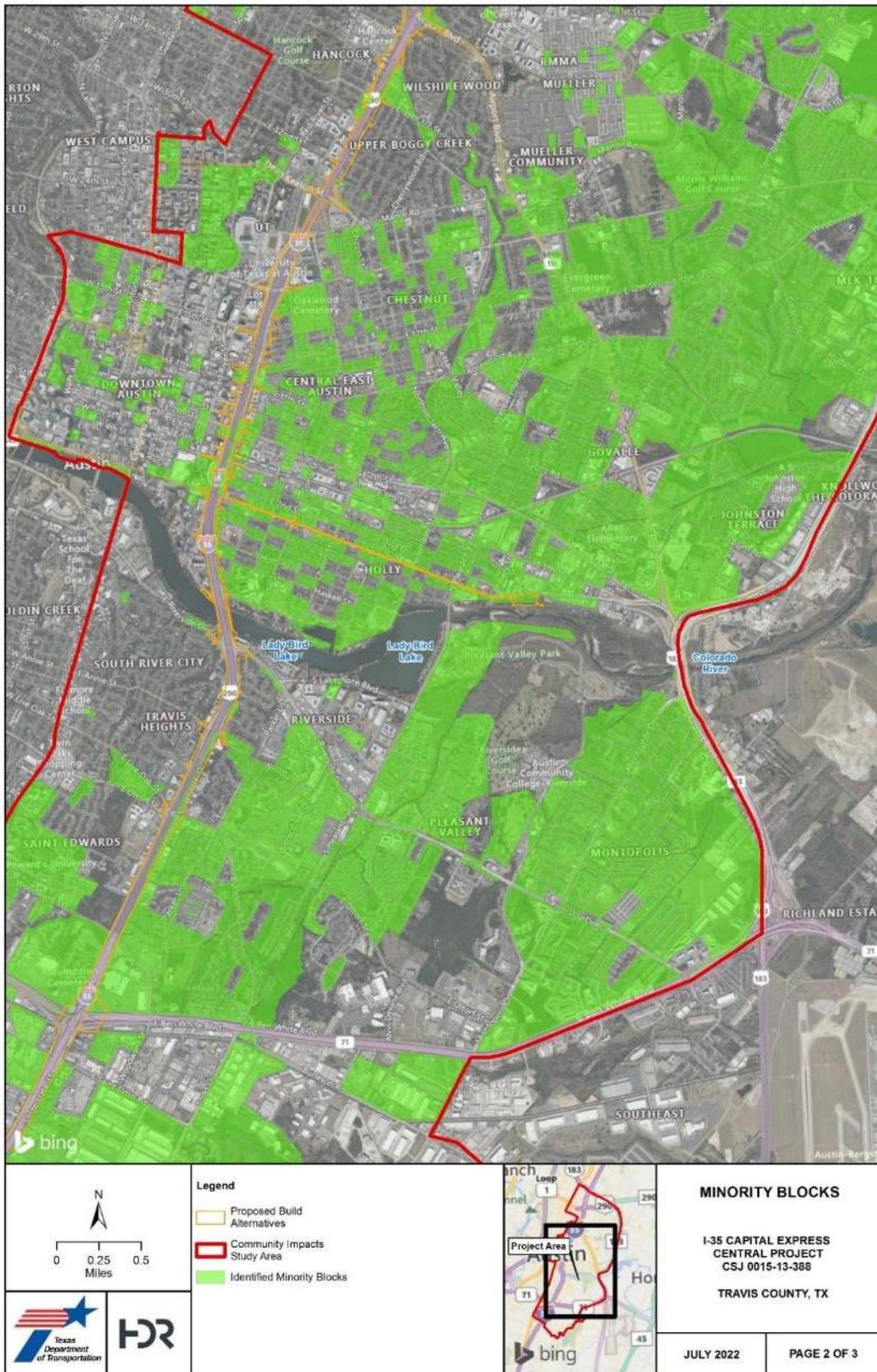
23 The Community Study Area included several encampments of people experiencing homelessness, as well as BN  
24 services (port-a-potties, showers, soup kitchen) provided by city and non-governmental organizations.  
25 Community facilities within 0.5 mile of the existing facility that provide services to low-income individuals, or  
26 those seeking employment or health services, are described in **Section 3.6.6** and listed in **Appendix J**.



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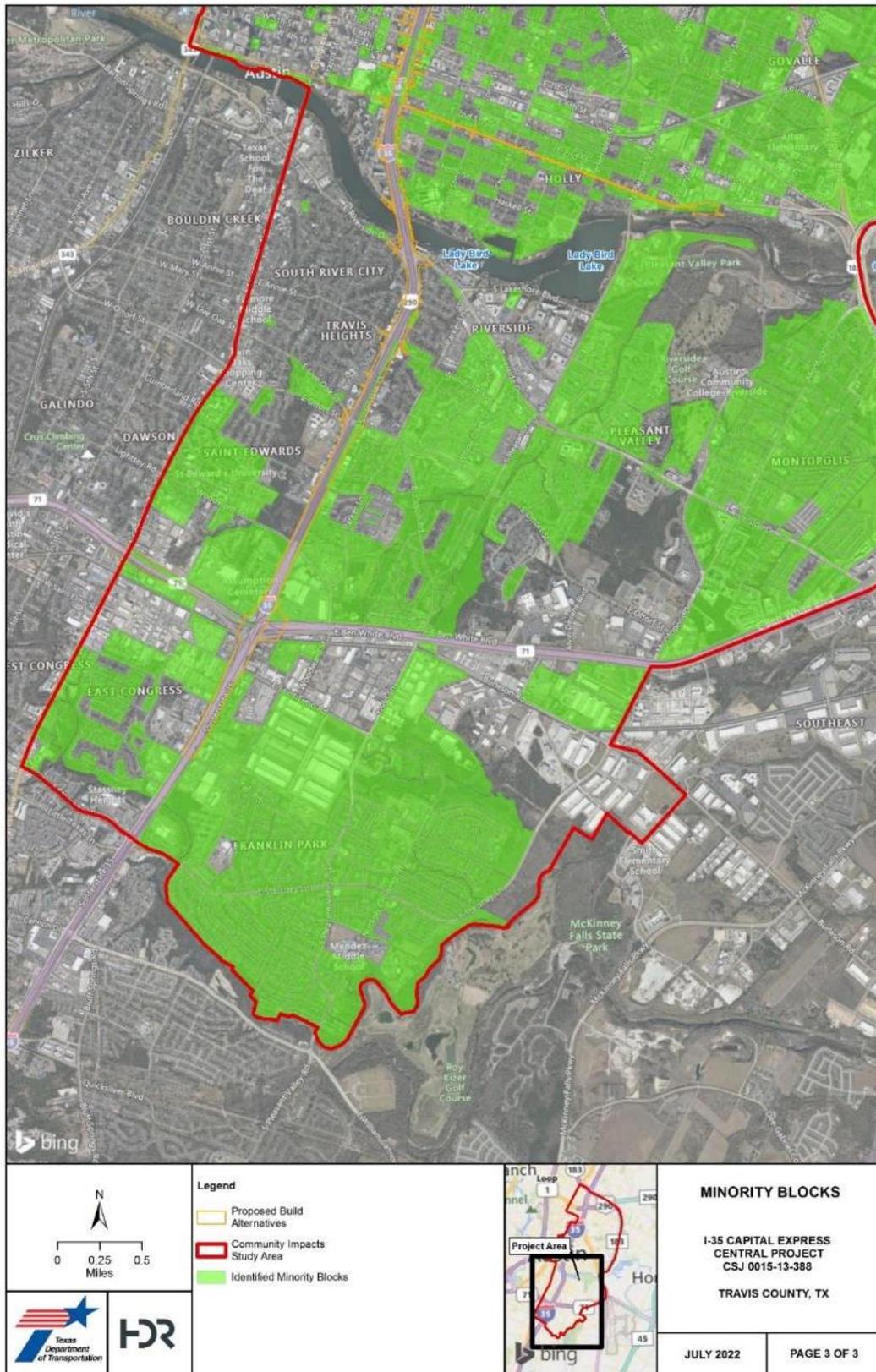
Figure 3.6-16. Minority Populations within the Community Study Area (Map 1 of 3)



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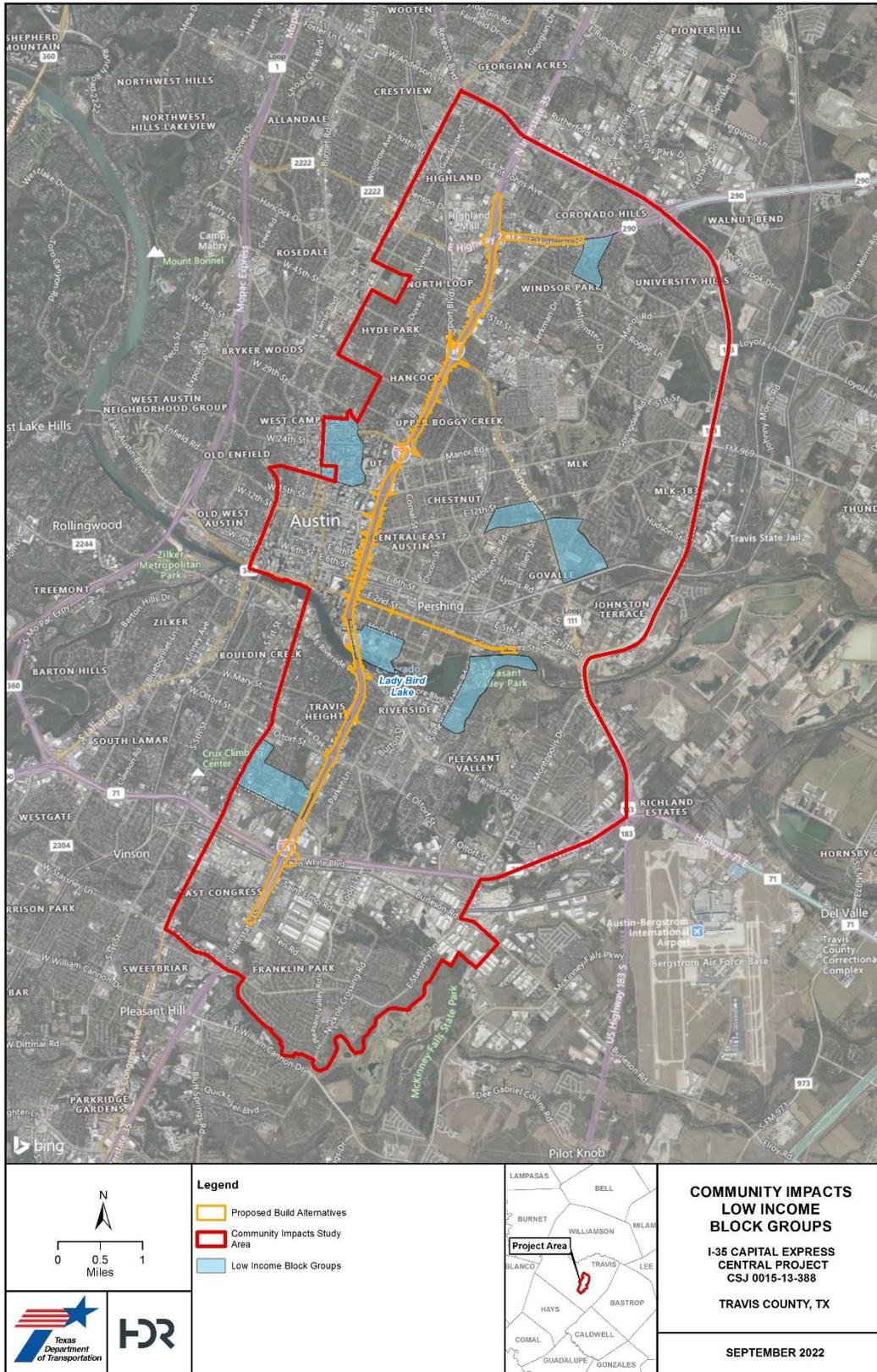
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Figure 3.6-16. Minority Populations within the Community Study Area (Map 2 of 3)



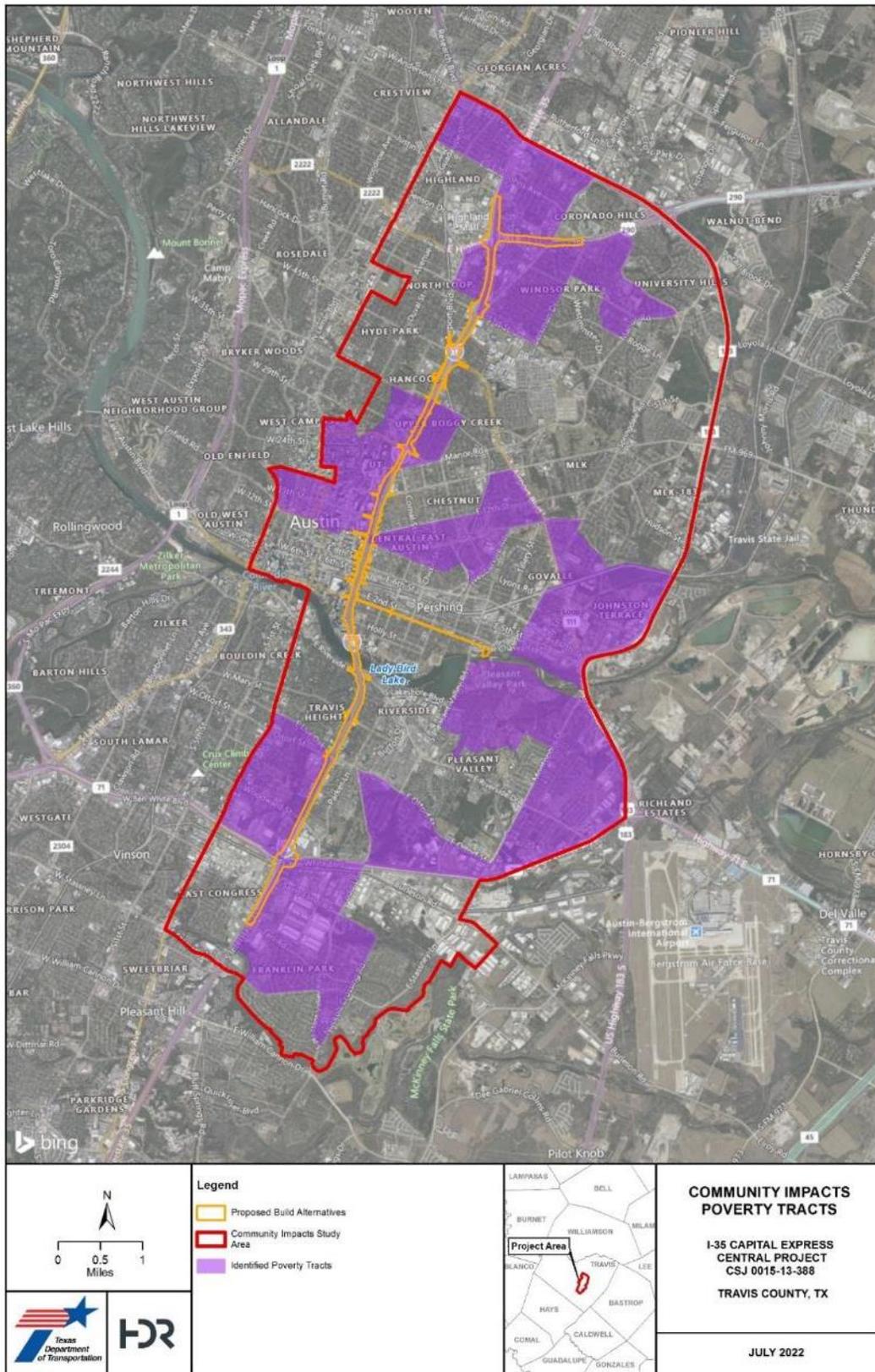
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Figure 3.6-16. Minority Populations within the Community Study Area (Map 3 of 3)



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Figure 3.6-17. Low-Income Block Groups



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Figure 3.6-18. Census Tracts Where Poverty Rate is Twice that of Travis County

1    3.6.10.2.3 *Limited English Proficiency (LEP)*

2    LEP is defined as having “limited ability to read, write, speak or understand English” (67 Federal Register 41459).  
3    EO 13166, Improving Access to Services for Persons with LEP, requires federal agencies to examine the services  
4    they provide, identify any need for services to LEP persons, and develop and implement a plan to provide those  
5    services so that LEP persons can have meaningful access to them. Failure to ensure that LEP persons can  
6    effectively participate in or benefit from federally-assisted programs and activities may violate the prohibition  
7    under Title VI of the Civil Rights Restoration Act of 1987.

8    LEP individuals are defined as those who speak English “well,” “not well,” or “not at all.” 2019 Five-year  
9    estimates from the ACS were gathered at the census block group level to determine if there were LEP populations  
10   that could be affected by the proposed project (Table 2, **Appendix J**). As Census data is self-reported, an  
11   individual’s ability to speak English represents the respondent’s own perception about his/her ability to speak  
12   English. Seven of the 134 block groups included no LEP population. The remaining 127 block groups contained  
13   a LEP population between 0.45 percent and 51.7 percent. Of the population (age 5 and over) within the  
14   Community Study Area, the majority of the LEP population spoke Spanish (15.0 percent), followed by Asian and  
15   Pacific languages (0.7 percent), other Indo-European languages (0.5 percent), and other languages (0.3  
16   percent). During the field investigations, signs in Spanish and Asian languages were observed within the  
17   Community Study Area confirming the presence of these LEP populations. In addition to the LEP population  
18   reflected in the census data, LEP people may also travel from outside the Community Study Area to patronize  
19   businesses and services with non-English language signage.

20   3.6.10.3 *Environmental Consequences Related to Environmental Justice*

21   3.6.10.3.1 *Build Alternative 2*

22   Environmental Justice (EJ)

23   As shown in **Figures 3.6-16** through **3.6-18**, minority and low-income populations are present within the  
24   Community Study Area. Census blocks where the percentage of minority persons was 50 percent or greater,  
25   Census block groups where the MHI is below the 2022 poverty guideline, or Census tracts where the percentage  
26   of people in poverty was meaningfully greater than the percentage of people in poverty for Travis County overall  
27   were all considered to contain an EJ population. TxDOT worked with the public to identify community facilities,  
28   services, and housing used by EJ populations and to minimize impacts to these as much as possible.  
29   Displacements would occur within low-income block groups and Build Alternative 2 would be expected to  
30   displace some services utilized by the low-income community including two CommUnityCare Clinics (David Powell  
31   Health Center and the Hancock Walk-In Care), which provide services to all including those without health  
32   insurance, Green Doors homelessness advocacy, and some BN locations which currently provide services to  
33   those experiencing homelessness, as described in **Section 3.6.4.1**. TxDOT will work with community health  
34   providers and COA to minimize the disruption of services to patients, area residents, and to those experiencing  
35   homelessness from project-related displacements. TxDOT is currently considering advanced relocation  
36   assistance for selected properties to minimize impacts to underserved communities. At this point,  
37   communication with the two CommUnityCare facilities and Escuelita del Alma has been initiated. It should be

1 noted that if the David Powell Health Center is not displaced, then in order to accommodate the design, ROW  
2 would be required from the eastern side of I-35, which would result in the displacement of 56 below-market rate  
3 housing units at the Abali apartment community.

4 As noted in **Section 3.6.7.3**, there would be a total of 131 commercial displacements and 145 residential  
5 displacements with Build Alternative 2. Of those, 79 commercial displacements and 93 residential  
6 displacements would be located in an EJ area, either containing a minority or low-income population or serving  
7 an EJ community. It should be noted that not all individuals or businesses located within a minority or low-income  
8 block or block group would be EJ individuals or businesses. Additionally, Build Alternative 2 would displace the  
9 70-unit Aria Grand complex which includes a majority of affordable housing units (61 units). Approximately 60  
10 percent of the commercial displacements and approximately 64 percent of residential displacements would  
11 affect EJ communities.

12 Under USDOT guidance, a “disproportionately high and adverse effect” on EJ populations exists if there is an  
13 “adverse effect that is predominantly borne by a minority population and/or a low-income population.” USDOT  
14 Order No. 5610.2C (May 16, 2021), at Section 1.g. of the Appendix. Because a majority of the displacements  
15 for Build Alternative 2 would necessarily occur in census blocks or block groups that meet EJ thresholds, and  
16 applying a conservative assumption that all displacements would in fact be low-income or minority persons,  
17 TxDOT conservatively assumes that the displacements would be “predominantly borne by a minority population  
18 and/or a low-income population,” and according to USDOT guidance, there would therefore be a  
19 “disproportionately high and adverse effect” on EJ populations.

20 The existing I-35 facility created a barrier to movement and reduces the level of community cohesion between  
21 the east and west sides of Austin. **Section 3.6.8** is organized by neighborhood and discusses community  
22 cohesion, including demographic summary information. **Section 3.6.8.2** specifically discusses how Build  
23 Alternative 2 would reduce the long-standing barrier effect of I-35 and help to unite neighborhoods east and  
24 west of I-35, many of which contain EJ populations.

25 Minority EJ communities are present in many areas along the existing facility and throughout the Community  
26 Study Area and low-income EJ communities are more scattered throughout the Community Study Area, as shown  
27 in **Figures 3.16-16 to 3.6-18**. As described above, TxDOT has initiated contact with proposed displacements and  
28 would work to ensure a continuation of service for essential services within the Community Study Area and has  
29 proposed advanced relocation assistance for selected properties. EJ communities adjacent to the facility would  
30 benefit most from moving the facility below existing grade, construction of enhanced bridges with SUP and  
31 buffers, and construction of SUPs along and across I-35. Build Alternative 2 would allow for the placement of  
32 deck plazas and/or stitches (funded by others) over the below grade facility, which could create green spaces  
33 within the downtown area, if constructed. EJ communities south of the Colorado River would still benefit from  
34 SUPs, but the concentration and reconnection of east and west Austin and beneficial community cohesion  
35 effects would be most pronounced north of the Colorado River. It is anticipated that all communities, including  
36 minority and low-income, would benefit from the access and travel pattern improvements and pedestrian and  
37 bicycle access which would be provided with Build Alternative 2. See **Section 3.25** for a summary of project  
38 benefits and proposed mitigation for Build Alternative 2.

1 Both EJ and non-EJ communities would experience disruption during construction. Methods to minimize  
2 construction related impacts would be employed, such as construction phasing and public involvement activities,  
3 including maintaining a project construction website, performing business outreach, and providing detour  
4 notifications where appropriate. A detailed traffic plan would be developed to describe how access will be  
5 maintained for those driving, bicycling, walking, and on transit. A temporary increase in PM and MSAT emissions  
6 would be expected during construction and would be minimized with the use of best management practices  
7 (BMPs) to control dust and diesel emissions. Construction would not be expected to have a significant impact on  
8 regional air quality. Furthermore, noise impacts during construction would be minimized with work hour controls  
9 and proper muffler maintenance. More information can be found in **Section 3.17** on Construction Phase Impacts.  
10 Both EJ and non-EJ communities are located within the Community Study Area and would experience  
11 construction impacts similarly. EJ communities would not be expected to experience construction impacts more  
12 severely than non-EJ populations for general construction-related impacts.

13 An Air Quality Analysis (see **Section 3.12**) has been completed and concentrations of carbon monoxide (CO) are  
14 not expected to exceed National Ambient Air Quality Standards (NAAQS) at any locations through the I-35  
15 corridor, and total mobile source air toxics (MSAT) emissions are expected to decline in the future; therefore, air  
16 quality impacts are not anticipated. EJ communities would not be expected to experience disproportionate air  
17 quality impacts compared to non-EJ communities.

18 A Traffic Noise Analysis was completed for the proposed project (see **Section 3.14**). The analysis showed that of  
19 39 impacted receivers along the corridor approximately 38.5 percent (15 receivers) would be located in EJ  
20 Census geographies either containing a minority or low-income population and the remaining 61.5 percent (24  
21 receivers) would be located in non-EJ Census geographies for Build Alternative 2. Noise barriers have been  
22 proposed for the project and, of the 13 benefitted receivers, approximately 46 percent (6 receivers) would be  
23 located in EJ Census geographies and the other approximately 54 percent would be located in non-EJ Census  
24 geographies. Impacts due to noise would not be expected to impact EJ populations within the Community Study  
25 Area disproportionately when compared to impacts borne by the non-EJ community. See **Appendix R** for more  
26 information on noise impacts.

27 A Hazardous Materials ISA has been completed for the proposed project and is included **Appendix Q**, with  
28 discussion in **Section 3.13**. This analysis addressed hazardous materials impacts as a result of the build  
29 alternatives. Impacts would not be expected to affect EJ populations within the Community Study Area  
30 disproportionately when compared to the non-EJ community.

31 As discussed in **Sections 2.2.3** and **2.2.4**, the proposed project would include drainage system improvements,  
32 including multiple bored drainage tunnels. Three drainage tunnel launch sites are proposed as part of the  
33 project. Drainage tunnel locations are as follows:

- 34 • **Drainage tunnel launch site south of Cesar Chavez Street between Tillery Street and Springdale Road east**  
35 **of Longhorn Dam.** This site is surrounded by residential and commercial land uses. Because the Cesar  
36 Chavez tunnel drains the lowest portions of the depressed I-35 roadway through downtown, it is essential  
37 that the stormwater outfall be located downstream of the Longhorn Dam, where river flooding elevations are  
38 lower. This site also provides direct access to the Colorado River, which will be necessary to construct the

1 outfall culvert and headwall structure adjacent to the stream channel. In addition to the tunnel boring  
2 machine (TBM) access shaft, the site will accommodate tunnel support infrastructure and materials. The  
3 location, near US 183, will allow deliveries and spoils removal to utilize TxDOT on-system routes to the  
4 greatest extent practicable.

5 • **Drainage tunnel launch site along the I-35 NB frontage road between Clermont Avenue and Flores Street**  
6 **(surrounded by residential and commercial land uses), also called the North-South (East) tunnel.** This  
7 location allows for the construction of the TBM access shaft north of the limits of the I-35 Colorado River  
8 bridge construction project. Since the bridge project will be complete when the North-South (East) tunnel is  
9 constructed, this location is required to avoid a direct conflict with the roadways. Other locations, closer to  
10 the Colorado River outfall, would require additional ROW within parkland. In addition to the TBM access  
11 shaft, the site will accommodate tunnel support infrastructure and materials. The site's location along I-35  
12 will allow deliveries and spoils removal to utilize TxDOT on-system routes.

13 • **Drainage tunnel launch site located along the I-35 SB frontage road north of E MLK Boulevard (surrounded**  
14 **by commercial land uses), also called the North-South (West) Tunnel.** This location allows for the  
15 construction of the TBM access shaft using available existing ROW, rather than acquiring additional ROW  
16 west of the roadway. The site also allows for the construction of the necessary stormwater junction boxes  
17 and connection culverts to link the North-South (West) tunnel to existing Waller Creek stormwater outfalls  
18 and also provides a critical hydraulic connection to the North-South (East) Tunnels. In addition to the TBM  
19 access shaft, the site will accommodate tunnel support infrastructure and materials. The site's location  
20 along I-35 will allow deliveries and spoils removal to utilize TxDOT on-system routes.

21 Each of the three drainage tunnel launch sites is located within and in the vicinity of EJ communities that may  
22 be subject to construction impacts. The tunnel launch site construction areas are sites where a vertical shaft will  
23 be installed to lower the TBM into the ground and begin its operations. Excavated earth and rock will be moved  
24 from the boring machine back to the launch site for removal and hauled to designated off-site locations for  
25 storage or disposal. These activities are anticipated to operate 24 hours per day for the duration of the tunnel  
26 boring construction period. Impacts due to 24-hour construction noise and lighting, increased truck traffic due  
27 to haul trucks entering and exiting the launch tunnel sites, and construction-related air pollutant emissions would  
28 be expected and would be most harmful to residential, healthcare, or customer service-based commercial land  
29 uses. Noise impacts would be minimized and abated with the use of BMPs; however, noise generated at night  
30 may be associated with more adverse impacts. Air quality impacts during construction include dust generated  
31 from construction activities associated with truck movements and earthmoving operations. These air quality  
32 impacts would be short term and cease once construction is complete. BMPs would be implemented to minimize  
33 the amount of dust caused by construction activities.

34 The proposed project would include many benefits, including an SUP along the length of the project, additional  
35 crossings of I-35, enhanced bridges which would include a 20-foot buffer and 10-foot SUP in each direction,  
36 bypass lanes under many intersections (access and traffic pattern changes described in Section 4.5) which  
37 would allow unimpeded travel and reduce the need to stop at lights. These benefits would be realized by all  
38 individuals using the corridor, EJ and non-EJ alike. The Transportation Equity and Access Studies in **Appendix K**

1 describe the current conditions in and potential benefits to EJ and other disadvantaged communities in detail.  
2 See **Section 3.25** for a discussion of proposed project-related mitigation.

### 3 Limited English Proficiency (LEP)

4 TxDOT has provided, and will continue to provide, meaningful communications to stakeholders who could be  
5 affected by the construction and operation of the proposed project. Meaningful communication includes  
6 conveying messages, reports, and other materials in language(s) that the public can understand to the greatest  
7 extent practical. All public involvement notices and select vital documents for the project have been provided in  
8 English and Spanish, and Spanish speakers have been available at all public encounters. Public meeting notices  
9 will continue to be published in English and Spanish, and Spanish speakers will be available to interact with the  
10 community. TxDOT will continue to conduct public involvement activities for the proposed project in accordance  
11 with EO 13166 to ensure full and fair participation.

### 12 *3.6.10.3.2 Modified Build Alternative 3*

#### 13 Environmental Justice (EJ)

14 As shown in **Figures 3.6-16** through **3.6-18**, minority and low-income populations were present within the  
15 Community Study Area. Census blocks where the percentage of minority persons was 50 percent or greater,  
16 Census block groups where the MHI is below the 2022 poverty guideline, or Census tracts where the percentage  
17 of people in poverty was meaningfully greater than the percentage of people in poverty for Travis County overall  
18 were all considered to contain an EJ population. TxDOT worked with the public to identify community facilities,  
19 services, and housing used by EJ populations and to minimize impacts to these as much as possible.  
20 Displacements would occur within low-income block groups and Modified Build Alternative 3 would be expected  
21 to displace some services utilized by the low-income community including two CommUnityCare Clinics (David  
22 Powell Health Center and the Hancock Walk-In Care), which provide services to all including those without health  
23 insurance, and some BN locations which currently provide services to those experiencing homelessness, as  
24 described in **Section 3.6.4.1**. TxDOT is currently considering advanced relocation assistance for selected  
25 properties in order to minimize impacts to underserved communities. At this point, communication with the two  
26 CommUnityCare facilities and Escuelita del Alma has been initiated. TxDOT will work community health providers  
27 and COA to minimize disruption of services to area residents and to those experiencing homelessness. It should  
28 be noted that if the David Powell Health Center was not displaced, then in order to accommodate the design,  
29 ROW would be required from the eastern side of I-35, which would result in the displacement of 56 below-market  
30 rate housing units at the Abali.

31 As mentioned in **Section 3.6.7.3**, there would be a total of 69 commercial displacements and 26 residential  
32 displacements with Modified Build Alternative 3. Of those, 65 commercial displacements and 25 residential  
33 displacements would be located in an EJ area, either containing a minority or low-income population or serving  
34 an EJ community. It should be noted that not all individuals or businesses located within a minority or low-income  
35 block or block group would be EJ individuals or businesses. Approximately 94 percent of the commercial  
36 displacements and approximately 96 percent of residential displacements would affect EJ communities. TxDOT  
37 will continue to work with the displaced community facilities and businesses serving specific populations

1 identified in **Section 3.6.7.3.2** throughout the acquisition process. TxDOT is committed to working with these  
2 critical facilities to find alternate locations near their current locations, when possible. TxDOT is currently looking  
3 at providing advanced relocation assistance for selected properties to minimize impacts to underserved  
4 communities. In general, TxDOT only provides relocation assistance to building owners, not renters. However, for  
5 mitigation to EJ-owned businesses who are renters, TxDOT has agreed to treat these EJ-owned business as  
6 property owners and offer relocation assistance to them. Relocation benefits include assistance in finding a new  
7 business location and providing additional rent assistance for rental rates over what they are currently paying,  
8 within limits, for 42 months.

9 Under USDOT guidance, a “disproportionately high and adverse effect” on EJ populations exists if there is an  
10 “adverse effect that is predominantly borne by a minority population and/or a low-income population.” USDOT  
11 Order No. 5610.2C (May 16, 2021), at Section 1.g. of the Appendix. Because a majority of the displacements  
12 for Modified Build Alternative 3 would necessarily occur in census blocks that meet EJ thresholds, and applying  
13 a conservative assumption that all displacees would in fact be low-income or minority persons, TxDOT  
14 conservatively assumes that the displacements would be “predominantly borne by a minority population and/or  
15 a low-income population,” and according to USDOT guidance, there would therefore be a “disproportionately high  
16 and adverse effect” on EJ populations.

17 USDOT guidance provides that such a project may nevertheless proceed if (i) a substantial need of the project  
18 exists based on the overall public interest, and (ii) alternatives that would have less adverse effects on protected  
19 populations (and still satisfy the need for the project) would either have other adverse social, economic,  
20 environmental, or human health impacts that are severe or involve increased costs of extraordinary magnitude.  
21 USDOT Order No. 5610.2C (May 16, 2021), at Section 9.d. The substantial need for this project is established  
22 in Chapter 2 of the DEIS. While a higher percentage of Modified Build Alternative 3’s displacements are located  
23 in EJ areas, the number of overall displacements and EJ displacements is much less with Modified Build  
24 Alternative 3. Modified Build Alternative 3 overall has approximately 23 percent fewer commercial displacements  
25 and 80 percent fewer residential displacements due to modifications made to reduce the ROW in specific areas.  
26 Furthermore, Modified Build Alternative 3 has approximately 13 percent fewer EJ commercial displacements  
27 and 74 percent fewer EJ residential displacements when compared to Build Alternative 2. Modified Build  
28 Alternative 3 has been refined to substantially reduce the number of displacements, particularly for EJ  
29 communities by avoiding impacts to the Aria Grand affordable housing complex.

30 Additionally, this project would provide a number of benefits to EJ populations in the project area. Examples  
31 include improved east-west connectivity across I-35, reduced traffic congestion, improved pedestrian and bicycle  
32 facilities, and improved transit system efficiency due to reduced congestion. The benefits of Modified Build  
33 Alternative 3 are described in this section and summarized in **Section 3.25**.

34 The existing I-35 facility created a barrier to movement and reduced the level of community cohesion between  
35 the east and west sides of Austin. **Section 3.6.8** is organized by neighborhood and discusses community  
36 cohesion, including demographic summary information. **Section 3.6.8.2** specifically discusses how Build  
37 Alternative 2 would reduce the long-standing barrier effect of I-35 and help to unite neighborhoods east and  
38 west of I-35, many of which contain EJ populations.

1 Minority EJ communities were present in many areas along the existing facility and throughout the Community  
2 Study Area and low-income EJ communities were more scattered throughout the Community Study Area, as  
3 shown in **Figures 3.6-16** through **3.6-18**. EJ communities adjacent to the facility would benefit most from moving  
4 the facility below existing grade, construction of enhanced bridges with SUP and buffers, and construction of  
5 SUPs along and across I-35. Modified Build Alternative 3 would allow for the placement of deck plazas and/or  
6 stitches (funded by others) over the below grade facility which could create green spaces within the downtown  
7 area, if constructed. EJ communities south of the Colorado River would still benefit from SUPs, but the  
8 concentration and reconnection of east and west Austin and beneficial community cohesion effects would be  
9 most pronounced north of the Colorado River. It would be expected that all communities, including minority and  
10 low-income, would benefit from the vehicular access and travel pattern improvements and pedestrian and  
11 bicycle access provided by Modified Build Alternative 3.

12 It would be expected that EJ and non-EJ communities would experience disruption during construction. Methods  
13 to minimize construction related impacts would be employed such as construction phasing, public involvement  
14 activities such as maintaining a project construction website, performing business outreach, and providing  
15 detour notifications where appropriate. A detailed traffic plan will be developed to describe how access would  
16 be maintained for those driving, bicycling, walking, and on transit. A temporary increase in PM and MSAT  
17 emissions would be expected during construction and would be minimized with the use of BMPs to control dust  
18 and diesel emissions. Construction would not be expected to have a significant impact on regional air quality.  
19 Furthermore, noise impacts during construction would be minimized with work hour controls and proper muffler  
20 maintenance. More information can be found in the Construction Phase Impacts section of the DEIS (**Section**  
21 **3.17**). Both EJ and non-EJ communities are located within the Community Study Area and would experience  
22 construction impacts similarly. The EJ communities would not be expected to experience construction impacts  
23 disproportionately to the rest of the population for general construction-related impacts.

24 An Air Quality Analysis has been completed (see **Section 3.12**) and concentrations of CO are not expected to  
25 exceed NAAQS at any locations through the I-35 corridor, and total MSAT emissions are expected to decline in  
26 the future; therefore, air quality impacts are not anticipated. EJ communities would not be expected to  
27 experience disproportionate air quality impacts compared to non-EJ communities.

28 A Traffic Noise Analysis was completed for the proposed project (**Section 3.14**). The analysis showed that of 40  
29 impacted receivers along the corridor approximately 35 percent (14 receivers) would be located in EJ Census  
30 geographies either containing a minority or low-income population and the remaining 65 percent (26 receivers)  
31 would be located in non-EJ Census geographies for Modified Build Alternative 3. Noise barriers have been  
32 proposed and, of the 12 benefited receivers, half would be located in EJ Census geographies and the other half  
33 would be located in non-EJ Census geographies. Impacts due to noise would not be expected to impact EJ  
34 populations within the Community Study Area disproportionately when compared to impacts borne by the non-  
35 EJ community. See **Appendix R** for more information on noise impacts.

36 A Hazardous Materials ISA has been completed for the proposed project and the analysis can be viewed in  
37 **Section 3.13** and **Appendix Q**. This analysis addressed hazardous materials impacts as a result of the build

1 alternatives. Hazardous materials impacts would not be expected to affect EJ populations within the Community  
2 Study Area disproportionately when compared to impacts borne by the non-EJ community.

3 As discussed in **Sections 2.2.3** and **2.2.4**, the proposed project would include drainage system improvements,  
4 including multiple bored drainage tunnels. Three drainage tunnel launch sites are proposed as part of the project  
5 and are the same for Modified Build Alternative 3 as for Build Alternative 2, described in **Section 3.10.6.3.1**  
6 above. Each of the three drainage tunnel launch sites is located within and in the vicinity of EJ communities that  
7 may be subject to construction impacts. The tunnel launch site construction areas are sites where a vertical  
8 shaft will be installed to lower the TBM into the ground and begin its operations. Excavated earth and rock will  
9 be moved from the boring machine back to the launch site for removal and hauled to designated off-site locations  
10 for storage or disposal. These activities are anticipated to operate 24 hours per day for the duration of the tunnel  
11 boring construction period. Impacts due to 24-hour construction noise and lighting, increased truck traffic due  
12 to haul trucks entering and exiting the launch tunnel sites, and construction-related air pollutant emissions would  
13 be expected and would be most harmful to residential, healthcare, or customer service-based commercial land  
14 uses. Noise impacts would be minimized and abated with the use of BMPs; however, noise generated at night  
15 may be associated with more adverse impacts. Air quality impacts during construction include dust generated  
16 from construction activities associated with truck movements and earthmoving operations. These air quality  
17 impacts would be short term and cease once construction is complete. BMPs would be implemented to minimize  
18 the amount of dust caused by construction activities.

19 The proposed project would include many benefits, including an SUP along the length of the project, additional  
20 crossings of I-35, enhanced bridges which would include a 20-foot buffer and 10-foot SUP in each direction,  
21 bypass lanes under many intersections (access and traffic pattern changes described in **Section 3.6.9** and  
22 **Appendix K**) which would allow unimpeded travel and reduce the need to stop at lights. These benefits would be  
23 realized by all individuals using the corridor, EJ and non-EJ alike. See **Section 3.25** for a discussion of proposed  
24 project-related mitigation.

### 25 Limited English Proficiency (LEP)

26 TxDOT has provided, and will continue to provide, meaningful communications to stakeholders who could be  
27 affected by the construction and operation of the proposed project. Meaningful communication includes  
28 conveying messages, reports, and other materials in language(s) that the public can understand to the greatest  
29 extent practical. All public communication on the project has been provided in English and Spanish and Spanish  
30 speakers have been available at all public encounters. Public meeting notices will continue to be published in  
31 English and Spanish and Spanish speakers will be available to interact with the community. TxDOT will continue  
32 to conduct public involvement activities for the proposed project in accordance with EO 13166 to ensure full and  
33 fair participation.

### 34 *3.6.10.3.3 No Build Alternative*

35 Under the No Build Alternative, EJ populations would likely benefit from improved transit services compared to  
36 what exists today. There would still be bus rapid transit and increased HCT lines proposed with Project Connect.  
37 Other planned roadway improvements besides the proposed project would occur; however, the No Build

1 Alternative would not provide improvements to I-35 through the Community Study Area. As such, the existing  
 2 transportation challenges as expressed in the Project’s purpose and need (e.g., congestion, lack of east-west  
 3 connection) would not be addressed. The adverse effects of the No Build Alternative would be experienced by  
 4 all people who use I-35 between SH 71 and US 290. Since both EJ and non-EJ populations would be affected in  
 5 the same way, the No Build Alternative would not be expected to result in disproportionately high and adverse  
 6 impacts to EJ populations.

7 TxDOT would provide meaningful communications to stakeholders, as needed, for the No Build Alternative.  
 8 Communications would be in accordance with EO 13166 to ensure stakeholders can participate fully.

9 **3.6.10.3.4 Environmental Justice (EJ) Summary of Alternatives**

10 The two alternatives have similar footprints and impacts to EJ communities for most resources would be similar.  
 11 The two alternatives differ most in the number of displacements that would be required, with Modified Build  
 12 Alternative 3 having many fewer displacements to the EJ community and overall, as shown on **Table 3.6-9**.  
 13 Modified Build Alternative 3 was refined based on stakeholder engagement to reduce ROW takes and minimize  
 14 the number of displacements.

**Table 3.6-9. Alternative Comparison for Displacements**

Proposed Build Alternative	Commercial Displacement	Commercial Displacements in EJ Area	Residential Displacements	Residential Displacements in EJ Area	Total Displacements*
Build Alternative 2	131	79/60.3%	145	93/64.1 %	291
Modified Build Alternative 3	69	65/94.2%	26	25/96.2%	107
Number / Percent Fewer Displacements with Modified Build Alternative 3 over Build Alternative 2	62/47.3 %	14/17.7%	119/82.1%	68/73.1 %	18 /63.2%
*Includes parcels that are currently vacant and not included as commercial or residential displacements					

15 As **Table 3.6-9** shows, Modified Build Alternative 3 has approximately 18 percent fewer EJ commercial  
 16 displacements, over 73 percent fewer EJ residential displacements and over 63 percent fewer displacements  
 17 overall.

### 1 3.6.11 Public Involvement

2 **Chapter 4.0** of the DEIS provides an overview of public involvement activities which have occurred to shape the  
3 I-35 Capital Express Central Project. This includes extensive efforts to conduct outreach to underserved  
4 populations including elderly, minority, geographically dispersed/transient populations, LEP, physically and  
5 visually impaired, etc. The demographic information gathered throughout this DEIS helped to inform TxDOT's  
6 outreach, some specific efforts to target EJ communities included:

- 7 • Published a newspaper advertisement in a Spanish-language newspaper, with a distribution of 28,000  
8 copies.
- 9 • Aired Spanish language sponsored radio announcements on KLZT-FM La Z La Radio de Neta!
- 10 • Aired sponsored radio announcements on KAZI, an African American community radio station.
- 11 • Distributed postcards to 30,179 households, businesses, and property owners in English and Spanish.
- 12 • Initiated a Community Working Group with members from targeted outreach groups including, but not limited  
13 to, minority populations, low-income populations, people with LEP, elderly populations, children, and people  
14 with disabilities.
- 15 • Convening service providers, agencies, and elected leaders since 2017 as part of the agency's IAH.
- 16 • TxDOT is meeting with underserved and diverse groups of Austinites in high-traffic areas through community  
17 pop-up events. Tables are set up to provide information about the updated alternatives, gather input and  
18 document concerns. In addition, design consultants are available to discuss the project's aesthetic elements  
19 such as shade structures, landscaping, and areas for possible murals or panels. Translators are on hand to  
20 share this information with our Spanish-speaking community.

21 TxDOT incorporated public feedback into the project. Specifically, TxDOT heard that there was a need to minimize  
22 ROW take, especially from EJ areas. In March 2022, TxDOT incorporated changes to reduce the ROW take in  
23 specific areas for Modified Build Alternative 3 to substantially reduce the overall displacements as well as  
24 displacements in EJ Census geographies. **Chapter 4.0** includes a more detailed account of Public Involvement  
25 for the project and how public and agency comments have helped shape the project footprint.

26 TxDOT will continue to encourage the participation of minority, low-income, and underserved populations in the  
27 project decision-making process through various strategies. These efforts at public involvement are documented  
28 to demonstrate compliance with Title VI, EJ and LEP requirements and guidance to ensure full and fair  
29 participation by all potentially affected communities. As described in **Section 3.6.10.2.3**, the vast majority of the  
30 LEP population speaks Spanish; other languages only account for a small percentage of the LEP population. All  
31 meeting notices have been published in Spanish, and Spanish speakers/and translators are available (however,  
32 none have been requested to date). See **Chapter 4.0** of the DEIS for a summary of public involvement to date.

### 33 3.6.12 Transportation Equity and Access Studies

34 TxDOT included supplemental studies that are summarized in this section, and can be found in **Appendix K**.  
35 These were conducted to better understand the community study area from a transportation equity perspective.

1 As an extension of the studies completed for the Community Impacts component of this DEIS, TxDOT undertook  
2 a series of investigative tasks, the most significant of which are summarized by the following:

- 3 1) Identify a preliminary Transportation Equity and Access Focus Area (Equity Focus Area)
- 4 2) Assess the wider pedestrian and transit network in the Equity Focus Area
- 5 a) Compare and discuss the active transportation improvements of the proposed project to this wider
- 6 existing and proposed network.
- 7 b) This included reviewing an inventory of sidewalks from COA and researching walkability based on
- 8 the EPA's National Walkability Index (see **Section 3.5**).
- 9 3) Review and present select health conditions available from the EPA in the context of active
- 10 transportation infrastructure.
- 11 4) Conduct StreetLight analyses in order to detail and quantify current travel patterns in both the Equity
- 12 Focus Area and within the project limits.
- 13 5) Consider the equity of improvements within the proposed project by discussing potential links between
- 14 the Equity Focus Area and the project components.

### 15 3.6.12.1 Understanding Equity in Transportation

16 In addition to the regulatory context provided by EO 12898, EO 13166, and other regulations discussed in  
17 **Section 3.6.12.1**, the following definition from USDOT provided a foundation for this study:

18 *Equity in transportation seeks fairness in mobility and accessibility to meet the needs of all*  
19 *community members. A central goal of transportation is to facilitate social and economic*  
20 *opportunities by providing equitable levels of access to affordable and reliable transportation*  
21 *options based on the needs of the populations being served, particularly populations that are*  
22 *traditionally underserved.*<sup>4</sup>

23 With this Transportation Equity and Access study, TxDOT seeks to collectively consider the principles of EJ, Title  
24 VI of the Civil Rights Act and other nondiscrimination laws, with the acknowledgement that the communities  
25 discussed here will have many diverse needs including and beyond transportation considerations in order to  
26 thrive in their communities.

27 In addition to the ongoing public engagement efforts currently underway, this Transportation Equity and Access  
28 study is part of an effort to address and improve the equitable provision of transportation and mobility services  
29 in the Community Study Area. TxDOT received several comments concerning equity and health issues during  
30 scoping meetings, the public meeting in August 2021, and several CapEx VOICE meetings. In response to this  
31 and recent federal directives such as the Justice40 Initiative and EO 13985,<sup>5</sup> these additional studies were  
32 conducted to more fully understand and quantify the bicycle and pedestrian travel patterns to and from  
33 neighborhoods of equity concern throughout the study area. While many government entities are actively working  
34 towards a shared understanding of equity and recommended actions, there has been no project-level guidance  
35 available for state DOTs at the time of this DEIS. Because many aspects of equity and expanding access fall

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<sup>4</sup> [https://www.planning.dot.gov/planning/topic\\_transportationequity.aspx](https://www.planning.dot.gov/planning/topic_transportationequity.aspx)

<sup>5</sup> <https://www.federalregister.gov/d/2021-01753>

1 outside of the purview of the Texas state highway system and its funding constraints, this is a preliminary effort  
2 that TxDOT intends to share with key partners, CapMetro and the Austin Transportation Department. Partnering  
3 with these agencies with authority over transit and local roadway infrastructure, respectively, is key to the “whole-  
4 of-government” approach to furthering equity goals in the transportation system.

5 A few questions that guided the development of this analysis were:

- 6 1. Whether both the current conditions and the proposed design alternatives of I-35 function as a barrier  
7 for bicycle and pedestrian activity, and if so, how and where?
- 8 2. Would the proposed improvements in the immediate project area benefit or burden disadvantaged  
9 communities? If so, how and where are specific disadvantaged communities of concern located?
- 10 3. Can TxDOT’s efforts to respond to public comments by updating designs to improve connectivity across  
11 and along I-35 for non-drivers be informed by this analysis?

### 12 *3.6.12.1.1 Community Study Area and Demographics Overview*

13 The initial geographic boundaries were based on the CIA study area established in **Section 3.6.2.1** and coupled  
14 with supplemental socioeconomic data of specific NPAs. This expansive study area was developed to include the  
15 eastern crescent, where considerable demographic shifts have taken place and where involuntary displacement  
16 from gentrification pressures have been most intense in recent years. This situation along with Austin’s declining  
17 affordability in general have been priority concerns for Austin City Council and staff. Section 3.1 of the DEIS  
18 discusses these issues in more detail.

19 The study area intersects a total of 30 NPAs, which are entities adopted to create a framework for the community  
20 to express their values, as well as prioritize and address issues of concern for their community. (Note that **Figure**  
21 **3.6-8** includes a 31st neighborhood, Hyde Park, which is not included in this supplemental analysis). The  
22 neighborhoods within the study area vary based on demographics, social history, community facilities, affordable  
23 housing, and travel patterns.

24 U.S. Census data were used to identify potential focus areas based on specific socioeconomic metrics. To analyze  
25 the demographics of neighborhoods within the study area, demographic data was gathered at the census block  
26 group level and aggregated according to the neighborhoods in which those block groups were located. GIS  
27 analysis was used to select census block groups if their geographic centerpoint fell within a particular NPA. The  
28 race/ethnicity and percent minority (EJ) data was collected at the block level due to the availability of 2020  
29 census data. Because the other demographic indicators are not currently available from the 2020 census, 2015-  
30 2019 ACS 5-year estimates were used at the block group level.

### 31 *3.6.12.1.2 Data Findings Summary*

32 Data obtained from the USCB helped determine that the most populous neighborhoods in the study area are the  
33 Franklin Park, Montopolis, and Windsor Park neighborhoods, although this does not signify that they are  
34 necessarily the most densely populated. The predominantly minority neighborhoods in the study area are located  
35 east of I-35 with the highest percentages of minority residents in the Franklin Park, Montopolis, and Coronado

1 Hills neighborhoods. The MLK-183, Montopolis, and Rosewood neighborhoods contain the lowest MHIs of the  
2 neighborhoods in the study area, (not including the UT neighborhood, which indicates lower incomes due to high  
3 student populations). The neighborhoods with the highest proportion of children (under 18 years old) in the study  
4 area are the McKinney, Montopolis, and Rosewood neighborhoods, while the highest proportion of older  
5 residents (65 years old and over) in the study area are in the East Cesar Chavez, Johnston Terrace, and Govalle  
6 neighborhoods. Outside of UT, the neighborhoods in the study area with the highest proportion of renters are in  
7 the Pleasant Valley, Riverside, and St. Edwards neighborhoods. The neighborhoods with the highest proportion  
8 of residents with a disability are in the Coronado Hills, MLK-183, and Pecan Springs-Springdale neighborhoods.  
9 The Rosewood, East Cesar Chavez, and Coronado Hills neighborhoods contain the highest proportion of zero car  
10 households in the study area outside of the UT.

11 In general, the neighborhoods adjacent to the northern, eastern, and southern edge of the study area contain  
12 higher proportions of socioeconomic characteristics that help identify vulnerable or otherwise disadvantaged  
13 populations than neighborhoods to the west and in the central portion of the study area. Across multiple  
14 measures, Rosewood, Coronado Hills, and Montopolis contain high concentrations of populations demonstrating  
15 these socioeconomic characteristics. However, none of these three neighborhoods are adjacent to I-35.

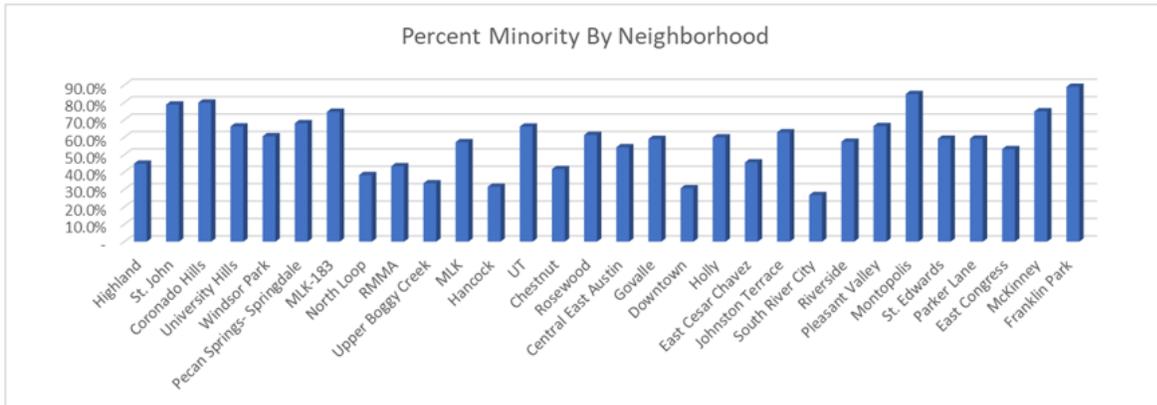
16 Of the neighborhoods adjacent to I-35, Franklin Park and St. John have the highest percentage of minorities; St.  
17 John and St. Edwards have the highest percentage of renters; Riverside and St. John have the lowest MHIs; East  
18 Cesar Chavez and St. Edwards have the highest percentages of zero-car households; Parker Lane and East Cesar  
19 Chavez have the highest percentages of adults with disabilities; East Cesar Chavez and East Congress have the  
20 highest percentage of seniors; and Franklin Park and McKinney have the highest percentage of children.

21 For additional details of socioeconomic parameters considered, see the complete **Transportation Equity and**  
22 **Access Focus Area Identification Memo** in **Appendix K**.

23 The following paragraphs provide a brief discussion of the data, as well as a chart for the relative percentages  
24 of each parameter by neighborhood, and GIS graphics. Summarized below are the data for minority, low-income,  
25 zero car households, and the composite graphic which considers these parameters in addition to data for  
26 disabled adults, homeowners versus renter, minors, and seniors. Additional data, charts, graphics, and tables  
27 are included in **Appendix K**.

1 3.6.12.1.3 Minority Demographics

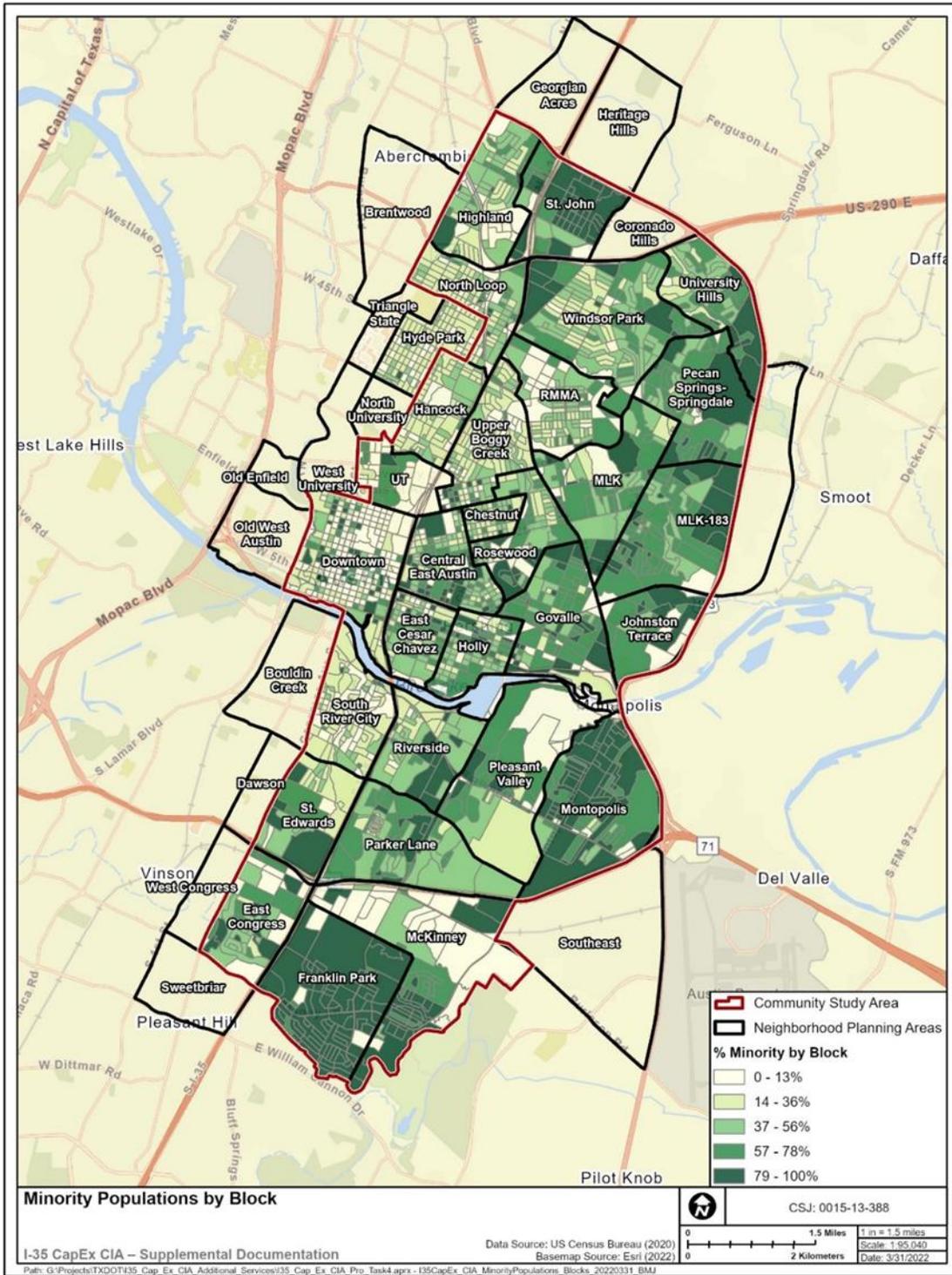
2 2020 Census block level data was utilized to determine the percentage of each neighborhood's population that  
3 self-identifies as belonging to a minority group. The bar chart below is ordered north-to-south with the  
4 northernmost neighborhood on the left and the southernmost neighborhood on the right. This chart shows that  
5 minority concentrations are somewhat higher in neighborhoods in the northern and southern sections of the  
6 community study area. While dense concentrations of minority populations are found in eastern neighborhoods  
7 such as Montopolis and Pecan Springs-Springdale, the neighborhoods adjacent to I-35 with particularly high  
8 concentrations of minority populations are Franklin Park in the southern end of the study area and St. John and  
9 Coronado Hills in the northern portion of the study area. See **Figure 3.6-19**.



10 Figure 3.6-19. Minority Percentage by Neighborhood

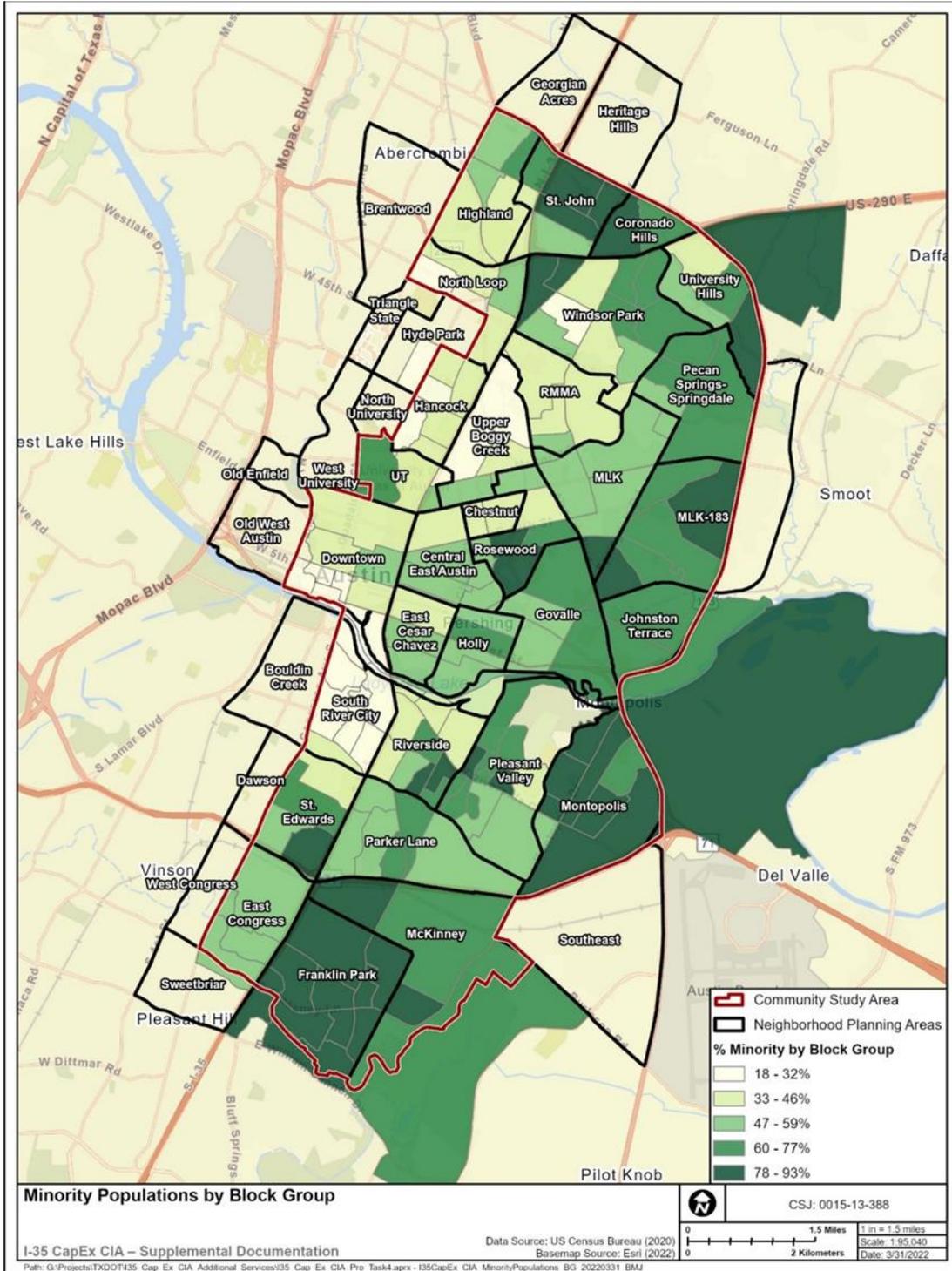
11 Source: USCB, 2020 Decennial Census, Table P9.

12 GIS maps are included at the block level as well as the block group level (for use in the composite graphic to be  
13 discussed later in this study). See **Figures 3.6-20** and **3.6-21** below.



1  
 2  
 3

Figure 3.6-20. Minority Population by Block



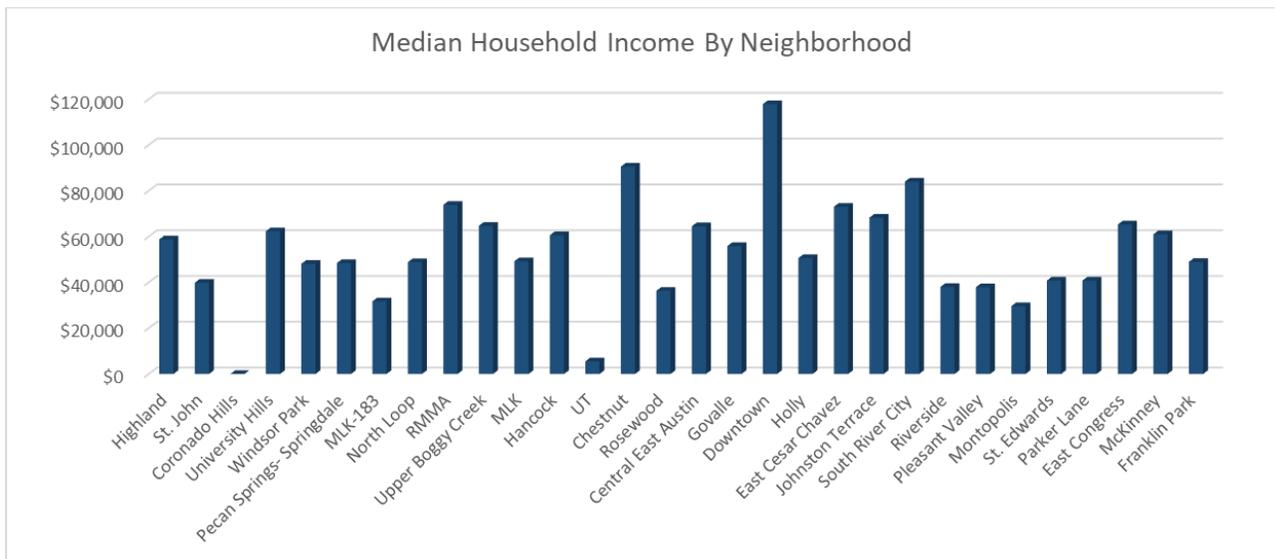
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 2

Figure 3.6-21. Minority Population by Block Group

1 3.6.12.1.4 Income Characteristics

2 The ACS gathers data on MHI. As with all ACS tables, the smallest geography available is the Census Block Group.  
3 Some participants of the ACS withhold their income information. When an insufficient number of participants  
4 within a block group provide their income, the ACS will report the MHI of that area as a null value. This is the  
5 case for the Coronado Hills NPA. UT did have a sufficient number of respondents, but it remains an outlier most  
6 likely because the UT area is predominantly populated by students with a lower percentage of income-earning  
7 residents. Rosewood has a particularly low MHI relative to adjacent neighborhoods of Chestnut and to some  
8 degree, Central East Austin. Another area of concern is the group of neighborhoods along East Riverside Drive  
9 and east of I-35 (Riverside, Pleasant Valley, and Montopolis). These neighborhoods have below average MHIs.  
10 Other than UT, none of the neighborhoods within the study area has a median income below the current (2022)  
11 HHS poverty guideline for a family of four (\$27,750). However, there are individual block groups in Pleasant  
12 Valley, St. Edwards, Windsor Park, Montopolis, Parker Lane, and Riverside that have MHIs below the HHS  
13 threshold. See **Figure 3.6-22** and **Figure 3.6-23** below.

14

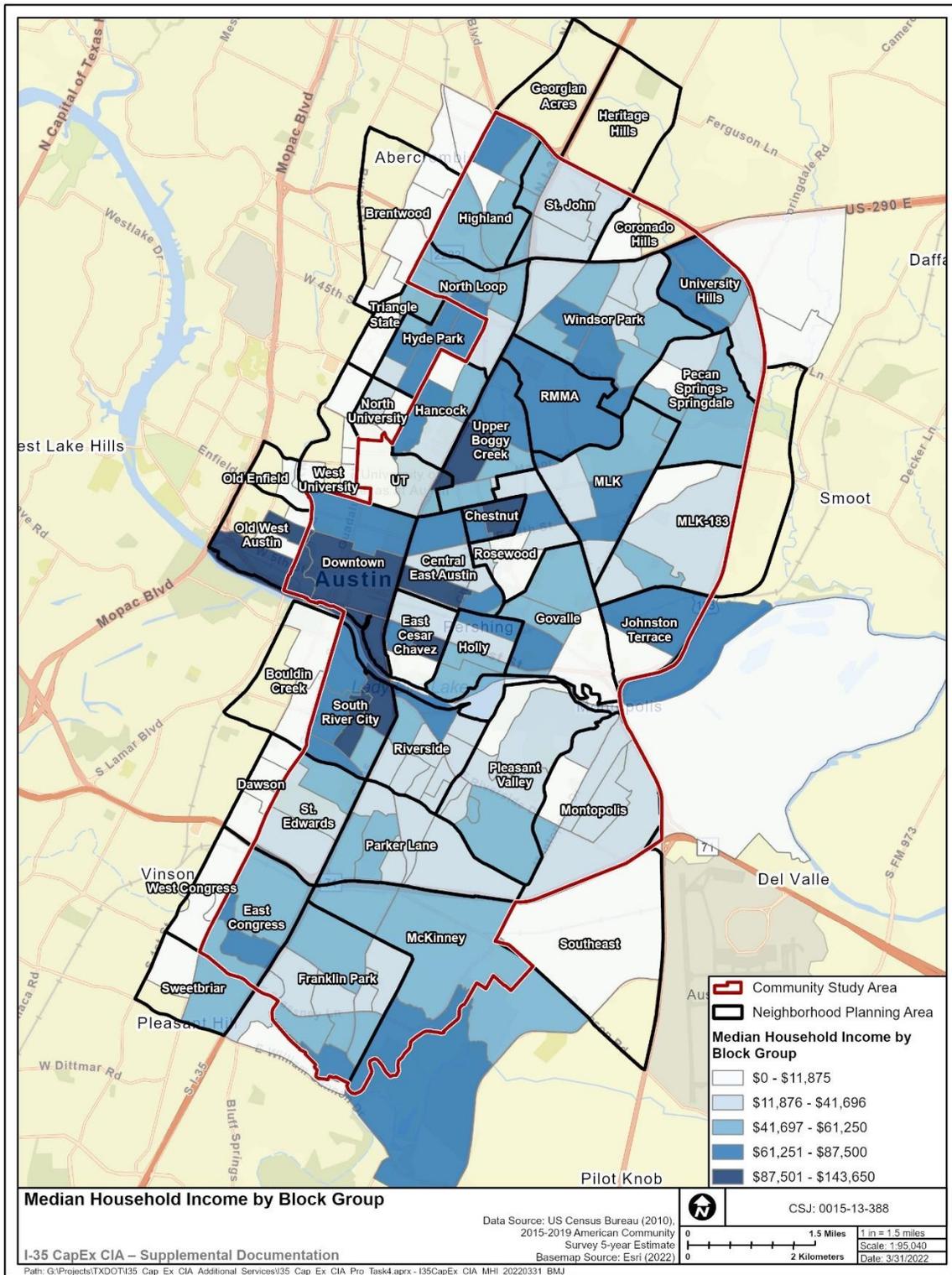


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16 Figure 3.6-22. Median Household Income by Neighborhood

17 Source: USCB, 2015-2019 ACS. Tables B11001, B19013.

18



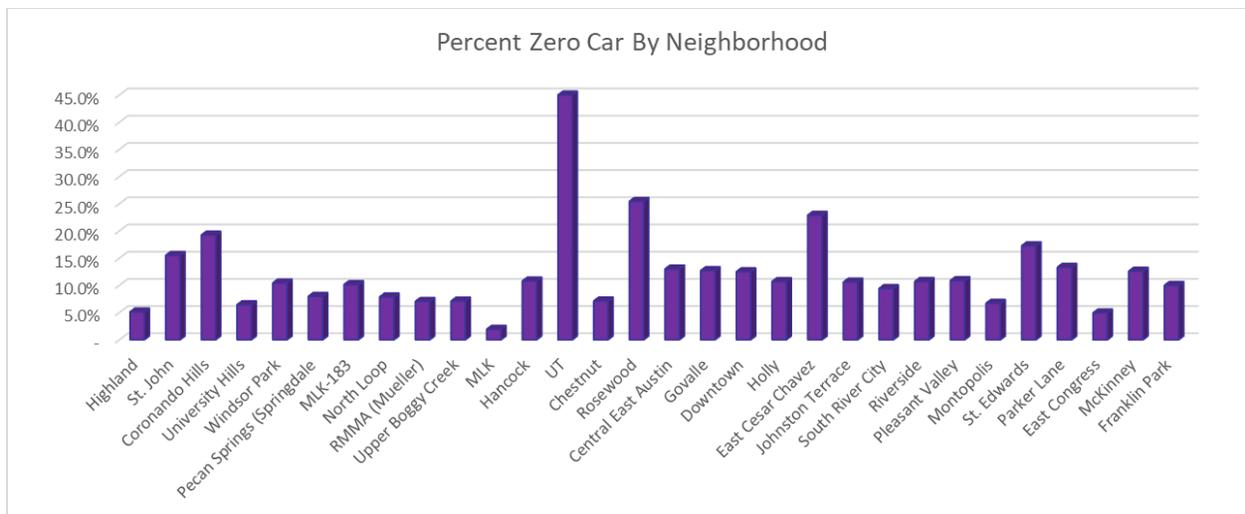
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Figure 3.6-23. Median Household Income by Block Group

1 3.6.12.1.5 Zero-Car Households

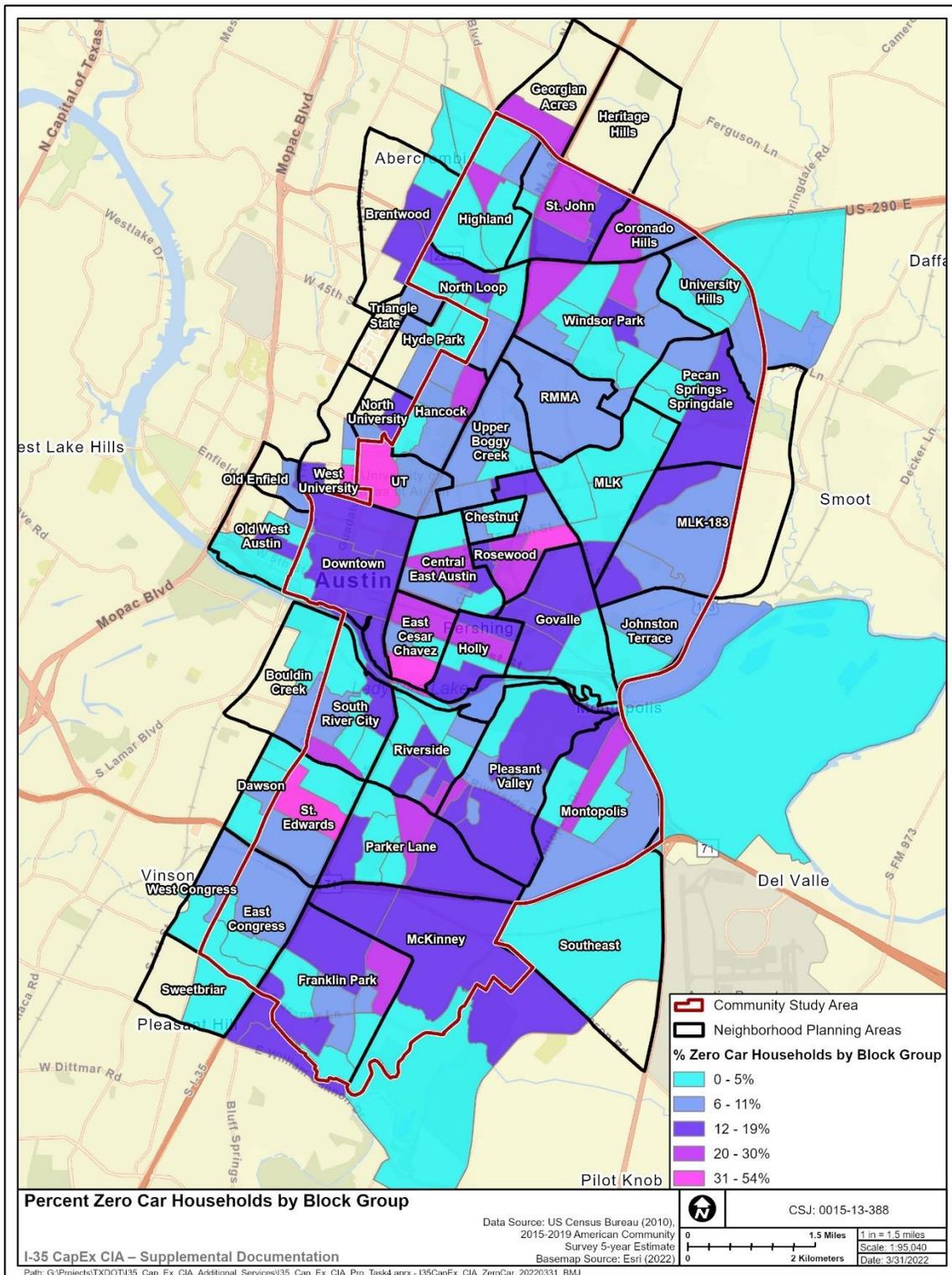
2 The ACS gathers data on the number of vehicles kept at home for use by members of a household. Access to  
 3 vehicles reflects the relative need for transportation alternatives in a given block group. If a person does not  
 4 have access to a personal vehicle, they will need to walk, bicycle, scooter, rideshare, or take transit to access  
 5 nearby destinations. UT is an outlier again because students are less likely to need a car and because parking  
 6 passes at the university are both limited and expensive. Rosewood and East Cesar Chavez are the two other  
 7 neighborhoods with relatively high percentages of zero-car households. See **Figure 3.6-24** and **Figure 3.6-25**  
 8 below.



9

10 Figure 3.6-24. Percent Zero Car by Neighborhood

11 Source: USCB, 2015-2019 ACS. Table B25044.

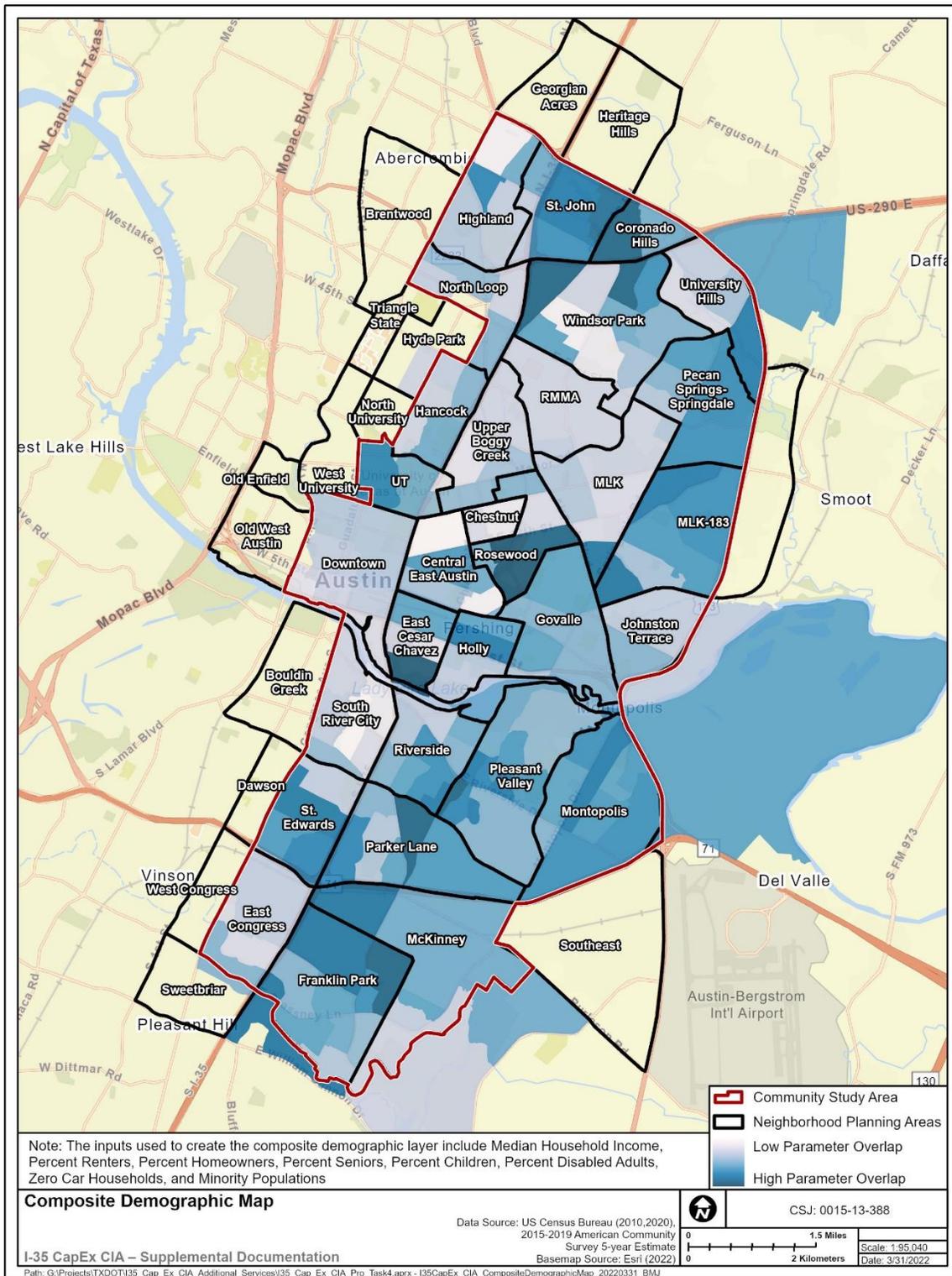


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Figure 3.6-25. Percent Zero-Car Households by Block Group

1    **3.6.12.1.6 Composite Data Graphic**

2    The following GIS graphic depicts key demographic characteristics superimposed upon each other. While the  
3    various data parameters cannot be mathematically combined in any way, this visualization helps reveal areas  
4    with high concentrations of a number of parameters that highlight areas with a need for additional focus from  
5    an equity-in-transportation perspective (more vulnerable transportation modes, disadvantaged communities,  
6    etc.). Neighborhoods that stand out in this visualization include western Windsor Park, Coronado Hills,  
7    Rosewood, the southern portion of East Cesar Chavez, a central portion of Parker Lane, and the eastern portion  
8    of Franklin Park. This preliminary Focus Area was used to inform subsequent tasks that contributed to the  
9    selection of the equity focus area, referred to as Priority NPAs as discussed later in this analysis. See **Figure 3.6-**  
10   **26** below.



1

2

Figure 3.6-26. Composite Demographic Map

### 1 3.6.12.2 Active Transportation

2 Considerable planning and engineering efforts have gone into the development of the current proposed build  
3 alternatives, and many of these efforts preceding the Capital Express process have prioritized vehicular  
4 movements on the mainlanes and frontage roads. Specific bicycle, pedestrian, and transit considerations were  
5 included in both the project's purpose and need, and as criteria used to evaluate the current alternatives, in  
6 order to consider all transportation modes available within the context of an interstate corridor. The  
7 Transportation Equity and Access studies focus on non-automobile modes and movements in order to provide  
8 the type of quantitative research that has historically been reserved for vehicular travel.

9 Active transportation trips are often supplemented with micromobility trips. Micromobility incorporates electric  
10 bicycles and scooters that are available for rent and are not required to be returned to a central location. Since  
11 COA began collecting data on micromobility use in 2019, over 10 million trips have been recorded, at an average  
12 of approximately 9,000 trips per day. These trips are usually less than ten minutes long and between a half-mile  
13 and a mile in distance (Ride Report, 2022).

14 An active transportation and transit profile of the 30 NPAs within the study area was developed. The existing  
15 sidewalks and bicycle lanes are discussed at the neighborhood level, along with transit routes and stops.  
16 Attention is also given to the connectivity between neighborhoods. These existing conditions are displayed in  
17 figures found in the **Active Transportation Memo** in **Appendix K**. Other figures display active transportation  
18 improvements that are proposed by the Austin Strategic Mobility Plan to be constructed in 2022. These current  
19 and future projects are discussed in the detailed neighborhood profiles in order to anticipate how the existing  
20 conditions could change. See **Appendix K, Active Transportation Memo**.

21 A key component of the memo on active transportation was establishing the EPA National Walkability Index for  
22 each neighborhood. The quantitative analysis used to establish the EPA National Walkability Index for each  
23 neighborhood and a summary of the findings are described in **Figure 3.6-27** and **Figure 3.5-1**. This walkability  
24 analysis discussion was also folded into **Section 3.5** of the community impacts analysis section of this document.  
25 Based on the findings, a subset of neighborhoods were carried into a more detailed analysis utilizing the  
26 StreetLight modeling program. See **Section 3.6.12.4**.

#### 27 3.6.12.2.1 Active Transportation Findings

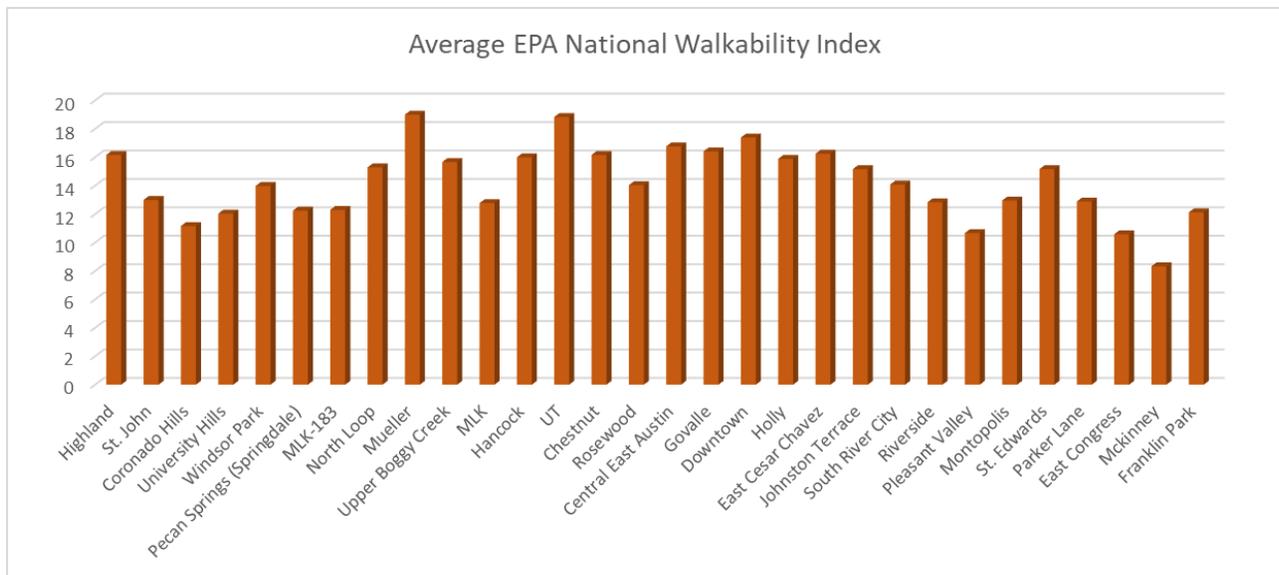
28 Various general patterns can be seen in the figures below. Generally, walkability decreases the further one is  
29 from downtown Austin. Neighborhoods and block groups closer to I-35 have better walkability scores than block  
30 groups closer to US-183. This is a reflection only of the factors that contribute to the EPA National Walkability  
31 Index. Areas close to I-35 have more transit stops than those on the eastern crescent. It is important to note that  
32 the EPA National Walkability Index does not measure safety or pedestrian infrastructure such as sidewalks and  
33 crosswalks. The maps of existing infrastructure cover some of the EPA National Walkability Index's data gaps.  
34 An area like Upper Boggy Creek with a high EPA National Walkability Index score actually has large areas with  
35 hardly any sidewalks. Conversely, Franklin Park has mediocre Walkability Index scores, but actually has  
36 sidewalks on both sides of every residential street. Some neighborhoods show strong pedestrian accessibility in  
37 both maps. These include Mueller (formerly the Robert Mueller Municipal Airport/RMMA neighborhood),

1 Downtown, Holly, Central East Austin, and Chestnut. Likewise, some neighborhoods reveal a lack of  
2 infrastructure in both maps, including Coronado Hills, University Hills, Pecan Springs-Springdale, MLK, Pleasant  
3 Valley, and East Congress.

4 Although this analysis does not delve into the subject, it is possible that some of the areas with high EPA National  
5 Walkability Index scores are unpleasant places to walk. It is also possible that some of the neighborhoods with  
6 many bicycle lanes are uncomfortable places to bicycle.

7 Qualitative information on whether pedestrians and cyclists feel safe or comfortable along a stretch of road are  
8 not included. However, several neighborhoods that were considered to have low walkability were carried forward  
9 into the screening for consideration in the StreetLight analysis (**Section 3.6.6.4**). Assessing origin and destination  
10 information for certain NPAs provided additional understanding of where crossing locations were facilitating or  
11 potentially discouraging bicycle and pedestrian activity across I-35, due to design shortcomings or lack of  
12 accommodations.

13 Across all maps included in this analysis, certain neighborhoods consistently indicate poor walkability and poor  
14 bikeability. These include St. John, Coronado Hills, Pecan Springs-Springdale, MLK, MLK-183, Pleasant Valley,  
15 McKinney, and East Congress. **Figure 3.6-27** and **Figure 3.5-1** show the various walkability scores in the NPAs.



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Figure 3.6-27. Average EPA National Walkability Index

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### 3.6.12.3 Qualitative Health Conditions

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The purpose of the **Qualitative Assessment of Active Transportation and Public Health Memo** (referred to as the Qualitative Health Memo; see **Appendix K**) was to discuss the benefits of transportation improvements related to public health as well as to provide health information available from EPA's EJ Screening and Mapping Tool (EJScreen) (EPA, 2022d) for the study area. As discussed in more detail in the **Qualitative Health Memo**, physical activity has been scientifically proven to improve public health and improve general wellness. The built environment has a direct connection in facilitating physical activity. Although it is up to the individual to make

1 the decision to exercise or commute using non-automobile methods, improvements to the built environment can  
2 “set the stage” for a healthier community. The implementation of pedestrian and bicycle facilities that improve  
3 user safety, accessibility, support utilization of transit, and connectivity can encourage physical activity.

4 The Centers for Disease Control (CDC) stresses the importance of physical activity for adults and children as a  
5 key method in managing disease prevention and wellness. According to the *Physical Activity Guidelines for*  
6 *Americans*, “physical activity fosters normal growth and development and can make people feel better, function  
7 better, sleep better, and reduce the risk of a large number of chronic diseases” (CDC, 2018). In addition to  
8 physical ailments, mental health conditions have also been shown to be alleviated through exercise (American  
9 Psychological Association, 2020).

10 An active lifestyle depends on a safe environment where one can exercise without potential injury. The CDC  
11 highlights the need for physical separations between motor vehicles and individuals (i.e., sidewalks, pathways,  
12 protected bicycle lanes), neighborhoods that utilize traffic-calming measures (i.e., road diets, speed  
13 bumps/humps, crosswalks), and well-lit areas to reduce instances of crime and injury (i.e., streetlights, lamp  
14 posts) (CDC, 2022a). The combination of these environmental factors can determine one’s desire to exercise in  
15 addition to one’s safety. The aesthetic appearance may actively or passively inhibit physical activity (American  
16 Heart Association, 2022). An active barrier includes structural barriers like missing sidewalks or no presence of  
17 bicycle lanes. Passive barriers may include pedestrian unfriendly areas and areas without people present,  
18 causing concern for one’s safety. The limitations of infrastructure can affect how and when people exercise.

19 Transportation improvements, specifically pedestrian and bicycle facilities, have been shown to yield public  
20 health benefits to communities. These improvements typically include SUPs, sidewalk connections, bicycle lanes,  
21 and other infrastructure related to first and last mile connections to transit stops. It is important to note that  
22 physical activity does not have to be completed through purposeful exercise (Hexagon, 2015). Last mile  
23 connections (i.e., bicycle storage, bicycle lanes, sidewalks, paths) provide an essential link for commuters to  
24 transit stops from their homes. This form of active transportation not only reduces one’s carbon footprint, but  
25 also improves physical health and wellbeing without the added activity of purposeful exercise.

26 In Austin, health benefits from transportation infrastructure has already been investigated in the 2015 COA  
27 South Lamar Corridor Health Impact Assessment (HIA). Spanning from Lady Bird Lake to Ben White Boulevard  
28 (SH 71), the HIA focused on the South Lamar Boulevard corridor and adjacent neighborhoods. As a public transit  
29 and mixed-use corridor, South Lamar Boulevard needed last mile improvements in addition to general pedestrian  
30 and bicyclist infrastructure. These targeted improvements would improve access to transit as well as the various  
31 land uses, resulting in a walkable community. Coupled with essential improvements, the HIA recommended  
32 implementation of new greenspace areas to improve the aesthetic of South Lamar Boulevard. All in all, the HIA  
33 found that “built environment elements such as accessibility and street connectivity, greenery, street scale  
34 pedestrian design and mixed land use all had positive effects on physical health, including body mass index.  
35 These and other findings make it clear that the built environment is a key component to healthy community”  
36 (Hexagon, 2015).

1 The EJScreen tool was used to calculate and analyze the existing public health of the study area. Three datasets  
2 were used to measure health disparity based on percentage of the population: low life expectancy, heart disease,  
3 and asthma.

4 Within the interactive mapping tool, the health data was calculated based on census tracts as well as the total  
5 study area boundary. The **Qualitative Health Memo** included discussions on various health disparity categories  
6 along with an analysis of the geographic distribution of the data recorded in EJScreen. NPAs of concern were  
7 identified for asthma, heart disease, and low life expectancy. Those carried forward for further analysis are  
8 discussed in the following section.

#### 9 *3.6.12.4 StreetLight Data Analysis*

10 Pedestrian counts and surveys are central components to understanding pedestrian infrastructure and how a  
11 given community interacts with the built environment. Given the size of the study area, it would not have been  
12 feasible to conduct counts at the number of I-35 crossings identified and within various bicycle and pedestrian  
13 routes utilized by the priority NPAs. Therefore, TxDOT used StreetLight, a location-based services (LBS) data  
14 vendor, to analyze this trip data for key locations. StreetLight offers information on multi-modal mobility patterns  
15 that includes origin-destination (O-D), traveler demographics and more. For this study, the focus is looking at  
16 average daily trips for the period of November 2020 to October 2021 as a representative snapshot of relatively  
17 current bicycle and pedestrian travel patterns. This analysis does not depend on the traveler demographic data  
18 available on the StreetLight platform. Rather, the previous studies found in Appendix K, including socioeconomic  
19 information, were used as a screening tool to prioritize NPAs within the overall study area and to understand  
20 how they are similar or different from each other. The process for prioritizing the NPAs is described further in the  
21 StreetLight Data Analysis and Findings Memo in **Appendix K**.

22 Separately, StreetLight data was used to analyze travel by bicycles and pedestrians across I-35 to better  
23 understand how intersections compare with each other in terms of recent crossing activity. This information can  
24 also shed light on where people are traveling in order to help direct resources to those users in the future, with  
25 some prioritization to meet equity goals.

#### 26 *3.6.12.4.1 Prioritization of Neighborhood Planning Areas for Equity Focus*

27 As discussed in more detail in **Appendix K**, the studies helped identify priority NPAs for StreetLight analysis as  
28 discussed below.

#### 29 Composite Socioeconomic Data Graphic

30 Inputs for composite demographic include median MHI, percent renters versus homeowners, percent seniors,  
31 percent children, percent disabled adults, zero car households, and minority populations. This data led to the  
32 prioritization of the following NPAs from an equity focus perspective:

- 33 • Windsor Park
- 34 • Coronado Hills

- 1 • Rosewood
- 2 • East Cesar Chavez
- 3 • Parker Lane
- 4 • Franklin Park

## 5 Active Transportation and EPA National Walkability Index Score

6 Poor walkability and poor bikeability across all mapped data were highest in the following NPAs:

- 7 • St. John
- 8 • Coronado Hills
- 9 • Pecan Springs-Springdale
- 10 • Martin Luther King (MLK)
- 11 • MLK-183
- 12 • Pleasant Valley
- 13 • McKinney
- 14 • East Congress

## 15 EPA Health Conditions Screening

16 The EPA EJScreen tool provided information on how NPAs compare to each other. This screening process  
17 highlighted several NPAs for various health indicators.

- 18 • Areas of concern for asthma:
  - 19 ◦ Pleasant Valley
  - 20 ◦ Central East Austin
  - 21 ◦ Rosewood
  - 22 ◦ University Hills
  - 23 ◦ Pecan Springs-Springdale
  - 24 ◦ Windsor Park
  - 25 ◦ Franklin Park
  - 26 ◦ McKinney
- 27 • Areas of concern for heart disease:
  - 28 ◦ Govalle
  - 29 ◦ MLK

- 1     ◦ MLK-183
- 2     • Areas of concern for low life expectancy:
- 3     ◦ Rosewood
- 4     ◦ Chestnut
- 5     ◦ MLK
- 6     ◦ Govalle
- 7     ◦ Johnson Terrace
- 8     ◦ Parker Lane
- 9     ◦ McKinney
- 10    ◦ Franklin Park

11 To finalize the priority NPAs selected for more detailed StreetLight analysis from a transportation equity focus,  
 12 the following table was developed. All NPAs with a score of at least two (meaning the NPA was a priority for at  
 13 least two factors – composite socioeconomic data, lack of active transportation infrastructure, or health  
 14 concerns) were carried forward for additional analysis with StreetLight data.

**Table 3.6-10. Priority NPAs – Equity Focus Areas for StreetLight Analysis**

<b>NPAs prioritized through at least one screening task</b>	<b>Task 4: Composite Socioeconomic</b>	<b>Task 5: Active Transportation</b>	<b>Task 6: At Least 1 Health Indicator</b>	<b>Total</b>
Central East Austin			1	1
Chestnut			1	1
Coronado Hills	1	1	1	3
East Cesar Chavez	1		1	2
East Congress		1	1	2
Franklin Park	1		1	2
Govalle			1	1
Johnson Terrace			1	1
McKinney		1	1	2
MLK		1	1	2
MLK-183		1	1	2
Parker Lane	1		1	2
Pecan Springs-Springdale		1		1

Table 3.6-10. Priority NPAs – Equity Focus Areas for StreetLight Analysis

NPAs prioritized through at least one screening task	Task 4: Composite Socioeconomic	Task 5: Active Transportation	Task 6: At Least 1 Health Indicator	Total
Pleasant Valley		1	1	2
Rosewood	1		1	2
St. John		1		1
University Hills			1	1
Windsor Park	1		1	2
<b>TOTAL</b>	<b>6</b>	<b>8</b>	<b>16</b>	<b>30</b>

- 1 Note that the same StreetLight analysis could be conducted for additional NPAs in the Community Study Area.
- 2 The selection of certain NPAs does not mean the other NPAs are without socioeconomic, active transportation,
- 3 or health concerns or opportunities.

#### 4 Priority NPAs

- 5 As discussed above, the NPAs listed here are a subset of NPAs in the Community Study Area after various
- 6 screening tools were applied. The neighborhoods included in the StreetLight analysis are as follows, listed
- 7 generally from north to south:

- |                        |                      |
|------------------------|----------------------|
| 8 • Coronado Hills     | 14 • Pleasant Valley |
| 9 • Windsor Park       | 15 • Parker Lane     |
| 10 • MLK               | 16 • East Congress   |
| 11 • MLK-183           | 17 • McKinney        |
| 12 • Rosewood          | 18 • Franklin Park   |
| 13 • East Cesar Chavez |                      |

#### 19 *3.6.12.4.2 Identification of Key Crossings for Analysis*

- 20 Analysts selected geographically representative I-35 crossing locations to run StreetLight queries for
- 21 comparative O-D trip indices. Average trip length was also collected to compare how far to or from I-35 bicyclists
- 22 and pedestrians were traveling during the data collection period.

- 23 Additional crossings were identified at US-290 North (East Koenig Lane), Hancock Drive, and US-290 South (East
- 24 Ben White Boulevard/SH-71). It was subsequently determined that the StreetLight zone for US-290/SH-71 was
- 25 inconclusive (labeled as such in the model, due to the multi-level complex structure of the intersection) and so
- 26 it was dropped from this analysis. Again, the StreetLight analysis could be utilized to investigate any of these
- 27 crossing locations; the team made selections given the practical constraints of completing this analysis and the

1 direction to identify areas for transportation equity focus. This analysis is not fully comprehensive or exhaustive  
2 but highlights considerations in the Community Study Area in alignment with the goals of the Justice40 Initiative  
3 to collect data and enhance understanding of the distribution of benefits and burdens for disadvantaged  
4 communities.

5 The crossings selected for the StreetLight analysis are a subset of all the crossings along the I-35 project corridor  
6 that represent various existing conditions. The crossings included in the StreetLight analysis are listed below  
7 generally from north to south:

- 8 • US-290/East Koenig Lane
- 9 • East 51st Street
- 10 • Airport Boulevard
- 11 • Hancock Drive
- 12 • East 38th ½ Street (also shown as East 38th Street)
- 13 • East Dean Keeton Street
- 14 • Manor Road
- 15 • East MLK Jr. Boulevard
- 16 • East 11th Street
- 17 • East 7th Street
- 18 • East 4th Street
- 19 • East Cesar Chavez Street
- 20 • East Riverside Drive
- 21 • Woodland Avenue
- 22 • East Oltorf Street
- 23 • Woodward Street

#### 24 *3.6.12.4.3 Streetlight: Origin-Destination Zone Data Approach and Analysis*

25 The methodology developed for the purpose of this study was intended to help environmental planners better  
26 understand the study area from the neighborhood perspective, rather than to obtain specific granular detail  
27 about particular trips for neighborhood level infrastructure design. While the StreetLight data can be utilized for  
28 many different purposes, analysts decided to use it to prepare a snapshot of activity over one year within the  
29 Community Study Area. This analysis acknowledges platform bias. Specifically, LBS data will inherently not be  
30 reflective of all active transportation users. Utilitarian and recreational pedestrians and bicyclists alike may not  
31 bring cell phones with them (or may not own them). In particular, this study area contains populations of  
32 individuals experiencing homelessness who walk along and/or cross I-35. These individuals may not be included  
33 in the StreetLight numbers.

1 A more detailed discussion of the methodology for understanding StreetLight O-D analysis data outputs is  
2 included in the **StreetLight Data Analysis and Findings Memo** in **Appendix K**. The tables and charts below show  
3 the output data from StreetLight. The columns with arrows above are the ones shown in the charts. The color  
4 coding in the table shows the longest weighted average trip in green and the shortest weighted average trip  
5 length in red.

6 The tables and charts below show the output data from StreetLight. The columns with arrows above are the ones  
7 shown in the charts. The color coding in the table shows the longest weighted average trip in green and the  
8 shortest weighted average trip length in red.

9 • **Table 3.6-11** shows bicycle O-D in priority NPAs. **Figure 3.6-28** shows the percent share of bicycle O-D, so  
10 the NPA with the highest percent share of trips contrasts the priority NPA with the lowest percentage of trips.  
11 The bicycle trip length comparison in **Figure 3.6-29** shows the farthest trips from the priority NPA compared  
12 to other priority NPAs.

13 • **Table 3.6-12** shows pedestrian O-D in priority NPAs. **Figure 3.6-30** shows the percent share of pedestrian O-  
14 D, so the NPA with the highest percent share of trips contrasts the priority NPA with the lowest percentage  
15 of trips. The pedestrian trip length comparison in **Figure 3.6-31** shows the farthest trips from the priority NPA  
16 compared to other priority NPAs.

17 • **Table 3.6-13** shows bicycle O-D representative crossings. **Figure 3.6-32** shows the percent share of bicycle  
18 O-D, so the crossing with the highest percent share of trips contrasts the priority NPA with the lowest  
19 percentage of trips. The bicycle trip length comparison in **Figure 3.6-33** shows the farthest trips from the  
20 crossings compared to other crossings.

21 • **Table 3.6-14** shows pedestrian O-D representative crossings. **Figure 3.6-34** shows the percent share of  
22 pedestrian O-D, so the crossing with the highest percent share of trips contrasts the crossing with the lowest  
23 percentage of trips. The pedestrian trip length comparison in **Figure 3.6-35** shows the farthest trips from the  
24 crossings compared to other crossings.

## 25 GIS Graphics for Representative Crossings

26 In addition to the information above, GIS analysts have provided a graphic depiction of bicycle and pedestrian  
27 crossings of I-35. The share of trips are shown in comparison to each other. The heaviest line widths show higher  
28 shares of trips, while the narrow line widths show the lowest percentage share of trips for either bicycles or  
29 pedestrians. To some degree, these illustrations are logical such as where access is provided to the Butler Hike  
30 and Bike Trail (also locally known as the Lady Bird Lake Hike and Bike Trail) from East Riverside Drive. Other  
31 areas where the activity is very low may indicate a very bicycle or pedestrian unfriendly area, such as on Hancock  
32 Drive. These graphics both illustrate data from StreetLight and possible opportunities to provide improved bicycle  
33 and pedestrian accommodations, which is a central goal of the overall proposed project. See **Figure 3.6-36** and  
34 **Figure 3.6-37**.

## Data Tables, Charts and Observations

Table 3.6-11. Priority Neighborhood Planning Areas – Bicycle Origin-Destination: Share of Trips and Weighted Average Trip Length

Priority Neighborhood Planning Area	Daily Origins	Share of Trips	Origin Rank	Weighted Avg Trip Length (mi)	Daily Destinations	Share of Trips	Destination Rank	Weighted Avg Trip Length (mi)	Total O-D	Share of Trips	Total Rank	Weighted Avg Trip Length (mi)
Coronado Hills	154	2%	11	2.37	148	2%	11	2.19	302	2%	11	2.28
Windsor Park	1,423	21%	1	2.71	1,362	21%	1	2.60	2,785	21%	1	2.65
MLK	717	11%	3	3.22	784	12%	3	3.27	1,501	11%	3	3.25
MLK-183	509	8%	6	3.76	453	7%	7	3.89	962	7%	6	3.82
Rosewood	444	7%	7	2.68	495	8%	6	2.83	939	7%	7	2.76
East Cesar Chavez	1,055	16%	2	2.27	987	15%	2	2.34	2,042	15%	2	2.30
Pleasant Valley	677	10%	5	2.89	680	10%	4	2.79	1,357	10%	5	2.84
Parker Lane	714	11%	4	2.91	670	10%	5	2.91	1,384	10%	4	2.91
East Congress	323	5%	10	2.60	325	5%	10	2.96	648	5%	10	2.78
McKinney	325	5%	9	3.29	340	5%	9	3.60	665	5%	9	3.45
Franklin Park	384	6%	8	3.29	350	5%	8	3.30	734	6%	8	3.29

### Observations:

- Windsor Park NPA has the highest share of bicycle O-Ds (21%) - followed by East Cesar Chavez (15%) and MLK (11%)
- Coronado Hills has the lowest share of bicycle O-Ds (2%)
- Weighted average bicycle trip length for all NPAs is 2.9 miles
- MLK-183 NPA has the highest weighted average trip lengths (3.8 miles)
- Coronado Hills NPA has the lowest weighted average trip lengths (2.3 miles)

Source for 3.6-11 to 3.6-14: StreetLight 2022; analysis by Stantec.  
Note: Daily O-Ds are a StreetLight index and do NOT represent actual volumes.

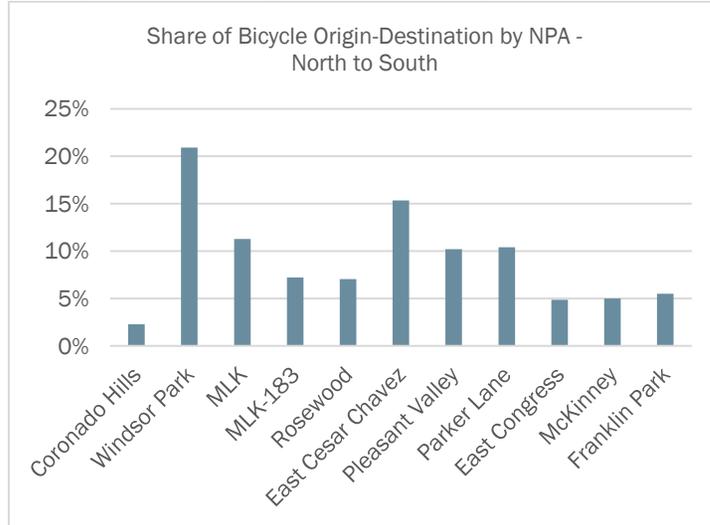


Figure 3.6-28. Share of Bicycle Origin-Destination by NPA – North to South

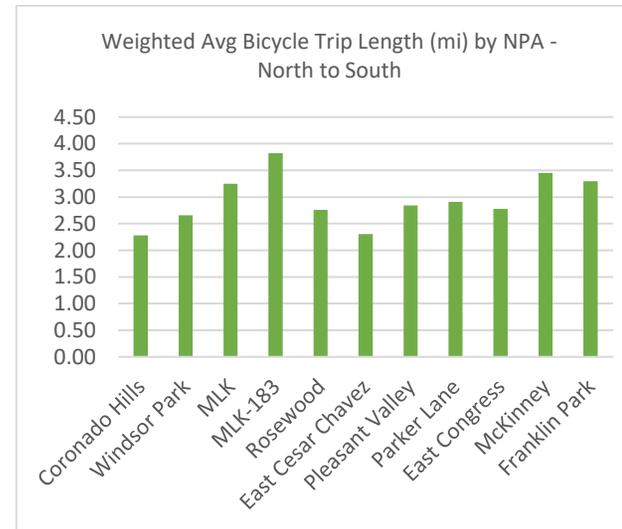


Figure 3.6-29. Weighted Average Bicycle Trip Length (mi) by NPA – North to South

Table 3.6-12. Priority Neighborhood Planning Areas – Pedestrian Origin-Destination: Share of Trips and Weighted Average Trip Length

Priority Neighborhood Planning Area	Daily Origins	Share of Trips	Origin Rank	Weighted Avg Trip Length (mi)	Daily Destinations	Share of Trips	Destination Rank	Weighted Avg Trip Length (mi)	Total O-D	Share of Trips	Total Rank	Weighted Avg Trip Length (mi)
Coronado Hills	8,235	4%	11	0.46	8,116	4%	11	0.46	16,351	4%	11	0.46
Windsor Park	34,621	15%	1	0.51	34,790	15%	1	0.51	69,411	15%	1	0.51
MLK	12,255	5%	9	0.67	12,591	6%	9	0.67	24,846	6%	9	0.67
MLK-183	15,370	7%	8	0.54	15,426	7%	7	0.54	30,796	7%	7	0.54
Rosewood	11,853	5%	10	0.55	11,919	5%	10	0.55	23,772	5%	10	0.55
East Cesar Chavez	24,581	11%	4	0.53	24,340	11%	4	0.53	48,921	11%	4	0.53
Pleasant Valley	28,582	13%	2	0.56	28,928	13%	2	0.56	57,510	13%	2	0.56
Parker Lane	24,572	11%	5	0.49	24,337	11%	5	0.50	48,909	11%	5	0.50
East Congress	15,396	7%	7	0.47	14,943	7%	8	0.46	30,339	7%	8	0.47
McKinney	27,312	12%	3	0.40	27,174	12%	3	0.40	54,486	12%	3	0.40
Franklin Park	22,130	10%	6	0.52	22,128	10%	6	0.51	44,258	10%	6	0.52

Observations:

- Windsor Park NPA has the highest share of pedestrian O-Ds (15% - may be related to large geography and population) - followed by Pleasant Valley (13%) and McKinney (12%);
- Coronado Hills has the lowest share of pedestrian O-Ds (4%); also highest disabled population, highest seniors
- Average pedestrian trip length for all NPAs is 0.5-mile
- MLK NPA has the highest average trip lengths (0.7-mile)
- McKinney NPA has the lowest average trip lengths (0.4-mile); much of the neighborhood is industrial; relatively small portion of residential near McKinney Falls State Park; closest crossing is US-290; highest percentage of minorities (out of small number)
- Pleasant Valley –UT, Roy G. Guerrero Colorado River Metro Park, Morris Williams Golf Course, Austin Community College

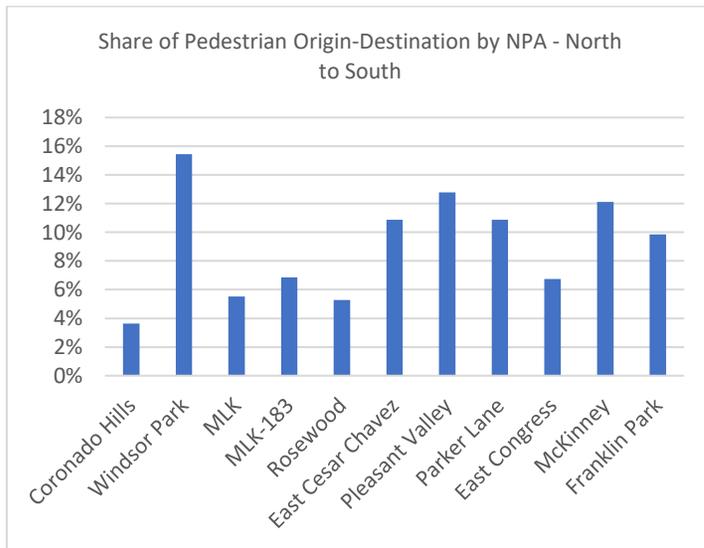


Figure 3.6-30. Share of Pedestrian Origin-Destination by NPA – North to South

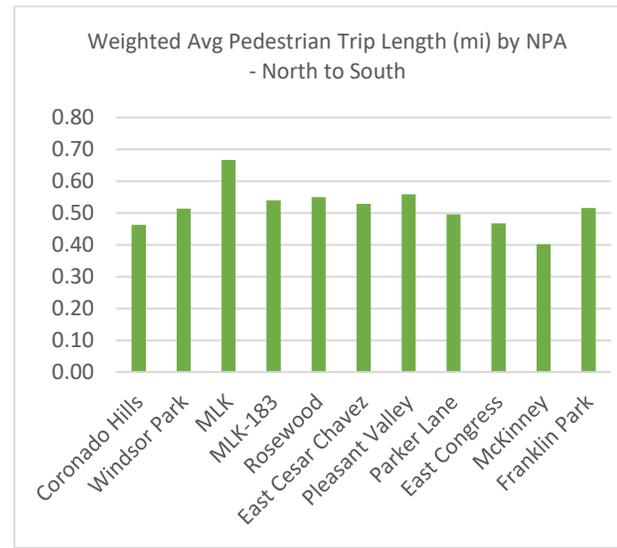


Figure 3.6-31. Weighted Average Pedestrian Trip Length (mi) by NPA – North to South

1 Table 3.6-13. Representative Crossings – Bicycle Origin-Destination: Share of Trips and Weighted Average Trip Length

Representative Crossing Name	Daily Origins	Share of Trips	Origin Rank	Weighted Avg Trip Length (mi)	Daily Destinations	Share of Trips	Destination Rank	Weighted Avg Trip Length (mi)	Total O-D	Share of Trips	Total Rank	Weighted Avg Trip Length (mi)
US-290/East Koenig Lane	85	3%	14	2.4	79	2%	14	2.3	164	2%	14	2.3
East 51st Street/Cameron Road	334	10%	5	2.4	332	10%	5	2.5	666	10%	5	2.4
Airport Boulevard	141	4%	11	3.0	137	4%	11	3.0	278	4%	11	3.0
Hancock Drive	15	0%	16	1.5	18	1%	16	1.5	33	0%	16	1.5
East 38th Street	147	4%	10	2.5	157	5%	10	2.5	304	5%	10	2.5
East Dean Keeton Street	167	5%	9	2.6	161	5%	9	2.5	328	5%	9	2.6
Manor Road	173	5%	8	2.6	182	5%	8	2.0	355	5%	8	2.3
East MLK Jr. Boulevard	119	4%	12	2.3	120	4%	12	1.8	239	4%	12	2.1
East 11th Street	357	11%	3	2.0	350	10%	3	1.9	707	11%	3	1.9
East 7th Street	195	6%	7	1.5	192	6%	7	1.6	387	6%	7	1.5
East 4th Street	342	10%	4	2.6	347	10%	4	2.9	689	10%	4	2.7
East Cesar Chavez Street	411	12%	2	1.8	408	12%	2	1.9	819	12%	2	1.9
East Riverside Drive	423	13%	1	3.4	423	13%	1	3.5	846	13%	1	3.5
Woodland Avenue	96	3%	13	2.2	99	3%	13	2.4	195	3%	13	2.3
East Oltorf Street	293	9%	6	2.7	282	8%	6	2.4	575	9%	6	2.6
Woodward Street	66	2%	15	2.1	71	2%	15	2.1	137	2%	15	2.1

- Observations:
- East Riverside Drive has the highest share of bicycle crossings (13%) - Lady Bird Lake and boardwalk
  - Riverside is followed by Cesar Chavez (12%) - north side of Ladybird Lake
  - East 11th Street is third (11%) - location of Texas State Capitol
  - Hancock Drive has the lowest share of bicycle crossings (<1%) - unsafe existing conditions under elevated structure adjacent to railroad
  - Average bicycle trip length for all crossings is 2.4 miles
  - East Riverside Drive crossing has the highest average trip lengths (3.5 miles) - Lady Bird Lake and access to trails
  - Hancock Drive and East 7th Street have the lowest average trip lengths (1.5 miles)

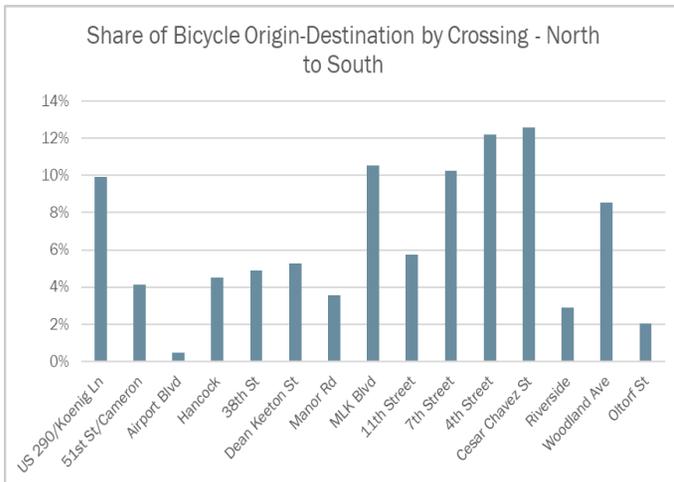


Figure 3.6-32. Share of Bicycle Origin-Destination by Crossing – North to South

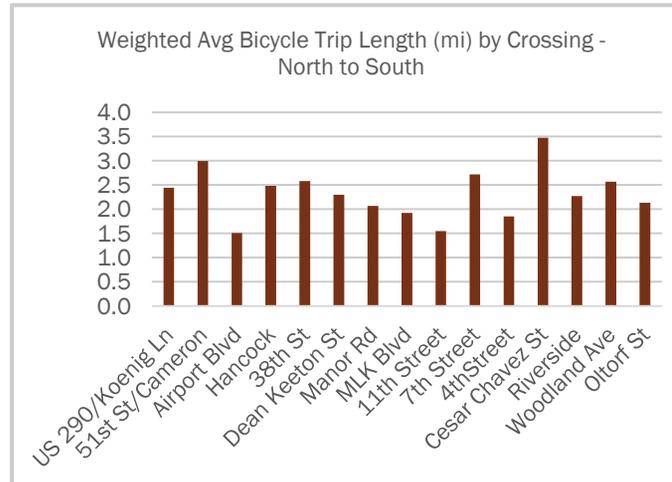


Figure 3.6-33. Weighted Average Bicycle Trip Length (mi) by Crossing – North to South

1 Table 3.6-14. Representative Crossings – Pedestrian Origin-Destination: Share of Trips and Weighted Average Trip Length

Representative Crossing Name	Daily Origins	Share of Trips	Origin Rank	Weighted Avg Trip Length (mi)	Daily Destinations	Share of Trips	Destination Rank	Weighted Avg Trip Length (mi)	Total O-D	Share of Trips	Total Rank	Weighted Avg Trip Length (mi)
US-290/East Koenig Lane	85	3%	14	2.4	79	2%	14	2.3	164	2%	14	2.3
East 51 <sup>st</sup> Street/Cameron Road	334	10%	5	2.4	332	10%	5	2.5	666	10%	5	2.4
Airport Boulevard	141	4%	11	3.0	137	4%	11	3.0	278	4%	11	3.0
Hancock Drive	15	0%	16	1.5	18	1%	16	1.5	33	0%	16	1.5
East 38 <sup>th</sup> Street	147	4%	10	2.5	157	5%	10	2.5	304	5%	10	2.5
East Dean Keeton Street	167	5%	9	2.6	161	5%	9	2.5	328	5%	9	2.6
Manor Road	173	5%	8	2.6	182	5%	8	2.0	355	5%	8	2.3
East MLK Jr. Boulevard	119	4%	12	2.3	120	4%	12	1.8	239	4%	12	2.1
East 11 <sup>th</sup> Street	357	11%	3	2.0	350	10%	3	1.9	707	11%	3	1.9
East 7 <sup>th</sup> Street	195	6%	7	1.5	192	6%	7	1.6	387	6%	7	1.5
East 4 <sup>th</sup> Street	342	10%	4	2.6	347	10%	4	2.9	689	10%	4	2.7
East Cesar Chavez Street	411	12%	2	1.8	408	12%	2	1.9	819	12%	2	1.9
East Riverside Drive	423	13%	1	3.4	423	13%	1	3.5	846	13%	1	3.5
Woodland Avenue	96	3%	13	2.2	99	3%	13	2.4	195	3%	13	2.3
East Oltorf Street	293	9%	6	2.7	282	8%	6	2.4	575	9%	6	2.6
Woodward Street	66	2%	15	2.1	71	2%	15	2.1	137	2%	15	2.1

Observations:

- Manor Road has the highest share of pedestrian crossings (15%) – UT has major sports facilities on both sides of I-35
- Second is East Oltorf Street (11%) - Newly improved pedestrian accommodations; Travis High School in the southwest quadrant of East Oltorf Street and I-35
- Third is East 11th Street (11%) – Texas State Capitol Street
- Hancock Drive has the lowest share of pedestrian crossings (<1%) – note short street under elevated section of highway near Hancock Center
- Average pedestrian trip length for all crossings is 0.6-mile
- East Riverside Drive crossing has the highest average trip lengths (1 mile) – may be attributable to Lady Bird Lake, Ann and Roy Butler Hike and Bike trail (“Town Lake trail”), and Boardwalk
- East 7th Street has the lowest average trip lengths (0.4-mile) – closest to 6th Street entertainment district; COA police office

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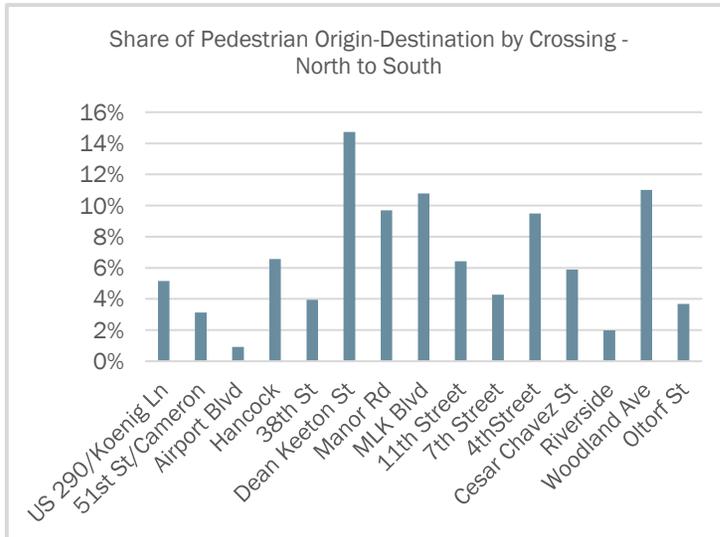


Figure 3.6-34. Share of Pedestrian Origin-Destination by Crossing – North to South

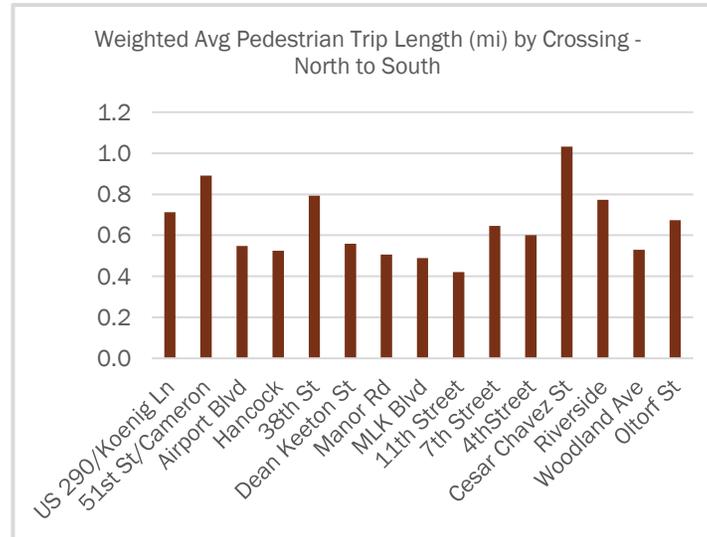
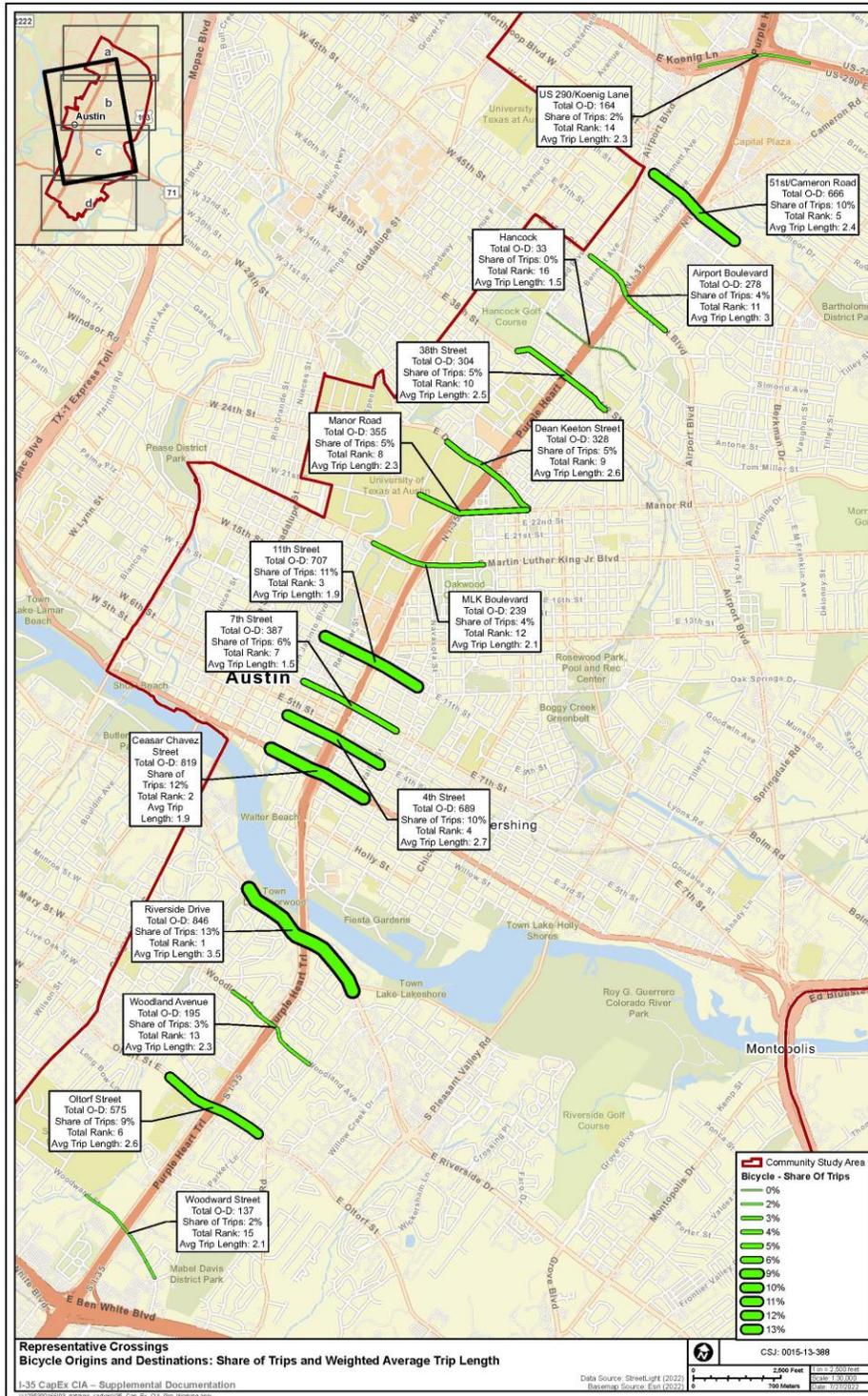


Figure 3.6-35. Weighted Average Pedestrian Trip Length (mi) by Crossing – North to South

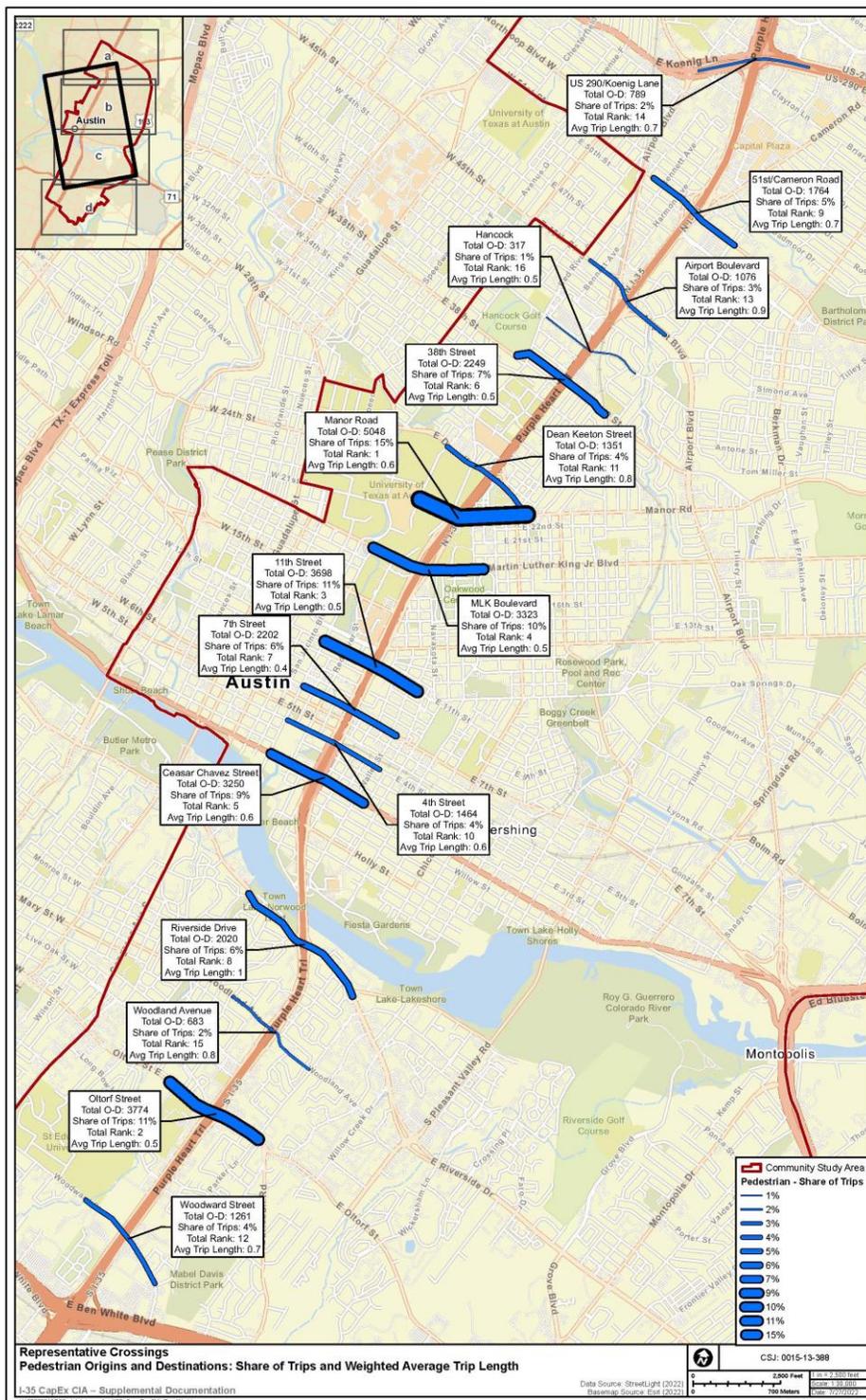


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Figure 3.6-36. Representative Crossings Bicycle Origins and Destinations: Share of Trips and Weighted Average Trip Length



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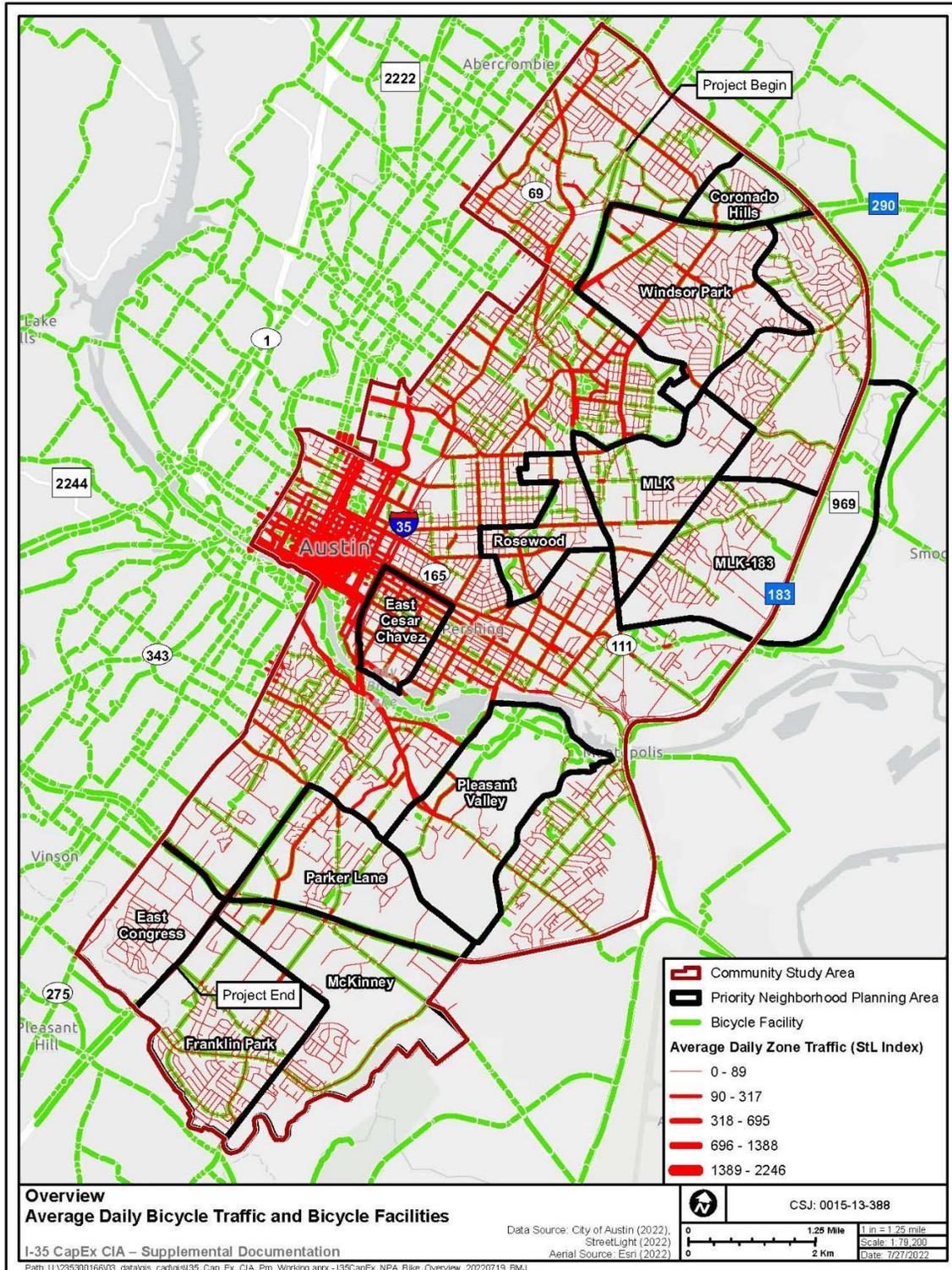
Figure 3.6-37. Representative Crossings Bicycle Origins and Destinations: Share of Trips and Weighted Average Trip Length

1 An additional GIS graphic has been created depicting average trip length by bicycles and pedestrians at each  
2 crossing. Note that these distances are “as the crow flies” and do not represent actual routes. However, they do  
3 show the approximate distance with respect to geography and the location of the NPAs. They can help analysts  
4 see if bicycle and pedestrian improvements are particular locations could potentially benefit NPAs that are not  
5 located adjacent to I-35. See **Appendix K, StreetLight Data Analysis and Findings Memo** for further details.

#### 6 *3.6.12.4.4 StreetLight: Bicycle and Pedestrian Heat Map Data*

#### 7 Bicycle and Pedestrian Heat Map Data and COA Infrastructure – by Priority NPA

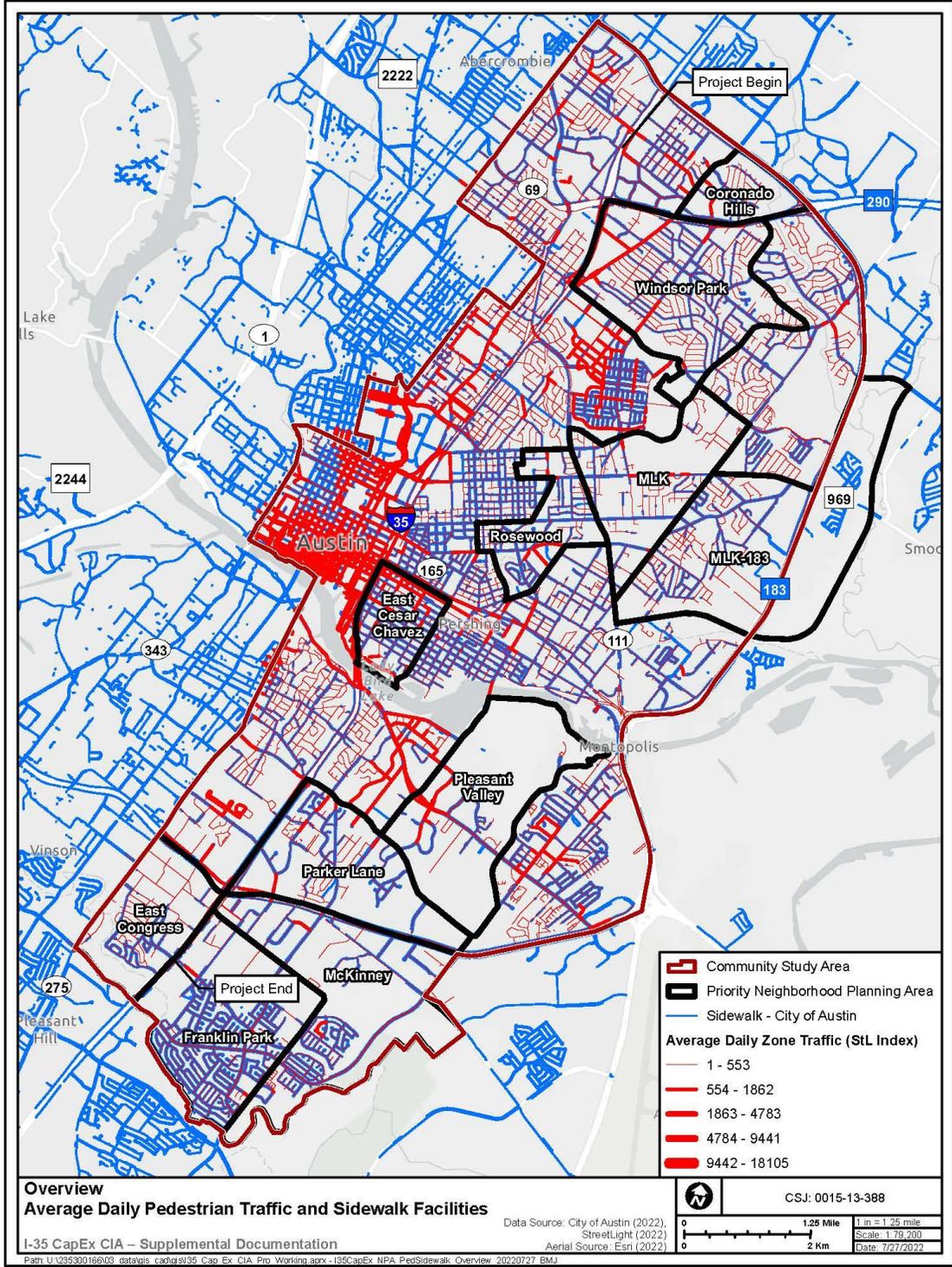
8 Whereas the O-D analysis focused on select NPAs and the index of trips occurring through those NPAs relative  
9 to each other, the heat map prepared by StreetLight gathered all bicycle and pedestrian O-D for the full  
10 Community Study Area. The **StreetLight Data Analysis and Findings Memo** includes a discussion of each NPA  
11 from the pedestrian and bicycle perspective, along with a specific GIS graphic for each NPA for both bicycle and  
12 pedestrian activity against the backdrop of COA infrastructure. These detailed maps along with the discussion  
13 that follows this section can assist planners in ensuring that priority NPAs are proactively included in public  
14 involvement activities, consistent with the goals that underpin the Justice40 initiative. An overview map for these  
15 graphics is shown in **Figure 3.6-38** and **Figure 3.6-39**. See the **StreetLight Data Analysis and Findings Memo** in  
16 **Appendix K**, for a series of detailed maps by NPA.



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Figure 3.6-38. Overview Average Daily Bicycle Traffic and Bicycle Facilities



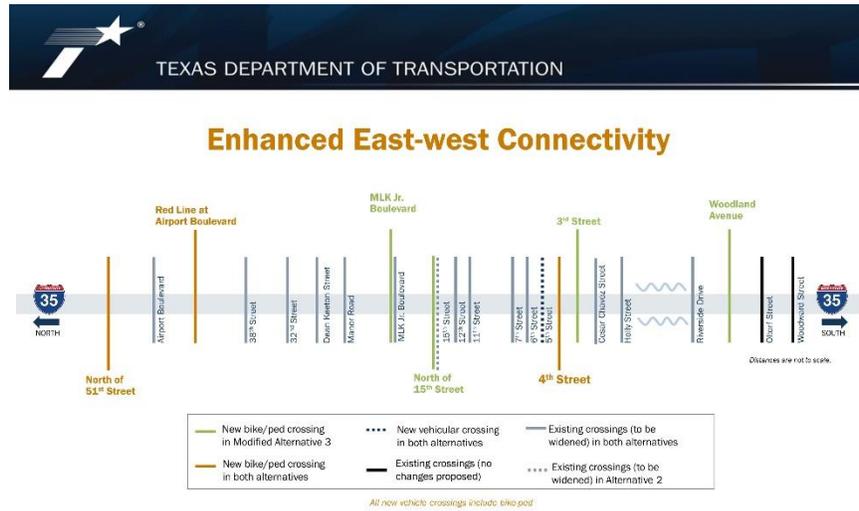
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Figure 3.6-39. Overview Average Daily Pedestrian Traffic and Sidewalk Facilities



- 1 The following slide lists the various key crossings of I-35 both north and south of Lady Bird Lake. Project analysts selected
- 2 representative crossings (a subset of the crossings shown below) to analyze using StreetLight data. As previously
- 3 discussed, each selected crossing was the subject of a query for both bicycle and pedestrian activity.

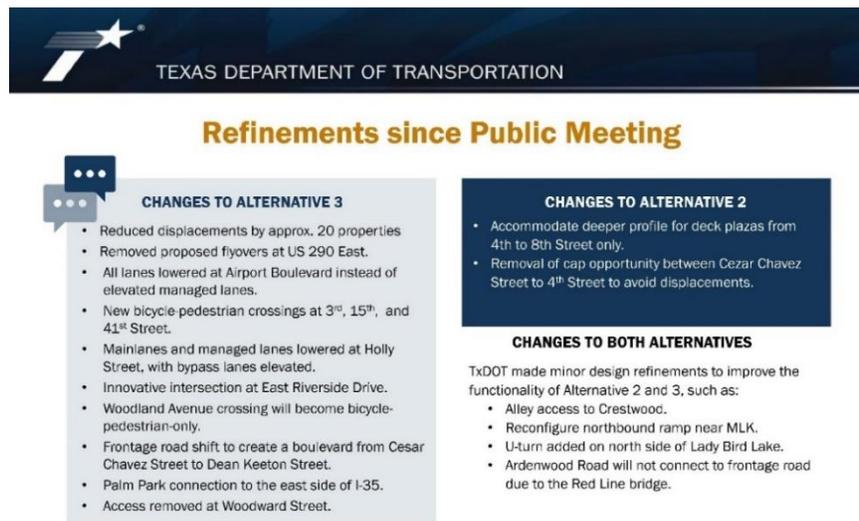


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**I-35 Capital Express Central Project**

- 5 The slide below shows bicycle and pedestrian accommodations that have continued to be developed by designers to
- 6 address public concerns about these accommodations. Both Build Alternative 2 and Modified Build Alternative 3 address
- 7 bicycle and pedestrian accommodations. There are some key areas where Modified Build Alternative 3 addresses
- 8 community needs more than Build Alternative 2, specifically because displacements are avoided (at Woodland Avenue).
- 9 However, this specific location is not a priority NPA but that crossing is discussed below.

- 10 The overall goal of Transportation Equity and Access analysis is to provide data about the larger study area to better equip
- 11 TxDOT and stakeholders to address needs within the priority NPAs as project development continues, further explained
- 12 in **Section 3.6.12.6**.



13

**I-35 Capital Express Central Project**

1 *3.6.12.5.1 Bicycle And Pedestrian Considerations Where I-35 Central And I-35 South Connect*

2 Additional discussion is warranted for proposed improvements at US-290/SH-71 and south along I-35, since the I-35  
3 CapEx and the I-35 South projects meet at this juncture. Unfortunately, the StreetLight data for this intersection was  
4 labeled as inconclusive in the model outputs so data are not available for this intersection. Improvements to the US-  
5 290/SH-71 crossing that are proposed as part of the I-35 CapEx project include SUPs connections under direct  
6 connectors at US-290/SH-71.

7 Technically, the east-west and north-south SUPs would allow bicycle and pedestrian connections between priority NPAs  
8 of Parker Lane, East Congress, McKinney, and Franklin Park just south of East St. Elmo Road. However, the interchange  
9 is complex and despite some sidewalks and ramps, this area does not include bicycle or pedestrian amenities that make  
10 crossings through this interchange particularly attractive. This area is also a location COA is working to address challenges  
11 for the unhoused population. The next location south of US-290/SH-71 where crossings are possible for bicycles and  
12 pedestrians are at East Stassney Lane and East William Canon Drive.

13 The I-35 South project includes a less than 8-foot-wide SUP on the NB side of I-35, sections of 8-foot-wide SUPs, sections  
14 of 10 foot-12 foot-side SUPs, and some existing SUPs on both sides of I-35 continuing south to East William Canon Drive  
15 which forms the southern boundary of the Community Study Area for this analysis. Upon ultimate buildout of the CapEx  
16 South project, SUPs would be connected throughout the project limits, enabling north-south multimodal travel between  
17 US 290/Koenig Lane, through the terminus for the CapEx Central project at US 290/SH-71, continuing south to FM  
18 1327/SH 45.

19 *3.6.12.6 Storyboard of Key Analysis Findings*

20 **Figure 3.6-40** through **Figure 3.6-43** shows priority NPAs and representative crossings together. The goal of this graphic  
21 “storybook” is to demonstrate where the priority NPAs are located with respect to the representative crossings. Based  
22 on the prior discussions of how active the various crossings are, this storyboard shows that some crossings are active  
23 likely due to decent design and accommodations of bicycle and pedestrian activity, as well as proximity of activity centers  
24 or land uses that motivate O-D trips. Conversely, some crossings are not active likely due to limited or absent safety  
25 considerations, a lack of activity centers or attractive destinations for bicyclists and pedestrians, or NPAs that have low  
26 walkability scores or limited bicycle accommodations. The observations in this graphic show a range of existing  
27 conditions, needs, and opportunities that could potentially increase active transportation activities or at least improve  
28 connectivity to priority NPAs.

29 In these graphics, text labels are shown where a representative crossing is either in the top three or bottom three out of  
30 16 crossings assessed for bicycle and/or pedestrian trip share per the StreetLight data results. Where renderings are  
31 available from the public involvement efforts, select renderings are shown in proximity to the representative crossings or  
32 the priority NPAs. There are numerous bicycle and pedestrian enhancements proposed for crossings along I-35 between  
33 East 8th Street and East 38th ½ Streets. This area includes UT, the Dell Medical Center, a developing entertainment  
34 district including Waterloo Greenway, and the Texas State Capitol west of I-35 on East 11th Street. There is ample public  
35 involvement for the “cap and “stitch” design ideas in these areas. Improvements that would benefit COA as a whole,  
36 including all NPAs in the Community Study Area, would also benefit the equity priority NPAs so long as connectivity to

1 these resources is considered from a higher vantage point, beyond just the NPAs that immediately border I-35. The  
 2 discussion below draws attention to high activity crossings or low activity crossings.

3 **3.6.12.7 Observations and Potential Benefits to Priority NPAs**

4 **Table 3.6-14** describes the priority NPAs from north to south and includes observations, such as nearest crossing  
 5 improvements. The table discusses potential benefits that could occur in the NPA by identifying representative community  
 6 facilities and connecting the NPA with nearest crossings or other opportunities to improve the experience for bicyclists or  
 7 pedestrians. This list is not comprehensive but identifies opportunities recognized as a result of this analysis.

**Table 3.6-14. Priority NPAs – Observations and Potential Benefits**

Priority NPA (north to south)	Observations	Potential Benefits
<b>Coronado Hills</b>	<p>Ranked 14th out of 16 representative crossings for both bicycle and pedestrian trip shares.</p> <p>Coronado Hills is not adjacent to I-35 and is surrounded by major transportation arterials.</p>	<p>NPA hosts Nelson Field - soccer, football, and marching band activities take place for area public schools.</p> <p>Improvements to US-290/East Koenig Lane could potentially benefit Coronado Hills if there are connections to I-35 for bicycles and pedestrians.</p>
<b>Windsor</b>	<p>Borders US-290/East Koenig Lane and I-35</p> <p>NPA which has comparatively strong bicycle and pedestrian activity.</p>	<p>Bartholomew District Park and Blanton Elementary School are two of the community facilities in the NPA.</p> <p>Would directly benefit from bicycle and pedestrian accommodations at US-290/East Koenig Lane and East 51st Street.</p>
<b>MLK</b>	<p>Does not border I-35.</p> <p>The northern portion of the MLK NPA is closest to the East 51st Street crossing. The closest representative crossing is at East 38th ½ Street.</p>	<p>Morris Williams Golf Course is a large community facility in this NPA.</p> <p>Any improved connectivity between the MLK NPA, through the RMMA NPA with its excellent walkability, along Manor Road, and west toward I-35 could potentially improve active transportation in the MLK NPA.</p>
<b>MLK-183</b>	<p>The farthest priority NPA away from the representative crossings along I-35.</p>	<p>Any infrastructure improvements along East MLK Boulevard or along Springdale Road could potentially improve access from the MLK-183 NPA</p>

Table 3.6-14. Priority NPAs – Observations and Potential Benefits

Priority NPA (north to south)	Observations	Potential Benefits
		<p>to neighborhoods that are located between MLK-183 and I-35.</p> <p>Any bicycle and pedestrian accommodations along or across US-183 that enable residents of the MLK-183 NPA to safely cross that roadway would be more likely to benefit residents of the MLK-183 NPA than improvements to I-35.</p>
<b>Rosewood</b>	<p>Moderately close to several of the proposed deck plazas and “cap and stitch” amenities under consideration along I-35.</p> <p>Rosewood NPA has borders along Manor Road, East MLK Boulevard, East 12th Street, Rosewood Street, Airport Boulevard, and Boggy Creek Drive.</p>	<p>The Rosewood NPA is home to large affordable housing developments and is located just east of Kealing Middle School. Eastside Early College High School is in the Rosewood NPA.</p> <p>Ensuring that the Boggy Creek Greenbelt Trail has strong connectivity for people living in Rosewood NPA could further improve active transportation in this priority NPA.</p> <p>Improvements to crossings at Manor Drive, East MLK Boulevard, and East 11th Street could potentially benefit residents of the Rosewood NPA, particularly if there is connectivity along these key roadways for bicycles and pedestrians.</p>
<b>East Cesar Chavez</b>	<p>Adjacent to I-35 and Lady Bird Lake.</p> <p>Dense neighborhood borders East 7th Street; is traversed by East 4th Street and the Lance Armstrong Bikeway (Crosstown Greenway).</p> <p>CapMetro Red Line originates on East 4th Street just west of I-35, crosses I-35 and East Cesar Chavez NPA.</p> <p>Represents established historical neighborhoods in east Austin.</p>	<p>Sanchez Elementary School, Martin Middle School, and nearby Edward Rendon Park and Holly Shores are community facilities in and abutting this NPA.</p> <p>Plaza Saltillo is a TOD that has been pursued for revitalization by CapMetro and developers for more than a decade. This TOD brings both economic development and gentrification pressures to East Cesar Chavez NPA.</p> <p>Any improvements to East 7th Street, East 4th Street, and East Cesar Chavez Street crossings could potentially improve active transportation for people living in the East Cesar Chavez NPA.</p>

Table 3.6-14. Priority NPAs – Observations and Potential Benefits

Priority NPA (north to south)	Observations	Potential Benefits
<b>Pleasant Valley</b>	<p>Large NPA bordered by Pleasant Valley Drive to the west, US-183 to the east, and East Oltorf Street to the south.</p> <p>East Riverside Drive ranks 1st of 16 crossings for trip share for bicycles.</p> <p>Roy Guerrero Park is a large regional park that abuts Lady Bird Lake to the north forming the northern border of the NPA.</p>	<p>Austin Community College has a large campus within this NPA, and historically numerous students live in this neighborhood where UT has dedicated bus shuttle services.</p> <p>Any connectivity to the Butler Hike and Bike Trail and Boardwalk at Lady Bird Lake via South Lakeshore Drive and East Riverside Drive would contribute to active transportation options in this NPA.</p> <p>Crossings at Woodland Avenue and East Oltorf Drive could potentially benefit the NPA as long as sidewalk and bicycle routes continue into points in the Pleasant Valley NPA.</p> <p>East Riverside Drive traverses this NPA, and connectivity between I-35 and the CapMetro Blue Line could facilitate both bus and light rail transit access for Pleasant Valley NPA residents.</p>
<b>Woodland Avenue Crossing [not an NPA; not adjacent to an NPA]</b>	<p>Woodland Avenue ranked 15th out of 16 crossings in trip share for pedestrians.</p> <p>Between the two design alternatives for Woodland Avenue, the proposed Modified Build Alternative 3 that provides bicycle and pedestrian only accommodations over I-35 avoids displacements at Aria Grand Apartments, which provides much needed affordable housing in the area.</p>	<p>This crossing was designed specifically to avoid direct displacements. The bicycle and pedestrian only crossing would benefit communities west and east of I-35. Priority NPAs Pleasant Valley and Parker Lane representatives should be included in public involvement workshops related to detailed design and connectivity decisions for the Woodland Avenue and East Oltorf Street crossings when those events occur.</p>
<b>Parker Lane</b>	<p>Borders East Oltorf Street to the north, I-35 to the west, and US-290/SH-71 to the south.</p> <p>East Oltorf Street crossing ranked 2nd out of 16 for trip share for pedestrians.</p>	<p>CapMetro has a bus stop at Travis High School.</p> <p>Additional aesthetic and comfort improvements such as shade structures or benches would improve the experience for pedestrians crossing I-35 at this location.</p>

Table 3.6-14. Priority NPAs – Observations and Potential Benefits

Priority NPA (north to south)	Observations	Potential Benefits
	<p>The I-35 and East Oltorf Street crossing was improved between 2017 and 2020 and includes sidewalks. The Parker Lane NPA is east of I-35 and Travis High School is just west of I-35 and south of East Oltorf Street.</p> <p>Woodward Street ranked 15th out of 16 crossings in trip share for bicycles.</p> <p>The Woodward Street crossing connects Parker Lane NPA to areas west of I-35, including St. Edwards University on Woodward Street and Assumption Cemetery that borders I-35.</p>	<p>Linder Elementary School and Mabel Davis District Park are two community facilities in Parker Lane NPA that would benefit from connectivity within Parker Lane NPA and across I-35.</p>
<p><b>McKinney</b></p>	<p>Small border along I-35 between US-290/SH-71 and East St. Elmo Road. The portion of this NPA closest to the highways is predominantly industrial land uses.</p> <p>The residential portion of the McKinney NPA is bordered by Nuckols Crossing Road and Williamson Creek Drive to the east.</p>	<p>If pedestrian or bicycle connectivity could be improved in this area, the resources might serve a priority NPA; McKinney NPA is home to Widen Elementary School and Dove Springs District Park. It is adjacent to McKinney Falls State Park.</p>
<p><b>East Congress</b></p>	<p>Bordered by US-290/SH-71 to the north, I-35 to the east, South Congress Avenue to the west, and West Stassney Lane to the south.</p> <p>The only places to cross I-35 are at US-290/SH-71 and along West Stassney Lane.</p> <p>Williamson Creek Drive traverses this neighborhood, but it is unclear if there are hike and bicycle trails that allow safe passage under I-35.</p>	<p>The area of East Congress NPA that abut the highways are primarily developed for commercial or industrial uses. The residential areas are embedded within the central portions of the NPA.</p> <p>Near this NPA, the only potential improve bicycle and pedestrian facilities would be along I-35 frontage roads through additional and improved SUPs.</p>

Table 3.6-14. Priority NPAs – Observations and Potential Benefits

Priority NPA (north to south)	Observations	Potential Benefits
Franklin Park	<p>Bordered on the west by I-35, on the north by East St. Elmo Road, and on the south by East Stassney Lane and Williamson Creek Drive.</p> <p>Land uses are primarily industrial along the highways. Residential areas are a few blocks away from the highways.</p>	<p>Rodriguez Elementary School, Josephine Houston Elementary School, Mendez Middle School, KIPP Texas-Austin Public Schools, and Uphaus Early Childhood Center are located in this NPA.</p> <p>The sidewalk network appears to be strong within this NPA, while bicycle lanes are limited.</p> <p>There appears to be some potential to improve bicycle and pedestrian connections across East Stassney Lane since it is the second location south of US-290/SH-71 that allows crossings of I-35 within the Community Study Area.</p>

1 **3.6.12.8 Other Relevant Studies**

2 Reference is made to the *I-35 South Environmental Justice Assessment* completed by UT Center for Transportation  
 3 Research (I-35 Capital Express South – Capital Express (my35capex.com)). The assessment investigated historical  
 4 development patterns south of US-290/SH-71 to determine whether the historical construction of I-35 or proposed  
 5 mobility improvements would result in disproportionate adverse effects to minority or low-income populations in that  
 6 project’s community study area. For reasons documented in that assessment, it was determined that disproportionate  
 7 adverse effects to EJ populations would not occur.

8 **3.6.12.9 Transportation Equity and Access Conclusion**

9 Since this section aimed to highlight priority NPAs seen through an equity lens, it is helpful to reference back to previous  
 10 sections. As discussed in Sections 3.6.10.3.2 and 3.6.10.3.4, fewer adverse impacts would occur to EJ communities  
 11 from Modified Build Alternative 3 compared to Build Alternative 2 due to design efforts to reduce adverse impacts.  
 12 Benefits would occur to EJ communities including construction of enhanced bridges with SUP and buffers, construction  
 13 of SUPs along and across I-35, and accommodation of deck plazas and stitches funded by others especially north of  
 14 Ladybird Lake. These benefits are summarized in **Table 3.25.1**.

15 As acknowledged in Section 3.6.10.3.2, the concentration and reconnection of east and west Austin and beneficial  
 16 community cohesion effects would be most pronounced north of the Colorado River given the removal of the elevated  
 17 lanes. In contrast, there is an apparent historical lack of connectivity between priority NPAs on either side of I-35 south  
 18 of US-290/SH-71. The current proposed projects (both I-35 Capital Express and I-35 South) offer limited opportunities to  
 19 improve that connectivity. Especially for priority NPAs south of Lady Bird Lake, recognizing opportunities to support bicycle

1 and pedestrian connectivity improvements *within* these priority NPAs would demonstrate forward progress toward  
2 improved active transportation which has the potential to benefit community members within these particular NPAs. At a  
3 minimum, representatives from all priority NPAs should be included in continuing public involvement efforts for both I-35  
4 Capital Express and I-35 South so that local needs can be addressed proactively in the spirit of Justice40 and achieving  
5 Transportation Equity and Access for drivers and non-drivers alike. As mentioned previously, this would include  
6 coordinating with agency stakeholders (such as the Austin Transportation Department and CapMetro) with the  
7 appropriate jurisdiction over these local improvements who could most directly work to provide these infrastructure  
8 improvements to priority NPAs.

9 See **Figure 3.6-40** through **Figure 3.6-43** below, showing priority NPAs, representative crossings, and select information  
10 about bicycle and pedestrian trip share from StreetLight analysis. This “storyboard” graphic helps illustrate the  
11 observations from **Table 3.6-14**.

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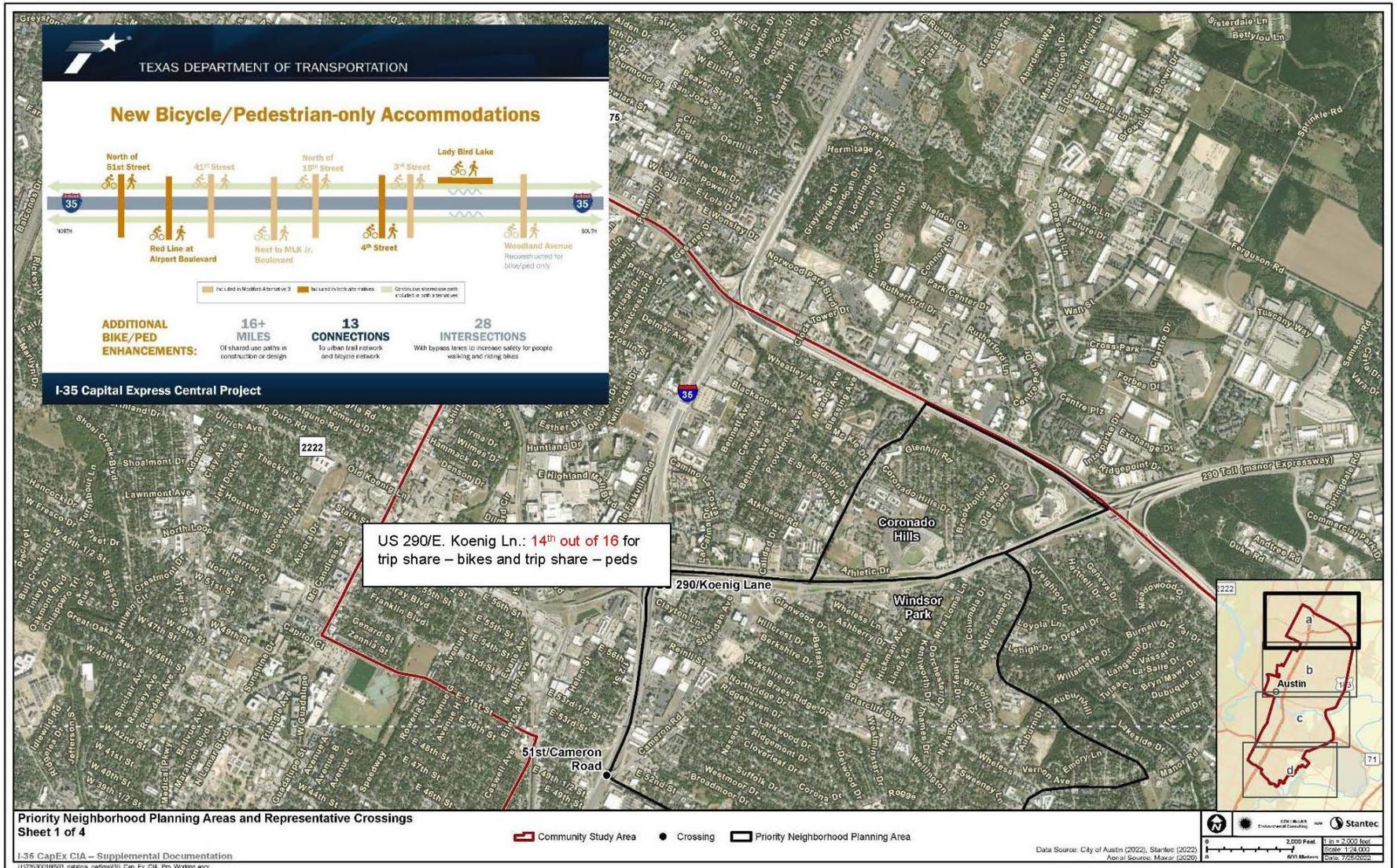
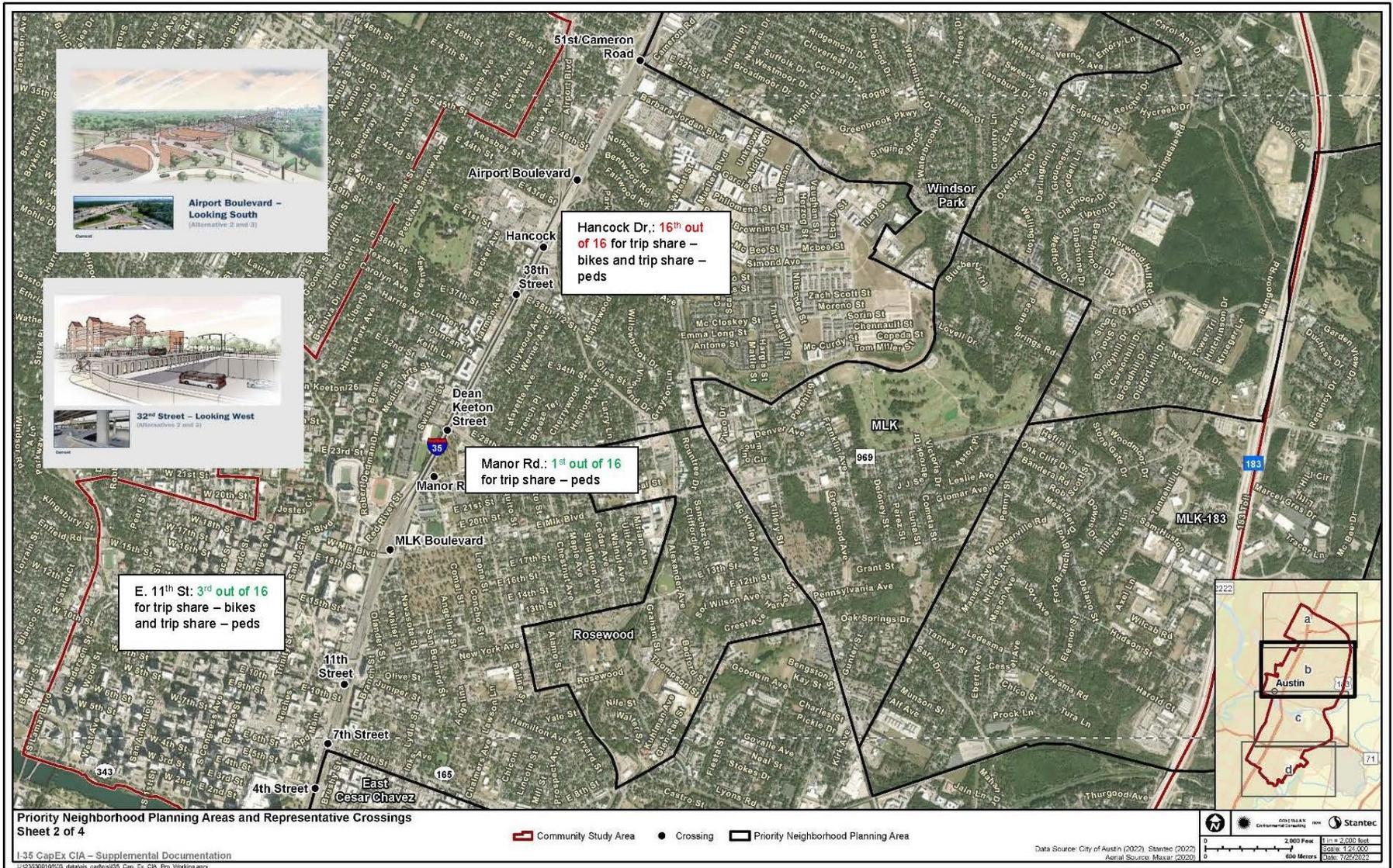


Figure 3.6-40. Priority Neighborhood Planning Areas and Representative Crossings (Top 3 and Bottom 3)



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Figure 3.6-41. Priority Neighborhood Planning Areas and Representative Crossings (Top 3 and Bottom 3)

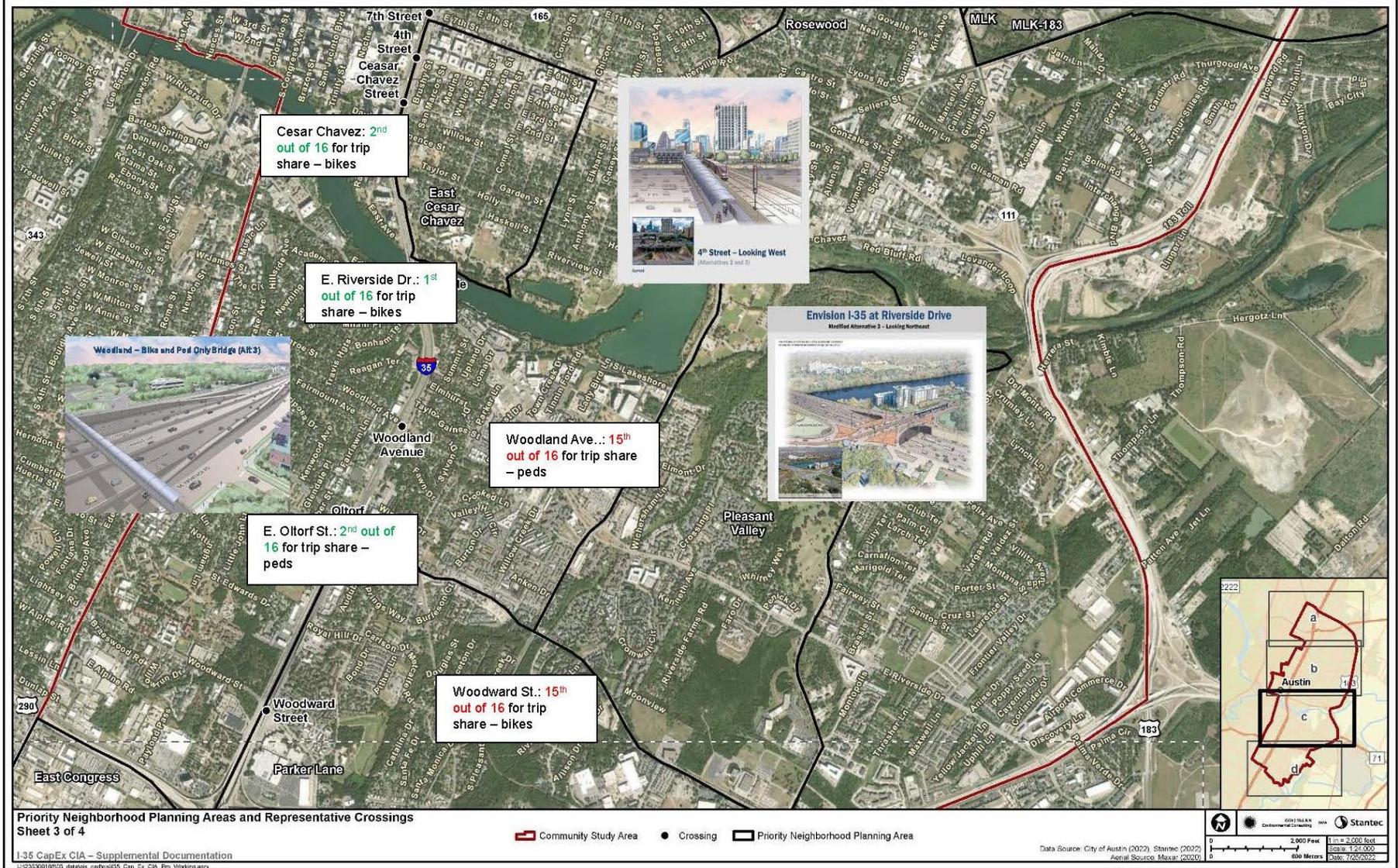


Figure 3.6-42. Priority Neighborhood Planning Areas and Representative Crossings (Top 3 and Bottom 3)

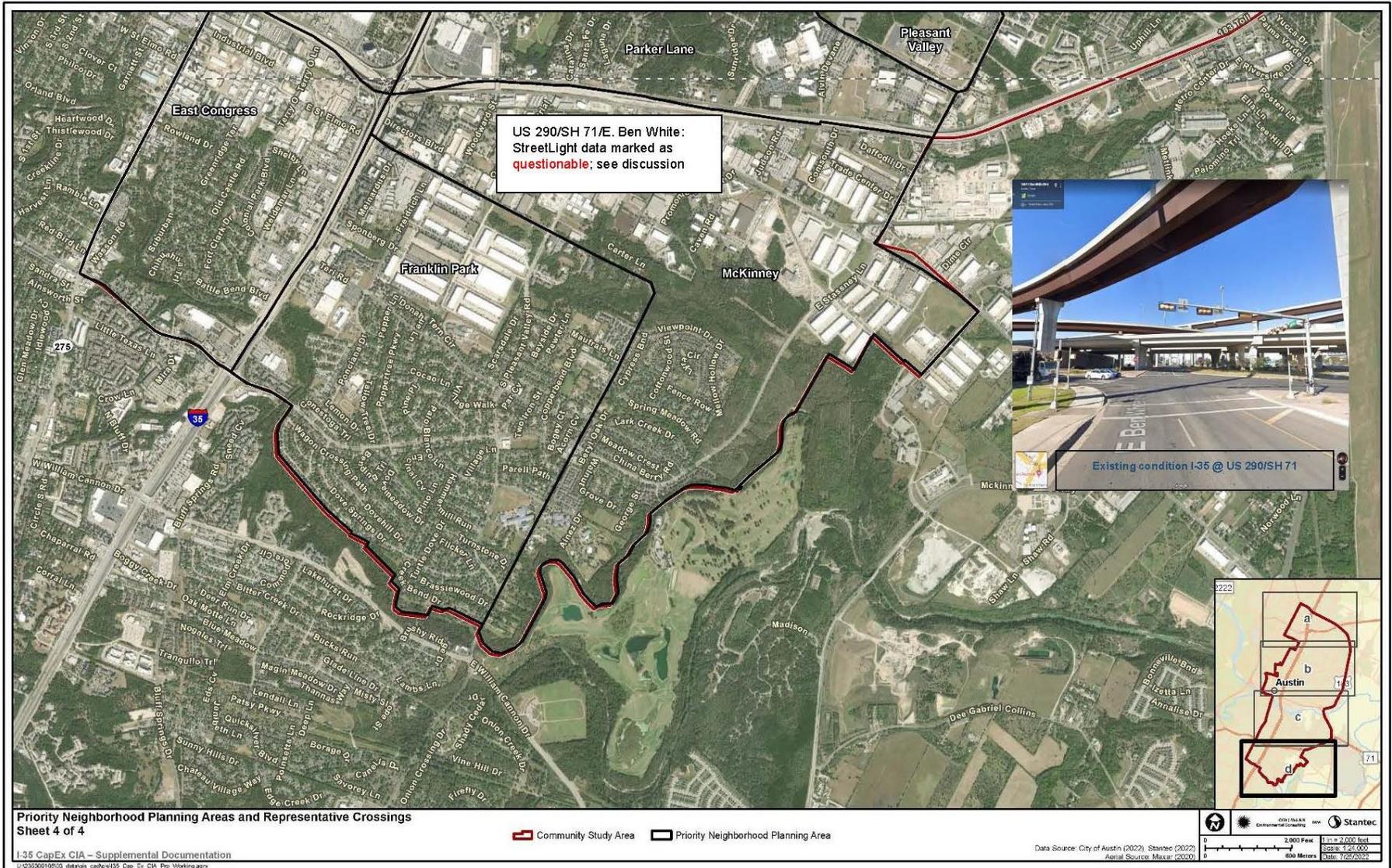


Figure 3.6-43. Priority Neighborhood Planning Areas and Representative Crossings (Top 3 and Bottom 3)

## 1 3.7 Visual/Aesthetic Impacts

### 2 3.7.1 Background

3 Highways and major transit facilities can affect the visual and aesthetic character of surrounding landscapes  
4 and the perceptions of the individuals who live within and visit these environments. I-35 is a well-established  
5 interstate highway, and the project corridor is located within a developed/urban area of Austin. The FHWA  
6 Guidelines for the Visual Impact Assessment of Highway Projects (January 2015) provides a framework for  
7 evaluating impacts to visual and aesthetic resources for vehicular highway projects. Following the guidance  
8 established by the FHWA, this section discusses potential visual impacts associated with the proposed project.  
9 This section also includes a qualitative analysis of changes in visual resources and viewer response to determine  
10 potential visual impacts of the proposed project Build Alternatives and the No Build Alternative.

11 Section 136 of the Federal Aid Highway Act of 1970 (Public Law 91-605) requires consideration of aesthetic  
12 values in the highway planning process. Aerial imagery and virtual field visits were used to assess visual and  
13 aesthetics impacts within the project area. The information from field visits was used to assess views of the  
14 project area and analyzed to determine the existing visual character. The overall general landscape can be  
15 characterized as urban land uses consisting of mixed small, medium, and large retail, commercial, office, hotel,  
16 residential, highway ROW, and other transportation facilities. The existing viewshed includes the I-35 Upper  
17 Decks that are composed of two, approximately 60-foot-tall bridge structures, each with two mainlanes that run  
18 from Airport Boulevard to MLK Jr. Boulevard. I-35 is also elevated above grade through most of downtown Austin.  
19 The proposed project would generally follow the alignment of the existing I-35 highway. The existing viewshed  
20 includes the I-35 upper decks and elevated mainlanes through downtown, which also dominate the existing  
21 visual and aesthetic environment, acting as a physical, visual, and psychological barrier that inhibits the east-  
22 west connection of Austin across the I-35 corridor. However, because of their elevation, the upper decks provide  
23 viewpoints of the historic Texas State Capitol Building as well as downtown east and west Austin. Views of the  
24 historic Texas Capitol Building are protected via ordinance legislation from both COA and legislation from the  
25 Texas State Legislature.

26 To preserve the views of the Capitol State Building, a series of studies and approved Capitol View Corridor (CVC)  
27 have been implemented through COA Ordinances (by the City Council) and through the Texas Legislature codified  
28 in the State Government Code, which impose height restrictions within the CVCs. Several previous reports and  
29 reference documents have been written:

- 30 • 1984 Capitol View Preservation Study – describes the original methodology used by the planning  
31 department staff evaluating the initial 60 potential view corridors weighing three factors: view type, view  
32 frame, and viewpoint.
- 33 • 2007 Downtown Development and Capitol View Corridors – includes an inventory of the 30 state-identified  
34 CVCs with evaluation and differences against COA list of CVCs. Eleven of 30 views were recommended to be  
35 modified.

- 1 • 2017 - Resolution Number 20170216-032 – describes history and timeline, references ordinance number  
2 19840419-K for the original unobstructed views of the Capitol, as well as views identified by community  
3 members, plus proposes five new CVCs based on a report from Bowman Consulting in 2015.

4 Regulations and restrictions that preserve the views to the Capitol State Building and govern construction within  
5 the Austin area, include:

- 6 • COA Ordinance Chapter 25-2-162 and 25-2-642 CVC: Twenty-six view locations, or CVCs, are described  
7 within Appendix A of COA ordinance as “boundaries of the Capitol view corridors.” A structure height within  
8 the CVC plane cannot exceed the elevation of the plane delineating the corridor which is restricted by the  
9 lessor of the base district maximum height or the maximum height provided within the section.
- 10 • Texas State Government Code Chapter 3151 (77th Leg. Session of 2001): Chapter 3151 “Preservation of  
11 view of state Capitol,” indicates the center of the Capitol Dome is at 653 feet above sea level. Defines 30  
12 view locations or CVCs as described in sec. 3151.002 which include the 26 CVCs in COA ordinance.
- 13 • Chapter 3151 Section 051 Prohibited Construction; CVC: A person may not begin, in a CVC, construction of  
14 a structure that would exceed the maximum permissible height computed in accordance with the following  
15 formula:

$$h = (((653' - eVP) \times (b'))/b) - (eS - eVP)$$

17 where:

- 18 • h = is the maximum permissible height of the structure.
- 19 • b = is the distance between the selected viewpoint and the center of the Capitol Dome.
- 20 • b' = is the distance between the viewpoint and the structure.
- 21 • eS = is the elevation of the structure.
- 22 • eVP = is the elevation of the viewpoint.

23 *Note: For this formula to work as intended, the “eS” is referring to the elevation of the “base” of the proposed*  
24 *structure.*

25 Chapter 3151 does not apply to construction, renovation, or equipment of the Darrell K Royal-Texas Memorial  
26 Stadium, nor construction, redevelopment or improvement of East 11th and 12th Street redevelopment program  
27 and for the Robert Mueller Municipal Airport under the redevelopment and reuse plan adopted by COA. Each of  
28 these do have a restriction in height not to exceed 666 feet (higher than the 653-foot center of Capitol Dome)  
29 and 600 feet, respectively. There is no height described as a restriction for the Robert Mueller Municipal Airport.

### 30 3.7.2 Environmental Consequences

#### 31 3.7.2.1 Build Alternatives

32 The proposed project would generally follow the existing alignment of I-35. The primary changes to the visual  
33 environment in the project corridor consist of the addition of HOV managed lanes, modified frontage roads,  
34 bicycle and pedestrian facilities, and bypass lanes. The existing viewshed includes the Texas State Capitol, retail

1 and commercial developments, residential housing, and highway ROW. The primary viewers would include  
2 motorists and people visiting developments in the project area. The sensitivity of the primary viewers was  
3 determined by viewer type (neighbor or traveler) and their exposure (frequency and duration) to potential views  
4 and the visual resources in each landscape unit. The visual effects assessment is based on two factors:  
5 evaluating the visual effect of the proposed project and how it relates to the surrounding environment (views of  
6 the road [i.e., neighbors]); and evaluating the potential visual effect viewers would experience while traveling  
7 along the proposed project (the views from the road [i.e., travelers]).

8 Representative viewpoints were selected and analyzed to determine the visual effects resulting from  
9 implementing the proposed project. To facilitate this discussion, the project was evaluated in three sections:

- 10 • Section 1: From US 290 E, the northern project terminus, through downtown to Holly Street represented by  
11 the I-35 upper decks and an overall elevated section through downtown Austin;
- 12 • Section 2: From Holly Street across Lady Bird Lake to Riverside Drive representing views of downtown Austin,  
13 Lady Bird Lake, and south Austin; and
- 14 • Section 3: From Riverside Drive to SH 71, the southern project terminus, representing views across Austin  
15 from a currently at-grade section.

#### 16 3.7.2.1.1 Section 1

17 The representative viewpoints of the project corridor are Viewpoint 1 located on the I-35 upper decks, between  
18 Airport Boulevard and MLK Jr. Boulevard looking toward COA's east and west sides (included in this viewpoint  
19 are the CVCs of the Texas State Capitol); and Viewpoint 2 looking toward the I-35 upper decks from the ground  
20 surface, including surrounding neighborhoods, businesses, frontage roads, lowered mainlanes, sidewalks, and  
21 cross-streets. Both Build Alternative 2 and Modified Build Alternative 3 would remove CVC vantage points that  
22 are located on the upper decks and elevated section of the existing I-35 facility. The removal of the upper decks  
23 and the elevated sections of I-35 through downtown Austin would remove a physical, visual, audio, and  
24 psychological barrier represented by the existing I-35 structures. Furthermore, the removal of the existing  
25 structures, as described, would assist in making the views across Austin far more accessible to COA residents  
26 including drivers, people who walk and bicycle, business owners, and residents.

27 Build Alternative 2 would differ slightly from Modified Build Alternative 3 in that it would add direct connector  
28 ramps between I-35 and US 290 East. These ramps would be added to an already elevated environment with  
29 existing ramps, so they would not add substantial additional impacts. These ramps were not required for  
30 Modified Build Alternative 3 and would not be added to the project in this area.

31 The deck plazas, if funded by others, would occlude all views of downtown from the mainlanes and HOV managed  
32 lanes. However, views from the frontage roads, and deck plazas would provide views of the surrounding areas,  
33 limited or no views of the mainlanes or HOV managed lanes. These areas are also projected to provide much  
34 lower traffic noise, which is anticipated to be captured in the capped areas.

1    3.7.2.1.2 *Section 2*

2    Both Build Alternative 2 and Modified Build Alternative 3 would largely remain unchanged from the existing  
3    facility as a result of build alternative implementation. In this section both build alternatives would come back to  
4    ground level to provide views of park and recreations areas surrounding Lady Bird Lake and the I-35 bridge over  
5    Lady Bird Lake.

6    3.7.2.1.3 *Section 3*

7    Both Build Alternative 2 and Modified Build Alternative 3 mainlanes and HOV managed lanes transition into a  
8    lowered section after traveling south under Riverside Drive until transitioning into an at-grade section south of  
9    Oltorf Street. Views across the proposed project would no longer include the visual impact of the main and  
10   managed HOV lanes when looking across I-35 and would be presented with views of the frontage roads and east  
11   and west Austin. Views from the lowered mainlanes and HOV managed lanes would be limited; however, it is  
12   anticipated that some views of downtown Austin, when traveling NB would be possible from selected viewpoints.

13   3.7.2.2 *No Build Alternative*

14   Under the No Build Alternative, there would be no visual/aesthetic changes along the existing corridor, as the  
15   proposed improvements would not be constructed, and the upper decks would remain in place.

16   3.7.2.3 *Aesthetics Outreach*

17   TxDOT initiated a series of meetings with the public and targeted outreach to residents of neighborhoods  
18   surrounding the proposed project and members of the public who have taken part in public involvement events.  
19   In these meetings TxDOT discussed the potential to incorporate aesthetic concepts, such as textured form liners,  
20   retaining wall art, and other options proposed by the public and neighborhood stakeholders.

21   3.8 *Cultural Resources*

22   Evaluation of impacts to cultural resources has been conducted under Section 106 of the National Historic  
23   Preservation Act (NHPA) in accordance with the Programmatic Agreement (PA) among FHWA, TxDOT, the Texas  
24   SHPO and the Advisory Council on Historic Preservation (ACHP) Regarding the Implementation of Transportation  
25   Undertakings (Programmatic Agreement for Transportation Undertakings [PA-TU]). Cultural resources were also  
26   evaluated under Chapter 191 of the Texas Natural Resources Code, also known as the Antiquities Code of Texas  
27   (ACT), which dictates that projects must notify the THC and adhere to the ACT and its accompanying Rules of  
28   Practice and Procedure (TAC Title 13 Chapter 26) when it involves state agencies initiating projects on public  
29   land or when political subdivisions of the state commence projects on public land involving five or more acres of  
30   ground disturbance, five thousand or more cubic yards of earthmoving, potential impact to previously recorded  
31   archaeological sites, or occurs in a historic district or other designated historic sites. TxDOT initiated project-  
32   specific consultation under Section 106 of the NHPA Act with federally-recognized tribes on June 2, 2020. On  
33   July 1, 2020, the Cherokee Nation of Oklahoma responded that the project would have no effect on sites of

1 cultural or religious significance to them. No other tribe has objected or otherwise responded. Consultation has  
2 continued with design changes. No additional comments have been received.

### 3 *3.8.1 Archeology and Cemeteries*

4 TxDOT conducted an archeological background study of the proposed APE. A review of the THC's Historic Sites  
5 Atlas (Atlas) was conducted to identify previous cultural resources surveys that have been performed within the  
6 area of potential effect (APE), and to locate known cultural resources that have been recorded within the APE.  
7 The majority of the APE has been previously disturbed by construction and therefore, it is unlikely intact  
8 archeological deposits occur within the APE.

#### 9 *3.8.1.1 Build Alternative 2*

10 Build Alternative 2 has no potential to impact archaeological resources as the majority of the project area has  
11 been previously disturbed.

#### 12 *3.8.1.2 Modified Build Alternative 3*

13 Modified Build Alternative 3 has no potential to impact archaeological resources as the majority of the project  
14 area has been previously disturbed.

#### 15 *3.8.1.3 No Build Alternative*

16 Under the No Build Alternative, there would be no impact to archaeological or historic archaeological sites.

#### 17 *3.8.1.4 Conclusion*

18 Project-specific coordination and consultation with the THC in compliance with the ACT and Section 106 of the  
19 NHPA is not required for archeological historic properties, because the project would have no effect on these  
20 properties.

### 21 *3.8.2 Historic Properties*

22 In compliance with the PA-TU, as executed among FHWA, TxDOT, the SHPO, and the ACHP, historic resources  
23 surveys and focused public involvement activities were conducted for the proposed I-35 Capital Express Central  
24 Project.

25 TxDOT historians determined that the project's APE for historic resources is any parcel within, or partially within,  
26 150 feet of the Environmental Study Area for parcels along the I-35 corridor. The Environmental Study Area  
27 represents the maximum potential ROW acquisition for build alternatives and additional areas for study and  
28 analysis. The APE was determined based on the types of project activities; prior TxDOT experience with effects  
29 to historic properties from this project type; the project location along an existing limited-access urban freeway;  
30 and parameters for APE delineation specified in the PA-TU. For the proposed drainage tunnel and outfall along  
31 East Cesar Chavez Street, the APE is defined as parcels that adjoin East Cesar Chavez Street between I-35 and  
32 0.5 mile east of Pleasant Valley Road. After delineation of the historic resources APE, the project's Environmental

1 Study Area was slightly enlarged at some cross-street intersections. Activities at these locations are limited to  
2 restriping, resurfacing, and curbing to taper into existing COA roadway sections. There would be no ROW  
3 acquisition at locations associated with the refined Environmental Study Area. In all cases, historic resources  
4 APE remained at 150 feet or greater from the ROW for both project build alternatives.

5 To account for an anticipated 2025 construction date, TxDOT determined that historic-age resources are those  
6 resources built in or before 1980.

### 7 *3.8.2.1 Existing Conditions*

8 Most historic-age resources in the project APE have been previously evaluated through National Register of  
9 Historic Places (NRHP) nominations and historic resources surveys prepared for COA and TxDOT:

- 10 • 1985 “Historic Resources of East Austin” Multiple Resource Area NRHP nomination.  
11 (<https://npgallery.nps.gov/GetAsset/ae795ed3-9ae7-41a5-bedd-9474ae3bcf75>).
- 12 • COA’s 2000 Historic Resources Survey of East Austin ([https://www.austintexas.gov/edims/](https://www.austintexas.gov/edims/document.cfm?id=242864)  
13 [document.cfm?id=242864](https://www.austintexas.gov/edims/document.cfm?id=242864)) inventoried pre-1955 resources in an area roughly bounded by East 14th Street  
14 on the north; Coleto Street on the east; an irregular line along Pennsylvania, Cotton, Rosewood/East 11th,  
15 and East 9th Streets on the south; and San Marcos Street and I-35 frontage road on the west.
- 16 • In 2003–2004 several intensive-level surveys were prepared for TxDOT along I-35 between Reinli Street  
17 (near US 290 East) on the north and the Colorado River on the south. These surveys documented and  
18 evaluated pre-1961 resources within an APE that varied between 150 and 500 feet beyond the I-35 ROW.  
19 The surveys also identified and evaluated potential historic districts for NRHP eligibility, with a focus on  
20 comprehensive developmental analysis for residential areas in a study area extending 500 feet beyond the  
21 I-35 ROW.
- 22 • COA’s 2016 East Austin Historic Resources Survey (<https://www.austintexas.gov/page/historic-survey#>)  
23 evaluated pre-1971 resources for NRHP and local historical designation, in an area bounded by I-35 on the  
24 west, Manor Road on the north, Pleasant Valley Road and the CapMetro Rail Line on the east, and the  
25 Colorado River on the south.
- 26 • The 2016 Meridian Highway in Texas historic context and inventory prepared for the THC  
27 (<https://www.thc.texas.gov/public/upload/preserve/survey/highway/Report%20Final.pdf>) includes  
28 approximately 30 historic-age resources along former alignments of the Meridian Highway through central  
29 Austin in and near the I-35 Capital Express Central Project APE.
- 30 • COA North Loop, Hancock, and Upper Boggy Creek historic resources survey (Cox McLain Environmental  
31 Consulting, 2020). The survey area includes properties on the west side of I-35 from US 290 East to East  
32 Dean Keeton Street and properties on the east side of I-35 from north of Airport Boulevard to East Dean  
33 Keeton Street. The survey materials have not been finalized at the time of report preparation, but COA  
34 provided TxDOT with draft survey, context, and evaluation materials to assist in identification and evaluation  
35 of resources in the I-35 Capital Express Central Project APE, including potential historic districts. Draft  
36 materials used for historic resource identification and evaluation were provided to TxDOT in December 2021.

1 and March 2022 and may differ from subsequent draft and final versions of the survey. The COA expects  
 2 the survey to be finalized in spring 2023.

3 In addition to these historic resources surveys, NRHP nominations cover several areas of the APE.

4 Historians and GIS specialists reviewed data from the Atlas (<https://atlas.thc.texas.gov/Map/>), TxDOT Historic  
 5 Resources of Texas Aggregator ([https://txdot.maps.arcgis.com/apps/webappviewer/index.html?id=  
 6 e13ba0aa78bf4548a8e98758177a8dd5](https://txdot.maps.arcgis.com/apps/webappviewer/index.html?id=e13ba0aa78bf4548a8e98758177a8dd5)), and COA Historic Landmark GIS layers  
 7 (<https://data.austintexas.gov/Locations-and-Maps/Historical-Landmarks/vvuz-m3y4>) to identify previously  
 8 evaluated historic properties within the APE. This review included examination of properties listed in the NRHP,  
 9 listed as a State Antiquities Landmark (SAL), designated as a Recorded Texas Historic Landmark (RTHL), or  
 10 designated as a COA historic district or historic landmark. **Table 3.8-1** provides a list of previously evaluated  
 11 historic properties and districts within the APE.

**Table 3.8-1. Previously Evaluated Historic Properties in APE**

Resource ID No.	Name	Address	Previous Designations
Nonextant	Residence	813 East 13th Street	NRHP eligible (building no longer extant)
Nonextant	Service Station	5357 North I-35	NRHP eligible (building no longer extant)
Nonextant	Walter Schulze House and Industrial Structure	102 Chicon Street	NRHP listed (buildings no longer extant)
165	Residence	4141 North I-35/4206 Bradwood Road	NRHP eligible
179	Commercial Building	4000 North I-35	NRHP eligible
245	Bungalow	3502 Robinson Avenue	NRHP eligible
271A	Duplex	3300 Robinson Avenue	NRHP eligible
281A	Damon-Brown-Pierce House	1110 East 32nd Street	City historic landmark
321A-C	City Cemetery (Oakwood Cemetery)	1601 Navasota Street	NRHP listed
339	Limerick-Frasier House	810 East 13th Street	NRHP listed
344	Bridge	East 12th Street EB at Waller Creek	NRHP eligible
349	Bridge	East 12th Street WB at Waller Creek	NRHP eligible

Table 3.8-1. Previously Evaluated Historic Properties in APE

Resource ID No.	Name	Address	Previous Designations
350	Chapman House	901 East 12th Street	NRHP listed, City historic landmark
356	Dedrick-Hamilton House	908 East 11th Street	City historic landmark
360	Routon-Alvarez-Lopez House	809 East 9th Street	City historic landmark
361A-D	French Legation	802 San Marcos Street, 801 Embassy Drive	NRHP listed, SAL, RTHL, City historic landmark
372	Bridge	East 7th Street at Waller Creek	NRHP eligible
377	Bridge	East 6th Street at Waller Creek	NRHP eligible
378	Walton-Joseph Building	708 East 6th Street	City historic landmark
382	Randerson-Lundell Building	701 East 6th Street	RTHL, City historic landmark
392	Robinson Brothers Warehouse	501 North I-35	City historic landmark
397A-B	Texaco Depot	1300 East 4th Street	City historic landmark
398	Waterloo Compound Wedding House	604 East 3rd Street	City historic landmark
408	Palm School	109 Sabine Street/700 East Cesar Chavez Street	City historic landmark
437A	Bonugli Grocery Store	78 San Marcos Street	City historic landmark
465	Norwood House	1012 Edgecliff Terrace	City historic landmark
1001	Evans-Morris-Hiesler House	1000 East Cesar Chavez Street	City historic landmark
1026	Charles B. Moreland House	1301 East Cesar Chavez Street	NRHP listed, City historic landmark
1032	Stavely-Kunz-Johnson House	1402 East Cesar Chavez Street	NRHP listed, City historic landmark
1038	Owings-Allen-Miller House	1405 East Cesar Chavez Street	City historic landmark

Table 3.8-1. Previously Evaluated Historic Properties in APE

Resource ID No.	Name	Address	Previous Designations
1041	Wolf House	1602 East Cesar Chavez Street	City historic landmark
1057	Berner-Clark-Mercado House	1807 East Cesar Chavez Street	City historic landmark
1100	Freeman-Whiteside-Tuke-Gamboa House	2205 East Cesar Chavez Street	City historic landmark
N/A	Little Campus Historic District	Bounded by East 18th Street, Oldham Street, East MLK Jr. Boulevard, and Red River Street	NRHP listed
N/A	Delwood Duplex Historic District	Roughly bounded by Maplewood Avenue and Kirkwood, Ashwood, and Wrightwood Roads	NRHP listed
N/A	Rainey Street Historic District	70 Rainey Street–97 Rainey Street	NRHP listed
N/A	Sixth Street Historic District	Roughly bounded by I-35, East and West 5th, East and West 7th, and Lavaca Streets	NRHP listed
N/A	Swedish Hill Historic District	Roughly bounded by I-35, East 14th, East 15th, and Waller Streets	NRHP listed
N/A	Travis Heights-Fairview Park Historic District	Roughly bounded by rear property lines of properties adjoining Edgecliff Terrace, East Live Oak Street, Kenwood Avenue, and South Congress Avenue	NRHP listed
N/A	Willow-Spence Streets Historic District	Roughly bounded by I-35 and rear property lines of properties adjoining Spence, Waller, and Willow Streets	NRHP listed
N/A	Wilshire Historic District	Bounded by CapMetro RR, Ardenwood Road, Wilshire Boulevard, and Delwood III subdivision	NRHP listed

1 **3.8.2.2 Survey Findings**

2 TxDOT-qualified historians performed a non-archeological cultural resources reconnaissance survey of  
 3 properties within the I-35 Capital Express Central Project APE, along the I-35 corridor and along US 290 East  
 4 between I-35 and Berkman Drive, between November 2021 and February 2022. TxDOT-qualified historians  
 5 performed a reconnaissance survey of properties along the proposed East Cesar Chavez drainage tunnel/outfall  
 6 APE in April and May 2022. In addition to the reconnaissance surveys, TxDOT-qualified historians completed  
 7 intensive surveys for eight properties in the project’s APE. TxDOT identified these properties as having a high  
 8 potential for historical or design significance and for being affected by project activities.

- 1 A total of 714 properties containing 953 resources were documented as part of the reconnaissance survey and  
2 intensive surveys. Of these, a total of 245 properties are individually listed or recommended eligible for listing in  
3 the NRHP, or are contributing resources to historic districts that are listed or recommended eligible for listing in  
4 the NRHP:
- 5 ▪ Resources 7A–7H: 7104 Berkman Drive (Northeast Early College High School)
  - 6 ▪ Resources 103–110; 116-123; 134-137: Delwood II Historic District (22 contributing resources in APE)
  - 7 ▪ Resources 144–156: Delwood I Historic District (14 contributing resources in APE)
  - 8 ▪ Resources 163A–163G: 4301 North I-35 (St. George’s Episcopal Church and School)
  - 9 ▪ Resources 166–178: Wilshire Historic District (10 contributing resources in APE)
  - 10 ▪ Resource 179: 4001 North I-35
  - 11 ▪ Resources 180–181: Delwood Duplex Historic District (2 contributing resources in APE)
  - 12 ▪ Resource 200: 3810 North I-35
  - 13 ▪ Resources 235A–235B: 3509 North I-35
  - 14 ▪ Resource 295: 3009 North I-35
  - 15 ▪ Resources 316A–316B: 2300-2313 Red River Street (Sid Richardson Hall; Thompson Conference Center)
  - 16 ▪ Resource 316C: 2405 Robert Dedman Drive (LBJ Library)
  - 17 ▪ Resource 317: East side 2600–2700 blocks North I-35 (Mount Calvary Cemetery)
  - 18 ▪ Resources 320A–320B: Little Campus Historic District (2 contributing resources in APE)
  - 19 ▪ Resources 321A–321C: 1601 Navasota Street (Oakwood Cemetery/City Cemetery)
  - 20 ▪ Resources 327–335: Swedish Hill Historic District (9 contributing resources in APE)
  - 21 ▪ Resource 336: Swedish Hill Extension Historic District (1 contributing resource in APE)
  - 22 ▪ Resource 339: 810 East 13th Street (Limerick-Frazier House)
  - 23 ▪ Resource 344: East 12th Street WB at Waller Creek Bridge
  - 24 ▪ Resource 349: East 12th Street EB at Waller Creek Bridge
  - 25 ▪ Resource 350: 901 East 12th Street
  - 26 ▪ Resource 356: 912 East 11th Street
  - 27 ▪ Resources 358A–358C: 801 Red River Street
  - 28 ▪ Resource 360: 809 East 9th Street
  - 29 ▪ Resource 361A: 802 San Marcos Street (French Legation)
  - 30 ▪ Resource 367: 902 East 7th Street
  - 31 ▪ Resource 372: East 7th Street at Waller Creek Bridge

- 1   ▪ Resources 376–378; 382-389: Sixth Street Historic District (11 contributing resources in APE)
- 2   ▪ Resource 377: East 6th Street at Waller Creek Bridge (individually NRHP eligible and contributing resource
- 3   to Sixth Street Historic District)
- 4   ▪ Resource 382: 701 East 6th Street (individually NRHP eligible and contributing resource to Sixth Street
- 5   Historic District)
- 6   ▪ Resource 392: 501 North I-35
- 7   ▪ Resources 397A–397B: 1300–1302 East 4th Street
- 8   ▪ Resource 398: 604 East 3rd Street
- 9   ▪ Resource 399A: 606 East 6th Street
- 10  ▪ Resource 399B: 608 East 3rd Street
- 11  ▪ Resource 400: 807 East 4th Street
- 12  ▪ Resource 402: 900 East 3rd Street
- 13  ▪ Resources 403A–403C: 300 Medina Street
- 14  ▪ Resources 404A–404E: 200 North I-35 (Palm Park)
- 15  ▪ Resources 405A–405C: 200 Brushy Street
- 16  ▪ Resources 406–413: East 2nd and 3rd Streets Historic District (6 contributing resources in APE)
- 17  ▪ Resources 412A–412B: 905 East 2nd Street (Resource 412A is individually NRHP eligible; both resources
- 18  are contributing to East 2nd and 3rd Streets Historic District)
- 19  ▪ Resource 413: 907 East 2nd Street (individually NRHP eligible and contributing resource to East 2nd and
- 20  3rd Streets Historic District)
- 21  ▪ Resources 417–426; 433–437: Willow-Spence Historic District (12 contributing resources are in APE)
- 22  ▪ Resources 427–432, 444–446: Rainey Street Historic District (5 contributing resources in project APE)
- 23  ▪ Resource 437A: 78 San Marcos Street (individually NRHP eligible and contributing resource to Willow-
- 24  Spence Historic District)
- 25  ▪ Resources 439–443: Willow-Spence Historic District Extension (6 contributing resources in project APE)
- 26  ▪ Resources 462A–C, D–E: Town Lake Park System section from Waller Creek to Fiesta Gardens
- 27  ▪ Resources 468–473: Travis Heights-Fairview Park Historic District (4 contributing resources in project APE)
- 28  ▪ Resource 496: 1601 Elmhurst Drive
- 29  ▪ Resource 513: 1304 Mariposa Drive
- 30  ▪ Resources 1001–1148: East 1st Street Historic District (147 contributing resources in project APE)
- 31  ▪ Resource 1001: 1000 East Cesar Chavez Street (individually NRHP eligible and contributing to East 1st
- 32  Street Historic District)

- 1   ▪ Resource 1004A: 1010 East Cesar Chavez Street (individually NRHP eligible and contributing to East 1st  
2   Street Historic District)
- 3   ▪ Resource 1022: 1304 East Cesar Chavez Street (individually NRHP eligible and contributing to East 1st  
4   Street Historic District)
- 5   ▪ Resource 1026: 1301 East Cesar Chavez Street (NRHP listed and contributing to East 1st Street Historic  
6   District)
- 7   ▪ Resources 1030A–1030B: 1311 East Cesar Chavez Street and 94 Navasota Street (individually NRHP  
8   eligible and contributing to East 1st Street Historic District)
- 9   ▪ Resource 1032: 1402 East Cesar Chavez Street (NRHP listed and contributing to East 1st Street Historic  
10   District)
- 11   ▪ Resource 1037: 1403 East Cesar Chavez Street (individually NRHP eligible and contributing to East 1st  
12   Street Historic District)
- 13   ▪ Resource 1038: 1405 East Cesar Chavez Street (individually NRHP eligible and contributing to East 1st  
14   Street Historic District)
- 15   ▪ Resources 1041A, C–E: 1602 East Cesar Chavez Street and 94 Navasota Street (individually NRHP eligible  
16   and contributing to East 1st Street Historic District)
- 17   ▪ Resource 1046: 1615 East Cesar Chavez Street (individually NRHP eligible and contributing to East 1st  
18   Street Historic District)
- 19   ▪ Resource 1049A: 1808 East Cesar Chavez Street (individually NRHP eligible and contributing to East 1st  
20   Street Historic District)

### 21   3.8.2.3 Section 106 Public Involvement

22   The proposed project includes ongoing focused Section 106 public involvement outreach, as well as  
23   incorporation of historic resources as part of the NEPA public involvement process. The following groups and  
24   individuals have committed to be Section 106 consulting parties for the I-35 Capital Express Central Project:

- 25   ▪ THC/Texas SHPO
- 26   ▪ COA Historic Landmark Commission (HLC)/Historic Preservation Office
- 27   ▪ COA PARD
- 28   ▪ Travis County Historical Commission
- 29   ▪ Preservation Austin
- 30   ▪ Preservation Texas
- 31   ▪ Wilshire Wood/Delwood I Neighborhood Association
- 32   ▪ Cherrywood Neighborhood Association
- 33   ▪ East Cesar Chavez Neighborhood Contact Team (Willow-Spence Historic District)

1     ▪     Six Square Cultural District

2     TxDOT held a virtual Section 106 consulting parties meeting on October 6, 2021, to provide an overview of the  
3     project, cultural resources management as part of TxDOT’s project development process, consulting party  
4     opportunities and roles in the Section 106 process, and historic resources survey tasks and schedule. TxDOT  
5     provided reconnaissance-level and intensive-level HRSRs to consulting parties and other stakeholders for review  
6     and comment. The HRSRs were posted to the project website for public review. TxDOT held a second Section  
7     106-focused public involvement meeting for consulting parties and interested stakeholders on June 10, 2022,  
8     to provide an update on project activities related to historic resources, present findings from historic resources  
9     surveys, and solicit input and discussion on the findings. A third Section 106 consulting party meeting was held  
10    with Section 106 consulting parties on October 13, 2022, to discuss effects of the project to historic properties  
11    and potential mitigation activities.

12    3.8.2.4 *Environmental Consequences*

13    TxDOT examined the potential for direct and indirect effects to historic properties in the project’s APE.

14    3.8.2.4.1 *Build Alternative 2*

15    Build Alternative 2 would impact seven historic properties within the project APE, including adverse effects under  
16    Section 106 (36 CFR §800) to six properties and uses under Section 4(f) regulatory requirements (23 CFR §774)  
17    of seven historic properties. Build Alternative 2 is anticipated to result in the following impacts to historic  
18    properties:

19    •     Delwood II Historic District: This residential historic district is eligible for NRHP listing at the local level of  
20    significance under Criterion A in the area of Community Planning and Development and under Criterion C in  
21    the area of Architecture. Build Alternative 2 would require about 0.13 acre of additional ROW, or about 0.29  
22    percent of the total area of the historic district. Build Alternative 2 would remove two contributing resources  
23    and one noncontributing resource from the Delwood II Historic District. Information regarding impacts to  
24    contributing resources is described below.

25    ◦     Resource 119: The residence at 4505 North I-35 is a contributing resource to the NRHP-eligible Delwood  
26    II Historic District. Build Alternative 2 would displace and remove the building at 4505 North I-35 and  
27    would require acquisition of 0.04 acre, or about 20 percent of the property parcel. Build Alternative 2  
28    would have an adverse effect to the 4505 North I-35 property under Section 106 and therefore would  
29    result in a Section 4(f) use of the property.

30    ◦     Resource 121: The residential building (now converted to commercial use) at 4503 North I-35 is a  
31    contributing resource to the NRHP-eligible Delwood II Historic District. Build Alternative 2 would displace  
32    and remove the historic building at 4505 North I-35 and would require acquisition of 0.04 acre, or about  
33    12 percent of the property parcel. Build Alternative 2 would have an adverse effect to the 4503 North I-  
34    35 property under Section 106 and therefore would result in a Section 4(f) use of the property.

35    •     Resource 179: EBBC Main Office (*Austin Chronicle*) at 4001 North I-35 is recommended eligible for listing  
36    in the NRHP at the local level under Criterion A in the area of Commerce and Criterion C in the area of

- 1 Architecture. Build Alternative 2 would displace and remove the EBBC Main Office (*Austin Chronicle*) building  
2 and would require acquisition of 0.26 acre, or approximately 85 percent, of the property parcel. Build  
3 Alternative 2 would have an adverse effect to the EBBC Main Office (*Austin Chronicle*) property under Section  
4 106 and therefore would result in a Section 4(f) use of the property.
- 5 • Resource 200: Dura Tune Service Station at 3810 North I-35 is recommended eligible for listing in the NRHP  
6 at the local level under Criterion A in the area of Transportation and Criterion C in the area of Architecture.  
7 Build Alternative 2 would displace and remove the former Dura Tune Service Station building and would  
8 require acquisition of 0.19 acre, or approximately 64 percent, of the property parcel. Build Alternative 2  
9 would have an adverse effect to the Dura Tune Service Station property under Section 106 and therefore  
10 would result in a Section 4(f) use of the property.
  - 11 • Resource 235: The Robert and Rose Roberts (Roberts) House and its associated garage at 3509 North I-35  
12 are recommended eligible for listing in the NRHP at the local level of significance under Criterion A in the  
13 area of Community Planning and Development. Build Alternative 2 would displace and remove the Roberts  
14 House and associated garage, TxDOT would acquire the full 0.25-acre Roberts House property parcel to  
15 provide a buffer for residential properties to the east of the Roberts House. Build Alternative 2 would result  
16 in an adverse effect to the Roberts House property under Section 106 and therefore would result in a Section  
17 4(f) use of the property.
  - 18 • Resource 295: The Alfred and Jacqueline Haster (Haster) House at 3009 North I-35 is recommended eligible  
19 for listing in the NRHP at the local level under Criterion A in the area of Community Planning and  
20 Development and Criterion C in the area of Architecture. Build Alternative 2 would displace the Haster House  
21 and a small shed to the east of the house. TxDOT would acquire the full 0.18-acre Haster House property  
22 parcel to provide a buffer for residential properties to the east of the Haster House. Build Alternative 2 would  
23 result in an adverse effect to the Haster House property under Section 106 and therefore would result in a  
24 Section 4(f) use of the property.
  - 25 • Resource 462: A section of the Town Lake Park System from Waller Creek to Fiesta Gardens is  
26 recommended eligible for listing in the NRHP at the local level under Criterion A in the areas of  
27 Entertainment/Recreation, Community Planning and Development, and Social History, and under Criterion  
28 C in the area of Landscape Architecture. The property includes portions of the Butler Hike and Bike Trail,  
29 Edward Rendon Park, and Waller Beach. Under Build Alternative 2, TxDOT would require acquisition from  
30 the NRHP-eligible properties at Edward Rendon Park and Waller Beach for staging and other activities during  
31 construction. The acquisition of ROW and potential for tree removal in the easement area under Build  
32 Alternative 2 would constitute a Section 4(f) use of the historic property. However, the project would have  
33 no adverse effect under Section 106. Waller Beach, Edward Rendon Park, and the Butler Hike and Bike Trail  
34 are also subject to individual Section 4(f) evaluation as parkland/recreation areas. The Section 4(f)  
35 evaluation addresses alternatives in light of the property's status both as parkland and as a historic site.  
36 Impacts to these park/recreation areas are described in **Section 3.9.1**.

37 In addition to the direct effects described above, Build Alternative 2 may result in additional indirect or  
38 cumulative effects such as noise impacts; visual impacts including noise barriers; vibratory impacts and  
39 foundation settling; and access and circulation issues. Analyses for these potential effects to historic properties

1 are ongoing. Results of the analyses will be included in Section 106 consultation with the Texas SHPO and other  
2 consulting parties prior to the FEIS. Results of the Section 106 consultation will be included in the FEIS.

### 3 *3.8.2.4.2 Modified Build Alternative 3*

4 Modified Build Alternative 3 would impact five historic properties within the project APE, including adverse effects  
5 under Section 106 to four properties and uses under Section 4(f) of five historic properties. Modified Build  
6 Alternative 3 is anticipated to result in the following impacts to historic properties:

- 7 • Resource 179: EBBC Main Office (*Austin Chronicle*), 4001 North I-35. Modified Build Alternative 3 would  
8 displace and remove the EBBC Main Office building. TxDOT would acquire the entire 0.33-acre EBBC Main  
9 Office (*Austin Chronicle*) property parcel. Modified Build Alternative 3 would have an adverse effect to the  
10 EBBC Main Office (*Austin Chronicle*) property and therefore would result in a Section 4(f) use of the property.
- 11 • Resource 200: Dura Tune Service Station, 3810 North I-35. Modified Build Alternative 3 would displace and  
12 remove the former Dura Tune Service Station building and would require acquisition of about 0.20 acre, or  
13 approximately 65 percent, of the property parcel. Modified Build Alternative 3 would have an adverse effect  
14 to the Dura Tune Service Station property and therefore would result in a Section 4(f) use of the property.
- 15 • Resource 235: Roberts House, 3509 North I-35. Impacts under Modified Build Alternative 3 would be  
16 identical to those described under Build Alternative 2. Modified Build Alternative 3 would result in an adverse  
17 effect to the Roberts House property under Section 106 and therefore would result in a Section 4(f) use of  
18 the property.
- 19 • Resource 295: Haster House, 3009 North I-35. Impacts under Modified Build Alternative 3 would be  
20 identical to those described under Build Alternative 2. Modified Build Alternative 3 would have an adverse  
21 effect to the Haster House property and therefore would result in a Section 4(f) use of the property.
- 22 • Resource 462: Section of the Town Lake Park System from Waller Creek to Fiesta Gardens. Impacts under  
23 Modified Build Alternative 3 would be identical to those described under Build Alternative 2. The acquisition  
24 of ROW and potential for tree removal in the easement area under Modified Build Alternative 3 would  
25 constitute a Section 4(f) use of the historic property. However, the project would have no adverse effect  
26 under Section 106.

27 In addition to the direct effects described above, Modified Build Alternative 3 may result in additional indirect or  
28 cumulative effects such as noise impacts; visual impacts including noise barriers; vibratory impacts and  
29 foundation settling; and access and circulation issues. Analyses for these potential effects to historic properties  
30 are ongoing. Results of the analyses will be included in Section 106 consultation with the Texas SHPO and other  
31 consulting parties prior to the FEIS. Results of the Section 106 consultation will be included in the FEIS.

### 32 *3.8.2.4.3 No Build Alternative*

33 The No Build Alternative would include only routine ongoing maintenance to I-35 with no construction of the I-35  
34 Capital Express Central Project. There would be no project-related effects to historic properties under the No  
35 Build Alternative.

### 1 3.8.2.5 Coordination/Mitigation

2 TxDOT initiated consultation with the THC/Texas SHPO and other Section 106 consulting parties through an  
3 invitation to participate in identification of potentially historic properties and through opportunities to review and  
4 comment on the findings of historic resources surveys. Information on consulting party meetings and review  
5 opportunities is provided earlier in this section. Mitigation measures for the build alternatives are included in  
6 **Section 3.25.**

7 On November 10, 2022, TxDOT formally transmitted the final reconnaissance and intensive HRSRs to the SHPO  
8 requesting concurrence with TxDOT's determinations of NRHP eligibility and preliminary findings of project  
9 effects to historic properties. The SHPO responded on November 30, 2022, providing concurrence on NRHP  
10 eligibility determinations of individual properties and districts in the project's APE. The SHPO also concurred with  
11 TxDOT's evaluation of contributing/non-contributing resources to historic districts. The SHPO agreed with  
12 TxDOT's preliminary findings of effect summarized in the November 10, 2022, TxDOT letter, with further  
13 consultation expected regarding finalization of effect findings as design plans are refined, technical studies are  
14 prepared, and the project-level PA is developed. Refer to **Appendix D** for the coordination letter.

15 On November 18, 2022, TxDOT notified ACHP of the project's potential to adversely affect historic properties  
16 and invited the ACHP to participate in the Section 106 consultation. The ACHP responded on November 28,  
17 2022, declining to participate in Section 106 consultation for the project. Refer to **Appendix D** for the  
18 coordination letter. Results of Section 106 consultation will be included in the FEIS. TxDOT will enter into a PA  
19 with the Texas SHPO and other consulting parties. The PA will specify procedures for:

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

## 27 3.9 Protected Lands

### 28 3.9.1 Section 4(f) of the Department of Transportation Act of 1966

29 An Individual Section 4(f) Evaluation was prepared documenting potential impacts to resources protected under  
30 Section 4(f) of the Department of Transportation Act of 1966 for each reasonable alternative identified in **Section**  
31 **2.2**. For the No Build Alternative, there would be no impacts to Section 4(f) resources. This evaluation will be  
32 coordinated with COA, the Trail Foundation, the THC, and the U.S. Department of the Interior (USDOL). The draft  
33 Individual Section 4(f) Evaluation is included in **Appendix M**. Below is a summary of the evaluation.

### 1 3.9.1.1 Descriptions of Section 4(f) Properties

2 This section describes the various Section 4(f) properties in the proposed project area that would be used by the  
3 build alternatives, including six public parks/recreation areas and seven historic sites. A seventh park, Roy G.  
4 Guerrero Colorado River Metro Park (Roy Guerrero Park), was evaluated to determine whether it would be subject  
5 to a use under Section 4(f), but as explained in **Appendix M**, it was determined that neither of the build  
6 alternatives would use Roy Guerrero Park. Build Alternative 2 would displace six historic resources—Dura Tune  
7 Service Station, EBBC Main Office (*Austin Chronicle*), the Haster House, the Roberts House, and two residences  
8 in the Delwood II Historic District—and would implement a temporary construction staging area within the historic  
9 Town Lake Park System, which would not be an adverse effect. Modified Build Alternative 3 would displace four  
10 historic resources; the two residences in the Delwood II Historic District would not be required. **Section 3.8.2**  
11 contains more information on historic resources. As explained in the Individual Section 4(f) Evaluation, for both  
12 build alternatives, there is no feasible and prudent avoidance alternative, as defined in 23 CFR §774.14, to the  
13 use of land from these properties; and the project includes all possible planning, as defined in 23 CFR §774.17,  
14 to minimize harm to the properties resulting from such use. **Appendix M** contains maps showing detailed impacts  
15 to Section 4(f) resources.

#### 16 3.9.1.1.1 Parks/Recreation Areas

17 **Butler Hike and Bike Trail.** The Butler Hike and Bike Trail is a 15-mile trail system that circles Lady Bird Lake.  
18 According to COA PARD Interactive Map, the trail extends as far west as the MoPac Expressway and as far east  
19 as South Pleasant Valley Road. The trail is owned by COA while managed by both COA and Trail Foundation and  
20 is used both recreationally and as an alternative transportation route for the urban core. The trail sees 4.9 million  
21 visitors per year and is Austin's most popular recreational area. Users of the trail pass by neighborhoods,  
22 skyscrapers, cultural attractions, and parks all while surrounded by beautiful scenery and a natural habitat. The  
23 trail has many access points throughout COA and can be accessed by foot, bicycle, car, and transit. A portion of  
24 the Butler Hike and Bike Trail is also a historic site, as part of an NRHP-eligible segment of the Town Lake Park  
25 System between Waller Creek and Fiesta Gardens. Additional information regarding the property's significance  
26 as a historic site is provided in **Section 3.9.1.1.2** and **Appendix M**. For Build Alternative 2, the proposed  
27 construction staging areas and construction activities in the lake would result in approximately 1,255 feet of  
28 temporary occupancy. An additional approximately 603 feet would require permanent incorporation as a result  
29 of proposed ROW and Section 4(f) use and Section 6(f) conversion in Waller Beach Park. For Modified Build  
30 Alternative 3, the proposed construction staging areas and construction activities in the lake would result in  
31 approximately 1,207 feet of temporary occupancy and approximately 652 feet would require permanent  
32 incorporation due to proposed ROW and Section 4(f) use and Section 6(f) conversion in Waller Beach Park.

33 The pedestrian facilities within the study area include off-street urban trails, sidewalks along roadways,  
34 pedestrian signals, curb ramps, and crosswalks. Urban trails are wide paved trails which are often separated  
35 from on-street traffic and are built to connect with the existing sidewalk and bicycle facilities. The existing I-35  
36 frontage road bridges over Lady Bird Lake each include a sidewalk that is separated from vehicular traffic with  
37 a barrier. The NB sidewalk is approximately 758 feet and the SB sidewalk is approximately 695 feet. While used  
38 by the public to support recreational activities, these sidewalks, bikeways, and SUPs are primarily used for

1 transportation and are integral parts of the local transportation system; therefore, the requirements of Section  
2 4(f) do not apply to them as they are not recreational areas (see FHWA Policy Paper at Question 15A). As  
3 discussed in the Section 4(f) Evaluation (Appendix M) and according to 23 CFR Section 774.14 a Section 4(f)  
4 property as “publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national,  
5 State, or local significance, or land of an historic site of national, State, or local significance.” FHWA interprets  
6 this definition as follows: “Publicly owned land is considered to be a park, recreation area or wildlife and  
7 waterfowl refuge when the land has been officially designated as such by a Federal, State, or local agency, and  
8 the officials with jurisdiction over the land determine that its primary purpose is as a park, recreation area, or  
9 refuge.” However, recognizing that these sidewalks, bikeways, and SUPs provide connectivity to the Butler Hike  
10 and Bike Trail on both sides of the lake, the fact that COA has included these sidewalks in its map of the Butler  
11 Hike and Bike Trail (see [https://www.austintexas.gov/sites/default/files/files/Parks/GIS/  
12 AnnRoyButlerTrailUpdate.pdf](https://www.austintexas.gov/sites/default/files/files/Parks/GIS/AnnRoyButlerTrailUpdate.pdf)), the exceptional recreational importance, and heavy public use of the Butler Hike  
13 and Bike Trail (4.9 million visitors per year), TxDOT decided to include sidewalks in the Section 4(f) evaluation,  
14 as if they were subject to Section 4(f) regulations.

15 **International Shores\_3.** Located at 1300 East Riverside Drive, Austin, International Shores\_3 is an approximately  
16 1.33-acre COA easement located on the southeast side of the I-35 bridge over Lady Bird Lake within the  
17 Berkshire Riverview Apartments private property. According to COA’s PARD Interactive Map, this easement  
18 extends as far west as the I-35 bridge and as far east as the Berkshire Riverview Apartments. The principal  
19 purpose of this park is to provide an access point to and from the Butler Hike and Bike Trail loop along Lady Bird  
20 Lake from the portion of the trail along the I-35 NB frontage road. For Build Alternative 2, an additional 0.01 acre  
21 of ROW would be required from International Shores\_3 and 0.70 acre would be required for a construction  
22 staging area. For Modified Build Alternative 3, an additional 0.10 acre of ROW would be required from  
23 International Shores\_3 and 0.60 acre would be required for a construction staging area.

24 **Waller Beach.** Located at 30 East Avenue, Austin, Texas, Waller Beach is an approximately 28-acre park situated  
25 on the northwest side of the I-35 bridge over Lady Bird Lake, south of downtown Austin. Owned by COA, Waller  
26 Beach Park follows along the north side of Lady Bird Lake and extends as far west as South Congress Avenue  
27 and as far east as I-35. The I-35 bridge passes over the easternmost side of the park. The park is well used by  
28 joggers, kayakers, cyclists, and wildlife watchers. The park is connected to several others through the Butler  
29 Hike and Bike Trail. A portion of Waller Beach is also a historic site, as part of an NRHP-eligible segment of the  
30 Town Lake Park System between Waller Creek and Fiesta Gardens. Additional information regarding the  
31 property’s significance as a historic site is provided in **Section 3.9.1.1.2**. Since a construction staging area would  
32 be in place for six years, it would require a conversion of the property under Section 6(f). For both build  
33 alternatives, 1.20 acres of permanent incorporation would constitute a use of Waller Beach Park under Section  
34 4(f). Under both build alternatives, the 1.20-acre area would be used for TxDOT ROW for future maintenance  
35 operations for the I-35 bridge over Lady Bird Lake. An additional 0.20 acre of temporary occupancy would occur  
36 as a result of trail detour in the park. Temporary impacts within the park would occur to one boat ramp, a picnic  
37 table, two parking areas, East Avenue, and a trail in the park during the 6-year construction duration as a result  
38 of the construction staging area. Other impacted amenities include one trail sign, one wayfinding sign that  
39 identifies wheelchair-accessible locations, three recycle/trash bins, and a rainwater collection system. All  
40 temporarily impacted facilities and amenities would be restored to their pre-construction condition following the

1 6-year construction duration (subject to future maintenance operations on the I-35 bridge). A boat dock would  
2 be constructed to aid in the construction of the proposed new Lady Bird Lake Bridge. At the completion of  
3 construction, this boat dock would be converted to recreational use and turned over to COA for future  
4 recreational use. Additionally, improvements required to the boat ramp as part of the proposed construction  
5 would also remain in place for future public recreational use. Permanent impacts would occur at the parking  
6 area within TxDOT ROW under the I-35 bridge.

7 **Edward Rendon Park.** Edward Rendon Park is an approximately 73-acre park located at 2101 Jesse E. Segovia  
8 Street, Austin, on the northeast side of the I-35 bridge over Lady Bird Lake. According to COA's PARD Interactive  
9 Map, Edward Rendon Park follows along the north side of Lady Bird Lake from I-35 to the Holly Street Power  
10 Plant at 2401 Holly Street. The park is owned by COA and is used for events, picnics, fishing, and for its trails.  
11 The park is connected to several other parks along Lady Bird Lake through the Butler Hike and Bike Trail. A  
12 portion of Edward Rendon Park is also a historic site, as part of an NRHP-eligible segment of the Town Lake Park  
13 System between Waller Creek and Fiesta Gardens. Additional information regarding the property's significance  
14 as a historic site is provided in **Section 3.9.1.1.2**. For both build alternatives, 0.70 acre of temporary construction  
15 staging would constitute a use of Edward Rendon Park under Section 4(f).

16 **Norwood Park.** Located at 1012 Edgecliff Terrace, Austin, Norwood Park is an approximately 10-acre park  
17 located on the southwest side of the I-35 bridge over Lady Bird Lake. The park is owned by COA and offers an  
18 off-leash dog park and is home to the Norwood House. The park has unique views over the Colorado River and  
19 of Austin's cityscape. For both build alternatives, 0.57 acre of temporary construction staging would constitute  
20 a use of Norwood Park under Section 4(f). The duration of the proposed staging area is estimated to last six  
21 months to one year. No additional ROW would be required from Norwood Park as a result of the proposed project;  
22 therefore, no permanent incorporation of park property would occur.

23 **Lady Bird Lake.** Lady Bird Lake is an approximately 485-acre artificial lake on the Colorado River that stretches  
24 through the south side of Austin's downtown. The lake is primarily used for flood control, stormwater  
25 management, industrial water supply, and recreational purposes. Therefore, the Lady Bird Lake is being treated  
26 as a recreational area protected by Section 4(f).. No other parcels are on the lake. Lady Bird Lake is owned by  
27 COA and is used for its surrounding trail system, kayaking, canoeing, and stand up paddleboarding. For both  
28 build alternatives, approximately 25 acres of temporary construction staging as well as restricted recreational  
29 access on the open water, would constitute a temporary occupancy of Lady Bird Lake under Section 4(f).  
30 Permanent impacts would include drill shafts and columns required for the proposed bridge structure. For both  
31 Build Alternatives, an additional 0.29 acre of permanent incorporation of Lady Bird Lake would result from a  
32 boat dock that would be constructed within the lake in the vicinity of construction activities.

### 33 *3.9.1.1.2 Historic Properties*

34 **Town Lake Park System – Waller Creek to Fiesta Gardens section (includes portions of Butler Hike and Bike Trail,**  
35 **Waller Beach, and Edward Rendon Park).** This property is a one-mile section of Austin's Town Lake Park System  
36 along Lady Bird Lake between Waller Creek and Fiesta Gardens. The Town Lake Park System includes a series  
37 of interconnected COA-owned parks surrounding Lady Bird Lake in central Austin, roughly between the MoPac  
38 Expressway in the west and the Longhorn Dam in the east. The parks are unified by the Town Lake Hike and Bike

1 Trail (later renamed the Ann and Roy Butler Hike and Bike Trail). A section of the Town Lake Park System from  
2 Waller Creek to Fiesta Gardens is recommended eligible for listing in the NRHP at the local level under Criterion  
3 A in the areas of Entertainment/Recreation, Community Planning and Development, and Social History, and  
4 under Criterion C in the area of Landscape Architecture. The property includes portions of the Butler Hike and  
5 Bike Trail, Edward Rendon Park, and Waller Beach Park. Impacts to these park/recreation areas are described  
6 in **Section 3.9.1.1.1**.

7 **Dura Tune Service Station.** Dura Tune Service Station at 3810 North I-35 is recommended eligible for listing in  
8 the NRHP at the local level under Criterion A in the area of Transportation and Criterion C in the area of  
9 Architecture. Build Alternative 2 would displace and remove the former Dura Tune Service Station building and  
10 would require acquisition of about 0.19 acre, or approximately 64 percent, of the property parcel. Modified  
11 Alternative 3 would displace and remove the former Dura Tune Service Station building and would require  
12 acquisition of about 0.20 acre, or approximately 65 percent, of the property parcel.

13 **EBBC Main Office (*Austin Chronicle*).**- The EBBC Main Office (*Austin Chronicle*) at 4001 North I-35 is  
14 recommended eligible for listing in the NRHP at the local level under Criterion A in the area of Commerce and  
15 Criterion C in the area of Architecture. Build Alternative 2 would displace and remove the EBBC Main Office  
16 (*Austin Chronicle*) building and would require acquisition of 0.26 acre, or approximately 85 percent, of the  
17 property parcel. Modified Build Alternative 3 would also displace and remove the EBBC Main Office (*Austin*  
18 *Chronicle*) building. and would acquire the entire 0.33-acre property parcel.

19 **Haster House.** The Alfred and Jacqueline Haster (Haster) House at 3009 North I-35 is recommended eligible for  
20 listing in the NRHP at the local level under Criterion A in the area of Community Planning and Development and  
21 Criterion C in the area of Architecture. Both build alternatives would displace the Haster House and a small shed  
22 to the east of the house. The east portion of the property, now occupied by a small, paved parking area and a  
23 fenced area, would remain beyond the proposed roadway and SUP. However, TxDOT would acquire the full 0.18-  
24 acre Haster House property parcel to provide a buffer for residential properties to the east of the Haster House.  
25 In addition, depending on final engineering design and other considerations, the remaining portion of the Haster  
26 House property could potentially be considered an uneconomic remainder, meaning it could not be adequately  
27 accessed and/or redeveloped.

28 **Delwood II Historic District (Delwood II).** Delwood II is a residential subdivision, roughly bounded by I-35 to the  
29 west, Norwood Road to the north, Rowood Road to the east, and Airport Boulevard to the south. Delwood II is  
30 eligible for NRHP listing at the local level of significance under Criterion A in the area of Community Planning and  
31 Development as representative of early post-World War II residential development patterns in Austin, and under  
32 Criterion C in the area of Architecture as an intact collection of Midcentury residential architecture designed for  
33 affordability in the early postwar era. Build Alternative 2 would require about 0.13 acre of additional ROW, or  
34 about 0.29 percent of the total area of the historic district. Build Alternative 2 would remove two contributing  
35 resources and one noncontributing resource from the Delwood II Historic District. Effects to contributing  
36 resources are described below:

- 37 • 4505 North I-35: Build Alternative 2 would remove the former residence at 4505 North I-35 and would  
38 require acquisition of about 0.04 acre, or about 20 percent of the property parcel. Build Alternative 2 would

1 have an adverse effect to the 4505 North I-35 property under Section 106 and therefore would result in a  
2 Section 4(f) use of the property.

- 3 • 4503 North I-35: Build Alternative 2 would remove the former residence at 4503 North I-35 and would  
4 require acquisition of about 0.04 acre, or about 12 percent of the property parcel. Build Alternative 2 would  
5 have an adverse effect to the 4503 North I-35 property under Section 106 and therefore would result in a  
6 Section 4(f) use of the property.

7 Modified Build Alternative 3 would not require ROW from the Delwood II Historic District and would not result in  
8 a Section 4(f) use of the historic district or contributing resources to the district.

9 Two residences (residence at 4505 North I-35 and residence at 4503 North I-35) are both contributing resources  
10 to the NRHP-eligible Delwood II Historic District. Build Alternative 2 would displace and remove the former  
11 residence at 4505 North I-35 and would require acquisition of about 0.04 acre, or approximately 20 percent, of  
12 the property parcel. Build Alternative 2 would displace and remove the former residence at 4503 North I-35 and  
13 would require acquisition of about 0.04 acre, or approximately 12 percent, of the property parcel.

14 **Roberts House.** The Roberts House at 3509 North I-35 was built c. 1930. The Roberts House and associated  
15 garage are eligible for NRHP listing under Criterion A in the area of Community Planning and Development at the  
16 local level of significance. Both build alternatives would displace and remove the Roberts House and an  
17 associated garage. TxDOT would acquire the full 0.25-acre Roberts House property parcel to provide a buffer for  
18 residential properties to the east of the Roberts House property.

### 19 *3.9.1.2 Summary of Potential Impacts*

20 Impacts to Section 4(f) parks, recreation areas, and historic properties are similar under both design alternatives;  
21 however, some minor differences occur. Impacts to Section 4(f) parks and recreation areas are similar under  
22 both build alternatives except for two minor differences in International Shores\_3: The construction staging area  
23 under Build Alternative 2 spans 0.70 acre of International Shores\_3, whereas this number is 0.60 acre under  
24 Modified Build Alternative 3. This amounts to a difference of 0.10 acre. An additional 0.01 acre of ROW is  
25 required from International Shores\_3 under Build Alternative 2, whereas this number is 0.10 acre under Modified  
26 Build Alternative 3. This amounts to a difference of 0.09 acre between the two alternatives.

27 Impacts to historic properties would occur for both build alternatives. Both build alternatives would displace  
28 NRHP-eligible buildings and result in use of four historic properties—the former Dura Tune Service Station, EBBC  
29 Main Office (*Austin Chronicle*), the Haster House and the Roberts House. Build Alternative 2 would displace two  
30 additional historic properties in the Delwood II Historic District, (residences at 4505 and 4503 North I-35). Both  
31 build alternatives would require the same amount of temporary construction staging easements to the portions  
32 of Edward Rendon Park, Waller Beach Park, and the Butler Hike and Bike Trail, which are eligible for listing in  
33 the NRHP.

34 All other impacts to parks are similar between the two build alternatives. In the context of the overall project,  
35 Build Alternative 2 would impact two additional historic resources or approximately 0.08 acre (in the Delwood II  
36 Historic District).

### 1 3.9.1.3 Avoidance Alternatives

2 TxDOT examined alternatives and design concepts that would avoid use of some or all Section 4(f) property: No  
3 Build Alternative, Alternative 1, Redesignation of SH 130, Transit-Only, and TDM/ITS. TxDOT also evaluated  
4 whether use of Section 4(f) resources could be avoided by alignment shifts, design changes or other project  
5 modifications. TxDOT's avoidance alternatives analysis is contained in the Individual Section 4(f) Evaluation at  
6 **Appendix M**. As explained in **Appendix M**, for both Build Alternative 2 and Modified Build Alternative 3, there is  
7 no feasible and prudent avoidance alternative to the use of land. Build Alternative 2 would use 13 Section 4(f)  
8 properties. Modified Build Alternative 3 would use 11 Section 4(f) properties. As explained in **Appendix M**,  
9 use/adverse effects cannot be avoided for any of the properties as a result of alignment shifts, design changes,  
10 or other project modifications. Design changes allowed the avoidance of Mt. Cavalry Cemetery and Palm Park.

### 11 3.9.1.4 Least Overall Harm Analysis

12 The analysis in **Appendix M** indicates that each of the reasonable build alternatives would use the Section 4(f)  
13 properties, and that there is no feasible and prudent alternative that would avoid use of the Section 4(f)  
14 properties. FHWA's rules at 23 CFR §774.3(c) provide that if there is no feasible and prudent avoidance  
15 alternative, the agency may approve, from among the remaining alternatives that use Section 4(f) property, only  
16 the alternative that causes the least overall harm in light of the statute's preservation purpose, which is  
17 determined by balancing the following factors:

- 18 • The ability to mitigate adverse impacts to the Section 4(f) property, including any measures resulting in  
19 benefits to the property.
- 20 • The relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features  
21 qualifying the Section 4(f) property for protection.
- 22 • The relative significance of the Section 4(f) property.
- 23 • The views of the official(s) with jurisdiction over the Section 4(f) property.
- 24 • The degree to which each alternative meets the purpose and need of the project.
- 25 • After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section 4(f).
- 26 • Substantial differences in costs among the alternatives.

27 FHWA's Section 4(f) Policy Paper explains that the first four factors relate to the net harm that each alternative  
28 would cause to Section 4(f) property, and that the remaining three factors enable the lead federal agency to take  
29 into account any substantial problem with any of the alternatives remaining under consideration on issues  
30 beyond Section 4(f).

31 **Table 3.9-1** compares least overall harm evaluation factors between Build Alternative 2 and Modified Build  
32 Alternative 3.

Table 3.9-1. Least Overall Harm Evaluation Factors

Evaluation Factors	Build Alternative 2	Modified Build Alternative 3
Number of Section 4(f) properties that would have a Section 4(f) use	13	11
Section 4(f) properties that would be subject to a “use”	<ul style="list-style-type: none"> <li>• Butler Hike and Bike Trail (Park)</li> <li>• International Shores_3</li> <li>• Waller Beach Park</li> <li>• Edward Rendon Park</li> <li>• Norwood Park</li> <li>• Lady Bird Lake</li> <li>• Town Lake Park System (Historic)</li> <li>• Dura Tune Service</li> <li>• EBBC Main Office (<i>Austin Chronicle</i>)</li> <li>• Haster House</li> <li>• Delwood II Historic District                             <ul style="list-style-type: none"> <li>○ Residence at 4505 North I-35</li> <li>○ Residence at 4503 North I-35</li> </ul> </li> <li>• Roberts House</li> </ul>	<ul style="list-style-type: none"> <li>• Butler Hike and Bike Trail (Park)</li> <li>• International Shores_3</li> <li>• Waller Beach Park</li> <li>• Edward Rendon Park</li> <li>• Norwood Park</li> <li>• Lady Bird Lake</li> <li>• Town Lake Park System (Historic)</li> <li>• Dura Tune Service</li> <li>• EBBC Main Office (<i>Austin Chronicle</i>)</li> <li>• Haster House</li> <li>• Roberts House</li> </ul>
1) Ability to mitigate adverse impacts	<ul style="list-style-type: none"> <li>• Due to minimization during design, the main functionality of the 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</li> </ul>	<ul style="list-style-type: none"> <li>• Due to minimization during design, the main functionality of the 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</li> </ul>

Table 3.9-1. Least Overall Harm Evaluation Factors

Evaluation Factors	Build Alternative 2	Modified Build Alternative 3
	<p>use of construction easements rather than acquiring ROW.</p> <ul style="list-style-type: none"> <li>• For International Shores_3, a temporary construction easement would be utilized to minimize the amount of proposed ROW (0.01 acre).</li> <li>• 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.</li> </ul>	<p>use of construction easements rather than acquiring ROW.</p> <ul style="list-style-type: none"> <li>• For International Shores_3, a temporary construction easement would be utilized to minimize the amount of proposed ROW (0.10 acre).</li> <li>• 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.</li> </ul>
<p>2) Relative severity of harm, after mitigation</p>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• Butler Hike and Bike Trail would have 603.3 feet of permanent incorporation.</li> <li>• The NB I-35 sidewalk is 758 feet and the SB I-35 sidewalk is 695 feet. They will be temporarily impacted during construction.</li> <li>• International Shores_3 would contain a construction area (0.70 acre) within the property. Also, additional ROW (0.01 acre) would be acquired.</li> </ul>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• Butler Hike and Bike Trail would have 651.5 feet of permanent incorporation.</li> <li>• The NB I-35 sidewalk is 758 feet and the SB I-35 sidewalk is 695 feet. They will be temporarily impacted during construction.</li> <li>• International Shores_3 would contain a construction area (0.60 acre) within the property. Also, additional ROW (0.10 acre) would be acquired.</li> </ul>

Table 3.9-1. Least Overall Harm Evaluation Factors

Evaluation Factors	Build Alternative 2	Modified Build Alternative 3
	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul>	<ul style="list-style-type: none"> <li>• Four historic resources would be displaced: Dura Tune Service (0.20 acre), EBBC Building (the entire 0.33-acre parcel), the Haster House (the full 0.18-acre parcel), and the Roberts House (the full 0.25-acre parcel) would require acquisition.</li> <li>• 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.</li> </ul>
<p><b>3) Relative significance of each Section 4(f) property</b></p>	<p>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.</p>	<p>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.</p>
<p><b>4) Views of officials with jurisdiction</b></p>	<p>Coordination would occur with SHPO for historic properties and COA PARD and the Trail Foundation for park properties. As of current, TxDOT and 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</p>	<p>Coordination would occur with SHPO for historic properties and COA PARD and the Trail Foundation for park properties. As of current, TxDOT and 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</p>

Table 3.9-1. Least Overall Harm Evaluation Factors

Evaluation Factors	Build Alternative 2	Modified Build Alternative 3
	<p>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.</p>	<p>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.</p>
<p>5) Degree to which each Alternative meets the purpose and need for the project</p>	<p>Build Alternative 2 meets the purpose and need of the project providing a highway that meets current design standards, relieving congestion during peak period times, enhancing safety, 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.</p>	<p>Modified Build Alternative 3 is expected to meet the project purpose and need by providing a highway that meets current design standards, relieving congestion during peak period times, enhancing safety, 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. Modified Build Alternative 3 was refined to reflect elements of the community concepts but was derived from Build Alternative 3. Modified Build Alternative 3 better improves east-west connectivity by providing more vehicular, bicycle and 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.</p>
<p>6) Magnitude of adverse impacts to non-Section 4(f) properties after mitigation</p>	<ul style="list-style-type: none"> <li>Community Facilities/Services: Displaced community facilities would include two FQHCs, CommUnityCare – David Powell Health Center and CommUnityCare – Hancock Walk-In Care; The Austin Veteran Affairs (VA) Center; Pathways Youth and Family Services, Texas State Independent Living Council,</li> </ul>	<ul style="list-style-type: none"> <li>Community Facilities/Services: Displaced community facilities would include two FQHCs, CommUnityCare – David Powell Health Center and CommUnityCare – Hancock Walk-In Care and one early childhood center, Escuelita de Alma. Several BN service locations currently provided by COA for those</li> </ul>

Table 3.9-1. Least Overall Harm Evaluation Factors

Evaluation Factors	Build Alternative 2	Modified Build Alternative 3
	<p>Green Doors, and three early childhood centers. Several BN service locations currently provided by 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 ROW 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.</p> <ul style="list-style-type: none"> <li>• Displacements: It would be expected to displace 131 commercial properties and 145 residences (including multifamily units), and 15 vacant buildings.</li> <li>• Environmental Justice (EJ): Of the 291 total displacements, 172 would be in EJ Census geographies.</li> <li>• Noise Impacts: 95 receivers modeled for Build Alternative 2, 53 would be impacted, and eight noise barriers would be feasible and reasonable.</li> </ul>	<p>experiencing homelessness would be displaced (not permanent facilities) including under existing bridges of I-35 at Airport Blvd. and 7th Street. Minor ROW 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.</p> <ul style="list-style-type: none"> <li>• Displacements: It would be expected to displace 69 commercial properties and 26 residences (including multifamily units), and 12 vacant buildings.</li> <li>• Environmental Justice (EJ): Of the 107 total displacements, 90 would be in EJ Census geographies.</li> <li>• Noise Impacts: Of the 90 receivers modeled for Modified Build Alternative 3, 51 would be impacted, and nine noise barriers would be feasible and reasonable</li> </ul>
7) Substantial differences in costs	\$4.45 Billion	\$4.50 Billion

1 Build Alternative 2 would use 13 Section 4(f) properties while Modified Build Alternative 3 would use 11 Section  
2 4(f) properties. For Build Alternative 2, there would be temporary occupancy of five Section 4(f) properties and  
3 permanent impacts to eight Section 4(f) properties. Under Build Alternative 2, the eight Section 4(f) properties  
4 that would be displaced due to ROW acquisition are (1) Dura Tune Service Station building, (2) EBBC Main Office,  
5 (3) Haster House and a small shed, (4) 4505 North I-35 in the Delwood II Historic district, (5) 4503 North I-35 in  
6 the Delwood II Historic district, (6) the Roberts House, (7) Waller Beach Park, and (8) International Shores\_3. In

1 contrast, Modified Build Alternative 3 would have temporary occupancy of five Section 4(f) properties and  
2 permanent impacts to only six Section 4(f) properties. Under Modified Build Alternative 3, the six Section 4(f)  
3 properties that would be displaced due to ROW acquisition are (1) Dura Tune Service Station building, (2) EBBC  
4 Main Office, (3) Haster House and a small shed, (4) the Roberts House, (5) Waller Beach Park, and (6)  
5 International Shores\_3.

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

### 12 *3.9.1.5 All Possible Planning to Minimize Harm or Mitigate Adverse Impacts to Section 4(f)* 13 *Property*

14 Throughout the design process, TxDOT has limited ROW acquired from the Section 4(f) properties. As discussed  
15 in the Individual Evaluation Avoidance Alternatives section in **Appendix M**, there are no feasible and prudent  
16 avoidance alternatives. Since the two build alternatives (Build Alternative 2 and Modified Build Alternative 3)  
17 have a Section 4(f) use of the resources that results in greater than a *de minimis* impact, an evaluation should  
18 explain how each alternative incorporates all possible planning to minimize harm or mitigate adverse impacts or  
19 effects to the Section 4(f) property. Every effort would be made to restore areas of temporary use after the facility  
20 is constructed. This could include replacement of any displaced amenities (such as picnic tables) and replanting  
21 non-invasive vegetation removed during construction. Additional details regarding how TxDOT plans to minimize  
22 harm or mitigate adverse impacts or effects to each of the nine Section 4(f) properties are provided in **Appendix**  
23 **M**.

### 24 *3.9.2 Section 6(f) of the Land and Water Conservation Fund Act*

25 Section 6(f) of the Land and Water Conservation Fund (LWCF) Act prohibits the conversion of property acquired  
26 or developed with a grant under the LWCF Act, as allocated by the TPWD, to a non-recreational site without the  
27 approval of the USDOL's National Park Service (NPS). Section 6(f) directs NPS to ensure that replacement lands  
28 of equal value, location, and usefulness are provided as conditions to such conversion. TPWD is the state liaison  
29 for the LWCF program in Texas.

30 Two parks in the project area are Section 6(f)-protected resources and would be impacted by the proposed  
31 project: Edward Rendon Park and Waller Beach. At Edward Rendon Park, the project would require approximately  
32 0.7 acres for construction access for a duration of less than six months. At Waller Beach, TxDOT is proposing a  
33 conversion of approximately 1.2 acres of land which are needed for construction staging and water access for  
34 the duration of construction, or approximately six years. TxDOT is coordinating with TPWD regarding both  
35 properties, as indicated in **Appendix D** of the DEIS.

### 1 3.9.2.1 Edward Rendon Park

2 A temporary non-conforming use is needed from Edward Rendon Park to construct the I-35 bridges over Lady  
3 Bird Lake, as well as to construct a separate bicycle and pedestrian bridge (NB I-35) to connect the existing  
4 Butler Hike and Bike Trail on the north bank of Lady Bird Lake to the boardwalk trail on the south bank of the  
5 lake. The proposed project would require a total of approximately 0.7 acre of the 73-acre Edward Rendon Park  
6 for staging large construction equipment such as cranes, drilling equipment, manlifts, and excavators.  
7 Equipment would use the space to access Lady Bird Lake and would also be parked in the allotted area.  
8 Estimated duration of time for this temporary non-conforming use is less than six months; however, the trail  
9 detour connecting Edward Rendon Park (east of I-35) to Waller Beach Park (west of I-35) would remain in place  
10 for the full duration of construction, or approximately six years. The area needed within Edward Rendon Park for  
11 this temporary non-conforming use for construction staging and access, is approximately 1 percent of the overall  
12 park parcel, so it is sufficiently small to restrict its impact on the remainder of this Section 6(f)-protected park. A  
13 temporary non-conforming use form has been submitted to TPWD for review and will be attached to the FEIS in  
14 **Appendix M**. If TPWD and the NPS approve TxDOT's request, then this less-than-six-month use will not be  
15 considered a conversion requiring acquisition of a replacement property.

#### 16 3.9.2.1.1 Environmental Consequences

17 **Build Alternative 2.** The proposed construction staging area under Build Alternative 2 would result in permanent  
18 and temporary impacts to Edward Rendon Park. Permanent impacts would occur to six trees and other  
19 vegetation in the area; no permanent impacts to facilities or amenities would occur as a result of the staging  
20 area. Temporary impacts would occur to the picnic tables, benches, East Avenue, and the trail in the park during  
21 the six-month construction duration. Specifically, eight picnic tables are permanent fixtures and cannot be moved  
22 to another location outside the staging area; therefore, those picnic tables would need to be dismantled. East  
23 Avenue would remain open but the on-street parking and parking underneath the I-35 bridge would be removed.  
24 All the temporarily impacted facilities and amenities would be restored to their pre-construction condition  
25 following the six-month construction duration.

26 Portions of the construction staging area are not visible from the roadway; therefore, it is anticipated that  
27 motorists on I-35 and its frontage roads would not have any visual impacts as a result of the proposed staging  
28 area. However, it is likely that people who walk and bicycle utilizing the Butler Hike and Bike Trail in the park  
29 area would experience an impact to their visual environment due to the construction staging area.

30 Other indirect impacts under Build Alternative 2 include noise levels which are predicted to increase by 1 dB at  
31 the park from roadway traffic noise. A noise barrier would be feasible and reasonable at abating noise levels for  
32 the park and has been proposed for incorporation into the project.

33 In summary, the approximately 0.7 acre of temporary construction staging would constitute a temporary non-  
34 conforming use of Edward Rendon Park under Section 6(f). The main functionality of the overall park property  
35 would not be impaired, nor would the park be completely unusable as a result of the temporary loss of space. All  
36 impacts from the staging area would be temporary and would be restored to pre-construction conditions following  
37 the project's approximate six-month construction duration.

1 **Modified Build Alternative 3.** Edward Rendon Park would experience a minor increase in noise levels (2-dB  
2 increase) under Modified Build Alternative 3 when compared to Build Alternative 2. A noise barrier would be  
3 feasible and reasonable at abating noise levels for the park under this alternative and has been proposed for  
4 incorporation into the project. Apart from this change, the impacts to Edward Rendon Park under Modified Build  
5 Alternative 3 would be identical to those under Build Alternative 2.

### 6 *3.9.2.1.2 Mitigation*

7 After the temporary non-conforming use is concluded (6 months), the park land would be restored for public  
8 recreation use without substantial residual impacts to the site. The detoured portions of the Butler Hike and Bike  
9 Trail and associated with the ADA parking spot would be maintained for the duration of construction and returned  
10 to their original location and condition after the completion of the proposed I-35 bridge at Lady Bird Lake (~6  
11 years). Damage caused by construction equipment during construction to the existing trails would be repaired  
12 and all trails would be returned to their original condition after the full duration of construction (~6 years). All  
13 detour routes would be removed and grounds would be returned to their original condition unless COA requests  
14 that the detour trail routes remain in place.

15 Eight picnic tables would be replaced and returned to their original locations. Two recycle bins would be replaced  
16 and returned to their original locations. Disturbed ground would be regraded and revegetated in accordance with  
17 TxDOT standard specification and will comply with federal EO 13112 on Invasive Species. Prior to construction,  
18 a tree survey consistent with COA Section 3 of COA Environmental Criteria Manual for tree and natural area  
19 protection will be performed to gauge the health and quality of the trees proposed to be impacted and the  
20 contractor will be required to create a Tree Protection program consistent with Section 3 of COA Environmental  
21 Criteria Manual for tree and natural area protection. Additionally, the contractor would be required to provide  
22 additional restoration if they impact more trees than designated for removal as a part of this temporary use  
23 agreement.

24 East Avenue and parking along East Avenue would be temporarily closed for periods of time during construction.  
25 Any damage caused by construction equipment to East Avenue or parking along East Avenue would be repaired  
26 and returned to its original condition.

27 The ADA parking spot at the Butler Hike and Bike Trail at East Avenue located within Edward Rendon Park would  
28 be returned to its original location and any damage caused by construction equipment during construction would  
29 be repaired. The temporary ADA parking spot location on Nash Hernandez Sr. Road would be returned to its  
30 original condition (i.e., a traditional parking spot), unless COA requests that it remain as an ADA I-35 parking  
31 spot.

32 Milestones and incentives would be included within the contractor's schedule to restore the ADA parking spot  
33 and the approximately 0.7-acre area in Edward Rendon Park within 2 months of the non-conforming temporary  
34 use (6 months), or within a seasonally appropriate 2-month window to ensure success of revegetation.  
35 Restoration of trails (i.e., closing of detours and reopening of the original trail locations) would follow the ultimate  
36 completion of bridge construction (~6 years).

### 1 3.9.2.2 Waller Beach

2 For both build alternatives, there would need to be a 1.20-acre temporary construction staging area for the  
3 duration of construction, approximately six years. Additionally, the same 1.20-acre area would be needed to be  
4 permanently acquired by TxDOT for future maintenance operations on the I-35 bridge. Coordination with TPWD  
5 has begun for the parkland conversion process and identifying a replacement property and will be attached in  
6 the FEIS in **Appendix D**.

#### 7 3.9.2.2.1 Environmental Consequences

8 **Build Alternative 2.** Impacts to Waller Beach Park as a result of Build Alternative 2 would include approximately  
9 1.20 acres of parkland required for a proposed construction staging area for the approximately six-year  
10 construction duration, and permanent acquisition of the 1.20 acres for future maintenance operations on the I-  
11 35 bridge. Temporary impacts include 0.2 acre or 958.2 linear feet for a detour of the Butler Hike and Bike  
12 Trail.

13 The proposed construction staging area would result in permanent and temporary impacts to Waller Beach Park.  
14 Permanent impacts would occur to one tree and other vegetation in the area and the boat ramp located under  
15 the I-35 bridge, which would be permanently closed. Temporary impacts would occur to one boat ramp, a picnic  
16 table, and a portion of the Butler Hike and Bike trail in the park. Additional permanent impacts would include  
17 two parking areas: one along East Avenue and a parking lot within the TxDOT ROW under the I-35 bridge, which  
18 is owned used by park users. Both parking areas would be removed during the six-year construction duration of  
19 the proposed project and would remain permanently removed following the completion of the project. Although  
20 the TxDOT-owned parking lot under I-35 is used by park users, because it exists within TxDOT ROW it would not  
21 be considered parkland that is provided protection under Section 4(f).

22 The existing boat ramp located to the west of the I-35 bridge over Lady Bird Lake would be used as a transition  
23 point between land and water during construction. One picnic table located in this area is a permanent fixture  
24 and cannot be moved to another location outside the staging area; therefore, the picnic table would need to be  
25 dismantled. East Avenue would remain open but the on-street parking and parking underneath the I-35 bridge  
26 would be removed. All temporarily impacted facilities and amenities would be restored to their pre-construction  
27 condition following the 6-year construction duration (subject to future maintenance operations on the I-35  
28 bridge).

29 Portions of the construction staging area are not visible from the roadway. Therefore, it is anticipated that  
30 motorists on I-35 and its frontage roads would not have any visual impacts as a result of the proposed staging  
31 area. However, it is likely that people who walk and bicycle utilizing the Butler Hike and Bike Trail in the park  
32 area would experience an impact to their visual environment due to the construction staging area.

33 Other indirect impacts under Build Alternative 2 include noise levels, which are predicted to decrease by 1 dB at  
34 the park; however, the park would still be impacted by roadway traffic noise. A noise barrier would be feasible  
35 and reasonable at abating noise levels for the park and has been proposed for incorporation into the project.

1 In summary, TxDOT is proposing a permanent conversion of approximately 1.20 acres of land needed for  
2 construction staging and water access for the duration of construction, or approximately six years. Coordination  
3 is ongoing with TPWD for Edward Rendon Park and Waller Beach Park. **Section 3.9** discusses Section 6(f)  
4 properties and the analysis of potential project impacts.

5 **Modified Build Alternative 3.** The proposed construction staging area for Modified Build Alternative 3 is identical  
6 to the area in Build Alternative 2. The impacts to Waller Beach Park under Modified Build Alternative 3 would be  
7 identical to those under Build Alternative 2.

#### 8 *3.9.2.2.2 Mitigation*

9 TxDOT proposes to maintain the Butler Hike and Bike Trail connection from one side of I-35 to the other but  
10 move the portion of the trail under I-35 to a nearby location outside of the construction area.

11 TxDOT is working with COA to identify potential replacement properties that are at least equal in fair market value  
12 and reasonably equivalent in usefulness and location to compensate for the approximately 1.2-acre conversion  
13 of Waller Beach Park. When a suitable replacement property is identified it will need to be approved by TPWD  
14 and the NPS as part of a formal conversion proposal. If a potential replacement property is identified prior to the  
15 release of the FEIS, then it will be described in the FEIS. Formal NPS approval of the conversion proposal and  
16 replacement property cannot occur until after the ROD for this project (see 36 CFR §59.3(b)(7)).

#### 17 *3.9.3 Chapter 26 of the Texas Parks and Wildlife Code*

18 In addition to Section 4(f), the use of public land designated and used prior to the arrangement of the program  
19 or project as a park, recreation area, wildlife refuge, or historic site requires compliance with Chapter 26 of the  
20 Texas Parks and Wildlife Code. Chapter 26 also requires a finding that there is no feasible and prudent  
21 alternative to the use or taking of the protected land, and that the project includes all reasonable planning to  
22 minimize harm. Chapter 26 requires that a public hearing be held prior to the approval of the use of land from  
23 these publicly-owned park or historic site properties. The six parks and recreational areas and one publicly-owned  
24 historic property protected by Section 4(f) and 6(f) within the proposed project are also subject to Chapter 26.  
25 TxDOT will conduct a public hearing for the DEIS, which will follow the requirements of Chapter 26 for the  
26 properties impacted by the Preferred Alternative.

27 Impacts to all of these resources and associated mitigation have been previously discussed for the build  
28 alternatives. For the no build alternative, there would be no impacts to Chapter 26 resources.

### 29 *3.10 Water Resources*

30 The project area is located within the Colorado River watershed. Topography within the project area gradually  
31 slopes toward Lady Bird Lake, an impoundment of the Colorado River that creates a long narrow lake. Due to  
32 the urbanization of the project area, the watershed in the project area has been significantly modified from its  
33 natural condition, with many of the drainage features and streams modified or rerouted into ditches and  
34 stormwater drainage systems.

1 Surface water within the project area consists of intermittent and perennial streams, and an impounded lake.  
 2 No wetlands were identified during the delineation of WOTUS conducted on July 8, 2021, with a follow up field  
 3 visit conducted on June 14, 2022, to assess a modification to the study area. Study areas for proposed Build  
 4 Alternative 2 and Modified Build Alternative 3 are slightly different in shape and size. Both build alternatives  
 5 share the same general alignment at proposed surface water crossings; therefore, both build alternatives would  
 6 have similar impacts and require the same regulatory action under Section 404 and Section 401 of the Clean  
 7 Water Act (CWA).

8 The project area lies outside of the Edwards Aquifer Regulatory Zones; therefore, TCEQ Edwards Aquifer Rules  
 9 do not apply to the Preferred Alternatives.

10 Compensatory mitigation for the loss of streambed in the Colorado River is anticipated to be required for the  
 11 Preferred Alternative. Upon selection of an alternative, compensatory mitigation would be completed in  
 12 accordance with the Section 404 permitting process with the USACE. For the No Build Alternative, there would  
 13 be no impact to water resources, including surface water, groundwater, wetlands, coastal resources, and  
 14 floodplains.

### 15 3.10.1 Clean Water Act Section 404

16 Both build alternatives would involve regulated activity in jurisdictional waters and therefore would require  
 17 authorization under Section 404. Table 3.10-1 shows the waters that are anticipated to be jurisdictional waters  
 18 in which regulated activity is anticipated to take place. It also indicates whether the impacts are anticipated to  
 19 be authorized under Section 404 by a non-reporting nationwide permit (NWP) (i.e., no pre-construction  
 20 notification [PCN] required), or if it is anticipated that an NWP with PCN, Individual Standard Permit, letter of  
 21 permission, or Regional General Permit (RGP) would be required. Figures showing waters within the study  
 22 areas for both build alternatives are included in Appendix N.

**Table 3.10-1. Anticipated Jurisdictional Waters**

Name of water body	Type of water body	Location of water body	Covered by non-reporting NWP under Section 404?*	NWP with PCN, individual standard permit, letter of permission, or RGP required under Section 404?
Tannehill Branch (S-1)	Intermittent Stream	I-35 at Tannehill Branch	Yes	No
Lady Bird Lake (OW-1)	Lake/Open Water	I-35 bridge at Lady Bird Lake	Yes	No
Lady Bird Lake (OW-1)	Lake/Open Water	Proposed boat dock and ramp at Lady Bird Lake	No	Yes

Table 3.10-1. Anticipated Jurisdictional Waters

Name of water body	Type of water body	Location of water body	Covered by non-reporting NWP under Section 404?*	NWP with PCN, individual standard permit, letter of permission, or RGP required under Section 404?
Harpers Branch (S-2)	Intermittent Stream	Proposed drainage outfall structure at Harpers Branch	Yes	No
Colorado River (S-3)	Perennial Stream	Proposed drainage outfall structure at the Colorado River	No	Yes

\*Non-notifying NWPs would be required to comply with applicable Regional and General Conditions including those for cultural resources and threatened and endangered species.

1 The Colorado River (S-3) is a traditional navigable water (TNW). Lady Bird Lake (OW-1), is an impoundment of the  
 2 Colorado River and is therefore a TNW. Because these features are TNWs, the USACE has jurisdiction over them.  
 3 Tannehill Branch (S-1) is a relatively permanent water (RPW) that has a continuous surface connection to the  
 4 Colorado River. Harpers Branch is a short segment of stream that has a continuous surface connection to Lady  
 5 Bird Lake. Due to the Tannehill Branch (S-1) and Harpers Branch (S-2) continuous surface connection to a TNW,  
 6 the USACE will likely assert jurisdiction over these features.

7 The proposed project includes the construction of a drainage outfall that would discharge into the Colorado River  
 8 and route drainage flows to downstream areas. The discharges from the outfall would not change the habitat or  
 9 flow regime of the Colorado River. Furthermore, the outfall as well as discharges from the outfall are required to  
 10 comply with all federal and state regulations and will be permitted by TCEQ under the Texas Pollutant Discharge  
 11 Elimination System (TPDES). Upon selection of an alternative, a PCN for NWP 58 for Utility Line Activities for  
 12 Water and Other Substances would be submitted to the USACE for the proposed drainage outfall structure at the  
 13 Colorado River.

14 Drainage outfall structures would be constructed at Harpers Branch and at the north and south ends of the I-35  
 15 bridge structure at Lady Bird Lake. These structures would meet the terms and conditions of an NWP 58 for  
 16 Utility Line Activities for Water and Other Substances. The permittee must submit a PCN to the District Engineer  
 17 prior to commencing the activity if (1) a section 10 permit is required; or (2) the discharge would result in the  
 18 loss of greater than 1/10 acre of WOTUS. The loss of WOTUS at the drainage outfall structures would not exceed  
 19 1/10 acre and no Section 10 permit is required. Therefore, it is unlikely that notification of the USACE would be  
 20 required as long as the NWP 58 General Conditions and any applicable Regional Conditions for the State of  
 21 Texas are met, including restoration of any temporary impacts below the ordinary high water mark (OHWM). Build  
 22 Alternative 2 and Modified Build Alternative 3 include a similar design of the proposed outfall structures and  
 23 therefore would be covered by NWP 58.

1 A RGP 8 for Minor Structures would be submitted to the USACE for the construction of a proposed boat dock and  
2 ramp at Lady Bird Lake. A permanent boat dock and ramp would be considered a separate action from the  
3 proposed I-35 bridge structure by the USACE and therefore would be permitted using an RGP 8.

4 Activities required for crossings of WOTUS associated with the construction, expansion, modification, or  
5 improvement of linear transportation projects (e.g., roads, highways, railways, trails, airport runways, and  
6 taxiways) in WOTUS may be permitted under NWP 14 for Linear Transportation Projects. It is anticipated that the  
7 Preferred Alternative would meet the terms and conditions of NWP 14 for crossings at Tannehill Branch and Lady  
8 Bird Lake. The permittee must submit a PCN to the district engineer prior to commencing the activity if (1) the  
9 loss of WOTUS exceeds 0.1 acre; or (2) there is a discharge in a special aquatic site, including wetlands. The loss  
10 of WOTUS at each crossing would not exceed 0.1 acre and no fill would occur in a special aquatic site, including  
11 wetlands. Therefore, it is unlikely that notification of the USACE would be required as long as the NWP 14 General  
12 Conditions and any applicable Regional Conditions for the State of Texas are met, including restoration of any  
13 temporary impacts below the OHWM.

14 CFR, Title 33, §323.3 (c)(2) states that the placement of pilings in WOTUS that do not or would not have the  
15 effect of a discharge of fill material shall not require a Section 404 permit. Bridge piers that are adequately  
16 spaced so that they would not impede water flow or cause sedimentation would not have the effect of a discharge  
17 of fill. However, if construction of piers would require temporary fill (e.g., equipment within the OHWM), then a  
18 regulated activity would likely occur and require authorization from the USACE under Section 404 of the CWA.

19 The need for an individual standard permit under Section 404 is not anticipated. If it is later determined that an  
20 individual standard permit under Section 404 is needed, compliance with EPA's Section 404(b)(1) Guidelines  
21 would be confirmed prior to submittal of the individual standard permit application.

### 22 *3.10.2 Clean Water Act Section 401*

23 For projects that require an NWP under Section 404 that is covered by TCEQ's blanket 401 water quality  
24 certification, regardless of whether the NWP is non-reporting or requires the submission of a PCN, TxDOT  
25 complies with Section 401 of the CWA by implementing TCEQ conditions for NWPs. For projects that require  
26 authorization under an NWP under Section 404 that is not covered by TCEQ's blanket Section 401 water quality  
27 certification, or under an Individual Standard Permit, Letter of Permission, or RGP under Section 404, TxDOT will  
28 coordinate the Section 401 water quality certification with TCEQ. TCEQ will either approve or deny the Section  
29 401 water quality certification, or issue a waiver. The TCEQ Section 401 water quality certification decision must  
30 be submitted to the USACE before use of the NWP can be confirmed, or an Individual Standard Permit, Letter of  
31 Permission, or RGP decision can be made.

### 32 *3.10.3 Executive Order 11990 Wetlands*

33 Executive Order (EO) 11990 prohibits new construction in wetlands unless (1) there is no practicable alternative  
34 to such construction, and (2) the project includes all practicable measures to minimize harm to wetlands. No  
35 wetlands are found within either of the Build Alternatives' project areas; therefore, EO 11990 does not apply.

1 Neither Build Alternative nor the No Build Alternative would have an impact on this resource category or subject  
 2 matter.

3 **3.10.4 Rivers and Harbors Act**

4 The Build Alternatives would involve regulated activity in a navigable waterway and therefore would require  
 5 authorization under Section 10 of the Rivers and Harbors Act (RHA). **Table 3.10-2** shows the waters that are  
 6 anticipated to be navigable waters in which regulated activity is anticipated to take place. It also indicates  
 7 whether the impacts are anticipated to be authorized under Section 10 by a non-reporting NWP (i.e., no PCN  
 8 required), or if it is anticipated that a NWP with PCN, individual standard permit under both Section 404 and  
 9 Section 10, individual permit under Section 10, letter of permission, or RGP would be required.

**Table 3.10-2. Anticipated Navigable Waters**

Name of water body	Type of water body	Location of water body	Covered by non-reporting NWP under Section 10?	NWP with PCN, individual standard permit, letter of permission, or RGP required under Section 10?
Colorado River (S-3)	Perennial Stream	Proposed drainage outfall structure at the Colorado River	No	Yes

10 Upon selection of an alternative, a PCN for NWP 58 for Utility Line Activities for Water and Other Substances  
 11 would be submitted to the USACE for the proposed drainage outfall structures at the Colorado River.

12 **3.10.5 Clean Water Act Section 303(d)**

13 The proposed project is located within five linear miles of, is within the watershed of, and drains to, an impaired  
 14 assessment unit under Section 303(d) of the federal CWA (2020 Section 303(d) list) as listed in **Table 3.10-3**.

**Table 3.10-3. Section 303(d) Impaired Assessments in Project Area**

Watershed	Segment name	Segment number	Assessment unit number
Colorado	Waller Creek	1429C	1429C_01

15 To date, TCEQ has not identified (through either a total maximum daily load or the review of projects under the  
 16 TCEQ MOU) a need to implement control measures beyond those required by the Construction General Permit  
 17 (CGP) on road construction projects. Therefore, compliance with the project’s CGP, along with coordination under  
 18 the TCEQ MOU for certain transportation projects, collectively meets the need to address impaired waters during  
 19 the environmental review process. As required by the CGP, the Preferred Alternative and associated activities  
 20 would be implemented, operated, and maintained using BMPs to control the discharge of pollutants from the  
 21 project site.

1    3.10.6 *Clean Water Act Section 402*

2    Since TPDES CGP authorization and compliance (and the associated documentation) occur outside of the  
3    environmental clearance process, compliance is ensured by the policies and procedures that govern the design  
4    and construction phases of the project. The *Project Development Process Manual* and the *Plans, Specifications,  
5    and Estimates (PS&E) Preparation Manual* require a Stormwater Pollution Prevention Plan (SW3P) be included  
6    in the plans of all projects that disturb one or more acres. The *Construction Contract Administration Manual*  
7    requires that the appropriate CGP authorization documents (NOI or site notice) be completed, posted, and  
8    submitted, when required by the CGP, to TCEQ and the municipal separate storm sewer system (MS4) operator.  
9    It also requires that projects be inspected to ensure compliance with the CGP.

10   The PS&E Preparation Manual requires that all projects include Standard Specification Item 506 (Temporary  
11   Erosion, Sedimentation, and Environmental Controls), and the “Required Specification Checklists” require  
12   Special Provision 506-003 on all projects that need authorization under the CGP. These documents require the  
13   project contractor to comply with the CGP and SW3P, and to complete the appropriate authorization documents.

14   3.10.7 *Floodplains*

15   This project is federally-funded and therefore is subject to EO 11988, Floodplain Management. Portions of the  
16   project would occur within the floodplain; however, the project would not involve a significant encroachment in  
17   the floodplain as defined by 23 CFR §650.105(q).

18   3.10.8 *Wild and Scenic Rivers*

19   Neither the Build Alternatives nor the No Build Alternative would have an impact on this resource category or  
20   subject matter.

21   3.10.9 *Coastal Barrier Resources*

22   The Coastal Barrier Resources Act does not apply to the proposed project.

23   3.10.10 *Coastal Zone Management*

24   The proposed project is not located within the Texas Coastal Management Plan boundary. Therefore, a  
25   consistency determination is not required.

26   3.10.11 *Edwards Aquifer*

27   The TCEQ Edwards Aquifer Rules do not apply to the proposed project. The EPA Edwards Aquifer MOU does not  
28   apply to the proposed project.

29   3.10.12 *International Boundary and Water Commission*

30   The proposed project does not cross or encroach upon the floodway of the International Boundary and Water  
31   Commission (IBWC) ROW or an IBWC flood control project.

### 1 3.10.13 Drinking Water Systems

2 In accordance with TxDOT's Standard Specifications for Construction and Maintenance of Highways, Streets and  
3 Bridges (Item 103, Disposal of Wells), any drinking water wells would need to be properly removed and disposed  
4 of during construction of the project.

### 5 3.10.14 General Land Office Memorandum of Understanding

6 This MOU involves requirements for acquisition of a lease from the GLO when a transportation project requires  
7 new ROW or expansion of existing ROW over state-owned land covered by the MOU, defined as real property  
8 owned by the State of Texas and under the management of the GLO, including non-tidally influenced State-owned  
9 riverbeds and beds of navigable streams in the public domain, and state submerged lands. This MOU would not  
10 be applicable to this project as no state-owned riverbeds or state-owned navigable streams are involved.

## 11 3.11 Biological Resources

### 12 3.11.1 Vegetation

#### 13 3.11.1.1 Existing Conditions

14 The proposed project traverses highly urbanized areas of COA where there are minimal undeveloped spaces.  
15 The project area of the both build alternatives is composed of the existing I-35 and associated frontage roads,  
16 driveway/existing easements/COA ROW, and proposed ROW. There is a large amount of overlap between the  
17 ROW required for the proposed alternatives. The differences in vegetation along the project area for each  
18 alternative ROW and the existing roadway ROWs were minimal and do not exhibit meaningful variations at this  
19 level of review. Only small areas of vegetation were not regularly maintained by mowing, pruning, or other  
20 vegetation management techniques along both build alternatives.

21 Specifically, the proposed project is located in the Northern Blackland Prairie area of the Texas Blackland Prairies  
22 Ecoregion, which is characterized by rolling to nearly level plains. The region was historically dominated by little  
23 bluestem (*Schizachyrium scoparium*), big bluestem (*Andropogon gerardii*), yellow Indiangrass (*Sorghastrum*  
24 *nutans*), and tall dropseed (*Sporobolus asper*), but in the more mesic sites, vegetation such as eastern gamma  
25 grass (*Tripsacum dactyloides*) and switchgrass (*Panicum virgatum*) were dominant (Griffith et al. 2007). The  
26 main areas of the region that were historically forested, and some continue to be forested today, are the riparian  
27 areas found along the streams. These areas included wooded species such as bur oak (*Quercus macrocarpa*),  
28 Shumard oak (*Quercus shumardii*), sugar hackberry (*Celtis laevigata*), elm (*Ulmus* spp.), eastern cottonwood  
29 (*Populus deltoides*), and pecan (*Carya illinoensis*). The annual precipitation for the region varies from 28 inches  
30 in the south to 42 inches in the north. Today, only a few small remnants of the natural prairie vegetation can be  
31 found in the region.

32 The total project area for each alternative consists of approximately 92 percent existing ROW (including  
33 driveway/existing easements/COA ROW) and, within that existing ROW, over 90 percent is already concrete  
34 pavement. The remaining project areas are highly developed with landscaped commercial properties or regularly  
35 mowed areas of existing ROW. Ornamental plants such as crepe myrtles (*Lagerstroemia indica*), Bradford pears

1 (*Pyrus calleryana*), live oaks (*Quercus virginiana*), Shumard oaks, and various shrubs were observed along the  
2 project area of both build alternatives. Bermuda grass (*Cynodon dactylon*) and St. Augustine grass  
3 (*Stenotaphrum secundatum*) are the most common herbaceous plants within the landscaped areas, but  
4 perennial rye (*Lolium perenne*), Johnsongrass (*Sorghum halepense*), and various wildflower species, such as  
5 Mexican hat (*Ratibida columnifera*), Coreopsis (*Coreopsis* sp.), and asters (*Aster* sp.), were observed in medians  
6 that had not been recently mowed. Four parks occur within the project area of each alternative within the vicinity  
7 of Lady Bird Lake: Norwood Park, International Shores\_3, Waller Beach, and Edward Rendon Park. The park  
8 areas are characterized primarily by maintained herbaceous grasses and scattered mature oak and pecan. The  
9 Butler Hike and Bike Trail traverses the banks of Lady Bird Lake and crosses through the project area of both  
10 build alternatives beneath I-35. This trail is lined by mature oaks, pecans, black willows (*Salix nigra*), Chinaberry  
11 trees (*Melia azedarach*), and cottonwood trees with a thick mid-story of various shrubs such as yaupon (*Ilex*  
12 *decidua*), oak saplings, grape vines (*Vitis* sp.), greenbriar (*Smilax* sp.), Virginia creeper (*Parthenocissus*  
13 *quinquefolia*), and crossvine (*Bignonia capreolata*). Portions of this trail within the project areas are a boardwalk  
14 with no vegetation that is isolated over the lake. The Norwood Park has an “Off-leash Dog Area” that overlaps  
15 the project area of both build alternatives. This portion of the park has a barren understory and mature oak trees.  
16 The drainage outfall proposed downstream of Longhorn Dam for both build alternatives occurs at an area that  
17 is densely vegetated with riparian habitat.

18 A review of TPWD’s Ecological Mapping Systems (EMST) data shows that over 99 percent of the project areas  
19 are mapped as urban vegetation, with less than 1 percent mapped as a combination of open water, agriculture,  
20 Edwards Plateau savannah, woodland, and shrubland, riparian, and disturbed prairie vegetation. Limited field  
21 investigations were conducted to review the vegetative conditions. The investigations determined that the  
22 majority of the project areas are accurately mapped as urban with only a small portion of riparian areas occurring  
23 along the Hike and Bike Trail at Lady Bird Lake and at the proposed outfall structure location downstream of  
24 Longhorn Dam. Very small amounts (less than 0.1 acre each) of disturbed prairie and Edwards Plateau  
25 savannah, woodland, and shrublands were observed. The open water was confirmed to be where the project  
26 areas are bridged over Lady Bird Lake and no agricultural vegetation was observed in the project areas.

### 27 3.11.1.2 Environmental Consequences

#### 28 3.11.1.2.1 Build Alternative 2

29 Construction of Build Alternative 2 would impact herbaceous, shrub, tree, and other plantings throughout the  
30 project area through site preparation activities. Clearing and grading would remove the existing vegetative cover  
31 and replace it with mostly impervious cover associated with travel lanes, entrance and exit ramps, and frontage  
32 roads. Open areas occurring within the proposed project area would likely be planted with herbaceous vegetation  
33 that would be routinely maintained by mowing.

34 A small portion of wooded areas associated with the parks would likely require some tree removal under Build  
35 Alternative 2 to allow for construction equipment and utility work within a drainage easement along the I-35  
36 bridge over Lady Bird Lake. The other vegetated areas of the parks that are within the Build Alternative 2 ROW  
37 are currently maintained open areas that would be minimally impacted by proposed project construction. Tree  
38 removal would be necessary along the banks of the Colorado River for the necessary drainage outfall structure.

1 Build Alternative 2 would be approximately 53.9 acres more urban vegetation than Modified Build Alternative 3  
2 and 0.1 acre more Edwards Plateau, Savannah, Woodland, and Shrubland due to the difference in size between  
3 the two study areas.

#### 4 *3.11.1.2.2 Modified Build Alternative 3*

5 Construction of Modified Build Alternative 3 would impact herbaceous, shrub, tree, and other plantings  
6 throughout the project area through site preparation activities. Clearing and grading would remove the existing  
7 vegetative cover and replace it with mostly impervious cover associated with travel lanes, entrance and exit  
8 ramps, and frontage roads. Open areas occurring within the proposed project area would likely be planted with  
9 herbaceous vegetation that would be routinely maintained by mowing.

10 A small portion of the wooded areas associated with the parks would likely require some tree removal under  
11 Modified Build Alternative 3 to allow for construction equipment and utility work within a drainage easement  
12 along the I-35 bridge over Lady Bird Lake. The other vegetated areas of the parks that are within the Modified  
13 Build Alternative 3 ROW are currently maintained open areas that would be minimally impacted by proposed  
14 project construction. Tree removal would be necessary along the banks of the Colorado River for the necessary  
15 drainage outfall structure.

#### 16 *3.11.1.2.3 No Build Alternative*

17 There would be no impact to vegetation as a result of the No Build Alternative. Existing vegetation within open  
18 areas of existing ROW would continue to be maintained by mowing, and more densely vegetated riparian areas  
19 would remain undisturbed (such as within the parks and along the running trail). Areas outside of the existing  
20 I-35 ROW would likely be maintained in their present state by existing landowners, with potential alterations  
21 resulting from future development activities.

### 22 *3.11.2 Wildlife and Habitat*

#### 23 *3.11.2.1 Existing Conditions*

24 Native wildlife populations within central Travis County have been largely displaced by the development and  
25 urbanization of Austin, leaving remaining habitat areas highly fragmented. The majority of riparian areas,  
26 grasslands, and upland savannahs, which provide cover for wildlife, have been removed. However, several  
27 wildlife species have adapted to these urbanized conditions; therefore, the developed urban conditions provide  
28 habitat for many wildlife species throughout the proposed project area for either alternative.

29 Birds that use open habitats in the region include the northern mockingbird (*Mimus polyglottos*), red-winged  
30 blackbird (*Agelaius phoeniceus*), mourning dove (*Zenaida macroura*), and common grackle (*Quiscalus quiscula*).  
31 Birds commonly found within urban and residential areas include the northern cardinal (*Cardinalis cardinalis*),  
32 common grackle, northern mockingbird, European starling (*Sturnus vulgaris*), house sparrow (*Passer  
33 domesticus*), and blue jay (*Cyanocitta cristata*). The riparian habitat adjacent to Lady Bird Lake and the Colorado  
34 River provides cover, foraging, and perching habitat for many species, including neo-tropical migrants. The

1 existing bridges within the project areas provide potential nesting locations for various birds such as barn  
2 swallows (*Hirundo rustica*) and cliff swallows (*Petrochelidon pyrrhonota*).

3 Mammal species adapted to living in urban and fragmented habitats are likely to occur within the proposed  
4 project area of both build alternatives. These species include Virginia opossums (*Didelphis virginiana*), black rat  
5 (*Rattus rattus*), house mouse (*Mus musculus*), and gray squirrels (*Sciurus carolinensis*). The existing bridges  
6 within the project area of both build alternatives could provide suitable roosting habitat for species such as the  
7 Mexican free-tailed bat (*Tadarida brasiliensis*) or cave myotis bat (*Myotis velifer*). Because of the lack of suitable  
8 cover, the presence of larger mammals is likely to be limited within the proposed project areas. However,  
9 transient observations of nutria (*Myocastor coypus*), racoons (*Procyon lotor*), and skunk (*Mephitis mephitis*)  
10 might occur within the proposed project areas, primarily within the vicinity of Lady Bird Lake and the Colorado  
11 River.

12 Central Texas has a diverse assemblage of reptiles and amphibians. Turtles and lizards that could be present  
13 within the parks, riparian areas, and open water areas include the red-eared slider (*Trachemys scripta elegans*),  
14 snapping turtle (*Chelydra sereptentina*), Texas spiny softshell turtle (*Apalone spinifera emoryi*), green anole (*Anolis*  
15 *carolinensis*), and five-lined skinks (*Eumeces fasciatus*). The Texas garter snake (*Thamnophis sirtalis*), Texas rat  
16 snake (*Elaphe obsoleta lindheimerii*), and western cottonmouth (*Agkistrodon piscivorous leucostama*) are all  
17 common snakes that could occur within the proposed project areas. Amphibians that could be found within the  
18 project area of either alternative include the southern leopard frog (*Rana utricularia*), Gulf Coast toad (*Incilius*  
19 *valliceps*), and green tree frog (*Dryophytes cinerus*).

### 20 3.11.2.2 Environmental Consequences

#### 21 3.11.2.2.1 Build Alternative 2

22 Wildlife occurring within the proposed project area has adapted to the existing urban development of central  
23 Travis County. Construction of Build Alternative 2 would potentially impact wildlife through the removal of  
24 vegetation or structures that provide habitat for wildlife. Mobile species would be expected to leave the project  
25 area as construction activities are initiated. Less mobile species or species sheltering in vegetation or structures  
26 could be injured or killed by demolition activities, movement of heavy construction equipment, debris removal,  
27 or any required dewatering. The conversion of existing developed and landscaped conditions to roadway ROW  
28 would cause a loss of habitat and could cause further fragmentation of remaining habitat areas. Increased  
29 impervious cover may introduce additional roadway pollutants to which wildlife could be directly exposed or that  
30 might degrade the quality of habitat adjacent to the project area. Wildlife remaining in areas adjacent to the  
31 project area would be expected to adapt to the changed conditions (e.g., increased or decreased traffic  
32 movements and noise levels). Build Alternative 2 involves the addition of two bridges within the project area that  
33 could provide additional nesting locations for various migratory birds such as barn swallows and cliff swallows.

#### 34 3.11.2.2.2 Modified Build Alternative 3

35 Wildlife occurring within the proposed project area has adapted to the existing urban development of central  
36 Travis County. Construction of Modified Build Alternative 3 would potentially impact wildlife through the removal

1 of vegetation or structures that provide habitat for wildlife. Mobile species would be expected to leave the project  
2 area as construction activities are initiated. Less mobile species or species sheltering in vegetation or structures  
3 could be injured or killed by demolition activities, movement of heavy construction equipment, debris removal,  
4 or any required dewatering. The conversion of existing developed and landscaped conditions to roadway ROW  
5 would cause a loss of habitat and could cause further fragmentation of remaining habitat areas. Increased  
6 impervious cover may introduce additional roadway pollutants to which wildlife could be directly exposed or that  
7 might degrade the quality of habitat adjacent to the project area. Wildlife remaining in areas adjacent to the  
8 project area would be expected to adapt to the changed conditions (e.g., increased or decreased traffic  
9 movements and noise levels). Modified Build Alternative 3 involves the addition of two bridges within the project  
10 area that could provide additional nesting locations for various migratory birds such as barn swallows and cliff  
11 swallows.

### 12 *3.11.2.2.3 No Build Alternative*

13 There would be no impacts to wildlife or potential habitat as a result of the No Build Alternative. Open areas  
14 would continue to be regularly maintained and no riparian vegetation would be removed. The areas adjacent to  
15 the existing ROW would likely be maintained in their present state by existing landowners, with alterations  
16 potentially occurring as a result of future development. Future development could cause a reduction of habitat  
17 by the removal of trees or abandoned buildings or the development of vegetated areas.

### 18 *3.11.3 Executive Order 13112 on Invasive Species*

19 This project is subject to and will comply with federal EO 13112 on Invasive Species. TxDOT implements this EO  
20 on a programmatic basis through its *Roadside Vegetation Management Manual* and *Landscape and Aesthetics*  
21 *Design Manual*.

### 22 *3.11.4 Executive Memorandum on Environmentally and Economically Beneficial* 23 *Landscaping*

24 This project is subject to and will comply with the *Federal Executive Memorandum on Environmentally and*  
25 *Economically Beneficial Landscaping*, effective April 26, 1994. TxDOT implements this *Executive Memorandum*  
26 on a programmatic basis through its *Roadside Vegetation Management Manual* and *Landscape and Aesthetics*  
27 *Design Manual*.

### 28 *3.11.5 Migratory Bird Protections*

29 This project will comply with applicable provisions of the Migratory Bird Treaty Act and Texas Parks and Wildlife  
30 Code Title 5, Subtitle B, Chapter 64, Birds. It is TxDOT policy to avoid removal and destruction of active bird nests  
31 except through federal or state-approved options. In addition, it is TxDOT policy, where appropriate and  
32 practicable, to:

- 33 • Use measures to prevent or discourage birds from building nests on man-made structures within portions  
34 of the project areas planned for construction, and

- 1 • Schedule vegetation-clearing activities outside the typical nesting season.

2 Additional preemptive and preventative measures that may be applied, where appropriate and practicable, are  
3 described in TxDOT's Guidance, "Avoiding Migratory Birds and Handling Potential Violations."

#### 4 *3.11.6 Fish and Wildlife Coordination Act*

5 The proposed project, regardless of alternative, is anticipated to require a NWP issued by the USACE. Compliance  
6 with the Fish and Wildlife Coordination Act will be accomplished by complying with the terms and conditions of  
7 the NWP.

#### 8 *3.11.7 Bald and Golden Eagle Protection Act of 2007*

9 The Preferred Alternative is not within 660 feet of an active or inactive bald or golden eagle nest. Therefore, no  
10 coordination with USFWS is required. Although no bald or golden eagle nests were observed during the field  
11 investigations, there are recorded sightings of bald eagles along Lady Bird Lake and downstream of Longhorn  
12 Dam. Therefore, a nest survey would be conducted prior to the start of construction.

#### 13 *3.11.8 Magnuson-Stevens Fishery Conservation Management Act*

14 The Essential Fish Habitat/Magnuson-Stevens Fishery Conservation and Management Act does not apply to the  
15 proposed project.

#### 16 *3.11.9 Marine Mammal Protection Act*

17 The project area of either alternative for the proposed project does not contain suitable habitat for marine  
18 mammals.

#### 19 *3.11.10 Species of Greatest Conservation Need (SGCN)*

##### 20 *3.11.10.1 Existing Conditions*

21 The Species Analysis Spreadsheet (**Appendix O**) contains an additional table that includes state-listed SGCN that  
22 occur within Travis County, as compiled by TxDOT. The table indicates whether habitat for each species is present  
23 within the proposed project areas and whether there would be an effect/impact to any of the listed species from  
24 implementation of the proposed project. Eighteen SGCN could potentially occur within the proposed project  
25 areas: Woodhouse's toad (*Anaxyrus woodhousii*), American eel (*Anguilla rostrata*), Guadalupe bass (*Micropterus*  
26 *treculii*), silverband shiner (*Notropis shumardi*), Texas shiner (*Notropis amabilis*), a caddisfly (*Neotrichia juani*),  
27 big brown bat (*Eptesicus fuscus*), cave myotis bat (*Myotis velifer*), eastern red bat (*Lasiurus borealis*), hoary bat  
28 (*Lasiurus cinereus*), swamp rabbit (*Sylvilagus aquaticus*), plateau spot-tailed earless lizard (*Holbrookia lacerata*),  
29 slender glass lizard (*Ophisaurus attenuatus*), Texas garter snake (*Thamnophis sirtalis annectens*), Texas map  
30 turtle (*Graptemys versa*), Correll's false dragon-head (*Physostegia correlli*), Texas fescue (*Festuca versuta*), and  
31 tree dodder (*Cuscuta exaltata*). Descriptions of the habitat requirements for these species included in TxDOT-  
32 compiled Travis County species list are in the Species Analysis Spreadsheet.

1 The Woodhouse's toad, plateau spot-tailed earless lizard, Texas garter snake, and slender glass lizard could be  
2 found within the park areas adjacent to Lady Bird Lake. The American eel, Guadalupe bass, silverband shiner,  
3 Texas shiner, caddis fly, and Texas map turtle could all potentially occur in the Colorado River below Longhorn  
4 Dam. The American eel, caddis fly, and Texas map turtle could also potentially occur within Lady Bird Lake. The  
5 cave myotis bat could potentially use concrete culverts or bridges as roosting locations. The big brown bat,  
6 eastern red bat, hoary bat, and swamp rabbit could all potentially occur within the forested area adjacent to the  
7 proposed drainage outfall structure along the Colorado River. The Correll's false dragonhead may occur along  
8 the banks of Lady Bird Lake and the Colorado River; Texas fescue may occur within the riparian area near the  
9 outfall downstream of Longhorn Dam; and the tree dodder could potentially occur on any of the tree species  
10 found within the project areas.

11 TPWD's Natural Diversity Database (NDD) contains records of 36 SGCN species that could potentially occur  
12 within a 10-mile buffer of the project areas (see attached NDD map in **Appendix O**). No observations of any SGCN  
13 occurred during site visits within the project areas on properties in which right-of-entry has been granted.

### 14 *3.11.10.2 Environmental Consequences*

#### 15 *3.11.10.2.1 Build Alternative 2*

16 Eighteen SGCN could be impacted by Build Alternative 2. Taxa-specific mitigation strategies would be employed  
17 to avoid, minimize, and/or compensate for potential impacts to SGCN. Should additional habitat be located  
18 during subsequent surveys of biological resources for the Preferred Alternative that will be evaluated for the  
19 FEIS, this discussion would be updated and revised as needed.

#### 20 *3.11.10.2.2 Modified Build Alternative 3*

21 Eighteen SGCN could be impacted by Modified Build Alternative 3. Taxa-specific mitigation strategies would be  
22 employed to avoid, minimize, and/or compensate for potential impacts to SGCN. Should additional habitat be  
23 located during subsequent surveys of biological resources for the Preferred Alternative that will be evaluated for  
24 the FEIS, this discussion would be updated and revised as needed.

#### 25 *3.11.10.2.3 No Build Alternative*

26 There would be no impacts to SGCNs from the No Build Alternative. Open areas within the existing I-35 ROW  
27 would continue to be maintained and the overgrown vegetated riparian areas within existing ROW would be  
28 expected to remain undisturbed. Areas adjacent to the existing ROW would be maintained in their present state  
29 by landowners, with habitat alterations potentially occurring because of future development.

### 1 3.11.11 Threatened, Endangered, and Candidate Species

#### 2 3.11.11.1 Existing Conditions

##### 3 3.11.11.1.1 Federally-Listed Species

4 The purpose of the Endangered Species Act of 1973 (ESA) is to protect threatened and endangered species and  
5 their critical habitat. “Endangered” is defined as a species that is in danger of extinction throughout all or a  
6 substantial portion of its range. “Threatened” is defined as a species that is likely to become endangered in the  
7 future throughout all or a substantial portion of its range. In addition to endangered and threatened species, the  
8 USFWS maintains a list of candidate species. According to the USFWS, candidate species are plants and animals  
9 for which the agency has sufficient information on the species’ biological status and threats to propose the  
10 species as endangered or threatened under the ESA, but for which development of a proposed listing regulation  
11 is precluded by other higher-priority listing activities. Section 4 of the ESA identifies five criteria for a species to  
12 be listed as threatened or endangered:

- 13 • The present or threatened destruction, modification, or curtailment of a species’ habitat or range;
- 14 • Overutilization for commercial, recreational, scientific, or educational purposes;
- 15 • Disease or predation;
- 16 • The inadequacy of existing regulatory mechanisms; or
- 17 • Other natural or manmade factors affecting the species’ continued existence.

18 The USFWS IPaC Official Species List has three threatened species—piping plover (*Charadrius melodus*), red knot  
19 (*Calidris canutus rufa*), and Jollyville Plateau salamander (*Eurycea tonkawae*); one proposed endangered  
20 species—Texas fatmucket (*Lampsilis bracteata*); one proposed threatened species—bracted twistflower  
21 (*Streptanthus bracteatus*); eight endangered species—golden-cheeked warbler (*Setophaga chrysoparia*),  
22 whooping crane (*Grus americana*), Austin blind salamander (*Eurycea waterlooensis*), Barton Springs salamander  
23 (*Eurycea sosorum*), Tooth Cave ground beetle (*Rhadine persephone*), Bee Creek Cave harvestman (*Texella*  
24 *reddelli*), Bone Cave harvestman (*Texella reyesi*), and Tooth Cave spider (*Tayshaneta myopica*); and one  
25 candidate species—monarch butterfly (*Danaus plexippus*) (USFWS 2022). Though it is not yet officially added to  
26 the USFWS IPaC system, in September of 2022, the USFWS announced a proposal to list the tricolored bat  
27 (*Perimyotis subflavus*) as endangered as well (USFWS, 2022b). Two of the bird species, piping plover and red  
28 knot, are conditionally listed on the IPaC website for proposed projects that are related to wind energy generation.  
29 The proposed project is a highway project; therefore, these two threatened bird species were not considered in  
30 the threatened and endangered species review. No critical habitat was identified within the project area of either  
31 alternative or within the immediate vicinity of the project areas.

32 In addition to the USFWS Official Species List, a TxDOT-compiled Travis County species list (see *Species Analysis*  
33 *Spreadsheet* in **Appendix O**) includes three additional mollusk species and one fish species as potentially  
34 occurring within the project areas: the false spike (*Fusconaia mitchelli*), Texas pimpleback (*Cyclonaias petrina*),  
35 Texas fawnsfoot (*Truncilla macrodon*), and smalleye shiner (*Notropis buccula*). The false spike and Texas

1 pimpleback are both federally-proposed endangered species, the Texas fawnsfoot is a federally-proposed  
2 threatened species, and the smalleye shiner is a federally-endangered species.

3 According to TPWD's NDD, there are recorded occurrences of 10 federally- or state-listed threatened,  
4 endangered, or proposed species occurring within 10 miles of the project area of both build alternatives: Austin  
5 blind salamander, Barton Spring salamander, Jollyville Plateau salamander, Tooth Cave ground beetle, Bee  
6 Creek Cave harvestman, Bone Cave harvestman, golden-cheeked warbler, smalleye shiner, Texas fatmucket,  
7 and bracted twistflower. A habitat assessment of the proposed project areas determined that there is potential  
8 habitat for one proposed threatened species, four proposed endangered species, and one candidate species  
9 within both build alternatives: the Texas fawnsfoot, false spike, Texas fatmucket, Texas pimpleback, tricolored  
10 bat, and monarch butterfly, respectively. There is no habitat within the project area of either alternative for the  
11 other 12 species listed on the Official Species List or additional federal species from TxDOT/TPWD lists. A full  
12 explanation of the habitat suitability for each species can be found in the *Species Analysis Form and Species*  
13 *Spreadsheet* in **Appendix O**.

14 The Colorado River is within the known range of the false spike, Texas fatmucket, Texas pimpleback, and Texas  
15 fawnsfoot. A habitat reconnaissance survey was performed by TxDOT biologists in October 2021 within the  
16 location of the potential outfall into the Colorado River. TxDOT determined that these four mussel species were  
17 unlikely to occur in this location due to poor habitat quality (e.g. excessive growth of aquatic vegetation, large  
18 areas covered in decomposing vegetation and woody debris, and unstable substrate subject to frequent scour).  
19 TxDOT biologists conducted a due diligence presence/absence survey in September and November 2022 in  
20 accordance with the Texas Freshwater Mussel Survey Protocol (USFWS & TPWD 2021) to confirm that none of  
21 these species occurs in this area. The site-specific survey methodology was reviewed by TPWD and USFWS and  
22 approved on August 10, 2022. No live native freshwater mussels of any kind were found during these surveys.  
23 Since the false spike, Texas fatmucket, Texas pimpleback, and Texas fawnsfoot do not occur within the project  
24 area, no further action regarding these species is required.

25 Habitat for the tricolored bat was determined to exist along the riparian zones along Lady Bird Lake and at the  
26 location of the outfall downstream of Longhorn Dam. The mature trees with shaggy bark and open cavities could  
27 provide potential roosting locations for the bat, and any vegetation removals in these areas could disturb roosting  
28 bats. Any tree removal could potentially cause unintentional take of the species as well. A bat presence/absence  
29 survey should occur prior to the removal of any potential roosting locations and bat exclusion devices may be  
30 necessary.

31 The marginal habitat for the monarch butterfly determined within the project areas is highly urbanized and  
32 regularly maintained by mowing, but during the summer and spring months wildflowers are regularly observed.  
33 The monarch butterfly is anticipated to be proposed for listing under the ESA in Fiscal Year 2023. As the species  
34 is currently only a candidate species (USFWS determined in 2020 that listing is "warranted, but precluded"), no  
35 consultation with the USFWS is required at this time. TxDOT is a partner in the Nationwide Candidate  
36 Conservation Agreement with Assurances/Candidate Conservation Agreement for monarch butterfly on Energy  
37 and Transportation Lands (Agreement). The Agreement authorizes incidental take for all activities included in  
38 the proposed project should the monarch butterfly be listed as threatened or endangered.

1    3.11.11.1.2 *State-listed Species*

2    Chapters 68 and 88 of the TPW Code address TPWD’s responsibilities regarding state-listed threatened and  
3    endangered animal and plant species, respectively. The attached *Species Analysis Spreadsheet* evaluates all  
4    state and federally-listed threatened and endangered species for Travis County as compiled by TxDOT. The table  
5    includes a description of the habitat requirements for each species and indicates whether that habitat is present  
6    within the proposed project areas, and whether there would be an effect/impact to any of the listed species from  
7    implementation of the proposed project. A habitat assessment of the proposed project areas (see attached  
8    *Species Analysis Spreadsheet* in **Appendix O**) determined that there is potential habitat for four state threatened  
9    species within both build alternatives: the Texas fawnsfoot, false spike, Texas fatmucket, and Texas pimpleback.  
10   Although the potential habitat is in the Colorado River, as detailed above, TxDOT determined that these four  
11   mussel species are not likely to be found at the proposed outfall location in the Colorado River due to the high  
12   currents, predominantly sandy substrates, and high potential for water temperature fluctuations from the  
13   releases of Longhorn Dam. A due diligence presence/absence survey was performed in fall 2022 to confirm  
14   whether there are occurrences of these species in this area. Potential implications for these species occurrences  
15   on the project will be updated accordingly prior to construction.

16   There is no habitat within the project area of either alternative for any other state threatened or endangered  
17   species. No NDD records exist for any state-listed threatened or endangered species within a 1.5-mile buffer of  
18   the project areas. Additionally, no observations of any state-listed species occurred during site visits within the  
19   project areas on properties in which right-of-entry was granted.

20   3.11.11.2 *Environmental Consequences*

21   3.11.11.2.1 *Build Alternative 2*

22   No impacts are anticipated to 13 of the 15 species listed or proposed for listing by USFWS as a result of Build  
23   Alternative 2. An analysis of the project area determined that of the total 48.3 acres of proposed ROW including  
24   3.2 acres of temporary/permanent easements needed for Build Alternative 2, only approximately 20.1 acres are  
25   not already impervious cover and could therefore provide potential monarch butterfly habitat. The project may  
26   affect the monarch butterfly; however, the monarch is currently a candidate species and no consultation with  
27   USFWS is required at this time. As construction activities for this project are not anticipated to be completed  
28   prior to Fiscal Year 2024, when a listing decision for the species is anticipated, additional coordination may be  
29   required. The project should be reevaluated at that time to determine if further action is required if the species  
30   becomes proposed for federal listing. Two of the listed bird species (piping plover and red knot) were removed  
31   from consideration in this review because the proposed project is not related to wind energy generation. The  
32   tricolored bat may be affected by the proposed project, but at this time the species is only proposed for listing  
33   and no official protection is afforded by the USFWS. Though no consultation is required for this species at this  
34   time, a presence/absence survey will occur prior to any vegetation removal within the riparian areas of the  
35   proposed project and bat exclusion practices will be implemented if the species is determined to be present. The  
36   remaining federally-listed species would not be impacted by Build Alternative 2 due to the absence of suitable  
37   habitat. No state-listed threatened or endangered species would be impacted. No impacts or effects to any  
38   threatened or endangered species resulting from implementation of Build Alternative 2 are anticipated. Should

1 additional habitat be located during subsequent field surveys of biological resources for the Preferred Alternative  
2 that will be evaluated for the FEIS, this discussion would be updated and revised as needed.

### 3 *3.11.11.2.2 Modified Build Alternative 3*

4 No impacts are anticipated to 13 of the 15 species listed or proposed for listing by USFWS as a result of Modified  
5 Build Alternative 3. An analysis of the project area determined that of the 44.7 acres of proposed ROW including  
6 3.2 acres of temporary/permanent easements only 18.8 acres are not already impervious cover and could  
7 potentially provide monarch habitat. The project may affect the monarch butterfly; however, the monarch is  
8 currently a candidate species and no consultation with USFWS is required at this time. As construction activities  
9 for this project are not anticipated to be completed prior to Fiscal Year 2024, when a listing decision for the  
10 species is anticipated, additional coordination may be required. The project should be reevaluated at that time  
11 to determine if further action is required if the species becomes proposed for federal listing. Two of the listed  
12 bird species (piping plover and red knot) were removed from consideration in this review because the proposed  
13 project is not related to wind energy generation. The tricolored bat may be affected by the proposed project, but  
14 at this time the species is only proposed for listing and no official protection is afforded by the USFWS. Though  
15 no consultation is required for this species at this time, a presence/absence survey will occur prior to any  
16 vegetation removal within the riparian areas of the proposed project and bat exclusion practices will be  
17 implemented if the species is determined to be present. The remaining federally-listed species would not be  
18 impacted by Modified Build Alternative 3 due to the absence of suitable habitat. No state-listed threatened or  
19 endangered species would be impacted. No impacts or effects to any threatened or endangered species  
20 resulting from implementation of Modified Build Alternative 3 are anticipated. Should additional habitat be  
21 located during subsequent field surveys of biological resources for the Preferred Alternative that will be evaluated  
22 for the FEIS, this discussion would be updated and revised prior to construction.

### 23 *3.11.11.2.3 No Build Alternative*

24 There would be no impacts to federally- or state-listed threatened or endangered species from the No Build  
25 Alternative. Open areas within the existing I-35 ROW would continue to be maintained and the overgrown  
26 vegetated riparian areas within existing ROW would be expected to remain undisturbed. Areas adjacent to the  
27 existing ROW would be maintained in their present state by landowners, with habitat alterations potentially  
28 occurring because of future development.

### 29 *3.11.12 Texas Parks and Wildlife Coordination*

30 In accordance with the MOU between TxDOT and TPWD, TPWD has provided a set of recommended BMPs in a  
31 document titled, "Beneficial Management Practices – Avoiding, Minimizing, and Mitigating Impacts of  
32 Transportation Projects on State Natural Resources," which is available on TxDOT's Natural Resources Toolkit at  
33 <https://www.txdot.gov/inside-txdot/division/environmental/compliance-toolkits/natural-resources.html>. The  
34 MOU provides that application of specific BMPs to individual projects will be determined by TxDOT at its  
35 discretion. The TPWD-recommended BMPs that will be applied to this project are indicated in the Form –  
36 Documentation of TPWD BMPs prepared for the project, which is included in **Appendix D**. Coordination with TPWD  
37 was initiated for this project on July 11, 2022, and is ongoing. In order to minimize impacts to the 18 SGCN that

1 may potentially occur within the proposed project areas, the following taxa-specific BMPs would be implemented  
2 for the Preferred Alternative:

- 3 • Aquatic Amphibian and Reptile BMPs;
- 4 • Bat BMPs;
- 5 • Bird BMPs;
- 6 • Fish BMPs;
- 7 • Terrestrial Amphibian and Reptile BMPs;
- 8 • Vegetation BMPs;
- 9 • Aquatic Invertebrate BMPs;
- 10 • Water Quality BMPs; and
- 11 • Rare Plant BMPs

12 In addition, the contractors will be notified of all potential occurrences of SGCNs within the project area and to  
13 avoid harming any of the species, whenever possible. Swallow nests will be checked prior to removal to ensure  
14 no bats are utilizing them as roosting locations.

### 15 *3.12 Air Quality*

16 The Clean Air Act (CAA) requires EPA to manage NAAQS for certain widespread criteria pollutants (particulate matter  
17 [PM], ozone, CO, sulfur dioxide, nitrogen dioxide, and lead) and determines whether areas do or do not meet the  
18 air quality standards, based on data collected from air quality monitors. Areas where the air quality falls short of  
19 the NAAQS are designated as “nonattainment areas” and, through the regional MPO, must address air pollution  
20 from on-road mobile sources through the transportation conformity process per CAA Section 176(c). The conformity  
21 process is designed to ensure that the total emissions projected in a nonattainment MPO’s long-range and short-  
22 range transportation plans are within the Motor Vehicle Emissions Budget established by the state and approved  
23 by EPA to protect public health for the NAAQS.

24 In addition to the CAA transportation conformity requirements for highway projects, NEPA establishes procedural  
25 requirements for “major federal actions significantly affecting the quality of the human environment” and  
26 FHWA/FTA uses guidance, rather than rule, to establish the requirements for the CO TAQA, construction  
27 emissions, and the MSAT analysis under NEPA.

28 NOTE: The air and noise evaluations were modeled with data developed for and consistent with the Capital  
29 Express North and South Projects. This data set consistency across all three projects provided opportunities for  
30 direct comparisons of impacts. Updated traffic data will be used to update the evaluations for air and noise in  
31 the FEIS for the preferred alternative.

#### 32 *3.12.1 Transportation Conformity*

33 The proposed project is located within Travis County. The area is in attainment or unclassifiable for all NAAQS;  
34 therefore, the transportation conformity rules do not apply.

1 **3.12.2 Carbon Monoxide Traffic Air Quality Analysis**

2 Since the project would add capacity and the design year traffic volume is above 140,000 vpd (see **Table 3-12-**  
 3 **1**), a CO TAQA is required for the proposed project.

**Table 3.12-1: Projected AADT**

I-35 Sections	AADT	
	2030 (ETC)	2050 (Design)
Section 1: South of William Cannon Dr. Ramp to north of 32nd St. Ramps	181,550	238,300
Section 2: North of 32nd St. Ramps to north end of project	245,200	305,900
I-35 Sections: Frontage Roads	AADT	
	2030 (ETC)	2050 (Design)
Section 3: South of William Cannon Drive Ramp to north of Lady Bird Lake (south of Holly Street Off-Ramp)	78,900	103,550
Section 4: North of Lady Bird Lake (south of Holly Street Off-Ramp) to south of 32nd St. Off-Ramp	71,050	89,450
Section 5: South of 32nd St. Off Ramp to north of Airport Blvd. Ramps	48,400	60,200
Section 6: North of Airport Blvd. Ramps to south of US 290 INTX Ramps	84,400	104,500
AADT - Annual Average Daily Traffic ETC - Estimated Time of Completion		

4 A CO TAQA was conducted to assess whether the project would adversely affect local air quality by contributing  
 5 to CO levels that exceed the 1-hour or 8-hour CO NAAQS. Using the CAL3QHC dispersion model, CO  
 6 concentrations for the Build Alternatives were modeled for the estimated time of completion (ETC) and design  
 7 years. The analysis factored in worst-case assumptions along areas of the proposed project with the highest  
 8 design hour volume of vehicles and narrowest ROW for each segment and alternative. Additional analyses were  
 9 conducted at selected intersections to assess CO emissions due to idling vehicles with the worst projected LOS.

10 See **Appendix P**, CO TAQA Technical Report, for the complete analysis. The CO TAQA analysis will be updated in  
 11 the Final EIS for the Preferred Alternative.

12 **3.12.2.1 Build Alternative 2**

13 The analysis results indicate that CO concentrations under Build Alternative 2 would not be expected to exceed  
 14 the national standard. **Table 3.12-2** depicts the worst-case 1-hour and 8-hour CO concentration for each  
 15 analyzed segment under Build Alternative 2.

Table 3.12-2: Worst-Case 1-Hour and 8-Hour CO Concentrations by Section – Build Alternative 2

Modeled Section	Alternative	1-Hour CO ppm NAAQS: 35 ppm				8-Hour CO ppm NAAQS: 9 ppm			
		2030 (ETC)	% NAAQS	2050 (Design)	% NAAQS	2030 (ETC)	% NAAQS	2050 (Design)	% NAAQS
Segment 1	No Build	1.9	5.4	2.0	5.7	1.5	16.7	1.6	17.8
	Alt 2	1.8	5.1	1.9	5.4	1.4	15.6	1.5	16.7
Segment 2	No Build	2.1	6.0	2.1	6.0	1.7	18.9	1.7	18.9
	Alt 2	2.3	6.6	2.1	6.0	1.8	20.0	1.7	18.9
Segment 3	No Build	2.0	5.7	2.2	6.3	1.6	17.8	1.7	18.9
	Alt 2	1.9	5.4	2.3	6.6	1.5	16.7	1.8	20.0
Segment 4	No Build	2.0	5.7	1.8	5.1	1.6	17.8	1.4	15.6
	Alt 2	1.8	5.1	1.9	5.4	1.4	15.6	1.5	16.7
Segment 5	Alt 2	1.9	5.4	1.9	5.4	1.5	16.7	1.5	16.7
Segment 6	Alt 2	1.9	5.4	1.9	5.4	1.5	16.7	1.5	16.7

Source: CO TAQA Technical Report  
ppm – parts per million

1 3.12.2.2 Modified Build Alternative 3

- 2 The analysis results indicate that CO concentrations under Modified Build Alternative 3 would not be expected  
3 to exceed the national standard. **Table 3.12-3** depicts the worst-case 1-hour and 8-hour CO concentration for  
4 each analyzed segment under Modified Build Alternative 3.

Table 3.12-3: Worst-Case 1-Hour and 8-Hour CO Concentrations by Section – Modified Build Alternative 3

Modeled Section	Alternative	1-Hour CO ppm NAAQS: 35 ppm				8-Hour CO ppm NAAQS: 9 ppm			
		2030 (ETC)	% NAAQS	2050 (Design)	% NAAQS	2030 (ETC)	% NAAQS	2050 (Design)	% NAAQS
Segment 1	No Build	1.9	5.4	2.0	5.7	1.5	16.7	1.6	17.8
	Alt 3 Mod	1.7	4.9	1.8	5.1	1.4	15.6	1.4	15.6

Table 3.12-3: Worst-Case 1-Hour and 8-Hour CO Concentrations by Section – Modified Build Alternative 3

Modeled Section	Alternative	1-Hour CO ppm NAAQS: 35 ppm				8-Hour CO ppm NAAQS: 9 ppm			
		2030 (ETC)	% NAAQS	2050 (Design)	% NAAQS	2030 (ETC)	% NAAQS	2050 (Design)	% NAAQS
Segment 2	No Build	2.1	6.0	2.1	6.0	1.7	18.9	1.7	18.9
	Alt 3 Mod	2.3	6.6	2.1	6.0	1.8	20.0	1.7	18.9
Segment 3	No Build	2.0	5.7	2.2	6.3	1.6	17.8	1.7	18.9
	Alt 3 Mod	1.8	5.1	2.0	5.7	1.4	15.6	1.6	17.8
Segment 4	No Build	2.0	5.7	1.8	5.1	1.6	17.8	1.4	15.6
	Alt 3 Mod	1.8	5.1	1.9	5.1	1.4	15.6	1.5	16.7
Segment 5	Alt 3 Mod	1.8	5.1	2.0	5.7	1.4	15.6	1.6	17.8
Segment 6	Alt 3 Mod	1.8	5.1	1.9	5.4	1.4	15.6	1.5	16.7

Source: CO TAQA Technical Report  
ppm – parts per million

1 **3.12.2.3 No Build Alternative**

2 The No Build Alternative would not result in improvements to I-35 in the proposed project area; therefore, the  
3 existing condition of these facilities would remain the same and the AADT would continue to increase over time.  
4 Emissions would likely be lower than present levels in the design year as a result of EPA regulations for vehicle  
5 engines and fuels along with associated fleet turnover.

6 **3.12.3 Mobile Source Air Toxics Analysis (MSAT)**

7 Controlling air toxic emissions became a national priority with the passage of the CAA Amendments of 1990,  
8 whereby Congress mandated that the EPA regulate 188 air toxics, also known as hazardous air pollutants. The  
9 EPA has assessed this expansive list in its latest rule on the Control of Hazardous Air Pollutants from Mobile  
10 Sources (Federal Register, Vol. 72, No. 37, page 8430, February 26, 2007), and identified a group of 93  
11 compounds emitted from mobile sources that are listed in its Integrated Risk Information System (IRIS).<sup>6</sup> In  
12 addition, EPA identified nine compounds with significant contributions from mobile sources that are among the  
13 national and regional-scale cancer risk drivers from its 2011 National Air Toxics Assessment.<sup>7</sup> These are 1,3-

<sup>6</sup> The EPA has a program titled the IRIS that characterizes the health hazards of chemicals found in the environment, including MSAT. IRIS has a process (<https://www.epa.gov/iris/basic-information-about-integrated-risk-information-system>) for developing these assessments, which allows for the for the public and scientific community to submit relevant information for inclusion in them.

<sup>7</sup> See: <https://www.epa.gov/national-air-toxics-assessment>

1 butadiene, acetaldehyde, acrolein, benzene, diesel particulate matter (DPM), ethylbenzene, formaldehyde,  
2 naphthalene, and polycyclic organic matter. While FHWA considers these the priority MSAT, the list is subject to  
3 change and may be adjusted in consideration of future EPA rules.

4 For each alternative, the amount of MSATs emitted would be proportional to the VMT, assuming that other  
5 variables, such as fleet mix, are the same for each alternative. The VMT estimated for each of the Build  
6 Alternatives is slightly higher than that for the No Build Alternative because the additional roadway capacity  
7 increases the efficiency of the roadway and attracts rerouted trips from elsewhere in the transportation network.  
8 Although information is incomplete or unavailable to evaluate project-specific MSAT health impacts, regardless  
9 of the Build Alternative chosen, emissions would likely be lower than present levels in the design year as a result  
10 of EPA regulations for vehicle engines and fuels. Based on regulations now in effect, overall MSAT emissions will  
11 decline significantly over the next several decades. FHWA estimates that even if VMT increases by 45 percent  
12 from 2010 to 2050 as forecast, a combined reduction of 91 percent in the total annual emissions for the priority  
13 MSAT is projected for the same time period. This will reduce both the background level of MSATs and the  
14 possibility of even minor MSAT emissions from the proposed project. See **Appendix P**, Qualitative MSAT  
15 Disclosure, for the complete qualitative MSAT disclosure. The calculated MSAT emissions are based on emission  
16 rates per VMT. Since both build alternatives follow the same alignment and are designed to manage the same  
17 vehicle capacity, the difference in their MSAT results is not expected to be discernible.

18 A quantitative MSAT analysis will be conducted during preparation of the Final EIS to calculate total MSATs for  
19 the Preferred Build Alternative and No Build Alternative. During this analysis, MSAT emissions will be analyzed  
20 for the following scenarios:

- 21 • Base, No Build (Existing): 2021
- 22 • Interim, No Build Alternative: 2030
- 23 • Interim, Preferred Build Alternative: 2030
- 24 • Design, No Build Alternative: 2050
- 25 • Design, Preferred Build Alternative: 2050

#### 26 *3.12.4 Construction Emissions*

27 During the construction phase of this project, temporary increases in PM and MSAT emissions may occur from  
28 construction activities. The primary construction-related emissions of PM are fugitive dust from site preparation,  
29 and the primary construction-related emissions of MSAT are DPM from diesel-powered construction equipment  
30 and vehicles.

31 The potential impacts of PM emissions would be minimized by using fugitive dust control measures contained in  
32 standard specifications, as appropriate. The Texas Emissions Reduction Plan (TERP) provides financial  
33 incentives to reduce emissions from vehicles and equipment. TxDOT encourages construction contractors to use

1 this and other local and federal incentive programs to the fullest extent possible to minimize diesel emissions.  
2 Information about the TERP program can be found on TCEQ's TERP website.<sup>8</sup>  
3 Considering the temporary and transient nature of construction-related emissions, the use of fugitive dust control  
4 measures, the encouragement of the use of TERP, and compliance with applicable regulatory requirements, it is  
5 not anticipated that emissions from construction of this project would have any significant impact on air quality  
6 in the area.

### 7 *3.13 Hazardous Materials*

#### 8 *3.13.1 Existing Conditions*

9 An ISA form was completed documenting hazardous materials within the project corridor. Below is a summary of  
10 these conditions and an analysis of impacts. Documentation of the ISA is maintained in the Austin District project  
11 files. See **Appendix Q** for the Hazardous Materials ISA report.

12 The ISA included a visual survey of the existing ROW and surrounding area, and research into existing and  
13 previous land uses to identify possible hazardous materials within the project limits. The existing use of the  
14 project limits and surrounding area is transportation ROW and a combination of commercial, residential, and  
15 institutional land uses, based on the site survey.

16 Aerial photographs from years 1940, 1953, 1966, 1973, 1980, 1988, 1996, 2004, and 2012 were also  
17 reviewed. Topographic maps reviewed include:

- 18 • Austin, TX 1:125,000—Years 1897 and 1910
- 19 • Austin West, TX 1:24,000—Years 1954, 1955, 1966, 1981, 1988, 2013
- 20 • Oak Hill, TX 1:24,000—Years 1966, photorevised 1973, 1986, and 2013
- 21 • Montopolis, TX 1:24,000—Years 1966, photorevised 1973, 1986, and 2013
- 22 • Buda, TX 1:24,000—Years 1955, 1981

23 The visual survey of the project area was conducted August 1 and August 30, 2021, and focused on the roadway,  
24 proposed project ROW, and adjacent properties as viewed from the existing public ROW.

#### 25 *3.13.1.1 Review of Federal, State, and Supplemental Databases*

26 A regulatory database search was performed by GeoSearch on August 8, 2021, to facilitate review of areas  
27 where new ROW would be required for design changes. The 2021 GeoSearch report identified a total of 1,207  
28 records within the search radii prescribed by ASTM (American Society for Testing and Materials) E 1527-13. Of  
29 those records in the GeoSearch report, 28 sites (primarily Petroleum Storage Tanks [PST], Leaking Petroleum  
30 Storage Tanks [LPST] and Voluntary Cleanup Program [VCP] sites) were determined to be moderate- or high-risk

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<sup>8</sup> <https://www.tceq.texas.gov/airquality/terp>

1 sites, or sites that have the potential to impact the project corridor. This determination was based on the type of  
2 database listing, the information provided in the database report, and the distance and direction of the listing to  
3 the corridor. These sites are described in the Hazardous Materials ISA, **Appendix Q, Table 1.**

4 Additionally, six orphan or unlocatable sites were identified in the database search.

### 5 *3.13.2 Environmental Consequences*

#### 6 *3.13.2.1 Build Alternative 2*

7 The I-35 Capital Express Central Project would require the acquisition of approximately 45.2 acres of new ROW  
8 for Build Alternative 2. This includes acquisition of residential and commercial properties. In addition to small  
9 slivers of property along the existing facility, the acreage also includes acquisition of 131 commercial businesses  
10 and 145 residential units under Build Alternative 2.

11 The databases searched included federal, state, local, and tribal databases as defined by ASTM E 1527-13.  
12 Further analysis of potential sites of concern relative to project design/excavation and ROW requirements would  
13 be considered prior to construction. The depth to groundwater will be determined for locations where  
14 construction is proposed to occur to determine the likelihood of reaching groundwater and to determine whether  
15 contaminants held in the groundwater would be likely to impact construction.

16 Within the project limits, there are 27 facilities with 25 registered petroleum storage tanks (RPST) sites that  
17 would likely be displaced as part of the project. Removal and disposition of tank systems would be addressed  
18 during the ROW negotiation and acquisition phase, in accordance with established procedures and regulatory  
19 requirements. RPST files would be reviewed to confirm tank system status prior to initiating removal activities.

20 Fifteen of the registered PST facilities are also listed as LPST sites. An additional 20 LPST sites within the  
21 proposed project have the potential to impact the project corridor since planned ROW acquisition or project work  
22 is planned for these sites. Based on the TCEQ priority and status indicated in the LPST database records search,  
23 environmental impacts from LPSTs were limited to minor soil contamination, or groundwater contamination with  
24 no receptors impacted. TCEQ issued the final concurrence for the majority of these listings and the cases are  
25 closed. The exception is Map ID 3 (LPST 120765) located at 3735 North I-35, since the LPST case is still ongoing.  
26 A summary table and map showing the location of the sites is provided in the Hazardous Materials ISA, **Appendix**  
27 **Q, Figure 4 and Table 1.**

28 Since displacements and tank system removal would be required, excavation would be greater than three feet,  
29 and storm sewers or utility adjustments would be required, the LPST files for facilities adjacent to the project  
30 limits were also reviewed. LPST sites within the proposed project area have the potential to impact the project  
31 corridor. Additional investigation would be performed as needed to confirm if contamination would be  
32 encountered during construction. If contamination was confirmed, then TxDOT would develop appropriate soils  
33 and/or groundwater management plans for activities within these areas.

34 At this time, utility adjustment requirements have not been determined. There is a potential for contamination  
35 to be encountered during utility adjustments. Coordination with utility companies concerning this contamination

1 would be addressed during the utility coordination stage of project development. It is anticipated that all utility  
2 adjustments or relocation would be completed prior to construction.

3 The proposed project would include the excavation and construction of pier and structure support locations.  
4 Excavation in these areas may increase the potential of encountering hazardous materials contamination during  
5 construction. Additional subsurface environmental investigation services would need to be coordinated by TxDOT  
6 ENV Hazardous Materials Group to determine whether possible contamination might be encountered during  
7 construction in the vicinity of the 25 medium and high-risk sites identified in the ISA. If hazardous constituents  
8 were confirmed, then appropriate soils and/or groundwater management plans for activities within those areas  
9 would be developed.

10 For any of the sites located adjacent to or within the footprint of the Preferred Alternative, impacts associated  
11 with hazardous materials would most likely occur during construction and would be related to activities within or  
12 near existing hazardous materials sites. However, risks would be potentially minimized by coordinating with  
13 TxDOT ENV Hazardous Materials Group to conduct additional assessment for the moderate and high-risk sites  
14 identified in the ISA Form. Additional assessment could include regulatory file reviews, Phase 1 Environmental  
15 Site Assessments, and/or subsurface investigations, as appropriate to resolve or address hazardous materials  
16 concerns, considering project design and ROW requirements relative to the sites. Additional assessment would  
17 be conducted prior to construction in accordance with TxDOT guidance.

#### 18 *3.13.2.1.1 Possible Asbestos-Containing Materials*

19 The project includes the demolition of building and bridge structures. These structures may contain asbestos-  
20 containing materials. Asbestos inspections, specification, notification, license, accreditation, abatement, and  
21 disposal, as applicable, would comply with federal and state regulations. Asbestos issues would be addressed  
22 prior to demolition or any other asbestos-disturbing activity.

#### 23 *3.13.2.1.2 Other Sites of Concern*

24 The RRC GIS maps show natural gas transmission lines and pipelines for non- highly volatile liquid (HVL) products  
25 (liquid products that are not highly volatile) intersecting the Build Alternatives as well as numerous liquid propane  
26 tank locations. During ROW negotiation, determinations would be required to make necessary adjustments  
27 and/or relocate pipelines. Location and depth of pipelines that would remain in place would need to be marked  
28 on the ground (in the field) prior to construction activities to prevent accidental damage to or rupture of the  
29 pipelines. TxDOT intends to take proper precautions to avoid impacts related to petroleum pipelines.

#### 30 *3.13.2.2 Modified Build Alternative 3*

31 The I-35 Capital Express Central Project would require the acquisition of approximately 41.7 acres for Modified  
32 Build Alternative 3. This includes acquisition of residential and commercial properties. In addition to small slivers  
33 of property along the existing facility, the acreage also includes acquisition of 69 commercial properties and 26  
34 residential properties under Modified Build Alternative 3.

1 Modified Build Alternative 3 has the same number of potential sites of concern relative to project design/  
2 excavation and ROW requirements as Build Alternative 2.

### 3 3.13.2.3 No Build Alternative

4 With the No Build Alternative, no construction or property acquisition associated with the project would occur;  
5 therefore, there would be no potential to encounter hazardous materials.

## 6 3.14 Traffic Noise

7 A traffic noise analysis was conducted for the proposed project in accordance with TxDOT's (FHWA approved)  
8 Traffic Noise Policy (2019). The Traffic Noise Technical Report (2022), which includes details about the analysis,  
9 is available in **Appendix R**.

10 Sound from highway traffic is generated primarily from vehicle tires, engines, and exhaust. It is commonly  
11 measured in decibels and is expressed as "dB."

12 Sound occurs over a wide range of frequencies. However, not all frequencies are detectable by the human ear;  
13 therefore, an adjustment is made to the high and low frequencies to approximate the way an average person  
14 hears traffic sounds. This adjustment is called A-weighting and is expressed as "dB(A)."

15 Also, because traffic sound levels are never constant due to the changing number, type, and speed of vehicles,  
16 a single value is used to represent the average or equivalent sound level and is expressed as "Leq."

17 The traffic noise analysis process includes the following elements:

- 18 • Identification of land use activity areas that might be impacted by traffic noise.
- 19 • Determination of existing noise levels.
- 20 • Prediction of future noise levels.
- 21 • Identification of possible noise impacts.
- 22 • Consideration and evaluation of measures to reduce noise impacts.

23 The FHWA has established the following Noise Abatement Criteria (NAC), shown in **Table 3.14-1**, for various land  
24 use activity areas that are used as one of two means to determine when a traffic noise impact would occur.

**Table 3.14-1. FHWA Noise Abatement Criteria (NAC)**

Activity Category	FHWA dB(A) Leq	Activity Description
A	57 (exterior)	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.

Table 3.14-1. FHWA Noise Abatement Criteria (NAC)

Activity Category	FHWA dB(A) Leq	Activity Description
B	67 (exterior)	Residential
C	67 (exterior)	Active sports areas, amphitheaters, auditoriums, campgrounds, cemeteries, day care centers, hospitals, libraries, medical facilities, parks, picnic areas, places of worship, playgrounds, public meeting rooms, public or non-profit institutional structures, radio studios, recording studios, recreation areas, Section 4(f) sites, schools, television studios, trails, and trail crossings.
D	52 (interior)	Auditoriums, day care centers, hospitals, libraries, medical facilities, places of worship, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, schools, and television studios.
E	72 (exterior)	Hotels, motels, offices, restaurants/bars, and other developed lands, properties or activities not included in A-D or F.
F	--	Agriculture, airports, bus yards, emergency services, industrial, logging, maintenance facilities, manufacturing, mining, rail yards, retail facilities, shipyards, utilities (water resources, water treatment, electrical), and warehousing.
G	--	Undeveloped lands that are not permitted.

1 A noise impact occurs when either the absolute or relative criterion is met:

- 2 • **Absolute Criterion:** The predicted noise level at the receiver approaches, equals, or exceeds the NAC.
- 3 “Approach” is defined as one dB(A) below the NAC. For example, a noise impact would occur at a Category
- 4 B residence if the noise level is predicted to be 66 dB(A) or above.
- 5 • **Relative Criterion:** The predicted noise level substantially exceeds the existing noise level at a receiver even
- 6 though the predicted noise level does not approach, equal, or exceed the NAC. “Substantially exceeds” is
- 7 defined as more than 10 dB(A). For example: a noise impact would occur at a Category B residence if the
- 8 existing level is 54 dB(A) and the predicted level is 65 dB(A).

9 The FHWA traffic noise modeling software (TNM 2.5) was used to calculate existing and predicted traffic noise  
 10 levels. The model primarily considers the number, type, and speed of vehicles; highway alignment and grade;  
 11 cuts, fills, and natural berms; surrounding terrain features; and the locations of activity areas likely to be  
 12 impacted by the associated traffic noise.

13 NOTE: The air and noise evaluations were modeled with data developed for and consistent with CapEx-North and  
 14 South Projects. This data set consistency across all three projects provided opportunities for direct comparisons  
 15 of impacts. Updated traffic data will be used to update the evaluations for air and noise in the FEIS for the  
 16 preferred alternative.

### 1 3.14.1 Existing Conditions

2 The proposed project lies within an existing developed urban corridor in COA. Land uses adjacent to the project  
3 area include single-family and multifamily residences (NAC B); schools, places of worship, cemeteries, public  
4 parks/recreation, public/non-profit institutional facilities and medical facilities (NAC C and D), and restaurants/  
5 offices with outside seating and hotels with swimming pools (NAC E). Existing and predicted traffic noise levels  
6 were modeled at representative land use activity areas (receptors) adjacent to the project alternatives that might  
7 be impacted by traffic noise and would potentially benefit from feasible and reasonable noise abatement. New  
8 construction and permitted developments (prior to May 2022) available from COA Development Services  
9 Department are also included in the analysis.

10 A validation study was performed in order to ensure that traffic noise is the main source of noise and to verify  
11 that the existing models accurately predict existing traffic noise based on current conditions. Model validation  
12 compares field-collected sound level measurements to traffic noise levels calculated in an existing condition  
13 model that used field-collected traffic parameters. Differences between the measured and calculated levels for  
14 this project were within the +/- 3 dB(A) tolerance allowed by FHWA. Therefore, the existing noise models are  
15 considered validated for this project.

### 16 3.14.2 Environmental Consequences

17 Noise impacts associated with each build alternative are discussed below. Noise abatement measures were  
18 considered and analyzed for each impacted receptor location in accordance with TxDOT's (FHWA approved)  
19 Traffic Noise Policy (2019). Abatement measures, typically noise barriers, must provide a minimum noise  
20 reduction, or benefit, at or above the threshold of 5 dB(A). A barrier is not acoustically feasible unless it reduces  
21 noise levels by at least 5 dB(A) at greater than 50 percent of first-row impacted receptors. To be reasonable, the  
22 barrier must not exceed the cost reasonableness allowance of 1,500 square feet per benefited receptor and  
23 must meet the noise reduction design goal of 7 dB(A) for at least one receptor. In addition, an abatement  
24 measure may not be reasonable if the construction costs are unreasonably high (defined as greater than  
25 \$105,000 per benefited receiver) due to site constraints, as determined through an alternate barrier cost  
26 assessment.

#### 27 3.14.2.1 Build Alternative 2

28 The traffic noise analysis determined that out of 95 representative receivers modeled for Build Alternative 2, 53  
29 were predicted to have noise levels that approach or exceed the FHWA NAC; therefore, Build Alternative 2 would  
30 result in traffic noise impacts.

31 Eight noise barriers were found to be both reasonable and feasible for Build Alternative 2 and are recommended  
32 for incorporation into the proposed project. See **Table 3.14-2** for details of the proposed noise barriers, including  
33 alternate barrier costs.

34 **Barrier 1/Cherrywood Neighborhood (R19, R20, and R93):** These receivers represent the Cherrywood  
35 Neighborhood on the east side of I-35 between 38½ Street and 30th Street. Based on preliminary calculations,

1 a segmented barrier 2,545 feet in total length and 20 feet in height, that was determined by the engineering  
2 team to be constructable, would reduce noise levels by at least 5 dB(A) for 15 of the 18 impacted, first-row  
3 receivers and reduce the noise level at one or more receivers by at least 7 dB(A). The total cost of the barrier is  
4 \$1,933,598, which includes \$1,781,500 for the standard barrier cost and \$152,098 for the alternate barrier  
5 costs. With 36 benefitted receivers, the cost of this barrier per benefitted receiver is \$53,711. Therefore, this  
6 noise barrier is reasonable using the alternate barrier cost assessment and is proposed for incorporation into  
7 the proposed project.

8 **Barrier 2/Aura University Park Apartments (R21):** This receiver represents the Aura University Park Apartments  
9 on the west side of I-35 between 32nd Street and Duncan Lane. Based on preliminary calculations, a barrier  
10 segmented into 4 parts to maintain sidewalk access at 434 feet in length and 18 feet in height, that was  
11 determined by the engineering team to be constructable, would reduce noise levels by at least 5 dB(A) for 18 of  
12 the 21 impacted, first-row receivers and reduce the noise level at one or more receivers by at least 7 dB(A). The  
13 total cost of the barrier is \$323,404, which includes \$273,420 for the standard barrier cost and \$49,984 for  
14 the alternate barrier costs. With 18 benefitted receivers, the cost of this barrier per benefitted receiver is  
15 \$17,967. Therefore, this noise barrier is reasonable using the alternate barrier cost assessment and is proposed  
16 for incorporation into the proposed project.

17 **Barrier 3/AMLI Eastside Apartments (R42):** This receiver represents the AMLI Eastside Apartments on the east  
18 side of I-35 between 9th Street and 10th Street. Based on preliminary calculations, a barrier 201 feet in length  
19 and 20 feet in height, that was determined by the engineering team to be constructable, would reduce noise  
20 levels by at least 5 dB(A) for 7 of the 10 impacted, first-row receivers and reduce the noise level at one or more  
21 receivers by at least 7 dB(A). The total cost of the barrier is \$152,227, which includes \$140,700 for the standard  
22 barrier cost and \$11,527 for the alternate barrier costs. With 7 benefitted receivers, the cost of this barrier per  
23 benefitted receiver is \$21,747. Therefore, this noise barrier is reasonable using the alternate barrier cost  
24 assessment and is proposed for incorporation into the proposed project.

25 **Barrier 4/3Waller Apartments (R49):** This receiver represents the 3Waller Apartments on the west side of I-35  
26 between 3rd Street and 4th Street. Based on preliminary calculations, a barrier 244 feet in length and 20 feet  
27 in height, that was determined by the engineering team to be constructable, would reduce noise levels by at  
28 least 5 dB(A) for 12 of the 16 impacted, first-row receivers and reduce the noise level at one or more receivers  
29 by at least 7 dB(A). The total cost of the barrier is \$184,783, which includes \$170,800 for the standard barrier  
30 cost and \$13,983 for the alternate barrier costs. With 12 benefitted receivers, the cost of this barrier per  
31 benefitted receiver is \$15,399. Therefore, this noise barrier is reasonable using the alternate barrier cost  
32 assessment and is proposed for incorporation into the proposed project.

33 **Barrier 5/Norwood Park (R64):** This receiver represents the Norwood Park on the west side of I-35, north of  
34 Riverside Drive. The average size of residential lots in the vicinity is 0.2 acre; therefore, it was determined that  
35 the equivalent number of receivers for the impacted exterior activity area (determined to be 2.0 acres) is 10  
36 receivers. Based on preliminary calculations, a barrier 377 feet in length and 12 feet in height, that was  
37 determined by the engineering team to be constructable, would reduce noise levels by at least 5 dB(A) at the  
38 impacted, first-row receivers and reduce the noise level at one or more receivers by at least 7 dB(A). The total

1 cost of the barrier is \$190,040, which includes \$158,340 for the standard barrier cost and \$31,700 for the  
2 alternate barrier costs. With 10 benefitted receivers, the cost of this barrier per benefitted receiver is \$19,004.  
3 Therefore, this noise barrier is reasonable using the alternate barrier cost assessment and is proposed for  
4 incorporation into the proposed project.

5 **Barrier 6/Berkshire Riverview Apartments (R66):** This receiver represents the Berkshire Riverview Apartments  
6 on the east side of I-35, north of Riverside Drive. Based on preliminary calculations, a segmented barrier 691  
7 feet in total length and 20 feet in height, that was determined by the engineering team to be constructable,  
8 would reduce noise levels by at least 5 dB(A) for 16 of the 18 impacted, first-row receivers and reduce the noise  
9 level at one or more receivers by at least 7 dB(A). The total cost of the barrier is \$656,244, which includes  
10 \$483,700 for the standard barrier cost and \$172,544 for the alternate barrier costs. With 30 benefitted  
11 receivers, the cost of this barrier per benefitted receiver is \$21,875. Therefore, this noise barrier is reasonable  
12 using the alternate barrier cost assessment and is proposed for incorporation into the proposed project.

13 **Barrier 7/Motel 6 (R78):** This receiver represents the Motel 6 on the east side of I-35, approximately 360 feet  
14 north of Royal Hill Drive. Based on preliminary calculations, a barrier 133 feet in length and 8 feet in height, that  
15 was determined by the engineering team to be constructable, would reduce noise levels by at least 5 dB(A) for  
16 the 12 roadway-facing units and reduce the noise level at one or more receivers by at least 7 dB(A). The total  
17 cost of the barrier is \$41,508, which includes \$37,240 for the standard barrier cost and \$4,268 for the alternate  
18 barrier costs. With 12 benefitted receivers, the cost of this barrier per benefitted receiver is \$3,459. Therefore,  
19 this noise barrier is reasonable using the alternate barrier cost assessment and is proposed for incorporation  
20 into the proposed project.

21 **Barrier 8/Grace Woods Apartments (R82):** This receiver represents the Grace Woods Apartments on the east  
22 side of I-35, approximately 625 feet north of Woodward Street. Based on preliminary calculations, a segmented  
23 barrier 613 feet in total length and 20 feet in height, that was determined by the engineering team to be  
24 constructable, would reduce noise levels by at least 5 dB(A) for 18 of the 20 impacted, first-row receivers and  
25 reduce the noise level at one or more receivers by at least 7 dB(A). The total cost of the barrier is \$464,434,  
26 which includes \$429,100 for the standard barrier cost and \$35,334 for the alternate barrier costs. With 43  
27 benefitted receivers, the cost of this barrier per benefitted receiver is \$10,801. Therefore, this noise barrier is  
28 reasonable using the alternate barrier cost assessment and is proposed for incorporation into the proposed  
29 project.

Table 3.14-2. Build Alternative 2 Noise Barrier Proposal (preliminary)

Barrier ID	Traffic Noise Barrier	Representative Receiver(s)	Total # Benefited Receivers	Height (feet)	Length (feet)	Total Square Feet	Standard Barrier Cost (\$)	Alternate Barrier Cost (\$)	Total Cost (\$)	Cost per Benefited Receiver (\$)
Barrier 1	Cherrywood Neighborhood	R19, R20, and R93	36	20	2,545	50,900	1,781,500	152,098	1,933,598	53,711
Barrier 2	Aura University Park Apartments	R21	18	18	434	7,812	273,420	49,984	323,404	17,967
Barrier 3	AMLI Eastside Apartments	R42	7	20	201	4,020	140,700	11,527	152,227	21,747
Barrier 4	3Waller Apartments	R49	12	20	244	4,880	170,800	13,983	184,783	15,399
Barrier 5	Norwood Park	R64	10	12	377	4,524	158,340	31,700	190,040	19,004
Barrier 6	Berkshire Riverview Apartments	R66	30	20	691	13,820	483,700	172,544	656,244	21,875
Barrier 7	Motel 6	R78	12	8	133	1,064	37,240	4,268	41,508	3,459
Barrier 8	Grace Woods Apartments	R82	43	20	613	12,260	429,100	35,334	464,434	10,801

1 Noise barriers were not reasonable and feasible for the remaining impacted representative receivers for Build  
 2 Alternative 2, and therefore abatement is not proposed for those locations.

3 Any subsequent project design changes, such as potential cap locations along the roadway, may require a  
 4 reevaluation of this preliminary noise barrier proposal. The final decision to construct the proposed noise barriers  
 5 would not be made until completion of the project design, utility evaluation, and polling of adjacent property  
 6 owners.

7 To avoid noise impacts that may result from future development of properties adjacent to the proposed project,  
 8 local officials responsible for land use control programs must ensure, to the maximum extent possible, no new  
 9 activities are planned or constructed along or within the following predicted (2041) noise impact contours (see  
 10 **Table 3.14-3**).

1 Table 3.14-3. Traffic Noise Contours [dB(A) Leq]

Location	Build Alternative 2 Distance from ROW	
	NAC Category B & C 66 dB(A)	NAC Category E 71 dB(A)
South side of US 290, between Cameron Rd and Berkman Dr	170 feet	50 feet
West side of I-35, north of Woodward St	170 feet	90 feet
West side of I-35, north of Austin ISD	>190 feet*	10 feet

\*Beyond the extent of the undeveloped parcel boundary.

2 A copy of this traffic noise analysis will be available to local officials to assist in future land use planning. On the  
 3 date of approval of this document (Date of Public Knowledge), FHWA and TxDOT are no longer responsible for  
 4 providing noise abatement for new development adjacent to the project.

5 **3.14.2.2 Modified Build Alternative 3**

6 The traffic noise analysis determined that out of 90 representative receivers modeled for Modified Build  
 7 Alternative 3, 51 were predicted to have noise levels that approach or exceed the FHWA NAC; therefore, Modified  
 8 Build Alternative 3 would result in traffic noise impacts.

9 Nine noise barriers were found to be both reasonable and feasible for Modified Build Alternative 3 and are  
 10 recommended for incorporation into the proposed project. See **Table 3.14-4** for details of the proposed noise  
 11 barriers, including alternate barrier costs.

12 **Barrier 1/Cherrywood Neighborhood (R19, R20, and R93):** These receivers represent the Cherrywood  
 13 Neighborhood on the east side of I-35 between 38th ½ Street and Edgewood Avenue. Based on preliminary  
 14 calculations, a segmented barrier 2,545 feet in total length and 20 feet in height, that was determined by the  
 15 engineering team to be constructable, would reduce noise levels by at least 5 dB(A) for 26 of the 30 impacted,  
 16 first-row receivers and reduce the noise level at one or more receivers by at least 7 dB(A). The total cost of the  
 17 barrier is \$1,933,598, which includes \$1,781,500 for the standard barrier cost and \$152,098 for the alternate  
 18 barrier costs. With 58 benefitted receivers, the cost of this barrier per benefitted receiver is \$33,338. Therefore,  
 19 this noise barrier is reasonable using the alternate barrier cost assessment and is proposed for incorporation  
 20 into the proposed project.

21 **Barrier 2/Aura University Park Apartments (R21):** This receiver represents the Aura University Park Apartments  
 22 on the west side of I-35 between 32nd Street and Duncan Lane. Based on preliminary calculations, a barrier  
 23 segmented into 4 parts to maintain sidewalk access at 434 feet in length and 20 feet in height, that was  
 24 determined by the engineering team to be constructable, would reduce noise levels by at least 5 dB(A) for 18 of  
 25 the 21 impacted, first-row receivers and reduce the noise level at one or more receivers by at least 7 dB(A). The  
 26 total cost of the barrier is \$355,684, which includes \$303,800 for the standard barrier cost and \$51,884 for  
 27 the alternate barrier costs. With 18 benefitted receivers, the cost of this barrier per benefitted receiver is

1 \$19,760. Therefore, this noise barrier is reasonable using the alternate barrier cost assessment and is proposed  
2 for incorporation into the proposed project.

3 **Barrier 3/AMLI Eastside Apartments (R42):** This receiver represents the AMLI Eastside Apartments on the east  
4 side of I-35 between 9th Street and 10th Street. Based on preliminary calculations, a barrier 201 feet in length  
5 and 20 feet in height, that was determined by the engineering team to be constructable, would reduce noise  
6 levels by at least 5 dB(A) for 7 of the 10 impacted, first-row receivers and reduce the noise level at one or more  
7 receivers by at least 7 dB(A). The total cost of the barrier is \$152,227, which includes \$140,700 for the standard  
8 barrier cost and \$11,527 for the alternate barrier costs. With 7 benefitted receivers, the cost of this barrier per  
9 benefitted receiver is \$21,747. Therefore, this noise barrier is reasonable using the alternate barrier cost  
10 assessment and is proposed for incorporation into the proposed project.

11 **Barrier 4/3Waller Apartments (R49):** This receiver represents the 3Waller Apartments on the west side of I-35  
12 between 3rd Street and 4th Street. Based on preliminary calculations, a barrier 277 feet in length and 18 feet  
13 in height, that was determined by the engineering team to be constructable, would reduce noise levels by at  
14 least 5 dB(A) for 23 of the 24 impacted, first-row receivers and reduce the noise level at one or more receivers  
15 by at least 7 dB(A). The total cost of the barrier is \$189,298, which includes \$174,510 for the standard barrier  
16 cost and \$14,788 for the alternate barrier costs. With 23 benefitted receivers, the cost of this barrier per  
17 benefitted receiver is \$8,230. Therefore, this noise barrier is reasonable using the alternate barrier cost  
18 assessment and is proposed for incorporation into the proposed project.

19 **Barrier 5/Norwood Park (R64):** This receiver represents the Norwood Park on the west side of I-35, north of  
20 Riverside Drive. The average size of residential lots in the vicinity is 0.2 acre; therefore, it was determined that  
21 the equivalent number of receivers for the impacted exterior activity area (determined to be 2.0 acres) is 10  
22 receivers. Based on preliminary calculations, a barrier 377 feet in length and 16 feet in height, that was  
23 determined by the engineering team to be constructable, would reduce noise levels by at least 5 dB(A) at the  
24 impacted, first-row receivers and reduce the noise level at one or more receivers by at least 7 dB(A). The total  
25 cost of the barrier is \$253,320, which includes \$211,120 for the standard barrier cost and \$42,200 for the  
26 alternate barrier costs. With 10 benefitted receivers, the cost of this barrier per benefitted receiver is \$25,332.  
27 Therefore, this noise barrier is reasonable using the alternate barrier cost assessment and is proposed for  
28 incorporation into the proposed project.

29 **Barrier 6/Berkshire Riverview Apartments (R66):** This receiver represents the Berkshire Riverview Apartments  
30 on the east side of I-35, north of Riverside Drive. Based on preliminary calculations, a segmented barrier 579  
31 feet in total length and 20 feet in height, that was determined by the engineering team to be constructable,  
32 would reduce noise levels by at least 5 dB(A) for 11 of the 18 impacted, first-row receivers and reduce the noise  
33 level at one or more receivers by at least 7 dB(A). The total cost of the barrier is \$568,504, which includes  
34 \$405,300 for the standard barrier cost and \$163,204 for the alternate barrier costs. With 22 benefitted  
35 receivers, the cost of this barrier per benefitted receiver is \$25,841. Therefore, this noise barrier is reasonable  
36 using the alternate barrier cost assessment and is proposed for incorporation into the proposed project.

37 **Barrier 7/Motel 6 (R78):** This receiver represents the Motel 6 on the east side of I-35, approximately 360 feet  
38 north of Royal Hill Drive. Based on preliminary calculations, a barrier 133 feet in length and 8 feet in height, that

1 was determined by the engineering team to be constructable, would reduce noise levels by at least 5 dB(A) for  
 2 the 12 roadway-facing units and reduce the noise level at one or more receivers by at least 7 dB(A). The total  
 3 cost of the barrier is \$41,508, which includes \$37,240 for the standard barrier cost and \$4,268 for the alternate  
 4 barrier costs. With 12 benefitted receivers, the cost of this barrier per benefitted receiver is \$3,459. Therefore,  
 5 this noise barrier is reasonable using the alternate barrier cost assessment and is proposed for incorporation  
 6 into the proposed project.

7 **Barrier 8/Grace Woods Apartments (R82):** This receiver represents the Grace Woods Apartments on the east side  
 8 of I-35, approximately 625 feet north of Woodward Street. Based on preliminary calculations, a segmented barrier  
 9 613 feet in total length and 20 feet in height, that was determined by the engineering team to be constructable,  
 10 would reduce noise levels by at least 5 dB(A) for 18 of the 20 impacted, first-row receivers and reduce the noise  
 11 level at one or more receivers by at least 7 dB(A). The total cost of the barrier is \$464,434, which includes  
 12 \$429,100 for the standard barrier cost and \$35,334 for the alternate barrier costs. With 43 benefitted receivers,  
 13 the cost of this barrier per benefitted receiver is \$10,801. Therefore, this noise barrier is reasonable using the  
 14 alternate barrier cost assessment and is proposed for incorporation into the proposed project.

15 **Barrier 9/Camden Rainey Street (R54):** This receiver represents the Camden Rainey Street Apartments on the west  
 16 side of I-35, south of Cesar Chavez Street. Based on preliminary calculations, a barrier modeled on the outside of  
 17 the SB frontage road at 506 feet in length and 20 feet in height, that was determined by the engineering team to  
 18 be constructable, would reduce noise levels by at least 5 dB(A) for 10 of the 15 impacted, first-row receivers and  
 19 reduce the noise level at one or more receivers by at least 7 dB(A). The total cost of the barrier is \$383,369, which  
 20 includes \$354,200 for the standard barrier cost and \$29,169 for the alternate barrier costs. With 10 benefitted  
 21 receivers, the cost of this barrier per benefitted receiver is \$38,337. Therefore, this noise barrier is reasonable  
 22 using the alternate barrier cost assessment and is proposed for incorporation into the proposed project.

Table 3.14-4. Modified Build Alternative 3 Noise Barrier Proposal (preliminary)

Barrier ID	Traffic Noise Barrier	Representative Receiver(s)	Total # Benefitted Receivers	Height (feet)	Length (feet)	Total Square Feet	Standard Barrier Cost (\$)	Alternate Barrier Cost (\$)	Total Cost (\$)	Cost per Benefitted Receiver (\$)
Barrier 1	Cherrywood Neighborhood	R19, R20, and R93	58	20	2,545	50,900	1,781,500	152,098	1,933,598	33,338
Barrier 2	Aura University Park Apartments	R21	18	20	434	8,680	303,800	51,884	355,684	19,760
Barrier 3	AMLI Eastside Apartments	R42	7	20	201	4,020	140,700	11,527	152,227	21,747
Barrier 4	3Waller Apartments	R49	23	18	277	4,986	174,510	14,788	189,298	8,230
Barrier 5	Norwood Park	R64	10	16	377	6,032	211,120	42,200	253,320	25,332

Table 3.14-4. Modified Build Alternative 3 Noise Barrier Proposal (preliminary)

Barrier ID	Traffic Noise Barrier	Representative Receiver(s)	Total # Benefited Receivers	Height (feet)	Length (feet)	Total Square Feet	Standard Barrier Cost (\$)	Alternate Barrier Cost (\$)	Total Cost (\$)	Cost per Benefited Receiver (\$)
Barrier 6	Berkshire Riverview Apartments	R66	22	20	579	11,580	405,300	163,204	568,504	25,841
Barrier 7	Motel 6	R78	12	8	133	1,064	37,240	4,268	41,508	3,459
Barrier 8	Grace Woods Apartments	R82	43	20	613	12,260	429,100	35,334	464,434	10,801
Barrier 9	Camden Rainey Street Apartment	R54	10	20	506	10,120	354,200	29,169	383,369	38,337

- 1 Noise barriers were not reasonable and feasible for the remaining impacted representative receivers for
- 2 Modified Build Alternative 3, and therefore abatement is not proposed for those locations.
- 3 Any subsequent project design changes, such as potential cap locations along the roadway, may require a
- 4 reevaluation of this preliminary noise barrier proposal. The final decision to construct the proposed noise barriers
- 5 would not be made until completion of the project design, utility evaluation, and polling of adjacent property
- 6 owners.
- 7 To avoid noise impacts that may result from future development of properties adjacent to the proposed project,
- 8 local officials responsible for land use control programs must ensure, to the maximum extent possible, no new
- 9 activities are planned or constructed along or within the following predicted (2041) noise impact contours (see
- 10 **Table 3.14-5**).

11 Table 3.14-5. Traffic Noise Contours [dB(A) Leq]

Location	Modified Build Alternative 3 Distance from ROW	
	NAC Category B & C 66 dB(A)	NAC Category E 71 dB(A)
South side of US 290, between Cameron Rd and Berkman Dr	NA**	NA**
West side of I-35, north of Woodward St	170 feet	90 feet
West side of I-35, north of Austin ISD	>190 feet*	10 feet

\*Beyond the extent of the undeveloped parcel boundary.  
 \*\*No noise contour analysis for this area because no work is being proposed along US 290 East in Modified Build Alternative 3.

1 A copy of this traffic noise analysis will be available to local officials to assist in future land use planning. On the  
2 date of approval of this document (Date of Public Knowledge), FHWA and TxDOT are no longer responsible for  
3 providing noise abatement for new development adjacent to the project.

#### 4 *3.14.2.3 No Build Alternative*

5 Under the No Build Alternative, the proposed project would not be constructed. If the No Build Alternative were  
6 implemented, traffic noise levels would be expected to increase with an associated future increase in traffic  
7 volumes, and no noise abatement measures would be taken.

### 8 *3.15 Induced Growth*

9 Transportation projects that provide new or improved access to adjacent land could induce development of  
10 undeveloped land or redevelopment of land to more intensive uses. This section provides an analysis of potential  
11 indirect and induced growth impacts that could be attributed to the proposed I-35 Capital Express Central  
12 Project. The CEQ defines indirect effects as those "... caused by an action and occur later in time or farther  
13 removed in distance but are still reasonably foreseeable. Indirect effects may include growth-inducing effects  
14 and other effects related to induced changes in the pattern of land use, population density or growth rate, and  
15 related effects on air and water, and other natural systems, including ecosystems" (40 CFR 22 §1508.8).

#### 16 *3.15.1 Build Alternatives*

17 An induced growth analysis was developed using TxDOT's January 2019 *Indirect Impacts Analysis Guidance*. The  
18 proposed I-35 Capital Express Central Project was evaluated using TxDOT's Risk Assessment for Indirect Impacts  
19 published in April 2014, which serves as an initial step to evaluate whether a proposed project could induce  
20 growth and would warrant further analysis. Based on the results of the Risk Assessment Tool, TxDOT determined  
21 that an induced growth analysis would be necessary for the proposed I-35 Capital Express Central Project. The  
22 determination that an induced growth analysis was needed was based on the following factors:

- 23 • Availability of land for development and redevelopment
- 24 • Increased capacity from the implementation of the proposed project
- 25 • Substantial increase in access and mobility in the project area
- 26 • Existing and projected economic and population growth in the project area

27 The six-step methodology for the induced growth analysis was developed using TxDOT 2019 Indirect Impacts  
28 Analysis Guidance, which is based on the National Cooperative Highway Research Program (NCHRP) Report 466:  
29 Desk Reference for Estimating the Indirect Effects of Proposed Transportation Projects (NCHRP 2002) and the  
30 AASHTO Practitioner's Handbook 12: Assessing Indirect and Cumulative Impacts Under NEPA (AASHTO 2016).  
31 The six steps are:

- 32 1. Define the methodology.
- 33 2. Define the area of influence (AOI) and study timeframe.

- 1 3. Identify areas subject to induced growth in the AOI.
- 2 4. Determine if growth is likely to occur in the induced growth areas.
- 3 5. Identify resources subject to induced growth impacts.
- 4 6. Identify mitigation, if applicable.

5 **Step 1 – Define the Methodology:** To better understand the potential for proposed changes along I-35 in Austin  
6 TX, from US 290 East to SH 71/Ben White Boulevard, to induce growth, or otherwise lead to changes in the land  
7 use and development, TxDOT surveyed a group of professionals composed of planners, real estate professionals,  
8 and urban development professionals from academia, the private sector, and non-governmental organizations.  
9 A Delphi panel Collaborative Judgment approach to forecasting and making value judgments was used to assess  
10 the induced growth impacts from the proposed I-35 Capital Express Central Project. See **Appendix S** for the  
11 Delphi Panel Summary Report. The Collaborative Judgment approach is supported by planning assumptions and  
12 land use projections from the land management districts within the project area. This approach leverages  
13 regional and local experts to identify areas of potential growth, development trends, and the probability of the  
14 proposed project to influence local land use decisions within the AOI. TxDOT chose the Delphi panel Collaborative  
15 Judgment approach because Austin, including the proposed project area, has been experiencing rapid  
16 population and employment growth and TxDOT needed a wide variety of perspectives to help contextualize the  
17 factors currently influencing growth. The group of professionals was invited to participate in a modified-Delphi  
18 study composed of two web-based surveys. For both surveys, the professionals evaluated potential population  
19 growth and land use impacts in the proposed study area resulting from the changes to I-35. The purpose of the  
20 I-35 Delphi panel was to develop a consensus assessment in the three key areas:

- 21 • The geographic areas most likely to be affected by the I-35 Capital Express Central Project;
- 22 • The likelihood and rate of growth/degrowth in identified areas; and
- 23 • The resources likely to affect, or otherwise constrain, growth induced by the I-35 Capital Express Central  
24 Project.

25 For the Delphi panel, TxDOT sought to recruit a maximum of 25 participants with significant local knowledge of  
26 land use and development. Potential panel members were identified based on their likelihood of having both  
27 general and local knowledge of regional growth and development processes. TxDOT selected the Delphi panel  
28 to be (1) representative of the gender, ethnic, and socioeconomic diversity of the broader community; and (2)  
29 include experts from across the development community including planners, public officials, real estate  
30 developers, urban development consultants, community justice organizations, and academics. A total of 19  
31 unique individuals associated with 18 different organizations participated in the study. Thirteen participants took  
32 the first survey and twelve participants completed the second survey. Six participants from the first round and  
33 six new participants completed the second survey. Two multiple choice surveys with an integrated participatory  
34 GIS component were developed on the ArcGIS 123 Survey platform. The Delphi panel experts were asked to  
35 answer a combination of multiple-choice questions with corresponding opportunities to explain their responses  
36 and participatory GIS questions to (a) identify forward-looking land use possibilities and population growth  
37 trends, (b) identify geographic areas most likely to be affected by the project, or (c) better understand which

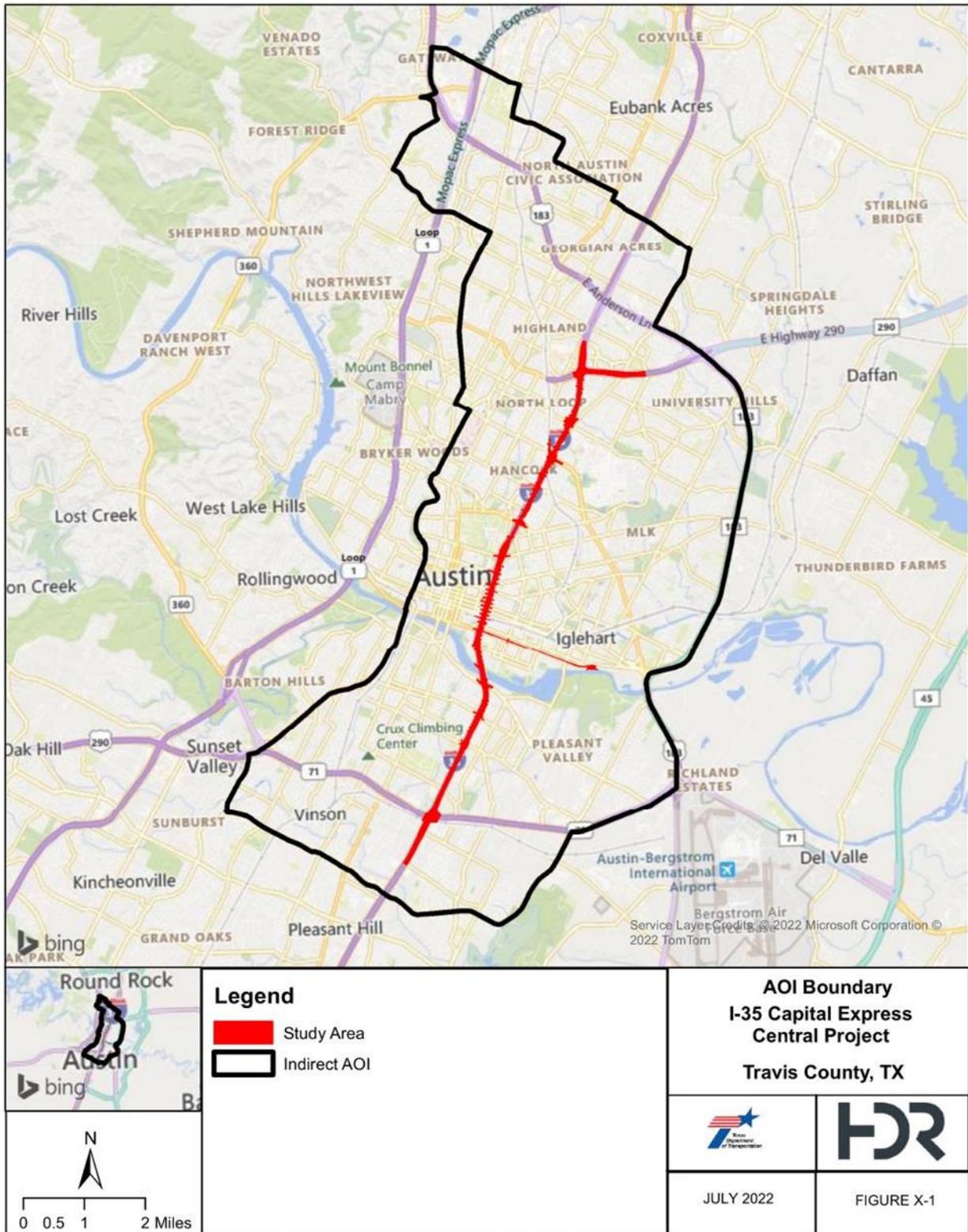
1 aspects of the project are likely to drive growth and/or land use change. The Delphi Panel Summary Report  
2 provides additional details on the Delphi panel overview, participants, questions, and responses; this report will  
3 be available for review at TxDOT Austin District office, and online (**Appendix S**).

4 **Step 2. Define the AOI and Study Timeframe:** The AOI for the induced growth analysis represents the geographical  
5 area where indirect effects related to project-influenced development and land use changes would most likely  
6 occur. The NCHRP Report 466 states that “development effects are most often found up to one mile around a  
7 freeway interchange, two to five miles along major feeder roadways to the interchanges, and up to one-half mile  
8 around a transit station.” This is a general guideline, and individual projects must be analyzed on a case-by-case  
9 basis. The AOI for the induced growth analysis for the I-35 Capital Express Central Project encompasses  
10 approximately 38,162.06 acres (~59.63 square miles) in Travis County, which includes areas of potential growth  
11 and redevelopment (see **Figure 3.15-1**). The proposed project extends from north to south, along the I-35  
12 corridor, from US 290 East (on the north) to US 290 West/SH 71 (on the south); its ROW would be 200 to 500  
13 feet wide. The AOI is defined by Rundberg Lane on the north, running from east to west and Stassney Lane on  
14 the south also running from east to west. The eastern boundary of the AOI is marked by US 183/Ed Bluestein  
15 Boulevard

16 • **AOI Eastern Boundary:** The eastern boundary of the AOI begins along East Stassney Lane and extends east  
17 to SH 71 (East Ben White Boulevard) toward US 183. From this point, the AOI continues north along US 183  
18 and runs right at the intersection of US 183 and Cameron Road; the east AOI boundary follows Cameron  
19 Road to the intersection of Cameron Road and East Rundberg Lane. East Rundberg Lane marks the start of  
20 the northern boundary of the AOI.

21 • **AOI Northern Boundary:** Moving east to west, the northern extent of the AOI extends along Rundberg Lane,  
22 turns toward the north, onto North Lamar Boulevard and then turns onto Rutland Drive. At the intersection  
23 of Rutland Drive and Burnet Road, the AOI boundary runs north along Burnet Road and then turns onto West  
24 Braker Lane, where it continues west, past MoPac toward Research Boulevard, which marks the  
25 northernmost corner of the AOI. At Research Boulevard, the AOI boundary turns south, marking the  
26 northwestern boundary of the AOI.

27 • **AOI Western Boundary:** From north to south, starting at the intersection of Research Boulevard and West  
28 Braker Lane, the western boundary of the AOI extends southwest along Loop 360 and then turns onto  
29 Jollyville Road running through residential neighborhoods to the intersection of Jollyville Road and Mesa  
30 Drive, where the AOI boundary continues south along Mesa Drive. At the intersection of Mesa Drive and  
31 Spicewood Springs Road, the AOI boundary turns east and runs along Spicewood Springs Road, passing  
32 MoPac toward the intersection of West Anderson Lane and Burnet Road. At Burnet Road, the west AOI  
33 boundary turns south and runs along Burnet Road through the residential neighborhoods until it reaches  
34 West 45th Street where it runs along West 45th Street and then turns south onto North Lamar Boulevard.  
35 The western AOI boundary runs along North Lamar Boulevard and turns onto West Gate Boulevard and runs  
36 south until it reaches the intersection of West Gate Boulevard and West Stassney Lane, which marks the  
37 end of the western boundary.



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Figure 3.15-1. AOI Boundary

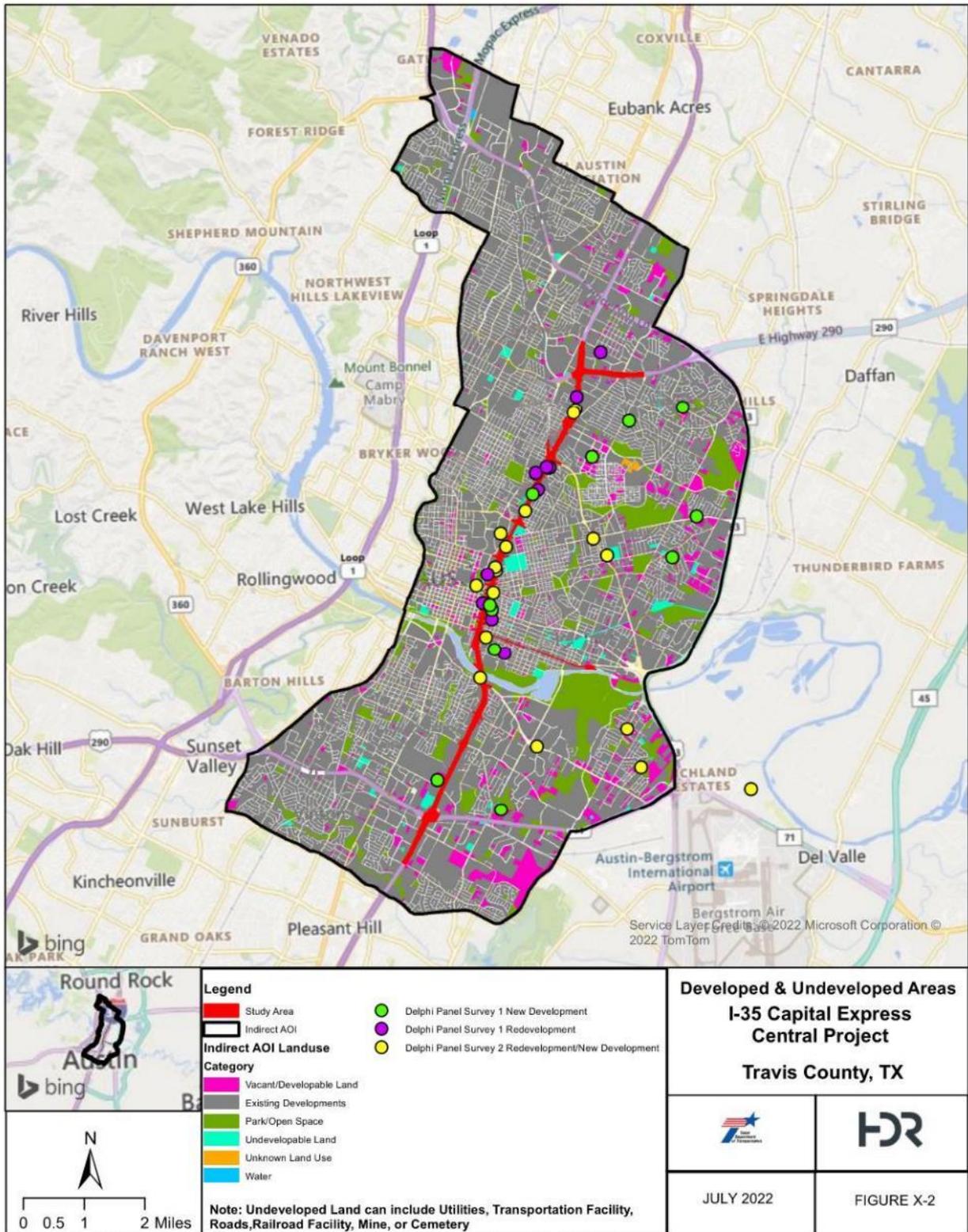
- 1 • **AOI Southern Boundary:** The southern boundary of the AOI begins at the intersection of West Gate Drive and  
2 West Stassney Lane and extends from west to east along West Stassney Lane, past Congress Avenue where  
3 the road changes to East Stassney Lane, past Nuckols Crossing Road, where East Stassney Lane turns north,  
4 ending the southern AOI boundary and marking the start of the east AOI boundary.

5 The development of the AOI boundary factored the following considerations:

- 6 • Political and geographic boundaries (existing roadways, natural features, jurisdictional limits, etc.).  
7 • Initial corridor study area as basis of study area.  
8 • The general travel shed for the corridor and the traffic analysis zones that would be substantially affected  
9 by the density of trips taken along the corridor upon project completion.  
10 • Future land development. The AOI includes areas of potential growth based on future land use maps, vacant  
11 developable areas within 1-to-5-mile radius of the I-35 Project corridor.  
12 • Redevelopment trends. The AOI includes areas of potential redevelopment surrounding the downtown area  
13 based on recent trends.  
14 • The area surrounding the project is mostly urbanized and nearly built out.  
15 • Delphi panel responses.

16 A temporal frame of reference is necessary when analyzing the range of impacts that may be caused by the  
17 proposed project in the future. The temporal boundary for this induced growth impacts analysis is from 2022  
18 (mature planning) to 2045, which is the planning horizon year for the CAMPO RTP. The year 2045 is also utilized  
19 in other components of the DEIS analyses.

20 **Step 3. Identify areas subject to induced growth in the AOI:** To determine where induced growth could occur and  
21 where development would be limited or constrained, TxDOT reviewed COA GIS data to identify vacant land and  
22 undevelopable areas (such as waterbodies, floodplains, parklands, and existing development). **Figure 3.15-2**  
23 shows the developed, developable/vacant, and undevelopable areas within the AOI; **Table 3.15-1** lists the land-  
24 use types as well as developable and undevelopable areas within the AOI. To complete an analysis of the areas  
25 subject to induced growth, we utilized land use GIS data files (COA, 2019, 2021) and induced growth survey  
26 responses from Delphi panel to confirm or update recent development trends. The Delphi Panel Summary Report  
27 provides additional details on the Delphi panel responses and insights on growth and development trends within  
28 the AOI. Future land use plans and local planning regulations were also reviewed to identify projected areas of  
29 growth, areas of redevelopment, and policies that may encourage or restrict development. Future land use data  
30 in this analysis were derived from land use GIS data files (COA, 2019).



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Figure 3.15-2. Developed and Undeveloped Areas

1 Table 3.15-1. Land Use (developed, vacant/developable, and undevelopable  
 2 parcels) within the AOI

Land Type	Area in acres	Percent of Total AOI
Existing Development	24,722.04	64.78 %
Undevelopable	399.99	1.05 %
Vacant/Developable	1,657.51	4.34 %
Parking/Redevelopable	263.14	0.69 %
Water	7.16	0.02 %
ROW	8,098.45	21.22 %
Floodplain/Park/Open Space	2,990.97	7.84 %
Undetermined/Unknown Land Uses	22.80	0.06 %
<b>Total AOI</b>	<b>38,162.06</b>	<b>100.00 %</b>
Source: COA (2021)		

3 Approximately 1,657.51 acres in the AOI are characterized as vacant and developable land (COA, 2021). This  
 4 acreage represents approximately 4.34 percent of the 38,162.06-acre AOI. Approximately 263.14 acres (0.69%)  
 5 are designated as surface parking areas that could potentially be redeveloped. The vacant and developable  
 6 tracts of land are sparsely located within the AOI. Most of the AOI is densely populated and has minimal land  
 7 available for new development; there is a mix of residential, government, educational, commercial, and park  
 8 land uses. Areas of potential growth are more suitable for redevelopment and infill development. **Table 3.15-1**  
 9 provides the total acreage of potentially developable and undevelopable land in the AOI. The AOI contains  
 10 approximately 2,901 acres (7.6% of the AOI) of land designated as the Federal Emergency Management Agency  
 11 (FEMA) 100-year floodplain, which includes special flood hazard areas—Zones A, AE, AO, AH, VE, AR (FEMA NFHL,  
 12 2019; COA, 2019).

13 The CAMPO 2045 Regional Growth Forecast projections show continued population and employment growth  
 14 throughout the suburban areas of Travis County through the year 2045. Land use and growth projections  
 15 estimated in the 2045 RTP include the proposed I-35 Capital Express Central Project. Information obtained from  
 16 local experts about announced developments provided context of existing conditions and growth trends and  
 17 helped identify the areas that could experience induced development and redevelopment. The survey  
 18 questionnaire responses submitted by the Delphi expert panel included information related to substantial  
 19 proposed developments and the areas of both development and redevelopment. Using the interactive GIS, the  
 20 Delphi panel answered questions and identified locations where they believed new development and  
 21 redevelopment would be most likely to occur within the AOI. The Delphi panel participants identified 12 areas  
 22 located throughout east Austin, including Mueller, directly along the corridor between Lady Bird Lake and MLK  
 23 Jr. Boulevard, Del Valle and Pleasant Hill near the airport, and also between Manor Road and US 290 East; the  
 24 panel also identified an area in the southern portion of the study area at the intersection of I-35 and Ben White

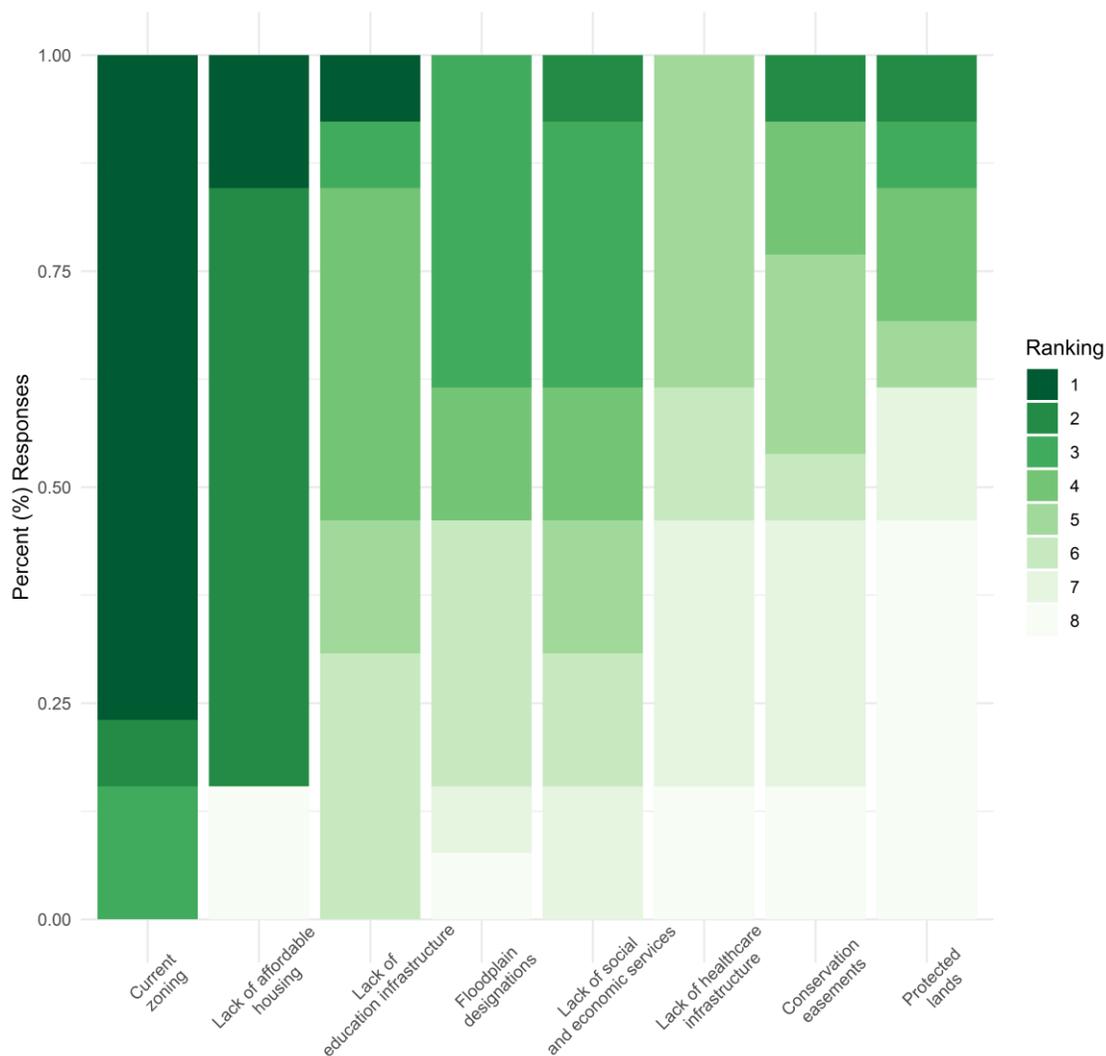
1 Boulevard, **Figure 3.15-2** shows the new- and re-development parcels identified by the Delphi panel. Within the  
 2 AOI, including the different areas identified by the panel respondents, there are planned developments such as  
 3 schools, hospitals, medium- to high-density residential, commercial, retail, industrial, hotel, UT expansions, and  
 4 medical offices. The planned developments would also involve new- and re-development of previously developed  
 5 parcels. **Table 3.15-2** is a list of the number of announced developments within the AOI by land use category.  
 6 When comparing the number of announced developments and the vacant developable land (~1,657 acres)  
 7 within the AOI, the data showed that the AOI is nearing build-out and there would be a limited potential for new  
 8 development. Redevelopment is considered a potential real estate trend given the density of existing  
 9 development throughout the AOI. The Delphi Panel Summary Report provides additional insights on the areas of  
 10 development and redevelopment, identified by the Delphi panel participants.

11 **Table 3.15-2. Proposed Developments within the AOI**

Land Use Category	Number of Planned Developments	Number of Housing Units
Commercial	98	0
Educational	12	1,056
Governmental	5	0
Industrial	16	0
Medical	3	0
Mixed-Use	96	20,202
Unknown and Other	42	0
Residential	127	16,470
<b>Total</b>	<b>399</b>	<b>37,728</b>

Source: COA (2019)

12 **Step 4. Determine if Growth is likely to Occur in Induced Growth Areas:** New roadways have the potential to  
 13 provide access that could facilitate new development; furthermore, improvements in transportation  
 14 infrastructure that increase mobility, reduce congestion, or reduce overall travel times could also attract  
 15 development and redevelopment. Changes in land use patterns could occur as a result of ROW acquisition,  
 16 which could lead to displacement of businesses and residences. While improvements to transportation  
 17 infrastructure may influence growth, there are other factors that would affect where growth may occur. These  
 18 factors include (i) development trends, (ii) favorable planning and regulatory policies, (iii) availability of utilities,  
 19 (iv) suitability of land, and (v) presence of physical and environmental constraints. The Delphi panel ranked the  
 20 different factors influencing and limiting growth; these rankings are shown in **Figure 3.15-3**. The Delphi panelists  
 21 were in strong agreement that land use regulation (zoning) was the primary constraint on land use change, and  
 22 it would have implications for both ongoing trends and any potential impacts from the project.



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Figure 3.15-3. Delphi Panel's Ranking of Factors Influencing and Limiting Growth

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**Regional and Local Data Trends within the AOI:** Since the 1980s, COA and Travis County have experienced rapid growth, which was initially fueled by the technology industry. Land development surged to support technology uses, such as in the Tech Ridge area. Downtown redevelopment in the early 2000s included high-rise, mixed uses that increased the attractiveness of living in the downtown. Today, ongoing growth continues to attract residents, particularly those who are interested in an urban lifestyle. There are two distinct reasons that a community grows: 1) natural growth that occurs when the number of births exceed deaths in a given year; and 2) migration. Between 2010 and 2020, approximately 33 percent of Travis County's growth was driven by natural increase in population, the other 67 percent of the county's recent growth was due to migration to the region (Root Policy Research and City of Austin 2020).

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As previously noted in **Table 3.15-1**, about 95 percent of the AOI is characterized as existing developments, ROW, floodplain, parkland and, due to the already developed nature of the AOI, the primary type of development activity occurring today is either redevelopment or infill development of vacant and underutilized properties. Future land use within the AOI is mainly guided by COA Imagine Austin Comprehensive Plan and implemented by zoning. COA

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1 develops future land use maps for each NPA; these are rolled up into one future land use map that sets the  
2 direction and is used as the guiding framework for zoning decisions. By adopting a land use map, each NPA's  
3 neighborhood plan helps to amend COA Comprehensive Plan. Additionally, COA has initiated the Land  
4 Development Code Revision, which determines how land can be used throughout COA, including what, where,  
5 and how much can be built. This initiative has two facets: an update of the text of the code and a corresponding  
6 update to the zoning map, which shows where the new zones were applied. The proposed changes to the zoning  
7 code and maps would increase the allowable densities along many important corridors, including the project.  
8 Much of what is currently zoned commercial is proposed to be changed to mixed-use zoning, which provides  
9 more opportunities to combine residential, office, and retail uses in single locations to develop more walkable  
10 communities that are good for the local economy, while serving the residents, employees, and visitors of the  
11 surrounding neighborhoods. Through 2045, COA planning and zoning is expected to continue on its current path,  
12 which would lead to greater urbanization of the Austin area, with focal points of higher density, mixed-use  
13 development primarily around transit station areas, and in activity centers and activity corridors.

14 **Land Development Projects:** COA maintains a database of “emerging projects” to track ongoing property  
15 investment and development activity. The development projects tracked by COA include civic, commercial,  
16 industrial, mixed-use, office, single-family residential, multifamily residential, retail, transportation, and utility  
17 developments. According to COA in 2021, the total area of new residential developments was approximately  
18 29,354,129 square feet (674.81 acres); as of April 2022, the new residential developments in the study area  
19 comprised approximately 12,585,219 square feet (289.32 acres) and are anticipated to exceed the 2021  
20 numbers. Other larger emerging developments (either recently completed or in the planning stages) within and  
21 near the AOI include:

- 22 • **Airport Commerce Park:** Phase III of this industrial project is currently under construction.
- 23 • **South Shore District Planned Unit Development (PUD):** A 20-acre development along East Riverside Drive  
24 east of I-35.
- 25 • **Lakeshore PUD:** A 50-acre development with 1,500 apartments and 100,000 square feet of retail.
- 26 • **Plaza Saltillo District:** A 10-acre redevelopment with 696 multifamily residential units, 260,000 square feet  
27 of retail and office space, and parkland centered around the Plaza Saltillo Station.

28 **Population Growth Trends within the AOI (Historic, Current, and Forecast):** According to the USCB, the population  
29 of Travis County increased from approximately 1,024,266 in 2010 to 1,290,188 in 2020; this represents a  
30 growth of approximately 26 percent over the 10-year period. From 2020 to 2021, population increased by  
31 approximately 1.2 percent. CAMPO has developed a Regional Growth Forecast, including population,  
32 employment, and land use, for Travis and other counties within its area of jurisdiction. **Table 3.15-3** shows the  
33 historic, current, and forecast population growth data and shows population within the AOI is expected to see  
34 continued growth between 2022 and 2045. The Delphi panel experts acknowledged the anticipated strong  
35 growth in their responses. The past, present, and projected demographic trends highlight an existing moderate  
36 to strong potential for growth in the AOI. The range of moderate to strong is used because some areas of the AOI  
37 are more densely built out compared to others.

1 Table 3.15-3. Historic, Current, and Future Population Growth Trends

City or County	Total Population by Year					Change between 2010 and 2020	Change between 2020 and 2045
	2010	2020	2021	2030	2045		
Travis County	1,024,266	1,290,188	1,305,154	1,540,812	1,884,155	26%	46%
COA	790,390	961,855	1,026,833	1,153,409	1,339,031	22%	39%

NOTE: \* Percent change numbers are rounded off to the nearest whole number.  
 Sources: [U.S. Census Bureau QuickFacts: Travis County, Texas \(2022\)](#); [TDC - Texas Population Projections Program \(2022\)](#); and [austin\\_forecast\\_2021\\_pubfix.pdf \(austintexas.gov\) \(2022\)](#)

2 **Regional Plans:** The proposed project area is within the planning area of the CAMPO RTP. The 2045 RTP guides  
 3 transportation planning projects in the region. The recommended investments in the plan amount to approximately  
 4 \$42.5 billion over the plan horizon (CAMPO 2022). The 2045 RTP's goals are to improve safety, operational  
 5 efficiency and manage congestion, provide more reliable travel times, create more dependable and consistent  
 6 routes for transit, emergency responders, and other motorists, as well as strengthen regional economic  
 7 competitiveness, and meet federal, state, and local design standards. The proposed project aligns with the CAMPO  
 8 RTP goals to improve operational efficiency, safety, and congestion. The proposed project would provide additional  
 9 capacity to improve efficiency, alleviate congestion, improve safety, provide dependable routes for transit and  
 10 emergency responders, and update the associated roadways and bridges to current TxDOT design standards.

11 **Planned Roadway and Transit Projects:** Roads are primarily maintained by TxDOT, COA, and the surrounding  
 12 jurisdictions. The roadway projects generally consist of drainage and safety enhancements, rehabilitation  
 13 improvements, and widening to accommodate traffic growth. Investments in the transit network are mainly  
 14 informed by CAMPO's Transit Development and RTPs. The most recent study has informed the planning efforts  
 15 to expand the local transit network, simplify local service, and improve regional connectivity by streamlining  
 16 service. CapMetro manages COA's transit system, including the Metrorail, Metrobus, MetroExpress, MetroRapid,  
 17 MetroRideShare, MetroAccess, UT shuttles, and MetroBike (the bicycle rentals). CapMetro is currently working  
 18 on transit development efforts that include the new Orange Line light rail services and the Green Line commuter  
 19 rail service. **Table 3.15-4** includes a list of some of the major roadway and transit projects listed in the RTP.

Table 3.15-4. Summary of Regional Roadway and Transit Projects (CAMPO 2045 RTP)

Roadway/ Facility Name	Description
SH 71	Construct 3-lane EB frontage road along SH 71 and 1-lane direct connector from 183S to 71E from east of Riverside to US 183 and a 1-lane direct connector from 183N to 71E.
SH 71	Construct WB frontage road from US 183 to Presidential Blvd.

Table 3.15-4. Summary of Regional Roadway and Transit Projects (CAMPO 2045 RTP)

Roadway/ Facility Name	Description
<b>US 183</b>	Reconstruct existing roadway to 4-lane divided from SH 71 to SH 130.
<b>Barton Springs Rd.</b>	Widen existing 4-lane divided to a 4-lane divided with pedestrian/bicycle and transit improvements from South Lamar Blvd. to South Congress Ave.
<b>South Congress Ave.</b>	Pedestrian/bicycle and transit improvements from Riverside Dr. to Slaughter Ln.
<b>East 7th St.</b>	Retrofit 4-lane divided with continuous left-turn lane to a 4-lane divided with pedestrian/bicycle and transit improvements from I-35 to US 183.
<b>East Cesar Chavez St.</b>	Widen 2-lane undivided to a 2-lane with continuous left-turn lanes and pedestrian/bicycle and transit improvements from I-35 to US 183.
<b>North Pleasant Valley Rd.</b>	Widen 2-lane undivided to a 4-lane divided with pedestrian/bicycle and transit improvements from Cesar Chavez St. to Riverside Dr.
<b>Montopolis Dr.</b>	Retrofit 4-lane undivided with continuous left-turn lane to 4-lane divided with pedestrian/bicycle and transit improvements from Burleson Rd. to US 183.
<b>Metro Express Bus</b>	Extend service routes to downtown Austin from San Marcos; Buda; Southpark Meadows; Georgetown; Round Rock; Howard Station; Elgin; Manor; Hutto; Pflugerville; Lockhart; Easton Park; South Mopac; Bastrop; Del Valle; Four Points.
<b>MetroRapid Bus</b>	Extend service routes: Oak Hill to Republic Square; Cameron/Dessau extension to ACC Highland; Pleasant Valley extension to Mueller; Burnet extension to Domain; Manor Rd. extension to Expo Center; MLK extension to west Austin; 7th/Lake extension to west Austin and east Austin; Parmer extension to Wildhorse; Menchaca extension to south Austin and Republic Square.
<b>Blue Line Light Rail</b>	New light rail service: Republic Square; Downtown Station; MACC/Rainey; Waterfront; Travis Heights; Lakeshore; Riverside; Faro; Montopolis.
<b>Orange Line Light Rail</b>	New light rail service: Tech Ridge; Parmer; Braker; Rundberg; North Lamar Transit Center; Crestview; Koenig; Triangle; Hyde Park; Hemphill Park; UT/West Mall; Capitol West; Government Center; Republic Square; Auditorium Shores; SoCo; Oltorf; Saint Edward's; South Congress Transit Center; Stassney; William Cannon; Slaughter Transit Center.

Table 3.15-4. Summary of Regional Roadway and Transit Projects (CAMPO 2045 RTP)

Roadway/ Facility Name	Description
Green Line Commuter Rail	New commuter rail line from downtown Austin to Manor.
Other	Capital repair, rehabilitation, and replacement projects.

1 **Potential for Induced Development:** The preceding summaries of planning studies and published documents  
 2 indicate that there are numerous initiatives underway to direct development and redevelopment throughout the  
 3 AOI. The analysis of the potential induced growth impacts of the Build Alternatives was performed during  
 4 preparation of this DEIS. To make reasonable judgments about potential project-induced impacts, TxDOT  
 5 leveraged a Delphi panel to assess the induced growth impacts from the I-35 Capital Express Central Project.  
 6 The Delphi panel consisted of 19 diverse experts familiar with regional land use trends and potential growth  
 7 impact. The purpose of consulting with the local planning experts was to seek their input on whether the  
 8 proposed project improvements could increase the rate of development or attract additional development within  
 9 the AOI. The panel was invited to respond to two rounds of a customized web-based questionnaire with a GIS  
 10 component, and provide feedback on the three key areas:

- 11 • The geographic areas most likely to be affected by the project,
- 12 • The likelihood and rate of growth/degrowth in identified areas, and
- 13 • The resources likely to affect, or otherwise constrain, growth induced by the project.

14 During the surveys, the Delphi panel experts were asked questions related to the AOI, induced population growth,  
 15 land-use changes, and constraints to development or redevelopment. The Delphi panel participants were asked  
 16 to assess the appropriateness of the proposed AOI indicated on a web map and to explain the reasons for their  
 17 responses. The Delphi panel respondents said the AOI study boundary was incorrect and needed to be expanded  
 18 farther east and farther north and south of the boundary. Research and coordination with TxDOT confirmed the  
 19 expansion of the AOI boundary was not necessary because the areas farther east, north, and south of the  
 20 proposed AOI boundary had been included in indirect impacts environmental analyses for other projects. Due to  
 21 the proximity of the projects, the previous project boundaries would eclipse the proposed improvements to I-35.  
 22 Therefore, no modifications to the AOI boundary were made.

23 With regard to induced population growth, the Delphi panel participants were asked to assess the likelihood that  
 24 the project would lead to population growth within the AOI and explain their responses (see **Appendix S**, Delphi  
 25 Panel Summary Report). None of the Delphi panel respondents thought that the proposed project would  
 26 independently induce development in the AOI. During the second survey, 58 percent of the panel said that  
 27 population growth within the AOI would likely be “*About the Same.*” The Delphi panel participants stated that

1 complex factors influence population growth and believed that a highway improvement project is not the driving  
2 factor in determining population growth trends. Most of the Delphi panel respondents stated that population  
3 growth will likely be about the same, following current growth trends. The panel anticipated that future  
4 development within the AOI would be driven primarily by existing increasing population growth trends and other  
5 planned development in the region; development would not be driven by the proposed I-35 Capital Express  
6 Central improvements. Based on the Delphi panel responses as well as the analysis of existing and future land  
7 use, accessibility, and population growth trends, the proposed project would not induce development or increase  
8 the rate or intensity of development in the AOI. Detailed survey results and Delphi panel responses are included  
9 in the Delphi Panel Summary Report available for review at TxDOT Austin District office and online.

10 When asked about the likelihood of the proposed project inducing redevelopment within the proposed study  
11 boundary, 54 percent of respondents in the first survey indicated that redevelopment was “*Neither Likely nor*  
12 *Unlikely.*” In the second survey, 58 percent of the panel said redevelopment is “*Neither Likely nor Unlikely.*” There  
13 was a moderate shift toward more participants indicating that redevelopment was *Extremely Unlikely* in the  
14 second survey. In open text responses, the Delphi panel participants said they believed that there is a possibility  
15 that elements of the proposed improvements would create interest in redevelopment; however, there are other  
16 limiting factors such as existing city code and zoning rules, that would have more impact on redevelopment (see  
17 **Appendix S**, Delphi Panel Summary Report, Figure 4).

18 To further understand the constraints and drivers of land use and population changes within the AOI, we asked  
19 the Delphi panel to rank a set of factors likely to limit growth, development, and redevelopment; they identified  
20 “*current zoning requirements*” as the key determinant limiting potential growth trends. The Delphi panel also  
21 noted the “*lack of affordable housing*” and “*lack of education infrastructure*” as factors that would limit growth.  
22 Lack of affordable housing was ranked as the second most important factor by 69 percent of participants. Thirty-  
23 eight percent (38%) of participants identified floodplain designations as the third most important limiting factor  
24 for growth. As previously stated in Step 3, *approximately 2,901 acres or 7.6 percent of the AOI is designated as*  
25 *parkland and floodplain which includes special flood hazard areas—Zones A, AE, AO, AH, VE, AR (FEMA NFHL*  
26 *2019; COA, 2019).* The Delphi panel participants believed that land use and zoning regulations that restrict  
27 development in parks and floodplain areas are the primary constraint for growth. The panel agreed that zoning  
28 limits growth throughout the study area, especially in residential areas currently zoned SF-3 (Family Residence).  
29 The panel also raised the issue of transportation policy, including transit improvements and cycling and  
30 pedestrian infrastructure, as an additional limiting factor.

31 When asked for feedback about the spatial dimension of development and redevelopment, the Delphi panel  
32 identified 12 areas located throughout east Austin, including Mueller, Del Valle and Pleasant Hill near AUS, areas  
33 between Manor Road and US 290 East, and areas near the intersection of I-35 and Ben White Boulevard showing  
34 spatial dimension of development and redevelopment (see [ArcGIS - I 35 Land Use and Development Panel](#)  
35 [Survey Development/Redevelopment Responses](#) or review the Delphi Panel Summary Report in **Appendix S**).

36 In their responses, the Delphi panel participants stated there were no substantial new development  
37 opportunities adjacent to the project. Additionally, the panel believed that the proposed project north of East  
38 51st Street did not include sufficient east-west crossing to attract either type of development in that area, noting

1 that further pedestrian linkages would be necessary to increase development activity between Hyde Park and  
2 Mueller. Detailed Delphi panel survey responses are included in the Delphi Panel Summary Report available for  
3 review at TxDOT Austin District office and online.

4 In summary, the key findings from the Delphi Panel responses showed that the I-35 Capital Express Central  
5 improvements would not have a substantial impact on existing population growth trends. According to the  
6 majority of the Delphi panel (58%), the proposed I-35 Capital Express Central Project would not induce  
7 redevelopment. Although the proposed project could create interest for redevelopment in the AOI, there are other  
8 limiting factors such as existing zoning requirements and ordinances, that would more likely affect  
9 redevelopment opportunities. The I-35 Capital Express Central Project may provide modest opportunities for new  
10 infill or greenfield development, but not substantial redevelopment. Both new development and redevelopment  
11 of parcels throughout the region are highly constrained by current land use and zoning regulations.

12 **Step 5. Identify Resources Subject to Induced Growth Impacts:** Based on current development and population  
13 growth trends within the AOI, the vacant (developable and redevelopable) areas within the AOI are already  
14 experiencing development and redevelopment; these current land use changes are not being propelled by the  
15 proposed I-35 Capital Express Central Project. As previously noted in Step 3 of the Induced Growth Analysis, Less  
16 than 5 percent of the land within the AOI is developable and already experiencing land use changes driven by  
17 existing population growth trends. Data from COA (2021) were used to determine which resources are present  
18 in the areas identified for potential redevelopment. Given that the AOI is already experiencing rapid population  
19 growth, largely due to migration, it is anticipated that the proposed project would not induce development or  
20 increase the rate or intensity of development in the AOI. The Delphi expert panel responses stated that growth  
21 and development within the AOI will continue to follow current trends; future development within the AOI would  
22 be driven primarily by existing increasing population growth trends and other planned development in the region  
23 and not the proposed I-35 Capital Express Central improvements.

24 **Step 6. Identify Mitigation:** There is vacant land and redevelopable areas within the AOI; these account for  
25 approximately 5.03 percent of the AOI, which translates to about 1,920.65 acres. COA's permitting and emerging  
26 projects database shows ongoing projects within the vacant and developable areas of the AOI. The Delphi panel  
27 responses acknowledged that the proposed project could have some influence related to development of  
28 greenfield and unused or underused parcels within the AOI; but overall growth and development would be driven  
29 by the current population growth and local development trends. The Delphi panel indicated that the proposed  
30 project could create opportunities for new development adjacent to the highway improvement due to improved  
31 east-west connectivity; however, existing land-use and zoning regulations would have the greatest influence on  
32 both development and redevelopment. Since COA has been experiencing rapid population growth and  
33 development over the past few years, the proposed I-35 Capital Express Central Project is not the key driving  
34 factor for development or redevelopment within the AOI. The proposed project would not induce growth;  
35 therefore, mitigation measures and strategies would not be necessary.

36 Future land development activities would generally be private ventures regulated by COA's Code of Ordinances.  
37 The regulations in COA Code address environmental and social impacts by requiring mitigation as part of site  
38 design and construction, such that development is in accordance with overall City objectives. In addition, the

1 agencies and programs that would guide any development of a potential project would be similar to the typical  
2 mitigation and permitting measures required of TxDOT. For example, all development (public or private  
3 developers) must comply with flood control regulations under FEMA and the local floodplain administration, the  
4 ESA, the CWA, CWA Section 401 Water Quality Certification requirements, and CWA Section 404 permits for  
5 projects affecting jurisdictional WOTUS, including wetlands.

6 The proposed project would not likely result in induced growth within the AOI based on future development  
7 predictions in local planning documents; historic and projected population, employment, and development  
8 trends; and feedback received from the Delphi panel. The proposed improvements would improve connectivity  
9 and mobility between east and west Austin for all modes of travel, which could contribute to the desirability of  
10 areas available for redevelopment; however, these areas are already considered highly attractive for  
11 redevelopment in the absence of the proposed improvements. Growth trends established over the last several  
12 decades indicate these areas would redevelop regardless of the project if zoning allows in the future. The project  
13 would not affect the trajectory of redevelopment within the AOI or introduce changes that would affect  
14 redevelopment that would not otherwise occur. Improvements to the existing interstate would not create new  
15 opportunities for growth within the AOI, which contains very limited land available for development, particularly  
16 in proximity to the proposed project limits. In summary, while the project would benefit connectivity and mobility  
17 across I-35, the improvements would not introduce changes substantial enough to alter long-established growth  
18 trends within the AOI, particularly in consideration of other factors—such as economic drivers, zoning, and  
19 housing market volatility—that more strongly influence development in Austin. Proposed mitigation is discussed  
20 further in **Section 3.25**.

### 21 *3.15.2 No Build Alternative*

22 Under the No Build alternative, the construction of the proposed I-35 Capital Express Central improvements  
23 would not occur; as such, there would be no project-induced growth.

### 24 *3.16 Cumulative Effects*

25 Cumulative effects to the environment are those that result from the incremental impact of the action when  
26 added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or  
27 non-federal) or person undertakes such other actions. “Cumulative effects can result from individually minor but  
28 collectively significant actions taking place over a period of time” (40 CFR §1508.7). The cumulative effects  
29 analysis includes a series of analyses, focused on each of the resources selected for detailed consideration.

30 The proposed project would have direct and indirect impacts to community resources (community cohesion,  
31 travel patterns, ROW acquisition and displacements, EJ, community facilities, parkland, and traffic noise)  
32 ecological resources (vegetation, wildlife, and potential threatened and endangered species habitat), and  
33 historic resources. The direct and/or indirect effects to these resources are considered significant; therefore, a  
34 detailed cumulative effects analysis is required for the proposed I-35 Capital Express Central project.

### 1 3.16.1 Cumulative Effects Methodology

2 The screening tools used in this cumulative effects analysis included TxDOT guidance documents titled  
3 *Cumulative Impacts Analysis Guidelines* (TxDOT, 2019b) and the *Cumulative Impacts Decision Tree* (April 2014).  
4 The cumulative effects analysis focuses on 1) those resources significantly impacted by the project, and 2)  
5 resources currently in poor or declining health or at risk even if the impact from the proposed action is minimal.  
6 While two build alternatives, Build Alternative 2 and Modified Build Alternative 3, are being considered for the  
7 proposed project, the cumulative effects analysis focuses on the overall impacts of the proposed project in  
8 relation to and in addition to impacts of other projects in the area.

9 The steps for estimating cumulative effects recommended in the January 2019 Guidance include defining and  
10 documenting the following:

- 11 • Step 1 - Resource Study Area (RSA), Conditions, and Trends
- 12 • Step 2 - Direct and Indirect Effects on each Resource from the Proposed Project
- 13 • Step 3 - Other Actions – Past, Present, and Reasonably Foreseeable – and their Effect on each Resource
- 14 • Step 4 - The Overall Effects of the Proposed Project Combined with Other Actions
- 15 • Step 5 - Mitigation of Cumulative Effects

16 TxDOT guidance separates the cumulative effects analysis into five distinct steps, where all resources are  
17 covered together under each step. However, for this analysis the process was modified to provide a more  
18 cohesive discussion of cumulative effects for each resource. The following modified process was utilized for this  
19 analysis:

- 20 • Step 1 - RSA, Conditions, and Trends
- 21 • Step 2 - Other Past, Present, and Reasonably Foreseeable Actions
- 22 • Step 3 - Effects Analysis and Mitigation for Resources Subject to Cumulative Effects

23 To determine which resources will be assessed in detail in the cumulative effects analysis, **Table 3.16-1**  
24 summarizes the direct and indirect impacts the proposed I-35 Capital Express Central project would have on  
25 each identified resource. Although the effects of the two build alternatives vary, both build alternatives have  
26 similar study areas. Therefore, for the purposes of this report, one RSA was delineated for each resource and  
27 the cumulative effects analysis considers general impacts of both build alternatives for each resource and  
28 respective study area.

### 29 3.16.2 Resource Study Area, Conditions, and Trends (Step 1)

#### 30 3.16.2.1 Identification of Resources

31 A series of environmental and socioeconomic resources were reviewed as part of the proposed I-35 Capital  
32 Express Central project. **Table 3.16-1** depicts the direct and indirect impacts to each resource considered to be

1 carried through the cumulative effects analysis. Based on the type and extent of direct and indirect impacts, a  
2 cumulative effects analysis is required for the following resources: community impacts including socioeconomic,  
3 which includes EJ, displacements (commercial, residential, and community facilities), traffic noise, and parkland;  
4 ecological resources (vegetation/wildlife habitat and potential threatened and endangered species); and historic  
5 resources.

6

Table 3.16-1. Direct and Indirect Impacts to Environmental/Socioeconomic Resources Considered for Cumulative Effects Analysis

Environmental/ Socioeconomic Resource	Direct Impact	Indirect Impact	Is the Resource in Poor or Declining Health?	Cumulative Effects Analysis is Necessary?
<b>Community Resources</b>				
<b>Community Facilities/ Services</b>	<p>Yes – displaced community facilities would include: two FQHCs, CommUnityCare – David Powell Health Center and CommUnityCare – Hancock Walk-In Care; The Austin Veteran Affairs (VA) Center; and two early childhood centers Escuelita de Alma and Extend-A-Care. Several BN service locations currently provided by 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 ROW acquisition would be required from other community facilities that would not be expected to change the function of the facilities.</p>	<p>Yes – While most of the AOI is developed, areas of potential growth are most suitable for redevelopment and infill development. Some of these areas are planned developments that would not be subject to induced development. Redevelopment is considered to be a potential real estate trend.</p> <p>Displacements of community facilities in predominately EJ census geographies could fragment communities and the populations that rely on their services. Residents would also need to travel to</p>	No	Yes

Table 3.16-1. Direct and Indirect Impacts to Environmental/Socioeconomic Resources Considered for Cumulative Effects Analysis

Environmental/ Socioeconomic Resource	Direct Impact	Indirect Impact	Is the Resource in Poor or Declining Health?	Cumulative Effects Analysis is Necessary?
		<p>other locations to receive services, which may increase travel times and add costs in transportation in order to use services. Displaced services may no longer be able to serve their communities.</p>		
<p><b>Socioeconomic (Displacements and Economic, etc.)</b></p>	<p>Yes – Build Alternative 2 would be expected to displace 131 commercial businesses and 145 residences (including multi-family units), and 15 vacant properties.</p> <p>Modified Build Alternative 3 would be expected to displace 69 commercial properties and 26 residences (including multi-family units) and 12 vacant buildings.</p> <p>The business displacements could result in the loss of jobs in the area; however, a local and nationwide labor shortage is currently occurring. Housing prices in Austin were up almost 27 percent compared to 2020</p>	<p>Yes – Displacements in predominately EJ census geographies could fragment communities and force displaced residents to other parts of Austin or other communities/cities. Residents would also need to travel to other locations to receive services or patronize business elsewhere, which may increase travel times and</p>	<p>Yes – loss of jobs and increased housing costs. Affordable housing could be a concern. The point in time count from 2020 indicated that over 2,500 people were living in shelters, transitional housing, or unsheltered in Austin. Public camping was made illegal by the passing of Proposition B in 2021.</p>	<p>Yes</p>

Table 3.16-1. Direct and Indirect Impacts to Environmental/Socioeconomic Resources Considered for Cumulative Effects Analysis

Environmental/ Socioeconomic Resource	Direct Impact	Indirect Impact	Is the Resource in Poor or Declining Health?	Cumulative Effects Analysis is Necessary?
	<p>creating a highly competitive housing and commercial market.</p>	<p>add costs in transportation in order to use services.</p> <p>Benefits include improved facilities for alternative modes of transportation.</p>	<p>Homelessness encampments exist in the study area. TxDOT's IAH aims to manage homelessness by providing outreach and connecting people with necessary services and donation drives.</p>	
<p><b>Environmental Justice (EJ)</b></p>	<p>Yes – minority and low-income populations are present within the community study area. Of the 291 total displacements with Build Alternative 2, 172 would be in EJ geographies.</p> <p>Of the 107 total displacements with the Modified Build Alternative 3, 90 would be in EJ geographies.</p> <p>Noise and Air Quality impacts to EJ populations would be similar to impacts to all populations.</p>	<p>Yes – The majority of displacements are located in predominately EJ census geographies. The displacements could fragment communities and force displaced residents to other parts of Austin or other communities/cities. Residents would also need to travel to other locations to receive services or</p>	<p>Yes – East Austin has experienced a high degree of gentrification. Many residents who have historically lived in the community RSA have been displaced to areas east of US 183 and other areas that are more affordable such as Round Rock. It is expected that the movement of EJ</p>	<p>Yes</p>

Table 3.16-1. Direct and Indirect Impacts to Environmental/Socioeconomic Resources Considered for Cumulative Effects Analysis

Environmental/ Socioeconomic Resource	Direct Impact	Indirect Impact	Is the Resource in Poor or Declining Health?	Cumulative Effects Analysis is Necessary?
	EJ and non-EJ populations would benefit from reduced congestion, the project's SUP, enhanced bridges, and bypass lanes.	patronize business elsewhere, which may increase travel times and add costs in transportation disproportionately impacting EJ populations who use these services. Benefits include improved facilities for alternative modes of transportation.	populations would continue due to rising costs.	
<b>Water Resources</b>				
<b>Groundwater Resources</b>	No – project area is outside Edwards Aquifer recharge, transition, and contributing zone.	No	No	No
<b>Floodplains</b>	Yes – project area bisects two 100-year floodplains at Tannehill Branch and at Lady Bird Lake.	No	No	No
<b>WOTUS, including Wetlands and Water Quality</b>	Yes – impacts to four potentially jurisdictional waters (Tannehill Branch, Colorado River/Lady Bird Lake, Harpers Branch and Colorado River (proposed drainage outfall structure)). Additionally, the project	No	Impacts to WOTUS, a resource in poor and declining health, would occur. However, because	No

Table 3.16-1. Direct and Indirect Impacts to Environmental/Socioeconomic Resources Considered for Cumulative Effects Analysis

Environmental/ Socioeconomic Resource	Direct Impact	Indirect Impact	Is the Resource in Poor or Declining Health?	Cumulative Effects Analysis is Necessary?
	<p>area is within five linear miles of, is within the watershed of, and drains into an impaired assessment unit (Waller Creek Unit 1429C_01) under Section 303(d) of the CWA.</p>		<p>those impact would not exceed specified limits of the USACE NWP, the project would proceed under a non-reporting NWP 14 without the need for mitigation. Additionally, water quality would be protected by meeting the general conditions and Section 401 Certification requirements for NWP 14. The SW3P implemented for the project would include at least one BMP for erosion control, sediment control, and post-construction TSS control from the Tier 1 401 Water Quality Certification Conditions for NWPs as published by the TCEQ. Because these BMPs are in</p>	

Table 3.16-1. Direct and Indirect Impacts to Environmental/Socioeconomic Resources Considered for Cumulative Effects Analysis

Environmental/ Socioeconomic Resource	Direct Impact	Indirect Impact	Is the Resource in Poor or Declining Health?	Cumulative Effects Analysis is Necessary?
			place, the resource is not carried forward.	
<b>Ecological Resources</b>				
<b>Vegetation and Wildlife Habitat</b>	<p>Yes – impacts to herbaceous, shrub, tree, and other plantings throughout the project areas through site preparation activities are anticipated. Clearing and grading would remove the existing vegetative cover and it would be replaced with mostly impervious cover. Open areas would likely be planted with herbaceous vegetation that would be maintained. Wooded areas would likely require some tree removal for construction. Removal of natural vegetation may cause erosion and BMPs would be implemented to reduce erosion along the project.</p> <p>Impacts to fragmented habitat through removal of vegetation or structures that provide habitat for wildlife. Mobile species would likely leave during construction, less mobile species could be injured or killed. Exposure to additional roadway pollutants.</p>	Yes – Potential loss of vegetation and fragmentation of habitat.	No	Yes

Table 3.16-1. Direct and Indirect Impacts to Environmental/Socioeconomic Resources Considered for Cumulative Effects Analysis

Environmental/ Socioeconomic Resource	Direct Impact	Indirect Impact	Is the Resource in Poor or Declining Health?	Cumulative Effects Analysis is Necessary?
	Possible additional nesting locations for birds under the proposed bridges.			
<b>Threatened and Endangered Species</b>	Potential impacts to Monarch Butterfly, a candidate species. No further coordination needed since not proposed for listed until 2024. Potential impacts to the tricolored bat, a proposed endangered species. A presence/absence survey should occur to determine presence, and bat exclusion devices implemented as determined necessary. A total of 18 SGCN may be impacted by the proposed project. Species-specific mitigation strategies would be employed. Coordination with TPWD is ongoing. BMPs would be implemented to minimize impacts to 18 SGCN.	Yes – Potential loss of vegetation and fragmentation of habitat.	Yes – Monarch Butterfly is expected to be listed on federal endangered species list in 2024, and the tricolored bat is proposed endangered. SGCN S1-S3.	Yes
<b>Cultural Resources</b>				
<b>Historic Resources</b>	ROW acquisition/adverse effect: <ul style="list-style-type: none"> <li>• EBBC Main Office (<i>Austin Chronicle</i>) (4000 North I-35)</li> <li>• Dura Tune Service Station (3810 North I-35)</li> <li>• Haster House (3009 North I-35)</li> </ul>	No	No	Yes

Table 3.16-1. Direct and Indirect Impacts to Environmental/Socioeconomic Resources Considered for Cumulative Effects Analysis

Environmental/ Socioeconomic Resource	Direct Impact	Indirect Impact	Is the Resource in Poor or Declining Health?	Cumulative Effects Analysis is Necessary?
	<ul style="list-style-type: none"> <li>• Residence at 4505 North I-35 in Delwood II Historic District (Build Alternative 2 only)</li> <li>• Residence at 4503 North I-35 in Delwood II Historic District (Build Alternative 2 only)</li> <li>• Roberts House (3509 North I-35)</li> </ul> <p>ROW acquisition/effect determination in process:</p> <ul style="list-style-type: none"> <li>• Town Lake Park System between Waller Creek and Fiesta Gardens</li> </ul> <p>No ROW/no adverse effect:</p> <ul style="list-style-type: none"> <li>• East 7th St. at Waller Creek Bridge</li> <li>• East 6th St. at Waller Creek Bridge</li> <li>• 701 East 6th St.</li> <li>• Robinson Brothers Warehouse (501 North I-35)</li> <li>• 604 East 3rd St.</li> <li>• 606 East 3rd St.</li> <li>• 608 East 3rd St.</li> <li>• Walker Brothers Warehouse (807 East 4th St.)</li> <li>• 900 East 3rd St.</li> <li>• Austin Metal and Iron (300 Medina St.)</li> </ul>			

Table 3.16-1. Direct and Indirect Impacts to Environmental/Socioeconomic Resources Considered for Cumulative Effects Analysis

Environmental/ Socioeconomic Resource	Direct Impact	Indirect Impact	Is the Resource in Poor or Declining Health?	Cumulative Effects Analysis is Necessary?
	<ul style="list-style-type: none"> <li>• Palm Park (200 North I-35)</li> <li>• 905 East 2nd St.</li> <li>• 907 East 2nd St.</li> <li>• Bonugli Grocery (78 San Marcos St.)</li> <li>• 1601 Elmhurst Dr.</li> <li>• Travis Green Apartments (1304 Mariposa Dr.)</li> <li>• Delwood Duplex Historic District</li> <li>• East 2nd/3rd Streets Historic District</li> <li>• Rainey Street Historic District</li> <li>• Sixth Street Historic District</li> <li>• Swedish Hill Historic District</li> <li>• Swedish Hill Extension Historic District</li> <li>• Travis Heights-Fairview Park Historic District</li> <li>• Willow-Spence Historic District</li> </ul> <p>No ROW/no effect:</p> <ul style="list-style-type: none"> <li>• Northeast HS (7201 Berkman Dr.)</li> <li>• St. George’s Episcopal Church/School (4301 North I-35)</li> <li>• LBJ Library/Thompson Conf. Center (2300–2313 Red River St., 2405 Robert Dedman Dr.)</li> </ul>			

Table 3.16-1. Direct and Indirect Impacts to Environmental/Socioeconomic Resources Considered for Cumulative Effects Analysis

Environmental/ Socioeconomic Resource	Direct Impact	Indirect Impact	Is the Resource in Poor or Declining Health?	Cumulative Effects Analysis is Necessary?
	<ul style="list-style-type: none"> <li>• Little Campus (1701 Red River St.)</li> <li>• Oakwood Cemetery (1601 Navasota St.)</li> <li>• Limerick-Frasier House (810 East 13th St.)</li> <li>• East 12th St. WB at Waller Creek Bridge</li> <li>• East 12th St. EB at Waller Creek Bridge</li> <li>• 901 East 12th St.</li> <li>• 912 East 11th St.</li> <li>• Stubbs BBQ (801 Red River St.)</li> <li>• French Legation (822 Embassy Dr.)</li> </ul> <p>No ROW/effect determination in process:</p> <ul style="list-style-type: none"> <li>• Mount Calvary Cemetery (East side, 2600-2700 blocks North I-35)</li> </ul> <p>Section 4(f) impacts:</p> <ul style="list-style-type: none"> <li>• EBBC Main Office (<i>Austin Chronicle</i>) - Individual Evaluation</li> <li>• Dura Tune – Individual Evaluation</li> <li>• Haster House – Individual Evaluation</li> <li>• Residence at 4505 North I-35 in Delwood II Historic District (Build Alternative 2 only) – Individual Evaluation</li> </ul>			

Table 3.16-1. Direct and Indirect Impacts to Environmental/Socioeconomic Resources Considered for Cumulative Effects Analysis

Environmental/ Socioeconomic Resource	Direct Impact	Indirect Impact	Is the Resource in Poor or Declining Health?	Cumulative Effects Analysis is Necessary?
	<ul style="list-style-type: none"> <li>• Residence at 4503 North I-35 in Delwood II Historic District (Build Alternative 2 only) – Individual Evaluation</li> <li>• Roberts House – Individual Evaluation</li> <li>• Butler Hike and Bike Trail – Individual Evaluation</li> <li>• Waller Beach – Individual Evaluation</li> <li>• Edward Rendon Park – Individual Evaluation</li> </ul>			
<b>Archaeological Resources</b>	No	No	No	No
<b>Additional Resources</b>				
<b>Hazardous Materials</b>	Unresolved Hazardous Materials Concerns: ROW partial acquisition of active PSTs (Map IDs 48, 103, 141). Map IDs 1, 3, 4, 6, 8, 9, 14, and 15 have active or filled-in place PSTs that may be within ROW that would be acquired. The exact location of the PSTs will need to be determined prior to construction. Complete ROW acquisition of LPST (MAP IDs 7, 35, 37, 72, 78, 82, 103, 115, 125, 82, 281, 332, 140, 143, 141, and 114). Map IDs 130 and 123 are large contamination plumes or uncharacterized plumes that	No	No	No

Table 3.16-1. Direct and Indirect Impacts to Environmental/Socioeconomic Resources Considered for Cumulative Effects Analysis

Environmental/ Socioeconomic Resource	Direct Impact	Indirect Impact	Is the Resource in Poor or Declining Health?	Cumulative Effects Analysis is Necessary?
	<p>have not had final concurrence issued and are considered high risk due to lack of spill characterization, history of multiple releases on-site, active use of on-site tanks, and proposed ROW acquisitions at these two locations. Low risk SPILLS listing (Map ID 19). Low-risk IHWCA (Map ID 402).</p>			
Air Quality	<p>FHWA estimates that even if VMT increases by 45 percent from 2010 to 2050 as forecast, a combined reduction of 91 percent in the total annual emissions for the priority MSAT is projected for the same time period.</p>	No	No	No
Traffic Noise	<p>Yes – of the 95 receivers modeled for Build Alternative 2, 53 would be impacted, and eight noise barriers would be feasible and reasonable. Of the 90 receivers modeled for Modified Build Alternative 3, 51 would be impacted, and nine noise barriers would be feasible and reasonable.</p>	<p>Yes - Traffic noise is an indirect impact; therefore, impacts included under direct impacts also apply here.</p>	No	<p>Yes – covered under community resources</p>
Parkland, Section 4(f)/6(f), or	<p>Parks located along the proposed project and Lady Bird Lake would be required for construction and</p>	<p>Yes – While induced growth is not anticipated as a</p>	No	<p>Yes – covered</p>

Table 3.16-1. Direct and Indirect Impacts to Environmental/Socioeconomic Resources Considered for Cumulative Effects Analysis

Environmental/ Socioeconomic Resource	Direct Impact	Indirect Impact	Is the Resource in Poor or Declining Health?	Cumulative Effects Analysis is Necessary?
<b>Chapter 26 Properties</b>	<p>staging activities. The following park resources are undergoing Section 4(f) evaluation.</p> <ul style="list-style-type: none"> <li>• Butler Hike and Bike Trail</li> <li>• Edward Rendon Park *</li> <li>• Roy Guerrero Park</li> <li>• International Shores_3</li> <li>• Norwood Tract</li> <li>• Waller Beach*</li> <li>• Lady Bird Lake</li> </ul> <p>*Parks are also undergoing Section 6(f) evaluation.</p> <p>Impacts include removal of trees and park furniture and temporary (between 6 months and 6 years) trail and access closures.</p>	<p>result of the proposed project, encroachment alteration impacts could be attributed to the use of parkland. The removal of trees and temporary but long-term closure of facilities could affect how people use these parks in the future.</p> <p>A noise barrier is proposed at Lady Bird Lake, which would provide a beneficial impact to the park by reducing traffic noise.</p>		<p>under community resources</p>

1

### 1 3.16.2.2 Resource Study Areas and Temporal Boundaries for Analysis

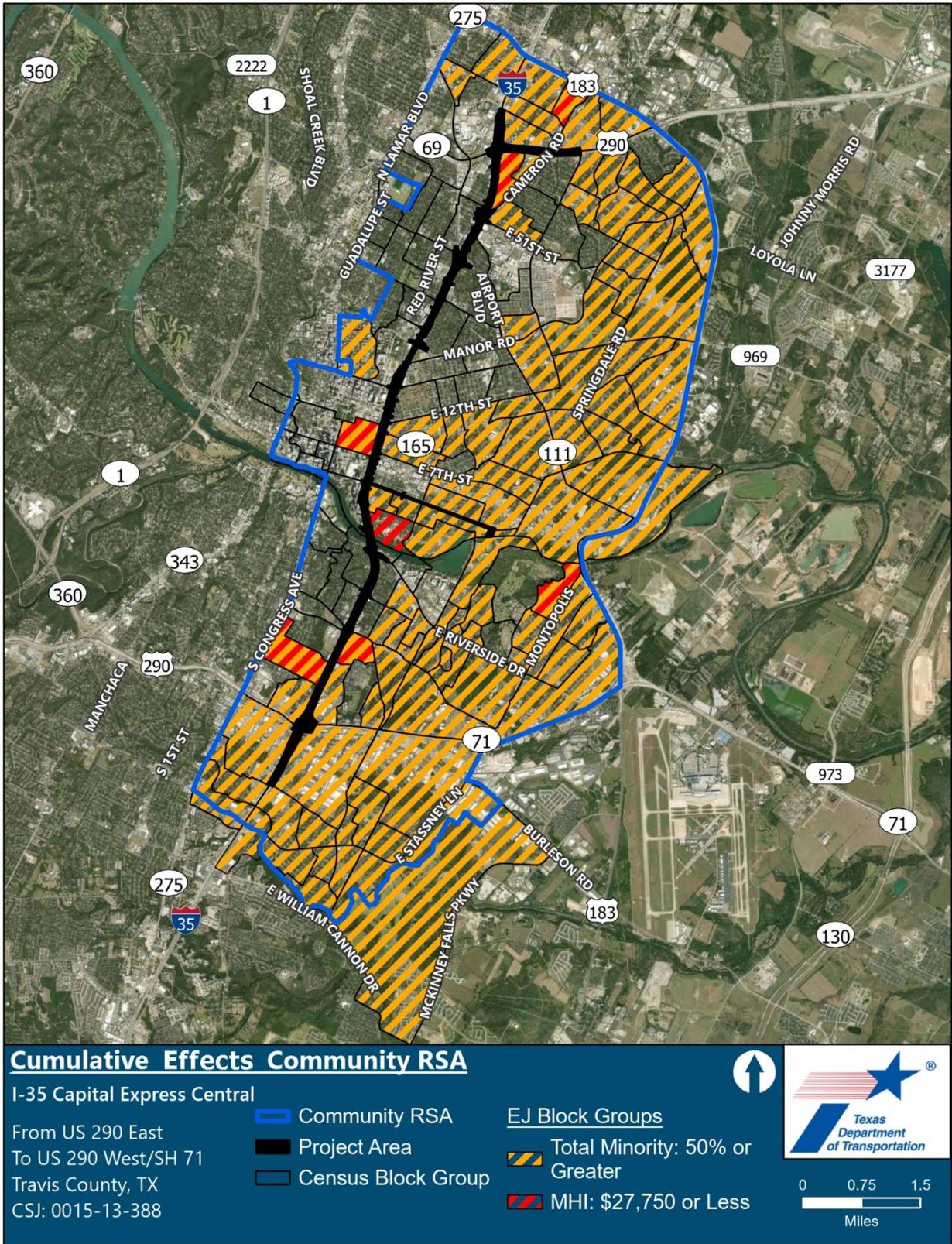
2 The temporal boundary for the Community RSA and Ecological RSA is from 1962 to 2045. The year 1962 was  
3 chosen to include the initial I-35 project, which was completed that year. I-35 followed the alignment of East  
4 Avenue, which separated downtown Austin from east Austin. The year 2045 is the planning horizon for CAMPO's  
5 current RTP. The temporal boundary for the Historic RSA is from 1980, the historic-age cut-off date used in the  
6 Project's HRSR, to 2045.

#### 7 3.16.2.2.1 Community RSA

8 The Community RSA was used to evaluate potential cumulative effects to the community from changes to  
9 community facilities, displacements, EJ, parkland, and traffic noise. The boundaries follow the CIA study area,  
10 an approximately 40 square-mile area between US 183 to the East, US 290 to the north, William Cannon Drive  
11 to the south, and generally South Congress Avenue and North Lamar Boulevard to the west. The RSA was  
12 delineated based on the conclusion that the proposed project would not induce development or redevelopment  
13 and, therefore, would not likely have cumulative effects to EJ populations beyond the CIA study area boundary.  
14 The RSA boundary is shown below in **Figure 3.16-1**. Community cohesion, EJ, community resources, parkland,  
15 and traffic noise impacts are included in the community resources discussion.

#### 16 3.16.2.2.2 Historic RSA

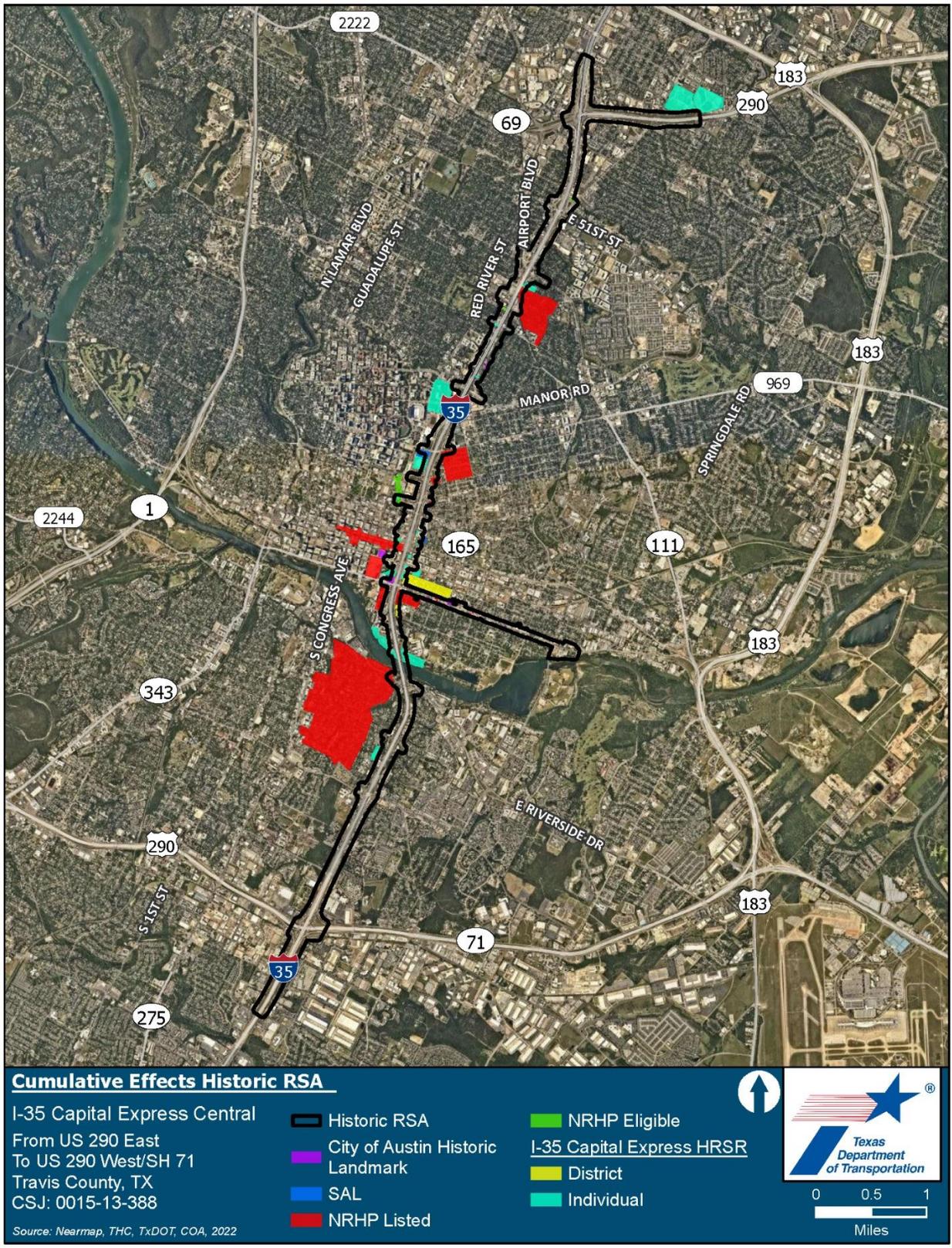
17 The Historic RSA is delineated based on historic properties/districts identified within the APE that was used in  
18 the HRSR (2022). These properties/districts include those that are listed on or eligible for listing on the NRHP,  
19 COA Historic Landmarks, SAL, RTHL, and properties/districts that are under consideration in the current HRSR  
20 conducted for this project. Resources used for identifying properties consist of TxDOT's online Historic Resources  
21 Aggregator, THC data, and COA Historic Landmarks data. In instances where the historic property was identified  
22 by a point, the entire parcel was included for the purposes of delineating the RSA. These identified resources are  
23 shown in **Figure 3.16-2**.



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Figure 3.16-1. Cumulative Effects Community RSA



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Figure 3.16-2. Cumulative Effects Historic RSA

1 **3.16.2.2.3 Ecological RSA**

2 The Ecological RSAs were used to evaluate potential cumulative effects to natural vegetation, wildlife, and  
 3 threatened and endangered species habitat. More specifically this analysis will look into specific habitats for  
 4 federally- or state-listed threatened and endangered species or SGCN within each Ecological RSA defined below.  
 5 The Ecological RSAs are based on the general boundary of the watersheds that intersect the proposed project.  
 6 The Ecological RSAs contain fragmented habitat and this outer boundary serves as the point at which cumulative  
 7 effects would no longer be considered significant to species or their habitat. This area encompasses the home  
 8 range of any individual federally- or state-listed species or SGCN for which habitat was identified within the  
 9 proposed project area except the migratory bird species. No state-listed threatened or endangered species have  
 10 habitat within the project area; however, there is habitat for 18 SGCNs. Habitat for the federal candidate species,  
 11 Monarch Butterfly, and federally-proposed endangered species, is also present within the vicinity of the project  
 12 and may be impacted. The Monarch Butterfly is anticipated to be proposed for listing on the ESA in 2024, during  
 13 the proposed period of construction of the proposed project. Nine SGCN species with a Subnational (S)  
 14 Conservation Status Rank of S1 – Critically Imperiled, S2 – Imperiled, or S3 – Vulnerable are considered to be  
 15 in poor or declining health and included in this report (see **Table 3.16-2**). Nine species with an S4 – Apparently  
 16 Secure, S5 – Secure, or SU – Unranked are located within the Ecological RSAs are not considered to be in poor  
 17 or declining health and are excluded from this report.

18 The Ecological RSAs have been delineated by the EMST MOU habitat types for each of the species that may be  
 19 impacted by the proposed project. EMST data is a tool, so vegetation should be field verified to ensure accuracy;  
 20 however, it would not be feasible to field verify the vegetation from the EMST data for all Ecological RSAs. The  
 21 watersheds that intersect the project area serve as the general boundary for each of the Ecological RSAs. The  
 22 Ecological RSA habitat boundaries are described below in **Table 3.16-2**. The overlap of Ecological RSAs where  
 23 species may be found is shown in **Table 3.16-3**. The ecological RSAs are shown in individual maps in **Figure 3.16-**  
 24 **3** through **Figure 3.16-6** on the following pages. Beyond the Ecological RSA boundaries, land use primarily  
 25 consists of agricultural land, would not support the ecological resources depicted in this document, or is deemed  
 26 too far away from the proposed project to result in a direct, indirect, or cumulative impact.

**Table 3.16-2. Ecological RSA Habitats**

Ecological Resources RSA ID	MOU Habitat Type	Species (Common Name)	Acreage
1	100-Year Floodplain	Guadalupe bass (S3), caddisfly (S1), Correll’s false dragon-head (S2)	6,665.5
2	All except Urban High Intensity (Common Vegetation Name)	slender glass lizard (S3), Texas garter snake (S1), Monarch Butterfly (Federal Candidate), tree dodder (S3)	52,438.0

Table 3.16-2. Ecological RSA Habitats

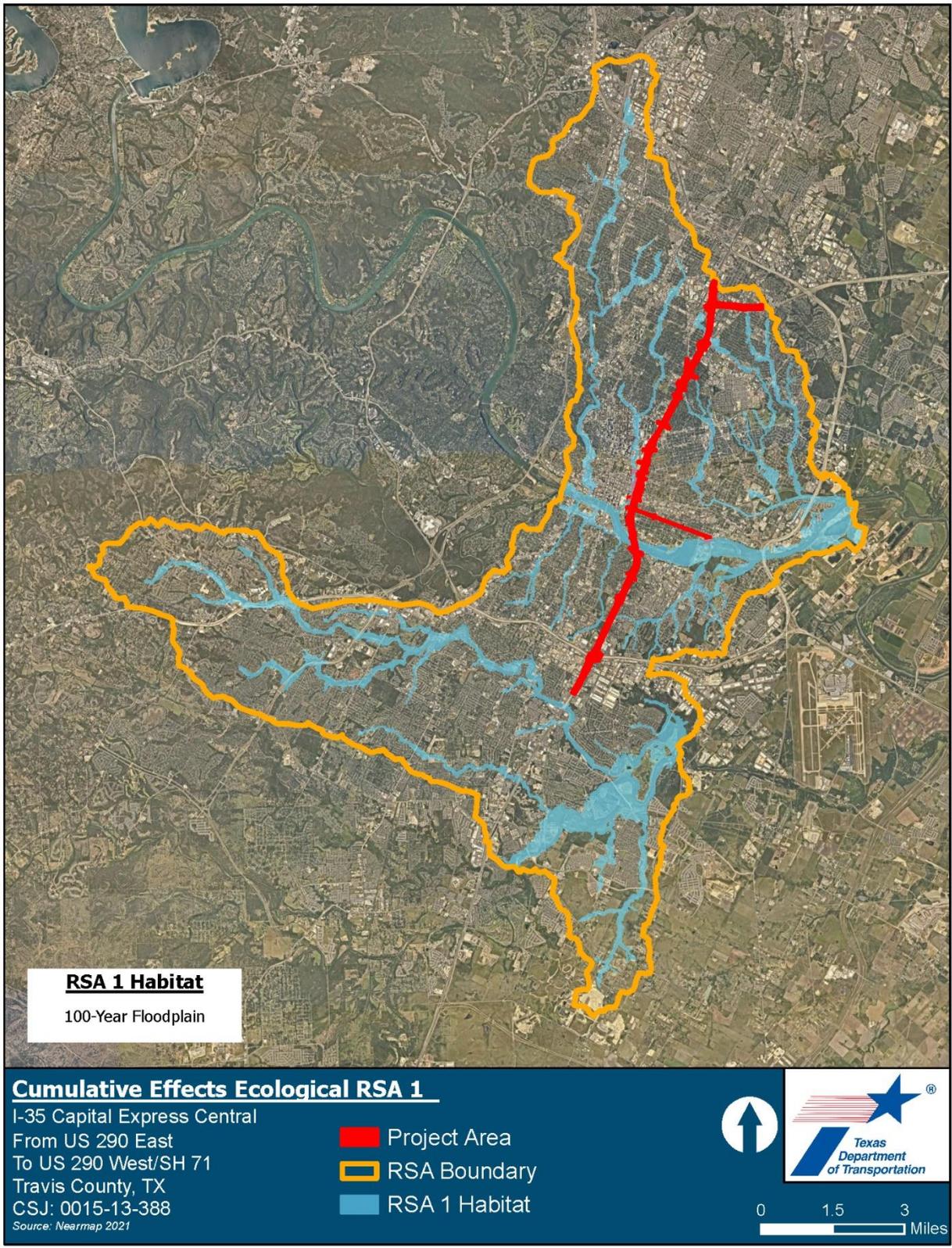
Ecological Resources RSA ID	MOU Habitat Type	Species (Common Name)	Acreage
3	Crosstimber Woodland and Forest; Disturbed Prairie; Edwards Plateau Savannah, Woodland, and Shrubland; Post Oak Savanna; and Riparian	cave myotis bat (S2S3), tricolored bat (S2)	13,938.1
4	Edwards Plateau Savannah, Woodland, and Shrubland; Disturbed Prairie	plateau spot-tailed earless lizard (S2), Texas fescue (S3)	9,602.4

1

Table 3.16-3. Species Overlap in RSAs

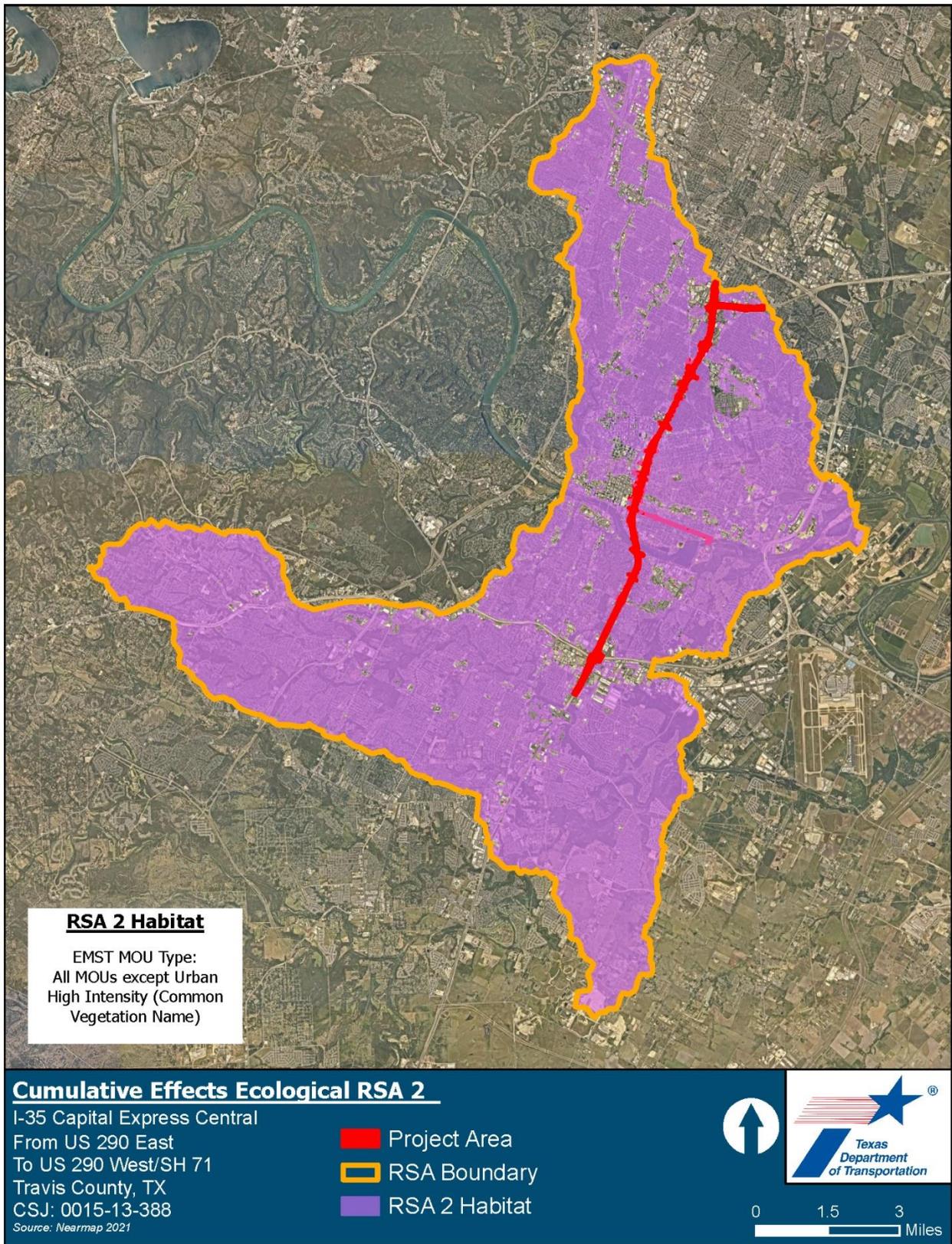
Species	Potential RSAs of occurrence (from above table)
Guadalupe bass (S3)	1
a caddisfly (S1)	1
Correll's false dragon-head (S2)	1
slender glass lizard (S3)	1, 2, 3, 4
Texas garter snake (S1)	1, 2, 3, 4
Monarch Butterfly (federal Candidate)	1, 2, 3, 4
tree dodder (S3)	1, 2, 3, 4
cave myotis bat (S2S3)	1, 2, 3, 4
tricolored bat (S3)	1, 3, 4
plateau spot-tailed earless lizard (S3)	2, 3, 4
Texas fescue (S3)	2, 3, 4

2



1  
2

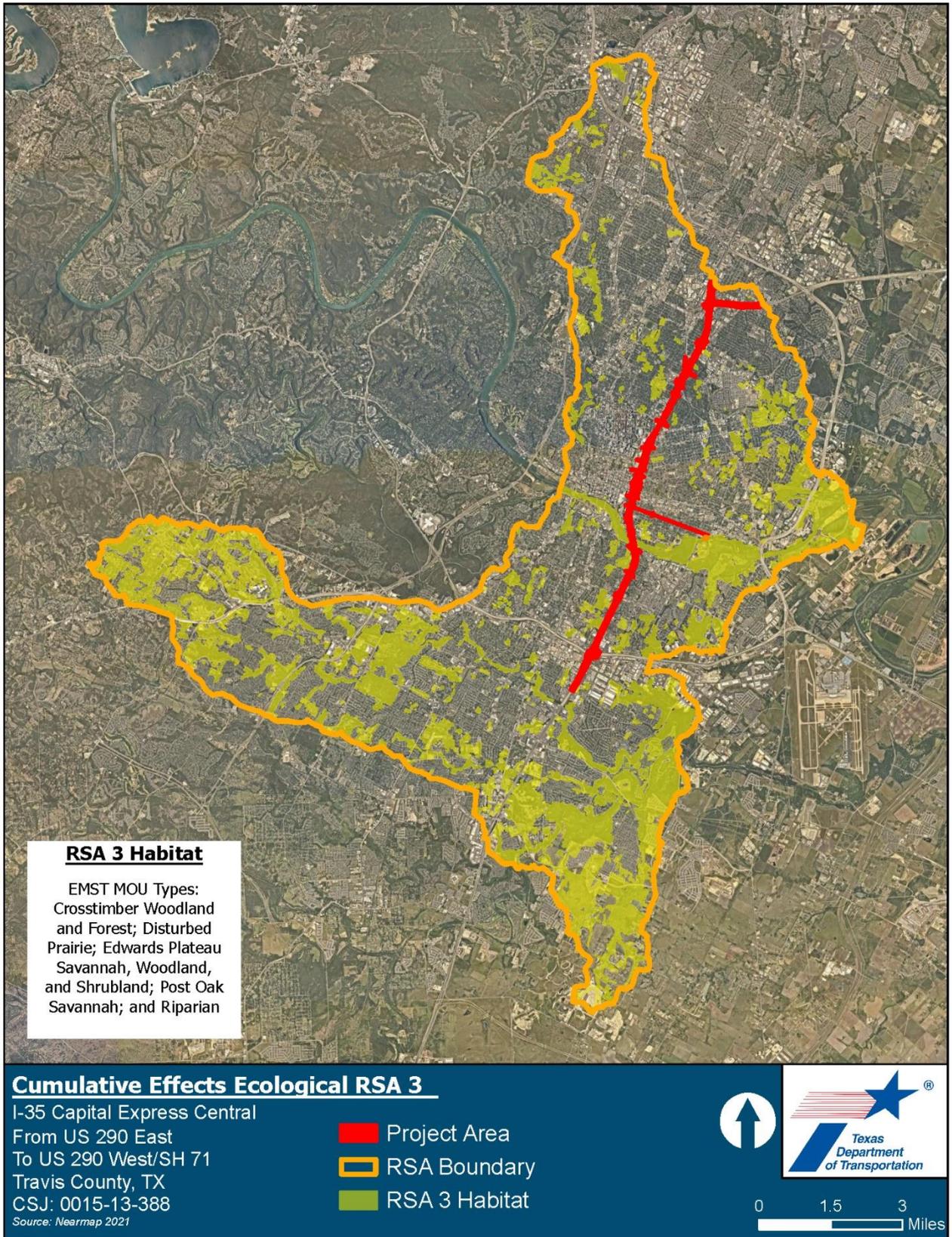
Figure 3.16-3. Cumulative Effects Ecological RSA 1



1

2

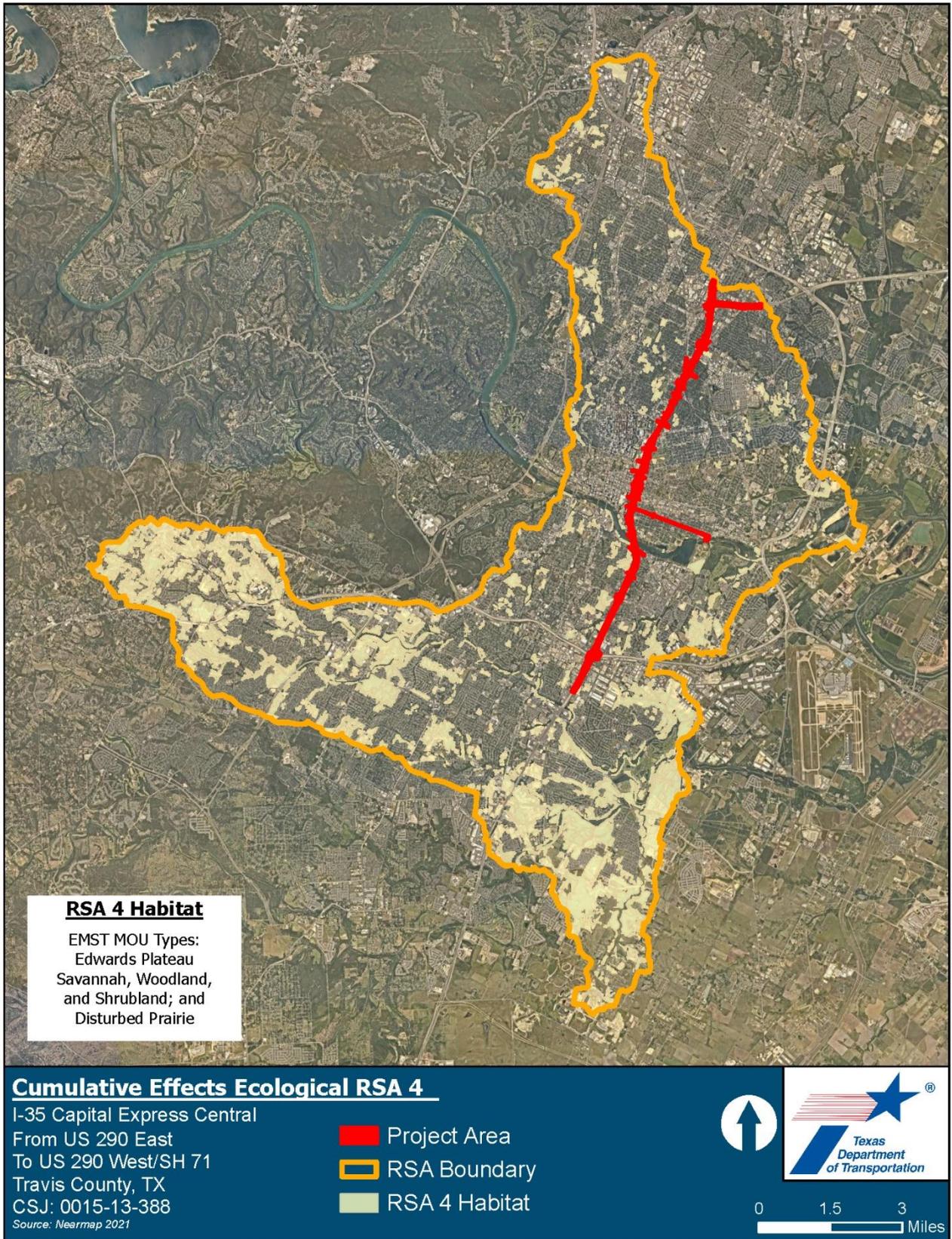
Figure 3.16-4. Cumulative Effects Ecological RSA 2



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2

Figure 3.16-5. Cumulative Effects Ecological RSA 3



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Figure 3.16-6. Cumulative Effects Ecological RSA 4

1 3.16.3 Current Conditions and Trends

2 3.16.3.1 Community Resources

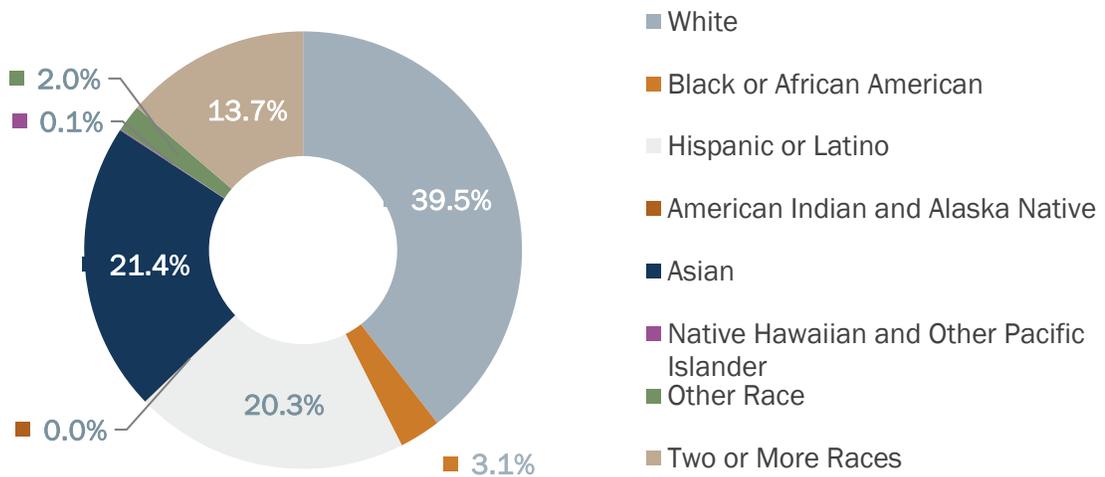
3 3.16.3.1.1 Population Growth

4 COA and Travis County have experienced tremendous population growth since 1960. As seen in **Table 3.16-4**,  
5 COA has grown from a population of 186,545 in 1960 to almost 1 million in 2020, an increase in population of  
6 415.6 percent (Texas Almanac, n.d. & Texas State Library Archives Commission, 2020). Similarly, Travis County  
7 grew from a population of 212,136 in 1960 to a population of 1,290,188, a percent growth of 508.2 percent.

Table 3.16-4. Population Growth Within the Community Resource RSA

Year	Austin	Travis County
1960	186,545	212,136
1970	253,539	295,516
1980	345,890	419,573
1990	465,622	576,407
2000	656,562	812,280
2010	790,390	1,024,266
2020	961,855	1,290,188
Percent Change 1960–2020	415.6%	508.2%

8 COA grew by 171,465 people, a population growth of 21.7 percent between 2010 and 2020. COA is currently  
9 the 11th largest city in the US. According to COA's Housing and Planning Development (2021) and as seen in  
10 **Figure 3.16-7**, Non-Hispanic Whites drove the majority of COA's population growth within the past decade (2010–  
11 2020), accounting for approximately 39.5 percent of all growth in that period. Black or African Americans  
12 accounted for approximately 3 percent of Austin's growth from 2010-2020, while Hispanic or Latinos accounted  
13 for about 20.3 percent, American Indian and Alaskan Natives accounted for less than 1.0 percent, people of  
14 Asian descent accounted for 21.4 percent, Native Hawaiians comprised less than 1.0 percent, people of Other  
15 Races made up 2 percent, and people of Two or More Races constituted 13.7 percent of COA's growth.



1

2

Figure 3.16-7. City of Austin Population Growth by Race from 2010 to 2020

3 COA experienced a decline in the overall African American population between 2000 and 2010 (Tang & Ren,  
 4 2014). While COA's overall population increased 20.4 percent during these years, the African American  
 5 population decreased by 5.4 percent and was the only racial group to see a decline in population (Tang & Ren,  
 6 2014). Based on Decennial Census data shown in **Table 3.16-5**, this trend reversed between 2010 and 2020  
 7 with an 8.6 percent increase in the African American population during these years (US Census Bureau, 2020).  
 8 People of Other Races saw a population growth of 243.3 percent between 2010 and 2020 and grew by 3,393  
 9 individuals. People of Two or More Races saw a population growth of 171.9 percent or 23,510 individuals. People  
 10 of Asian descent experienced a population growth of 74.6 percent or 36,694 individuals. The White population  
 11 saw the largest increase in absolute numbers, with an increase of 67,723 individuals (a 17.6 percent increase).  
 12 The Hispanic or Latino population increased by 12.5 percent or 34,741 individuals. The trend of population  
 13 growth when compared to the state of Texas is similar for people of Other Races and Two or More Races. The  
 14 increase of Native Hawaiian and Other Pacific Islander, Hispanic or Latino, and American Indian and Alaska  
 15 Native populations were all much lower than the change in Texas. Population change of the Asian population  
 16 was higher than in Texas. The White population increase was significantly higher than in Texas.

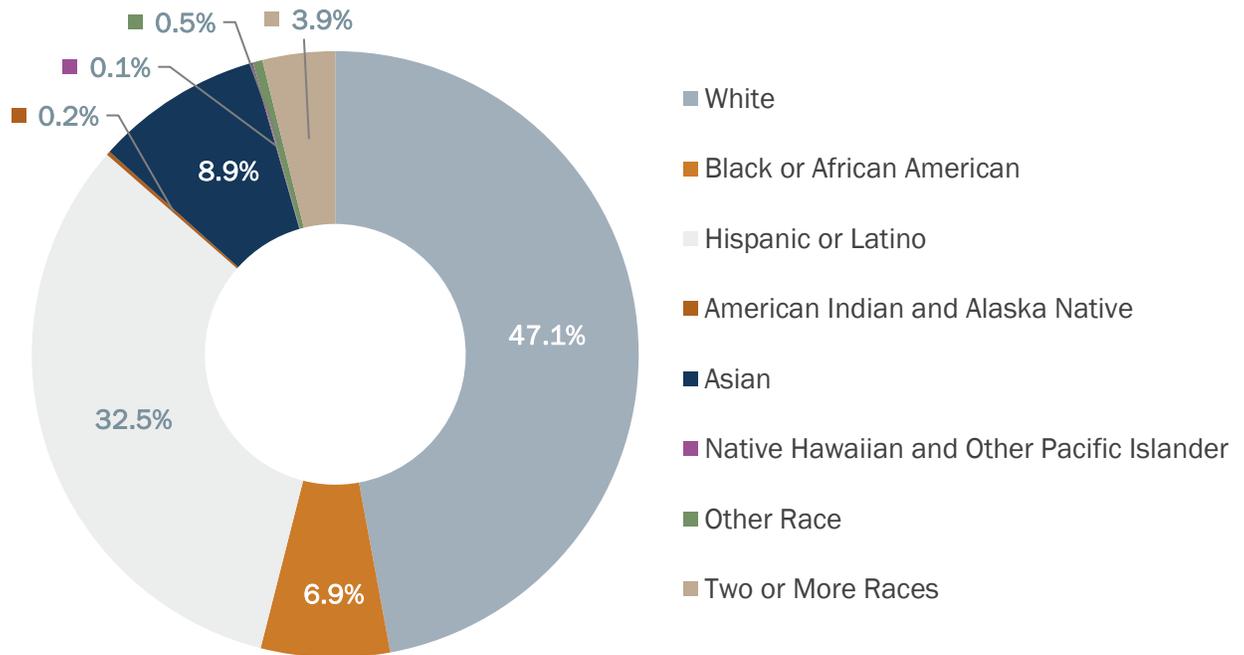
Table 3.16-5. Percent Change in Population by Race (2010–2020)

Race	2010	2020	Population Change	Percent Change	Percent Change in Texas
Other Race	1,448	4,841	3,393	234.3%	234.3%
Two or More Races	13,677	37,187	23,510	171.9%	177.3%
Asian	49,159	85,853	36,694	74.6%	64.6%

Table 3.16-5. Percent Change in Population by Race (2010–2020)

Race	2010	2020	Population Change	Percent Change	Percent Change in Texas
Native Hawaiian and Other Pacific Islander	401	528	127	31.7%	55.5%
White	385,271	452,994	67,723	17.6%	1.6%
Hispanic or Latino	277,707	312,448	34,741	12.5%	20.9%
Black or African American	60,760	66,002	5,242	8.6%	19.3%
American Indian and Alaska Native	1,967	2,002	35	1.8%	6.0%
Total	790,390	961,855	171,465	21.7%	15.9%

1



2

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Figure 3.16-8. City of Austin Population by Race. Source: 2020 Decennial Census

4

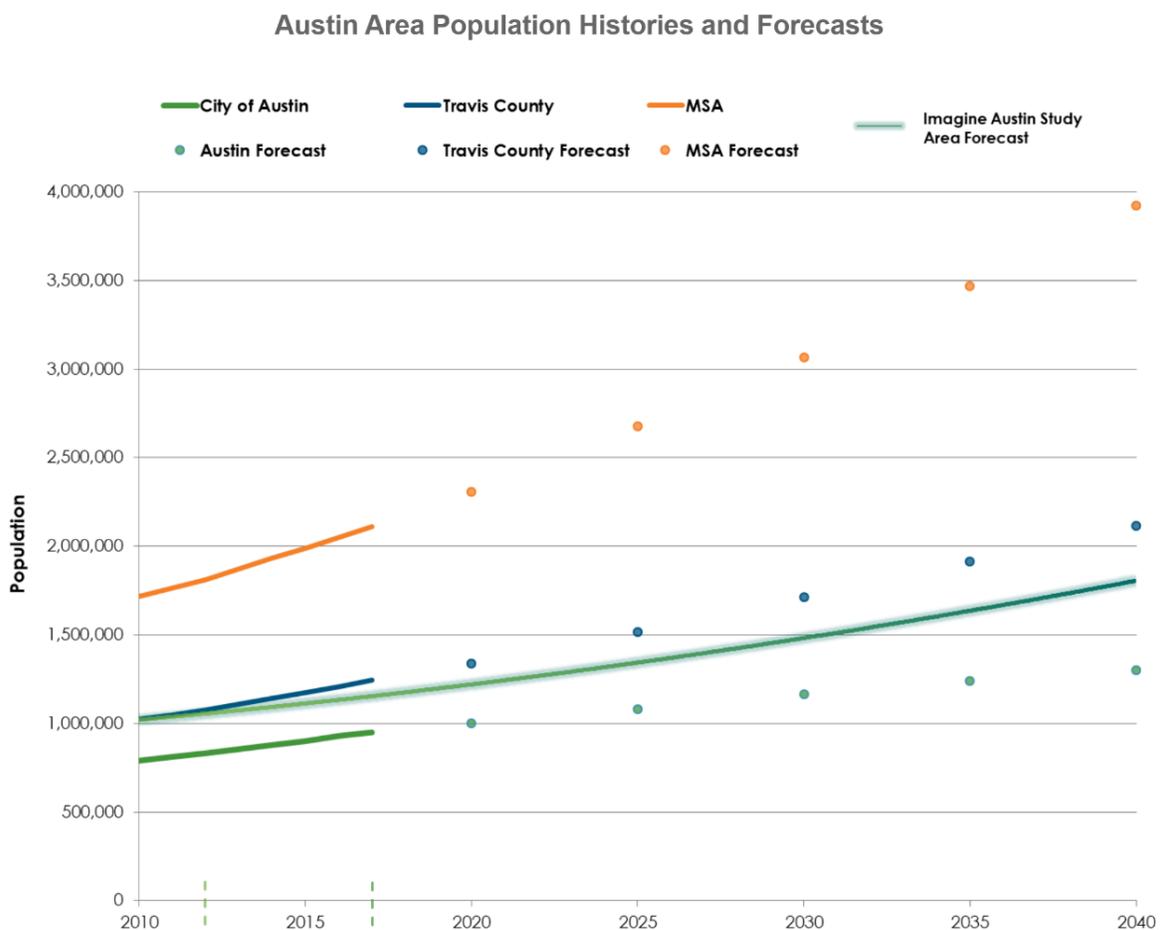
Figure 3.16-8 shows the overall city population distribution by race. Non-Hispanic Whites comprise the largest racial group in COA at 47.1 percent of the population. The Hispanic or Latino population is the second-largest racial group and accounts for 32.5 percent of COA's population. Asian and Black residents make up 8.9 percent

6

1 and 6.9 percent of COA's population respectively. People of two or more races, who saw a population growth of  
2 171.9 percent from 2010 to 2020, comprise 3.9 percent of the overall population. People of Other Races,  
3 American Indian and Alaskan Natives, and Native Hawaiian and Other Pacific islanders comprise 0.5 percent,  
4 0.2 percent, and 0.1 percent of the population respectively.

5 According to COA's comprehensive plan, Imagine Austin (adopted in 2012 and most recently amended in 2018),  
6 COA has a young population (2018). In 2010, more than 57 percent were under the age of 35 and 72 percent  
7 were under the age of 45. The 25–34 age group is the largest and makes up more than 20 percent of COA's  
8 population.

9 Several companies have recently relocated their headquarters to or have increased their operations in Austin  
10 and the surrounding areas, including Tesla, Google, Facebook, Amazon, SpaceX, Apple, Canva, and Oracle  
11 (Austin Chamber of Commerce, 2022). This pattern suggests that the population in Austin and the surrounding  
12 communities will continue to grow in the future. As illustrated in **Figure 3.16-9**, Imagine Austin estimates that by  
13 2040, COA will have a population of 1.3 million and the Austin-Round Rock-Georgetown MSA is estimated to  
14 have a population of 3.9 million (Robinson, 2016).



15

16

Figure 3.16-9. Population Histories and Forecasts in the Austin Area. Source: Imagine Austin

### 1 3.16.3.1.2 Historical Background

2 COA has a long history of structural racism which has had substantial, long-term effects for people of color in  
3 COA. According to 2020 ACS 5-year estimates, the median income for White households in COA is \$80,237 while  
4 Black households have a median income of \$48,833, and Hispanic or Latino households have a median income  
5 of \$59,000 (USCB, 2020). Beyond income inequality, the effects of structural racism extend into educational  
6 quality, job availability, health, and generational wealth despite the advancements in civil rights since the  
7 temporal boundary of this study. Such inequities also persist in spite of these historically disadvantaged groups  
8 leading many local successes in arts, culture, education, and business that have contributed to a strong sense  
9 of community among Black and Hispanic/Latino populations in Austin.

10 In the late 19th century, Black and Hispanic populations resided in clusters throughout COA (Zehr, 2015). In  
11 1917, the Supreme Court ruled that racially biased zoning is unconstitutional. Austin's infamous 1928 Master  
12 Plan by Koch and Fowler proposed the creation of a "negro district" located to the east of East Avenue (present-  
13 day I-35). While racially biased zoning was deemed unconstitutional, segregation was still legal. In order to create  
14 the district, COA placed schools and other public services that served the Black population in the district. The  
15 effect of this is that the Black population had to move into the district or involuntarily have difficult access to  
16 facilities. Less than one decade later, in 1935, the Federal Home Loan Bank Board used Housing and Loan  
17 Corporation (HOLC) staff to appraise real estate risk levels across the US (Tretter, 2012). Minority areas and  
18 areas with older housing and poorer households were given a "hazardous" rating. Hazardous areas were refused  
19 financial services and capital needed for reinvestment; this process is now known as redlining. Essentially the  
20 entirety of east Austin was assigned a "hazardous" rating, and the entirety of the "negro district" was designated  
21 as "hazardous." Because these areas were designated as "hazardous", the HOLC would not provide mortgages  
22 for those areas, and African Americans and Hispanics were not able to access housing and benefit from the  
23 increased wealth that comes with homeownership. In addition to this, the use of deed restrictions and covenants  
24 further segregated COA as they were used to prohibit African Americans from occupying certain areas. Lastly, a  
25 physical divide served to further segregate COA (Tretter, 2012). East Avenue was the boundary separating African  
26 American residents to the east of COA (Zehr, 2015). In 1950, Austin created plans for the construction of I-35  
27 and in 1962, the roadway was completed. The racial divide that began in 1928 remained in place for  
28 approximately 60 years and prohibited African Americans and Hispanics the opportunity of creating generational  
29 wealth and economic mobility. This lack of wealth, as well as other factors such as disadvantaged schools and  
30 high crime rates all play a role in being susceptible to residential displacement.

31 Austin's Hispanic/Latino population also experienced segregation in the early to mid-1900s when the population  
32 had surpassed the African American population, also primarily in east Austin, in what has been termed "tri-racial"  
33 segregation. Due to an increase of racial discrimination and residential displacements to make way for industrial  
34 development in the "Old Mexico" neighborhood downtown, many Mexican American families moved eastward.  
35 The same 1928 Master Plan that created the "Negro District" paved the way for segregated schools, the Comal  
36 Street School (La Escuelita), for example, where Mexican American children were forced to transfer. Soon,  
37 Mexican American churches, schools, and businesses were established (Open Chair, 2020). Discriminatory  
38 language is found in private covenants and deed restrictions that state "Caucasian only" to not only restrict  
39 African Americans from neighborhoods, but Hispanic/Latinos as well (Zehr, 2015). As late as the 1950s, city

1 government had yet to extend basic services like paved roads, water, sewer, and electricity to east Austin.  
2 Through “slum clearance”, a plan to displace residents south of East 7th Street to create an industrial district  
3 that included the Holly Street Power Plant, property values plummeted in the surrounding neighborhoods, which  
4 made homeownership possible for lower-income families (Open Chair, 2020).

5 A survey was conducted for the report, *Those Who Stayed*, found that the “The vast majority of longstanding  
6 residents surveyed home a negative view of the changes taking place around them. ... Many pay higher property  
7 taxes without experiencing an improvement in their overall quality of life.” A sense of community has been lost  
8 due to changes in their neighborhoods in the view of many Black and Hispanic/Latino residents in east Austin.  
9 Many say they do not know their new neighbors. Access to amenities and public facilities has also affected their  
10 neighborhoods. Residents state that positive changes have included access to supermarkets, trails, and police  
11 presence. Negative changes include public schools, new neighbors, and neighborhood businesses (Tang &  
12 Falola, 2018). This last point especially highlights gentrification by way of new businesses and restaurants that  
13 cater to new residents and visitors to east Austin while long established Black and Hispanic/Latino owned  
14 businesses find it difficult to keep their doors open.

### 15 3.16.3.1.3 Housing Affordability and Gentrification

16 COA has experienced a large increase in median house prices since 1990 and especially within the past five  
17 years (Texas A&M University, 2022). According to the Austin Board of Realtors, the median home price in Austin  
18 in April of 2022 was \$640,000 (Austin Board of Realtors, 2022). In comparison, the median home price for  
19 Austin was \$382,000 in April of 2017 (Austin Board of Realtors, 2017). In 2018, the renter cost burden rate  
20 increased in Austin for the first time since 2014. Over half of Austin’s renters spent at least 30 percent of their  
21 income on rent, and 23.2 percent of all renters in Austin spent at least 50 percent of their income on rent  
22 (Salviati, 2019). Drastic increases in home prices in Austin since 1990, as well as expensive renting costs, have  
23 made COA unaffordable for many residents. In addition to increasing housing prices, Austin is experiencing a  
24 shift where affluent residents move closer to COA center and lower-income residents move out. Combined, these  
25 phenomena are creating a displacement effect in Austin with the Black population in east Austin decreased 66.0  
26 percent between 2000 and 2010 and the Hispanic/Latino population decreased by 33.0 percent in the same  
27 area during the same period (Open Chair, 2020).

28 In August of 2017, the Austin City Council passed a resolution allowing COA manager to enter an agreement with  
29 UT to develop a study on gentrification and displacement in Austin. In 2018, UT released a report surrounding  
30 residential displacement in Austin called *Uprooted: Residential Displacement in Austin’s Gentrifying*  
31 *Neighborhoods and What Can Be Done About It* (Way et al., 2018). The report uses the following definition of  
32 gentrification: “... the process by which higher income households displace low-income residents of a  
33 neighborhood, changing the essential character...of that neighborhood,” (Way et al., 2018). According to the  
34 report, “This process includes three dimensions: 1) the displacement of lower income residents; 2) the physical  
35 transformation of the neighborhood—mostly through the upgrading of its housing stock and commercial spaces;  
36 and 3) the changing cultural character of the neighborhood,” (Way et al., 2018). The study uses a three-step  
37 gentrification analysis to determine where gentrification is occurring in COA. The three parts analyzed are

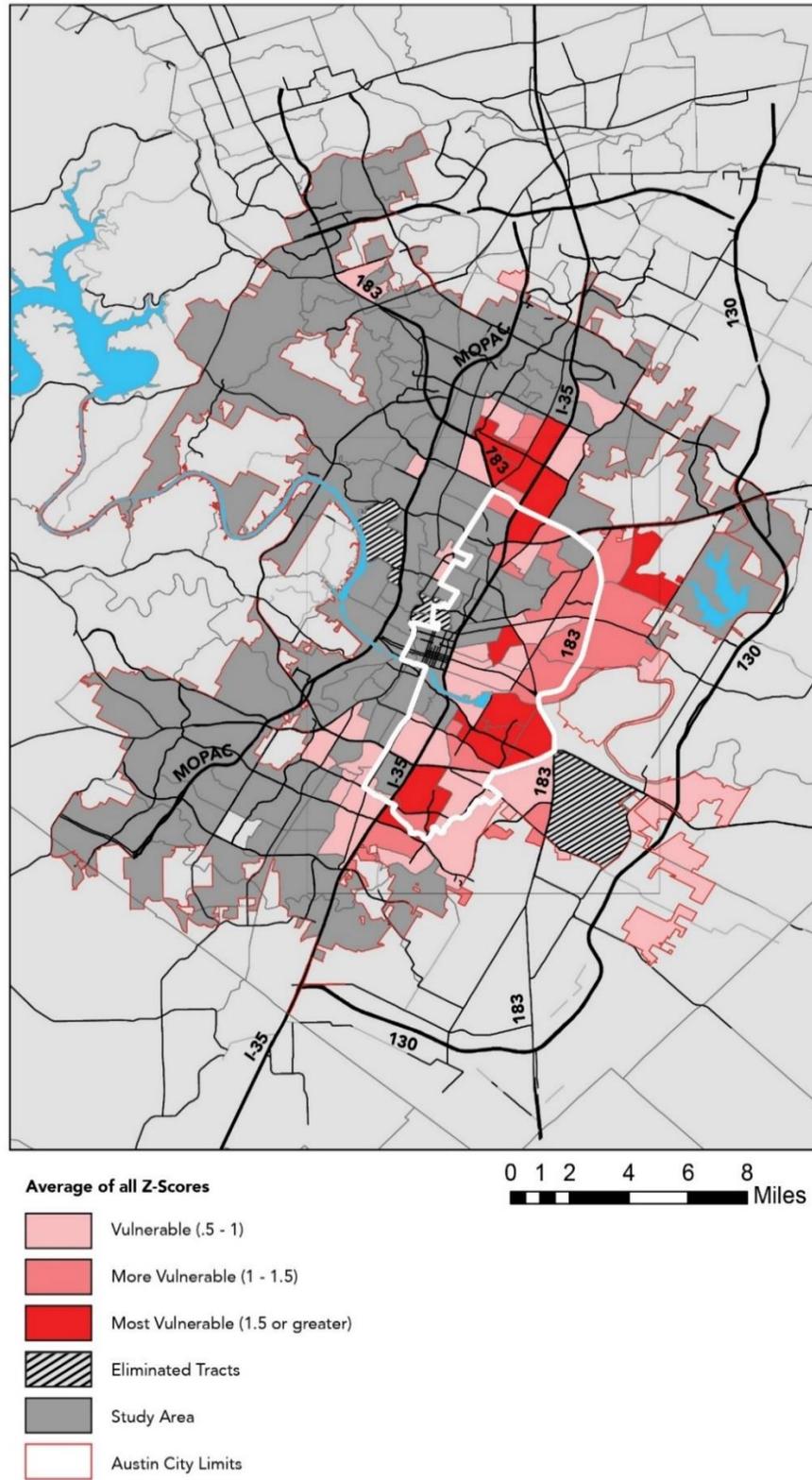
1 vulnerability, demographic change, and housing market change. These three parts are discussed in the following  
2 paragraphs.

3 Indicators used to identify populations in Austin that are vulnerable to displacement from housing costs include  
4 income, race, and ethnicity; household composition (families with children and seniors); and housing status.  
5 These indicators were evaluated at the census tract level. The populations most vulnerable to displacement due  
6 to housing costs are mapped in **Figure 3.16-10** below. An overlay of the Community RSA, shown in white, has  
7 been placed on the Uprooted map. The study found that the pockets of deepest disadvantage are located in  
8 north Austin near the Rundberg area; Montopolis, southeast of downtown Austin; and Franklin Park located south  
9 of downtown Austin and immediately east of I-35. The Montopolis and Franklin Park pockets are located within  
10 the Community RSA.

11 Uprooted also analyzed demographic change in Austin between the years 2000 and 2016. Indicators used in  
12 this analysis included homeownership (owning rather than renting), higher education, percent White, and  
13 income. **Figure 3.16-11** below shows the results of this analysis; an overlay of the Community RSA, shown in  
14 white, has been placed on the Uprooted map. A clear spatial pattern emerges where Austin's central  
15 neighborhoods have experienced substantial levels of demographic change. Much of the demographic change  
16 has occurred within the Community RSA.

17 Housing market change is another component analyzed by the Uprooted report. Home value data from the USCB  
18 were used to find home value change between 2000 and 2016, and 1990 and 2016 to determine whether  
19 home values are Accelerating, Appreciating, or Adjacent. Accelerating tracts are those with high appreciation  
20 between 1990-2016 but still have a low or moderate home value. Appreciated tracts are those with a low median  
21 home value in 1990 and high median home value in 2016 and high appreciation. Adjacent tracts are tracts with  
22 a low or moderate 1990 median home value, have low or moderate appreciation of home value and that touch  
23 the boundary of at least one tract with a high 2016 median home value and/or high 1990-2016 appreciation  
24 (Way et al., 2018). **Figure 3.16-12** below shows the results of this analysis; an overlay of the Community RSA,  
25 shown in white, has been placed on the Uprooted map. Similar to the geographic pattern observed in **Figure**  
26 **3.16-10**, housing prices are accelerating along the "eastern crescent" and similar to the spatial pattern seen in  
27 **Figure 3.16-11**, home prices have appreciated most greatly in neighborhoods that are central to downtown  
28 Austin. Much of the housing within the Community RSA is categorized as Accelerating or Adjacent while  
29 Appreciated tracts exist directly east of I-35 between Manor Road and 11th Street and as far east as Airport  
30 Boulevard. Additionally, Appreciated tracts exist south of East Cesar Chavez Street to Lady Bird Lake. Lastly,  
31 Appreciated tracts exist between East Riverside Drive and East Oltorf Street to the east of I-35.

# Most Vulnerable Census Tracts (2016)



1

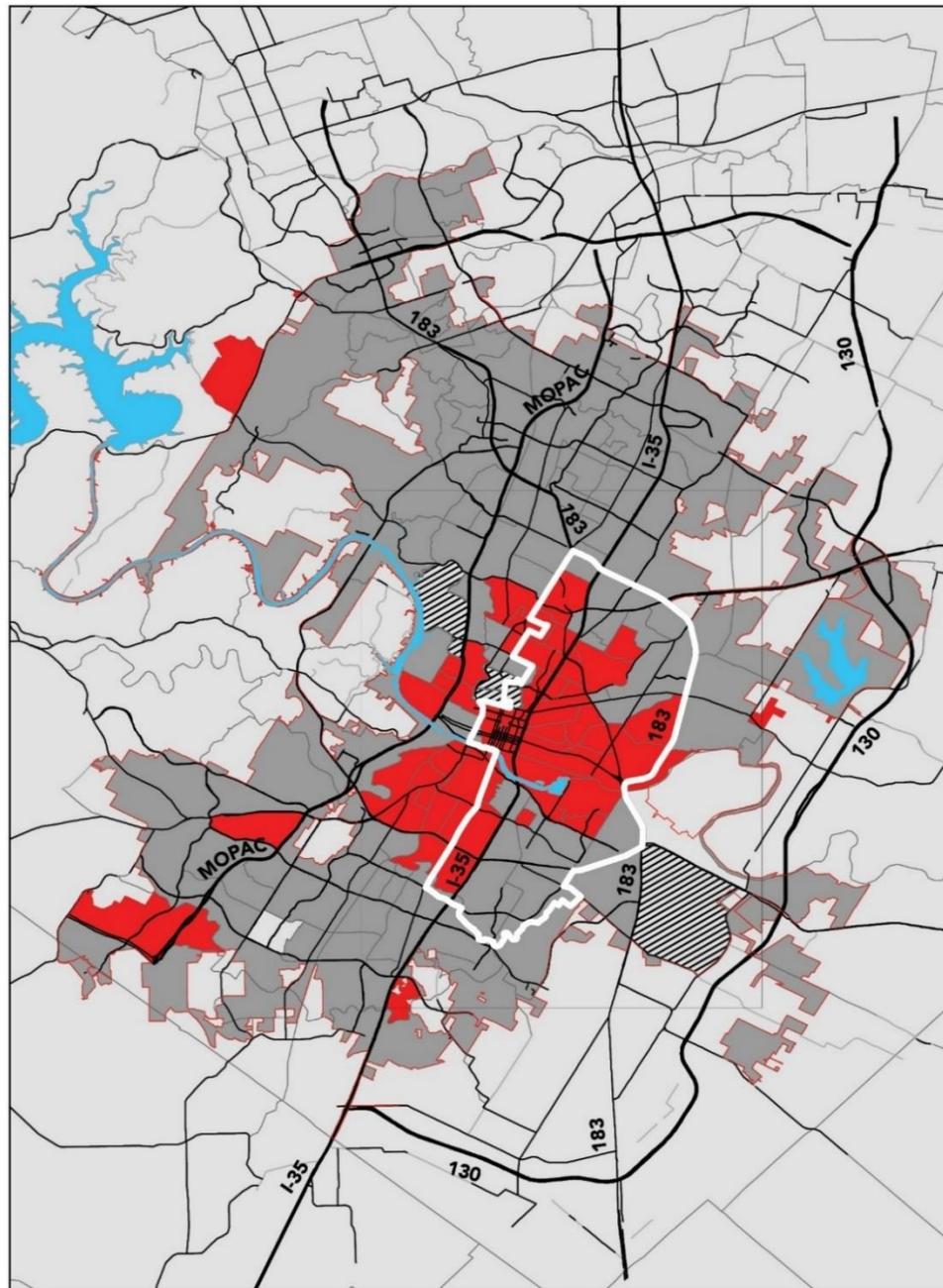
2

3

Figure 3.16-10. Vulnerable Census Tracts in Austin

Source: *Uprooted Report* Note: Community RSA outlined in white.

# Demographic Change Tracts (2000 - 2016)

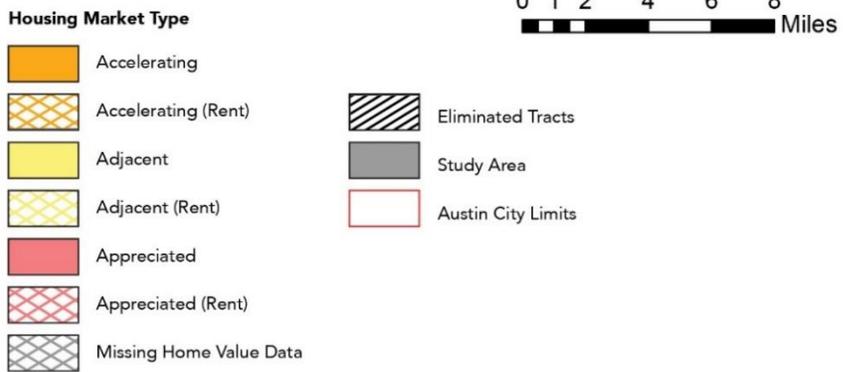
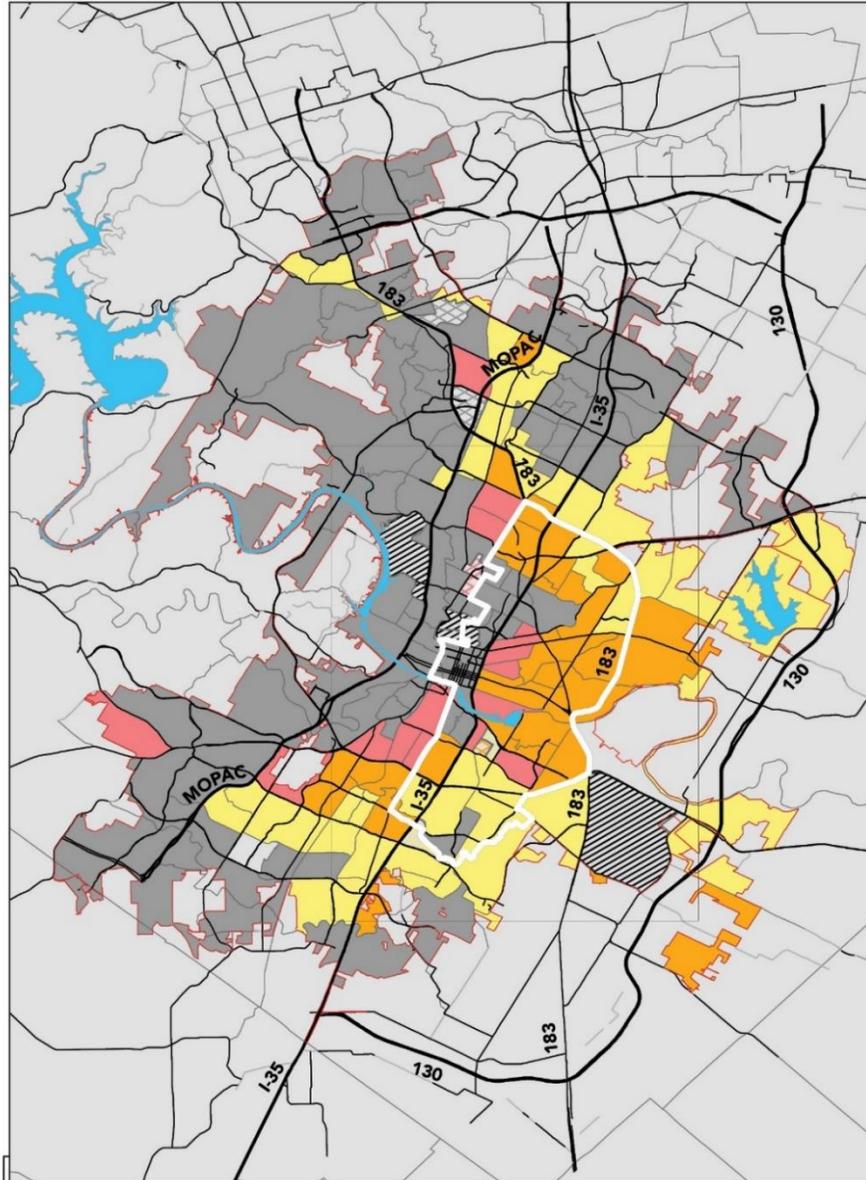


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Figure 3.16-11. Census Tracts that have Undergone Significant Demographic Change

Source: Uprooted Report. Note: Community RSA outlined in white.

# Housing Market Appreciation (2000-2016)



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2  
3

Figure 3.16-12. Housing Market Appreciation by Census Tract

Source: Uprooted Report. Note: community RSA outlined in white.

1 This three-factor analysis culminates by assigning neighborhood typologies. Five typologies are used by the  
 2 Uprooted report: Susceptible, Early: Type 1, Early: Type 2, Dynamic, and Late. The typologies were designated  
 3 based on criteria shown in **Figure 3.16-13**. Susceptible census tracts: 1) have low or moderate average  
 4 residential real estate value, 2) have low or moderate recent appreciation, and 3) touch a tract with high average  
 5 residential real estate value and/or high recent appreciation. Early: Type 1 census tracts: 1) have low or  
 6 moderate average residential real estate value and 2) have high recent appreciation. Early: Type 2 tracts: 1)  
 7 experienced substantial demographic change from 2000–2016, 2) have low or moderate average residential  
 8 real estate value, 3) have low or moderate recent appreciation, and 4) touch a tract with high average residential  
 9 real estate value and/or high recent appreciation. Tracts categorized as Dynamic: 1) experienced substantial  
 10 demographic change from 2000–2016, 2) have low or moderate average residential real estate value, and 3)  
 11 have high recent appreciation. Tracts categorized as Late: 1) experienced substantial demographic change from  
 12 2000–2016, 2) have high average residential real estate value, and 3) have high sustained appreciation. Census  
 13 tracts that are not vulnerable were not classified as a gentrifying neighborhood.

### Categories of Gentrifying Neighborhoods

Gentrifying tract type	Demographic change (2000 to 2012-16)	Average current residential real estate value (2012-16)	Appreciation	Must touch tract with high value and/or high recent appreciation
<b>Susceptible</b>		Low or moderate	Low or moderate recent (2000 to 2012-16)	✓
<b>Early: Type 1</b>		Low or moderate	High recent (2000 to 2012-16)	
<b>Early: Type 2</b>	✓	Low or moderate	Low or moderate recent (2000 to 2012-16)	✓
<b>Dynamic</b>	✓	Low or moderate	High recent (2000 to 2012-16)	
<b>Late</b>	✓	High	High sustained (1990 to 2012-16)	

14 *Adapted from Lisa Bates, "Gentrification and displacement study: Implementing an equitable inclusive development strategy in the context of gentrification, 2013, Table 1, page 31, at <https://www.portlandoregon.gov/bps/article/454027>.*

15 Figure 3.16-13. Neighborhood Typology Criteria. Source: Uprooted Report

16 The final map presented in the Uprooted report is shown below in **Figure 3.16-14**. Overall, 23 tracts are  
 17 considered Susceptible, 13 are considered Early: Type 1, none were found to be Early: Type 2, 12 were  
 18 considered Dynamic, 4 were considered Late and 6 were classified as Continued Loss. Within the Community  
 19 RSA specifically, 8 tracts are considered Susceptible, 7 are considered Early: Type 1, none were found to be  
 20 Early: Type 2, 10 were considered Dynamic, 2 were considered Late and 2 were classified as Continued Loss.

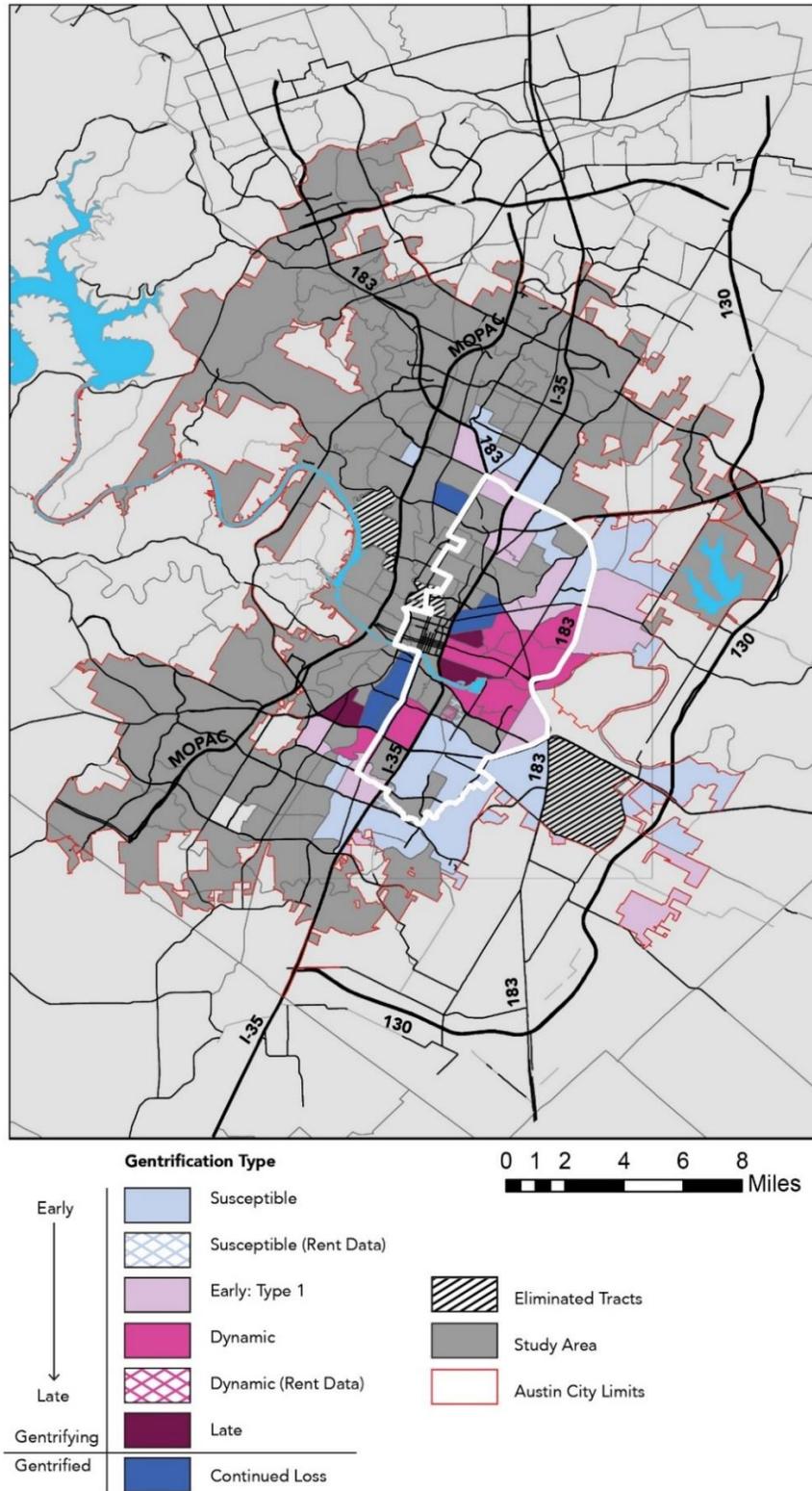
1 Continued Loss refers to neighborhoods that have lost enough vulnerable residents that they have passed the  
2 last stage of gentrification.

3 One of the report’s main findings is that “The impacts of the city’s rising housing costs have been particularly  
4 dramatic in the city’s “eastern crescent,” where historically low housing costs, produced in part through COA’s  
5 history of publicly-supported racial and ethnic segregation, now combine with broader social and economic  
6 trends to make these neighborhoods more desirable to higher-income households” (Way et al., 2018). **Figure**  
7 **3.16-15****Error! Reference source not found.** is a map published by COA’s Housing and Planning Department  
8 showing the percent change in the African American population at the census tract level between the years 2010  
9 and 2020 (2021). An overlay has been placed on the map outlining the Community RSA in black. The map shows  
10 that several tracts have experienced a loss of up to 70 percent of the African American population in the tract.  
11 These losses are concentrated in the “eastern crescent” observed in the Uprooted study. Almost all tracts in the  
12 Community RSA saw a loss of the African American Population.

13 **Figure 3.16-16** is another map published by COA’s Housing and Planning Department and shows a pronounced  
14 delineation of tracts with significant loss and gain of the Hispanic population (2021). An overlay has been placed  
15 on the map outlining the Community RSA in black. The area to the west of 183 and north of SH 71, including  
16 some areas outside of these roadways, experienced the largest loss in the Hispanic population. The areas east  
17 of 183 and south of SH 71 saw the largest increases in the Hispanic population. The geographic patterns seen  
18 in **Figure 3.16-15** and **Figure 3.16-16** closely follow the maps published under the Uprooted study. Firstly, Black  
19 and Hispanic households saw large decreases in central neighborhoods, which is what is shown in **Figure 3.16-**  
20 **11**. The same areas that appreciated (**Figure 3.16-12**) are the same areas that experienced large losses of the  
21 African American and Hispanic populations. Almost all tracts in the Community RSA had a loss of the Hispanic  
22 population between 2010–2020.

23 In 2018, Austin’s City Council approved a “Right-to-return” policy, which would help displaced residents return  
24 to their gentrified neighborhoods. Applications for low-income families to buy homes began in April 2022  
25 (McGlinchy, 2022). The program is expected to begin in 2022. Under the policy, COA would employ a community  
26 land trust strategy and would therefore sell the house but own the land it is on. The effect of this is that the price  
27 of the house is lower than what it would sell for in the market. Twenty-eight properties are available under this  
28 program. People who apply for the program must show that they have been affected by gentrification or have  
29 generational ties to COA and must make less than the Austin family median income, which is \$75,752 according  
30 to the 2020 ACS 5-year estimates.

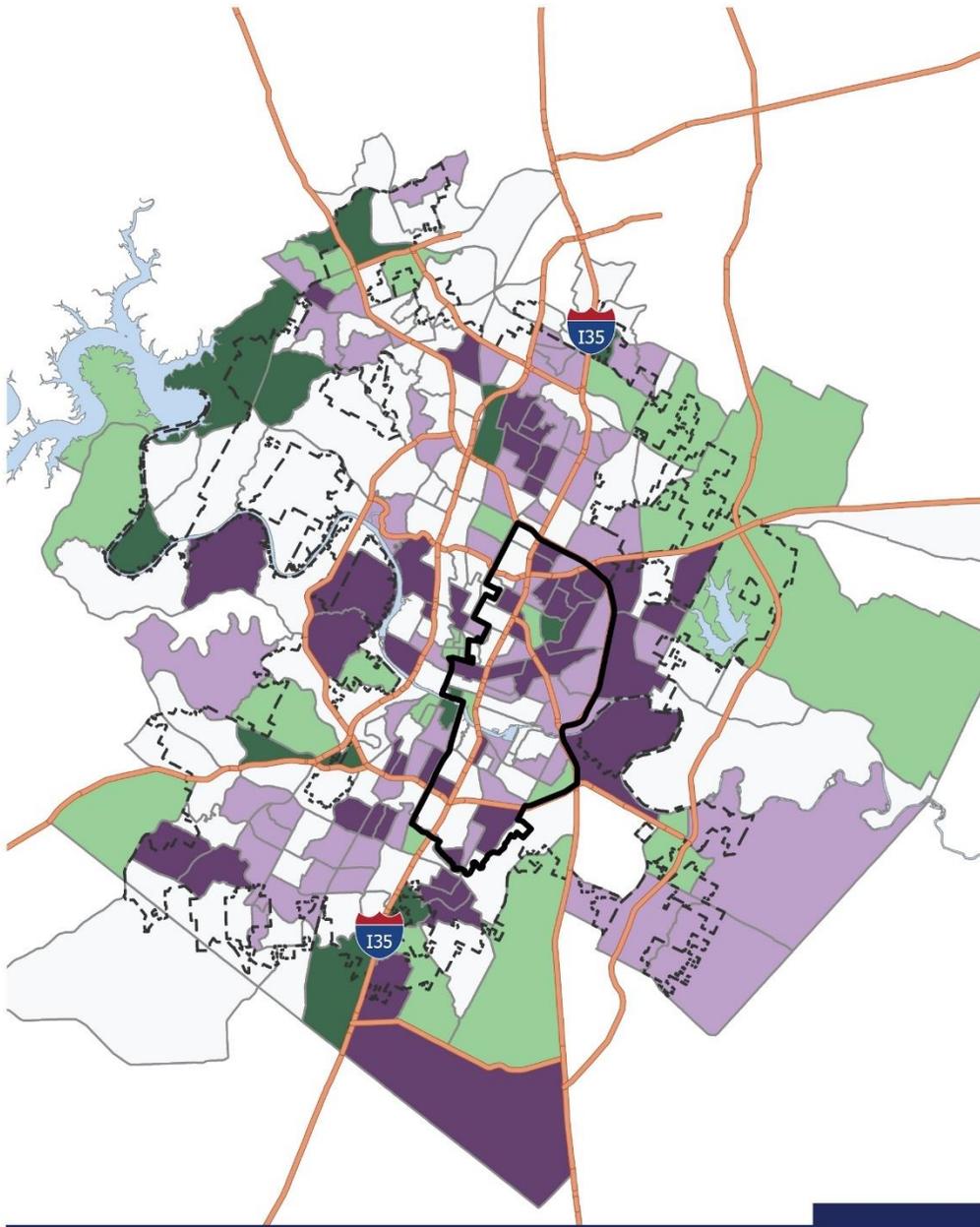
# Neighborhood Typology (2016)



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Figure 3.16-14. Neighborhood Typology by Census Tract

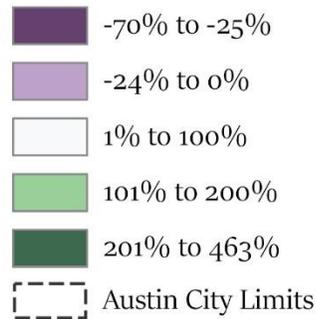
Source: Uprooted Report. Note: Community RSA outlined in white.



## 2010-2020 Population

### Percent Change

Percent change in  
the population  
that is  
Non-Hispanic Black



1  
2  
3

Figure 3.16-15. Percent Change in African American Population Per Census Tract

Source: Austin Demographer. Note: Community RSA outlined in black.

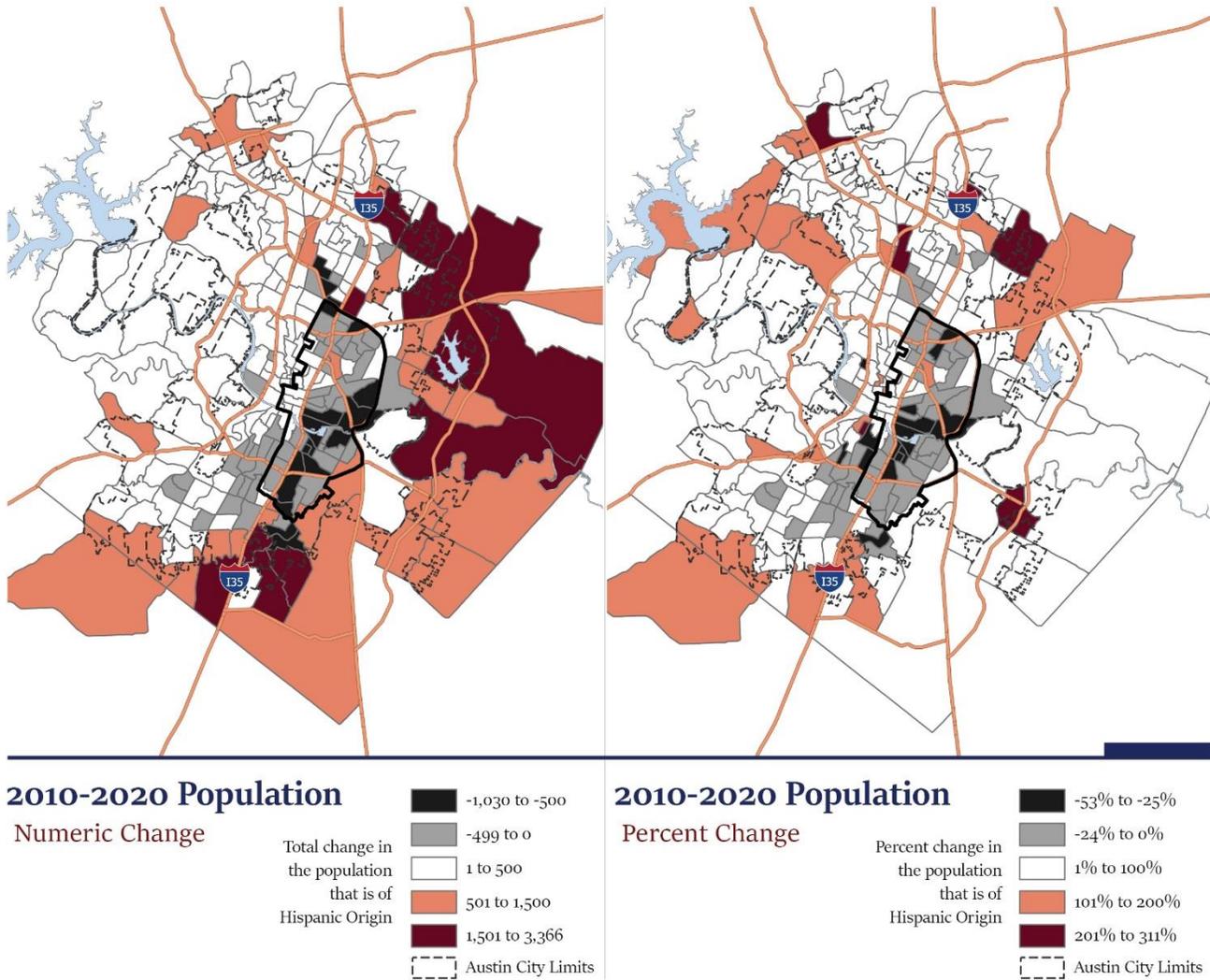


Figure 3.16-16. Percent Change in Hispanic Population Per Census Tract

Source: Austin Demographer. Note: Community RSA outlined in black.

COA's comprehensive plan, *Imagine Austin* (adopted in 2012 and most recently amended in 2018), does not include a section on displacement or gentrification, however, COA has published a racial equity anti-displacement tool: *Nothing About Us Without Us* (COA, n.d.). This tool was developed under Project Connect, a citywide rapid transit system that will include light rail, rapid buses, additional Park & Ride facilities, and bicycle and pedestrian improvements using \$7.1 billion of transit investments over the next 11 years. While transit investments improve a community's transportation access, it also has the unintended consequence of increasing the costs of renting and home sales in proximity to the transit investments. In return, this disproportionately affects the transit system's most frequent riders by displacing them—those who should have benefitted most from the transit improvements. Project Connect will direct \$300 million towards community-identified projects to redress past harms stemming from displacement and prevent future displacement. The \$300 million will be used for land acquisition, economic mobility investments, and affordable housing financing tools in order to prevent displacement caused by Project Connect (COA, Projects, n.d.).

#### 1 3.16.3.1.4 Community Facilities

2 Community facilities are located throughout the Community RSA. Schools, parks, places of worship, daycare  
3 centers, fire stations, police stations, civic facilities, and other community facilities are readily located in the  
4 Community RSA. This section will focus on community facilities that are within reasonable distance to EJ  
5 populations. When observing EJ areas in the Community RSA, several clusters of census blocks emerge that are  
6 comprising 50 percent or greater minority populations and are below the 2022 DHHS poverty guidelines of  
7 \$27,750 for a family of four. **Figure 3.16-17** below shows the clusters that exist within the Community RSA. The  
8 cluster locations and the community facilities in their proximity are discussed below.

##### 9 1) Cameron Road

10 The first cluster exists along Cameron Road south of US-183 and is labeled as “1” in **Figure 3.16-17** below. Many  
11 community facilities exist in the area, including schools, places of worship (including a few that cater to the  
12 Hispanic/Latino population), a library, an Asian cultural center, one child afterschool program, and one  
13 Hispanic/Latino grocery store.

##### 14 2) Southeast corner of I-35 and US 290

15 A second cluster is located on the southeast corner of the I-35 and US 290 interchange. The EJ area is labeled  
16 as “2” in **Figure 3.16-17** below. Nearby community facilities include parks, schools, a cemetery, a community  
17 college, places of worship, a hospital, and Hispanic/Latino grocery stores.

##### 18 3) East Austin

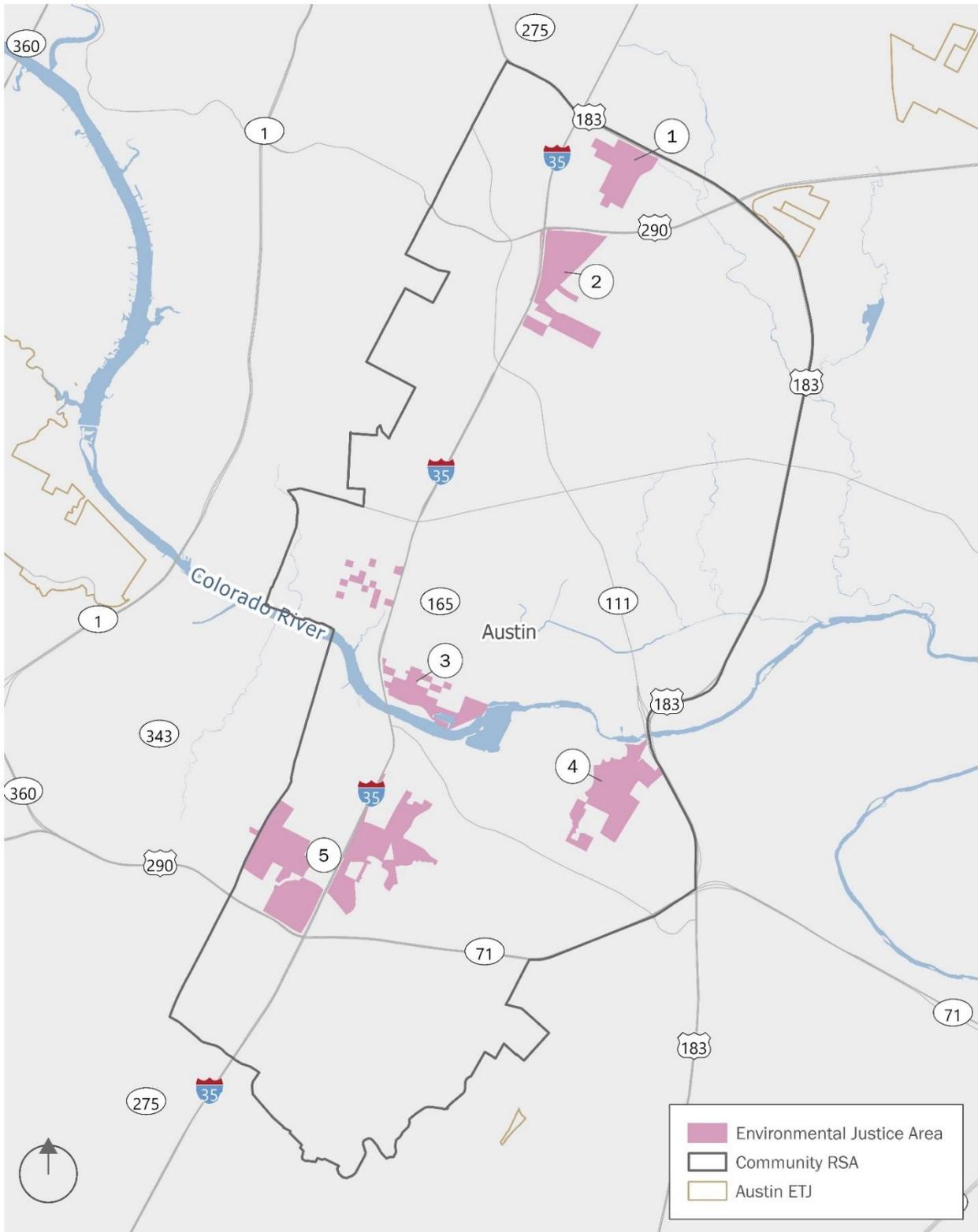
19 A third cluster can be found on the north side of Lady Bird Lake to the east of I-35. The EJ area is labeled as “3”  
20 in **Figure 3.16-17** below. Community facilities in close proximity to the EJ area include parks, trails, schools, and  
21 HHS centers. There are no facilities that cater specifically to any particular racial group. No medical facilities are  
22 located in or near the EJ area.

##### 23 4) Montopolis

24 An EJ area exists on Montopolis Drive to the west of US-183. The area is shown in **Figure 3.16-17** below and is  
25 labeled as “4”. Many places of worship are located in proximity to the EJ area, as well as a recreation center and  
26 a flea market. In addition to community facilities in the area, there is a substantial amount of retail that caters  
27 to the Hispanic/Latino population. There are no medical facilities in or near the EJ area.

##### 28 5) South Austin

29 A large cluster of EJ populations can be found in south Austin on either side of I-35 and north of SH 71/US 290.  
30 The location of this area is labeled as “5” in **Figure 3.16-17** below. Community facilities in proximity to the area  
31 include Saint Edwards University, schools, parks, one hospital, and places of worship (including several catering  
32 to the Hispanic/Latino population.



1  
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Figure 3.16-17. Environmental Justice Clusters in the Community RSA

Source: 2020 Decennial Census And 2020 ACS 5-Year Estimates.

### 1 3.16.3.1.5 Parkland

2 There are 120 parks, cemeteries, golf courses, and greenbelts comprising approximately 2,080 acres of the  
3 Community RSA. All parks, cemeteries, golf courses, and greenbelts included in this calculation are owned by  
4 COA's PARD. In 2009, Austin's City Council passed a resolution saying that all residences in the urban core  
5 should be within a 0.25-mile (5-minute) walking distance from a park and within a 0.5-mile (10-minute) walking  
6 distance from a park outside the urban core. As of 2019, 65 percent of Austin's population is within a ten-minute  
7 walk of a park (COA, 2019b).

8 Approximately 1,000 feet to the west of the project on 15th Street is Waterloo Park. Waterloo Park is a newly  
9 renovated park that is the largest in the downtown area. Waterloo Park is a part of the Waterloo Greenway that  
10 will eventually span from the eastern edge of Lady Bird Lake to 15th Street including 1.5 miles of park system  
11 on 35 acres of connected green space. The greenspace is being constructed in phases; the first phase opened  
12 in the summer of 2021 and all phases are expected to be completed by 2026 (Waterloo Greenway, n.d.). Much  
13 of the Waterloo Greenway will be located in close proximity to and will at times be adjacent to the proposed  
14 project, as seen for Palm Park in **Figure 3.16-18**.

15 Several parks exist adjacent to the proposed project along Lady Bird Lake. These parks include Waller Beach  
16 Park, Edward Rendon Park, Norwood Park, and International Shores\_3. The parks, among others, are connected  
17 via the Butler Hike and Bike Trail, which circles the shores of Lady Bird Lake and passes underneath the current  
18 I-35 bridge. The parks, the trail, and the lake provide an urban greenspace used for recreation, transportation,  
19 culture, and community. There are currently 56 projects occurring throughout all COA parks in the Community  
20 RSA (COA, Projects, n.d.).

### 21 3.16.3.1.6 Traffic Noise

22 Noise models were created to evaluate current noise levels for representative receivers along the proposed  
23 project. Representative receivers include residences, cemeteries, places of worship, hospitals, recreational  
24 areas, and schools, among others. Existing noise levels were modeled using the current I-35 design. Most  
25 receivers receive a significant level of noise stemming from traffic flow on I-35. While no noise barriers currently  
26 exist along the project, some barrier-like structures exist such as an existing wall at Avenir Apartments located  
27 on I-35 and East 12th Street which were included in the traffic noise analysis.



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Figure 3.16-18. The Waterloo Greenway System Located West of I-35

Source: Waterloo Greenway Conservancy

### 1 3.16.3.2 *Historic Resources*

2 For a detailed historic context for the project area, please see the *I-35 Capital Express Central Project Historic*  
3 *Resources Survey Report (2022)*. The Historic RSA includes individual properties, districts, markers, SALs, COA  
4 Landmarks, and historic markers. A total of 245 properties were identified to be individually listed or  
5 recommended eligible for listing in the NRHP or are contributing resources to historic districts listed or eligible  
6 for listing in the NRHP. COA's HLC reviews proposed changes to these resources including demolitions. COA  
7 offers tax abatement for projects that rehabilitate contributing properties within a historic district. City property  
8 taxes are 100 percent abated on the added value the rehabilitation produces. The abatement period varies by  
9 property type. COA also offers a tax exemption to owners of historic landmarks and a Heritage Grant program  
10 that offers up to \$250,000 in capital work, signage, and marketing for properties that specialize in tourism.  
11 Preservation Austin, a non-profit that helps shape the culture, resilience, and community of Austin through  
12 preservation offers grants for up to \$5,000 for brick-and-mortar work, planning, surveys, and local designation,  
13 and education (COA, Incentives and Grants, n.d.).

14 The THC offers or facilitates many preservation programs that affect the resources in the Historic RSA including  
15 Cemetery Preservation (there are three cemeteries within the RSA), Heritage Tourism, NRHP, Project Review,  
16 and SALs (Texas Historical Commission, Projects and Programs n.d.).

### 17 3.16.3.3 *Ecological Resources*

18 The proposed roadway facility would be constructed primarily within existing ROW, approximately 92.0 percent  
19 of the project area. The TPWD EMST data shows that over 99 percent of the project area is mapped as urban  
20 vegetation, with less than 1 percent being mapped as a combination of open water, agriculture, Edwards Plateau  
21 savannah, woodland and shrubland, riparian, and disturbed prairie vegetation. Trends have revealed that with  
22 the increased population within and around Austin, infill of open areas within the project area and sprawl outside  
23 of the project area occurs. With the continued influx of people into the greater Austin area, it is anticipated that  
24 continued growth would occur and cumulative effects to vegetation, wildlife, and habitat would occur.

#### 25 3.16.3.3.1 *Vegetation*

26 The proposed project traverses the highly urbanized area in COA and there are minimal undeveloped spaces.  
27 The proposed project is located in the Northern Blackland Prairie area of the Texas Blackland Prairies Ecoregion,  
28 which is characterized by rolling to nearly level plains. The region was historically dominated by various prairie  
29 grasses. The main areas of the region that were historically forested, and some continue to be forested today,  
30 are the riparian areas found along the streams. Today, the ROW for I-35 consists of 90 percent concrete  
31 pavement. Only small remnants of the natural prairie vegetation can be found in the project area. There are still  
32 areas of forestland in riparian areas along streams. Parks and hike-and-bicycle trails are located within the  
33 project area; ecological resources in these recreational areas are characterized by maintained grasses and  
34 several species of scattered trees. No unusual vegetation such as rare species were observed within the project  
35 area.

### 1 3.16.3.3.2 *Wildlife and Habitat*

2 Native wildlife populations within central Travis County have been largely displaced by the development and  
3 urbanization of Austin, which has removed much of their original habit, leaving the remaining habitat areas highly  
4 fragmented. However, many wildlife species have adapted to these urbanized conditions; therefore, the  
5 developed urban conditions provide habitat for many wildlife species throughout the proposed project area. Such  
6 wildlife may include a variety of birds, opossums, rats, squirrels, bats, raccoons, skunks, turtles, frogs, snakes,  
7 and lizards.

### 8 3.16.4 *Other Past, Present, and Reasonably Foreseeable Actions (Step 2)*

#### 9 3.16.4.1 *Past Actions*

10 Aside from areas directly along I-35 north to about US 290 East, much of the area beyond US 183 to the east  
11 was open space and agricultural until the 1990s when development and construction of subdivisions and  
12 commercial areas began picking up east of I-35. Large-scale past projects that occurred within the boundaries  
13 of the combined RSAs include the following:

- 14 • I-35 – dedication year 1962
- 15 • Initial construction of MoPac – 1967
- 16 • US 183 – 1960s
- 17 • SH 130 – early 2000s
- 18 • Residential and commercial properties north of US 183 – expanded in the 1970s and 1980s
- 19 • Large shopping centers and subdivisions along I-35 to the north, south, and east – late 1990s and 2010s
- 20 • Mueller redevelopment of COA's former airport site– began early 2000s
- 21 • Plaza Saltillo TOD along vacant tracts between East 4th and East 5th streets just east of I-35 – 2019
- 22 • Waterloo Park, a newly opened 11-acre revitalized green space, 105 miles of trails, gardens, and  
23 amphitheater – 2021
- 24 • Holly Street Power Plant removal – 2011
- 25 • Holly Shores at Town Lake Metro Park on former Holly Street Power Plant. Park, and 18-acre park with 3,000  
26 feet of trail- 2021

27 Austin Planning and Zoning encourages TOD. COA currently has six TOD districts, four of which are located within  
28 the RSAs: Lamar Boulevard/Justin Lane, MLK Jr. Boulevard, Plaza Saltillo, and the Convention Center.

#### 29 3.16.4.2 *Current Actions*

30 Current aeriels show that there is earthwork being done for multiple large projects throughout the RSAs. Most  
31 appear to be residential (multifamily and subdivisions) and commercial in nature. Multiple buildings are currently  
32 under construction in downtown Austin. DAA identifies 24 projects including high-rise residential, commercial,

1 and office buildings. All except for one project are located west of I-35. The east Austin project is a nearly 350,000  
2 square feet, 371-unit apartment building located along the NB frontage road between East 11th and East 12th  
3 Streets (<https://downtownaustin.com/economic-development/emerging-projects/>). Austin's Innovation District  
4 is a downtown neighborhood centered around the redevelopment of the former Brackenridge Hospital Campus.  
5 The Innovation Tower, the district's flagship building, has been completed and construction of the rest of the  
6 district is ongoing (<https://downtownaustin.com/innovationdistrict/>).

### 7 *3.16.4.3 Reasonably Foreseeable Actions*

8 Austin has experienced rapid population growth in the past few decades, which is expected to continue with or  
9 without the construction of the proposed project. Based on the 2020 census, the population of COA grew by 21  
10 percent over the last decade for a total of 961,855. COA's Housing and Planning Department demographics  
11 forecast sets the population at just under 1.4 million in 2050 (COA, Austin Area Population Histories and  
12 Forecasts, 2022). Along with the population growth, companies have made the area home to offices and  
13 manufacturing plants and residential development has increased. Projects are planned and likely to increase  
14 within the RSAs.

15 DAA proposes and has planning and visioning projects in various stages of development. These include the I-35  
16 cap and stitch project in which the alliance organized an ULI report that studies the opportunity to cap and  
17 connect the I-35 corridor once the proposed Capital Express Central project is complete. The report outlines a  
18 proposal of 11 acres of caps in three locations: Cesar Chavez Street to 4th Street, 6th Street to 8th Street, and  
19 11th Street to 12th Street (DAA, <https://downtownaustin.com/what-we-do/current-projects/i35/>). DAA  
20 identifies 23 planned or proposed development projects that include high-rise residential, commercial, and office  
21 buildings (<https://downtownaustin.com/economic-development/emerging-projects/>).

22 COA Housing and Planning Department leads the Palm District Planning Initiative. The district is bounded by  
23 15th Street to the north, Lady Bird Lake to the south, Trinity Street to the west, and I-35 to the east. The proposed  
24 5th Street Mexican American Heritage Corridor intersects this plan. The Palm District Planning Initiative is  
25 currently in the visioning process. The project's plans include preserving the Palm School and Red River Cultural  
26 District, enhancing the 5th Street Mexican American Heritage Corridor, expanding Austin's Innovation District,  
27 Convention Center expansion, and Brush Square renovation ([https://downtownaustin.com/what-we-do/current-  
28 projects/palm-district/](https://downtownaustin.com/what-we-do/current-projects/palm-district/)).

29 The plan for the Urban Greenbelt is to connect major and smaller parks to create a walkable trail and park system  
30 through Shoal Creek, Waller Creek, Lady Bird Lake, Pease Park, Waterloo Park, and the Butler Hike-and-Bike  
31 Trail and tie in Wooldridge, Republic, and Brush Squares as well as new pocket parks along Congress Avenue  
32 (<https://downtownaustin.com/what-we-do/current-projects/urban-greenbelt/>).

33 East Avenue Apartments is a planned development on a vacant lot between Waller Beach Park and Holiday Inn  
34 to the north along the I-35 Frontage Road. Construction is slated to begin in Fall 2022 and may have overlapping  
35 construction activities with the proposed project staging areas.

1 Available information from city and county planning departments and desktop research yields information about  
2 developments that are occurring in areas that are within the RSAs. The following projects do not comprise all  
3 planned projects taking place within the RSAs, rather they highlight major projects and represent the intensity of  
4 development taking place within Central Texas.

#### 5 *3.16.4.3.1 Project Connect*

6 CapMetro and COA formed the Austin Transit Partnership, which currently has light rail, MetroRail, MetroRapid,  
7 and park and ride projects in various stages of planning and environmental studies under Project Connect.

8 The population of Central Texas is projected to double by 2040. With an already congested roadway network,  
9 the additional population will stretch travel times and costs and decrease mobility further. Project Connect is a  
10 series of projects that will improve Austin's transit network and includes light rail lines, MetroRapid routes, and  
11 a subway. The Project Connect Vision Plan was developed beginning in 2016 and includes the following projects  
12 (<https://projectconnect.com/w>):

#### 13 • Rail

14 ○ Orange Line – 21 miles long with 22 stations connecting north and south Austin from Tech Ridge  
15 Boulevard to Slaughter Lane running along the Lamar Boulevard/Guadalupe Street corridor past the UT  
16 campus and downtown and along South Congress Avenue. This route is currently served by MetroRapid  
17 801.

18 ○ Blue Line – 8.2 miles with 20 stations between downtown and the airport with service along East  
19 Riverside Drive. The Blue Line also operates on the Orange Line route to US 183 and North Lamar  
20 Boulevard.

21 ○ Transit Subway – Light rail traveling underground downtown.

22 ○ Red Line – Regional rail service between downtown through central and northwest Austin and the City  
23 of Leander. The line will connect to the larger system of other lines and bus routes. Improvements  
24 include construction of new stations and additional tracks.

25 ○ Green Line – Regional service connecting downtown to east Austin's Colony Park.

#### 26 • Bus

27 ○ MetroRapid – Provides frequent service with limited stops, faster travel times, priority lanes, transit  
28 signal priority, improved stations, and higher frequency. Four new routes are proposed: Pleasant Valley  
29 from Mueller to the Goodnight Ranch Park & Ride, Expo Center from east Austin to UT and downtown  
30 Austin, The Gold Line, and Burnet Road. The Gold Line will begin as a MetroRapid bus route from Austin  
31 Community College-Highland to Republic Square and could be converted to light rail service in the future,  
32 and Burnet Road from the Domain to Oak Hill with the potential for underground service.

33 ○ MetroExpress – Service to suburban Austin and surrounding communities with new routes between  
34 Park and Rides and major employment hubs including the Capitol Complex and 38th Street Medical  
35 District, with new routes to Del Valle and Oak Hill.

- 1 • Park and Ride
- 2 ○ 24 additional Park & Ride facilities in outlying areas and nearby cities. As part of the facilities, food
- 3 vendors, electric vehicle charging stations, seating, and public art installations are included in the plans.

#### 4 3.16.4.3.2 Orange Line

5 Identified as one of two HCT corridors in the Project Connect Vision Plan, the Orange Line, a 21-mile corridor with  
6 22 stations, would reduce travel times for both individual drivers and bus commuters. One possible alternative  
7 would operate through an underground tunnel which would further improve travel times and safety for all modes  
8 by reducing street-level conflicts. The feasibility of the tunnel option will be studied during the environmental  
9 phase of the project which has been initiated by CapMetro and FTA and the NEPA process is currently in progress.

#### 10 3.16.4.3.3 Blue Line

11 The second identified HCT corridor, the proposed Blue Line project also includes a tunnel between 4th and Trinity  
12 Streets. A new transit bridge is proposed over Lady Bird Lake west of I-35. Austin is currently experiencing  
13 highway congestion, lack of mobility options, limited capacity, and increased travel times and costs. The Blue  
14 Line would help alleviate these issues and provide improved transit reliability and improve connectivity to  
15 affordable housing, employment, activity centers, and the airport. The Blue Line is currently undergoing the NEPA  
16 process with an EIS. As part of the proposed project, TOD zoning has been designated in areas such as the East  
17 Riverside Corridor and existing and planned activity centers. The cumulative impacts report is currently being  
18 drafted for the Project Connect Blue Line. Preliminary analysis concludes that the Blue Line may contribute to  
19 induced development, which would increase density and housing variety. This transit proximity for both  
20 employees and consumers could attract businesses and transit users. There would also be an opportunity for  
21 infill development around proposed stations in areas that are currently vacant or underutilized. Impacts could  
22 include increased property values and taxes. Anti-Displacement Investments are included in Project Connect,  
23 which would coordinate capital investments and purchase property for affordable housing, among other  
24 strategies.

25 COA has an available database of emerging projects that tracks and identifies investment and development  
26 projects. Projects that are included in the database are larger than 10 acres, include 20 or more residential units  
27 (pre-July 2019 data), and are in various stages of development or planning. COA's website also references DAA  
28 and Austin Business Journal's Austin Crane Watch, which also include projects in various stages of development  
29 or planning. The majority of the larger projects are further afield of the proposed project with larger  
30 concentrations south of the project near the Onion Creek Greenbelt, east of the project along US 71, and in the  
31 northeastern portion of the RSA in the Mueller neighborhood. Notable projects adjacent to the project include:

- 32 • A 34-acre expansion of the Hancock Center on East 41st Street Infill within the RMMA PUD in Mueller
- 33 • E 11th Street Office and Retail commercial site, a 0.23-acre 8,800 square-foot development.
- 34 • Shires Court, a 26-acre residential subdivision.
- 35 • Marabella Section 3, a 111-acre multifamily development with over 1,000 units.

- 1 Based on data available from COA, there are currently approximately 3,989 acres of planned subdivisions and  
 2 proposed site plans, within the combined RSA boundaries. These are included in **Table 3.16 6** below.

**Table 3.16-6: Planned and Reasonable Foreseeable Projects within the RSAs**

Reasonably Foreseeable Actions	Community RSA		Ecological RSAs		Historic RSA		Combined RSAs	
	#	Acreage	#	Acreage	#	Acreage	#	Acreage
Site Plan	290	1,314.3	510	3,100.0	32	160.3	530	3,177.4
Planned Subdivision	43	146.9	67	805.9	--	--	70	811.4
<b>Totals</b>	<b>333</b>	<b>1,461.2</b>	<b>577</b>	<b>3,905.9</b>	<b>32</b>	<b>160.3</b>	<b>600</b>	<b>3,988.7</b>

Source: COA Emerging Projects

- 3 Other planned projects include both roadway and transit projects as part of networks outlined by TxDOT, CAMPO,  
 4 and other local governments within the RSAs. Larger projects within the RSAs include two other segments of I-  
 5 35 to the north and south of the evaluated project. Major transportation projects in the RSAs are outlined below  
 6 in **Table 3.16-7**.

7 Based on results from the Delphi panel summary conducted as part of the indirect impacts analysis and the  
 8 other projects identified for this report, the area within the RSAs is growing and development is ongoing. The I-  
 9 35 Capital Express Central improvements would not have a substantial impact on existing population growth  
 10 trends and would not induce redevelopment. Interest in developing may increase but zoning requirements and  
 11 ordinances would limit these actions. Moderate development as infill and on greenfields is expected as a result  
 12 of the proposed project. According to the survey results, zoning and a lack of both affordable housing and  
 13 education infrastructure are large contributors to limiting development and redevelopment within the indirect  
 14 impacts AOI. Additional factors limiting growth include land use regulations and issues of transportation policy.  
 15 It stands to reason that the same factors may play a role in limiting growth also within the RSAs. The Delphi panel  
 16 respondents identified no differences in induced development based on the build alternatives presented. Based  
 17 on the analysis of existing and future land use, historic and projected population, and access, the Delphi panel  
 18 found that the proposed project would not induce development or increase the rate or intensity of development  
 19 in the AOI. The panel did focus a question on the potential cap and stitch accommodations creating green space  
 20 over I-35. The cap and stitch project is discussed in further detail in relation to cumulative effects in **Section**  
 21 **3.16.5.1.9**.

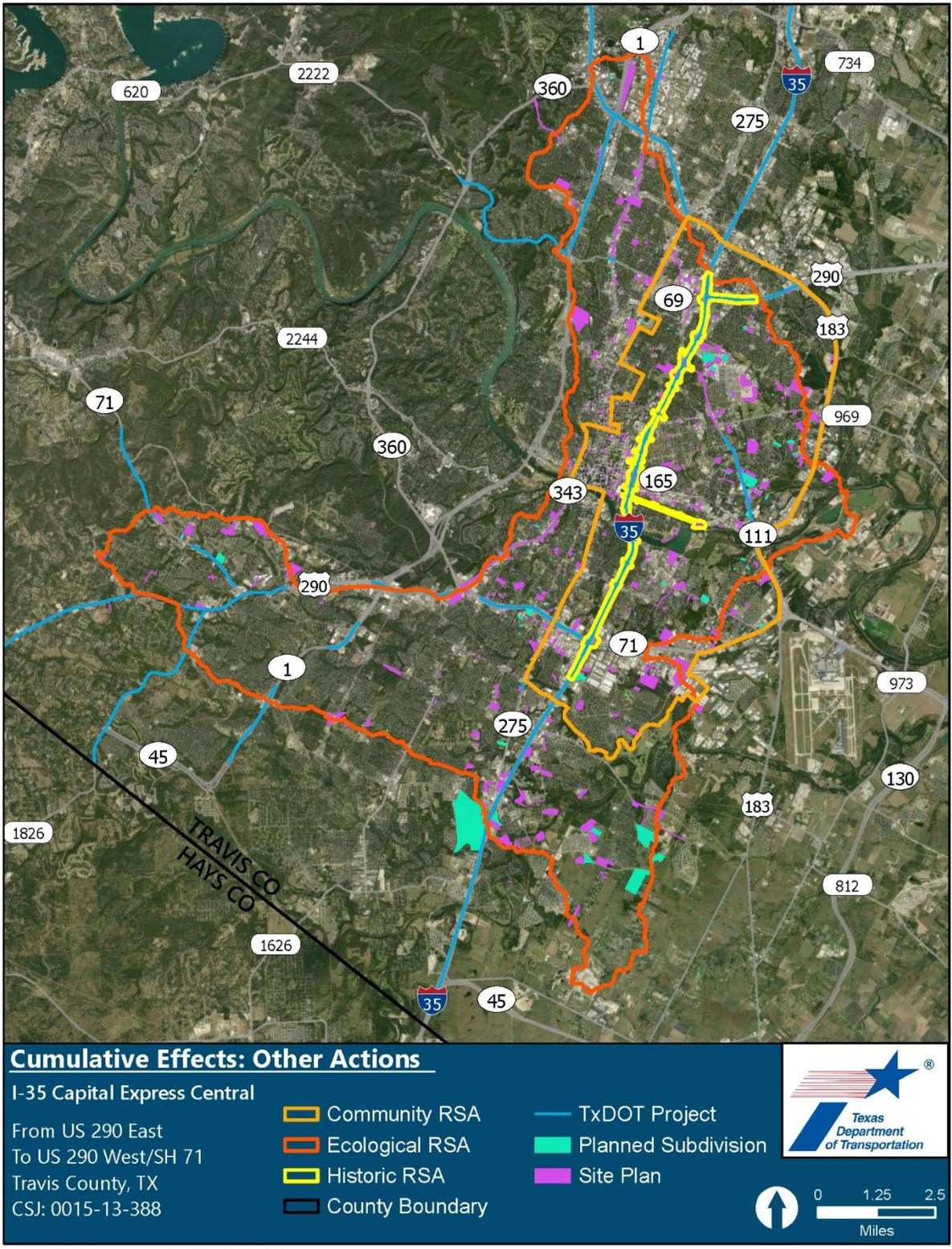
- 22 **Figure 3.16-19** below shows the location of major projects within the RSAs including planned subdivisions and  
 23 developments as well as site plans as identified by cities and counties.

Table 3.16-7: Planned Transportation Projects within the RSAs

Transportation Facility/ Development	Limits	MTP/RSA ID/CSJ	Project Description
<b>Roadway Projects</b>			
<b>FM 969</b>	From FM 973 to Hunters Bend Road	1186-01-091	Widen FM 969 from a 2-lane undivided roadway to a 5-lane roadway with sidewalks along one side
<b>I-35 (Capital Express North)</b>	From SH 45N to US 290 East	0015-10-062 & 0015-13-389	Add north- and SB managed lanes, reconstruct ramps, add auxiliary lanes, and improve frontage roads
<b>I-35 (Capital Express South)</b>	From US 290 West/SH 71 to SH 45SE	0015-13-077 & 0016-01-113	Add north- and SB managed lanes, reconstruct ramps, add auxiliary lanes, and improve frontage roads
<b>Slaughter Lane</b>	From Mopac Expressway to Brodie Lane	0914-04-317	Widen to 6-lane roadway with SUP and intersection improvements
<b>US 183</b>	From 0.46 mile south of Thompson Lane to 0.07 mile SW of Airport Commerce Drive	0265-01-116	Construct SB frontage road that merges with US 183S/71W Direct Connector
<b>SH 95</b>	From Loop 230 to FM 535	0323-01-028	Widen from 2-lane rural to 3-lane urban roadway
<b>US 183</b>	From Williamson County Line to SL 1	0151-06-142	Widen from 3 to 4 general purpose lanes
<b>Slaughter Lane</b>	From MoPac Expressway to Brodie Lane	0914-04-317	Convert 4-lane to 6-lane divided roadway to SUP and intersection improvements
<b>SH 71</b>	From East of Riverside Drive to US 183	N/A	Construct 3-lane EB frontage road and 1-lane connector lane and WB frontage road.
<b>FM 973</b>	3 projects between SH 130 to US 183	N/A	Widen to 4-lane divided roadway (6-lane ROW)
<b>Barton Springs Road</b>	From South Lamar Boulevard to South Congress Avenue	N/A	Widen from a 4-lane undivided to 4-lane divided roadway with ped/bicycle/transit facilities
<b>South Congress Avenue</b>	From Riverside Drive to Slaughter Lane	N/A	Ped/bicycle/transit improvements
<b>East 7th Street</b>	From I-35 to US 183	N/A	Convert existing facility to a 4-lane divided roadway with ped/bicycle/transit facilities
<b>East Cesar Chavez</b>	From I-35 to US 183	N/A	Widen from 2-lane undivided roadway to a three-lane roadway with ped/bicycle/transit facilities

Table 3.16-7: Planned Transportation Projects within the RSAs

Transportation Facility/ Development	Limits	MTP/RSA ID/CSJ	Project Description
North Pleasant Valley Road	From Cesar Chavez Street to Riverside Drive	N/A	Widen two-lane undivided roadway to a 4-lane roadway with ped/bicycle/transit facilities
Metropolis Drive	From Burleson Road to US 183	N/A	Convert to a four-lane roadway with ped/bicycle/transit facilities
RM 1826	From Slaughter Lane to SH 45SW	N/A	Widen to a 4-lane divided roadway
US 290 West	From RM 1826 to Nutty Brown Road	N/A	Widen to a 6-lane divided roadway
Transit Projects			
Orange Line	From Tech Ridge Boulevard to Slaughter Lane	N/A	21 miles and 22 stations rail line
Blue Line	From downtown to the Airport along East Riverside Drive and 4th Street	N/A	8.2 miles and 20 stations
Green Line	From downtown to east Austin's Colony Park	N/A	Regional rail service
Gold Line	Downtown	N/A	Underground rail service
24 new Park and Rides	Outlying parts of Austin and nearby cities	N/A	Projects may include food vendors, charging for electric vehicles, and increased parking
Source: TxDOT 2021 – 2024 STIP, CAMPO 2020, Blue Line Cumulative effects Report Draft, Travis County Transportation Plan, Bastrop County Transportation Plan.			



1  
2

Figure 3.16-19. Other Actions within RSAs

### 1 3.16.5 Effects Analysis and Mitigation for Resources Subject to Cumulative Effects (Step 3)

2 This section discusses the overall effects to resources subject to cumulative effects as a result of the proposed  
3 project, along with measures that have been taken to mitigate for those effects. As shown in **Table 3.16-1**, direct  
4 and indirect impacts would result from the implementation of the proposed project. It was determined in **Section**  
5 **3.15**, guided by the result of the Delphi panel conducted for the study, that the proposed project would not  
6 induce development within the AOI; therefore, indirect impacts would only consist of encroachment-alteration  
7 impacts and not those caused by induced development.

8 Based on the previous direct and indirect impact assessments, resources were further evaluated to consider the  
9 potential cumulative effects that could occur in the RSAs as a result of the proposed project. The proposed  
10 project and other past, present, and reasonably foreseeable future actions were considered in the cumulative  
11 effects analysis. The following were identified as part of this analysis: projects under construction and projects  
12 that are proposed, planned, or reasonably foreseeable projects discussed in **Section 3.16.4**. This assessment  
13 considered the impacts of the proposed project combined with the impacts of the other projects on resources  
14 within all or part of the same area and timeframe. The direct and indirect impacts from the proposed action may  
15 result in potential cumulative effects to resources within all or individual RSAs, as discussed below.

16 Mitigation is generally not offered specifically for cumulative effects. Any potential measures taken to mitigate  
17 impacts will not undo adverse impacts of past actions and the original construction of I-35. Instead, mitigation  
18 measures for the proposed project aim to minimize the incremental impacts when combined with other actions.

#### 19 3.16.5.1 Community Resources

##### 20 3.16.5.1.1 Direct and Indirect Effects

21 **Section 3.6** analyzes the environmental consequences the project would have on affordability, which include  
22 gentrification and homelessness; community facilities; displacements; neighborhoods and community cohesion;  
23 EJ populations; parkland; and traffic noise.

##### 24 3.16.5.1.2 Socioeconomic

25 The proposed project would displace residential and commercial properties. The number of displacements varies  
26 by each alternative being considered. Displacements include multiple businesses and services that cater to EJ  
27 populations. Displacements are discussed further in the sections below. The indirect impacts report concludes  
28 that while changes in land use patterns as a result of ROW acquisition can sometimes lead to further  
29 displacement of businesses and residences, the proposed project would not result in induced land use changes.  
30 The Delphi panel found that land use regulation—zoning—was the primary constraint on land use change within  
31 the AOI and would have implications for both ongoing trends and any potential impacts from the project. The  
32 existing potential for future growth in the area is moderate to strong and is expected to continue to follow current  
33 trends.

### 1 3.16.5.1.3 Affordability

2 The proposed project would move the mainlanes of I-35 below grade through central Austin. COA's camping ban,  
3 Prop B, approved in May 2021 already forced people experiencing homelessness out of visible camps under  
4 existing I-35. TxDOT's IAH provides opportunity for donation drives benefiting the homeless and engages  
5 agencies and nonprofits that support those experiencing homelessness under public involvement. The proposed  
6 project would reduce congestion, improve pedestrian and bicycle facilities and connect east and west Austin,  
7 particularly the downtown core. These improvements would likely further increase the residential and  
8 commercial desirability of the area, raise housing prices, and exacerbate gentrification issues. There will be less  
9 covered space to provide campsites for those who are experiencing homelessness. There is also currently low-  
10 income and affordable housing within the proposed ROW that would be displaced by the proposed project. The  
11 loss of this housing that may not be replaced in kind would mean that affordability and gentrification would  
12 continue to be issues for the residents of the area. This is likely to occur regardless of the project's  
13 implementation.

14 The Delphi panel results show that local planning and community leaders believe that while the proposed project  
15 is not likely to increase population growth, the project is also not likely to induce new development within the  
16 Indirect Impacts Study Area. There is minimal land available for new development and it would be limited to infill  
17 and greenfields, which would be reduced further by the proposed project. This would lead to greater desirability  
18 in the area (see **Section 3.6**) and add to rising housing prices and gentrification further afield from the project.

### 19 3.16.5.1.4 Community Facilities

20 Community facilities within 0.5 mile of the proposed project were assessed as most likely to be directly impacted  
21 by the proposed project. Community facilities include fire stations and medical operations, police stations,  
22 hospitals and health centers, colleges/universities, schools, places of worship, parks and nature preserves,  
23 cemeteries, libraries, veteran's service center, and multiple BN locations, which give access to restrooms,  
24 showers, food, and charging stations for those experiencing homelessness. The proposed project would displace  
25 between three and ten community facilities either by full-displacement or due to a loss of access. The displaced  
26 community facilities include health centers, including FQHCs that serve uninsured patients, an Austin VA  
27 Veteran's Center, Green Doors, a foster and adoption assistance agency, Safe Kid's Care, Texas State  
28 Independent Living Council, and childcare centers including two Spanish Immersion Preschool. The majority of  
29 these are not located in EJ census geographies but may serve EJ populations. The Preferred Alternative (Modified  
30 Build Alternative 3) would not displace the VA center, three childcare centers, the foster and adoption assistance  
31 agency, Texas State Independent Living Council, or Green Doors.

32 The direct and indirect impacts to these community resources combine to change the character of portions of  
33 the study area. Cluster locations of community facilities that are within a reasonable distance to EJ populations  
34 are found in **Figure 3.16-17**. Affected neighborhoods were identified in **Section 3.6**. The Cameron Road cluster,  
35 identified as cluster 1, overlaps with the St. Johns neighborhood. The area located at the southeast corner of I-  
36 35 and US 290 (cluster 2) overlaps with the Highland neighborhood. The East Austin cluster (cluster 3) overlaps  
37 with the Downtown, East Cesar Chavez, and Holly neighborhoods. The Montopolis cluster (cluster 4) is located  
38 within the Montopolis neighborhood. The South Austin area (cluster 5) overlaps with the St. Edwards and Parker

1 Lane neighborhoods. Direct impacts to community cohesion due to displacements, traffic noise, and parkland  
2 use would be felt most adjacent to the project in EJ clusters 2, 3, and 5. Indirect effects may be felt more in EJ  
3 clusters 2 and 4 where displaced residents, businesses, and services may be able to relocate within the RSA.

#### 4 *3.16.5.1.5 Neighborhoods and Community Cohesion*

5 I-35 currently provides a barrier and inhibits community cohesion. Displacements associated with each  
6 alternative would have the largest adverse impact on cohesion analyzed for the project (see **Section 3.6**).  
7 Mainlanes are proposed to be constructed below the existing grade allowing for bridges with pedestrian and  
8 bicycle stitches and SUPs providing access across I-35 for these modes. A pedestrian and bicycle stitch is an  
9 area that separates vehicular traffic from the SUP to increase safety. The addition of pedestrian and bicycle  
10 facilities would be a beneficial effect for adjacent neighborhoods and removal of the visual barrier of the raised  
11 portions of the facility would reduce the east-west division.

12 Displacements may disrupt the identity of the affected areas, predominately on individual neighborhoods that  
13 have community visions, goals, and plans. Displaced residents and businesses are likely to find it difficult to  
14 relocate in the same neighborhood or general area due to increasing housing and real estate prices.  
15 Displacements include businesses and services that cater to specific or underserved populations; their  
16 relocation or loss would disrupt the services they provide to the community.

#### 17 *3.16.5.1.6 Environmental Justice*

18 The majority of commercial and residential displacements would occur in EJ areas and/or would affect services  
19 provided to EJ populations elsewhere in the community study area. Commercial and community facility  
20 displacements include medical facilities, childcare centers, and a VA Veteran's location. Some changes would  
21 benefit the community study area as a whole, including SUP along the corridor, additional crossings of I-35,  
22 improved travel times and reduced congestion, and a reduction of visual barriers. EJ populations immediately  
23 adjacent to the proposed facility would benefit the most from moving the facility below existing grade and  
24 enhanced bridges with pedestrian and bicycle stitches. EJ populations north of the Colorado River would  
25 experience the most benefits from improved community cohesion, however, populations south of the river would  
26 also benefit from the connection SUPs provide.

#### 27 *3.16.5.1.7 Traffic Noise*

28 The *Traffic Noise Analysis (2022)* found that the majority of the modeled representative receivers would be  
29 impacted by increased noise levels. These receivers include residential, commercial, and community facilities.  
30 Many receivers are present along the roadway, however, there is little opportunity for mitigation of impacts to  
31 these resources. Noise abatement would be incorporated into the final design, where practical.

#### 32 *3.16.5.1.8 Section 4(f) Parkland*

33 There are several parks located along the project corridor, including one at either corner of the I-35 bridge over  
34 Lady Bird Lake, the Butler Hike and Bike Trail, and Lady Bird Lake itself. The proposed project would require  
35 additional ROW from International Shores\_3, located on the southeast side of the I-35 bridge over Lady Bird

1 Lake. Construction staging areas would be located in Waller Beach, Edward Rendon Park, Norwood Park, and  
2 International Shores\_3. Portions of the Butler Hike and Bike Trail near the I-35 bridge over Lady Bird Lake would  
3 be redirected away from the lake's shores. The trail would experience periodic and temporary closures for up to  
4 three days at a time throughout the duration of construction. Lady Bird Lake would be used for transportation  
5 and construction purposes near the I-35 bridge.

6 International Shores\_3 would be impacted by the proposed project. While impacts to the trail in the park would  
7 be temporary and would be restored to pre-construction conditions following construction, the principal purpose  
8 of the park of providing an access point to the Butler Hike and Bike Trail would not be met during the 1.5-year  
9 construction duration. Additionally, 0.01 acre of the park would be acquired by TxDOT for ROW. Therefore, it is  
10 anticipated that the proposed project would impair the qualities and functions that qualify International Shores\_3  
11 for Section 4(f) protection. It was also determined that the Butler Hike and Bike Trail, Waller Beach, and Edward  
12 Rendon Park are NRHP eligible. Intensive surveys and individual Section 4(f) impacts are currently being  
13 conducted for these resources.

14 Waller Beach would be permanently impacted by the 1.2-acre acquisition of Section 6(f) protected property for  
15 use during construction of the project. Once the project is complete, TxDOT would continue to own the property  
16 while COA would maintain and operate the TxDOT property along with the rest of the park. The portion of the  
17 Butler Hike and Bike Trail that runs through this park would be detoured temporarily to keep the trail open to  
18 through traffic. A boat dock is proposed just south of the Holiday Inn to provide access to Lady Bird Lake for the  
19 duration of construction of the bridge. Once construction is complete, the boat dock would be rebuilt/converted  
20 for recreational use and left in place. There would be no significant impact to Waller Beach due to the small  
21 portion of the park that would be used, the trail detour to keep traffic open, and the return to city management,  
22 maintenance, and parkland use once the project is complete.

23 The remaining parks would not be adversely impacted by the proposed project. The main functionality of the  
24 overall park properties would not be impaired, nor would the parks be completely unusable as a result of the  
25 temporary loss of space due to the proposed construction staging areas. All impacts from the staging areas  
26 would be temporary and would be restored to pre-construction conditions before or following the project's  
27 approximate 6-year construction duration. Therefore, these changes would have no adverse effect. A summary  
28 of impacts to the parks is shown in **Table 3.16-8**. For more detailed information about Section 4(f) impacts to  
29 parkland, refer to the Section 4(f) Individual Evaluation in **Appendix M**.

Table 3.16-8. Summary of Impacts to Section 4(f) Parks and Recreation Properties Adjacent to Proposed Project

Park (total acreage/length)	Estimated Impact Acreage (Total Park Acreage)	Use	Estimated Duration of Temporary Impacts	Protection	Section 4(f) Impact
<b>Butler Hike and Bike Trail (15 miles)</b>	<b>Build Alternative 2:</b> <u>Permanent Incorporation</u> 603 feet <u>Temporary Occupancy</u> 1,255 feet <b>Modified Build Alternative 3:</b> <u>Permanent Incorporation</u> 652 feet <u>Temporary Occupancy</u> 1,207 feet	<u>Permanent</u> <ul style="list-style-type: none"> <li>Proposed ROW in International Shores_3</li> <li>6(f) conversion in Waller Beach</li> </ul> <u>Temporary (varies)</u> <ul style="list-style-type: none"> <li>Construction staging areas in Edward Rendon Park and International Shores_3</li> <li>Closures of trail boardwalk on south shoreline of Lady Bird Lake</li> <li>Trail detours</li> <li>NB and SB I-35 sidewalks</li> </ul>	Between <6 months to 6 years (entire construction duration), based on location	Section 4(f) Section 6(f)	No significant impact
<b>International Shores_3 (SE corner I-35/Lady Bird Lake) (1 acre)</b>	<b>Build Alternative 2:</b> <u>Permanent Incorporation</u>	<u>Permanent</u> <ul style="list-style-type: none"> <li>Proposed ROW for I-35 improvements – trail impacts would require 6(f) conversion for SUP</li> </ul>	1 – 1.5 years	Section 4(f) Section 6(f)	Significant impact

Table 3.16-8. Summary of Impacts to Section 4(f) Parks and Recreation Properties Adjacent to Proposed Project

Park (total acreage/length)	Estimated Impact Acreage (Total Park Acreage)	Use	Estimated Duration of Temporary Impacts	Protection	Section 4(f) Impact
	0.01 acre <u>Temporary Occupancy</u> 0.70 acre <b>Modified Build Alternative 3:</b> <u>Permanent Incorporation</u> 0.1 acre <u>Temporary Occupancy</u> 0.60 acre	<ul style="list-style-type: none"> <li>Removal of trees, exact count unknown at this time</li> </ul> <b><u>Temporary (1-1.5 years)</u></b> <ul style="list-style-type: none"> <li>Construction staging area – trail impacts</li> </ul>			
Waller Beach (NW corner I-35/Lady Bird Lake) (28 acres)	<b>Both Build Alternatives:</b> <u>Permanent Incorporation</u> 1.20 acres (section 6(f) conversion)	<b><u>Permanent (through 6(f) conversion) and Section 4(f) use</u></b> <ul style="list-style-type: none"> <li>New dock and restoration of boat ramp</li> <li>Construction staging area                             <ul style="list-style-type: none"> <li>Boat ramp would be closed</li> <li>1 picnic table would be removed</li> <li>One cypress tree removal</li> </ul> </li> </ul>	Entire duration of construction ~ 6 years	Section 4(f) and Section 6(f)	No significant impact

Table 3.16-8. Summary of Impacts to Section 4(f) Parks and Recreation Properties Adjacent to Proposed Project

Park (total acreage/length)	Estimated Impact Acreage (Total Park Acreage)	Use	Estimated Duration of Temporary Impacts	Protection	Section 4(f) Impact
	<u>Temporary Occupancy</u> 0.20 acre	<ul style="list-style-type: none"> <li>○ Trail impacts</li> <li>○ Removal of multiple park amenities</li> </ul> <p><b><u>Temporary (6 years)</u></b></p> <ul style="list-style-type: none"> <li>● Trail detour East Avenue and parking along East Avenue periodically closed during construction</li> <li>● One boat ramp would be closed</li> </ul>			
Edward Rendon Park (NE corner I-35/Lady Bird Lake) (73 acres)	<b>Both Build Alternatives:</b> <u>Temporary Occupancy</u> 0.70 acre	<p><b><u>Permanent</u></b> <u>Removal of six pecan trees</u></p> <p><b><u>Temporary (6 months)</u></b></p> <ul style="list-style-type: none"> <li>● Trail detour</li> <li>● Trail impacts</li> <li>● Construction staging area                             <ul style="list-style-type: none"> <li>○ 9 picnic tables and 1 bench in park would be removed</li> </ul> </li> <li>● ADA parking spot would be relocated</li> </ul>	< 6 months	Section 4(f) and Section 6(f)	No significant impact

Table 3.16-8. Summary of Impacts to Section 4(f) Parks and Recreation Properties Adjacent to Proposed Project

Park (total acreage/length)	Estimated Impact Acreage (Total Park Acreage)	Use	Estimated Duration of Temporary Impacts	Protection	Section 4(f) Impact
Roy Guerrero Park (Southern shores of Colorado River between South Pleasant Valley Road and US 183) (400 acres)	None	Proposed permanent outfall on northern shores of the Colorado River across from park. No permanent, temporary, or constructive use impacts to park.	N/A	Section 4(f)	No significant impact
Norwood Park (SW corner I- 35/Lady Bird Lake) (10 acres)	<b>Both Build Alternatives:</b> <u>Temporary Occupancy</u> 0.57 acre	<b><u>Permanent</u></b> <u>Four pecan trees would be removed</u> <b><u>Temporary (6 months to 1 year)</u></b> <ul style="list-style-type: none"> <li>• Construction staging area                             <ul style="list-style-type: none"> <li>○ Access to portion of the dog park would be closed during construction</li> <li>○ Two Mutt Mitt stations removed</li> </ul> </li> <li>• Unknown number of trees would be removed</li> </ul>	6 months to a year	Section 4(f)	No significant impact
Lady Bird Lake (south of downtown Austin between	<b><u>Both Build Alternatives:</u></b>	<b><u>Permanent</u></b> <ul style="list-style-type: none"> <li>• New dock</li> </ul>	Entire duration of construction ~ 6 years	Section 4(f)	No significant impact

Table 3.16-8. Summary of Impacts to Section 4(f) Parks and Recreation Properties Adjacent to Proposed Project

Park (total acreage/length)	Estimated Impact Acreage (Total Park Acreage)	Use	Estimated Duration of Temporary Impacts	Protection	Section 4(f) Impact
Tom Miller Dam and Longhorn Dam) (485 acres)	<u>Permanent Incorporation</u> 0.29 acre <u>Temporary Occupancy</u> 25 acres	<ul style="list-style-type: none"> <li>• Bridge pilings – unknown number until design progresses</li> </ul> <p><b><u>Temporary (6 years)</u></b></p> <ul style="list-style-type: none"> <li>• Access to lake shoreline restricted by construction staging areas</li> <li>• Sections of open lake restricted from recreation to allow for movement of construction equipment</li> <li>• Motorized watercrafts would be used on the lake</li> </ul>			

### 1 3.16.5.1.9 Cumulative Effects

2 Potential cumulative effects to the community could result from changes to community facilities, parkland,  
3 community cohesion, EJ populations, traffic noise, and displacements. For the purposes of this section, the  
4 topics surrounding the potential cumulative effects to the community are all closely related and will be analyzed  
5 together. **Section 3.6** provides background on the neighborhoods and community facilities within the RSA, which  
6 was derived from the community study area. Community facilities and the services they provide would be  
7 impacted by displacements and this includes those that are located in EJ census geographies and those that  
8 cater specifically to EJ populations and are discussed more in depth below.

9 As discussed in **Section 3.16.2**, during the temporal analysis timeframe, Austin has experienced a continued  
10 trend of population and economic growth that has spurred residential and commercial development including  
11 redevelopment. COA, particularly east Austin, has undergone a transformation of its population. The racial divide  
12 created by the 1928 Master Plan proposed the creation of a “negro district” to segregate COA. By the mid-1900s,  
13 there included a large Hispanic/Latino population in east Austin also experiencing similar segregation and  
14 discrimination. The trend toward gentrification since the 1980s has diminished the diversity of population and  
15 forced outmigration. Population growth trends are generally consistent with the State of Texas except for the  
16 White population, which increased at a higher rate in east Austin. Population growth of other races have risen  
17 much more dramatically when compared to Texas. Affordable housing has become a concern and planning  
18 initiatives and services have been implemented to combat the issue. The likelihood of continued development  
19 and redevelopment of both commercial and residential properties does not depend on the proposed project.  
20 Other large projects, both past and current, have developed along the same trends under population growth and  
21 have played a part in the gentrification of east Austin. These include subdivisions and planned communities such  
22 as the infill of the Mueller neighborhood as well as shopping centers along I-35 near the northern and southern  
23 project limits and other major corridors. Construction of roadways such as MoPac to the west, and US 183 and  
24 SH 130 to the east have provided opportunities for major development moving outward from the urban core of  
25 COA. The Mueller neighborhood development consisting of single- and multi-family housing, office space,  
26 shopping centers, and the Dell Children’s Medical Center on the site of the former Robert Mueller Municipal  
27 Airport began in the mid-2000s. This site redevelopment was planned to include affordable housing and new  
28 employers established job opportunities in the area. The neighborhood plan set forth six goals: fiscal  
29 responsibility, economic development, east Austin revitalization, compatibility with surrounding neighborhoods,  
30 diversity, and sustainability. The site includes a multi-modal network and 140 acres of public parks (APA, 2015).  
31 While the Mueller development and goals include affordable housing, according to Redfin.com, the current  
32 median sale price in Mueller is \$1.1 million (Redfin.com). The construction of MoPac both led to some  
33 displacements particularly on the north side of Lady Bird Lake at MoPac. The majority of US 183 and SH 130  
34 were constructed on undeveloped land, resulting in few adverse community impacts. The Plaza Saltillo TOD is a  
35 10-acre mixed-use development with multifamily units, 15.0 percent of which are “deeply” affordable, retail and  
36 office space, and open space and public art. Plaza Saltillo is located between 4th and 5th Streets along the light  
37 rail Red Line and the primary goal of the TOD was to increase rail and bus ridership, which particularly benefits  
38 low-income residents and workers.

1 Displacements caused by the proposed project and other planned developments within the Community RSAs  
2 may lead to a further reduction of affordable housing. There may be an increase in value of both residential and  
3 commercial properties as a result of access and proximity to improved transportation options throughout the  
4 RSAs. There may also be opportunities for displaced businesses and services to relocate within the RSAs.

5 Reasonably foreseeable actions include other transportation projects that may require additional ROW and may  
6 contribute to additional displacements within the RSA. These transportation projects are also anticipated to  
7 contribute to improved mobility and increased capacity. Projects that include SUPs and other pedestrian and  
8 bicycle facilities would likely lead to additional connectivity.

9 The proposed project is one of many planned transportation projects that would improve connectivity within the  
10 RSAs. Roadway widening and new location projects will add capacity and increase mobility and access  
11 throughout the region. Project Connect and other CapMetro projects, in conjunction with the proposed project,  
12 would significantly add to alternative transportation options in Austin.

13 Direct impacts to community facilities within the Community RSA include the displacement of between three and  
14 ten healthcare facilities, childcare centers, a VA Veteran's center, and Green Doors homelessness assistance.  
15 The displacement of community facilities of all types would likely also take place as a result of other reasonably  
16 foreseeable actions in addition to the proposed project. This is due in part to the past and current trends of rising  
17 property values and gentrification. Additionally, the EJ populations that many of the community facilities serve  
18 are also being displaced and moving to the outer "eastern crescent" and beyond the Community RSA. These  
19 predominately serve EJ populations and may provide an opportunity for facilities to follow.

20 While the proposed project would contribute to the past and ongoing trend of the displacement of community  
21 facilities within the RSA, it would likely not play a significant role due to these trends in conjunction with impacts  
22 of readily foreseeable actions. TxDOT complies with relocation policies; however, these policies do not require or  
23 guarantee the relocation within the current community. Any additional direct, indirect, and potential cumulative  
24 effects that may occur to community resources by other actions would be addressed by the entity, either private  
25 sector or public/local agency, responsible for the development that is impacting the resource. The potential for  
26 future transportation projects, private and/or municipal undertakings exists within the Community RSA and  
27 additional facilities may be displaced as a result. Displacement by governmental actions generally requires  
28 compliance with relocation assistance or acquisition policies. COA has planning and zoning policies or  
29 ordinances in place that direct the use of properties.

30 Displacements from the proposed project and other actions such as the Blue Line from Project Connect, other  
31 transportation projects, and other planned developments would significantly change community cohesion within  
32 the RSA. Increased access throughout the study area from the development of SUPs, light rail, and other public  
33 transit and roadway improvements would improve travel throughout the study area and across Austin in order to  
34 access comparable businesses and services that would be displaced. Other planned non-transportation projects  
35 include commercial, residential, and mixed-use developments. Most displaced businesses and community  
36 facilities occur in these same geographies and many also cater to and serve minority and low-income  
37 populations. The proposed project would play a significant role in total displacements within the RSA. Project  
38 Connect lines would also result in several displacements near specific station areas along the project's route,

1 particularly for park and ride facilities (Reasonably Foreseeable Planned Actions and Environmental Trends,  
2 2022).

3 TxDOT will act in compliance of the Uniform Act. The Uniform Act contains specific requirements that determine  
4 the manner in which a government entity acquires private property for public use when federal funds are used  
5 for a project. The purpose of this act is to provide a uniform policy for fair and equitable treatment of persons  
6 and businesses displaced as a result of federal and federally-assisted programs in accordance with the following  
7 objectives:

- 8 • To ensure that owners of real property to be acquired for federal and federally-assisted projects are treated  
9 fairly and consistently, to encourage and expedite acquisition by agreements with such owners, to minimize  
10 litigation and relieve congestion in the courts, and to promote public confidence in federal and federally-  
11 assisted land acquisition programs.
- 12 • To ensure that persons displaced as a direct result of federal and federally-assisted projects are treated  
13 fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as result of  
14 projects designed for the benefit of the public.
- 15 • To ensure that agencies implement these regulations in a manner that is efficient and cost-effective (see  
16 **Section 3.6**).

17 Every effort will be made to assist facilities that provide vital services in finding a new location, moving, and  
18 resuming their operations prior to closing their existing locations. This will help ensure there is no interruption of  
19 critical services.

20 The displacement of residences, commercial property, or community facilities is likely to occur regardless of the  
21 construction of the proposed project. Trends show that property values are increasing and residents are  
22 increasingly moving toward the outer “eastern crescent” and beyond the RSA. One mitigation measure by other  
23 actions is The Project Connect program that includes \$300 million for Anti-Displacement Investments to  
24 implement initiatives like coordinating capital investments and purchasing property for affordable housing.  
25 These funds are planned to be dispersed over the program’s 13-year timeline.

26 Impacts to the community as a result of increased traffic noise from roadway and transit projects as well as  
27 overall construction activities could affect both physical and mental health. Predicted noise levels rise to as high  
28 as 77 dB, which is approximately the equivalent of someone shouting from one meter away. Noise barriers are  
29 proposed to abate impacts in portions of the Upper Boggy Creek, Hancock, East Cesar Chavez, Downtown, South  
30 River City, Riverside, and Parker Lane neighborhoods. Noise impacts were identified at representative receivers  
31 along the proposed project and noise barriers were not found to be either feasible or reasonable to abate the  
32 majority of them. Traffic noise impacts are available from the Reasonably Foreseeable Environmental Trends  
33 and Planned Actions Tech Report conducted for Project Connect’s Blue Line, which found that the project would  
34 not play a significant role in overall traffic noise impacts after mitigation. This project intersects the I-35 Capital  
35 Express Central Project near East Riverside Drive, and the majority of cumulative noise impacts are likely to occur  
36 around this area as a result of the two projects in proximity to one another. Impacted receivers modeled in the  
37 Traffic Noise Technical Report (2022) include those located in the Edward Rendon Park, Waller Beach, Northwest

1 Greenway, and Sir Swante Palm Neighborhood Parks. Barriers were found to be not reasonable or feasible at  
2 any of these locations, therefore, increased traffic noise would be experienced by users of these parks. Impacts  
3 from increased traffic noise would be directly mitigated by a combination of noise barrier walls and the depressed  
4 sections of the roadway.

5 Additional impacts to parkland would primarily take place in the East Austin cluster and Downtown, East Cesar  
6 Chavez neighborhoods (the Holly neighborhood is not adjacent to the project and would not experience direct  
7 impacts). Use of parkland for construction and staging areas would temporarily affect the way the community is  
8 able to enjoy recreational areas, particularly near Lady Bird Lake by closing access to portions of parks and the  
9 Butler Hike and Bike Trail. Other parks and facilities in the area may see an increase in usage as a result. The  
10 recently opened Waterloo Park in downtown and Holly Shores at Town Lake Metro Park in the Holly  
11 Neighborhood/East Austin cluster are areas that may offset the temporary closures of parks and trails. Holly  
12 Shores Park abuts the Edward Rendon Park, creating a larger and more connected park and trail system. These  
13 recreational areas provide nearby alternatives while construction is taking place. The reopening of the parks  
14 after construction is complete and the addition of SUPs and the potential implementation of deck plazas and  
15 stitches in the future would improve connectivity and healthy recreation opportunities throughout the community.  
16 Other projects in the area would also impact parkland. The Blue Line would involve the acquisition of  
17 approximately 1.2 acres of the Butler Hike and Bike Trail in Waller Beach Park. The boathouse that is home to  
18 the Austin Rowing Club would also be relocated as a result. The Blue Line would also require the acquisition of  
19 portions of Norwood Park. Since the impacts that the I-35 Capital Express Central Project would be temporary  
20 and new parks have recently been created, they would be minimal in relation to overall cumulative effects to  
21 parkland in the RSA.

22 The Butler Hike and Bike Trail, Edward Rendon Park, and Waller Beach parks have been recommended as NRHP-  
23 eligible resources. Impacts to these historic resources include temporary use for construction and noise impacts.  
24 Tree removal is anticipated as part of the proposed project in addition to increased traffic noise. Impacts from  
25 both this project and the acquired acreage by the Blue Line could have an adverse impact on the historical  
26 setting and feeling of the parks. An intensive-level HRSR was completed for these parks and impacts are  
27 discussed in greater detail in the reconnaissance-level HRSR and intensive-level HRSR in **Appendix L**.

28 The potential cumulative effects to parkland within the RSA would be minimal. Parkland is a Section 4(f)  
29 protected property from FHWA projects and impacts must be minimized or mitigated. Additionally, the proposed  
30 project would include SUPs along the corridor and would help connect areas of the RSA and provide facilities for  
31 pedestrians and bicyclists. This may bring more of the population to within the 5 - 10-minute walking distance  
32 from parkland discussed in Section 3.16.3. COA has programs and policies in place to create and protect  
33 parkland and the Austin Parks and Recreation, Historic Preservation and Heritage Tourism Program promotes  
34 and protects historic and cultural resources in the park system (COA Park Planning, n.d.).

35 Much of the potential cumulative effects discussed above would occur in EJ census geographies. The proposed  
36 project would have a disproportionate direct impact on EJ populations due to the majority of residential,  
37 commercial, and community facility displacements in EJ census geographies including those that cater  
38 specifically to minority groups and low-income households. However, Modified Build Alternative 3 was designed

1 to reduce the number of displacements by avoiding impacts to the Aria Grand Affordable housing complex. EJ  
2 populations would not be disproportionately impacted by any changes to air quality or traffic noise. EJ  
3 populations would also not be disproportionately impacted by construction related impacts. Both EJ and non-EJ  
4 populations would experience the benefits of the proposed SUP, additional crossings of I-35, enhanced bridges,  
5 and bypass lanes under many intersections.

6 The effects of residential displacements and relocations would lead to a decrease in housing, including  
7 affordable housing. Because the proposed project is not likely to induce development, direct displacements from  
8 the proposed project is the main contributing factor leading to a decrease in housing. These trends are ongoing  
9 and regardless of implementation of the proposed project, property values are expected to increase and minority  
10 and low-income populations are expected to continue their outmigration. Other actions, however, when added  
11 to the proposed project are likely to intensify the rising values and may accelerate the movement outward. These  
12 actions include the recent Saltillo TOD, transit improvements, and additional parks. Improved access to transit  
13 centers, current and planned mixed-use development, and improved active transportation would further increase  
14 desirability of the area and reduce housing available for a large portion of the minority and low-income  
15 populations of east Austin. This would contribute to the gentrification of east Austin and the migration toward  
16 the outer “eastern crescent” or outside of the RSA entirely. The proposed project may play a significant role in  
17 this cumulative impact. Measures to minimize impacts and mitigation are discussed below.

18 The areas with community facilities that are within reasonable distance to EJ populations that were outlined in  
19 **Section 3.16.3.1.4** may be more susceptible to cumulative effects. These include the areas along Cameron  
20 Road, the southeast corner of I-35 and US 290, East Austin, Montopolis, and South Austin.

### 21 Cameron Road

22 Community facilities include schools, places of worship (including some that cater to the Hispanic/Latino  
23 population), a library, an Asian Cultural Center, one child afterschool program. There is also a Hispanic/Latino  
24 grocery store in this area. This cluster overlaps with the St. John neighborhood. The Cameron Road cluster is not  
25 adjacent to the project. The cluster may, however, feel impacts from those who are displaced moving into the  
26 neighborhood. This cluster is largely built out and no large-scale projects are planned. The area developed at the  
27 same time as US 183, which had little impact on residential displacements.

### 28 Southeast Corner of I-35 and US 290

29 While the area is adjacent to the proposed project, none of the displaced community facilities are located in this  
30 neighborhood. Community facilities include parks, schools, a cemetery, a community college, places of worship,  
31 and a hospital. There is also a Hispanic/Latino grocery store in the area. This area overlaps with the Windsor  
32 Park Neighborhood. Displacements in this cluster/neighborhood include commercial properties and required  
33 ROW would include Section 4(f) use. Noise impacts were identified in this neighborhood and no barriers were  
34 found to be reasonable or feasible. The cluster is also adjacent to Mueller, which began transforming the area  
35 in the early 2000s and is ongoing. Additional site plans and subdivisions are planned in the area. The desirability  
36 of living in Mueller or the surrounding areas to be closer to amenities may have an impact on the property values

1 and prices in the immediate area. However, Mueller does include affordable residential options that may offer  
2 homeownership to those displaced by the proposed project and other developments.

### 3 East Austin

4 The east Austin area is adjacent to the proposed project. Community facilities include parks, trails, schools, and  
5 HHS center. This cluster overlaps with the Downtown, East Cesar Chavez, and Holly Neighborhoods.  
6 Displacements in this cluster include residential, commercial, and a childcare center. Required ROW would  
7 include Section 4(f) use. Noise impacts were identified in the Downtown and East Cesar Chavez neighborhood.  
8 Noise barriers were found to be reasonable or feasible for some impacted receivers Downtown, but none in the  
9 East Cesar Chavez neighborhood. Affected parkland is located in this cluster with temporary closures as a result  
10 of this project and ROW acquisition for the Blue Line. However, the cluster has also seen recent parkland  
11 additions providing alternative recreational areas for residents. Downtown, especially, is expecting new  
12 development and redevelopment. These actions, in addition with the recently opened Plaza Saltillo TOD, will  
13 likely have a large impact on desirability and property values, increasing the impacts of affordability of those  
14 currently living in this cluster. However, the TOD and other transportation projects, such as Project Connect, will  
15 further connect the area with the rest of Austin, leading to easier, safer, and more affordable transportation  
16 options.

### 17 Montopolis

18 The Montopolis area is not adjacent to the proposed project. There would be no displacements in this area. This  
19 area is within the Montopolis Neighborhood. While the cluster is not adjacent to the project, it is located in the  
20 outer “eastern crescent” and may experience impacts due to those who are displaced moving into the  
21 neighborhood, continuing the trend that has been taking place. There are some small, planned site plans and  
22 subdivisions for this cluster, which may help alleviate impacts from the influx of additional residents.

### 23 South Austin

24 Community facilities in the large South Austin cluster include Saint Edwards University, schools, parks, a hospital,  
25 and places of worship (including several that cater to the Hispanic/Latino population). This cluster overlaps with  
26 Saint Edwards and Parker Lane Neighborhoods. Required ROW in this cluster would include Section 4(f) use.  
27 Noise impacts were identified in both neighborhoods. Noise barriers were found to be reasonable or feasible for  
28 some impacted receivers in Parker Lane, but none in the St. Edwards neighborhood. The cluster is adjacent to  
29 US 290 West/SH 71 and the majority of planned development is located along the corridor. Planned  
30 transportation projects in and near the cluster include widening roadways, adding lanes, and adding pedestrian,  
31 bicycle, and transit facilities. These projects, which could result in further displacements and traffic noise  
32 increases, would also increase accessibility and safety for all modes of transportation.

33 Each of the neighborhoods has a neighborhood plan, giving the public an opportunity to have input and planning  
34 to guide the growth and opportunities for their neighborhoods. Developments, primarily subdivisions and site  
35 plans, are located within each of the clusters above. The Blue and Orange Lines both run through downtown and  
36 include potential tunnels in cluster 3 and the Orange Line also runs along the western edge of cluster 5. Roadway

1 projects in or near the clusters include roadway widening and pedestrian and bicycle facilities and include the I-  
2 35 Capital Express North and South projects. Potential cumulative effects are not limited to these clusters or  
3 neighborhoods and would be experienced throughout the RSA, particularly in East Austin.

4 Design refinements have been made to reduce the overall number of displacements, particularly in the Modified  
5 Build Alternative 3, however impacts would still disproportionately impact EJ populations. **Section 3.6** concludes  
6 that the project would not have a disproportionately high or adverse impacts to air quality or traffic noise.  
7 Construction impacts would also disrupt EJ and non-EJ populations similarly. Beneficial impacts would include  
8 other and reasonably foreseeable transportation actions that include facilities for pedestrians and bicyclists.  
9 Planned projects under Project Connect would add public transit facilities that would improve access, particularly  
10 for EJ populations as they are most likely to use these alternative modes of transportation. The proposed I-35  
11 Capital Express Central project would also improve access by adding pedestrian and bicycle facilities. This  
12 beneficial impact of the proposed project would enhance the connectivity and facilities already in place in Mueller  
13 and the Plaza Saltillo TOD and the Blue Line to further connect east Austin with downtown, the UT campus, and  
14 other areas west of I-35.

15 The community, particularly in east Austin, has a history of being marginalized from the outset with the creation  
16 of the “Negro District” in the 1920s through the present with ongoing gentrification since the 1980s. East Austin  
17 also has a strong sense of cultural identity that is continuously threatened with changes and impacts of  
18 development within the RSA. Rising property values. Cultural displacement is a concern and affects the stability  
19 of the community. These changes are an ongoing trend in COA and it is important that the I-35 Capital Express  
20 Central project does not disproportionately add to the socioeconomic and cultural impacts.

21 The inclusive community engagement for the proposed I-35 Capital Express Central project over the past decade  
22 provided the opportunity for the community to get involved in the planning and design process through meetings,  
23 workshops, and a design charrette. Feedback was incorporated into the design and included depressed sections  
24 of the roadway and wider buffers for bicyclists and pedestrians to increase safety and provide the opportunity  
25 for the cap and stitch study and potential implementation (see **Section 3.6**). The depressed lanes are anticipated  
26 to reduce noise impacts. The proposed project incorporated public involvement feedback and made design  
27 changes in order to minimize harmful impacts to the community overall. Design modifications to reduce ROW  
28 acquisition and existing elevated structures, which have noise and visual barrier impacts, would be removed and  
29 replaced with depressed mainlanes. **Table 3.16-9** shows project changes made in response to public comments.  
30 In March 2022, design refinements aimed at reducing impacts were implemented in response to stakeholder  
31 engagement. Further mitigation for community impacts are currently being developed.

Table 3.16-9: Project Changes in Response to Public Comment

Public Comment / Involvement Effort	Project Change
2014 – three public meetings held to provide the public information about study and solicit input about purpose and need, range of alternatives, recommended lane type alternatives, and SIU for FTC	PEL resulting in concept of adding one tolled managed lane in each direction of I-35 from SH 45 North to SH 45 Southeast
2014 – 2015 – five “Decks Neighborhood Workshops”	Workshops focused on desire to remove the decks, concern about super streets concepts, neighborhood cut-through traffic, access to local businesses and neighborhoods, traffic noise, and exit configuration
January 2020 design charrette to solicit input from stakeholders for additional input to be considered during development of further build alternatives	Resulted in access-controlled frontage road system option
Public and agency comments	Four additional evaluation criteria added to alternatives evaluation: air quality impacts; measuring person-carrying capacity along mainlanes and managed lanes; annual cost of travel; and accommodation of the CapMetro service plan at east-west crossings.
Input from Community Groups including DAA, Reconnect Austin, and Rethink35	East-west crossing was enhanced to include wider bridge structures including a 20-foot buffer between bicyclists and pedestrians
Input from Community Groups including DAA, Reconnect Austin, and Rethink35	Considering deck plaza areas to be designed as green spaces within urban core between Cesar Chavez Street and 12th Street and at Dean Keeton Street near the UT campus.
Public and agency comments	Need statement was changed to reflect that the current highway has resulted in “safety and operational deficiencies” that “impact crash rates and peak period travel times”. Statement also included that impacts are incurred by “all users, including emergency response vehicles and transit”

Table 3.16-9: Project Changes in Response to Public Comment

Public Comment / Involvement Effort	Project Change
Public and agency comments	Purpose statement changed to reflect the project would address demand by “prioritizing the movement of people, goods, and services through and across the corridor”
Title VI, EJ, and LEP requirements	Participation of minority, low-income, and underserved populations in project decision-making process. Efforts documented in compliance with Title VI, EJ, and LEP requirements and guidance

1 The design changes in the table are intended to minimize the impacts that the proposed project have on the  
 2 community while still serving the purpose and need. The anticipated effects are reconnecting the community  
 3 with the removal of the upper decks of existing I-35 and enhanced east-west crossings for bicyclists and  
 4 pedestrians. There is also an opportunity to create cap and stitches over depressed sections that would provide  
 5 the community with additional connectivity, green space, cultural, and economic efforts. The implementation  
 6 and use of these areas is still in the planning process.

7 In addition to the design of the project to minimize the footprint, incorporate facilities for all modes of  
 8 transportation, and provide opportunity for increased connectivity, TxDOT is working with the affected community  
 9 to incorporate east Austin’s heritage into the design of the project.

10 As part of the I-35 Capital Express Central project, TxDOT includes the Live35 (Locally Influenced Visual  
 11 Enhancements), an aesthetic design program to capture unique details of the history, heritage, and culture of  
 12 neighborhoods and districts along the I-35 corridor and incorporate them into the design of the project’s  
 13 aesthetic elements. Research for this program was conducted by Texas A&M Transportation Institute and Huston  
 14 Tillotson University. Feedback from residents, including stories and pictures about what they love and feel make  
 15 their neighborhood unique, would be used as a guide to understanding the architecture, history, and culture. The  
 16 neighborhoods identified to include are Windsor Park, Mueller, Upper Boggy Creek, Sixth Square, 11th and 12th  
 17 Street Districts, East Cesar Chavez Neighborhood, Riverside, Parker Lane Area, North Loop, Hyde Park, Hancock,  
 18 UT, Medical/Innovation Area, Downtown Areas, and South River City NPA. The character of these neighborhoods  
 19 would inspire the designs, materials, colors, textures, size, and location of the aesthetic elements. This program  
 20 is ongoing.

21 Depressed sections of I-35 mean an opportunity to reconnect east Austin and downtown. A cap and stitch is  
 22 being considered by DAA and COA once the proposed project is completed. The ULI Advisory Services panel  
 23 Report (2020) outlines a proposal of 11 acres of caps in three locations: Cesar Chavez Street to 4th Street, 6th  
 24 Street to 8th Street, and 11th Street to 12th Street. The report was the culmination of engaging the community  
 25 through 14 events to collect public input. The cap over the lowered portions of I-35 would serve multiple functions

1 including green space, stormwater systems, and accommodating buildings. The stitches would accommodate  
2 active users with sidewalks and bicycle lanes as well as seating areas and green space. Implementation of the  
3 cap and stitch would add connection between east Austin and COA's parks and trail system. The panel  
4 recommends that the cap and stitch be culturally appropriate and serve the community. These measures are  
5 also anticipated to help reduce any noise impacts in the proposed locations (DAA & ULI, 2020).

6 Impacts to EJ populations are anticipated to occur regardless of the construction of the proposed project. The  
7 conditions and trends section above outlines the ongoing changes and gentrification that have been taking place  
8 in COA and the Community RSA. COA implemented a resolution for the right to stay and right to return programs  
9 for east Austin in 2021 (COA, 2018c). The resolution intends to help "alleviate and make reparations for Austin's  
10 years of racist zoning, inequitable development, and total disregard of the residents of the eastside" (Resolution  
11 to Adopt Right to Stay and Right to Return Programs for East Austin). The program's policies would allow working-  
12 class families currently living in gentrifying areas to find permanent and affordable places to stay and displaced  
13 families with historic ties to the neighborhood to be preferred candidates for affordable units (Planetizen, 2021).

14 Additional CapMetro services under Project Connect and residential and mixed-use development near the project  
15 and throughout the RSA may help offset the impacts of relocating. These 'other actions' may keep EJ populations  
16 in or near their neighborhoods and near community facilities. There are existing measures in place to manage  
17 the effects of reasonably foreseeable actions within the RSAs. COA has zoning districts and other land  
18 development ordinances in place to ensure permitted uses are developed. The Imagine Austin Comprehensive  
19 Plan guides the growth of COA based on seven building block policies: Land Use and Transportation, Housing  
20 and Neighborhoods, Economic, Conservation and Environmental, City Facilities and Services, Societal, and  
21 Creativity (Image Austin, 2018). There are also multiple assistance programs available to low-income residents.  
22 COA employs measures such as grants, loans, and regulations to implement affordable housing projects  
23 (Imagine Austin, 2018). TDHCA provides low-income housing tax credits to developers to include low-income  
24 rental units with an offset of up to 9 percent of its federal tax liability (COA, Inclusive Planning & Program Delivery,  
25 n.d.). The proposed project would play a significant role in effects on EJ populations due to the high number of  
26 displacements of residences and businesses within EJ census geographies and the high number of displaced  
27 businesses and services that cater to low-income and minority populations. The proposed project would also  
28 play a significant role in providing improved alternative modes, particularly active modes, of transportation to EJ  
29 populations. The proposed project includes SUPs along I-35 and would connect east Austin at various locations,  
30 improving the safety and mobility of users of these facilities. In conjunction with other transportation projects,  
31 particularly Project Connect transit projects, more options would be available to low-income and minority  
32 populations, which are less likely to own their vehicle and more likely to be users of active and public  
33 transportation.

34 Project Connect in partnership with CapMetro and COA will work to ensure that future development near transit  
35 corridors supports the overall quality of life and equitable outcomes for all area residents. As stated in **Section**  
36 **3.16.3**, Project Connect will direct \$300 million towards community-identified projects to redress past harms  
37 stemming from displacement and prevent future displacement. The \$300 million will be used for land  
38 acquisition, economic mobility investments, and affordable housing financing tools in order to prevent

1 displacement caused by Project Connect. While not a mitigation measure for the proposed project specifically,  
2 this initiative will help alleviate the unintended impacts of displacements within the RSA (COA, n.d.).

3 To help alleviate pressures of ongoing development and redevelopment, planning initiatives include TODs like  
4 Plaza Saltillo to provide centers for more sustainable and livable communities that are walkable with increased  
5 access to alternate modes of transportation. This type of development creates denser neighborhoods to support  
6 ridership, includes the creation of public space, promotes a diverse mix of housing types to accommodate a  
7 more diverse population of ages and income levels, increases cohesion and connectivity with surrounding  
8 neighborhoods, and strives to make the area economically viable and valuable to residents, employers,  
9 developers, COA, and transit agencies. All TOD districts within the RSAs, except for the Convention Center District,  
10 have Station Area Plans and Regulating Plans that guide compatible development that supports existing and  
11 future transit (COA, Transit Oriented Development, n.d.).

12 The proposed project has been designed to minimize impacts and mitigation measures are in place with ongoing  
13 discussions and planning. When taken into consideration with other actions, past trends, and ongoing  
14 gentrification, the project is expected to have moderate cumulative effects. The changes that are occurring in  
15 east Austin have been impacting the area for decades and is expected to continue regardless of improvements  
16 to I-35. The proposed project, along with other actions, would result in the displacement of residences,  
17 commercial properties, and community facilities. Displacements have changed the character of the community  
18 since the initial construction of I-35 and with industrial districts encroaching on neighborhoods. Any additional  
19 potential cumulative effects that may take place in the community would be addressed by the entity, either  
20 private sector or public/local agency, responsible for the development that is impacting the resource. The  
21 potential for future transportation projects, private and/or municipal undertakings exists within the Community  
22 RSA. COA and Travis County have planning and zoning policies or ordinances in place that future developers  
23 would need to adhere to during the development planning phase.

### 24 *3.16.5.2 Historic Resources*

#### 25 *3.16.5.2.1 Direct and Indirect Effects*

26 ROW acquisition would have adverse effects on six properties that have been determined NRHP eligible for Build  
27 Alternative 2: EBBC Main Office (*Austin Chronicle*) at 4000 North I-35, Dura Tune Service Station at 3810 North  
28 I-35, Haster House (currently home to The Glass Coffin) at 3009 North I-35, residence at 4505 North I-35 and  
29 residence at 4503 North I-35 in the Delwood II Historic District, and the Roberts House at 3509 North I-35; and  
30 would have adverse effects on four properties that that have been determined NRHP eligible for Modified Build  
31 Alternative 3: EBBC Main Office (*Austin Chronicle*), Dura Tune Service Station, Haster House, and Roberts House.  
32 These resources are all recommended eligible under Criterion C for architecture. The EBBC Main Office (*Austin  
33 Chronicle*) is also eligible under Criterion A in the area of Commerce and the Dura Tune Service Station is also  
34 eligible under Criterion A in the area of Transportation. The Delwood II Historic District is also eligible at the local  
35 level under NRHP Criterion A in the area of Community Planning and Development. These resources would all be  
36 displaced and removed by the proposed project; however, these are not community facilities nor are they  
37 businesses or services that cater to marginalized populations. It was also determined that the Butler Hike and  
38 Bike Trail, Waller Beach Park, and Edward Rendon Park are NRHP eligible. Individual Section 4(f) impacts are

1 currently being analyzed for these resources. Please refer to **Table 3.16-8** for a summary of impacts to Section  
 2 4(f) parklands. The proposed project would have no adverse effect on the majority of the historic resources within  
 3 the APE. According to the Delphi panel survey results, induced development is not anticipated as a result of the  
 4 proposed project and, therefore, no historic properties or districts would be indirectly impacted as a result of  
 5 induced development. For more detailed information about Section 4(f) impacts to parkland, refer to the Section  
 6 4(f) Individual Evaluation in **Appendix M**.

**Table 3.16-10. Summary of Impacts to Section 4(f) Historic Properties Adjacent to Proposed Project**

Historic Resource	Impact	Use
Town Lake Park System – Waller Creek to Fiesta Gardens Sections	Please refer to <b>Table 3.16-8</b> for a summary of impacts	Please refer to <b>Table 3.16-8</b> for a summary of impacts
Dura Tune Service Station (0.29 acre)	<b>Build Alternative 2</b> Acquisition of 0.19 acre <b>Modified Build Alternative 3</b> Acquisition of 0.20 acre	Building would be displaced
EBBC Main Office (0.33 acre)	<b>Build Alternative 2</b> Acquisition of 0.26 acre <b>Modified Build Alternative 3</b> Acquisition of entire 0.33-acre parcel	Building would be displaced
Haster House (0.18 acre)	<b>Both Build Alternatives</b> Acquisition of entire parcel	House and shed would be displaced
Delwood II Historic District (.44.29 acres)	<b>Build Alternative 2</b> Acquisition of 0.29 percent of historic district. Acquisition of 0.04 acre from property at 4505 North I-35 and 0.04 acre of property at 4503 North I-35 <b>Modified Build Alternative 3</b> No impacts	Residences on acquired properties would be displaced
Roberts House (0.25 acre)	<b>Both Build Alternatives</b> Acquisition of entire parcel	Roberts House and associated garage would be displaced

### 1 3.16.5.2.2 Cumulative Effects

2 The proposed project was designed to minimize harm to historic resources overall. Design modifications  
3 identified during project development would reduce ROW acquisition. The existing elevated structures carrying  
4 the I-35 upper deck main lanes, which now cause noise and visual impacts to historic resources would be  
5 removed and replaced with depressed mainlanes. Traffic noise impacts have been identified for receivers  
6 representing the NRHP-eligible Butler Hike and Bike Trail, Waller Beach, and Edward Rendon Park resources. In  
7 relation to other actions, the proposed project is not likely to have a significant adverse impact on historic  
8 resources after mitigation measures are applied. Projects that are subject to Section 106 like the proposed  
9 project and the Blue Line project have ongoing consultation to address potential adverse effects and potential  
10 mitigation activities. Private developments are more likely to play a significant role in adverse impacts.

11 Austin's HLC reviews applications for historic zoning cases, certificates of appropriateness and tax exemption  
12 applications for city landmarks, and sign and building permits in historic districts. If a property is a local landmark,  
13 a contributing property in a local historic district or a National Register historic district, a historic review  
14 application must be submitted for exterior alterations, additions, permanent site work, signs, and new  
15 construction. The HLC review process ensures that alterations and additions are historically compatible with the  
16 resource, therefore protecting historic resources. These reviews would apply to all projects that may potentially  
17 have an impact on historic resources. Additionally, the commission reviews permits for demolition and relocation  
18 of resources that are not historic but are at least 45 years old. This is a way to identify and protect resources  
19 that are not currently listed or determined eligible (COA, Historic Review Process Chart, n.d.). All federal actions  
20 need to go through the Section 106 process.

### 21 3.16.5.2.3 Mitigation of Cumulative Effects

22 Direct impact mitigation measures have not been identified at this time for the demolition of the six identified  
23 historic structures and impacts to the three NRHP-eligible parks and will be developed in compliance with Section  
24 106 of the National Historic Preservation Act of 1966 as amended. Section 106-focused public involvement and  
25 consultation is ongoing. Actions by federal agencies will be subject to review to minimize harm and mitigate  
26 adverse effects. Actions by private developers and property owners will still need to comply with COA's  
27 preservation commission review process and city ordinances.

### 28 3.16.5.3 Ecological Resources

#### 29 3.16.5.3.1 Direct and Indirect Effects

30 TPWD EMST data shows that over 99 percent of the project area is mapped as urban vegetation, with less than  
31 1.0 percent being mapped as a combination of open water, agriculture, Edwards Plateau savannah, woodland,  
32 and shrubland, riparian, and disturbed prairie vegetation. Field investigations determined that the majority of  
33 the project area is accurately mapped as urban with only a small portion of riparian occurring along the hike and  
34 bicycle trail at Lady Bird Lake and at the proposed outfall structure location downstream of Longhorn Dam. A  
35 species analysis has been completed for the proposed project (May 2022). Coordination with TPWD regarding  
36 state-listed threatened and endangered species or SGCN would occur prior to the implementation of the

1 proposed project. Appropriate BMPs for state-listed species or SGCNs would be included in the Environmental  
2 Permits, Issues, & Commitments (EPIC) Sheet.

3 Wildlife occurring within the proposed project area has adapted to the existing urban development of central  
4 Travis County. Construction of the proposed project would potentially impact wildlife in the project area through  
5 the removal of vegetation or structures that provide habitat for wildlife. Mobile species would be expected to  
6 leave the proposed project area of either build alternative as construction activities are initiated. Less mobile  
7 species or species sheltering in vegetation or structures within the proposed project area could be injured or  
8 killed by construction activities. The conversion of existing developed and landscaped conditions to roadway  
9 ROW would cause a loss of habitat and could cause further fragmentation of remaining habitat areas. Wildlife  
10 remaining in areas immediately adjacent to the proposed project area would be expected to adapt to the  
11 changed conditions (e.g., increased or decreased traffic movements and noise levels). Existing conditions in  
12 much of the urbanized area within the Ecological RSAs have similar fragmented conditions for ecological  
13 resources. Development within the Ecological RSAs is anticipated with or without the completion of the proposed  
14 project and similar additional fragmentation of habitat is expected in undeveloped areas throughout the  
15 Ecological RSAs.

16 TPWD's NDD records indicate seven SGCN species have been documented within a 1.5-mile buffer of the project  
17 area: Texas map turtle, Guadalupe bass, Heller's marbled snail (Onosmodium helleri), Texas fescue (Festuca  
18 versuta), Texas garter snake, Texas milk vetch, and Net-leaf bundleflower (Desmanthus reticulatus). No  
19 observations of any SGCN occurred during site visits within the project area. Induced growth is not anticipated  
20 as a result of this project; therefore, impacts from induced growth to these resources is considered insignificant.

### 21 3.16.5.3.2 Cumulative Effects

22 The implementation of the proposed project would permanently impact vegetation and wildlife habitat as well as  
23 potential SGCN habitat. Past and present trends indicate that with the increased population within and around  
24 Austin, infill of open areas within the project area and sprawl outside of the project area occurs. With the  
25 continued influx of people into the greater Austin area, it is anticipated that continued growth and cumulative  
26 effects to undeveloped lands would occur resulting in the conversion of natural vegetation, wildlife habitat, and  
27 potential threatened and endangered species habitat to urban/suburban areas, transportation uses, or other  
28 man-made developments with or without the completion of the proposed project.

29 Similar conditions for the ecological resources are expected in undeveloped areas throughout the Ecological  
30 RSAs. The conversion of undeveloped land to commercial, residential, or transportation uses as a result of  
31 development is anticipated within the Ecological RSAs with or without the completion of the proposed project.  
32 The direct impacts associated with this project, in addition to population growth, and other potential  
33 infrastructure developments in the project vicinity would contribute to a cumulative impact of loss or  
34 fragmentation of vegetative and wildlife habitat as well as potential SGCN habitat within the Ecological RSAs.  
35 The majority of the wildlife within the project area and Ecological RSAs have adapted to urban/suburban  
36 conditions and would continue to adapt to potential future urban/suburban conditions or may relocate to  
37 remaining undeveloped areas within the Ecological RSAs. Additionally, based on past trends, population

1 projections, and limited available undeveloped land, foreseeable actions would likely be limited to small areas  
2 surrounding the proposed project and would not have a significant impact within the Ecological RSAs.

3 Habitat for three SGCN (Guadalupe bass, caddisfly, and Correll's false dragon-head) and the five listed  
4 freshwater mussel species are located within Ecological RSA 1 (100-Year Floodplain). There would be direct  
5 impacts to 37.1 acres of the 100-year floodplain as a result of the implementation of the proposed project.  
6 Additionally, 173.1 acres of planned developments are located within Ecological RSA 1. Minimal indirect or  
7 cumulative effects are anticipated as these habitats would most likely be avoided or minimized from future  
8 development as previous trends depict such floodplain and riparian areas have experienced little development  
9 and have been avoided or minimized by design modifications since the development of the proposed project  
10 began.

11 Habitats for a federal candidate species (Monarch Butterfly), federally-proposed species (tricolored bat) and four  
12 SGCNs (slender glass lizard, Texas garter snake, tree dodder, and cave myotis bat) are located within Ecological  
13 RSAs 2 and 3, which have an overlap of Riparian MOU and one or more habitats. Similar to the trends of  
14 floodplains, riparian areas have experienced little development and have been avoided or minimized by design  
15 modifications since the development of the proposed project began. These species may relocate to riparian  
16 areas, in which future development is unlikely, and are anticipated to have minimal impacts due to development  
17 of the proposed project or other foreseeable projects.

18 The habitat for two SGCNs (plateau spot-tailed earless lizard and Texas fescue) includes Edwards Plateau  
19 Savannah, Woodland, and Shrubland and Disturbed Prairie (Ecological RSA 4). The proposed project and  
20 planned developments would impact approximately 575.5 acres of habitat for these two species. Remaining  
21 suitable habitat for these two species includes 9,026.9 acres or 94.0 percent of the total Ecological RSA, which  
22 would remain. Ecological RSA 4 do not overlap floodplain or riparian areas which have primarily been avoided  
23 since the planning of the project began. However, the habitats of these species are located near the outer limits  
24 of Ecological RSAs which are less likely to be developed by infill and outward sprawl that has been observed in  
25 past and present trends in the greater Austin area. Due to the location of potential habitat, anticipated  
26 cumulative impacts due to development of the proposed project or other foreseeable projects is minimal for  
27 these species. A summary of these impacts is seen in **Table 3.16-11**.

Table 3.16-11: Ecological RSA Description

Ecological Resources RSA ID	MOU Habitat Type	Total Acreage	Direct Impacts of Proposed Project Acreage	Planned Development Acreage	Potential Induced Growth Acreage	Cumulative Effects Acreage	Remaining Acreage (Percentage)	Subject to Cumulative Effects
RSA 1	100-Year Floodplain	6,665.5	37.1	173.1	N/A	210.15	6,455.4 (96.9%)	Minimal cumulative effects anticipated
RSA 2	All except Urban High Intensity (Common Vegetation Name)	52,438.0	185.4	1,908.1	N/A	2,093.5	50,344.5 (96.0%)	Minimal cumulative effects anticipated
RSA 3	Crosstimer Woodland and Forest; Disturbed Prairie; Edwards Plateau Savannah, Woodland, and Shrubland; Post Oak	13,938.1	2.6	648.9	N/A	651.5	13,286.5 (95.3%)	Minimal cumulative effects anticipated

Table 3.16-11: Ecological RSA Description

Ecological Resources RSA ID	MOU Habitat Type	Total Acreage	Direct Impacts of Proposed Project Acreage	Planned Development Acreage	Potential Induced Growth Acreage	Cumulative Effects Acreage	Remaining Acreage (Percentage)	Subject to Cumulative Effects
	Savanna; and Riparian							
<b>RSA 4</b>	Edwards Plateau Savannah, Woodland, and Shrubland; Disturbed Prairie	9,602.4	1.3	574.2	N/A	575.5	9,026.9 (94.00%)	Minimal cumulative effects anticipated

1

### 1 3.16.5.3.3 Mitigation of Cumulative Effects

2 The proposed project would result in direct impacts including alteration of vegetation within existing ROW,  
3 proposed ROW, and drainage easements. However, according to TPWD EMST data and field verification 99  
4 percent of the project area is mapped as urban vegetation, with less than 1 percent being mapped as a  
5 combination of open water, agriculture, Edwards Plateau savannah, woodland, and shrubland, riparian, and  
6 disturbed prairie vegetation. Very limited natural vegetated areas are located within the project area. Such  
7 natural vegetated areas that would be altered for the construction of the proposed project may have potential  
8 wildlife habitat or threatened and endangered species habitat. Future impacts to ecological resources would be  
9 assessed and addressed for each individual project that might involve federal funds, including TxDOT projects.  
10 Other privately funded land development projects would not be expected to prepare publicly available  
11 environmental documentation. The only exception would be developments that were required to meet federal  
12 requirements such as Section 404 permitting through the USACE and adherence with the ESA. Such federal  
13 requirements apply to otherwise non-federal projects. Continued development in the project area and Ecological  
14 RSAs is expected with or without the completion of the proposed project and would likely result in the conversion  
15 of vegetation, wildlife habitat, and potential threatened and endangered species habitat on undeveloped land  
16 to residential, commercial, and light industrial uses.

17 Any additional direct, indirect, and cumulative effects that may occur to ecological resources would be addressed  
18 by the entity, either private sector or public/local agency, responsible for the development that is impacting the  
19 resource. The potential for future transportation projects, private and/or municipal undertakings exists within  
20 the Ecological RSAs. COA and Travis County have permitting, planning, and zoning policies or ordinances in place  
21 that future developers would need to adhere to during the development planning phase. Such regulations and  
22 policies would make potential cumulative effects to ecological resources insignificant.

### 23 3.16.6 Conclusion

24 The I-35 Capital Express Central project was considered in conjunction with other actions to assess the role it  
25 would play in the potential cumulative effects to community, ecological, and historic resources. Conditions and  
26 trends were considered to help determine the significance of impacts to each resource. Overall, regardless of  
27 alternatives, the proposed project would follow and continue the trends and conditions of resources in their  
28 respective RSAs. Community and Ecological resources have been adversely affected by past and current projects  
29 as well as the general growth and development of Austin, and trends anticipate similar effects to these resources  
30 with or without the construction of the proposed project. Historic resources are protected by federal, state, and  
31 local regulations and all reasonably foreseeable actions would need to comply. Design elements were  
32 incorporated to reduce direct and cumulative effects, no induced growth is anticipated, and mitigation measures  
33 regulated by program and policy oversight are in place to further minimize any adverse cumulative effects that  
34 may result from the proposed project or other foreseeable actions. TxDOT is coordinating with agencies for final  
35 determination of adverse impacts and potential mitigation for Section 4(f) protected historic properties and parks  
36 and recreational properties. For the No Build Alternative, there would be no cumulative effects. The current  
37 development trends are anticipated to continue if the proposed project is not implemented.

## 1 *3.17 Construction Phase Impacts*

2 Construction of the project is anticipated to cause short-term impacts to traffic and transportation facilities, noise  
3 and vibration, air quality, biological resources, hazardous materials, water resources, and lighting. Additionally,  
4 the construction of the project will require three drainage tunnel launch sites as described in Section 3.6.10.3.1  
5 and 3.6.10.3.2. Construction phase impacts for Build Alternative 2 and Modified Build Alternative 3 are  
6 discussed by resource. Impacts for both build alternatives would be similar, but the differences are noted in this  
7 section. Both build alternatives would require approximately 6 years for construction. For the No Build  
8 Alternative, there would be no construction phase impacts. Both permanent and temporary impacts are  
9 discussed below.

### 10 *3.17.1 Traffic Patterns and Sequencing*

11 A detailed traffic control plan would be developed prior to construction to minimize traffic disruption and describe  
12 how access would be maintained for vehicles, and people who walk and bicycle using the facility during  
13 construction. Temporary increases in traffic congestion would be expected; however, access to adjacent  
14 properties would be expected to remain open as much as possible. Changes in traffic patterns would be  
15 communicated by roadside signs and displays; these changes would be communicated to emergency responders  
16 (e.g., police, fire, EMS, and others) and public service providers prior to implementing the change. Traffic control  
17 during construction would proceed in accordance with the Texas Manual on Uniform Traffic Control Devices and  
18 TxDOT's Work Zone Standards. Cross-street bridges are currently being considered along the project to provide  
19 local access across the highway during the construction stage.

20 Construction sequencing is similar for both build alternatives as follows (this information is preliminary and  
21 subject to change as this project continues to develop). Construction is anticipated to begin in spring 2024 and  
22 is expected to last approximately 8 years. For the No Build Alternative, there would be no construction phase  
23 impacts.

- 24 • Phase 1 – I-35 from SH 71/Ben White Boulevard to south of Holly Street (anticipated construction starting  
25 in spring 2024 with a 7-year duration). This phase includes a new bridge across Lady Bird Lake along with  
26 the proposed I-35 improvements and drainage connections.
- 27 • Phase 2 – Pedestrian bridge and MLK Jr. Boulevard bridge for east and west connectivity over I-35 to allow  
28 access while construction is underway. Anticipated construction starting spring 2024 with a 2-year duration.
- 29 • Phase 3 – Drainage connections (anticipated construction starting in spring/summer 2024 with a 2-year  
30 duration). Initially the project will need new drainage connections for the proposed I-35 improvements from  
31 Airport Boulevard to 9th Street.
- 32 • Phase 4 - Includes a separate drainage tunnel from I-35 East along Cesar Chavez Street with an outfall into  
33 the Colorado River and another drainage tunnel along I-35 from south of Holly Street to north of MLK Jr.  
34 Boulevard (anticipated construction starting summer 2024 with a 3-year duration).
- 35 • Phase 5 – Railroad (CapMetro Red Line) at 4th Street with pedestrian bridge, a railroad (Airport Boulevard  
36 Red Line and shoofly, are new bridge crossings to allow railroad operation while construction on I-35 is

1 underway. Included with this phase is the I-35 from MLK Jr. Boulevard to Airport Boulevard SB deck retrofits  
2 providing additional capacity that may be needed to improve mobility during construction as well as the NB  
3 deck demolition project (anticipated construction starting fall 2024 with a 3-year duration).

4 • Phase 6 – I-35 from MLK Jr. Boulevard to 51st Street (anticipated construction starting summer 2026 with  
5 a 5-year construction duration).

6 • Phase 7 – I-35 from 51st Street to US 290E (anticipated construction starting in late summer 2026 with a  
7 2-year duration).

8 • Phase 8 – I-35 from south of Holly Street to north of MLK Jr. Boulevard (anticipated construction start in  
9 summer 2026 with a 6-year duration).

### 10 *3.17.2 Transit Impacts*

11 Both build alternatives would impact the CapMetro Red Line as follows:

12 • Red Line tracks near Airport Boulevard – A temporary track would be constructed early, which would allow  
13 the Red Line to remain open. There would be short-term closures (days at a time) required during  
14 construction, but long-term closures are not required.

15 • Red Line tracks near Airport Boulevard – Additional ROW acquisition would be required to build the  
16 temporary track. The temporary track may be removed after the proposed Red Line is constructed or can  
17 remain in place as a parallel track used for future expansion.

18 • Red Line tracks at 4th Street – The line would be temporarily closed (length of time to be determined) once  
19 impacted by proposed construction activities (i.e., mainlane excavation). A construction feasibility analysis  
20 is also being conducted for building the proposed project at the Red Line tracks at 4th Street because of the  
21 low vertical clearance here between the existing track and the existing mainlane bridge.

### 22 *3.17.3 Protected Lands*

23 The Butler Hike and Bike Trail would be temporarily closed (with detours provided) throughout construction.  
24 Additional park areas would be temporarily used for construction staging. More information on construction  
25 impacts to protected lands can be found in **Section 3.9** and in **Appendix M** (Individual Section 4(f) Evaluation).

### 26 *3.17.4 Water Resources*

27 Minor impacts to water resources during construction may occur, including temporary and permanent fill impacts  
28 to WOTUS; however, controls and BMPs detailed in the SW3P would be used to minimize, to the extent  
29 practicable, the discharge of pollutants in stormwater associated with construction activity and (certain) non-  
30 stormwater discharges. The SW3P would include measures to control erosion and limit the discharge of  
31 pollutants to surface waters and groundwater. Erosion control measures may include, but are not limited to, the  
32 installation of silt fencing, mulching, erosion control blankets, and berms.

33 Upon selection of an alternative, a PCN for NWP 58 for Utility Line Activities for Water and Other Substances  
34 would be submitted to the USACE for the proposed drainage outfall structure at the Colorado River. An RGP 8 for

1 Minor Structures would be submitted to the USACE for the construction of a proposed boat dock and ramp at  
2 Lady Bird Lake. It is anticipated that the Preferred Alternative would meet the terms and conditions of NWP 14  
3 without PCN for crossings at Tannehill Branch and Lady Bird Lake, and meet the terms and conditions of NWP  
4 58 without PCN for drainage outfall structures at Harpers Branch, and at the north and south ends of the  
5 proposed I-35 bridge structure.

6 CFR, Title 33, §323.3 (c)(2) states that the placement of pilings in WOTUS that do not or would not have the  
7 effect of a discharge of fill material shall not require a Section 404 permit. Bridge piers that are adequately  
8 spaced so that they would not impede water flow or cause sedimentation would not have the effect of a discharge  
9 of fill. However, if construction of piers would require temporary fill (e.g., equipment within the OHWM), then a  
10 regulated activity would likely occur and require authorization from the USACE under Section 404 of the CWA.  
11 More information on water resources can be found in **Section 3.10**.

#### 12 *3.17.4.1 Clean Water Act Section 402*

13 Since TPDES CGP authorization and compliance (and the associated documentation) occur outside of the  
14 environmental clearance process, compliance is ensured by the policies and procedures that govern the design  
15 and construction phases of the project. The Project Development Process Manual and the PS&E Preparation  
16 Manual require an SW3P be included in the plans of all projects that disturb 1 or more acre. The Construction  
17 Contract Administration Manual requires that the appropriate CGP authorization documents (NOI or site notice)  
18 be completed, posted, and submitted, when required by the CGP, to TCEQ and the MS4 operator. It also requires  
19 that projects be inspected to ensure compliance with the CGP.

20 *The PS&E Preparation Manual requires that all projects include Standard Specification Item 506 (Temporary*  
21 *Erosion, Sedimentation, and Environmental Controls), and the “Required Specification Checklists” require*  
22 *Special Provision 506-003 on all projects that need authorization under the CGP. These documents require the*  
23 *project contractor to comply with the CGP and SW3P, and to complete the appropriate authorization documents.*

#### 24 *3.17.5 Biological Impacts*

##### 25 *3.17.5.1 Vegetation*

26 Construction of any of the proposed project build alternatives would impact herbaceous, shrub, tree, and other  
27 plantings throughout the project area through site preparation activities. Clearing and grading would remove the  
28 existing vegetative cover and replace it with mostly impervious cover associated with travel lanes, entrance and  
29 exit ramps, and frontage roads. Open areas occurring within the proposed project areas of both build alternatives  
30 would likely be planted with herbaceous vegetation that would be routinely maintained by mowing. Construction  
31 of either Build Alternative 2 or Modified Build Alternative 3 would result in some tree removal within a small  
32 portion of wooded areas of nearby parks to allow for construction equipment and utility work within a drainage  
33 easement along the I-35 bridge over Lady Bird Lake. The other vegetated areas of the parks that are within the  
34 proposed alternative ROWs are currently maintained open areas that would be minimally impacted by proposed  
35 project construction. Tree removal would be necessary along the banks of the Colorado River for the necessary

1 drainage outfall structure of both build alternatives as well as on all four quadrants of I-35 and Lady Bird Lake.  
2 More information on vegetation can be found in **Section 3.11**.

### 3 *3.17.5.2 Wildlife and Habitat*

4 Construction of any of the proposed project build alternatives would potentially impact wildlife in the project  
5 areas through the removal of vegetation or structures that provide habitat for wildlife. Mobile species would be  
6 expected to leave the proposed project area of either alternative as construction activities are initiated. Less  
7 mobile species or species sheltering in vegetation or structures within the proposed project areas could be  
8 injured or killed by demolition activities, movements of heavy construction equipment, debris removal, or any  
9 required dewatering. The conversion of existing developed and landscaped conditions to roadway ROW could  
10 cause a loss of habitat. Increased impervious cover associated with the proposed project may introduce  
11 additional roadway pollutants to which wildlife could be directly exposed or that might degrade the quality of  
12 habitat adjacent to the proposed project areas. Wildlife remaining in areas adjacent to the proposed project  
13 areas would be expected to adapt to the changed conditions (e.g., increased or decreased traffic movements  
14 and noise levels).

15 General design and construction BMPs are in place between TxDOT and TPWD to reduce impacts to the state's  
16 natural resources. During the construction phase, the following would be implemented.

- 17 • Employees and contractors will be provided information prior to start of construction to educate personnel  
18 of the potential for all state-listed threatened species or other SGCN to occur within the project area and  
19 should be advised of relevant rules and regulations to protect plants, fish, and wildlife.
- 20 • Contractors will be informed to avoid harming all wildlife species if encountered and allow them to safely  
21 leave the project site. Due diligence should be used to avoid killing or harming any wildlife species in the  
22 implementation of transportation projects.
- 23 • Direct animals away from the construction area with the judicious use and placement of sediment control  
24 fencing to exclude wildlife. Exclusion fence should be buried at least 6 inches and be at least 24 inches high,  
25 maintained for the life of the project, and removed after construction is completed. Contractors should  
26 examine the inside of the exclusion area daily to determine if any wildlife species have been trapped inside  
27 the area of impact and provide safe egress opportunities prior to initiation of construction activities.
- 28 • Apply hydromulching and/or hydroseeding in areas for soil stabilization and/or revegetation of disturbed  
29 areas around wetlands and in riparian areas.
- 30 • If erosion control blankets or mats will be used, the product should not contain netting, but should only  
31 contain loosely woven natural fiber netting in which the mesh design allows the threads to move, thereby  
32 allowing expansion of the mesh openings. Plastic netting should be avoided.
- 33 • Project staging areas, stockpiles, temporary construction easements, and other project-related sites should  
34 be situated in previously disturbed areas to avoid or minimize impacts to sensitive or unique habitats  
35 including intact native vegetation, floodplains, riparian corridors, wetlands, playa lakes, and habitat for  
36 wildlife species.

- 1 • When lighting is added, consider wildlife impacts from light pollution and incorporate dark-sky practices into  
2 design strategies. Minimize sky glow by focusing light downward, with full cutoff luminaries to avoid light  
3 emitting above the horizontal. The minimum amount of nighttime lighting needed for safety and security  
4 should be used.

5 Taxa-specific mitigation strategies would be employed to avoid, minimize, and/or compensate for potential  
6 impacts to SGCN. Taxa-specific BMPs would be implemented for the Preferred Alternative. In addition, the  
7 contractors would be notified of potential occurrences of SGCNs within the project area and to avoid harming  
8 any of the species, whenever possible. More information on wildlife and habitat can be found **Section 3.11**.

### 9 *3.17.6 Hazardous Materials*

10 If hazardous constituents are unexpectedly encountered in the soil and/or shallow groundwater during  
11 construction operations, appropriate measures for the proper assessment, remediation, and management of  
12 the contamination would be initiated in accordance with applicable federal, state, and local regulations. In the  
13 event of an accidental spill of hazardous materials, TxDOT would work with other agencies and its contractors to  
14 secure the scene and implement appropriate spill response measures. Standard spill response procedures are  
15 outlined in 30 T.A.C. Chapter 327. The following general procedures would be followed to minimize hazardous  
16 materials impacts during the project:

- 17 • Additional investigations, including regulatory file reviews, site visits, and subsurface investigations would  
18 be conducted for the sites of concern during project development. These investigations would be performed  
19 as needed to identify potential hazardous materials impacts in consideration of project design and ROW  
20 requirements.
- 21 • Management plans, special provisions, and/or other contingencies would be developed as necessary to  
22 handle hazardous materials and/or petroleum contamination according to applicable state, federal, and  
23 local regulations per TxDOT Standard Specifications. Hazardous items that require special handling would  
24 be removed only by qualified contractors with appropriate licensing, certifications, and/or authorizations  
25 having documentation of prior acceptable work.
- 26 • In accordance with TxDOT specifications, construction contractors would be required to stop work and  
27 immediately notify the engineer in the event that potentially hazardous materials are encountered, an odor  
28 is identified, or significantly stained soil is visible. In addition, contractors and maintenance personnel are  
29 required by standard specification to follow all applicable regulations regarding discovery and response for  
30 hazardous materials encountered during the construction process.

31 The LPST sites and tank systems would be addressed during the ROW negotiation and acquisition process.  
32 Coordination with property owners, tank owners, operators, and TCEQ for these sites would be an ongoing  
33 process up to, and during, construction.

34 The proposed project would include the excavation and construction of pier and structure support locations.  
35 Excavation in these areas may increase the potential of encountering hazardous materials contamination during  
36 construction. Additional subsurface environmental investigation services would need to be coordinated by TxDOT

1 ENV Hazardous Materials Group to determine whether possible contamination might be encountered during  
2 construction in the vicinity of the identified medium- and high-risk sites. If hazardous constituents were  
3 confirmed, then appropriate soils and/or groundwater management plans for activities within those areas would  
4 be developed.

5 For any of the sites located adjacent to, or within, the footprint of the Preferred Alternative, impacts associated  
6 with hazardous materials would most likely occur during construction and would be related to activities within or  
7 near existing hazardous materials sites. However, risks would be potentially minimized by coordinating with  
8 TxDOT ENV Hazardous Materials Group to conduct additional assessment for the moderate and high-risk sites  
9 identified in the ISA Form. Additional assessment would be conducted prior to construction in accordance with  
10 TxDOT guidance.

11 Regulated sites create the potential to contaminate properties adjacent to them if disturbed during construction,  
12 posing a risk for the acquisition of those properties. However, risks would be potentially minimized by  
13 coordinating with TxDOT ENV Hazardous Materials Group to conduct additional assessment for the moderate  
14 and high-risk sites identified in the ISA Form.

15 Additional assessment could include regulatory file reviews, Phase 1 Environmental Site Assessments, and/or  
16 subsurface investigations, as appropriate to resolve or address hazardous materials concerns, considering  
17 project design and ROW requirements relative to the sites. Additional assessment would be conducted prior to  
18 construction in accordance with TxDOT guidance.

19 During the utility coordination phase, determinations would be required to make necessary adjustments and/or  
20 relocate pipelines. Location and depth of pipelines that would remain in place would need to be marked on the  
21 ground (in the field) prior to construction activities to prevent accidental damage to or rupture of the pipelines.  
22 TxDOT would take proper precautions to avoid impacts related to petroleum pipelines. More information on  
23 hazardous materials can be found in **Section 3.13**.

#### 24 *3.17.7 Noise Impacts*

25 Noise associated with the construction of the project is difficult to predict. Heavy machinery, the major source of  
26 noise in construction, is constantly moving in unpredictable patterns. However, construction normally occurs  
27 during daylight hours when occasional loud noises are more tolerable. Provisions will be included in the plans  
28 and specifications that require the contractor to make every reasonable effort to minimize construction noise  
29 through abatement measures such as work-hour controls and proper maintenance of muffler systems. A  
30 quantitative assessment of construction noise will be conducted in the FEIS for any noise-sensitive areas where  
31 there is the potential for construction operations to cause an extended disruption of normal activities due to  
32 noise. More information on Traffic Noise can be found in **Section 3.14**.

#### 33 *3.17.8 Light Pollution*

34 The facility would be adequately lighted for safety and security during construction. During construction, light  
35 pollution could be reduced by minimizing the need for artificial lighting by scheduling construction during daytime

1 hours to the extent practicable. Construction for the project could occur during nighttime hours. The contractor  
2 would need to close the traffic lanes during off-peak hours (both during the day and night) in order to perform  
3 the work with minimal disruption. During nighttime construction, light trespass, light clutter, and over-illumination  
4 would be minimized to the best extent possible by screening, effective programming of work, directional lighting,  
5 and type of lights used.

### 6 *3.18 Relationship Between Short-Term Uses of Man's Environment and the Maintenance* 7 *and Enhancement of Long-Term Productivity*

8 Transportation improvements are based on comprehensive planning, which considers the need for present and  
9 future traffic requirements within the context of present and future land use development. The local short-term  
10 impacts and use of resources by the proposed action is consistent with the maintenance and enhancement of long-  
11 term productivity for the area. Each of the reasonable alternatives identified in **Section 2.2** above would involve  
12 short-term uses of the built environment, as detailed elsewhere in **Chapter 3.0**. Aside from the construction-phase  
13 impacts discussed in **Section 3.17**, which would be temporary, most of the environmental impacts discussed for  
14 the reasonable alternatives elsewhere in Chapter 3.0 would be, for purposes of this environmental analysis,  
15 permanent in the sense that the Build Alternatives would be expected to serve the intended transportation function  
16 indefinitely. In other words, each of the reasonable alternatives would permanently convert the pre-existing natural  
17 and human-made resources to a transportation use; those resources would no longer exist and therefore would no  
18 longer contribute to the maintenance and enhancement of the environment's productivity. The reasonable  
19 alternatives would, however, enhance the "productivity" of the transportation system, which would have long-term  
20 benefits for users of the transportation system, such as decreased congestion, improved mobility, increased safety,  
21 increased connectivity, improved bicycle and pedestrian options, and improved emergency response times.  
22 Construction-related employment would help to offset the short-term loss of employment due to displacements and  
23 relocations. These benefits offered by the long-term productivity of this project should offset the short-term adverse  
24 effects on the natural, physical, and human environments.

25 Under the No Build Alternative, there would be no short-term uses of the built environment, but also no  
26 transportation-related benefits, and so the transportation-related problems discussed in **Section 1.1** above  
27 would persist.

### 28 *3.19 Irreversible or Irrecoverable Commitments of Resources*

29 Implementation of the proposed action involves a commitment of a range of natural, physical, human, and fiscal  
30 resources. As stated elsewhere in **Chapter 3** of this DEIS, each of the reasonable alternatives identified in **Section**  
31 **2.2** above would irreversibly and irretrievably commit natural and human-made resources to a transportation  
32 use. Land used for the project would be considered an irreversible commitment during the period that the land  
33 is used for a transportation purpose. The commitment of land to project ROW would require between  
34 approximately 41.7 and 45.2 acres depending on which of the alternatives is selected. This land includes  
35 residential and business properties, driveways, and natural areas. Additionally, each of the reasonable  
36 alternatives would irreversibly and irretrievably commit energy resources, such as the fossil fuels that would be  
37 consumed by the construction equipment. Additionally, either reasonable alternative would irreversibly and  
38 irretrievably expend considerable amounts of fossil fuels, labor, and highway construction materials such as

1 cement, aggregate, and bituminous material. Additionally, large amounts of labor and natural resources are used  
2 in the fabrication and preparation of construction materials. These materials are generally not retrievable. Any  
3 construction would also require a substantial one-time expenditure of both state and federal funds, which are  
4 not retrievable. The decision to commit these resources for construction of the proposed project would be based  
5 on the concept that residents in the area and others would benefit from the project through decreased  
6 congestion, improved mobility, increased safety, increased connectivity, improved bicycle and pedestrian  
7 options, and improved emergency response times.

8 Under the No Build Alternative, there would be no irreversible or irretrievable commitment of resources, but also  
9 no transportation-related benefits, and so the transportation-related problems discussed in **Section 1.1** above  
10 would persist.

### 11 *3.20 Possible Conflicts Between the Proposed Action and the Objectives of Federal,* 12 *Regional, State, and Local Land Use Plans, Policies and Controls for the Area Concerned*

13 Neither of the reasonable alternatives identified in **Section 2.2** above would involve known conflicts with the  
14 objectives of federal, regional, state, tribal, or local land use plans, policies and controls for the area concerned.

### 15 *3.21 Energy Requirements and Conservation Potential of Various Alternatives and* 16 *Mitigation Measures*

17 Both of the reasonable alternatives identified in **Section 2.2** above would require the consumption of energy,  
18 both in terms of construction and operation of the project. Energy, in the form of various fossil fuels and  
19 electricity, would be necessary during construction, maintenance, and future repair of the project. ROW clearing;  
20 road base grading and preparation; construction of bridges; and travel lane ramp installations would require  
21 varying levels of energy inputs. Following construction, routine maintenance of the ROW and travel lanes, and  
22 roadway repairs conducted on an as-needed basis, would also require energy inputs. Petroleum fuels are  
23 currently the primary type of energy required for construction, maintenance, and repair activities. Changing  
24 vehicle and fuel technology such as electric or hydrogen fuel options may alter the use of petroleum fuels in the  
25 future. Necessary fuel supplies would be expected to be available from fuel storage or vending sources in the  
26 area. Electrical demand for the Preferred Alternative would not affect the electrical supply characteristics of the  
27 region.

28 Regarding operation, roadway traffic would likely be the largest contributor to energy consumption over the  
29 lifetime of the facility. Energy consumption related to use of the facility would be dependent on vehicle efficiency,  
30 which includes such variables as roadway geometry, surface conditions, weather conditions, and traffic flows.  
31 Vehicle and fuel technology would likely reduce the need for future petroleum products in operational energy  
32 requirements in ways that cannot be accurately estimated now. However, each reasonable alternative would  
33 increase energy efficiency over existing conditions by decreasing congestion, improving mobility, and diverting  
34 cut-through traffic from neighborhood streets and onto the new, more efficient facility.

35 Energy conservation measures that would be implemented for the Preferred Alternative include construction of  
36 bicycle and pedestrian facilities along and across the corridor. The proposed project would improve pedestrian

1 and bicycle connectivity to the existing transit options and accessibility would be increased for those traveling  
2 on foot or by bicycle. Construction of HOV managed lanes to be utilized by transit would also conserve energy.  
3 Other energy conservation measures include energy efficient lighting and incorporation of TxDOT's  
4 Transportation Systems Management and Operations Austin District Program Plan (TxDOT, 2018), which may  
5 include consideration for connected and autonomous vehicles.

6 Under the No Build Alternative, there would be no use of energy for construction; however, energy would continue  
7 to be expended in the operation and future maintenance and repair of the existing facility. Additionally, under  
8 the No Build Alternative, no transportation-related benefits would be realized, and so the transportation-related  
9 problems discussed in **Section 1.1** above would persist. Additionally, under the No Build Alternative, there would  
10 be no bicycle and pedestrian improvements along and across the corridor; no improved connections to CapMetro  
11 and other transit stops; no energy efficient lighting; and no incorporation of ITS. More detail on specific mitigation  
12 can be found in project mitigation tables provided in **Section 3.25**.

### 13 *3.22 Natural or Depletable Resources Requirements and Conservation Potential of Various* 14 *Alternatives and Mitigation Measures*

15 As stated elsewhere in **Chapter 3** of this EIS, the reasonable alternatives identified in **Section 2.2** above would  
16 deplete natural and depletable resources, including energy resources, such as the fossil fuels that would be  
17 consumed by the construction equipment. Natural or depletable resource conservation requirements and  
18 mitigation measures that would be implemented include BMPs and other mitigation measures for vegetation  
19 and wildlife, water resources, air quality, noise, and GHGs. More detail on specific mitigation can be found in  
20 project mitigation tables provided in **Section 3.25**.

21 Under the No Build Alternative, there would be no use of natural or depletable resources for construction, but  
22 also no transportation-related benefits, and so the transportation-related problems discussed in **Section 1.1**  
23 above would persist.

### 24 *3.23 Urban Quality, Historic and Cultural Resources, and the Design of the Build* 25 *Environment, including the Reuse and Conservation Potential of Various Alternatives and* 26 *Mitigation Measures*

27 The project's impacts to urban quality, historic and cultural resources, and the design of the built environment  
28 are addressed in **Section 3.6** ("Community Impacts"), **Section 3.7** ("Visual/Aesthetic Qualities"), and **Section 3.8**  
29 ("Cultural Resources"). Mitigation measures relating to these areas are included in **Section 3.25**.

### 30 *3.24 Greenhouse Gas and Climate Change*

31 Climate change relates to transportation in two ways: transportation related GHG emissions may contribute to  
32 climate change, and the potential effect changing climate has on the transportation system (White House  
33 2021b). As a result, members of the public are frequently interested in understanding how TxDOT is responding  
34 to the changing climate and how activities may contribute to climate change.

1 In addition to TxDOT Statewide On-Road Greenhouse Gas Emissions Analysis and Climate Change Assessment  
2 Technical Report (TxDOT, 2018a), TxDOT also conducted a project-level Greenhouse Gas Analysis and Climate  
3 Change Assessment Technical Report (**Appendix V**). This Technical Report includes 1) an overview of GHGs and  
4 climate change, 2) a project-level GHG analysis, 3) a project-level assessment of climate change, 4) resiliency  
5 risk assessment, 5) incomplete or unavailable information for specific climate change impacts, and 6) results  
6 and conclusions. A summary of key project-level or TxDOT program-level strategies for addressing the impacts of  
7 a changing climate is also disclosed and summarized below. TxDOT's goal is to provide information regarding  
8 climate change and GHG emissions to the public and to provide information for consideration during the  
9 environmental analysis of the proposed project.

10 The Earth has gone through many natural changes in climate over time. However, since the industrial revolution  
11 began in the 1700s, atmospheric concentration of GHG emissions has continued to climb, primarily due to  
12 humans burning fossil fuel (e.g., coal, natural gas, gasoline, oil and/or diesel) to generate electricity, heat and  
13 cool buildings, and power industrial processes, vehicles, and equipment. According to the Intergovernmental  
14 Panel on Climate Change, this increase in GHG emissions is projected to contribute to future changes in climate  
15 (Solomon 2007; Stocker 2013).

16 GHGs include both naturally occurring and anthropogenic gases, such as carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>),  
17 nitrous oxide (N<sub>2</sub>O), hydro-chlorofluorocarbons, perfluorocarbons, and sulfur hexafluoride (SF<sub>6</sub>). The  
18 accumulation of GHGs in the atmosphere influences the long-term range of average atmospheric temperatures  
19 (EPA 2022d). These gases trap the energy from the sun and help maintain the temperature of the Earth's  
20 surface, creating a process known as the greenhouse effect.

21 The effect each GHG has on global warming is a combination of the amount of their emissions and their global  
22 warming potential (GWP). GWP is a measure of how much energy the emissions of 1 ton of a gas will absorb over  
23 a given period of time, relative to the emissions of 1 ton of CO<sub>2</sub>. The larger the GWP, the more a given gas warms  
24 the earth compared to CO<sub>2</sub> over that time period. CH<sub>4</sub> and N<sub>2</sub>O have substantially higher GWPs than CO<sub>2</sub>. GHG  
25 emissions are typically presented in terms of metric tons of carbon dioxide equivalent (CO<sub>2</sub>E), which are  
26 calculated as the product of the mass emitted of a given GHG and its specific GWP.

27 GHGs differ from other regulated air pollutants in that GHG emissions in the atmosphere do not directly cause  
28 adverse human health effects. Rather, the environmental effects of GHG emissions result from changes in global  
29 temperatures and climate, which in turn can have indirect effects on the environment, infrastructure, and human  
30 health. **Appendix V** provides additional detail regarding the methodologies, data, and assumptions used for this  
31 GHG analysis and climate change assessment.

### 32 *3.24.1 Project-Level GHG Emission Analysis*

33 GHG emissions for the proposed project alternatives were estimated using FHWA's Infrastructure Carbon  
34 Estimator, version 2.1.3 (FHWA 2020). The ICE 2.1.3 was developed by FHWA to estimate the lifecycle energy  
35 and GHG emissions from transportation infrastructure construction, maintenance, and operation. Five categories  
36 of GHG emissions from each proposed project alternative were modeled. Details of the GHG emission estimation,  
37 assumptions, and results are provided in **Appendix V**.

- 1 • **Material:** Includes the upstream emissions associated with materials extraction, production, chemical  
2 reaction, and raw material transportation.
- 3 • **Transportation:** Includes upstream emissions associated with the fuel used in transportation of materials to  
4 site.
- 5 • **Construction:** Includes the emissions from energy and fuel used in construction equipment.
- 6 • **O&M:** Includes the emissions from routine maintenance of the infrastructure, such as vegetation  
7 management, roadway repair and rehabilitation, and other routine maintenance.
- 8 • **Usage:** Includes emissions from vehicle operation on roadways, including vehicle travel delay during  
9 construction.

10 Construction information, materials for each infrastructure type, as well as limitations of the model are provided  
11 in **Appendix V**.

12 The estimated total lifecycle GHG emissions and the annualized GHG emissions by emission category for each  
13 proposed project alternative are summarized in **Table 3.24-1**. For information and comparison purposes, the  
14 GHG emissions for vehicle operations under 2018 existing conditions were estimated. The 2018 GHG emissions  
15 were 373,344 MT CO<sub>2</sub>E, estimated by multiplying the 2018 VMT on the existing roadways by the 2018 vehicle  
16 emission factors from ICE 2.1.3.

**Table 3.24-1: Total Lifecycle and Annualized GHG Emissions by Emission Category by Alternative**

Emission Category	No Build Alternative		Build Alternative 2		Modified Build Alternative 3	
	Total MT CO <sub>2</sub> E	Annualized MT CO <sub>2</sub> E/year	Total MT CO <sub>2</sub> E	Annualized MT CO <sub>2</sub> E/year	Total MT CO <sub>2</sub> E	Annualized MT CO <sub>2</sub> E/year
<b>Materials</b>	0	0	227,668	11,383	383,895	19,195
<b>Transportation</b>	0	0	10,135	507	13,576	679
<b>Construction</b>	0	0	76,456	3,823	108,066	5,403
<b>O&amp;M</b>	18,606	930	56,358	2,818	54,008	2,700
<b>Usage (VMT)</b>	7,374,840	368,742	7,838,340	391,917	7,851,675	392,584
<b>Total</b>	7,393,446	369,672	8,208,956	410,448	8,411,220	420,561

NOTE: Annualized GHG emissions were calculated by dividing the total lifecycle GHG emissions by 20 years.

17 The time frame for annualization of GHG emissions is 20 years to be consistent with the proposed project operation  
18 between the 2030 opening year and 2050 design year. The modeled lifecycle GHG emissions are presented in  
19 units of MT CO<sub>2</sub>E, which are calculated as the summed product of the mass of a given GHGs and their GWPs.

1 As shown in **Table 3.24-1**, vehicle operation emissions, i.e., emissions from vehicle travel on the roadways in the  
2 proposed project area, are the predominant source of GHG emissions estimated for each alternative. Vehicle  
3 operation emissions accounted for over 99 percent of total GHG emissions estimated for the No Build Alternative,  
4 95 percent for Build Alternative 2, and 93 percent for Modified Build Alternative 3.

5 Future on-road GHG emissions may be affected by changes that may alter where people live and work and how  
6 they use the transportation system, including but not limited to 1) the results of federal policy including tailpipe  
7 and fuel controls, 2) market forces and economics, 3) individual choice decisions, 4) acts of nature (e.g.,  
8 pandemic) or societal changes, and 5) other technological advancements. Such changes cannot be accurately  
9 predicted due to the inherent uncertainty in future projections related to demographics, social change,  
10 technology, and inability to accurately forecast where people work and live (TRB, 2007).

### 11 *3.24.2 Mitigation Measures*

12 Strategies that reduce on-road GHG emissions fall under four major categories:

- 13 • Federal engine and fuel controls under the CAA implemented jointly by EPA and USDOT, which includes  
14 Corporate Average Fuel Economy standards;
- 15 • “Cash for clunker” programs, which remove older, higher-emitting vehicles from roads;
- 16 • TSM, which improves the operational characteristics of the transportation network (e.g., traffic light timing,  
17 pre-staged wrecker service to clear accidents faster, or traveler information systems); and
- 18 • TDM which provides reductions in VMT (e.g., transit, rideshare, and bicycle and pedestrian facilities) and  
19 requires personal choice decisions.

20 TxDOT has implemented programmatic strategies that reduce GHG emissions including 1) travel demand  
21 management projects and funding to reduce VMT, such as bicycle and pedestrian facilities, 2) traffic system  
22 management projects and funding to improve the operation of the transportation system, 3) participation in the  
23 national alternative fuels corridor program, 4) clean construction activities, 5) clean fleet activities, 6) CMAQ  
24 funding, 7) transit funding, and 8) statewide campaigns to reduce tailpipe emissions.

25 Even though both Build Alternatives would have higher estimated GHG emissions than the No Build Alternative,  
26 Build Alternative 2 and Modified Build Alternative 3 have greater potential for mode shift (increase transit with  
27 BRTs and active transportation options with SUP), while there is no expanded mode shift with the No Build  
28 Alternative. Increased mode shift away from single-occupant vehicles would reduce emissions more than the  
29 above estimates, but mode shift cannot be accurately quantified at this time. GHG emissions for all alternatives  
30 in future years would potentially be lower due to future technology improvements (fleet electrification) and future  
31 vehicle emission standards. In addition, the major changes in mode shift, such as we saw during the pandemic,  
32 cannot at this time be accurately reflected in the future years traffic forecast, so if more individuals choose transit  
33 or work-from-home options, GHG emissions for all of the alternatives in the future years would be lower.

### 1 3.24.3 TxDOT and a Changing Climate

2 TxDOT has strategies that address a changing climate in accordance with TxDOT and FHWA design, asset  
3 management, maintenance, emergency response, and operational policies and guidance. The flexibility and  
4 elasticity in TxDOT transportation planning, design, emergency response, maintenance, asset management, and  
5 operation and maintenance of the transportation system are intended to consider any number of changing  
6 scenarios over time. Additional details are in **Appendix V**.

#### 7 3.24.3.1 Project-Level Assessment of Climate Change

8 This section provides a project-level assessment of the potential for climate change to result in impacts to the  
9 proposed project. The assessment evaluates available information on the historic and projected climate  
10 variables that might affect the proposed project area of the I-35 Capital Express Central Project, Austin, and  
11 Travis County. In the Austin area, climate predictions indicate that the region will be warmer, drier, and subject  
12 to periodic extreme weather events (COA, 2018a). For transparency, several major sources of data limitations  
13 and uncertainty exist in climate projections and those are discussed in **Appendix V**.

#### 14 3.24.3.2 Climate Change Risk Workshop

15 A climate change risk workshop was held on June 23, 2022, with participants from across environmental,  
16 engineering and design disciplines. Following the presentation of the climate change risk concept, the group  
17 discussed and described how each factor may influence the major components of the I-35 Capital Express  
18 Central Project.

19 Following the workshop, the risk narratives were developed into a project-level climate change risk register and  
20 assessment for the project. A second meeting was held across environmental, engineering, and design  
21 disciplines on July 15, 2022, before finalizing the risk register and assessment. **Table 3.24-2** is a summary of  
22 climate parameters, risk/hazard, and the overall risk ranking. For the complete Climate Change Risk Register  
23 and Assessment by Climate Parameter table with discussions, please see **Appendix V**.

Table 3.24-2: Summary Table Results from the Climate Change Risk Register and Assessment by Climate Parameter

Climate Parameters	Risk/Hazard	Risk Ranking
Increased Temperature	Drier soils, expansion, and cracking of materials	Low
High Temperature Extremes	Vehicle Durability	Low
	Photochemical Smog, decreased visibility	Low
	Network power failure due to excess demands	Low
	Health effects	Low
Low Temperature Extremes	Accumulation of winter precipitation	Low

Table 3.24-2: Summary Table Results from the Climate Change Risk Register and Assessment by Climate Parameter

Climate Parameters	Risk/Hazard	Risk Ranking
Extreme Precipitation Events	Flooding	Low-Moderate
	Expansion and cracking of materials, water sheeting on roadways	Low
Increased CO2	Durability of Structures	Low
Wildfire	Wildfire Risk	Low

1 **3.24.3.3 Predicted Climate Change Impacts to the Proposed Project**

2 From the risk analysis, no high or extreme risks were identified for the proposed project. All risks are predicted  
 3 to be low to medium with programmatic and enhanced risk controls strategies in place. The use of concrete for  
 4 the HOV managed lanes and mainlanes, and the majority of bridges and SUP allows the components to be more  
 5 resilient to potential changes and requires less maintenance and therefore less impact to the facility users.

6 TxDOT also has strategies and funding to address a changing climate in accordance with TxDOT and FHWA  
 7 design, maintenance, emergency response, and operational policies and guidance. The flexibility and elasticity  
 8 in TxDOT transportation planning, design, emergency response, maintenance, asset management, and operation  
 9 and maintenance of the transportation system are intended to consider any number of changing climate  
 10 scenarios over time.

11 **3.25 Project Benefits and Proposed Mitigation**

12 The following section describes the proposed benefits associated with the proposed project, as well as the  
 13 anticipated regulatory commitments and current mitigation proposals. The proposed commitments and  
 14 mitigation measures are subject to change and would be updated as project development and coordination  
 15 continues. The most updated version of the proposed project commitments will be included in the FEIS and ROD.

16 Input from the public, Participating and Cooperating agencies (including COA), and community groups (including  
 17 neighborhood associations) aided in the development of the Preferred Alternative. Based on this input, the  
 18 project was modified to remove the upper decks, minimize ROW impacts, provide enhanced east/west crossings  
 19 (wider bridges), wider SUPs, and the ability for the project infrastructure to provide the support needed for future  
 20 deck plazas (to be funded by others). If implemented, the proposed project design would provide benefits to the  
 21 project area and surrounding communities, these benefits are outlined below.

22 In addition to the anticipated benefits as a result of the proposed action and the required commitments that will be  
 23 implemented as a result of exiting policy and regulations, TxDOT is committed to the implementation of additional  
 24 mitigation measures to reduce impacts to the local community and environmental resources in the project corridor.

Table 3.25-1: Benefits Associated with the Implementation of the Proposed Action (Preferred Alternative)

#	Category	Requested By	Proposed Improvement	Anticipated Benefits	Timing/Phase of Construction
1	Safety and mobility/ congestion relief/access	Public and agencies during scoping, COA, neighborhood associations, community groups	Increased SUPs along corridor	Additional and safer facilities for people who walk and bicycle along and across I-35. Increased mobility could increase accessibility to businesses and facilities for all communities, including underserved or vulnerable populations, as well as reduce congestion. SUPs may also play a role in reducing GHG in the region by encouraging more bicycle and pedestrian trips rather than by vehicles.	After construction
2	Safety and mobility/ congestion relief	Community groups, COA	Added managed lanes, improved ramping	Congestion relief along the corridor. More reliable mobility for all users, including transit, police, fire, and EMS responders.	After construction
3	Safety and mobility	Community groups, COA	Improved emergency response times.	Improved mobility may lead to improved response times for first responders.	After construction
4	Safety and mobility	Community groups, COA	Building to current design standards	Enhanced safety and mobility	Design phase
5	Mobility/ congestion relief	Public and agencies during scoping, COA neighborhood associations, community groups, DAA and Reconnect Austin	Improved transit facilities and access	The proposed managed lanes would be accessible to multiple multi-modal transit options, such as busses, van/carpools, or ride sharing, to reduce the overall lane miles traveled within the corridor.	After construction

Table 3.25-1: Benefits Associated with the Implementation of the Proposed Action (Preferred Alternative)

#	Category	Requested By	Proposed Improvement	Anticipated Benefits	Timing/Phase of Construction
6	Congestion relief	Community groups, COA	Bypass lanes provided under many intersections	Allows for improved mobility by eliminating the need for some vehicles to stop at the bypassed signalized intersections.	After construction
7	Connectivity/community cohesion	Public and agencies during scoping, COA, neighborhood associations, community groups, DAA and Reconnect Austin.	Enhanced bridges across corridor	Wider, safer crossings for pedestrians connecting east/west Austin and providing landscaping and pedestrian amenities, including 20-foot buffer and 10-foot SUP buffers between vehicles and pedestrians.	After construction
8	Community cohesion	Public and agencies during scoping, COA, neighborhood associations, community groups, DAA and Reconnect Austin.	Design accommodates for possibility of deck plazas that could potentially be built by others.	TxDOT has included support structures to facilitate the installation of deck plazas over the proposed I-35 facility. These caps would reduce the visibility of the I-35 main and managed lanes and provide open space for people who walk and bicycle. In some areas, if constructed, the caps would allow pedestrians to cross the entire I-35 corridor without having to cross any lanes of traffic.	Caps and stitches would be funded by others. Construction phasing would be determined through coordination between TxDOT, COA, and the selected contractor.
9	Community cohesion	Public and agencies during scoping, COA, neighborhood associations, community groups	Reduced ROW and displacement (residential and business) Impacts	Through innovative design changes the ROW and associated displacements required to construct the proposed project has been reduced.	Design phase

Table 3.25-1: Benefits Associated with the Implementation of the Proposed Action (Preferred Alternative)

#	Category	Requested By	Proposed Improvement	Anticipated Benefits	Timing/Phase of Construction
10	Community cohesion	Public, community groups, DAA and Reconnect Austin	Boulevard concept (frontage roads only)	Would remove split frontage road system and bring the two frontage roads together on one side of the facility, above the lowered main and managed lanes, to form a more traditional boulevard appearance at ground level.	After construction
11	Community cohesion/ Traffic Noise	Community groups, public and agency input, COA, neighborhood associations	Removal of upper decks	Reduces the visual barrier between east and west Austin. Anticipated to reduce noise volumes to surrounding neighborhoods.	After construction
12	Community cohesion/ Traffic Noise/ Air Quality	Community groups, public and agency input, COA, neighborhood associations, DAA and Reconnect Austin	Depressing/lowering areas of highway	Reduces visual barrier created by highway between east and west Austin. Decreased traffic noise and air pollution within these areas.	After construction

Table 3.25-2: Commitments Required by Policy or Regulation

#	Category	Impact	Commitments	Timing/Phase of Construction
1	Community Impacts: Travel Patterns and Access	Temporary road closures and traffic detours	<ul style="list-style-type: none"> <li>• Provide safe and efficient connections to and around neighborhoods during construction for all modes of transportation, including bicycles and pedestrians.</li> <li>• Provide advanced notice of temporary road closures and traffic detours.</li> <li>• Maintain access to properties during construction.</li> </ul>	Final design/ during construction
2	Community Impacts: Traffic Noise	Traffic noise impacts near residential areas, parks, open spaces, and recreational areas	Construct noise barriers, where feasible, reasonable, and approved by landowners adjacent to the proposed noise barriers. Any subsequent project design changes may require a re-evaluation of preliminary noise barrier proposals. The final decision to construct the proposed noise barriers would not be made until completion of the proposed project design, utility evaluation, and polling of adjacent property owners during traffic noise workshops.	Final design/ during construction
3	Community Impacts: Construction Noise	Temporary noise impacts during construction	Implement BMPs to minimize noise during construction, as per FHWA's Highway Construction Noise Handbook (2006). Minimize construction noise through abatement measures, such as work-hour controls and proper maintenance of muffler systems.	During construction
4	Transportation: Hike and Bike Trails	Temporary trail closures and detours during construction	<ul style="list-style-type: none"> <li>• Provide safe and efficient connections to hike and bicycle trails and allow for planned future trails.</li> <li>• Coordinate with COA to provide advanced notice of temporary trail closures and detours during construction.</li> </ul>	Final design/ during construction
5	Transportation: Bus Services	Temporary displacement of bus stops during construction	<ul style="list-style-type: none"> <li>• In cooperation with CapMetro, install temporary bus stops outside of the proposed ROW and as close as possible to the original bus stop location.</li> </ul>	Pre-construction/ during construction

Table 3.25-2: Commitments Required by Policy or Regulation

#	Category	Impact	Commitments	Timing/Phase of Construction
			<ul style="list-style-type: none"> <li>In cooperation with CapMetro, notify riders at least one week in advance of temporary relocation or closure of bus stop.</li> </ul>	
6	Transportation: Bus Services	Bus stop displacements and relocations	In cooperation with CapMetro and COA, design new and re-established bus stop locations in accordance with the ADA requirements.	Final Design
7	Safety	Potential temporary impacts to emergency response travel time during construction	Coordinate with city and county officials to minimize disruptions to emergency services during construction.	Final design/pre-construction/ during construction
8	Relocations and Displacements	All Displacements	Provide language translation services for displaced individuals, families, businesses, and nonprofit organizations.	During property acquisition
9	Relocations and Displacements	All Displacements	Relocation Assistance: <ul style="list-style-type: none"> <li>Assign relocation assistance counselor that would 1) determine need for assistance and 2) provide current listings of other available replacement housing.</li> <li>Provide counseling to get assistance from other available sources to minimize hardships in adjusting to new location.</li> <li>Provide information concerning other federal, state, and local housing programs offering assistance</li> </ul>	During property acquisition
10	Relocations and Displacements	Owner occupants of less than 90 days and tenants	Compensation: <ul style="list-style-type: none"> <li>Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance</li> </ul>	During property acquisition
11	Relocations and Displacements	All owner occupant displacements (residences, businesses, schools,	Notification:	During property acquisition

Table 3.25-2: Commitments Required by Policy or Regulation

#	Category	Impact	Commitments	Timing/Phase of Construction
		places of worship and other nonprofit facilities)	<ul style="list-style-type: none"> <li>• Provide owner with relocation notification package. Assign relocation assistance counselor.</li> <li>• Provide property owners with notification of TxDOT's intent to acquire an interest in their property, including a written offer letter of just compensation specifically describing those property interests.</li> <li>• Property owners have a minimum of 90 days from date of written notice before TxDOT would acquire property.</li> </ul>	
12	Relocations and Displacements	All tenant occupant displacements (residences, businesses, schools, places of worship and other nonprofit facilities)	<p>Notification</p> <ul style="list-style-type: none"> <li>• Provide tenant occupants with relocation notification package. Assign relocation assistance counselor.</li> <li>• Provide a relocation booklet explaining tenant entitlements under the relocation assistance program.</li> <li>• Tenants have a minimum of 90 days from date of written notice before TxDOT would acquire property.</li> </ul>	During property acquisition
13	Relocations and Displacements	Residential displacements owner and tenant occupants	<p>Relocation Assistance:</p> <ul style="list-style-type: none"> <li>• Ensure residents would not be required to move unless at least one comparable replacement dwelling is available.</li> </ul>	During property acquisition
14	Relocations and Displacements	Residential displacements owner and tenant occupants	<p>Compensation:</p> <ul style="list-style-type: none"> <li>• Compensate any person(s) whose property needs to be acquired, in accordance with the Uniform Act of 1970, as amended; 49 CFR Part 24, Subparts C through F; Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Act); HUD Amendment Act of 1974, and TxDOT policies and procedures.</li> </ul>	During property acquisition

Table 3.25-2: Commitments Required by Policy or Regulation

#	Category	Impact	Commitments	Timing/Phase of Construction
			<ul style="list-style-type: none"> <li>• Provide reimbursement of moving costs and certain related expenses incurred in moving and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees, and certain other closing costs.</li> <li>• Provide just compensation for property.</li> <li>• Provide Replacement Housing Payments as Purchase Supplements or Down Payment Assistance to purchase comparable decent, safe, and sanitary replacement dwelling.</li> </ul>	
15	Relocations and Displacements	Residential Displacements: Owner Occupants of less than 90 days and tenant occupants	<p>Compensation:</p> <ul style="list-style-type: none"> <li>• Compensate any person(s) whose property needs to be acquired, in accordance with the Uniform Act of 1970, as amended; 49 CFR Part 24, Subparts C through F; Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Act); HUD Amendment Act of 1974, and TxDOT policies and procedures.</li> <li>• Provide reimbursement of moving costs and certain related expenses incurred in moving.</li> <li>• Provide compensation for comparable replacement dwelling that is decent, safe, and sanitary.</li> <li>• Provide Rental Assistance Supplement to eligible persons for the increased cost of renting and occupying a decent, safe, and sanitary replacement dwelling.</li> </ul>	During property acquisition

Table 3.25-2: Commitments Required by Policy or Regulation

#	Category	Impact	Commitments	Timing/Phase of Construction
16	Relocations and Displacements	Residential displacements Affordable Housing	Relocation Assistance: <ul style="list-style-type: none"> <li>Assist residents at public housing, as defined by the Uniform Act of 1970, as amended; 49 CFR Part 24, Subparts C through F, to find comparable replacement housing.</li> <li>Ensure tenant occupant would not be required to move unless at least one comparable replacement dwelling is available within their financial means.</li> </ul>	During property acquisition
17	Relocations and Displacements	Non-Residential Displacements (businesses, schools, places of worship and other nonprofit facilities)	Relocation Assistance <ul style="list-style-type: none"> <li>Assign relocation assistance counselor to help with relocation planning.</li> <li>Explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.</li> </ul>	During property acquisition
18	Relocations and Displacements	Non-Residential Displacements (businesses, schools, places of worship and other nonprofit facilities)	Compensation: <ul style="list-style-type: none"> <li>Provide reimbursement of moving costs and certain related expenses incurred in moving.</li> <li>Personal Property- Provide payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation.</li> <li>Searching Expenses for Replacement Property: Reimburse for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500.</li> <li>Reestablishment Expenses for Replacement Site: A small business (not more than 500 employees), may be eligible to</li> </ul>	During property acquisition

Table 3.25-2: Commitments Required by Policy or Regulation

#	Category	Impact	Commitments	Timing/Phase of Construction
			receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site.	
19	Relocations and Displacements	<ul style="list-style-type: none"> <li>Medical facilities Displacements</li> <li>CommUnityCare – David Powell Health Center</li> <li>CommUnityCare – Hancock Walk-In Care</li> <li>Dr. Emilio Torres</li> <li>Dr. Wong Eye Center</li> <li>Pediatric Care of Austin (Austin Medial Building)</li> </ul>	Reimburse cost of relicensing fees and medical licenses at new location.	During property acquisition
20	Relocations and Displacements	Billboards and Advertisement Sign Displacements	Compensation: <ul style="list-style-type: none"> <li>Provide relocation payment for moving personal property and related expenses.</li> <li>Reimburse for actual reasonable expenses incurred in searching for a replacement sign site, not to exceed \$2,500.</li> </ul>	During property acquisition
21	Historic Resources – Section 106	Four properties adversely affected: <ul style="list-style-type: none"> <li>EBBC Main Office (<i>Austin Chronicle</i>)</li> <li>Haster House</li> <li>Dura Tune Service Station</li> <li>Roberts House</li> </ul>	Coordination with the THC/Texas SHPO and the Section 106 consulting parties is ongoing.	Final design/pre-construction/during construction

Table 3.25-2: Commitments Required by Policy or Regulation

#	Category	Impact	Commitments	Timing/Phase of Construction
22	4(f) Protected Resources – Historic Sites	Five properties impacted: <ul style="list-style-type: none"> <li>• EBBC Main Office (<i>Austin Chronicle</i>)</li> <li>• Roberts House</li> <li>• Haster House</li> <li>• Dura Tune Service Station</li> <li>• Butler Hike and Bike Trail</li> </ul>	Coordination with the THC/SHPO and the Section 106 consulting parties is ongoing.  Butler Hike and Bike Trail mitigation is discussed under parkland 4(f) discussion below.	Final design/pre-construction/ during construction
23	4(f) Protected Resources – Parkland	Temporary Construction Impacts <ul style="list-style-type: none"> <li>• 0.70 acre - International Shores_3</li> <li>• 0.20 acre - Waller Beach Metro Park</li> <li>• 0.70 acre - Edward Rendon Park</li> <li>• 0.57 acre - Norwood Tract</li> <li>• 1,207 ft - Butler Hike and Bike Trail</li> <li>• 25 acres of shoreline and open water in Lady Bird Lake</li> </ul> Permanent Impacts: <ul style="list-style-type: none"> <li>• 0.10 acre- International Shores_3</li> <li>• 0.29 acre – Lady Bird Lake</li> <li>• 1.20 acre - Waller Beach</li> </ul>	Coordination with COA to identify potential mitigation for the proposed impacts to 4(f) parkland is ongoing. More details on the current purposed mitigation for impacts to 4(f) parkland resources can be found in the Section 4(f) Individual Evaluation document located in Appendix M of this document.	Final design/pre-construction/ during construction

Table 3.25-2: Commitments Required by Policy or Regulation

#	Category	Impact	Commitments	Timing/Phase of Construction
		<ul style="list-style-type: none"> <li>652 feet - Butler Hike and Bike Trail</li> </ul>		
24	6(f) Protected Resources - Waller Beach Metro Park	Approximately 1.20 acres of conversion of parkland for the use of the construction of the proposed I-35 bridge at Lady Bird Lake.	TxDOT is working with COA to identify a potential replacement property or properties that are at least equal in fair market value and reasonably equivalent in usefulness and location to compensate for the approximately 1.20-acre conversion of Waller Beach Park. When a suitable replacement property or properties are identified, it or they would need to be approved by TPWD and the NPS as part of a formal conversion proposal. If a potential replacement property or properties is/are identified prior to the release of the FEIS, then it/they would be described in the FEIS. Formal NPS approval of the conversion proposal and replacement property or properties cannot occur until after the ROD for this project (see 36 CFR 59.3(b)(7)).	Post ROD
25	6(f) Protected Resources - Edward Rendon Park	Approximately 0.70 acre of temporary use of parkland for the use of construction of the proposed I-35 bridge at Lady Bird Lake	If the NPS agrees that the temporary use of Edward Rendon Sr. Metro Park does qualify as a “conversion” under Section 4(f), then no replacement property will be required. After the temporary non-conforming use is concluded (6 months), the land would be restored for public recreation use without substantial residual impacts on the site.	Final design/pre-construction/ during construction

\*Proposed commitments will be subject to change and updated as project development and coordination continues. The most updated version of the proposed project commitments will be included in the ROD.

Table 3.25-3: Proposed Mitigation

#	Category	Impact	Mitigation*	Timing/Phase of Construction
1	Community Impacts – Ongoing Coordination and Feedback with the Community	EJ Impacts/Construction Impacts	As an extension of the existing VOICE meetings that are currently being held for the proposed project, TxDOT would develop a community advisory committee for the project as it moves into construction phases. These meetings would be held to communicate to the public progress of the implementation of mitigation measures for the project, construction updates, as well as to receive feedback from the public on these actions. As discussed in <b>Section 3.6.10</b> , construction impacts to EJ communities would be mitigated by extensive communication of traffic pattern changes, maintaining access for vehicles, pedestrians, and bikes. TxDOT is allocating \$10 million to CapMetro to maintain bus service during construction and would be constructing the Red Line crossings at Airport Blvd. and 4th Street, as well as the MLK Jr. Blvd. pedestrian crossing prior to when construction on the proposed facility would begin so east-west crossings are maintained.	Life of the project.
2	Community Impacts – Community Cohesion	EJ Impacts/Community Cohesion/Construction Impacts	TxDOT would commit \$9.4 million to maintain existing CapMetro services during construction.	Pre-Construction/ During Construction
3	Community Impacts – Community Cohesion	EJ Impacts/Community Cohesion/Construction Impacts	TxDOT would accelerate construction of the proposed bicycle and pedestrian facilities at the CapMetro Red Line and MLK Jr. Boulevard intersections to promote/maintain east-west connections within the project corridor during construction.	Pre-Construction/ During Construction

Table 3.25-3: Proposed Mitigation

#	Category	Impact	Mitigation*	Timing/Phase of Construction
4	Relocations and Displacements – EJ	<p>Displacements of healthcare facilities that serve low-income, minority populations, or otherwise underserved communities</p> <ul style="list-style-type: none"> <li>• CommUnityCare – David Powell Health Center</li> <li>• CommUnityCare – Hancock Walk-In Care</li> <li>• Dr. Emilio Torres</li> <li>• Dr. Wong Eye Center</li> <li>• Pediatric Care of Austin (Austin Medical Building)</li> </ul>	<p>In addition to the required mitigation measures listed in Table 3.25-2, TxDOT would:</p> <ul style="list-style-type: none"> <li>• Offer the opportunity for advance acquisition of property.</li> <li>• Allow occupants, during the relocation process, to remain in the existing facility for an agreed amount of time negotiated between the property owner and TxDOT to allow for the continuation of healthcare of services to the community.</li> <li>• Offering assistance (shuttle service, CapMetro passes) to commute to medical appointments</li> <li>• Federal regulations allow rental assistance supplement to residential tenants, but not for business tenants. As mitigation to the eight businesses within EJ areas who are tenants, TxDOT is offering rental assistance supplement to these businesses that serve a specific community. Rental assistance supplement includes finding a comparable business location and opportunity for additional rental price differential over what they are currently paying, within limits, for 42 months.</li> </ul>	Pre-Construction
5	Relocations and Displacements – EJ	<p>Displacements of community facilities that serve low-income, minority populations, or otherwise underserved communities:</p>	<p>In addition to the required mitigation measures listed in 3.25-2, TxDOT would:</p> <ul style="list-style-type: none"> <li>• Offer the opportunity for advance acquisition of property.</li> </ul>	Pre-Construction

Table 3.25-3: Proposed Mitigation

#	Category	Impact	Mitigation*	Timing/Phase of Construction
		<ul style="list-style-type: none"> <li>• Displacement of an early childhood center Escuelita del Alma</li> <li>• Hectors Barber Shop</li> <li>• Jimmy's Barber Shop</li> <li>• BL Barber Shop</li> </ul>	<ul style="list-style-type: none"> <li>• Allow occupants, during the relocation process, to remain in the existing facility for an agreed amount of time negotiated between the property owner and TxDOT to allow for the continuation of childcare services to the community.</li> <li>• Federal regulations allow rental assistance supplement to residential tenants, but not for business tenants. As mitigation to the eight businesses within EJ areas who are tenants, TxDOT is offering rental assistance supplement to these businesses that serve a specific community. Rental assistance supplement includes finding a comparable business location and opportunity for additional rental price differential over what they are currently paying, within limits, for 42 months.</li> </ul>	
6	Relocations and Displacements – EJ	Impacts to people experiencing homelessness.	Through TxDOT existing IAH program, a project specific coordination plan would be developed to communicate advance notification of construction operations and perform assessments for BN services and eligibility for housing.	Pre-Construction/ During Construction
7	Relocations and Displacements – EJ	Displacement of people experiencing homelessness.	In coordination with TxDOT's existing IAH program, TxDOT would partner and coordinate with the local HUD Leadership Committee of Continuum of Care (comprising non-profits serving the homeless community such as Integral Care, The Other Ones Foundation [TOOF] etc.) to identify opportunities to	Pre-Construction/ During Construction

Table 3.25-3: Proposed Mitigation

#	Category	Impact	Mitigation*	Timing/Phase of Construction
			provide continuation of BN services to people experiencing homelessness within the project corridor. TxDOT would assign a dedicated staff member for this effort for the duration of construction.	
8	Relocations and Displacements – EJ	Interruption of BN services under existing I-35 Bridges provided to those experiencing homelessness.	In coordination with TxDOT’s existing IAH program, TxDOT would partner and coordinate with the local HUD Development Leadership Committee of Continuum of Care (comprised of non-profits serving the homeless community such as Integral Care, The Other Ones Foundation [TOOF] etc.) to identify opportunities to provide relocation services and access to shelter and rehousing services for people experiencing homelessness within the project corridor. TxDOT would assign a dedicated staff member for this effort for the duration of construction.	Pre-Construction/ During Construction
9	Relocations and Displacements – EJ	Displacement of housing that potentially provides more affordable rental rates <ul style="list-style-type: none"> <li>• Avalon Apartment Complex (24 units)</li> </ul>	<ul style="list-style-type: none"> <li>• Offer the opportunity to request advance acquisition of property.</li> <li>• Offer the same relocation services for renters as are provided to owner occupant displacements.</li> <li>• Work with COA Housing and Planning department to identify and leverage surplus ROW or funding that could be used to support COA’s “Preference Policy” or other efforts of the Displacement Prevention Division to mitigate for</li> </ul>	Pre-Construction

Table 3.25-3: Proposed Mitigation

#	Category	Impact	Mitigation*	Timing/Phase of Construction
			<p>gentrification impacts and lack of affordable housing by repurposing surplus ROW or providing financial support.</p> <ul style="list-style-type: none"> <li>TxDOT would oversee the development and implementation of a grant assistance program for community-based groups, government stakeholders, and local institutions to aid in the identification of funding resources, assist in grant writing, grant administration, and provide other technical assistance as necessary.</li> </ul>	
10	Economic Conditions- Employment and Income	Business displacements and employment loss	<p>TxDOT would facilitate opportunities to promote hiring individuals from the local communities, for general employment and for project construction, such as job fairs, job placement programs, job training, including as-needed assistance from TxDOT's Disadvantaged Business Enterprise Supportive Service Program. TxDOT would conduct at least two job fairs within the project corridor during the construction phase. TxDOT would provide the facility for the contractor to conduct the job fairs that will provide opportunities for all local residents to learn about the different types of employment that could be available on the construction project and to apply for employment. The job fair would occur prior to the start of construction and would include appropriate outreach to the minority and low-income communities affected by the project, including postings at the Workforce Solutions of the Capital Area, the Texas Workforce Commission, the grocery</p>	Pre-Construction/ During Construction

Table 3.25-3: Proposed Mitigation

#	Category	Impact	Mitigation*	Timing/Phase of Construction
			stores within the project limits, City Hall, and other similar locations.	
11	Relocation and Displacements	Group/Program Informational Workshops	Conduct workshops with residential property owners and renters who would be displaced to provide <ul style="list-style-type: none"> <li>• information: Explaining the acquisition process</li> <li>• Explaining the relocation process</li> <li>• Explaining the appraisal process</li> <li>• Title Information and review of documents</li> <li>• Property tax &amp; exemption impacts</li> <li>• Moving and move planning</li> <li>• First Time Homebuyer seminars</li> <li>• Escrow process and title clearing</li> <li>• How to get social services and benefits</li> <li>• How to select a real estate agent</li> <li>• How to check your credit and improve your score</li> <li>• Household budgeting</li> </ul>	
12	Visual and Aesthetics	Aesthetic improvements along highway.	Through Live35, an aesthetic design program implemented for the proposed project, TxDOT would work with residents and key stakeholders to capture unique details of the history, heritage, and culture of neighborhoods for incorporation into project's aesthetic elements as well as proposed cultural (Section 106) and community mitigation plans. The first Live35 meetings would	Ongoing/After construction

Table 3.25-3: Proposed Mitigation

#	Category	Impact	Mitigation*	Timing/Phase of Construction
			be held in early 2023 and the outcome of this process and its impact on the mitigation process would be documented in the FEIS and presented at a future VOICE meeting for feedback from the community prior to the ROD.	
13	Community Impacts – Community Cohesion	EJ Impacts/Community Cohesion/ Construction Impacts	TxDOT would commit \$100 million to the implementation of enhanced aesthetic treatments at east-west crossings.	During Construction/Post Construction
14	Community Cohesion	EJ Impacts/Construction Impacts	TxDOT has included support structures in the design to facilitate the possible installation of deck caps over the proposed I-35 facility by other entities, such as COA, as a separate project. TxDOT would oversee the development and implementation of a grant assistance program for community-based groups, government stakeholders, and local institutions to aid in the identification of funding resources, assist in grant writing, grant administration, and provide other technical assistance as necessary.	Pre-Construction/During Construction

\*Proposed mitigation will be subject to change and updated as project development and coordination continues. The most updated version of the proposed project mitigation will be included in the ROD.

## 1 **4.0 Public Involvement and Agency Outreach**

### 2 *4.1 Summary of Public Involvement and Agency Outreach Conducted To-Date*

3 TxDOT has worked with community and agency stakeholders to create an engaging public involvement process.  
4 The project team has collected feedback regarding the scope, the purpose and need, proposed alternatives, and  
5 other information. In addition to required outreach, TxDOT has engaged additional forms of outreach extensively  
6 to ensure that key stakeholders were not missed during the COVID-19 pandemic, which began in March 2020.  
7 This section provides documentation for all public and agency involvement efforts to date, including public and  
8 agency scoping meetings, agency coordination, public meetings, stakeholder meetings, as well as other outreach  
9 methods. Each of these activities is discussed below. **Chapter 2** contains a project history which includes  
10 information about public outreach conducted prior to the NOI.

#### 11 *4.1.1 Notice of Intent*

12 An NOI was published in the *Federal Register* on Wednesday, August 12, 2020. TxDOT issued this notice to  
13 advise the public that an EIS would be prepared for the I-35 Capital Express Central Project on I-35 from US 290  
14 East to SH 71/Ben White Boulevard. In August 2020, letters were sent to federal, state, regional, and local  
15 agencies and elected officials with the NOI attached to introduce the I-35 Capital Express Project and solicit input  
16 on it.

#### 17 *4.1.2 Agency Coordination Plan*

18 In accordance with 23 USC § 139(g), TxDOT, as lead agency, prepared a coordination plan for the project. This  
19 plan established a schedule and process for coordinating public and agency participation and comment during  
20 the environmental review process. TxDOT invited the following agencies and Native American tribes to be  
21 cooperating or participating agencies:

Table 4-1. Cooperating and Participating Agencies

Agency	Role
U.S. Army Corps of Engineers	Cooperating
U.S. Environmental Protection Agency	Cooperating
National Park Service	Cooperating
Texas Parks and Wildlife Department	Participating
Capital Area Metropolitan Planning Organization	Participating
Central Texas Regional Mobility Authority	Participating
Travis County	Participating

Table 4-1. Cooperating and Participating Agencies

Agency	Role
City of Austin	Participating
Capital Metropolitan Transportation Authority	Participating
University of Texas	Participating
Federal Transit Administration	Participating
U.S. Department of Agriculture, Natural Resources Conservation Service	Cooperating
U.S. Department of Housing and Urban Development	Cooperating
U.S. Fish and Wildlife Service	Cooperating
Texas Commission on Environmental Quality	Participating
Texas Department of Housing and Community Affairs	Participating
State Historic Preservation Officer/Texas Historical Commission	Participating
Lower Colorado River Authority	Participating
Williamson County	Participating
Hays County	Participating
Mescalero Apache Tribe	Cooperating
Apache Tribe of Oklahoma	Cooperating
Tonkawa Tribe of Indians of Oklahoma	Cooperating
Kiowa Indian Tribe of Oklahoma	Cooperating
Comanche Nation of Oklahoma	Cooperating
Alabama-Coushatta Tribe of Texas	Cooperating
Seminole Nation of Oklahoma	Cooperating
Wichita and Affiliated Tribes	Cooperating
Caddo Nation of Oklahoma	Cooperating

### 1 4.1.3 Agency Scoping Meetings

2 To date, two agency scoping meetings were conducted to share information and ask for comments during the  
3 course of the EIS process: November 2020 (Agency Scoping Meeting #1) and March 2021 (Agency Scoping  
4 Meeting #2). These meetings served as a forum for disseminating information about the project and for obtaining  
5 agency input on the scope of issues to be addressed during the preparation of the DEIS from participating and  
6 cooperating agencies.

#### 7 **Agency Scoping Meeting #1**

- 8 ○ Topic: Virtual Meeting hosted to present and request comments on the coordination plan/schedule;  
9 project purpose and need; range of alternatives
- 10 ○ Date: November 12, 2020
- 11 ○ Attendance: 52 people
- 12 ○ Comment Period: November 12 through December 31, 2020
- 13 ○ Feedback: 109 comments received (available on MyCapEx.com)

#### 14 **Agency Scoping Meeting #2**

- 15 ○ Topic: Virtual Meeting hosted to present and request comments on how the alternatives will be analyzed;  
16 and revised versions of the coordination plan/schedule, project purpose and need, range of  
17 alternatives.
- 18 ○ Date: March 11, 2021
- 19 ○ Attendance: 55 people
- 20 ○ Comment Period: March 11 through April 9, 2021
- 21 ○ Feedback: 3 comments received (available on MyCapEx.com)

### 22 4.1.4 Public Meetings

23 To date, two public scoping meetings and one open house/public meeting were conducted to engage the  
24 community, share information and ask the community for its comments during the course of the EIS process:  
25 November 2020 (Scoping Meeting #1), March 2021 (Scoping Meeting #2), and August 2021 (Public Meeting).  
26 This was an open process conducted to identify the major and important issues for consideration during the  
27 development of an EIS.

#### 28 **Public Scoping Meeting #1**

- 29 ○ Topic: Virtual Meeting hosted to present and request comments on the coordination plan/schedule;  
30 project purpose and need; range of alternatives
- 31 ○ Date: November 12, 2020

- 1       ○ Notifications: Meeting announcements were published in *The Austin-American Statesman*, *Community*  
2       *Impact Newspaper*, *El Mundo* (Spanish), community calendars, Twitter, TxDOT.gov, and  
3       My35CapEx.com. Postcards were distributed to approximately 29,700 addresses. Radio  
4       announcements were made on six area radio stations (KUT 90.5, BOB FM 103.5, KLBJ 99.7, Majic 95.5,  
5       Majic 95.5, KLZT 107.1, and KAZI 88.37). Emails and letters were sent to local, state, and federal  
6       elected/public officials including participating and cooperating agencies. E-blasts were sent project  
7       mailing list.
- 8       ○ Comment Period: November 12 through December 31, 2020
- 9       ○ Materials: This meeting included a pre-recorded video presentation, maps, drawings, and other project  
10       information was available at [Mobility35openhouse.com](http://Mobility35openhouse.com) for review.
- 11       ○ Spanish-language contents: The virtual public scoping meeting website contained information in  
12       Spanish, including the short video and presentation, which provided information about the project  
13       location and proposed project scope, the proposed project purpose and need, the environmental  
14       process and timeline, the proposed range of alternatives, and how to provide feedback. Other Spanish-  
15       language information available on the website included a project fact sheet and comment form.
- 16       ○ Feedback: TxDOT received 2,285 comments (available on MyCapEx.com). Comment themes included  
17       air quality, build alternatives, capacity, climate change, comment period, community engagement,  
18       construction impacts, context-sensitive solutions, design speed, direct transit connections, equity,  
19       railroad/bicycle/pedestrian crossings, health, homelessness, intersection bypass lane system, impacts,  
20       local plans, pedestrian/bicycle improvements, purpose and need, ramping, ROW, roadway elevation,  
21       transportation demand management/ITS/connective vehicles, traffic demand, toll alternative, transit  
22       operations, trucks, and tunnel. (See **Appendix E** for comment themes from this meeting.)

## 23   **Public Scoping Meeting #2**

- 24       ○ Topic: Virtual Meeting hosted to present and request comments on how the alternatives will be analyzed;  
25       and revised versions of the coordination plan/schedule, project purpose and need, range of  
26       alternatives.
- 27       ○ Date: March 11, 2021
- 28       ○ Notifications: Meeting announcements were published in *The Austin-American Statesman*, *Community*  
29       *Impact Newspaper*, *El Mundo* (Spanish), community calendars, Twitter, TxDOT.gov, and  
30       My35CapEx.com. Postcards were distributed to approximately 29,700 addresses. Radio  
31       announcements were made on six area radio stations (KUT 90.5, BOB FM 103.5, KLBJ 99.7, Majic 95.5,  
32       Majic 95.5, KLZT 107.1, and KAZI 88.37). Meeting advertisements were displayed on internal placards  
33       in 50 CapMetro buses and on the outside of 3 CapMetro buses. Emails and letters were sent to local,  
34       state, and federal elected/public officials including participating and cooperating agencies. E-blasts  
35       were sent project mailing list.
- 36       ○ Comment Period: March 11 through April 9, 2021.
- 37       ○ Materials: This meeting was a continuation of the first public scoping meeting, held November through  
38       December 2020.

- 1 ○ Spanish-language contents: The virtual public scoping meeting website contained information in  
2 Spanish, including the video and presentation, which provided information about the project location  
3 and proposed project scope, the Alternatives Evaluation Criteria, the revised project purpose and need  
4 statement, the environmental process and timeline, the proposed range of alternatives and design  
5 options, and how to provide feedback. Other Spanish-language information available on the website  
6 included the Alternatives Evaluation Matrix, a project fact sheet, an online comment form, and  
7 information about how to provide feedback.
- 8 ○ Feedback: TxDOT received 1,427 comments (available on MyCapEx.com). Comment themes included  
9 alternative evaluation criteria, aesthetics, build alternatives, community engagement, deck plazas,  
10 design speed, history of I-35, homelessness, induced demand, do not build, pedestrian/bicycle  
11 connectivity, purpose and need, Light Rail Red Line crossings, ROW, traffic demand modeling, transit  
12 operations, trucks, and tunneling. (See **Appendix E** for comment themes from this meeting.)

### 13 **Public Meeting**

- 14 ○ Following the two public scoping meetings, a public meeting was held to present and request comments  
15 on the results of the alternatives evaluation, findings from independent study of the community  
16 alternatives and proposed build alternative layouts.
- 17 ○ Notifications: Meeting announcements were published in *The Austin-American Statesman*, *Community*  
18 *Impact Newspaper*, *El Mundo* (Spanish), community calendars, Twitter, TxDOT.gov, and  
19 My35CapEx.com. Postcards were distributed to approximately 45,842 addresses. Radio  
20 announcements were made on six area radio stations (KUT 90.5, BOB FM 103.5, KLBJ 99.7, Majic 95.5,  
21 Majic 95.5, KLZT 107.1, and KAZI 88.37). Emails and letters were sent to local, state, and federal  
22 elected/public officials including participating and cooperating agencies. E-blasts were sent project  
23 mailing list.
- 24 ○ In-person Public Meeting, hosted by TxDOT, to present and request comments on the results of the  
25 alternatives evaluation, findings from independent study of the community alternatives and proposed  
26 build alternative layouts.
  - 27 ▪ Date: August 10, 2021
  - 28 ▪ Location: Davage-Durden Student Union,  
29 Huston-Tillotson University  
30 900 Chicon Street  
31 Austin, Texas 78702
  - 32 ▪ Attendance: 117 attendees
- 33 ○ A virtual public meeting was also available for the public to view the meeting materials and comment  
34 virtually via My35CapEx.com.
  - 35 ▪ Date: August 10 through September 24, 2021
  - 36 ▪ Attendance: 23,466 participants online
- 37 ○ Comment Period: August 10 through September 24, 2021

1 Feedback: TxDOT received 4,426 comments (available on MyCapEx.com). Comment themes included  
2 aesthetics, air quality, Build Alternative 1, alternatives too similar, bicycle and pedestrian safety, burying  
3 or tunneling, business and residential displacements, do not widen, deck plazas, climate change,  
4 community alternatives, crash rates, east-west connectivity, racial justice, induced demand, keeping  
5 upper decks, reduced speed limits, lowered lanes, more lanes, Mount Calvary Cemetery, No Build  
6 Alternative, public transit, rerouting traffic, rerouting to SH 130, and sound walls/noise barriers. (See  
7 **Appendix E** for comment themes from this meeting).

- 8 ○ Spanish-language contents: The virtual public meeting website as well as the in-person public meeting  
9 contained information in Spanish, including a presentation and handouts, which provided information  
10 about the project location and proposed project scope, the proposed design, the project purpose and  
11 need, the results of the alternatives evaluation process, the environmental process and timeline,  
12 comments received, and how that feedback has been incorporated. Other Spanish-language  
13 information available on the website included a project fact sheet, an online comment form, and  
14 information about how to provide feedback.

#### 15 *4.1.5 Environmental Justice Outreach (including Limited English Proficiency (LEP))*

16 TxDOT is making extensive efforts to conduct outreach to underserved populations (elderly, minority,  
17 geographically dispersed/transient populations, LEP, physically and visually impaired, etc.) with the aim of  
18 keeping these underserved populations informed and educated about the proposed project and associated  
19 impacts and benefits.

20 The goal is to reach out to these underserved populations and neighborhoods to help them stay included and  
21 informed through the I-35 Capital Express Central Project process and they are given ample opportunities to  
22 participate in the discussion and planning of the proposed improvements.

23 An extensive stakeholder list was created to reach underserved populations. The project team uses this  
24 stakeholder list to inform underserved communities and to get input on our initial community outreach approach.  
25 Prior to implementation of public involvement outreach, the project team met with several community groups  
26 and members to ensure these important stakeholders are being reached. One example from this outreach was  
27 conducting walking tours with the Active Mobility Working Group from COA. These walking tours helped inform  
28 bicycle and pedestrian groups of proposed improvements included in the proposed project, especially on the  
29 widened bridges. The Active Mobility Working Group included community members that are considered elderly,  
30 physically and visually impaired, and who seek to be representatives for these populations. The project team  
31 conducted eight of these walking tours.

32 One approach to reach underserved and diverse groups is by holding pop-up events in high-traffic areas. Although  
33 TxDOT is invited to participate at a number of events, the project team purposely worked with local businesses,  
34 non-profit, and government entities to participate specifically at locations where underserved and  
35 underrepresented groups gather, shop, and frequent. At pop-up events, tables were set up to provide information  
36 about the updated alternatives, gather input and document concerns, and allow underserved populations to talk  
37 directly with TxDOT and provide their feedback on the project impacts. In addition, design team members were

1 available to discuss the project’s aesthetic elements such as proposed shade structures, landscaping, and areas  
2 for possible murals or panels. Several of the locations were in Spanish-speaking areas so a translator was on  
3 hand to communicate and share this information with the Spanish-speaking community.

4 ○ Pop-up Events

- 5       ▪ East Communities YMCA - July 28, 2021
- 6       ▪ South Congress Transit Center - July 30, 2021
- 7       ▪ North Lamar Transit Center – August 2, 2021
- 8       ▪ Rainbow Shops (Capital Plaza) – August 6, 2021
- 9       ▪ Citi Trends (Airport) – March 22, 2022.
- 10       ▪ Goodwill Central Texas, Riverside Location – March 23, 2022.
- 11       ▪ Goodwill Central Texas, Airport Location – March 24, 2022.
- 12       ▪ Mueller Farmer’s Market – April 10, 2022.
- 13       ▪ Spring Fling at Branch Park Pavilion – April 23, 2022.
- 14       ▪ The Future of Downtown at Waterloo Amphitheater – June 1, 2022.
- 15       ▪ Juneteenth - June 18, 2022.
- 16       ▪ Cap & Stitch Vision Studio – August 27, 2022.

17 Coordination efforts were extended to the following groups: Fiesta Market, MT Market (Asian grocery store),  
18 Ranch 99 (Asian grocery store), and El Rancho Supermercado.

19 ○ Statistics

- 20       ▪ 242 people reached, including many not previously aware of the project.

21 ○ Limited English Proficiency Inclusivity

- 22       ▪ To foster communication with Spanish-speaking populations, TxDOT project team provided Spanish  
23 translation for materials, invitations and Spanish-speaking staff were present at all virtual and in-  
24 person public meetings. We based our outreach on Census data. As Census data is self-reported,  
25 an individual’s ability to speak English represents the respondent’s own perception about their  
26 ability to speak English. Seven of the 134 block groups included no LEP population. The remaining  
27 127 block groups contained an LEP population between 0.45 percent and 51.7 percent. Of the LEP  
28 populations within the Community Study Area, the majority spoke Spanish (15.0 percent), followed  
29 by Asian and Pacific languages (0.7 percent), other Indo-European languages (0.5 percent), and  
30 other languages (0.3 percent). During the field investigations, signs in Spanish and Asian languages  
31 were observed within the Community Study Area confirming the presence of these LEP populations.  
32 In addition to the LEP population reflected in the Census data.
- 33       ▪ TxDOT also included the opportunity for requests for translation assistance in public meeting  
34 notifications. TxDOT did not receive any requests for interpretation services; however, eight  
35 conversations were held in Spanish during pop-up meetings over the last year to provide information  
36 and gather feedback about the project. We also provided the multi-language display board at our  
37 in-person meetings if there were any participants who attended and did not speak English.

1 *4.1.6 Additional Outreach*

2 *4.1.6.1 Website*

3 TxDOT established a website for the I-35 Capital Express Central Project at [www.My35CapEx.com](http://www.My35CapEx.com). The website  
4 provides up-to-date project information, meeting materials, environmental documents, and contact information,  
5 among other elements. It also supports digital engagement mechanisms. The project team ensures the website  
6 supports the needs of the project. All outreach materials encourage stakeholders to visit the website for more  
7 information.

8 *4.1.6.2 Newsletter and Social Media*

9 A database of stakeholders interested in receiving updates about the I-35 Capital Express Central project has  
10 been maintained by the project team. The database includes residents, businesses, neighborhood groups,  
11 elected officials, professional membership organizations and other stakeholders (**Appendix W** is a list of  
12 stakeholders). The project team builds upon the list of stakeholders by offering meeting and event attendees  
13 the option to sign up for updates. Visitors to the [www.My35CapEx.com](http://www.My35CapEx.com) website also can sign up for email updates  
14 as well as the quarterly Mobility35 E-Newsletter.

15 Tweets about upcoming events and opportunities to provide feedback about the I-35 Capital Express Central  
16 Project are frequently utilized as part of the social media outreach. These tweets include the day, time, and  
17 location of the public meeting. In addition, they include links to the project page. Comments made on social  
18 media were not included or evaluated as part of the decision-making process for the DEIS. Twitter is available  
19 for and intended to encourage public dialogue about the study and was provided for outreach and informational  
20 purposes only.

21 *4.1.6.3 Working Group Meetings*

22 TxDOT created a series of working group meetings called VOICE meetings for the Capital Express Central Project.  
23 These meetings provided an opportunity to inform the community of important updates and for community  
24 members to give input and ask questions about various topics pertaining to the project. Input from these  
25 meetings has assisted TxDOT in refining the alternatives in several meaningful and important directions,  
26 including additional at-grade crossings, increased bicycle and pedestrian accommodations, and the  
27 development of Modified Build Alternative 3. TxDOT will continue to host VOICE meetings throughout the  
28 remainder of this project.. TxDOT has hosted seven VOICE meetings since spring of 2021 with membership open  
29 to anyone, without limitation. Targeted outreach for the meetings included minority populations, low-income  
30 populations, people with LEP, elderly populations, children, and people with disabilities.

31 Topics addressed during the meetings included: safety for people who walk and bicycle, traffic, construction  
32 impacts, mobility justice and racial issues, urban boulevards, communications, and community engagement.  
33 Notifications were sent through a mobile-friendly format and provided information about how to access the virtual  
34 meeting platform. These notifications included invitations posted on NextDoor, TxDOT Twitter account, e-blasts  
35 to community members who signed up to be on the project email distribution list and on the project website.

- 1 To date, TxDOT has hosted the following seven VOICE meetings:
- 2 ○ VOICE #1 – Project Overview. VOICE Meeting 1 was a presentation about NEPA guidelines along with an  
3 overview of the I-35 Capital Express Central Project. Attendees broke into smaller groups to ask questions  
4 about the NEPA process and provide input about topics for future VOICE meetings. Feedback from this  
5 meeting assisted TxDOT in gauging the community’s interest in and understanding of this important project,  
6 and also understanding the topics of importance for the public, specifically air quality, health and equity,  
7 noise and noise barriers, and impacts to parklands.
    - 8 ▪ Location: Virtual Zoom meeting
    - 9 ▪ Date: April 15, 2021
    - 10 ▪ Attendance: 126 participants
  - 11 ○ VOICE #2 – Corridor Improvements and Bicycle/Pedestrian Accommodations. Participants were given a  
12 recap of the VOICE #1 meeting along with public feedback about future topics for these meetings. The project  
13 team defined the partner agencies along with roles and responsibilities and explained what would be studied  
14 as part of the DEIS. Attendees then broke into smaller groups to provide input on bicycle/pedestrian  
15 accommodations being considered within the project. Comments from this meeting helped inform the  
16 project team of areas of concern for bicyclists and pedestrians; particular crossings that are needed or that  
17 need improvement; and features of bicycle/pedestrian facilities such as barriers, lighting, and ADA  
18 compliance features.
    - 19 ▪ Location: Virtual Zoom meeting
    - 20 ▪ Date: May 26, 2021
    - 21 ▪ Attendance: 114 participants
  - 22 ○ VOICE #3 – Deck Plaza and Stitch Program. TxDOT was joined by COA and the DAA to share information with  
23 participants about the opportunities for deck plazas and stitches within the project limits. The meeting began  
24 with an overview of the feedback heard from participants at the VOICE #2 meeting. A question-and-answer  
25 session was provided for participants pertaining to the information shared. Feedback and input from this  
26 meeting instructed the project team on areas where the community thinks deck plazas and/or stitches would  
27 be most effective. This allowed TxDOT to further coordinate design with COA and the DAA, which would allow  
28 for deck plazas and stitches to be funded and constructed by others, and to include the analysis of the  
29 support infrastructure and proposed footprint for these areas with the DEIS.
    - 30 ▪ Location: Virtual Zoom meeting
    - 31 ▪ Date: July 12, 2021
    - 32 ▪ Attendance: 96 Public Attendees, 30 Staff Attendees
  - 33 ○ VOICE #4 – Topic: August Public Feedback and ROW Information. The project team presented feedback  
34 received from the August 10, 2021, Public Meeting and the features of the concepts suggested by the  
35 community. In addition, TxDOT clarified the design speed and potential displacements within the project  
36 limits, and presented information about the acquisition process. The project team also described the  
37 aesthetics program for the project, Live35 and reviewed the environmental impacts addressed in the DEIS.  
38 Participants were encouraged to participate in a question-and-answer session.
    - 39 ▪ Location: Virtual Zoom meeting

- 1           ▪ Date: September 30, 2021
- 2           ▪ Attendance: 50 Public Attendees, 28 Staff Attendees
- 3   ○ VOICE #5 – Topic: Aesthetics – Design Elements and Corridor History and Culture. The project team provided
- 4 attendees with a project overview, next steps, program logistics, and an overview of the cultural and
- 5 historical elements of the project area along with possible locations for urban design development.
- 6 Participants then joined smaller breakout sessions to review the possible design elements and provide
- 7 TxDOT with further input. Comments from this meeting helped the project team understand which cultural
- 8 and historical elements are important to the community and to verify that they are evaluated according to
- 9 federal and state requirements in the DEIS.
- 10           ▪ Location: Virtual Zoom meeting
- 11           ▪ Date: December 14, 2021
- 12           ▪ Attendance: 42 Public Attendees
- 13   ○ VOICE #6 –Topic: Changes to Alternatives Based on Community Input. During this hybrid (live-stream online
- 14 and in-person meeting held simultaneously) meeting, the project team discussed the modified alternatives,
- 15 which introduced the Modified Build Alternative 3 concept including the proposed boulevard section, project
- 16 updates, and reviewed community feedback and input to date. The meeting outlined changes to the
- 17 proposed build alternatives that TxDOT implemented based on community feedback. Information boards
- 18 were shown at the venue and were also available to online participants. Attendees at both the in-person and
- 19 virtual meeting were encouraged to ask questions and provide feedback about the information presented.
- 20 TxDOT selected the Central Austin Public Library for the in-person option, as it is a central location along the
- 21 corridor, is accessible by transit and COA provided free parking for the event. Feedback from this event was
- 22 used to further refine Build Alternative 2 and Modified Build Alternative 3 and display and highlight the
- 23 differences between the two revised alternatives.
- 24           ▪ Hybrid Meeting, in-person with a live stream provided for those that registered.
- 25           ▪ In-person Meeting Location:
- 26           Austin Central Library
- 27           710 W. Cesar Chavez Street
- 28           Austin, Texas 78701
- 29           ▪ Date: January 25, 2022
- 30           ▪ Attendance: 300 Public Attendees (260 virtual, 40 in-person), 44 Staff Attendees
- 31   ○ VOICE #7 – Topic: Bicycle/Pedestrian Accommodations, Widened Bridges, and SPUI Workshop. This in-
- 32 person meeting with a virtual component allowed the project team to present information regarding the
- 33 bicycle/pedestrian accommodations being proposed within the project. In-person participants visited a
- 34 series of stations with the following topics: Single-Point Interchanges, Enhanced Bridges and SUPs, and
- 35 Bicycle/Pedestrian Bridges. The attendees were able to draw on maps and schematics. In addition, they
- 36 were encouraged to write on sticky notes to provide comments on each topic. TxDOT selected Hutson-
- 37 Tillotson University, a historically Black university, in the heart of Austin, because it allows communities on
- 38 the east side that are often underserved and underrepresented to attend this event. Comments from this
- 39 event informed refinement of the alternatives to improve crossing points, neighborhood access, concerns
- 40 about SUP/sidewalk tunnels and lighting, and separation between bicycle/pedestrian lanes from vehicular
- 41 traffic.

- 1           ▪ In-person Meeting Location:
- 2            Davage-Durden Student Union
- 3            Huston-Tillotson University
- 4            900 Chicon Street
- 5            Austin, Texas 78702
- 6           ▪ Date: April 12, 2022
- 7           ▪ Attendance: 33 attendees
- 8           Neighborhood Meetings: Since the beginning of the EIS, TxDOT has engaged in 36 neighborhood
- 9           meetings and TxDOT continues to provide outreach and collect feedback about the I-35 Capital Express
- 10          Central Project to neighborhood associations and gatherings. There were certain neighborhoods TxDOT
- 11          met with on more than one occasion, and this is indicated in **Table 4.2** with an asterisk.

**Table 4-2. Neighborhood Meetings**

Neighborhood Associations	
Austin Neighborhoods Council	Mueller Neighborhood Association*
Central Wilshire Neighborhood Association*	North Loop Neighborhood Association
Cherrywood Neighborhood Association*	Organization of Central East Austin Neighborhoods
Delwood 2 Neighborhood Association	Schieffer Willowbrook Neighborhood Association
East Cesar Chavez Neighborhood Association*	South Austin Neighborhood Association
East Cesar Chavez Neighborhood Plan Contact Team	South River City Citizens Neighborhood Association*
Guadalupe Neighborhood Development Corporation	Southeast Combined Neighborhood Plan Contact Team
Hancock Neighborhood*	The North Central I-35 Neighborhood Coalition
Holy Cross Neighborhood Association	Wells Branch Neighborhood Association
Mueller Commission*	Windsor Park Neighborhood Association*

- 12          ○ Stakeholder Meetings
- 13           ▪ Since the beginning of the EIS, TxDOT has engaged in 85 meetings with stakeholder groups such
- 14            as COA advisory committees including the Bike Advisory Committee, Pedestrian Advisory
- 15            Committee, Urban Transportation Committee, and the Mobility Committee. TxDOT also met with
- 16            community organizations with specific interests like People Organizing to Demand Environmental
- 17            and Economic Justice (PODER), the National Association for the Advancement of Colored People
- 18            (NAACP), business organizations such as the Austin Chamber of Commerce and minority chambers
- 19            of commerce, and individual stakeholders with vested interests along the corridor. We also have
- 20            conducted 42 meetings with property owners whose property or properties may be impacted by the
- 21            project, or with those who have requested meetings to learn about project updates and provide

- 1 input. **Appendix W** is a compiled list of stakeholders that have requested ongoing project updates  
 2 or have shared contact information with the project team.
- 3 ○ Elected Official Meetings
- 4 ■ As **Table 4-3** shows, TxDOT has hosted 40 meetings with 2 elected officials to provide details about  
 5 the I-35 Capital Express Central Project and provide an opportunity for their feedback.

**Table 4-3. Meetings with Elected Officials**

Texas State Government	City of Austin	Travis County
Texas State Rep. Celia Israel	Austin City Council Member Ann Kitchen	Travis County Commissioner Brigid Shea
Texas State Rep. Donna Howard	Austin City Council Kathie Tovo's Office	Travis County Commissioner Jeff Travillion
Texas State Rep. Gina Hinojosa's Office	Austin City Council Member Alison Alter	Travis County Commissioner Margaret Gomez
Texas State Rep. Sheryl Cole	Austin City Council Member Chito Vela	Travis County Judge Andy Brown
Texas State Rep. Vikki Goodwin	Austin City Council Member Casar and Assistant City Manager Fiandaca	
Texas State Sen. Judith Zaffirini	Austin City Council Member Leslie Pool	
Texas State Sen. Sarah Eckhardt	Austin City Council Member Mackenzie Kelly	
	Austin City Council Member Natasha Harper-Madison	
	Austin City Council Member Paige Ellis	
	Austin City Council Member Sabino Renteria	
	Austin City Council Member Vanessa Fuentes	
	Austin Mayor Steve Adler	

- 6 ○ Cross-Agency Meetings - TxDOT has hosted 11 cross-agency meetings to coordinate with other agencies on  
 7 their current projects and update those agencies on the I-35 Capital Express Central Project. Agencies  
 8 included COA Transportation Department, CapMetro, CAMPO, the DAA, UT, FHWA, and the Texas Turnpike  
 9 Authority.
- 10 ○ TxDOT's Initiative Against Homelessness - TxDOT has been convening with service providers, agencies, and  
 11 elected leaders since 2017 as part of the agency's IAH. The goals of the initiative are to share information

1 on upcoming construction activities and community resources, to assess specific needs for assisting  
 2 individuals experiencing homelessness, and to identify possible opportunities for temporary and permanent  
 3 shelter or housing alternatives. Although this is an overall TxDOT initiative, there are some specific points in  
 4 which the I-35 Capital Express Central Project team conducted outreach to this underserved population.  
 5 **Section 3.6.4.3.1** has information on Camp Esperanza, a state-sanctioned mitigation measure for the  
 6 Mobility 35 Program, including the proposed project, to assist those experiencing homelessness,  
 7 communicate upcoming construction project impacts, assess individuals for needed services, and transition  
 8 them to more permanent housing.

9 **4.2 Summary of Submitted Alternatives, Information, and Analyses and Major**  
 10 **Points of View on Environmental Impacts**

11 During the scoping process for the project, several groups/entities submitted concepts or alternatives for  
 12 consideration. **Table 4-4** lists all alternatives submitted by the public and others during the scoping process and  
 13 a brief description of each. These alternatives are further described in **Chapter 2**. Comment themes received on  
 14 all alternatives can be reviewed in **Appendix E**.

**Table 4-4. Alternatives Submitted by the Public and Others During Scoping Process**

Alternative	Description
Reconnect Austin	Proposes to depress the highway and cover with a six-lane boulevard from MLK Jr. Boulevard to Holly Street. The boulevard would reconnect downtown with east Austin and moving the boulevard into the middle of the ROW would reclaim land on the edge of TxDOT ROW, thus allowing for construction of offices, shops, and housing, which, as taxable land, would generate revenue. The alternative proposes that removing high-speed roads from the surface would decrease the number of roadway injuries and fatalities, making walkable new districts safer for pedestrians and other vulnerable road users.
Rethink35	Proposes to replace the central section of I-35 with a six-lane urban boulevard. Traffic would slow as it approaches the boulevard section and speed up again as it heads north and south of downtown. Cross streets in the downtown area would provide east-west connectivity options and reclaimed ROW would provide new development space and reduce north-south traffic volume and noise levels. The purchase of access rights and available land for development would be similar to those from Reconnect Austin.
DAA/ULI	Proposes revamping I-35 using a narrower ROW than what TxDOT proposes to depress mainlanes; providing frontage roads overhanging the mainlanes that are designed as low speed urban boulevards (with both travel and parking lanes); and providing caps and stitches along the entire project. Caps are large structural covers that run north to south over the I-35 ROW; and stitches would include travel lanes, widened sidewalks, bicycle lanes and other open space connecting the deck plazas.

Table 4-4. Alternatives Submitted by the Public and Others During Scoping Process

Alternative	Description
Redesignate 130	Rerouting traffic, including trucks, from I-35 to SH 130; tolling I-35; eliminating tolls on SH 130; and redesignating SH 130 as I-35 are all similar concepts that have been proposed by the public and others over time.

1 In addition to the alternatives in **Table 4-4**, the TTI’s independent evaluation of the community concepts  
 2 (described in **Table 4-1** and **Chapter 2**) was also provided to TxDOT during the scoping process. This study  
 3 provided an objective evaluation of the feasibility of each concept as a standalone alternative, including traffic  
 4 and cost analyses of each (**Appendix T**). In response to this report, TxDOT presented the TTI’s findings to the  
 5 public at the Public Meeting in August 2021, and redesigned Build Alternative 2 and Modified Build Alternative  
 6 3 to include aspects and features of the concepts, especially those from the DAA/ULI concept. **Chapter 2** provides  
 7 further details on these modifications.

8 The public and agencies have also provided suggestions throughout the scoping process including that TxDOT  
 9 “consider past, present and potential future equity impacts through an equity impact assessment.” In response,  
 10 TxDOT is conducting additional studies on equity that went above and beyond the normal scope of a traditional  
 11 CIA. The additional studies focus on transportation equity and access and are included in **Section 3.6.12** and  
 12 **Appendix K** of the DEIS.

13 During the scoping process, the public and agencies were given three distinct periods of time to formally  
 14 comment on the project, including at Scoping Meeting #1 held in November 2020, Scoping Meeting #2 held in  
 15 March 2021, and at the Public Meeting held in August 2021. Comment themes are included in **Appendix E** and  
 16 can also be viewed online at: <https://my35capex.com/projects/i-35-capital-express-central/>. At the scoping  
 17 meetings, the public and agencies were able to comment on the project purpose and need, the Agency  
 18 Coordination Plan and schedule, and the Range of Alternatives report, as well as how the alternatives would be  
 19 analyzed. Major comments and observations made at these meetings included:

- 20 ○ Include additional design alternatives with deck plazas cross-street amenities, and/or urban boulevard  
 21 concept;
- 22 ○ Align with local plans;
- 23 ○ Prioritize and measure safety, including safety for people who walk and bicycle as well as vehicles;
- 24 ○ Explore financing options including fee-managed lanes;
- 25 ○ Evaluate impacts to community health and equity;
- 26 ○ Include an analysis of climate change and GHGs;
- 27 ○ Support for and facilitation of enhanced transit operations and connections;

- 1   ○ Divert trucks to SH 130 or other corridors; and
- 2   ○ Measure additional east-west crossings.
- 3   Environmental impacts of the proposed build alternatives were shared at the virtual and in-person public meeting
- 4   held in August 2021. The TTI's findings on the community concepts, described in **Table 4-4**, were also shared at
- 5   the meeting. Major comments made at this meeting included:
- 6   ○ Build Alternatives 2 and 3 are too similar.
- 7   ○ Widening I-35 would displace too many businesses and residences.
- 8   ○ The project would continue to divide east and west Austin and promote systematic racism.
- 9   ○ The project would induce demand and cause more congestion.
- 10   ○ The highway should be covered or buried.
- 11   ○ Concerns over air quality impacts of the proposed build alternatives.
- 12   ○ Concerns over the project's impacts to the climate.
- 13   ○ Concerns that people who walk and bicycle are not safe and do not have access to cross I-35.
- 14   ○ A desire for caps to be built along the project.
- 15   ○ Support for connecting with transit and Project Connect.
- 16   ○ Support for more lanes.
- 17   ○ Support for lowered lanes.
- 18   ○ Support for keeping the upper decks.
- 19   ○ A desire to reroute traffic to SH 130.
- 20   ○ Concern over noise impacts by the build alternatives.
- 21

1 **5.0. List of Federal Permits, Licenses, and Other Authorizations Needed for**  
2 **the Preferred Alternative**

3 *5.1. Water Resources*

4 The following are federal permits required for water resources within the Preferred Alternative. **Section 3.10.1**  
5 contains further information on water resources permitting and requirements.

- 6 ○ Section 404 of the CWA permit from USACE
- 7 ○ NWP 58 for Utility Line Activities for Water and Other Substances from USACE
- 8 ○ RGP 8 for Minor Structures from USACE
- 9 ○ NWP 14 for Linear Transportation Projects from USACE

10 *5.2. Protected Lands*

11 The following are authorizations required for protected lands, including Section 4(f) and Section 6(f) resources,  
12 within the Preferred Alternative. **Section 3.9** contains further information on protected lands and authorization  
13 requirements.

- 14 ○ Section 4(f) Individual Evaluation approval by TxDOT. Approval of the Individual Evaluation will be included  
15 with the FEIS/ROD.
- 16 ○ Section 6(f) Temporary Non-conforming Use approval by NPS. A temporary non-conforming use form has  
17 been submitted to TPWD. It is anticipated that TPWD will coordinate the temporary non-conforming use form  
18 for approval by NPS prior to the FEIS/ROD.
- 19 ○ Section 6(f) Permanent Land Use Conversion approval by NPS. Coordination with COA is ongoing. TxDOT and  
20 COA have identified a list of potential replacement properties for conversion and are negotiating with  
21 landowners to determine the best option for converting the replacement property to parkland. Once  
22 formalized, the final approval package will be coordinated through TPWD and ultimately provided by the  
23 NPS, following publication of the FEIS/ROD.

24

## 6.0. Names and Qualifications of Persons Preparing the EIS or Conducting Independent Evaluation of the EIS

### Texas Department of Transportation (TxDOT) – Austin District

- Akila Thamizharasan, P.E., PTOE, PMP, Advance Project Development Director, 30 years' experience
- Andy Blair, Environmental Program Manager, 15 years' of experience
- Eric Bennett, P.E., Alternative Delivery Director, 26 years' of experience
- Heather Ashley-Nguyen P.E., Transportation Planning and Development Director, 22 years' experience
- Joseph Goessling, P.E., CFM, District Hydraulics Engineer, 13 years' experience
- Michelle Cooper, P.E., Project Manager, 28 years' experience
- Mike Arellano, P.E., Deputy District Engineer, 25 years' experience
- Shirley Nichols, Environmental Supervisor, 32 years' experience
- Sonya Hernandez, P.G., Environmental Program Manager, 18 years' experience
- Tommy Abrego, P.E., Mobility35 Program Manager, 12 years' experience
- Tracy White, Ph.D., Natural Resources SME, 12 years' of experience
- Tucker Ferguson P.E., District Engineer, 34 years' experience

### TxDOT Environmental Affairs Division

- Doug Booher, Environmental Affairs Division Director, 28 years' experience
- Dennis Palafox, Natural Resources SME, 40 years' of experience
- Eric Oksanen, Archeology SME, 26 years' experience
- Jackie Ploch, Greenhouse Gas and Climate SME, 37 years' experience
- Lindsey Kimmitt, Environmental Specialist, 17 years' experience
- Mario Mata, Jr., Water Resources SME, 17 years' of experience
- Michael Chavez, Environmental Affairs Division Deputy Director, 24 years' experience
- Michelle Lueck, Section 4(f) SME, 26 years' of experience
- Nicolle Kord, Indirect and Cumulative Impact SME, 15 years' experience
- Patrick Lee, Environmental Program Manager, 14 years' of experience
- Ray Umscheid, Traffic Noise SME, 16 years' experience
- Rebekah Dobrasko, Cultural Resource Management Section Director, Historic Resources SME, 20 years' experience
- Spencer Ward, Community Impacts SME, 4 years' experience
- Terry Dempsey, Hazardous Materials SME, 40 years' of experience

- 1       ○ Tim Wood, Air Quality SME, 11 years' experience
- 2   Jacobs Engineering
- 3       ○ Angela McMurray, AICP, Mobility 35 GEC Environmental Team, 16 years' experience
- 4       ○ Mike Lee, P.E., Mobility35 GEC Program Manager, 27 years' experience
- 5       ○ Randy Poucket, P.E., Mobility35 GEC Capital Express Central Coordinator, 28 years' experience
- 6       ○ Stephanie Messerli, P.E., AICP, Mobility35 GEC Program Manager, 28 years' experience
- 7       ○ Tricia Bruck-Hoyt, PMP, AICP, Mobility35 GEC Environmental Lead, 20 years' experience
- 8   HDR, Inc.
- 9       ○ Adam Roberts, Environmental Scientist, 15 years' experience
- 10      ○ Adam Yeeles, Ph.D., Social Scientist, 18 years' experience
- 11      ○ Brian Deringer, Roadway CAD Technician, 18 years' experience
- 12      ○ Bryan Martin, P.E., CFM, Water Resources Senior Project Manager, 24 years' experience
- 13      ○ Bryan Elkan, P.E., Utilities Task Leader, 18 years' experience
- 14      ○ Colin Mucci, P.E., Transportation Engineer, 12 years' experience
- 15      ○ Daniel Ortiz, P.E., Transportation Engineer, 9 years' experience
- 16      ○ Esther Chitsinde, Environmental Planner, 8 years' experience
- 17      ○ Freda Agbecha, Transportation EIT, 4 years' experience
- 18      ○ Gabriel Villarreal, P.E., Transportation Engineer, 20 years' experience
- 19      ○ John McPherson, Environmental Planner, 30+ years' experience
- 20      ○ Justin Word, P.E., Transportation Engineer, 25 years' experience
- 21      ○ Kristine Lloyd, QC Reviewer, 30 years' experience
- 22      ○ Matthew G. Best, P.E., PTOE, Traffic Task Leader, 15 years' experience
- 23      ○ Madison Gordey, Environmental Planner, 3 years' experience
- 24      ○ Margot Greer, Environmental Planner, 7 years' experience
- 25      ○ Phaisarn Cwatanaphol, P.E., Schematic Design Lead, 30 years' experience
- 26      ○ Roberto Gutierrez, Transportation EIT, 3 years' experience
- 27      ○ Sang Ki Lee, Transportation Engineer, 4 years' experience
- 28      ○ Sara Moren, Environmental Scientist, 18 years' experience
- 29      ○ Shane Valentine, P.G., Environmental Task Leader, 25 years' experience
- 30      ○ Steven Dong, Technical Editor, 20 years' experience

- 1 ○ Terri Asendorf Hyde, Deputy Environmental Task Leader, 17 years' experience
- 2 ○ William Brudnick, P.E., Project Manager Schematic and Environmental, 35 years' experience
- 3 CP&Y
- 4 ○ Angela Gillmeister, GISP, GIS Analyst, 10 years' experience
- 5 ○ Daniel Wanke, GIS Analyst, 2 years' experience
- 6 ○ Darren Dodson, Environmental Planner, 22 years' experience
- 7 ○ Jeffrey Rivas, AICP, Environmental Planner, 3 years' experience
- 8 ○ John McGlone, GISP, GIS Analyst, 8 years' experience
- 9 ○ Leigh Raderschadt, AICP, Environmental Planner, 9 years' experience
- 10 ○ Melissa Cross, AWB, Biologist, 6 years' experience
- 11 Mead & Hunt
- 12 ○ Alex Borger, Architectural Historian, 7 years' experience
- 13 ○ Dusty Nielsen, Technical Editor, 15 years' experience
- 14 ○ Emily Pettis, Senior Architectural Historian, 23 years' experience
- 15 ○ Lauren Kelly, Architectural Historian, 1 year experience
- 16 ○ Mackenzie Machuga, Architectural Historian, 1 year experience
- 17 ○ Rick Mitchell, AICP, Senior Architectural Historian, 29 years' experience
- 18 Rifeline
- 19 ○ Frances L. Jordan J.D., Public Involvement Lead, 11 years' experience
- 20 ○ Lynda Rife, Public Involvement Consultant, 35 years' experience
- 21 ○ Melissa Hurst, Public Involvement Consultant, 17 years' experience
- 22 ○ Shelley Law, Community Outreach Manager, 4 years' experience
- 23 Danielle Skidmore Consulting, PLLC
- 24 ○ Danielle Skidmore, P.E., Drainage Engineer, 26 years' experience
- 25 Stantec
- 26 ○ Ami Parikh, Transportation Planner, 13 years of experience
- 27 ○ Ben Janik, GIS Lead, 11 years' experience
- 28 ○ Haley Collins, AICP, Transportation Planner, 9 years' experience
- 29 ○ Holly Bagot, Environmental Planner, 6 years' experience
- 30 ○ L. Ashley McLain, AICP, Senior Planner, 25 years' experience

- 1       ○ Larsen Andrews, Environmental Planner, 3 years' experience
- 2       ○ Mitchell Ford, Architectural Historian, 1 year experience
- 3       The Estes Group (TEG)
- 4       ○ Tony Estes, P.E., Mobility35 GEC Schematic Lead, 16 years' experience

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